

THE COUNCIL

Minutes of the Proceedings for the
STATED MEETING
of
Thursday, May 16, 2024, 2:04 p.m.

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

Council Members

Adrienne E. Adams, *The Speaker*

Shaun Abreu	Shahana K. Hanif	Keith Powers
Joann Ariola	Kamillah M. Hanks	Lincoln Restler
Alexa Avilés	Robert F. Holden	Kevin C. Riley
Diana I. Ayala	Crystal Hudson	Yusef Salaam
Chris Banks	Rita C. Joseph	Rafael Salamanca, Jr
Joseph C. Borelli	Shekar Krishnan	Pierina A. Sanchez
Erik D. Bottcher	Linda Lee	Lynn C. Schulman
Justin Brannan	Farah N. Louis	Althea V. Stevens
Gale A. Brewer	Kristy Marmorato	Sandra Ung
Selvena N. Brooks-Powers	Christopher Marte	Nantasha M. Williams
Tiffany L. Cabán	Darlene Mealy	Julie Won
David M. Carr	Julie Menin	Kalman Yeger
Carmen N. De La Rosa	Francisco P. Moya	Susan Zhuang
Eric Dinowitz	Mercedes Narcisse	
Amanda C. Farías	Sandy Nurse	
Oswald J. Feliz	Chi A. Ossé	
Jennifer Gutiérrez	Vickie Paladino	

Absent: Council Member Vernikov;
Medical Leave: Council Member Gennaro;
Parental: Council Member Rivera.

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

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

There were 48 Council Members marked present at this Stated Meeting held in the Council Chambers at City Hall, New York, N.Y. (including Council Members Moya, Won, and Minority Leader Borelli who all participated remotely).

INVOCATION

The Invocation was delivered by Rev. Sully Guillaume-Same, St. Thomas Episcopal Church, located at 1405 Bushwick Avenue, Brooklyn, N.Y. 11207.

Good afternoon.

Years ago, a man inspired by God
by the name of Jeremiah
encouraged people to love
and pray to the Lord for the city
in which they were living
regardless of their immigration status.
He urged them to seek
the peace and prosperity of that city,
because their own welfare
and the city's welfare were inseparable.
Today we are standing here in this Chamber,
regardless of creeds or birthplace,
as one united by the same
ambitious prosperity for our city
on which the future
of our children and grandchildren
depends heavily.

Let us pray.

We praise you, God,
creator of the universe and mankind.
We thank you for your constant passion
to save your creation, keep your children united,
and make them prosperous.
We thank you, O Lord,
for all our city elected officials from all walks of life,
especially of those gathering here in these Chambers
to represent your people from our five boroughs
and make decisions on their behalf.
We thank you for blessing them
with the desire and courage
to lead and serve your people
in the city of New York.
Continue to pour your abundant blessings
in this place and upon each one of them,
so that they may always be empowered
and guided by your love
and the pursuit of the American dream for all.
Be present among them, O Lord,

through the power of your holy spirit,
so that by their decisions and all the decisions
may reflect your will for your people.
Pour your blessings upon our city and our residents.
Keep our city strong and safe.
Please, O Lord, keep a special eye
on the recently displaced Bushwick families
and the owners of businesses destroyed
by the recent fire in Bushwick;
continue to guide the leaders of our city,
and lead them to be successful
in standing up for our people and country's prosperity.
Amen.

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

ADOPTION OF MINUTES

Council Member Krishnan moved that the Minutes of the Stated Meetings of April 11, 2024 and April 18, 2024 be adopted as printed.

MESSAGES & PAPERS FROM THE MAYOR

M-41

Communication from the Mayor - Submitting certificate setting forth the maximum amount of debt and reserves which the City, and the NYC Municipal Water Finance Authority and the New York City Transitional Finance Authority may soundly incur for capital projects for Fiscal Year 2025 and the ensuing three fiscal years, and the maximum amount of appropriations and expenditures for capital projects which may soundly be made during each fiscal year.

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y 10007

April 24, 2024

Honorable Members of the Council

Honorable Brad Lander, Comptroller
Honorable Vanessa L. Gibson, Bronx Borough President
Honorable Antonio Reynoso, Brooklyn Borough President
Honorable Mark D. Levine, Manhattan Borough President
Honorable Donovan Richards, Queens Borough President
Honorable Vito Fossella, Staten Island Borough President

Honorable Members of the City Planning Commission

Ladies and Gentlemen:

I hereby certify that, as of this date, in my opinion, the City of New York (the "City"), the New York City Municipal Water Finance Authority and the New York City Transitional Finance Authority may soundly issue debt and expend reserves to finance total capital expenditures of the City for fiscal year 2025 and the ensuing three fiscal years, in maximum annual amounts as set forth below:

2025	\$13,230	Million
2026	14,075	Million
2027	15,322	Million
2028	15,976	Million

Certain capital expenditures are herein assumed to be financed from the proceeds of sale of bonds by the City and the New York City Transitional Finance Authority. Amounts of expenditures to be so financed have been included in the total amounts listed above and are estimated to be as follows in fiscal years 2025 — 2028:

2025	\$10,819	Million
2026	11,514	Million
2027	12,715	Million
2028	13,164	Million

Certain water and sewer capital expenditures are herein assumed to be financed from the proceeds of the sale of bonds by the New York City Municipal Water Finance Authority. Amounts of expenditures to be so financed have been included in the total amounts listed in the first paragraph hereof and are estimated to be as follows in fiscal years 2025 — 2028:

2025	\$2,411	Million
2026	2,561	Million
2027	2,607	Million
2028	2,812	Million

I further certify that, as of this date, in my opinion, the City may newly appropriate in the Capital Budget for fiscal year 2025, and may include in the capital program for the ensuing three fiscal years, amounts to be funded by City debt, New York City Transitional Finance Authority debt or, with respect to water and sewer projects, debt of the New York City Municipal Water Finance Authority, not to exceed the following:

2025	\$11,434	Million
2026	16,448	Million
2027	15,561	Million
2028	16,687	Million

Sincerely,

Eric Adams
Mayor

(For text of this Budget-related material, please refer to the City Hall Library at 31 Chambers Street, Suite 112, New York, N.Y. 10007 and the Mayor's Office of Management and Budget at 255 Greenwich Street, Suite 8, New York, N.Y. 10007)

Received, Ordered, Printed and Filed.

M-42

Communication from the Mayor - Submitting the Expense Revenue Contract Budget, for Fiscal Year 2025, pursuant to Section 249 of the New York City Charter.

(For text of this Budget-related material, please refer to the City Hall Library at 31 Chambers Street, Suite 112, New York, N.Y. 10007 and the Mayor's Office of Management and Budget at 255 Greenwich Street, Suite 8, New York, N.Y. 10007)

Referred to the Committee on Finance.

M-43

Communication from the Mayor - Submitting the Executive Capital Budget for Fiscal Year 2025, pursuant to Section 249 of the New York City Charter.

(For text of this Budget-related material, please refer to the City Hall Library at 31 Chambers Street, Suite 112, New York, N.Y. 10007 and the Mayor's Office of Management and Budget at 255 Greenwich Street, Suite 8, New York, N.Y. 10007)

Referred to the Committee on Finance.

M-44

Communication from the Mayor - Submitting the Executive Budget Supporting Schedules, for Fiscal Year 2025 pursuant to Section 250 of the New York City Charter.

(For text of this Budget-related material, please refer to the City Hall Library at 31 Chambers Street, Suite 112, New York, N.Y. 10007 and the Mayor's Office of Management and Budget at 255 Greenwich Street, Suite 8, New York, N.Y. 10007)

Referred to the Committee on Finance.

M-45

Communication from the Mayor - Submitting the Capital Commitment Plan, Executive Budget, Fiscal Year 2025, Volumes 1, 2, 3 and 4, pursuant to Section 219(d) of the New York City Charter.

(For text of this Budget-related material, please refer to the City Hall Library at 31 Chambers Street, Suite 112, New York, N.Y. 10007 and the Mayor's Office of Management and Budget at 255 Greenwich Street, Suite 8, New York, N.Y. 10007)

Referred to the Committee on Finance.

M-46

Communication from the Mayor - Submitting the Budget Summary, the Message of the Mayor, and the Program to Eliminate the Gap relative to the Executive Budget, Fiscal Year 2025, pursuant to Section 249 of the New York City Charter.

(For text of this Budget-related material, please refer to the City Hall Library at 31 Chambers Street, Suite 112, New York, N.Y. 10007 and the Mayor's Office of Management and Budget at 255 Greenwich Street, Suite 8, New York, N.Y. 10007)

Referred to the Committee on Finance.

M-47

Communication from the Mayor - Submitting the Proposed City Fiscal Year 2025 Community Development Program, the Proposed CFY'25 Budget, the Proposed Allocation of Calendar Year 2024/CD 50 Funds, the Proposed Calendar Year 2025/CD 51 Budget, dated April 25, 2024.

(For text of this Budget-related material, please refer to the City Hall Library at 31 Chambers Street, Suite 112, New York, N.Y. 10007 and the Mayor's Office of Management and Budget at 255 Greenwich Street, Suite 8, New York, N.Y. 10007)

Referred to the Committee on Finance.

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

M-48

Communication from the Office of Management and Budget – Submitting the Annual Statement of Debt Affordability, as required by Chapter 16 of the Laws of 1997 of the State of New York.

(For text, please refer to the Mayor's Office of Management and Budget at 255 Greenwich Street, 8th Floor, New York, N.Y. 10007; please also refer to the NYC OMB website at <https://www.nyc.gov/assets/omb/downloads/pdf/sda4-24.pdf>).

Received, Ordered, Printed and Filed.

M-49

Communication from the New York City Banking Commission - Transmitting recommendations of the interest rate to be charged for Fiscal Year 2025 for non-payment of taxes on real estate and for the discount rate to be allowed for early payment of real estate taxes for Fiscal Year 2025, pursuant to the City Charter.

May 10, 2024

Honorable Adrienne Adams
Speaker, New York City Council
ATTN: Jonathan Etricks
City Hall
New York, NY 10007

Re: FY2025 Interest Rates Recommendations for:
Early Payment (Discount) of Property Taxes,
Rate for Payment Program for Property Taxes; and
Late-Payment of Property Taxes

Dear Speaker Adams:

Pursuant to Section 11-224.1 of the New York City Administrative Code and Section 1519-a of the New York City Charter, at its meeting on May 9, 2024, the NYC Banking Commission approved resolutions recommending to the City Council the following proposed FY2025 interest rates for the discount rate for early property tax payments, rate for payment program for property taxes; and the rates for non-payment of property taxes:

- a. One-half of one percent (0.50%) discount per annum for early payment of real estate taxes;
- b. Six percent (6.0%) per annum for non-payment of property taxes with an assessed value of not more than two hundred fifty thousand dollars (\$250,000), or not more than two hundred fifty thousand dollars (\$250,000) per residential unit for co-ops, for certain Property Tax Payment Plans;
- c. Nine percent (9.0%) per annum for non-payment of property taxes with an assessed value of not more than two hundred fifty thousand dollars (\$250,000), or not more than two hundred fifty thousand dollars (\$250,000) per residential unit for co-ops;
- d. Fifteen percent (15.0%) per annum for non-payment of property taxes with an assessed value of no more than two hundred fifty thousand dollars (\$250,000), but less than four hundred fifty thousand dollars (\$450,000), or not more than two hundred fifty thousand dollars (\$250,000), but less than four hundred fifty thousand dollars (\$450,000) per residential unit for co-ops;
- e. Eighteen percent (18.0%) per annum for non-payment of property taxes with an assessed value of more than four hundred fifty thousand dollars (\$450,000), or more than four hundred fifty thousand dollars (\$450,000) per residential unit for co-ops.

The Commission also voted to make a \$10 Million deposit at Popular Bank's Banking Development District (BDD) branch located at 374 East 149th Street neighborhood in the Bronx. Attached are copies of the Banking Commission resolutions.

Attachment

Cc: Honorable Eric Adams
Comptroller Brad Lander
Commissioner Preston Niblack, NYC Department of Finance
Special Counsel/Chief Strategy Officer to 1st Dep. Mayor Tonya Jenerette
Deputy Comptroller for Policy Annie Levers

RESOLUTION NO. 1 — FY2025 EARLY PROPERTY TAX PAYMENT DISCOUNT RATE RECOMMENDATION

WHEREAS, pursuant to Section 1519-a of the New York City Charter, the Banking Commission shall send a written recommendation to the City Council of a proposed discount percentage for the early payment of property taxes for the ensuing fiscal year no later than the thirteenth of May, and

WHEREAS, The Banking Commission's impact analysis for FY2025 projects that the return on investments will result in \$63 million of interest earned on taxes collected early. This will more than offset estimates of forgone tax revenue of negative \$7.9 million (discount given) plus forgone interest income on forgone taxes of (\$316k), resulting in a net gain in revenue to the city of \$54.7 million, and

WHEREAS, Semi-annual payers are billed twice per year and Quarterly payers four times, at an estimated total cost of \$7.40 per invoice. When taxpayers pay their entire year's property tax early, eliminating the need for further billing, the City saves from processing fewer invoices. In FY2024, a total of 121,044 property owners made early payments saving NYC an estimated \$1.8 million in invoicing and administrative costs. If similar savings are realized in FY2025, the total impact of the 0.50% discount will be a positive \$56.5 million, and

WHEREAS, New York City's Cash Flow projection for June 30th, 2024, the end of FY24, is approximately \$6 billion. The Banking Commission does not recommend increasing the discount rate from 50 bps (0.50%) to 100 bps (1.0%). A 1.0% rate will not materially increase the cash flow but would

WHEREAS, there is no economic reason for the Banking Commission to change the discount rate of 50 bps (0.50%) in FY2025. The impact of having this discount rate in place translates to a total net gain to the city of positive \$56.5 million. If the statutory default rate of 155 bps (1.55%) were to be invoked, the City's net loss would be negative \$24.4 million. If the Banking Commission were to increase the discount rate to 100 bps (1.0%), this would result in a revenue loss of approximately \$15.8 million; now, therefore be it

RESOLVED, the Banking Commission recommends to the City Council that the discount rate for the early payment of real property taxes shall remain at 50 basis points (0.50%) per annum for FY2025, and be it further

RESOLVED, that said discount rate is to be offered only for that portion of the real estate tax that is paid before the due date.

RESOLUTION NO. 2 — FY2025 LATE PAYMENT RATE FOR CERTAIN PROPERTY TAX PAYMENT PLANS RECOMMENDATION

WHEREAS, pursuant to Local Law 36 of the City of New York 2023, the Banking Commission shall send a written recommendation to the City Council of a proposed late payment interest rate for the late payment of certain property tax payment plans for the ensuing fiscal year no later than the thirteenth of May, and

WHEREAS, the May 2024 Applicable Federal Rate is 4.97%, which under Local Law 36 of 2023 must be rounded to the nearest half a percentage point for a base rate of 5.00%, and

WHEREAS, the Applicable Federal Rate has increased almost 17 basis points since last July, and

WHEREAS, a rate lower than the current Applicable Federal Rate has further tax implications for the people the law was written to help; now, therefore be it

RESOLVED, the Banking Commission recommends to the City Council that the late payment rate for certain Property Tax Payment Plans shall be set at six percent (6%) per annum for FY2025.

RESOLUTION NO. 3 — FY2025 LATE PROPERTY TAX PAYMENT INTEREST RATE RECOMMENDATION FOR PROPERTIES ASSESSED NO MORE THAN \$250,000

WHEREAS, pursuant to the New York City Administrative Code Section 11-224.1, the Banking Commission is required to recommend to the City Council, no later than the thirteenth of May, the proposed interest rates to be charged for late payment of taxes for properties with an assessed value of not more than two hundred fifty thousand dollars (\$250,000), or not more than two hundred fifty thousand dollars (\$250,000) per residential unit for co-ops, and

WHEREAS, the proposed interest rate shall be at least equal to the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the "prime rate"), and

WHEREAS, the Banking Commission notes that as of May 09, 2024, said prime rate stands at 8.50 percent (8.50%), as published by the Board of Governors of the Federal Reserve System, and

WHEREAS, the Federal Reserve plans to keep rates at these levels for an extended period of time to fight the highest inflation in 40 years. At this time there is much uncertainty in the global economy, and the FOMC does not expect it will be appropriate to reduce the target rates until it has gained greater confidence that inflation is moving sustainably toward 2 percent, and

WHEREAS, it is in the City's best interest to encourage the prompt payment of property taxes by all taxpayers, now therefore, be it

RESOLVED, the Banking Commission recommends to the City Council that the late payment interest rate to be charged for late payment of taxes for all properties with an assessed value of not more than two hundred fifty thousand dollars (\$250,000), or not more than two hundred fifty thousand dollars (\$250,000) per residential unit for co-ops, be set at nine percent (9%) per annum for tax year 2025.

RESOLUTION NO. 4 — FY2025 LATE PROPERTY TAX PAYMENT INTEREST RATE RECOMMENDATION FOR PROPERTIES ASSESSED GREATER THAN \$250,000 BUT LESS THAN OR EQUAL TO \$450,000

WHEREAS, pursuant to Local Law 24 of 2021, the Banking Commission is required to recommend to the City Council, no later than the thirteenth of May, the proposed interest rate to be charged for late payment of taxes for properties with an assessed value of more than two hundred fifty thousand dollars (\$250,000) but less than or equal to four hundred fifty thousand dollars (\$450,000), or more than two hundred fifty thousand dollars (\$250,000) but less than or equal to four hundred fifty thousand dollars (\$450,000) per residential unit for co-ops, and

WHEREAS, said provisions of Local Law 24 require the Banking Commission to propose a rate at least four percentage points (4.0%) per annum greater than the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the "prime rate"), and

WHEREAS, the Banking Commission notes for the record that as of May 09, 2024, said prime rate stands at 8.50 percent (8.50%), as published by the Board of Governors of the Federal Reserve System, and

WHEREAS, it is in the City's best interest to encourage the prompt payment of real estate taxes by all taxpayers, now, therefore, be it

RESOLVED, the Banking Commission recommends to the City Council that the late payment interest rate to be charged for late payment of real property taxes where the assessed value of a property is more than two hundred fifty thousand dollars (\$250,000), but less than or equal to four hundred fifty thousand dollars (\$450,000), or more than two hundred fifty thousand dollars (\$250,000) but less than or equal to four hundred fifty thousand dollars (\$450,000) per residential unit for co-ops, be set at fifteen percent (15%) per annum for FY2025.

RESOLUTION NO. 5 — FY2025 LATE PROPERTY TAX PAYMENT INTEREST RATE RECOMMENDATION FOR PROPERTIES ASSESSED GREATER THAN \$450,000

WHEREAS, pursuant to the New York City Administrative Code Section 11-224.1, the Banking Commission is required to recommend to the City Council, no later than the thirteenth of May, the proposed interest rate to be charged for late payment of taxes for properties with an assessed value of more than four hundred fifty thousand dollars (\$450,000), or more than four hundred fifty thousand dollars (\$450,000) per residential unit for co-ops, and

WHEREAS, said provisions of the Administrative Code require the Banking Commission to propose a rate at least six percentage points (6.0%) per annum greater than the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the "prime rate"), and

WHEREAS, the Banking Commission notes for the record that as of May 09, 2024, said prime rate stands at 8.50 percent (8.50%), as published by the Board of Governors of the Federal Reserve System, and

WHEREAS, it is in the City's best interest to encourage the prompt payment of real estate taxes by all taxpayers, now, therefore, be it

RESOLVED, the Banking Commission recommends to the City Council that the late payment interest rate to be charged for late payment of real estate taxes where the assessed value of a property is more than four hundred fifty thousand dollars (\$450,000), or more than four hundred fifty thousand dollars (\$450,000) per residential unit for co-ops, be set at eighteen per cent (18%) per annum for FY2025.

RESOLUTION NO. 6 — 2024 APPROVAL OF NYC DEPOSITORY BANKS

WHEREAS, pursuant to Section 1524 of the New York City Charter, the Banking Commission is responsible for designating banks that are permitted to hold City funds; and

WHEREAS, pursuant to Title 22 of the Rules of the City of NY (RCNY) § 1-03(b), the term of a designation shall be for a period of no longer than two years, however, in this case designation will be for only one year as the biennial designation begins again in May of 2025, unless the Banking Commission by majority vote extends such designation period; and

WHEREAS, the following 3 banks have submitted the required documents and meet the requirements to become NYC Depository Banks:

1. Bank of Montreal
2. KeyBank
3. NYCB/Flagstar

RESOLVED, the Banking Commission approves the listed banks to become NYC Depository Banks for one year.

RESOLUTION NO. 7 — Necessity Exception of Capital One Bank.

WHEREAS, pursuant to Section 1524 of the New York City Charter, the Banking Commission is responsible for designating banks that are permitted to hold City funds; and

WHEREAS, pursuant to the Title 22 RCNY § 1-03(e)(1)(ii), a NYC Depository Bank must submit required documentation; and

WHEREAS, in accordance with Title 22 RCNY, Capital One Bank chose not to submit documentation required for designation; and

WHEREAS the bank provides unique services for the Department of Housing Preservation and Development that cannot easily be duplicated with another provider; therefore, be it

RESOLVED, the Banking Commissioners hereby designate Capital One Bank as a Depository Bank commencing May 09, 2024 until current HPD agreements expire.

RESOLUTION NO. 8 — POPULAR BANK BRONX BDD DEPOSIT

WHEREAS, the New York State Department of Financial Services has approved a sixth branch of Popular Bank to participate in the Banking Development District (BDD) program; and

WHEREAS, Popular Bank has requested that the City of New York make a \$10 Million deposit at its Bronx BDD branch located at 374 East 149th Street in the Bronx: therefore, be it

RESOLVED, the Banking Commission approves a \$10 Million New York City BDD deposit at the Popular Bank Bronx BDD branch.

Dated May 10, 2024

The NYC Banking Commission unanimously approved Resolutions No. 1-8.

Referred to the Committee on Finance.

REPORTS OF THE STANDING COMMITTEES

Report of the Committee on Education

Report for Int. No. 341-A

Report of the Committee on Education 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 New York city department of education to report the number of students reported to the office of school health as having a diagnosis of sickle cell disease or trait.

The Committee on Education, to which the annexed proposed amended local law was referred on February 28, 2024 (Minutes, page 756), respectfully

REPORTS:

I. INTRODUCTION

On May 16, 2024, the Committee on Education, chaired by Council Member Rita Joseph, will consider Proposed Introduction Number (Int. No.) 341-A, sponsored by Council Member Mercedes Narcisse, related to requiring the New York city department of education to report the number of students reported to the office of school health as having a diagnosis of sickle cell disease or trait.

The Committee previously held a hearing on Int. No. 341 on April 17, 2024 and heard testimony from the New York City (NYC) Department of Education (DOE), the NYC Health + Hospitals, and the NYC Department of Health and Mental Hygiene. The Committee also heard testimony from unions, non-profits, community-based organizations, advocates, and members of the public.

II. BACKGROUND

Section 21-965 of the administrative code of the city of New York currently requires the DOE to submit an annual student health report to the Council, which includes reporting on the number of students reported to the office of school health as having a diagnosis of allergies, asthma, diabetes type 1 or diabetes type 2. The student health report does not currently require reporting on the number of students with sickle cell disease or trait, but reporting such information would be particularly significant for DOE schools, as nearly 65% of DOE students are Black or Latino, and sickle cell disease and trait is most prevalent in these populations.

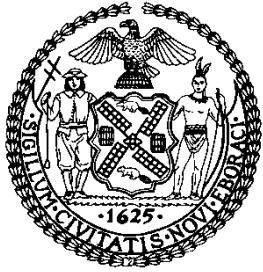
III. BILL ANALYSIS

Proposed Int. No. 341-A – A Local Law to amend the administrative code of the city of New York, in relation to requiring the New York city department of education to report the number of students reported to the office of school health as having a diagnosis of sickle cell disease or trait

This bill would require the DOE to include in its annual report on student health and student health services to the Council the total number of students reported to the Office of School Health as having a diagnosis of sickle cell disease or sickle cell trait.

Since it was heard, the bill was amended to include a new reporting period and also received technical edits.

(The following is the text of the Fiscal Impact Statement for Int. No. 341-A:)



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

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

RICHARD LEE, FINANCE DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 341-A

COMMITTEE: Education

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring the New York City department of education to report the number of students reported to the office of school health as having a diagnosis of sickle cell disease or trait.

SPONSOR(S): By Council Members Narcisse, Brooks-Powers, Joseph, Riley, Hanif, Gennaro, Louis, Hudson, Banks, Ossé, Schulman, Brannan, Avilés, Menin, Krishnan, Williams, Cabán, Salaam, Won, Rivera, and Paladino.

SUMMARY OF LEGISLATION: This bill would require the Department of Education (DOE) to provide, in its annual report on student health and student health services to the Council, the total number of students reported to the Office of School Health as having a diagnosis of sickle cell disease or sickle cell trait.

EFFECTIVE DATE: This local law takes effect immediately.

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 there would be no impact on revenues resulting from the enactment of this legislation.

IMPACT ON EXPENDITURES: It is estimated that there would be no impact on expenditures resulting from the enactment of this legislation, as DOE would use existing resources to fulfill its requirement.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division
Mayor's Office of City Legislative Affairs

ESTIMATE PREPARED BY: Andrew Lane-Lawless, Legislative Financial Analyst, NYC Council Finance Division

ESTIMATE REVIEWED BY: Aliya Ali, Unit Head, NYC Council Finance Division
Chima Obichere, Deputy Director, NYC Council Finance Division
Jonathan Rosenberg, Managing Deputy Director,
NYC Council Finance Division
Michael Twomey, Assistant Counsel, NYC Council Finance Division

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on February 28, 2024, as Intro. No. 341 and referred to the Committee on Education (Committee). The legislation was jointly considered by the Committee with the Committee on Health, the Committee on Hospitals and the Committee on Mental Health, Disabilities and Addiction on April 17, 2024, and laid over. The legislation was subsequently amended, and the amended version, Proposed Intro. No. 341-A, will be considered by the Committee on May 16, 2024. Upon successful vote by the Committee, Proposed Intro. No. 341-A will be submitted to the full Council for a vote on May 16, 2024.

DATE PREPARED: May 13, 2024.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 341-A:)

Int. No. 341-A

By Council Members Narcisse, Brooks-Powers, Joseph, Riley, Hanif, Gennaro, Louis, Hudson, Banks, Ossé, Schulman, Brannan, Avilés, Menin, Krishnan, Williams, Cabán, Salaam, Won, Rivera and Paladino.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the New York city department of education to report the number of students reported to the office of school health as having a diagnosis of sickle cell disease or trait

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 21-965 of the administrative code of the city of New York, as amended by local law number 156 for the year 2021, is amended to read as follows:

b. Not later than [April 30, 2022] *December 31, 2024*, and no later than [April 30th] *December 31* annually thereafter, the department shall submit to the *speaker of the council* a report regarding information on health services provided to students for the preceding school year. Such report shall include, but not be limited to:

1. The number of school buildings where full time nurses are employed by the office of school health and the number of school buildings where part time nurses are employed by such office; the ratio of students to nurses in such school buildings; and the average number of student health encounters per nurse in such school buildings;

2. The total number of student health encounters;

3. The total number of NYC FITNESSGRAMS performed, and the percentage of students assessed who had a body mass index: (i) below the 5th percentile; (ii) in the 5th to 84th percentile; (iii) in the 85th to 94th percentile; and (iv) equal to or above the 95th percentile, to the extent such information is collected by the department;

4. The total number of medication orders reviewed by the office of school health and recorded in the automated student health record database;

5. The total number of students reported to the office of school health as having a diagnosis of allergies, asthma, diabetes type 1, [or] diabetes type 2, *sickle cell disease, or sickle cell trait*; and

6. The total number of school based health centers disaggregated by the type of provider including, but not limited to, hospital and federally qualified health centers; and the total number of students enrolled in the school or schools served by each school based health center.

§ 2. This local law takes effect immediately.

RITA C. JOSEPH, *Chairperson*; ERIC DINOWIZ, JAMES F. GENNARO, JENNIFER GUTIÉRREZ, SHAHANA K. HANIF, KAMILLAH M. HANKS, SHEKAR KRISHNAN, LINDA LEE, FARAH N. LOUIS, MERCEDES NARCISSE, PIERINA A. SANCHEZ, LYNN C. SCHULMAN, ALTHEA V. STEVENS; 13-0-0; Committee on Education, May 16, 2024.

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 L.U. No. 75

Report of the Committee on Finance in favor of a Resolution approving FAC JOE Shelter Retrofit GHPP.FY24: Block 309, Lot 1; Block 441, Lot 5; Block 668, Lot 15; Block 765, Lots 6 and 56; Block 781, Lots 74 and 75; Block 885, Lots 46 and 48; Block 959, Lot 7; Block 1168, Lots 30 and 32, Brooklyn, Community Districts 6, 7, and 8, Council Districts 35, 38, and 39.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on May 16, 2024 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

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

THE COUNCIL OF THE CITY OF NEW YORK

May 16, 2024

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

FROM: Michael Twomey, Assistant Counsel, Finance Division

RE: Finance Committee Agenda of May 16, 2024 – Resolution approving a tax exemption for four Land Use items (Council Districts 35, 38, 39, 9, 17, 16)

Item #1: FAC JOE Shelter Retrofit

FAC JOE Shelter Retrofit GHPP.FY24 (the “Project”) consists of 12 buildings in various neighborhoods in Council Members Hudson, Avilés, and Hanif’s district. The Project consists of 5 different ownership entities that are HDFC rentals and a total of 12 buildings consisting of 102 units, including two superintendent’s units. The current ownership entities are Fifth Avenue Committee in various formations and the Joint Operating Entity (“JOE”). In efforts to simplify the structure, the 5 entities will be dissolved in connection with an amendment to the Certificate of Incorporation. The titles for the buildings will all be held by FAC Cluster HDFC, a housing development fund corporation duly formed under Article 4 of the Not-For-Profit Corporation Law and Article XI of the Private Housing Finance Law in 2018. The beneficial owner of the buildings will be JOE FAC Infinity LLC.

The goals of the project are to provide a full 30-year Article XI tax exemption across the properties to run conterminously with new HPD financing, to provide social services to formerly homeless tenants and families, and to leverage NYSEDA’s Electrification pilot program to increase energy efficiency across the project. As part of the application, the buildings will undergo moderate and substantial rehabilitation including window, boiler, and heating system replacement, installation of heat pumps and broadband, and façade work.

Summary:

- Borough – Brooklyn
- Block 309, Lot 1; Block 441, Lot 5; Block 668, Lot 15; Block 765, Lots 6 and 56; Block 781, Lots 74 and 75; Block 885, Lots 46 and 48; Block 959, Lot 7; Block 1168, Lots 30 and 32
- Council Districts – 35, 38, 39
- Council Members – Hudson, Avilés, Hanif
- Council Members approval – Yes
- Number of buildings – 12
- Number of units – 100 residential
- Type of exemption – Article XI, partial, 30-year
- Population – Rental
- Sponsors – FAC Cluster Housing Development Fund Corporation
- Purpose – preservation
- Cost to the city – \$6.63 million (net present value)
- Housing Code Violations
 - Class A – 6
 - Class B – 26
 - Class C – 12

Anticipated AMI Targets: 50 units at 50%, 25 units at 60%, 25 units at 80%

Item #2: Lenoxville.HUDMF.FY24

The Project consists of one building on a single lot in Harlem in Council Member Salaam’s district, containing 118 units: 14 studios, 46 one-bedrooms, 37 two-bedrooms (one of which is reserved for the superintendent), and 21 three-bedrooms.

To maintain the property as affordable housing, HPD is asking the Council, pursuant to Section 125 of the Private Housing Finance Law, for a partial Article V tax exemption. Beginning on the date of the original exemption’s expiration, the sponsor proposes to preserve the property for 40 years under Article V with a 12% base gross rent tax, increasing by 25% of future HUD contract rent increases up to a cap of the lower of 17% of HUD contract rents and full property taxes. The proposed exemption would help preserve affordable housing in the South Harlem neighborhood for tenants 50% AMI or less.

This transaction will also provide additional units set-aside for homeless tenants, as every other vacant unit will be set-aside for homeless tenants until 30% (35 units) of the building are rented to formerly homeless households. As part of this transaction, the project will complete capital work as identified in an Integrated Physical Needs Assessment (IPNA) along with improvements under HPD's Aging in Place (AIP) initiative. The scope of work includes concrete repairs to the Project's sidewalk, curb, and foundation; fire-proofing existing steel beams and masonry repair of a load bearing wall; boiler chimney flue extension; electrical wiring repairs in the Project's boiler room; and the installation of AIP kitchen packages and bathroom packages.

Summary:

- Borough – Manhattan
- Block 1595, Lot 1
- Council District – 9
- Council Member – Salaam
- Council Member approval – Yes
- Number of buildings – 1
- Number of units – 117 residential
- Type of exemption – Article V, partial, 40 years
- Population – Rental
- Sponsors – Metropolitan Realty Group
- Purpose – preservation
- Cost to the city – \$4.81 million (net present value)
- Housing Code Violations
 - Class A – 0
 - Class B – 0
 - Class C – 1

Anticipated AMI Targets: 50% AMI for all units

Item #3: BR Affordable HDFC.YR15.FY24

BR Affordable HDFC.YR15.FY24 (the "Project") is a Year 15 private debt transaction of a rental housing cluster in the Morrisania neighborhood of the Bronx in Council Member Salamanca's district. The Project consists of 148 residential units, including one superintendent and one porter units, across seven buildings, of which 146 are income-generating units: 3 studios, 34 one-bedroom, 98 two-bedroom, and 11 three-bedroom units. Two additional non-income generating units, one bedroom each, for a super and a porter, are located at 1065 Boston Road and 1057 Boston Road, respectively.

The Project is seeking a full 40-year Article XI exemption to address the building's physical needs to ensure its long-term financial viability and preserve the project's affordability. All the properties were issued J-51 tax exemptions on October 1, 1992, for 34 years, which will expire in 2028. The Project will enter a new joint HDC/HPD Regulatory Agreement at closing. The Regulatory Agreement will restrict rents and incomes per the table below and include a 15% homeless set-aside. The Regulatory Agreement will run for 40 years, coterminous with the new HPD and HDC loans.

Summary:

- Borough – Bronx
- Block 2607, Lots 68 and 72; Block 2622, Lots 40 and 48
- Council District – 17
- Council Member – Salamanca

- Council Member approval – Yes
- Number of buildings – 7
- Number of units – 146 residential
- Type of exemption – Article XI, full, 40 years
- Population – Rental
- Sponsors – Lemle & Wolff Companies
- Purpose – preservation
- Cost to the city – \$9.75 million (net present value)
- Housing Code Violations
 - Class A – 2
 - Class B – 15
 - Class C – 4

Anticipated AMI Targets: 30 units at 50%, 81 units at 60%, 35 units at 80%

Item #4: Woodycrest HPO.FY24

Woodycrest HPO.FY24 (the “Project”) is located in the Highbridge neighborhood of the Bronx in Council Member Stevens’ district. The Project consists of two buildings with a total of 114 residential units and four commercial units. Of the 114 total units, there are 62 one-bedrooms, 40 two-bedrooms (inclusive of one unit reserved for a superintendent), and 12 three-bedrooms. All units in the buildings are rent stabilized. Current rents charged at the Project average 60% AMI and the market rents in the area average 77%, according to Rent-o-meter.

The Project is seeking a new partial 40-year Article XI while also mandating a 40-year regulatory agreement with HPD to preserve affordability. The scope of work will be determined by an Integrated Physical Needs Assessment (IPNA). The anticipated critical and immediate work includes window leak repairs, façade, and roof repairs. There will be a HPD regulatory agreement restricting rents and income tiers and requiring a 10% homeless set-aside (12 Units) as well as participation in HPD’s Aging-in-Place initiative.

Summary:

- Borough – Bronx
- Block 2507, Lot 1; Block 2511, Lot 68
- Council District – 16
- Council Member – Stevens
- Council Member approval – Yes
- Number of buildings – 2
- Number of units – 113 residential
- Type of exemption – Article XI, partial, 40 years
- Population – Rental
- Sponsors – ICER Properties
- Purpose – preservation
- Cost to the city – \$8.79 million (net present value)
- Housing Code Violations
 - Class A – 62
 - Class B – 108
 - Class C – 190

Anticipated AMI Targets: 30 units at 45%, 39 units at 60%, 30 units at 70%, 14 units at 85%

(For text of the coupled resolutions for L.U. No. 75, please see below; for text of the remaining coupled resolutions, please see, respectively, the Report of the Committee on Finance for L.U. Nos. 76, 77, and 78 printed in these Minutes)

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

Preconsidered Res. No. 423

Resolution approving an exemption from real property taxes for property located at (Block 309, Lot 1; Block 441, Lot 5; Block 668, Lot 15; Block 765, Lots 6 and 56; Block 781, Lots 74 and 75; Block 885, Lots 46 and 48; Block 959, Lot 7; Block 1168, Lots 30 and 32), Brooklyn, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 75).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated April 8, 2024 that the Council take the following action regarding a housing project located at (Block 309, Lot 1; Block 441, Lot 5; Block 668, Lot 15; Block 765, Lots 6 and 56; Block 781, Lots 74 and 75; Block 885, Lots 46 and 48; Block 959, Lot 7; Block 1168, Lots 30 and 32), Brooklyn (“Exemption Area”):

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

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

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

RESOLVED:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Company” shall mean JOE FAC Infinity LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
 - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area, other than the real property located in the Borough of Brooklyn, City and State of New York, identified as Block 1168, Lot 32 on the Tax Map of the City of New York, to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - c. “Exemption Area” shall mean the real property located in the Borough of Brooklyn, City and State of New York, identified as Block 309, Lot 1, Block 441, Lot 5, Block 668, Lot 15, Block 765, Lots 6 and 56, Block 781, Lots 74 and 75, Block 885, Lots 46 and 48, Block 959, Lot 7, and Block 1168, Lots 30 and 32 on the Tax Map of the City of New York.
 - d. “Expiration Date” shall mean the earlier to occur of (i) a date which is thirty (30) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.

- e. “HDFC” shall mean FAC Cluster Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - f. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - g. “New Exemption” shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
 - h. “Owner” shall mean, collectively, the HDFC and the Company.
 - i. “Prior Article XI Exemption” shall mean the exemptions from real property taxation pursuant to Section 577 of the Private Housing Finance Law of a portion of the Exemption Area approved by the New York City Council on September 12, 2002 (Resolution No. 486), October 15, 2003 (Resolution No. 1117) and December 21, 2005 (Resolution No. 1323).
 - j. “Prior 420-a Exemption” shall mean the existing tax exemption for a portion of the Exemption Area pursuant to Section 420-a of the Real Property Tax Law.
 - k. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner that is executed on or after April 1, 2024 and establishes certain controls upon the operation of the Exemption Area during the term of the New Exemption, and provides, *inter alia*, for the termination of the Prior 420-a Exemption.
2. The Prior Article XI Exemption shall terminate with respect to the Exemption Area upon the Effective Date.
3. All of the value of the properties in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
4. Notwithstanding any provision hereof to the contrary:
- a. The New Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the New Exemption shall prospectively terminate.
 - b. The New Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that exist on the Effective Date.

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

JUSTIN L. BRANNAN, *Chairperson*; DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, GALE A. BREWER, AMANDA C. FARIAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA A. SANCHEZ, ALTHEA V. STEVENS, NANTASHA M. WILLIAMS; 15-0-0; *Absent*: Yusef Salaam; *Parental*: Julie Won; Committee on Finance, May 16, 2024.

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

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

Report for L.U. No. 76

Report of the Committee on Finance in favor of a Resolution approving enoxville.HUDMF.FY24: Block 1595, Lot 1, Manhattan, Community District 10, Council District 9.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on May 16, 2024 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Memo, please see the Report of the Committee on Finance for L.U. No. 75 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 424

Resolution approving an additional period of exemption from real property taxes for property located at (Block 1595, Lot 1) Manhattan, pursuant to Section 125(1)(a-3) of the Private Housing Finance Law (Preconsidered L.U. No. 76).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated April 23, 2024 that the Council take the following action regarding a housing project located at (Block 1595, Lot 1) Manhattan (“Exemption Area”):

Approve an additional period of tax exemption from real property taxes pursuant to Section 125(1)(a-3) of the Private Housing Finance Law (the “Tax Exemption”);

WHEREAS, The project description that HPD provided to the Council states that the owner of the Project (the “Owner”) for the subject period of the requested exemption was a duly organized housing redevelopment company formed pursuant to Article V of the Private Housing Finance Law;

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

RESOLVED:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Contract Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Contract Rent Differential Tax for the applicable tax year.
 - b. “Contract Rent Differential” shall mean the amount by which the total contract rents applicable to the Exemption Area for such tax year (as adjusted and established pursuant to Section 8 of the United States Housing Act of 1937, as amended) exceeded the total contract rents which are authorized as of the date of the Regulatory Agreement.
 - c. “Contract Rent Differential Tax” shall mean the sum of (i) \$623,304 plus (ii) twenty-five percent (25%) of the Contract Rent Differential; provided, however, that the total annual real property tax payment by the Owner shall not at any time exceed the lesser of (A) seventeen percent (17%) of the contract rents in the applicable tax year, or (B) the amount of real property taxes that would otherwise be due in the absence of any form of exemption from, or abatement of, real property taxation provided by an existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, if the Owner fails to provide the contract rents on or before the Contract Rent Deadline, Contract Rent Differential Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
 - d. “Effective Date” shall mean November 13, 2021.
 - e. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - f. “Exemption Area” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 1595, Lot 1 on the Tax Map of the City of New York.
 - g. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Redevelopment Agreement, (iii) the date of the expiration or termination of the Regulatory Agreement, (iv) the date of the expiration or termination of the Restrictive Agreement, (v) the date upon which the Exemption Area ceases to be owned by the Owner, (vi) the date upon which the City terminates the partial tax exemption pursuant to the terms of the Regulatory Agreement, or (vii) the date of the expiration or termination of the Exemption Area’s Section 8 Housing Assistance Payments contract.

- h. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - i. “Owner” shall mean the Partnership.
 - j. “Partnership” shall mean Lenoxville Associates, L.P. or a redevelopment company organized pursuant to Article V of the PHFL that acquires the Exemption Area with the prior written consent of HPD.
 - k. “PHFL” shall mean the Private Housing Finance Law.
 - l. “Prior Exemption” shall mean the exemption from real property taxation for the Exemption Area approved by the Board of Estimate on January 24, 1980 (Cal. No. 24).
 - m. “Redevelopment Agreement” shall mean the Agreement dated January 24, 1940 between the City of New York and the Owner, establishing certain controls upon the operation of the Exemption Area in accordance with PHFL Section 114 and recorded in City Register File No. (CRFN): 2018000264127 in the office of the City Register of the City of New York.
 - n. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area on or after the date such regulatory agreement is executed.
 - o. “Restrictive Agreement” shall mean an agreement between HPD and the Owner that is entered into on or after May 15, 2024 and that requires the Exemption Area to remain a redevelopment company development organized under and operated pursuant to Article V of the PHFL for a period of forty (40) years from the Effective Date.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use) shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 3. Commencing upon the Effective Date, the Owner shall make real property tax payments in the sum of (i) \$534,318.14 for the period beginning on the Effective Date and ending on June 30, 2022, (ii) \$757,383 for the period beginning on July 1, 2022 and ending on June 30, 2023, (iii) \$757,383 for the period beginning on July 1, 2023 and ending on June 30, 2024, and (iv) from July 1, 2024 and for each year thereafter until the Expiration Date, the Contract Rent Differential Tax.
 4. Notwithstanding any provision hereof to the contrary:
 - a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article V of the PHFL, (ii) the Exemption Area is not being operated in accordance with the requirements of the Redevelopment Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iv) the Exemption Area is not being operated in accordance with the requirements of the Restrictive Agreement, (v) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (vi) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, (vii) the Owner of the Exemption Area did not apply for a new Section 8 Housing Assistance Payments contract on or on August 31, 2038 or did not receive a new HAP contract effective September 1, 2038, or (viii) the construction or demolition of any private or multiple dwelling on the Exemption Area

has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.

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

JUSTIN L. BRANNAN, *Chairperson*; DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, GALE A. BREWER, AMANDA C. FARIAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA A. SANCHEZ, ALTHEA V. STEVENS, NANTASHA M. WILLIAMS; 15-0-0; *Absent*: Yusef Salaam; *Parental*: Julie Won; Committee on Finance, May 16, 2024.

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

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

Report for L.U. No. 77

Report of the Committee on Finance in favor of a Resolution approving BR Affordable HDFC.YR15.FY24: Block 2607, Lots 68 and 72; Block 2622, Lots 40 and 48, Bronx, Community District 3, Council District 17.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on May 16, 2024 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Memo, please see the Report of the Committee on Finance for L.U. No. 75 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 425

Resolution approving an exemption from real property taxes for property located at (Block 2607, Lots 68 and 72; Block 2622, Lots 40 and 48), Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 77).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated April 24, 2024 that the Council take the following action regarding a housing project located at (Block 2607, Lots 68 and 72; Block 2622, Lots 40 and 48), Bronx (“Exemption Area”):

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

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

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

RESOLVED:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Company” shall mean BR Affordable JV LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
 - b. “Effective Date” shall mean the date that either (i) HPD and the Owner, or (ii) HPD, HDC and the Owner, enter into the Regulatory Agreement.
 - c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - d. “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 2607, Lots 68 and 72, and Block 2622, Lots 40 and 48 on the Tax Map of the City of New York.
 - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. “HDC” shall mean the New York City Housing Development Corporation.
 - g. “HDFC” shall mean BR Affordable Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.

- h. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - i. “J-51 Benefits” shall mean any tax benefits pursuant to Section 489 of the Real Property Tax Law which are in effect on the Effective Date.
 - j. “Owner” shall mean, collectively, the HDFC and the Company.
 - k. “Regulatory Agreement” shall mean the regulatory agreement between either (i) HPD and the Owner, or (ii) HPD, HDC and the Owner, that is executed on or after April 1, 2024 and that establishes certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
3. Notwithstanding any provision hereof to the contrary:
- a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
 - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that exist on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
4. In consideration of the Exemption, the owner of the Exemption Area shall, for so long as the Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, (a) nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities, and (b) the J-51 Benefits shall remain in effect, but the Exemption shall be reduced by the amount of such J-51 Benefits.

JUSTIN BRANNAN, *Chairperson*; DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, GALE A. BREWER, AMANDA C. FARIAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA A. SANCHEZ, ALTHEA V. STEVENS, NANTASHA M. WILLIAMS; 15-0-0; *Absent*: Yusef Salaam; *Parental*: Julie Won; Committee on Finance, May 16, 2024.

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

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

Report for L.U. No. 78

Report of the Committee on Finance in favor of a Resolution approving Woodycrest HPO.FY24: Block 2507, Lot 1; Block 2511, Lot 68, Bronx, Community District 4, Council District 16.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on May 16, 2024 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Memo, please see the Report of the Committee on Finance for L.U. No. 75 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 426

Resolution approving an exemption from real property taxes for property located at (Block 2507, Lot 1; Block 2511, Lot 68), Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 78).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated April 24, 2024 that the Council take the following action regarding a housing project located at (Block 2507, Lot 1; Block 2511, Lot 68), Bronx (“Exemption Area”):

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

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

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

RESOLVED:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Company” shall mean ICER of Woodycrest Ave LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
 - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - d. “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 2507, Lot 1 and Block 2511, Lot 68 on the Tax Map of the City of New York.
 - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. “Gross Rent” shall mean the gross potential rents from all residential, commercial, and community facility units on the Exemption Area without regard to whether such units are occupied or vacant, including, but not limited to, Section 8, rent supplements, rental assistance, or any other subsidy.
 - g. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
 - h. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to one and six tenths percent (1.60%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
 - i. “HDFC” shall mean HP 950-957 Woodycrest Ave Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - j. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - k. “Owner” shall mean, collectively, the HDFC and the Company.
 - l. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use), shall be

exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.

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

JUSTIN L. BRANNAN, *Chairperson*; DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, GALE A. BREWER, AMANDA C. FARIAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA A. SANCHEZ, ALTHEA V. STEVENS, NANTASHA M. WILLIAMS; 15-0-0; *Absent*: Yusef Salaam; *Parental*: Julie Won; Committee on Finance, May 16, 2024.

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. 59

Report of the Committee on Land Use in favor of approving, as modified, Application number C 230323 ZMK (817 Avenue H Rezoning) submitted by Agudist Council of Greater New York Inc., pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22c, by eliminating from within an existing R5 District a C1-3 District, changing from an R5 District to an R7A District, and establishing within the proposed R7A District a C2-4 District, Borough of Brooklyn, Community District 14, Council District 45.

The Committee on Land Use, to which the annexed Land Use item was referred on April 11, 2024 (Minutes, page 1726), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 59 & Res. No. 432 printed in the General Orders Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Shaun Abreu; *Parental*: Carlina Rivera; Committee on Land Use, May 8, 2024.

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. 60

Report of the Committee on Land Use in favor of approving, as modified, Application number N 230324 ZRK (817 Avenue H Rezoning) submitted by Agudist Council of Greater New York Inc., 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 Brooklyn, Community District 14, Council District 45.

The Committee on Land Use, to which the annexed Land Use item was referred on April 11, 2024 (Minutes, page 1726), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 60 & Res. No. 433 printed in the General Orders Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Shaun Abreu; *Parental*: Carlina Rivera; Committee on Land Use, May 8, 2024.

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. 63

Report of the Committee on Land Use in favor of approving, as modified, Application number C 240061 PPQ (97-22 Cresskill Place Disposition) submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of New York City Charter, for the disposition of one city- owned property, located at 97-22 Cresskill Place (10011, Lot 14) pursuant to zoning, Borough of Queens, Community District 12, Council District 27.

The Committee on Land Use, to which the annexed Land Use item was referred on April 11, 2024 (Minutes, page 1727), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 63 & Res. No. 396-A printed in the General Orders Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Shaun Abreu; *Parental*: Carlina Rivera; Committee on Land Use, May 8, 2024.

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. 64

Report of the Committee on Land Use in favor of approving Application number C 230146 ZMK (281-311 Marcus Garvey Boulevard) submitted by Omni New York, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 17a, changing from an R6A District to an R7A District, changing from an R6B District to an R7A District, and establishing within the proposed R7A District a C2-4 District, Borough of Brooklyn, Community District 3, Council District 36.

The Committee on Land Use, to which the annexed Land Use item was referred on April 11, 2024 (Minutes, page 1727) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT**BROOKLYN CB-3 – FOUR APPLICATIONS RELATED TO 281-311 MARCUS
GARVEY BOULEAVARD****C 230146 ZMK (L.U. No. 64)**

City Planning Commission decision approving an application submitted by Omni New York, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 17a:

1. changing from an R6A District to an R7A District property bounded by a line midway between Quincy Street and Gates Avenue, a line 100 feet easterly of Marcus Garvey Boulevard, a line midway between Gates Avenue and Monroe Street, and Marcus Garvey Boulevard; and
2. changing from an R6B District to an R7A District property bounded by:
 - a. Quincy Street, a line 100 feet easterly of Marcus Garvey Boulevard, a line midway between Quincy Street and Gates Avenue, and Marcus Garvey Boulevard; and
 - b. a line midway between Gates Avenue and Monroe Street, a line 100 feet easterly of Marcus Garvey Boulevard, Monroe Street, and Marcus Garvey Boulevard; and
3. establishing within the proposed R7A District a C2-4 District bounded by Gates Avenue, a line 100 feet easterly of Marcus Garvey Boulevard, Monroe Street, and Marcus Garvey Boulevard;

as shown on a diagram (for illustrative purposes only) dated Oct 30, 2023, and subject to the conditions of CEQR Declaration E-706.

N 230147 ZRK (L.U. No. 65)

City Planning Commission decision approving an application submitted by Omni New York, 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.

C 230148 ZSK (L.U. No. 66)

City Planning Commission decision approving an application submitted by Omni New York, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permits pursuant to the following Sections of the Zoning Resolution:

1. Section 74-743(a)(1) – to allow the distribution of total allowable floor area without regard for the zoning lot lines or district boundaries; and
2. Section 74-743(a)(2) – to modify the height and setback requirements of Section 23-662 (Maximum Height of Buildings and Setback Regulations), Section 23-664 (Modified Height and Setback Regulations for Certain Inclusionary Housing Buildings or Affordable Independent Residences for Seniors), and Section 23-693 (Special Provisions Applying Adjacent to R1 through R6B Districts);

in connection with two proposed mixed-use developments, within a large-scale general development bounded by Quincy Street, a line 120 feet easterly of Marcus Garvey Boulevard, a line midway between Quincy Street and Gates Avenue, Lewis Avenue, a line midway between Gates Avenue and Monroe Street, a line 80 feet easterly of Marcus Garvey Boulevard, Monroe Street, and Marcus Garvey Boulevard (Block 1629, Lot 1 and Block 1634, Lot 1), in R6A, R6B, and R7A/C2-4* Districts, Borough of Brooklyn, Community District 3.

C 230152 ZSK (L.U. No. 67)

City Planning Commission decision approving an application submitted by Omni New York, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-532 of the Zoning Resolution to waive all of the required accessory residential off-street parking spaces for the proposed new development, and to reduce from 234 spaces to 118 spaces the previously required accessory residential parking for an existing development, in connection with a proposed mixed-use development within a large-scale general development in a Transit Zone, bounded by Quincy Street, a line 120 feet easterly of Marcus Garvey Boulevard, a line midway between Quincy Street and Gates Avenue, Lewis Avenue, a line midway between Gates Avenue and Monroe Street, a line 80 feet easterly of Marcus Garvey Boulevard, Monroe Street, and Marcus Garvey Boulevard (Block 1629, Lot 1 and Block 1634, Lot 1), in R6A, R6B, and R7A/C2-4 Districts.

INTENT

To approve the amendment to rezone the project area from an R6A, R6A/C2-4,-R6B, and R6B/C2-4 zoning districts to an R7A/C2-4 zoning district; amend the zoning text to map the project area as a Mandatory Inclusionary Housing (MIH) area; grant an approval of the special permit to establish a large-scale general development (LSGD) to modify height and setback requirements and to allow the distribution of total allowable floor area without regard for the zoning lot lines or district boundaries; and grant an approval of the special permit to reduce the number of required accessory residential off-street parking spaces to facilitate the development of two mixed-use buildings totaling approximately 141,000 square feet and consisting of 155 income-restricted housing units, ground floor commercial and community facility uses, and open space at 281 and 311 Marcus Garvey Boulevard in the Bedford-Stuyvesant neighborhood of Brooklyn, Community District 3.

PUBLIC HEARING

DATE: April 17, 2024

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: May 8, 2024

The Subcommittee recommends that the Land Use Committee approve the decisions of the City Planning Commission on L.U. Nos. 64 through 67.

In Favor:
Riley
Moya
Hanks
Schulman
Salaam
Carr

Against:
None

Abstain:
None

COMMITTEE ACTION

DATE: May 8, 2024

The Committee recommends that the Council approve the attached resolutions.

In Favor:	Against:	Abstain:
Salamanca	None	None
Moya		
Riley		
Brooks-Powers		
Farias		
Hanks		
Hudson		
Sanchez		
Borelli		

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

Res. No. 427

Resolution approving the decision of the City Planning Commission on ULURP No. C 230146 ZMK, a Zoning Map amendment (L.U. No. 64).

By Council Members Salamanca and Riley.

WHEREAS, Omni New York, 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. 17a, by changing from an R6A District to an R7A District, changing from an R6B District to an R7A District, and establishing within the proposed R7A District a C2-4 District, which in conjunction with the related actions would facilitate the development of two mixed-use buildings totaling approximately 141,000 square feet and consisting of 155 income-restricted housing units, ground floor commercial and community facility uses, and open space at 281 and 311 Marcus Garvey Boulevard in the Bedford-Stuyvesant neighborhood of Brooklyn, Community District 3 (ULURP No. C 230146 ZMK) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on April 8, 2024 its decision dated March 20, 2024 (the "Decision") on the Application;

WHEREAS, the Application is related to applications N 230147 ZRK (L.U. No. 65), a zoning text amendment to Appendix F to establish a Mandatory Inclusionary Housing (MIH) area; C 230148 ZSK (L.U. No. 66), a special permit to establish a large-scale general development (LSGD) to modify height and setback requirements and to allow the distribution of total allowable floor area without regard for the zoning lot lines or district boundaries; and C 230152 ZSK (L.U. No. 67), a special permit to reduce the number of required accessory residential off-street parking spaces;

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 April 17, 2024;

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 on October 30, 2023 (CEQR No. 23DCP012K), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-706) (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-706) 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 230146 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. 17a:

1. changing from an R6A District to an R7A District property bounded by a line midway between Quincy Street and Gates Avenue, a line 100 feet easterly of Marcus Garvey Boulevard, a line midway between Gates Avenue and Monroe Street, and Marcus Garvey Boulevard; and
2. changing from an R6B District to an R7A District property bounded by:
 - a. Quincy Street, a line 100 feet easterly of Marcus Garvey Boulevard, a line midway between Quincy Street and Gates Avenue, and Marcus Garvey Boulevard; and
 - b. a line midway between Gates Avenue and Monroe Street, a line 100 feet easterly of Marcus Garvey Boulevard, Monroe Street, and Marcus Garvey Boulevard; and
3. establishing within the proposed R7A District a C2-4 District bounded by Gates Avenue, a line 100 feet easterly of Marcus Garvey Boulevard, Monroe Street, and Marcus Garvey Boulevard;

as shown on a diagram (for illustrative purposes only) dated October 30, 2023, and subject to the conditions of CEQR Declaration E-706, Borough of Brooklyn, Community District 3.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Shaun Abreu; *Parental*: Carlina Rivera; Committee on Land Use, May 8, 2024.

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. 65

Report of the Committee on Land Use in favor of approving Application number N 230147 ZRK (281-311 Marcus Garvey Boulevard) submitted by Omni New York, 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 Brooklyn, Community District 3, Council District 36.

The Committee on Land Use, to which the annexed Land Use item was referred on April 11, 2024 (Minutes, page 1727) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 64 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 428

Resolution approving the decision of the City Planning Commission on Application No. N 230147 ZRK, for an amendment of the text of the Zoning Resolution (L.U. No. 65).

By Council Members Salamanca and Riley.

WHEREAS, Omni New York, 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 actions would facilitate the development of two mixed-use buildings totaling approximately 141,000 square feet and consisting of 155 income-restricted housing units, ground floor commercial and community facility uses, and publicly accessible open space at 281 and 311 Marcus Garvey Boulevard in the Bedford-Stuyvesant neighborhood of Brooklyn, Community District 3 (ULURP No. N 230147 ZRK), (the "Application");

WHEREAS, the City Planning Commission filed with the Council on April 8, 2024, its decision dated March 20, 2024 (the "Decision") on the Application;

WHEREAS, the Application is related to applications C 230146 ZMK (L.U. No. 64), a zoning map amendment to change R6A, R6A/C2-4, R6B, and R6B/C2-4 zoning districts to an R7A/C2-4 zoning district; C 230148 ZSK (L.U. No. 66), a special permit to establish a large-scale general development (LSGD) to modify height and setback requirements and to allow the distribution of total allowable floor area without regard for the zoning lot lines or district boundaries; and C 230152 ZSK (L.U. No. 67), a special permit to reduce the number of required accessory residential off-street parking spaces;

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 April 17, 2024;

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 on October 30, 2023 (CEQR No. 23DCP012K), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-706) (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-706) 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 230147 ZRK, 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

* * *

BROOKLYN

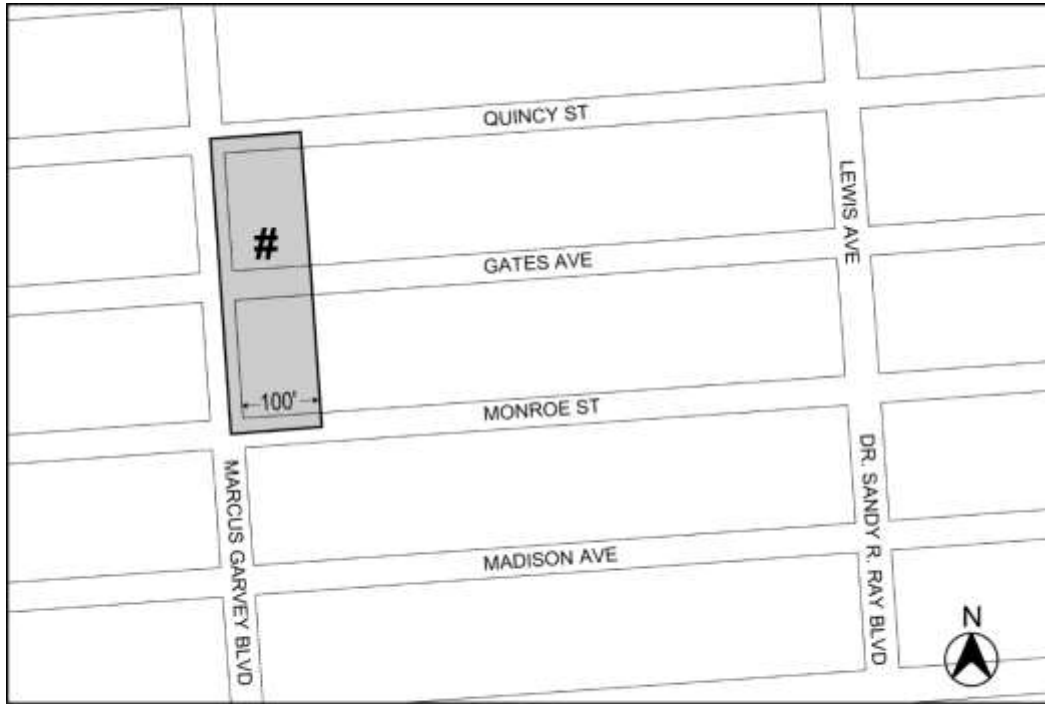
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Brooklyn Community District 3

* * *

Map 8 - [date of adoption]

[PROPOSED MAP]




Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*
Area # - [date of adoption] MIH Program Option 1

Portion of Community District 3, Brooklyn
 * * *

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Shaun Abreu; *Parental*: Carlina Rivera; Committee on Land Use, May 8, 2024.

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. 66

Report of the Committee on Land Use in favor of approving Application number C 230148 ZSK (281-311 Marcus Garvey Boulevard) submitted by Omni New York, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permits pursuant to the following Sections of the Zoning Resolution, Section 74-743(a)(1) to allow the distribution of total allowable floor area without regard for the zoning lot lines or district boundaries; and Section 74-743(a)(2) to modify the height and setback requirements of Section 23-662 (Maximum Height of Buildings and Setback Regulations), Section 23-664 (Modified Height and Setback Regulations for Certain Inclusionary Housing Buildings or Affordable Independent Residences for Seniors), and 23-693 (Special Provisions Applying Adjacent to R1 through R6B Districts); in connection with two proposed mixed-use developments, within a large-scale general development bounded by Quincy Street, a line 120 feet

easterly of Marcus Garvey Boulevard, a line midway between Quincy Street and Gates Avenue, Lewis Avenue, a line midway between Gates Avenue and Monroe Street, a line 80 feet easterly of Marcus Garvey Boulevard, Monroe Street, and Marcus Garvey Boulevard (Block 1629, Lot 1 and Block 1634, Lot 1), in R6A, R6B, and R7A/C2-4* Districts, Borough of Brooklyn, Community District 3, Council District 36.

The Committee on Land Use, to which the annexed Land Use item was referred on April 11, 2024 (Minutes, page 1727) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 64 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 429

Resolution approving the decision of the City Planning Commission on ULURP No. C 230148 ZSK, for the grant of a special permit (L.U. No. 66).

By Council Members Salamanca and Riley.

WHEREAS, Omni New York, LLC, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to the following Sections of the Zoning Resolution:

1. Section 74-743(a)(1) – to allow the distribution of total allowable floor area without regard for the zoning lot lines or district boundaries; and
2. Section 74-743(a)(2) – to modify the height and setback requirements of Section 23-662 (Maximum Height of Buildings and Setback Regulations), Section 23-664 (Modified Height and Setback Regulations for Certain Inclusionary Housing Buildings or Affordable Independent Residences for Seniors), and Section 23-693 (Special Provisions Applying Adjacent to R1 through R6B Districts);

in connection with two proposed mixed-use developments, within a large-scale general development bounded by Quincy Street, a line 120 feet easterly of Marcus Garvey Boulevard, a line midway between Quincy Street and Gates Avenue, Lewis Avenue, a line midway between Gates Avenue and Monroe Street, a line 80 feet easterly of Marcus Garvey Boulevard, Monroe Street, and Marcus Garvey Boulevard (Block 1629, Lot 1 and Block 1634, Lot 1), in R6A, R6B, and R7A/C2-4 Districts, which in conjunction with the related actions would facilitate the development of two mixed-use buildings totaling approximately 141,000 square feet and consisting of 155 income-restricted housing units, ground floor commercial and community facility uses, and open space at 281 and 311 Marcus Garvey Boulevard in the Bedford-Stuyvesant neighborhood of Brooklyn, Community District 3 (ULURP No. C 230148 ZSK) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on April 8, 2024, its decision dated March 20, 2024 (the “Decision”) on the Application;

WHEREAS, the Application is related to applications C 230146 ZMK (L.U. No. 64), a zoning map amendment to change R6A, R6A/C2-4, R6B, and R6B/C2-4 zoning districts to an R7A/C2-4 zoning district; N 230147 ZRK (L.U. No. 65), a zoning text amendment to Appendix F to establish a Mandatory Inclusionary

Housing (MIH) area; and C 230152 ZSK (L.U. No. 67), a special permit to reduce the number of required accessory residential off-street parking spaces;

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

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-743 of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on April 17, 2024;

WHEREAS, the Council has considered the land use and environmental 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 on October 30, 2023 (CEQR No. 23DCP012K), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-706) (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-706) 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 230148 ZSK, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

1. The property that is the subject of this application (C 230148 ZSK) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following approved plans, prepared by Magnusson Architecture & Planning PC, filed with this application, and incorporated in this Resolution:

<u>Drawing No.</u>	<u>Title</u>	<u>Last Date Revised</u>
Z-001	Zoning Analysis	07/21/2023
Z-002	Zoning Site Plan	07/21/2023
Z-004	Waiver Site Plan	07/21/2023
Z-005	Waiver Section	07/21/2023
Z-006	Waiver Section	07/21/2023
L-100	Landscape Site Plan	07/21/2023
L-200	POPS Signage	07/21/2023

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation, and maintenance.

4. Development pursuant to this resolution shall be allowed only after the restrictive declaration attached hereto as Exhibit A, with such administrative changes as are acceptable to Counsel to the Department of City Planning, has been executed and recorded in the Office of the Register of the City of New York, County of Kings. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.
5. In the event the property that is the subject of the application is developed as, sold as, or converted to condominium units, a homeowners' association, or cooperative ownership, a copy of this report and resolution and any subsequent modifications shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners' or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.
6. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sub-lessee or occupant.
7. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution and the restrictive declaration whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted or of the restrictive declaration.
8. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city or such employees or agents failure to act in accordance with the provisions of this special permit.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Shaun Abreu; *Parental*: Carlina Rivera; Committee on Land Use, May 8, 2024.

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 Application number C 230152 ZSK (281-311 Marcus Garvey Boulevard) submitted by Omni New York, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-532 of the Zoning Resolution to waive all of the required accessory residential off-street parking spaces for the proposed new development, and to reduce from 234 spaces to 118 spaces the previously required accessory residential parking for an existing development, in connection with a proposed mixed-used development within a large-scale general development in a Transit Zone, bounded by Quincy Street, a line 120 feet easterly of Marcus Garvey Boulevard, a line midway between Quincy Street and Gates Avenue, Lewis Avenue, a line midway between Gates Avenue and Monroe Street, a line 80 feet easterly

of Marcus Garvey Boulevard, Monroe Street, and Marcus Garvey Boulevard (Block 1629, Lot 1 and Block 1634, Lot 1), in R6A, R6B, and R7A/C2-4* Districts, Borough of Brooklyn, Community District 3, Council District 36.

The Committee on Land Use, to which the annexed Land Use item was referred on April 11, 2024 (Minutes, page 1727) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 64 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 430

Resolution approving the decision of the City Planning Commission on ULURP No. C 230152 ZSK, for the grant of a special permit (L.U. No. 67).

By Council Members Salamanca and Riley.

WHEREAS, Omni New York, LLC, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant Section 74-532 of the Zoning Resolution to waive all of the required accessory residential off-street parking spaces for the proposed new development, and to reduce from 234 spaces to 118 spaces the previously required accessory residential parking for an existing development, in connection with a proposed mixed-use development within a large-scale general development in a Transit Zone, bounded by Quincy Street, a line 120 feet easterly of Marcus Garvey Boulevard, a line midway between Quincy Street and Gates Avenue, Lewis Avenue, a line midway between Gates Avenue and Monroe Street, a line 80 feet easterly of Marcus Garvey Boulevard, Monroe Street, and Marcus Garvey Boulevard (Block 1629, Lot 1 and Block 1634, Lot 1), in R6A, R6B, and R7A/C2-4 Districts, which in conjunction with the related actions would facilitate the development of two mixed-use buildings totaling approximately 141,000 square feet and consisting of 155 income-restricted housing units, ground floor commercial and community facility uses, and open space at 281 and 311 Marcus Garvey Boulevard in the Bedford-Stuyvesant neighborhood of Brooklyn, Community District 3 (ULURP No. C 230152 ZSK) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on April 8, 2024, its decision dated March 20, 2024 (the “Decision”) on the Application;

WHEREAS, the Application is related to applications C 230146 ZMK (L.U. No. 64), a zoning map amendment to change R6A, R6A/C2-4, R6B, and R6B/C2-4 zoning districts to an R7A/C2-4 zoning district; N 230147 ZRK (L.U. No. 65), a zoning text amendment to Appendix F to establish a Mandatory Inclusionary Housing (MIH) area; and C 230148 ZSK (L.U. No. 66), a special permit to establish a large-scale general development (LSGD) to modify height and setback requirements and to allow the distribution of total allowable floor area without regard for the zoning lot lines or district boundaries;

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

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-532 of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on April 17, 2024;

WHEREAS, the Council has considered the land use and environmental 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 on October 30, 2023 (CEQR No. 23DCP012K), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-706) (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-706) 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 230152 ZSK, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

- 1. The property that is the subject of this application (C 230152 ZSK) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following approved plans, prepared by Magnusson Architecture & Planning PC, filed with this application and incorporated in this Resolution:

<u>Drawing No.</u>	<u>Title</u>	<u>Last Date Revised</u>
Z-001	Zoning Analysis	07/21/2023
Z-002	Zoning Site Plan	07/21/2023

- 2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
- 3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
- 4. Development pursuant to this resolution shall be allowed only after the restrictive declaration attached as Exhibit A to the report for the related action C 230148 ZSK, with such administrative changes as are acceptable to Counsel to the Department of City Planning, has been executed and recorded in the Office of the Register of the City of New York, County of Kings. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.
- 5. In the event the property that is the subject of the application is developed as, sold as, or converted to condominium units, a homeowners’ association, or cooperative ownership, a copy of this report and resolution and any subsequent modifications shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners’ or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.
- 6. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sub-lessee or occupant.

7. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution and the restrictive declaration whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted or of the restrictive declaration.
8. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city or such employees or agents failure to act in accordance with the provisions of this special permit.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Shaun Abreu; *Parental*: Carlina Rivera; Committee on Land Use, May 8, 2024.

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

Report of the Committee on Land Use in favor of approving, as modified, Application number C 200310 ZMK (1289 Atlantic Avenue Rezoning) submitted by AA Atlantic, LLC, pursuant to Sections 197- c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 17a, changing from an M1-1 District to an R6B District and changing from an M1-1 District to a C4-5X District, Borough of Brooklyn, Community District 3, Council District 36.

The Committee on Land Use, to which the annexed Land Use item was referred on April 11, 2024 (Minutes, page 1728), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 68 & Res. No. 434 printed in the General Orders Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Shaun Abreu; *Parental*: Carlina Rivera; Committee on Land Use, May 8, 2024.

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 N 200293 ZRK (1289 Atlantic Avenue Rezoning) submitted by AA Atlantic, 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 Brooklyn, Community District 3, Council District 36.

The Committee on Land Use, to which the annexed Land Use item was referred on April 11, 2024 (Minutes, page 1728), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 69 & Res. No. 435 printed in the General Orders Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Shaun Abreu; *Parental*: Carlina Rivera; Committee on Land Use, May 8, 2024.

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. 79

Report of the Committee on Land Use in favor of approving Application number G 240051 GAM (Timbale Terrace ESDC Grant Application) submitted by the City of New York (the “City”) by and through its Department of Housing Preservation and Development requesting from the New York City Council a favorable resolution in support of the City’s application for funding from the New York State Empire State Development Corporation (“ESDC”), pursuant to Section 16-n of the ESDC Act, under the Restore New York Communities Initiative in connection with the reconstruction and redevelopment of the Timbale Terrace project (Block 1767, Lots 1, 2, 3, 4, 67, 68, 69, 71, 72, 168, 169), Borough of Manhattan, Community District 11, Council District 9.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on May 16, 2024 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:**SUBJECT**

MANHATTAN CB – 11

G 240051 GAM

Application submitted by the New York City Department of Housing Preservation and Development (HPD), requesting a favorable resolution in support of a Restore New York Communities grant application to the Empire State Development Corporation, pursuant to Section 6266-n of the New York State Urban Development Corporation Act, and in connection with the Timbale Terrace (Block 1767, Lots 1, 2, 3, 4, 67, 68, 69, 71, 72, 168, and 169), Borough of Manhattan, Community District 11, Council District 9.

INTENT

To support the City's application for funding for capital projects under the Restore New York Communities Initiative pursuant to the New York State Urban Development Corporation Act, for Timbale Terrace (Block 1767, Lots 1, 2, 3, 4, 67, 68, 69, 71, 72, 168, and 169), in the Borough of Manhattan.

PUBLIC HEARING

DATE: May 8, 2024

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: May 8, 2024

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

In Favor:

Hanks
Feliz
Farias
Marte
Nurse
Salaam

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: May 8, 2024

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca
Moya
Riley

Against:

None

Abstain:

None

Brooks-Powers
Farias
Hanks
Hudson
Sanchez
Borelli

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

Res. No. 431

Resolution in support of New York City's application for funding for a capital project under the Restore New York Communities Initiative pursuant to Section 16-n of the New York State Urban Development Corporation Act, related to the property known as Timbale Terrace (Block 1767, Lots 1, 2, 3, 4, 67, 68, 69, 71, 72, 168, 169), in the Borough of Manhattan (Preconsidered L.U. No. 79).

By Council Members Salamanca and Hanks.

WHEREAS, the 2023-2024 New York State budget provided new funding for the Restore New York Communities Initiative (“Restore NY”), which is implemented by the New York State Empire State Development Corporation (“ESDC”) and intended to provide funding for capital projects under the New York State Urban Development Act; and

WHEREAS, under Round 8 of Restore NY funding, New York City is permitted to submit applications for the funding of one capital project, receiving up to \$4 million; and

WHEREAS, New York City has submitted a notice of intent to apply to ESDC for funding Timbale Terrace, in the Borough of Manhattan; and

WHEREAS, Timbale Terrace will be located on Block 1767, Lots 1, 2, 3, 4, 67, 68, 69, 71, 72, 168, 169, located in the East Harlem neighborhood, and in the Borough of Manhattan; and

WHEREAS, up to \$4 million is being sought by New York City in connection with the Timbale Terrace project for remediation and reconstruction of approximately 239,000 square feet on vacant surplus property; and

WHEREAS, the East Harlem Neighborhood Rezoning, approved in November 2017, addressed zoning updates to approximately 96 blocks in East Harlem, aimed at examining key land use and zoning issues to encourage new buildings and uses in targeted areas to foster development of mixed-income housing, including permanently affordable housing, as well as job-generating uses, and promoting the vitality of existing commercial corridors while creating additional economic and commercial opportunities; and

WHEREAS, Timbale Terrace is eligible to receive Restore NY funding because it is located within a distressed census tract and an Urban Development Action Area; and

WHEREAS, improvements to Timbale Terrace would improve safety, induce community investment, and complement necessary improvements throughout the area to support growth in East Harlem to accommodate existing and future needs; and

WHEREAS, Timbale Terrace will include approximately 340 affordable residential units, ground-floor community facility space, and 75 NYPD replacement parking spaces; and

WHEREAS, the Council finds that the proposed Timbale Terrace mixed-use affordable housing project

is consistent with the East Harlem Neighborhood Rezoning; and

WHEREAS, the Council finds that the proposed financing is appropriate for Timbale Terrace; and

WHEREAS, the Council finds that using these funds for Timbale Terrace facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and

WHEREAS, the Council also finds that Timbale Terrace will develop and enhance local facilities including housing stock in a manner that will attract, create, and sustain employment and economic opportunities.

RESOLVED:

The Council of the City of New York supports New York City's application for funding for capital projects under the Restore New York Communities Initiative pursuant to the New York State Urban Development Corporation Act, for Timbale Terrace (Block 1767, Lots 1, 2, 3, 4, 67, 68, 69, 71, 72, 168, 169), in the Borough of Manhattan.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Shaun Abreu; *Parental*: Carlina Rivera; Committee on Land Use, May 8, 2024.

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 Public Housing

Report for Int. No. 110-A

Report of the Committee on Public Housing 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 New York city housing authority's permanent affordability commitment together program.

The Committee on Public Housing, to which the annexed proposed amended local law was referred on February 28, 2028 (Minutes, page 382), respectfully

REPORTS:

I. INTRODUCTION

On May 16, 2024, the Committee on Public Housing, chaired by Councilmember Member Chris Banks, held a hearing to vote on Int. No. 110-A, sponsored by Council Member Alexa Avilés, in relation to a report on the New York city housing authority's permanent affordability commitment together program. The Committee on Public Housing first heard Int. No. 110-A on April 19, 2024.

II. LEGISLATION

Below is a brief summary of the legislation voted on by the Committee at this hearing. This summary is intended for informational purposes only and does not substitute for legal counsel. For more detailed information, you should review the full text of the bill, which is attached below.

Int. No. 110-A - A Local Law in relation to a report on the New York city housing authority's permanent affordability commitment together program

This bill would require the mayor or an agency designated by the mayor to submit an annual report to the City Council on the impact of the New York City Housing Authority's Permanent Affordability Commitment Together program. The initial report must be made publicly available and submitted to the speaker of the council by November 1, 2024, with subsequent reports due by every November 1 thereafter. The report would include when the developments were selected and converted to the program, information about the development partner and property manager, and a number of indicators about the impact of the program on the residents of the developments.

This bill would take effect immediately.

III. UPDATE

On Thursday, May 16, 2024, the Committee adopted Int. No. 110-A by a vote of eight in the affirmative, zero in the negative and zero abstentions.

(The following is the text of the Fiscal Impact Statement for Int. No. 110-A:)



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

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT. 110-A

COMMITTEE: Public Housing

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to a report on the New York city housing authority’s permanent affordability commitment together program

Sponsors: Council Members Avilés, Louis, Cabán, Restler, Won, Hanif, Ossé, Ayala, Nurse, De La Rosa, Farías, Hudson, Krishnan, Gutiérrez, Narcisse, Salaam, Rivera and Banks

SUMMARY OF LEGISLATION: This bill would require the Mayor or an agency designated by the Mayor to submit an annual report to the City Council on the impact of the New York City Housing Authority’s Permanent Affordability Commitment Together (PACT) program. The initial report must be made publically available and submitted to the Speaker of the Council by November 1, 2024 with subsequent reports due by every November 1 thereafter. The report would include when the developments were selected and converted to the program, a variety of information about the development partner and property manager, and a number of indicators about the impact of the program on the residents of the developments.

EFFECTIVE DATE: Immediately

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 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 the agency responsible for the implementation would use existing resources to fulfill its requirement.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Jack Storey, Unit Head
Chima Obichere, Deputy Director

ESTIMATE REVIEWED BY: Jonathan Rosenberg, Managing Director
Michael Twomey, Assistant Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council on February 28, 2024 as Intro. No. 110 and referred to the Committee on Public Housing (Committee). The legislation was heard by the Committee at a hearing held on April 19, 2024, and the bill was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 110-A will be considered by the Committee on May 16, 2024. Upon a successful vote by the Committee, Proposed Intro. No. 110-A will be submitted to the full Council for a vote on May 16, 2024.

DATE PREPARED: May 14, 2024.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 110-A:)

Int. No. 110-A

By Council Members Avilés, Louis, Cabán, Restler, Won, Hanif, Ossé, Ayala, Nurse, De La Rosa, Fariás, Hudson, Krishnan, Gutiérrez, Narcisse, Salaam, Rivera, Banks, Mealy and Joseph.

A Local Law to amend the administrative code of the city of New York, in relation to a report on the New York city housing authority's permanent affordability commitment together program

Be it enacted by the Council as follows:

Section 1. Subchapter 5 of chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-153 to read as follows:

§ 3-153 *Annual report on the New York city housing authority's permanent affordability commitment together program. No later than November 1, 2024, and annually on November 1 thereafter, the mayor, or an agency designated by the mayor, shall make publicly available online and submit to the speaker of the council a report relating to the New York city housing authority's implementation of the permanent affordability commitment together program pursuant to which a property receiving assistance under section 9 of the United States housing act of 1937 converts to a property receiving assistance under section 8 of such act. In developing this report, the mayor, or such designated agency, shall seek cooperation and assistance from the New York city housing authority. Such report shall not include the personally identifiable information of any public housing resident. Such report shall include, at a minimum, the following information for each public housing development selected for conversion:*

- a. The date such development was selected for inclusion in such program;*
- b. The date such development was converted, in accordance with such program;*
- c. The name of the development partner and property manager selected to manage such development upon conversion;*
- d. The name of any subcontractors known by the New York city housing authority to have been hired by the development partner or property manager for such development;*
- e. The outreach to residents of the New York city housing authority, including any resident engagement, conducted by such authority prior to and throughout the conversion of such development, including the languages in which any materials provided to residents as part of such outreach were made available;*
- f. Data regarding the development partner's progress towards meeting requirements under section 3 of the housing and urban development act of 1968;*
- g. The oversight role performed by the New York city housing authority of the development partner or property manager identified in subdivision c of this section;*

- h. Information regarding resident rights upon conversion;*
- i. The total repair costs for each conversion, and a breakdown of the cost and time it took to complete the repairs and upgrades following conversion, including but not limited to work to address environmental hazards, if any;*
- j. The average number of days it took a development partner to resolve work orders, by type of work order, in such development;*
- k. The number of times a development partner or property manager conducted outreach to a resident prior to sending such resident an eviction notice, the number of eviction proceedings initiated, and the number of evictions executed following conversion;*
- l. The amount and type of fees paid by tenants in addition to amounts paid towards rent following conversion;*
- m. Information regarding additional fees received by the New York city housing authority, if any, in connection with conversion; and*
- n. Notwithstanding the requirement to provide development-specific information specified in subdivisions a through m of this section, information regarding the financing of the permanent affordability commitment together program, such as an aggregate amount of financing received for developments converted through such program and an aggregate amount of support received from the city for developments converted through such program.*

§ 2. This local law takes effect immediately.

CHRIS BANKS, *Chairperson*; RAFAEL SALAMANCA, Jr., JUSTIN L. BRANNAN, ALEXA AVILÉS, ERIK D. BOTTCHER, DARLENE MEALY, CHI A. OSSÉ, PIERINA A. SANCHEZ; 8-0-0; *Parental*: Julie Won; Committee on Public Housing, May 16, 2024.

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 L.U. No. 59 & Res. No. 432

Report of the Committee on Land Use in favor of approving, as modified, Application number C 230323 ZMK (817 Avenue H Rezoning) submitted by Agudist Council of Greater New York Inc., pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22c, by eliminating from within an existing R5 District a C1-3 District, changing from an R5 District to an R7A District, and establishing within the proposed R7A District a C2-4 District, Borough of Brooklyn, Community District 14, Council District 45.

The Committee on Land Use, to which the annexed Land Use item was referred on April 11, 2024 (Minutes, page 1726) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

SUBJECT

BROOKLYN CB-14 – TWO APPLICATIONS RELATED TO 817 AVENUE H REZONING

C 230323 ZMK (L.U. No. 59)

City Planning Commission decision approving an application submitted by Agudist Council of Greater New York Inc., pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22c:

1. eliminating from within an existing R5 District a C1-3 District bounded by a line 150 feet northerly of Avenue H, East 9th Street, Avenue H, and East 8th Street;
2. changing from an R5 District to an R7A District property bounded by a line 100 feet northerly of Avenue H, East 9th Street, Avenue H, and East 8th Street; and
3. establishing within the proposed R7A District a C2-4 District bounded by a line 100 feet northerly of Avenue H, East 9th Street, Avenue H, and East 8th Street

as shown on a diagram (for illustrative purposes only) dated November 1, 2023, and subject to the conditions of CEQR Declaration E-734.

N 230324 ZRK (L.U. No. 60)

City Planning Commission decision approving an application submitted by the Agudist Council of Greater New York Inc., 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 R5/C1-3 zoning district to an R7A district along with a C2-4 commercial overlay and amend the zoning text to designate the project area as a Mandatory Inclusionary Housing (MIH) area to facilitate the development of a nine-story residential and community facility building with approximately 55,000 square feet of floor area (4.6 FAR) including approximately 39,000 square feet of residential floor area and approximately 16,000 square feet of community facility space. The development will contain 42 dwelling units, of which 11 will be income-restricted, in the Midwood neighborhood of Brooklyn, Community District 14.

PUBLIC HEARING

DATE: March 26, 2024

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: May 8, 2024

The Subcommittee recommends that the Land Use Committee approve with modifications the decisions of the City Planning Commission on L.U. Nos. 59 and 60.

In Favor:

Riley
Moya
Hanks
Schulman
Salaam
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: May 8, 2024

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Moya
Riley
Brooks-Powers
Farias
Hanks
Hudson
Sanchez
Borelli

Against:

None

Abstain:

None

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSIONS

The City Planning Commission filed a letter dated _____, 2024, with the Council on _____, 2024, 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. 432

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 230323 ZMK, a Zoning Map amendment (L.U. No. 59).

By Council Members Salamanca and Riley.

WHEREAS, Agudist Council of Greater New York 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. 22c, by eliminating from within an existing R5 District a C1-3 District, changing from an R5 District to an R7A District, and establishing within the proposed R7A District a C2-4 District, which in conjunction with the related action would facilitate the development of a nine-story residential and community facility building with approximately 55,000 square feet of floor area (4.6 FAR) including approximately 39,000 square feet of residential floor area and approximately 16,000 square feet of community facility space. The development will contain 42 dwelling units, of which 11 will be income-restricted, in the Midwood neighborhood of Brooklyn, Community District 14 (ULURP No. C 230323 ZMK) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on March 22, 2024 its decision dated March 20, 2024 (the "Decision") on the Application;

WHEREAS, the Application is related to application N 230324 ZRK (L.U. No. 60), 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 March 26, 2024;

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 Revised Negative Declaration issued March 18th, 2024, which supersedes the Negative Declaration issued October 30th, 2023, and Revised Environmental Assessment Statement ("Revised EAS") issued March 15th, 2024 (CEQR No. 23DCP094K) which include an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials and air quality (E-734). The Revised EAS incorporated a Technical Memorandum that examined whether the analysis conclusions of the Environmental Assessment Statement dated October 27, 2023 would be altered by the proposed City of Yes for Housing Opportunity ("CHO") (CEQR No. 24DCP033Y) citywide text amendment. The Technical Memorandum concluded that the potential changes facilitated by CHO would not change the conclusions presented in the Environmental Assessment Statement. The Council has also considered the Final Technical Memorandum dated [May 10, 2024].

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-734) and Revised Negative Declaration and the Final Technical Memorandum dated [May 10, 2024].

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 230323 ZMK, 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. 22c:

1. eliminating from within an existing R5 District a C1-3 District bounded by a line 150 feet northerly of Avenue H, East 9th Street, Avenue H, and East 8th Street;
2. changing from an R5 District to an R7A District property bounded by a line 100 feet northerly of Avenue H, East 9th Street, Avenue H, and a line 80 feet easterly of East 8th Street; ~~and~~
3. establishing within the existing R5 District a C2-4 District bounded by a line 100 feet northerly of Avenue H, a line 80 feet easterly of East 8th Street, Avenue H, and East 8th Street; and
4. establishing within the proposed R7A District a C2-4 District bounded by a line 100 feet northerly of Avenue H, East 9th Street, Avenue H, and a line 80 feet easterly of East 8th Street

as shown on a diagram (for illustrative purposes only) dated November 1, 2023, and subject to the conditions of CEQR Declaration E-734, Borough of Brooklyn, Community District 14.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Shaun Abreu; *Parental*: Carlina Rivera; Committee on Land Use, May 8, 2024.

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. 60 & Res. No. 433

Report of the Committee on Land Use in favor of approving, as modified, Application number N 230324 ZRK (817 Avenue H Rezoning) submitted by Agudist Council of Greater New York Inc., 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 Brooklyn, Community District 14, Council District 45.

The Committee on Land Use, to which the annexed Land Use item was referred on April 11, 2024 (Minutes, page 1726) 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 report, please see the Report of the Committee on Land Use for L.U. No. 59 & Res. No. 432 printed above in this General Orders Calendars 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. 433

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 230324 ZRK, for an amendment of the text of the Zoning Resolution (L.U. No. 60).

By Council Members Salamanca and Riley.

WHEREAS, Agudist Council of Greater New York 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 APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, which in conjunction with the related action would facilitate the construction of a new nine-story residential building containing 42 dwelling units, eleven of which would be permanently income-restricted, at 817 Avenue H in the Kensington/Midwood neighborhood of Brooklyn, Community District 14 (ULURP No. N 230324 ZRK), (the "Application");

WHEREAS, the City Planning Commission filed with the Council on March 22, 2024, its decision dated March 20, 2024 (the "Decision") on the Application;

WHEREAS, the Application is related to application C 230323 ZMK (L.U. No. 59), a zoning map amendment to change an R5 district to an R6 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 March 26, 2024;

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 Revised Negative Declaration issued March 18th, 2024, which supersedes the Negative Declaration issued October 30th, 2023, and Revised Environmental Assessment Statement issued March 15th, 2024 (CEQR No. 23DCP094K) which include an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials and air quality (E-734). A Revised EAS was issued that incorporated a Technical Memorandum that examines whether the analysis conclusions of the Environmental Assessment Statement dated October 27, 2023 would be altered by the proposed City of Yes for Housing Opportunity (CHO) (CEQR No. 24DCP033Y) citywide text amendment in which the Technical Memorandum concluded that the potential changes facilitated by City of Yes for Housing Opportunity would not change the conclusions presented in the EAS. The Council has also considered the Final Technical Memorandum dated May 7, 2024.

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-734) and Revised Negative Declaration and the Final Technical Memorandum dated May 7, 2024.

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 230324 ZRK, 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 ~~double struck out~~ is old, deleted by the City Council;

Matter double-underlined is new, added by the City Council;

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

* * *

BROOKLYN

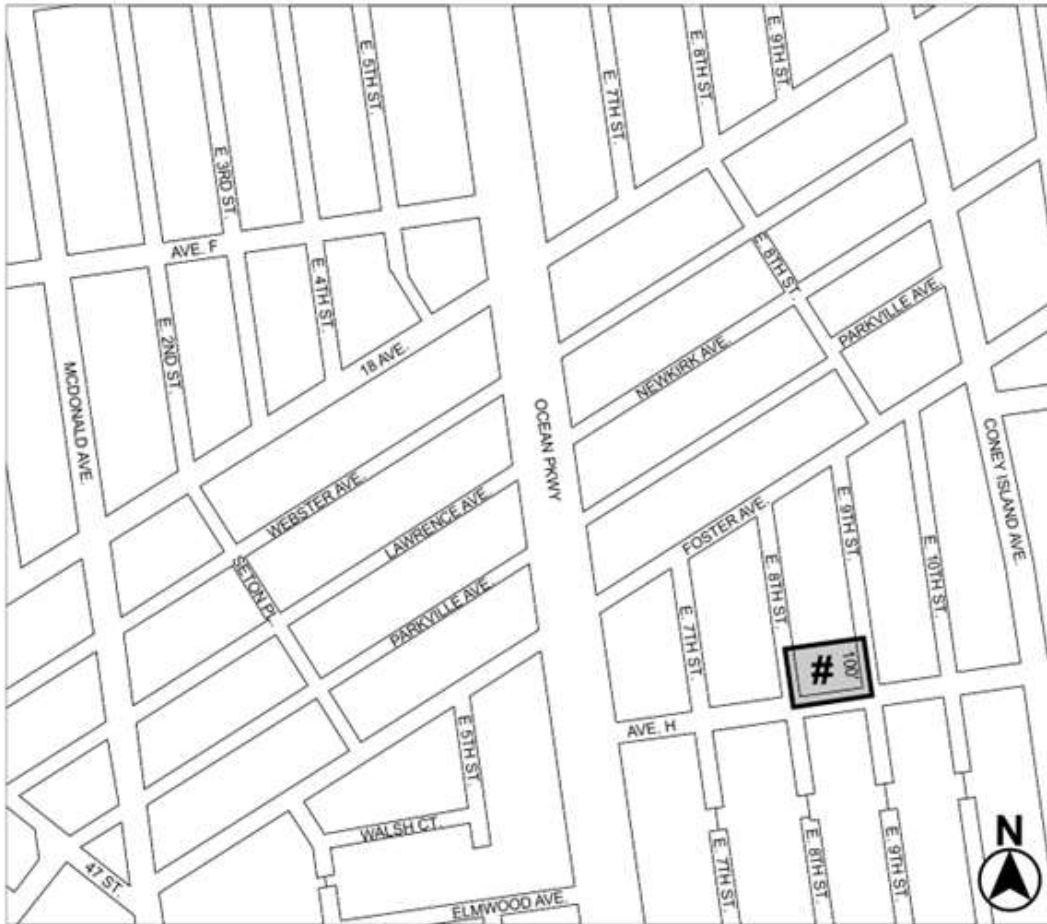
* * *


Brooklyn Community District 14

* * *

Map 6 – [date of adoption]

[CPC PROPOSED MAP]




 **Mandatory Inclusionary Housing Program Area** *see Section 23-154(d)(3)*

Area # — [date of adoption] **MIH Program Option 1 and Option 2**

[COUNCIL MODIFIED MAP]




Mandatory Inclusionary Housing Program Area see Section 23-154(d)(3)
Area # — [date of adoption] MIH Program Option 1 and Option 2
Deep Affordability Option

Portion of Community District 14, Brooklyn

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Shaun Abreu; *Parental*: Carlina Rivera; Committee on Land Use, May 8, 2024.

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. 63 & Res. No. 396-A

Report of the Committee on Land Use in favor of approving, as modified, Application number C 240061 PPQ (97-22 Cresskill Place Disposition) submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of New York City Charter, for the disposition of one city- owned property, located at 97-22 Cresskill Place (10011, Lot 14) pursuant to zoning, Borough of Queens, Community District 12, Council District 27.

The Committee on Land Use, to which the annexed Land Use item was referred on April 11, 2024 (Minutes, page 1727) and which same Land Use item was coupled with the amended resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

SUBJECT

QUEENS CB - 12

C 240061 PPQ

City Planning Commission decision approving an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of New York City Charter, for the disposition of one city-owned property, located at 97-22 Cresskill Place (Block 10011, Lot 14) pursuant to zoning.

INTENT

To approve the disposition of the City-owned property pursuant to zoning, for property located at 97-22 Cresskill Place (Block 10011, Lot 14), in the Jamaica neighborhood of Queens, Community District 12.

PUBLIC HEARING

DATE: April 17, 2024

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: April 17, 2024

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

In Favor:

- Hanks
- Brannan
- Feliz
- Farias
- Marte
- Nurse
- Salaam

Against:

None

Abstain:

None

COMMITTEE ACTION I

DATE: April 17, 2024

The Committee recommended a resolution approving the decision of the City Planning Commission.

In Favor:	Against:	Abstain:
Salamanca	None	None
Moya		
Riley		
Brooks-Powers		
Abreu		
Farias		
Hanks		
Hudson		
Sanchez		
Borelli		

COUNCIL ACTION

DATE: April 18, 2024

At the Stated Council meeting of April 18, 2024, the Council, by a vote of 50-0-0, passed a motion to recommit L.U. 63 and accompanying Resolution 396 to the Land Use Committee for further consideration.

In Favor:	Against:	Abstain:
50	0	0

COMMITTEE ACTION II

DATE: May 8, 2024

The Land Use Committee considered the application and voted to recommend approval with modifications of the decision by the City Planning Commission. The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Salamanca	None	None
Moya		
Riley		
Brooks-Powers		
Farias		
Hanks		
Hudson		
Sanchez		
Borelli		

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The City Planning Commission filed a letter dated [____], with the Council on [____], 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 Hanks offered the following resolution:

Res. No. 396-A

Resolution approving with modifications the decision of the City Planning Commission on Application No. C 240061 PPQ, for the disposition of city-owned property, pursuant to zoning (L.U. No. 63).

By Council Members Salamanca and Hanks.

WHEREAS, the Department of Citywide Administrative Services (DCAS), filed an application pursuant to Section 197-c of the New York City Charter, for the disposition of one city-owned property located at 97-22 Cresskill Place (Block 10011, Lot 14) pursuant to zoning, Borough of Queens, Community District 12 (ULURP No. C 240061 PPQ) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on March 22, 2024, its decision dated March 20, 2024 (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 April 17, 2024;

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 determination by the City Planning Commission, that the Application is a Type II and requires no further review action (the "Type II Determination").

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment pursuant to the Type II Determination.

Pursuant to Section 197-d of the City Charter and on the basis of the Application and the Decision, and based on the environmental determination and consideration described in the report, C 240061 PPQ, incorporated by reference herein, and the record before the Council, the Council approves the Decision for the disposition of the City-owned property located at 9722 Cresskill Place (Block 10011, Lot 14), with the following modification: the disposition shall be restricted to residential use only, as that term is defined in the New York City Zoning Resolution.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Shaun Abreu; *Parental*: Carlina Rivera; Committee on Land Use, May 8, 2024.

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. 434

Report of the Committee on Land Use in favor of approving, as modified, Application number C 200310 ZMK (1289 Atlantic Avenue Rezoning) submitted by AA Atlantic, LLC, pursuant to Sections 197- c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 17a, changing from an M1-1 District to an R6B District and changing from an M1-1 District to a C4-5X District, Borough of Brooklyn, Community District 3, Council District 36.

The Committee on Land Use, to which the annexed Land Use item was referred on April 11, 2024 (Minutes, page 1728) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

SUBJECT

BROOKLYN CB-3 – TWO APPLICATIONS RELATED TO 1289 ATLANTIC AVENUE REZONING

C 200310 ZMK (L.U. No. 68)

City Planning Commission decision approving an application submitted by AA Atlantic, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 17a:

1. changing from an M1-1 District to an R6B District property bounded by a line midway between Herkimer Street and Atlantic Avenue, New York Avenue, a line 25 feet northerly of Atlantic Avenue, a line 80 feet westerly of New York Avenue, a line 50 feet northerly of Atlantic Avenue, a line 100 feet westerly of New York Avenue, a line 150 feet northerly of Atlantic Avenue, and a line 150 feet easterly of Nostrand Avenue; and
2. changing from an M1-1 District to a C4-5X District property bounded by a line 150 feet northerly of Atlantic Avenue, a line 100 feet westerly of New York Avenue, a line 50 feet northerly of Atlantic Avenue, a line 80 feet westerly of New York Avenue, a line 25 feet northerly of Atlantic Avenue, New York Avenue, the northerly boundary line of the Long Island Railroad right-of-way (Atlantic Division), and a line 150 feet easterly of Nostrand Avenue;

as shown on a diagram (for illustrative purposes only) dated October 30, 2023, and subject to the conditions of CEQR Declaration E-732.

N 200293 ZRK (L.U. No. 69)

City Planning Commission decision approving an application submitted by AA Atlantic, 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 Brooklyn, Community District 3.

INTENT

To approve the amendment to rezone the project area from an M1-1 zoning district to a C4-5X and an R6B zoning district and amend the zoning text to designate the project area as a Mandatory Inclusionary Housing (MIH) area to facilitate the development of a new 14-story, 151,589 square-foot, mixed-use building with 112 dwelling units (approximately 34 of which would be income-restricted), 20,232 square-feet of ground-floor retail, and 16,324 square-feet of second-story community facility uses located at 1289 Atlantic Avenue in the Bedford-Stuyvesant neighborhood of Brooklyn, Community District 3.

PUBLIC HEARING

DATE: April 17, 2024

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: May 8, 2024

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission on L.U. No. 68 and approve with modifications the decision of the City Planning Commission on L.U. No. 69.

In Favor:

Riley
Moya
Hanks
Schulman
Salaam
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: May 8, 2024

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Moya
Riley
Brooks-Powers
Farias
Hanks
Hudson

Against:

None

Abstain:

None

Sanchez
Borelli

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The City Planning Commission filed a letter dated [____], with the Council on [____], 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. 434

Resolution approving the decision of the City Planning Commission on ULURP No. C 200310 ZMK, a Zoning Map amendment (L.U. No. 68).

By Council Members Salamanca and Riley.

WHEREAS, AA Atlantic, 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. 17a, by changing from an M1-1 District to an R6B District and a C4-5X District, which in conjunction with the related action would facilitate the development of a new 14-story, 151,589 square-foot, mixed-use building with 112 dwelling units (approximately 34 of which would be income-restricted), 20,232 square-feet of ground-floor retail, and 16,324 square-feet of second-story community facility uses located at 1289 Atlantic Avenue in the Bedford-Stuyvesant neighborhood of Brooklyn, Community District 3 (ULURP No. C 200310 ZMK) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on April 8, 2024 its decision dated March 20, 2024 (the "Decision") on the Application;

WHEREAS, the Application is related to application N 200293 ZRK (L.U. No. 69), 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 April 17, 2024;

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 on October 30, 2024 (CEQR No. 21DCP054K), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-732). An analysis of historical and cultural resources in consultation with the New York City Landmarks Preservation Commission (LPC) determined that development on the applicant site could result in potential impacts. Therefore, a Restrictive Declaration will be recorded in conjunction with any approvals for the proposed actions. The applicant would commit to carry out archaeological work as prescribed by an LPC-approved Phase 1B work plan, prior to commencing construction. In the event that the archaeological field testing uncovers significant archaeological resources, additional archaeology may be needed as per the Guidelines for Archaeological Work in New York City. The Restrictive Declaration would preclude potential for significant adverse impacts related to historic and cultural resources.

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-732) 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 200310 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. 17a:

1. changing from an M1-1 District to an R6B District property bounded by a line midway between Herkimer Street and Atlantic Avenue, New York Avenue, a line 25 feet northerly of Atlantic Avenue, a line 80 feet westerly of New York Avenue, a line 50 feet northerly of Atlantic Avenue, a line 100 feet westerly of New York Avenue, a line 150 feet northerly of Atlantic Avenue, and a line 150 feet easterly of Nostrand Avenue; and
2. changing from an M1-1 District to a C4-5X District property bounded by a line 150 feet northerly of Atlantic Avenue, a line 100 feet westerly of New York Avenue, a line 50 feet northerly of Atlantic Avenue, a line 80 feet westerly of New York Avenue, a line 25 feet northerly of Atlantic Avenue, New York Avenue, the northerly boundary line of the Long Island Railroad right-of-way (Atlantic Division), and a line 150 feet easterly of Nostrand Avenue;

as shown on a diagram (for illustrative purposes only) dated October 30, 2023, and subject to the conditions of CEQR Declaration E-732, Borough of Brooklyn, Community District 3.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Shaun Abreu; *Parental*: Carlina Rivera; Committee on Land Use, May 8, 2024.

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. 435

Report of the Committee on Land Use in favor of approving, as modified, Application number N 200293 ZRK (1289 Atlantic Avenue Rezoning) submitted by AA Atlantic, 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 Brooklyn, Community District 3, Council District 36.

The Committee on Land Use, to which the annexed Land Use item was referred on April 11, 2024 (Minutes, page 1728) 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 report, please see the Report of the Committee on Land Use for L.U. No. 68 & Res. No. 434 printed above in this General Orders Calendars 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. 435

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 200293 ZRK, for an amendment of the text of the Zoning Resolution (L.U. No. 69).

By Council Members Salamanca and Riley.

WHEREAS, AA Atlantic, 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 a new 14-story, 151,589 square-foot, mixed-use building with 112 dwelling units (approximately 34 of which would be income-restricted), 20,232 square-feet of ground-floor retail, and 16,324 square-feet of second-story community facility uses located at 1289 Atlantic Avenue in the Bedford-Stuyvesant neighborhood of Brooklyn, Community District 3 (ULURP No. N 200293 ZRK), (the "Application");

WHEREAS, the City Planning Commission filed with the Council on April 8, 2024, its decision dated March 20, 2024 (the "Decision") on the Application;

WHEREAS, the Application is related to application C 200310 ZMK (L.U. No. 68), a zoning map amendment to change an M1-1 zoning district to a C4-5X and an R6B 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 April 17, 2024;

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 on October 30, 2024 (CEQR No. 21DCP054K), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-732). An analysis of historical and cultural resources in consultation with the New York City Landmarks Preservation Commission (LPC) determined that development on the applicant site could result in potential impacts. Therefore, a Restrictive Declaration will be recorded in conjunction with any approvals for the proposed actions. The applicant would commit to carry out archaeological work as prescribed by an LPC-approved Phase 1B work plan, prior to commencing construction. In the event that the archaeological field testing uncovers significant archaeological resources, additional archaeology may be needed as per the Guidelines for Archaeological Work in New York City. The Restrictive Declaration would preclude potential for significant adverse impacts related to historic and cultural resources.

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-732) 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 200293 ZRK, 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 ~~double struck out~~ is old, deleted by the City Council;

Matter double-underlined is new, added by the City Council;

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

* * *

BROOKLYN

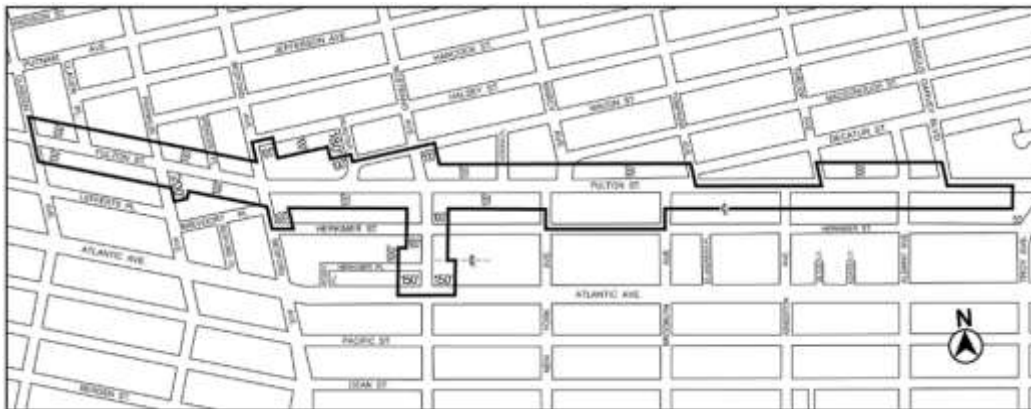
* * *

Brooklyn Community District 3

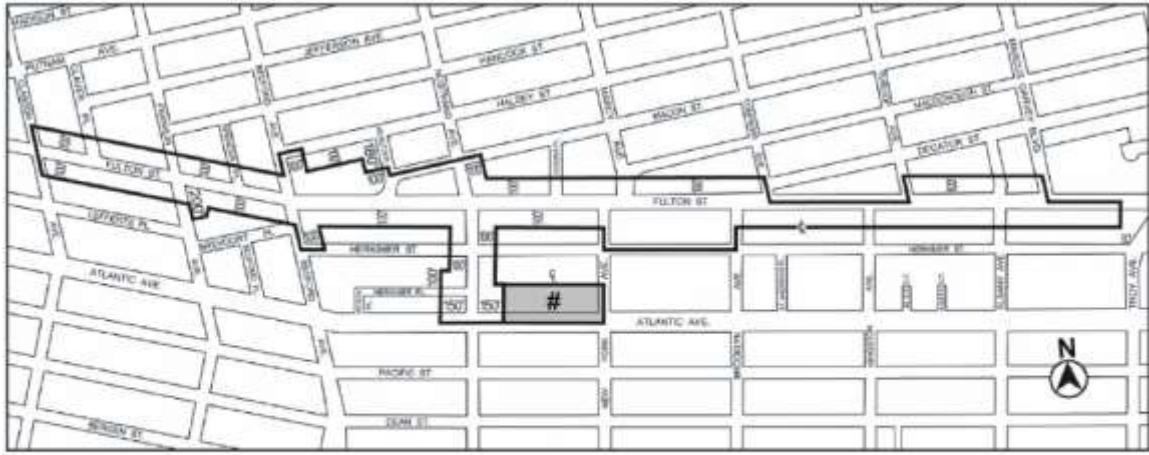
* * *

Map 1 – [date of adoption]

[EXISTING MAP]



[PROPOSED MAP]



- Inclusionary Housing Designated Area*
- Mandatory Inclusionary Housing Program Area** see Section 23-154(d)(3)
- Area #** — [date of adoption] MIH Program Option 1 and Option 2: Deep Affordability Option

Portion of Community District 3, Brooklyn

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Shaun Abreu; *Parental*: Carlina Rivera; Committee on Land Use, May 8, 2024.

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 Orders Calendar)**

- | | | |
|------|---|---|
| (1) | Int. No. 110-A - | New York City Housing Authority's permanent affordability commitment together program. |
| (2) | Int. No. 341-A - | New York City Department of Education to report the number of students reported to the office of school health as having a diagnosis of sickle cell disease or trait. |
| (3) | L.U. No. 59 & Res. No. 432 - | App. C 230323 ZMK (817 Avenue H Rezoning) , Borough of Brooklyn, Community District 14, Council District 45. |
| (4) | L.U. No. 60 & Res. No. 433 - | App. N 230324 ZRK (817 Avenue H Rezoning) , Brooklyn, Community District 14, Council District 45. |
| (5) | L.U. No. 63 & Res. No. 396-A - | App. C 240061 PPQ (97-22 Cresskill Place Disposition) , Borough of Queens, Community District 12, Council District 27. |
| (6) | L.U. No. 64 & Res. No. 427 - | App. C 230146 ZMK (281-311 Marcus Garvey Boulevard) , Borough of Brooklyn, Community District 3, Council District 36. |
| (7) | L.U. No. 68 & Res. No. 434 - | App. C 200310 ZMK (1289 Atlantic Avenue Rezoning) , Borough of Brooklyn, Community District 3, Council District 36. |
| (8) | L.U. No. 69 & Res. No. 435 - | App. N 200293 ZRK (1289 Atlantic Avenue Rezoning) , Borough of Brooklyn, Community District 3, Council District 36. |
| (9) | L.U. No. 65 & Res. No. 428 - | App. N 230147 ZRK (281-311 Marcus Garvey Boulevard) , Borough of Brooklyn, Community District 3, Council District 36. |
| (10) | L.U. No. 66 & Res. No. 429 - | App. C 230148 ZSK (281-311 Marcus Garvey Boulevard) , Borough of Brooklyn, Community District 3, Council District 36. |

- | | | |
|------|---|---|
| (11) | L.U. No. 67 &
Res. No. 430 - | App. C 230152 ZSK (281-311
Marcus Garvey Boulevard),
Borough of Brooklyn, Community
District 3, Council District 36. |
| (12) | Preconsidered
L.U. No. 79 &
Res. No. 431 - | App. G 240051 GAM (Timbale
Terrace ESDC Grant Application),
Borough of Manhattan, Community
District 11, Council District 9. |
| (13) | Preconsidered
L.U. No. 75 &
Res. No. 423 - | FAC JOE Shelter Retrofit
GHPP.FY24: Brooklyn, Community
Districts 6, 7, and 8, Council Districts
35, 38, and 39. |
| (14) | Preconsidered
L.U. No. 76 &
Res. No. 424 - | Lenoxville.HUDMF.FY24:
Manhattan, Community District 10,
Council District 9. |
| (15) | Preconsidered
L.U. No. 77 &
Res. No. 425 - | BR Affordable HDFC.YR15.FY24:
Bronx, Community District 3,
Council District 17. |
| (16) | Preconsidered
L.U. No. 78 &
Res. No. 426 - | Woodycrest HPO.FY24: Bronx,
Community District 4, Council
District 16. |

The Majority Leader and Acting President Pro Tempore (Council Member Farías) 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, Banks, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Feliz, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Krishnan, Lee, Louis, Marmorato, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Powers, Restler, Riley, Salaam, Salamanca, Sanchez, Schulman, Stevens, Ung, Williams, Won, Yeger, Zhuang, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Farías) and the Speaker (Council Member Adams) – **48.**

The General Orders vote recorded for this Stated Meeting was 48-0-0 for all items as shown above.

*The following Introductions were sent to the Mayor for his consideration and approval:
Int. Nos. 110-A and 341-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. 15

Report of the Committee on Mental Health, Disabilities and Addiction in favor of approving a Resolution calling on the New York State Legislature to pass, and the Governor to sign, the New York Child Data Privacy and Protection Act (S.3281/A.4967) and the Stop Addictive Feeds Exploitation (SAFE) for Kids Act (S.7694/A.8148).

The Committee on Mental Health, Disabilities and Addiction, to which the annexed resolution was referred on February 8, 2024 (Minutes, page 254), respectfully

REPORTS:

I. INTRODUCTION

On May 16, 2024, the Committee on Mental Health, Disabilities and Addiction, chaired by Council Member Linda Lee, will hold a hearing and vote on Resolution Number 0015-2024 (Res. No. 15), sponsored by Council Member Julie Menin.

II. BACKGROUND

a. **Youth Mental Health**

Res. No. 15 calls upon the New York State Legislature to pass, and the Governor to sign, the New York Child Data Privacy and Protection Act (S.3281/A.4967) and the Stop Addictive Feeds Exploitation (SAFE) for Kids Act (S.7694/A.8148).

On February 13, 2023, the United States (U.S.) Centers for Disease Control and Prevention (CDC) released the Youth Risk Behavior Survey Data Summary and Trends Report: 2009-2019, which provided data on health-related behaviors that contribute to the leading causes of mental health crises among young people in the U.S.¹ Key findings from the CDC revealed that 29 percent of survey respondents felt they had poor mental health in the last 30 days; 42 percent of students reported feeling sad and hopeless which interrupted their ability to go about their usual activities; 57 percent of female students reported feeling persistent feelings of sadness—a 26 percent increase since 2019; and 45 percent of LGBTQ youth considered suicide with 22 percent having attempted suicide.² The survey also revealed that rates of attempted suicide were higher for American Indian/Alaskan Native and Black Youth (16 and 14 percent respectively), Hispanic youth (11 percent), white students (9 percent) and Asian youth (6 percent).³

The New York State Office of Mental Health released a report in 2023 entitled, “Youth Mental Health Listening Tour Report,”⁴ which found that from 2011 to 2021, the percentage of teenage girls in grades 9-12 who persistently felt sad or hopeless had increased from 36% to 57%, the percentage of teenage boys in grades

¹ Centers for Disease Control and Prevention (CDC), February 13, 2023. Youth Risk Behavior Survey, Data Summary and Trends Report 2009-2019. Available at <https://www.cdc.gov/healthyyouth/data/yrbs/pdf/YRBSDataSummaryTrendsReport2019-508.pdf>

² Id.

³ Id.

⁴ New York State Office of Mental Health, 2023. Youth Mental Health Listening Tour Report – June 2023. Available at <https://omh.ny.gov/omhweb/statistics/youth-mh-listening-tour-report.pdf>

9-12 who persistently felt this way increased from 21% to 29%, and the percentage of teenage boys and girls in grades 9-12 who said they seriously considered attempting suicide increased from 16% to 22%.⁵

New York City (NYC) has seen evidence of this national mental health crisis among its own youth population, as evidenced in Epi Data Brief No. 138 of November 2023, issued by the NYC Department of Health and Mental Hygiene, which revealed that 77,000, or 37%, of surveyed NYC public high school students reported feeling socially isolated during the pandemic, while 57,000, or 26%, reported signs of depression.⁶

b. Youth Social Media Usage

While there are many factors that contribute to worsening youth mental health, in 2023, the U.S. Surgeon General released an Advisory around the U.S. youth mental health crisis, entitled, “Social Media and Youth Mental Health,” which highlighted both the significantly increased use of social media by young Americans compared to previous generations as well as the worrying potential harms around social media’s impact on the mental development, health, and wellbeing of young Americans.⁷ Additionally, surveys conducted by the Pew Research Center indicate internet usage among American teenagers has spiked in recent years, with 46% saying they used the internet “almost constantly” in 2022 and 2023, compared to 24% in 2014 and 2015.⁸ A 2023 Gallup poll found that 51% of U.S. teenagers spend at least four hours per day on social media platforms.⁹ As previously noted, the CDC and the U.S. Surgeon General, along with the Mayo Clinic¹⁰ and others have pointed to a growing body of research linking social media use to worsening mental health, particularly among children and young adults, finding increased risk for depression and anxiety, worsened self-image, disrupted sleep, cyberbullying, and other harmful mental health impacts of social media use.

In 2023, the American Psychological Association (APA) issued a Health Advisory on social media use in adolescence warning that children and teenagers are more susceptible to addictive user engagement strategies and social media functions such as likes, comments, and recommendations.¹¹ Significantly, the Federal Bureau of Investigation’s Internet Crime Center Report found that from 2019 to 2020, yearly cases of cybercrime against children increased by 144%, and that children are less likely to be vigilant about good digital hygiene practices like strong passwords and not sharing personal information.¹²

III. LEGISLATIVE ANALYSIS

Due to the various and persistent issues around social media’s mental health impacts and documented data exploitation of young people, many experts such as the Mayo Clinic¹³ and New York Presbyterian,¹⁴ have continually stressed the importance of expansive regulations to protect minors online. Res. No. 15 calls on the New York Legislature to pass, and the Governor to sign, the New York Child Data Privacy and Protection Act (S.3281/A.4967) and the Stop Addictive Feeds Exploitation (SAFE) for Kids Act (S.7694/A.8148). The New York Child Data Privacy and Protection Act, sponsored in the State Senate by Senator Andrew Gounardes and in the Assembly by Assemblymember Nily Rozic, would, among other things, ban social media platforms from

⁵ Id.

⁶ NYC Health (2023) Epi Data Brief: Suicide related factors among New York City Public High School Students. Available at <https://www.nyc.gov/assets/doh/downloads/pdf/epi/databrief138.pdf>

⁷ Health and Human Services (HHS.gov, 2023). Social Media and Youth Mental Health: The U.S. Surgeon General’s Advisory. Available at <https://www.hhs.gov/sites/default/files/sg-youth-mental-health-social-media-advisory.pdf>

⁸ Pew Research Center (2023) Teens, Social media and Technology 2023. Available at

<https://www.pewresearch.org/internet/2023/12/11/teens-social-media-and-technology-2023/>

⁹ Gallup (2023). Teens Spend Average of 4.8 Hours on Social Media Per Day. Available at <https://news.gallup.com/poll/512576/teens-spend-average-hours-social-media-per-day.aspx>

¹⁰ Mayo Clinic. (2023). Teens and Social Media Use: What’s the Impact? Available at <https://www.mayoclinic.org/healthy-lifestyle/tween-and-teen-health/in-depth/teens-and-social-media-use/art-20474437>

¹¹ American Psychological Association (APA) (2023). Health Advisory on Social Media Use in Adolescence. Available at <https://www.apa.org/topics/social-media-internet/health-advisory-adolescent-social-media-use>

¹² Surfshark (2023). FBI Internet Crime Center Report (2014-2020). Cybercrime Against Children Year Over Year. Available at <https://surfshark.com/research/cybersecurity-for-kids/statistics>

¹³ Mayo Clinic (2023). Healthy Lifestyle: Teens and social media use: What’s the impact? Available at

<https://www.mayoclinic.org/healthy-lifestyle/tween-and-teen-health/in-depth/teens-and-social-media-use/art-20474437>

¹⁴ New York Presbyterian (2023). Health Matters. Is Social Media Threatening Teens’ Mental Health and Well-being? Available at <https://healthmatters.nyp.org/is-social-media-threatening-teens-mental-health-and-well-being/>

showing children targeted advertisements without parental consent and prohibit such platforms from collecting, selling, retaining, and processing children’s data absent a compelling reason.¹⁵ The Stop Addictive Feeds Exploitation (SAFE) for Kids Act (S.7694/A.8148),¹⁶ also sponsored by Senator Gounardes and Assemblymember Rozic, would, among other things, prohibit social media platforms from delivering addictive feeds to children under 18 years old and require that such platforms obtain parental consent before sending notifications to children between 12:00 AM and 6:00 AM.¹⁷ In October 2023, the New York Child Data Privacy and Protection Act (S.3281/A.4967)¹⁸ and the Stop Addictive Feeds Exploitation (SAFE) for Kids Act (S.7694/A.8148)¹⁹ were championed in a joint statement by Senator Gounardes, Assemblymember Rozic, Governor Kathy Hochul, and New York Attorney General Letitia James, as bills that would protect the privacy and mental health of New York’s youth online.²⁰

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 15:)

Res. No. 15

Resolution calling on the New York State Legislature to pass, and the Governor to sign, the New York Child Data Privacy and Protection Act (S.3281/A.4967) and the Stop Addictive Feeds Exploitation (SAFE) for Kids Act (S.7694/A.8148).

By Council Members Menin, Lee, Stevens, Gennaro, Hudson, Gutiérrez, Ung, Farías, Won, Zhuang and Hanif.

Whereas, The United States is experiencing a youth mental health crisis, with the U.S. Centers for Disease Control (“CDC”) finding that from 2011 to 2021, the percentage of teenage girls in grades 9-12 who persistently felt sad or hopeless increased from 36% to 57%, the percentage of teenage boys in grades 9-12 who persistently felt this way increased from 21% to 29%, and the percentage of teenage boys and girls in grades 9-12 who said they seriously considered attempting suicide increased from 16% to 22%; and

Whereas, New York City has seen evidence of this national mental health crisis among its own youth population, as Epi Data Brief No. 138 of November 2023, issued by the NYC Department of Health and Mental Hygiene, revealed that 77,000, or 37%, of surveyed NYC public high school students reported feeling socially isolated during the pandemic, while 57,000, or 26%, reported signs of depression; and

Whereas, Surveys conducted by the Pew Research Center indicate that internet usage among American teenagers has spiked in recent years, with 46% saying they used the internet “almost constantly” in 2022 and 2023, compared to 24% in 2014 and 2015; and

Whereas, A 2023 Gallup poll found that 51% of U.S. teenagers spend at least four hours per day on social media platforms; and

¹⁵ New York City Council (2024) Resolution No. 0015-2004. Available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6509407&GUID=0B4350EF-F5A7-4501-B52A-47C962530490&Options=&Search=>; and New York State Senate Bill 3281 available at <https://www.nysenate.gov/legislation/bills/2023/S3281>

¹⁶ New York State Senate Bill S7694 – Stop Addictive Feed Exploitation (SAFE) for Kids Act. Available at <https://www.nysenate.gov/legislation/bills/2023/S7694>

¹⁷ New York City Council (2024) Resolution No. 0015-2004. Available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6509407&GUID=0B4350EF-F5A7-4501-B52A-47C962530490&Options=&Search=>, and New York State Assembly Bill A8148 available at <https://www.nysenate.gov/legislation/bills/2023/A8148>

¹⁸ New York State Senate (2023). Senate Bill 3281 – The New York Child Data Privacy Protection Act. Available at <https://www.nysenate.gov/legislation/bills/2023/S3281>

¹⁹ Id.

²⁰ New York City Council (2024) Resolution No. 0015-2004. Available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6509407&GUID=0B4350EF-F5A7-4501-B52A-47C962530490&Options=&Search=> and New York State Senate Bill S3281 available at <https://www.nysenate.gov/legislation/bills/2023/S3281>

Whereas, Various health institutes, research organizations, and advocacy organizations across public and private sectors, such as the CDC, the U.S. Surgeon General, the Mayo Clinic, the New York Presbyterian Hospital, and others have pointed to a growing body of research linking social media use to worsening mental health, particularly among children and young adults, finding increased risk for depression and anxiety, worsened self-image, disrupted sleep, cyberbullying, and other harmful mental health impacts of social media use; and

Whereas, The American Psychological Association issued a 2023 Health Advisory on social media use in adolescence warning that children and teenagers are more susceptible to addictive user engagement strategies and social media functions such as likes, comments, and recommendations; and

Whereas, The Federal Bureau of Investigation's Internet Crime Center Report found that from 2019 to 2020, yearly cases of cybercrime against children increased by 144%, and that children are less likely to be vigilant about good digital hygiene practices like strong passwords and not sharing personal information; and

Whereas, International organizations such as UNICEF and the European Union, through its General Data Protection Regulation, emphasize that minors are more susceptible to targeted advertising and related tactics like embedded marketing, all of which make use of personal data; and

Whereas, Due to the various and persistent issues around social media's mental health impacts and documented data exploitation of young people, many experts and advocates have continually stressed the importance of expansive regulations to protect minors online and likewise have applauded the announcement of the New York Child Data Privacy and Protection Act (S.3281/A.4967) and the Stop Addictive Feeds Exploitation (SAFE) for Kids Act (S.7694/A.8148); and

Whereas, The New York Child Data Privacy and Protection Act (S.3281/A.4967), sponsored in the State Senate by Senator Andrew Gounardes and in the Assembly by Assemblymember Nily Rozic, would, among other things, ban social media platforms from showing children targeted advertisements without parental consent and prohibit such platforms from collecting, selling, retaining, and processing children's data absent a compelling reason; and

Whereas, The Stop Addictive Feeds Exploitation (SAFE) for Kids Act (S.7694/A.8148), also sponsored by Senator Gounardes and Assemblymember Rozic, would, among other things, prohibit social media platforms from delivering addictive feeds to children under 18 years old and require that such platforms obtain parental consent before sending notifications to children between 12:00 AM and 6:00 AM; and

Whereas, In October 2023, the New York Child Data Privacy and Protection Act (S.3281/A.4967) and the Stop Addictive Feeds Exploitation (SAFE) for Kids Act (S.7694/A.8148) were championed in a joint statement by Senator Gounardes, Assemblymember Rozic, Governor Kathy Hochul, and New York Attorney General Letitia James as bills that would protect the privacy and mental health of New York's youth online; and

Whereas, Such protections are now more important than ever as rapid developments in augmented reality, virtual reality, and generative artificial intelligence applications, many of which are coming from the same companies that operate social media platforms, promise new possibilities which will inevitably look to maximize user engagement and utilize user-generated data; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, the New York Child Data Privacy and Protection Act (S.3281/A.4967) and the Stop Addictive Feeds Exploitation (SAFE) for Kids Act (S.7694/A.8148).

LINDA LEE, *Chairperson*; FARAH N. LOUIS, TIFFANY L. CABÁN, SHAUN ABREU, ERIK D. BOTTCHEER, SHAHANA K. HANIF, DARLENE MEALY, KRISTY MARMORATO; 8-0-0; Committee on Mental Health, Disabilities and Addiction, May 16, 2024. *Other Council Members Attending: Council Member Menin.*

Pursuant to Rule 8.50 of the Council, the Majority Leader and Acting President Pro Tempore (Council Member Farías) called for a voice vote. Hearing no objections, the Majority Leader and Acting President Pro Tempore (Council Member Farías) declared the Resolution to be adopted.

Adopted unanimously by the Council by voice-vote.

INTRODUCTION AND READING OF BILLS

Int. No. 859

By Council Members Abreu, Rivera, Hudson, Marte, Narcisse, Brewer, Krishnan, Restler and Cabán.

A Local Law to amend the administrative code of the city of New York, in relation to requiring third-party food delivery services and third-party courier services to provide food delivery workers with information underlying their pay calculations

Be it enacted by the Council as follows:

Section 1. Section 20-1501 of the administrative code of the city of New York is amended by adding new definitions of “on-call time,” “pay period,” and “trip time” in alphabetical order to read as follows:

“On-call time” means the time a food delivery worker is connected to a third-party food delivery service or third-party courier service’s electronic system for arranging or monitoring trips in a status where the food delivery worker is available to receive or accept trip offers or assignments with a pickup or drop-off location in the city and excludes all trip time.

“Pay period” means a fixed and regularly recurring period of 168 hours or 7 consecutive 24-hour periods.

“Trip time” means the amount of time it takes to complete a trip, measured from the moment a food delivery worker accepts an offer from a third-party food delivery service or third-party courier service for a trip with a pickup or drop-off location in the city, or receives an assignment for such a trip, through the moment such trip is completed or cancelled.

§ 2. Section 20-1523 of the administrative code of the city of New York, as amended by local law number 118 for the year 2021, is amended to read as follows:

§ 20-1523 Payments *and disclosures* to workers. a. A third-party food delivery service or third-party courier service shall not charge or impose any fee on a food delivery worker for the use of any form of payment selected by such service to pay such worker for work performed.

b. A third-party food delivery service or third-party courier service shall pay a food delivery worker for work performed no less frequently than once a week.

c. *A third-party food delivery service or third-party courier service shall notify a food delivery worker of the anticipated method of payment for the upcoming pay period at least 24 hours before the beginning of such upcoming pay period. Such notice shall be provided through the third-party food delivery service’s or third-party courier service’s website, mobile application, or other internet service through which trips are offered to such worker.*

d. *During each pay period, a third-party delivery service or third-party courier service shall display a running total of a food delivery worker’s trip time, a running total of a food delivery worker’s on-call time, and a running total of the sum of a food delivery worker’s trip time and on-call time. Such information shall be displayed through the third-party food delivery service’s or third-party courier service’s website, mobile application, or other internet service through which trips are offered to a food delivery worker.*

e. *At the end of each pay period, a third-party delivery service or third-party courier service shall provide each food delivery worker with a statement through the third-party food delivery service’s or third-party courier service’s website, mobile application, or other internet service through which trips are offered to a food delivery worker that includes the following:*

- 1. Such food delivery worker’s total pay for the specified pay period;*
- 2. The payment method used to calculate such food delivery worker’s pay for the specified pay period;*
- 3. Such food delivery worker’s trip time for the specified pay period, the rate of pay for such trip time, and the amount of pay that corresponds to such trip time for the specified pay period;*
- 4. Such food delivery worker’s on-call time for the specified pay period;*
- 5. The sum of such food delivery worker’s trip time and on-call time for the specified pay period; and*

6. A description and itemization of any additional payments made to such food delivery worker beyond the payments based on such delivery worker's trip time during the specified pay period.

§ 3. This local law takes effect 60 days after it becomes law.

Referred to the Committee on Consumer and Worker Protection.

Int. No. 860

By Council Members Avilés, Hanif and Cabán.

A Local Law to amend the administrative code of the city of New York, in relation to requiring certain contracted entities to make public job training and employment data collected pursuant to projects in excess of \$150,000.

Be it enacted by the Council as follows:

Section 1. Subparagraph (h) of paragraph 2 of subdivision b of section 22-823 of the administrative code of the city of New York is amended to read as follows:

(h) (1) The number of jobs that each person receiving assistance from such contracted entity is contractually obligated to retain and create over the duration of the project agreement or, in the case of a project agreement that contains annual job retention or creation requirements, the annual job retention or creation requirement for the reporting year;

(2) The base employment level such entity agrees to retain over the duration of the project agreement;

(3) Any job creation scheduled to take place as a result of such project, including a timeframe for hiring; [and]

(4) Where applicable, any job creation targets for the reporting year;

(5) *The hiring source for any positions filled, if applicable;*

(6) *Retention data for any jobs created or retained, if available;*

(7) *A summary of community engagement efforts undertaken to promote local hiring for the project; and*

(8) *The details of any job training opportunities created for such project, including (i) the number of city residents participating in training programs with aggregated zip code data from such residents to indicate where participants reside; (ii) the types of training opportunities made available, including skills taught and certifications provided; and (iii) the number of city residents offered employment after participating in training, disaggregated by full-time, part-time, seasonal and temporary positions and whether such positions are filled by union or non-union workers.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Economic Development.

Int. No. 861

By Council Members Avilés, Hanif, Restler and Cabán.

A Local Law to amend the administrative code of the city of New York, in relation to requiring disclosure of community benefit agreements in the annual report by certain contracted entities.

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 22-821 of the administrative code of the city of New York, as added by local law number 222 for the year 2017, is amended to add new definitions of "community benefit agreement," "community benefit organization," and "sponsored project" in alphabetical order to read as follows:

Community benefit agreement. The term “community benefit agreement” means any written agreement between a contracted entity and a community benefit organization that details the provision of specific benefits to communities associated with such community benefit organization and impacted by a sponsored project.

Community benefit organization. The term “community benefit organization” means any nonprofit organization representing local residents or groups impacted by a sponsored project.

Sponsored project. The term “sponsored project” means any economic development project for which a contracted entity provides financial assistance.

§ 2. Subparagraph (o) of paragraph 2 of subdivision b of section 22-823 of the administrative code of the city of New York, as added by local law 222 for the year 2017, is amended, and a new subparagraph (p) is added to such paragraph, to read as follows:

(o) A statement of compliance indicating whether, during the reporting year, the contracted entity has reduced, cancelled or recaptured assistance provided to a person in connection with such project, and, if so, the total amount of such reductions, cancellations or recaptures, and any penalty assessed and the reasons therefor; and

(p) For each community benefit agreement entered into during the fiscal year: (1) the date such agreement was executed; (2) the parties to the agreement; (3) the project associated with such agreement; and (4) a summary of key terms regarding jobs, affordable housing, and other benefits provided to the community pursuant to the agreement.

§ 3. This local law takes effect immediately.

Referred to the Committee on Economic Development.

Int. No. 862

By Council Members Bottcher, Salaam, Restler and Brannan (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 the department of health and mental hygiene to staff each police precinct with a licensed social worker

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 17-199.26 to read as follows:

§ 17-199.26 *Social workers at police precincts. a. Definition. For the purpose of this section the term “licensed master social worker” means any personnel, licensed and certified by New York state as a licensed master social worker as defined in section 7701 of the education law.*

b. The department of health and mental hygiene shall staff each police precinct with a licensed master social worker employed by the department. Such licensed master social workers shall provide consultation upon request of the police department, members of the public, detained individuals, or crime victims and their families, and shall be available at each police precinct twenty-four hours a day and every day of the week.

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

Referred to the Committee on Public Safety.

Int. No. 863

By Council Members Brannan and Louis.

A Local Law to amend the New York city charter, in relation to expanding the application of procurement procedures for certain service contracts, and enhancing public notice requirements for changes to planned contract actions

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 312 of the New York city charter is amended to read as follows:

§ 312. Procurement; general rule and exceptions. a. Prior to entering into, renewing, or [extending] *amending* a contract valued at more than [two hundred thousand] *one million* dollars or, *if amended or renewed, would increase the value of such contract to more than one million dollars*, to provide standard or professional services, including agency task orders pursuant to multi-agency task order contracts, but excluding emergency procurements, government-to-government purchases, *required source procurements, contracts that have a value of more than one million dollars but the value of the standard or professional services is one million dollars or less, noncompetitive small purchases from businesses certified as minority or women-owned business enterprises pursuant to section thirteen hundred four of the charter*, and the procurement of legal services or consulting services in support of current or anticipated litigation, investigative or confidential services, an agency shall follow the procedure established herein and the mayor shall comply with the reporting requirements set forth in paragraph 8. *Contracts and agency task orders shall not be artificially divided in order to avoid the requirements of this section.*

1. Prior to issuing an invitation for bids, request for proposals, or other solicitation, or renewing or [extending] *amending* an existing contract, the agency shall determine whether such contract is the result of or would result in the displacement of any city employee within the agency. For the purpose of this section, "displacement" shall mean a reduction in the number of funded positions, including but not limited to, that resulting from the attrition; layoff; demotion; bumping; involuntary transfer to a new class, title, or location; time-based reductions, or reductions in customary hours of work, wages, or benefits of any city employee.

[a.] (a) There shall be a presumptive determination that a proposed contract is the result of or would result in displacement if any of the following events occurred in the three year period preceding the date the agency intends to issue an invitation for bids, request for proposal, or other solicitation, or renew or extend an existing contract:

(1) the displacement of a city employee within the agency who performs or has performed the services sought by the proposed contract and/or services of a substantially similar nature or purpose; or

(2) the announcement of spending reductions in connection with a budgetary program, including but not limited to a Program to Eliminate the Gap, that could result or has resulted in the displacement of a city employee within the agency who performs or has performed the services sought by the proposed contract and/or services of a substantially similar nature or purpose; or

(3) any other statement by an agency or the mayor of a specific anticipated employment action that could result or has resulted in the displacement of a city employee within the agency who performs or has performed the services sought by the proposed contract and/or services of a substantially similar nature or purpose.

[b.] (b) If the agency determines that displacement would not occur, it shall include a certification to that effect, signed by the agency head, in any invitation for bids, request for proposals, or other solicitation, or with any contract renewal or [extension] *amendment*. Such certification shall detail the basis upon which the agency determined that displacement would not occur, construing broadly the nature of the services sought and providing information including but not limited to: (i) whether any civil service title and/or job title within the agency currently performs the services solicited and/or services of a substantially similar nature or purpose, the names of such titles, and the extent to which agency employees within such titles currently perform such services; (ii) whether the solicited services expand, supplement, or replace existing services, and a detailed description comparing the solicited services with such existing services; (iii) whether there is capacity within the agency to perform the services solicited and, if there is no such capacity, a detailed description specifying the ways in which the agency lacks such capacity; (iv) for the term of the proposed contract, the projected headcount of

employees within such titles or employees who perform such services and/or services of a substantially similar nature or purpose; and (v) confirmation that none of the events set forth in subparagraph a of this paragraph occurred within the agency in the three year period preceding the date such agency intends to issue an invitation for bids, request for proposal, or other solicitation, or renew or extend an existing contract.

[c.] (c) If the agency determines that displacement would occur, the agency shall determine the costs incurred and the benefits derived in performing the service, consistent with the scope and specifications within the solicitation, renewal, or [extension] *amendment*, with city employees, and shall submit such analysis, with all supporting documentation, prior to issuance of any solicitation or entry into any contract renewal or [extension] *amendment*, to the comptroller.

2. Immediately upon receipt of bids, proposals, and other solicitation responses, or prior to the renewal or [extension] *amendment* of an existing contract, the agency shall submit such determination, analysis, and supporting documentation to the council and to the appropriate collective bargaining representatives representing employees who would be affected pursuant to paragraph 1 of subdivision a of this section.

3. Prior to award of a contract, a renewal, or an [extension] *amendment*, the agency shall perform a comparative analysis of the costs expected to be incurred and the benefits expected to be derived from entering into, renewing, or extending a contract with the proposed vendor, based on such vendor's best and final offer, and such agency's analysis of the costs incurred and the benefits derived from providing the service with city employees. If the agency head intends to award, renew, or extend the contract, he or she shall submit the reasons therefor, together with such analysis, and all supporting documentation, to the comptroller, the council, and the appropriate collective bargaining representatives representing employees who would be affected pursuant to paragraph 1 of subdivision a of this section.

4. The council may, within thirty days after receipt of such reasons, analysis, and supporting documentation hold a hearing on this matter. No contract award, renewal, or [extension] *amendment* shall be made prior to the expiration of this thirty-day period or a council hearing, whichever is sooner.

5. [a.] (a) All cost and comparative analyses required under this section shall be conducted in accordance with standard methodology of the office of management and budget, and consistent with the rules of the procurement policy board, as both are modified herein, subject to further modification by local law. Such analyses shall include all reasonable costs associated with performing the service using city employees and all reasonable costs associated with performing the service under the proposed contract or contract renewal or [extension] *amendment*.

[b.] (b) Such analyses shall further include the total number, qualifications, job descriptions, and titles of all personnel to be employed by the vendor under the proposed contract or contract renewal or [extension] *amendment*, as well as the nature and cost of salaries and benefits to be provided to such personnel.

[c.] (c) Such analyses shall further include, but not be limited to, the cost of employee supervision directly related to the provision of the service, vendor solicitation, contract preparation, contract administration, monitoring and evaluating the contractor, capitalization of equipment over the period such equipment shall be in use, supplies, the cost of providing the equivalent quantity and quality of service by city employees compared to the cost of providing such service by contract, based upon the best and final offer of the proposed vendor, and such other factors as will assist in arriving at full and accurate cost determinations and comparisons.

6. The reasons given to award, renew, or extend the contracts shall include all factors that have been considered in determining whether contracting for this service is in the best interest of the city, whether or not such reasons are contained within the cost or comparative analyses. Such factors shall include, but not be limited to, the potential for contractor default, the time required to perform the service, and the quality of the service to be delivered.

7. The mayor or his or her designee may prepare and implement a plan of assistance for displaced city employees, which may include, but need not be limited to, training to place such employees in comparable positions within the contracting agency or any other agency. The cost of such assistance plan may be included within the cost of contracting-out in the cost and comparative analyses.

8. [a.] (a) For the purposes of this paragraph, "agency" means a city, county, borough or other office, position, administration, department, division, bureau, board, commission, authority, corporation, advisory committee or other agency of government, the expenses of which are paid in whole or in part from the city treasury, and shall include but not be limited to, the department of education, the health and hospitals corporation, and the New York city housing authority, but shall not include any court, or any local development corporation

or other not for profit corporation or institution, including such a corporation or institution maintaining or operating a public library, museum, botanical garden, arboretum, tomb, memorial building, aquarium, zoological garden or similar facility.

[b.] (b) The mayor shall, no later than July 31st of each year, produce and publish on the mayor's office of contract services website a plan and schedule for each agency detailing the anticipated contracting actions of each such agency for the upcoming fiscal year. The plan and schedule shall include: (i) information specific to each prospective invitation for bids, request for proposal, or other solicitation, including, but not limited to, the nature of services sought, the term of the proposed contract, the method of the solicitation the agency intends to utilize, the anticipated fiscal year quarter of the planned solicitation, the civil service and/or job titles within the agency who perform the services sought and/or services of a substantially similar nature or purpose, if any, and the headcount of employees within such titles who perform such services; and (ii) information specific to each proposed contract renewal or [extension] *amendment*, including, but not limited to, any modifications sought to the nature of the services performed under the contract, the term of the proposed renewed or extended contract, the reason(s) the agency intends to renew or extend such contract, the month and year of the expiration of the existing contract, the civil service and/or job titles within the agency who perform the services sought and/or services of a substantially similar nature or purpose, if any, and the headcount of employees within such titles who perform such services.

[c.] (c) If an agency intends to issue an invitation for bids, request for proposal, or other solicitation, or renew or [extend] *amend* an existing contract, but the mayor fails to include such prospective invitation, request, solicitation, renewal or [extension] *amendment* in the plan and schedule, *or such prospective invitation, request, solicitation, renewal or amendment differs from the information posted in the plan and schedule with respect to the term of the proposed contract, if such term is longer than the term posted on the plan and schedule, or with respect to the nature of the services sought, or with respect to the civil service and/or job titles within the agency that performs the services sought and/or services of a substantially similar nature or purpose, if any, or with respect to the headcount of employees within such titles who perform such services,* the mayor shall provide public notice [sixty] *ten* days before such agency issues such invitation, request, or solicitation, or enters into such renewal or [extension] *amendment*. Such notice, which shall be posted on the mayor's office of contract services website and in the city record, shall include: (i) information specific to the prospective invitation for bids, request for proposal, or other solicitation, including, but not limited to, the nature of services sought, the term of the proposed contract, the method of the solicitation the agency intends to utilize, the civil service and/or job titles within the agency who perform the services sought and/or services of a substantially similar nature or purpose, if any, and the headcount of employees within such titles who perform such services; or (ii) information specific to the proposed contract renewal or [extension] *amendment*, including, but not limited to, any modifications sought to the nature of the services performed under the contract, the term of the proposed renewed or extended contract, the reason(s) the agency intends to renew or extend such contract, the civil service and/or job titles within the agency who perform the services sought and/or services of a substantially similar nature or purpose, if any, and the headcount of employees within such titles who perform such services.

§ 2. This local law takes effect on July 1, 2024.

Referred to the Committee on Contracts.

Res. No. 397

Resolution calling on Mayor Eric Adams to appoint Family Court judges to fill all judicial vacancies and to promptly fill all future vacancies that arise.

By Council Member Brewer.

Whereas, In New York State (New York or State), Family Court hears cases related to juvenile delinquency, family support, paternity, child protection, guardianship and custody, and permanency for children placed out of their homes; and

Whereas, The Family Court system is a crucial component of ensuring the safety and protection of some of the most vulnerable children and families in the State; and

Whereas, The Family Court Act (FCA) mandates the number of judges within New York City and State, as well as their term, eligibility, and appointment process; and

Whereas, The FCA mandates that the mayor shall appoint Family Court judges within the city, for a term of ten years; and

Whereas, The Mayor's Advisory Committee on the Judiciary (MACJ), established via Executive Order under each incoming mayor, is responsible for recruiting, evaluating, and nominating highly qualified judicial candidates prior to the mayor's appointment; and

Whereas, The date on which sitting Family Court judges are required by law to retire is readily known based on their dates of birth and other information possessed by the MACJ, and thus future vacancies can be anticipated; and

Whereas, The Office of Court Administration provides timely notice to MACJ whenever a current Family Court judge has provided notice of their retirement to avoid any bottlenecks in the appointment process resulting in prolonged vacancies; and

Whereas, New York State Senate Bill S7534/A7669, signed into law in December 2023, amended the FCA to increase the number of Family Court judges in New York City from 60 to 63 in order to help tackle a backlog of cases; and

Whereas, Despite this law coming into effect on January 1, 2024, and the MACJ's work to nominate appropriate candidates for appointment, as of March 20, 2024, the City has only 61 appointed Family Court judges, with two unfilled vacancies; and

Whereas, New York City Family Courts have an extremely high case volume; and

Whereas, In New York City, as of the first quarter of 2024, there are already over 77,000 pending, or active and not yet resolved Family Court cases, and almost 20,000 dispositions, or resolved cases, according to data from the New York Courts Division of Technology and Court Research; and

Whereas, For comparison, in the same period, for all State counties outside of New York City, there are about 90,000 pending cases and 52,000 dispositions; and

Whereas, According to the FCA Annual Report, in 2022, 11% of Family Offense petitions in New York City took over a year from filing to disposition; and

Whereas, Additionally, 36% of petitions for neglect took over one year from petition to fact finding, with 10% taking over two years, and 3% took over an additional year from fact finding to disposition, a waiting period of at least four years from opening a case to its resolution; and

Whereas, For cases involving abuse or neglect of children, any period of waiting for a resolution could result in serious long term emotional and physical harm; and

Whereas, Ensuring that Family Court judicial vacancies are filled quickly and that the Family Courts are fully staffed can help address the case backlog and reduce the length of time New Yorkers are waiting for their cases to be resolved; now, therefore, be it

Resolved, That the Council of the City of New York calls on Mayor Eric Adams to appoint Family Court judges to fill all judicial vacancies and to promptly fill all future vacancies that arise.

Referred to the Committee on Children and Youth.

Res. No. 398

Resolution calling on the New York State legislature to pass, and the Governor to sign, S.8502/A.9509, in relation to establishing a New York City grant program for laundry equipment or facilities in certain schools.

By Council Members Brewer, Restler, Gutiérrez and Hanif.

Whereas, Laundering clothes and linens to remove dirt and body fluids prevents the transmission of, and re-exposure to, pathogens as well as provides odor control; and

Whereas, A lack of clean laundry may not only negatively impact an individual's health, but also their dignity and mental health; and

Whereas, A 2019 Braun Research survey of 600 public school teachers found that, nationwide, one-in-five students struggle with access to clean clothes, causing them to miss school; and

Whereas, According to the New York State (NYS) Council on Children and Families, students who are chronically absent (i.e., absent for 10 percent or more school days) in kindergarten and first grade are less likely to be able to read at grade level; by sixth grade, chronic absence is one of three early warning signs that a student will drop out of high school; and by ninth grade, attendance can be a better indicator of dropout than eighth grade test scores; and

Whereas, Chronic absenteeism has been a growing problem in New York City ("NYC" or "City") public schools since the COVID-19 Pandemic; and

Whereas, During the 2021-2022 school year (SY), 40.2 percent of students across all grades were chronically absent, which was an increase from 29.7 percent of students during the 2020-2021 SY; and

Whereas, While the percentage of chronically absent students during the 2022-2023 SY decreased from the previous SY to 36.2 percent, it still represents an 11.1 percent increase over the 2019-2020 SY; and

Whereas, Moreover, since July 2022, City Department of Education (DOE) schools have experienced an influx of about 36,000 students in temporary housing, many of whom neither have access to clean clothes nor funds to do laundry; and

Whereas, S.8502/A.9509, sponsored by NYS Senator Roxanne Persaud and NYS Assembly Member Brian Cunningham respectively, would amend the education law, in relation to establishing a NYC grant program for laundry equipment or facilities in certain schools; and

Whereas, This legislation would require the chancellor of DOE to establish a pilot program for the purpose of awarding grants to certain Title I primary and secondary public schools in NYC to assist with purchasing and installing laundry appliances and equipment; and

Whereas, Such facilities would assist students and families residing in temporary housing as well as reduce chronic absenteeism due to a lack of clean clothes; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State legislature to pass, and the Governor to sign, S.8502/A.9509, in relation to establishing a New York City grant program for laundry equipment or facilities in certain schools.

Referred to the Committee on Education.

Int. No. 864

By Council Members Brooks-Powers, Restler and Ariola.

A Local Law in relation to a study and report on the expansion of ferry service along the Rockaway Peninsula

Be it enacted by the Council as follows:

Section 1. a. Definitions. For purposes of this local law, the following terms have the following meanings: City. The term "city" means the city of New York.

Commissioner. The term "commissioner" means the commissioner of transportation.

Department. The term "department" means the department of transportation.

b. Study on the feasibility of expanding ferry service along the Rockaway Peninsula. The commissioner, in coordination with the New York city economic development corporation, shall conduct a study on the feasibility of expanding ferry service access along the Rockaway Peninsula within the city. Through such study, the commissioner shall:

1. Identify the locations of any existing ferry terminals within the jurisdiction of the commissioner or the New York city economic development corporation along the Rockaway Peninsula;
 2. Identify potential locations for the siting of new ferry terminals along the Rockaway Peninsula, with a focus on identifying such locations east of Beach 86th Street;
 3. Identify local benefits that would result from such siting;
 4. Identify logistical challenges involved with such siting, including but not limited to any challenges concerning the size and structure of ferry boats, the navigation of ferry boats through the waterways surrounding the Rockaway Peninsula, and coordination between the department and the New York city economic development corporation in providing ferry service;
 5. Propose solutions, if any, to such challenges; and
 6. Estimate the projected costs associated with such siting and implementation of such solutions.
- c. Report. No later than 1 year after the effective date of this local law, the commissioner shall submit to the mayor and speaker of the council, and post on the department's website, a report on the findings of the study required under subdivision b of this section.
- § 2. This local law takes effect immediately.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 865

By Council Members De La Rosa, Restler, Brannan, Brewer, Cabán, Gennaro, Ossé, Avilés, Krishnan, Powers, Hudson, Abreu, Brooks-Powers, Williams, Won, Schulman, Salaam and Menin.

A Local Law to amend the New York city charter, in relation to records of the chief medical examiner that relate to work-related fatal injuries in the workplace, and to amend the administrative code of the city of New York, in relation to reporting on workplace fatalities

Be it enacted by the Council as follows:

Section 1. Subdivision g of section 557 of the New York city charter, as amended by local law number 59 for the year 1996, is amended to read as follows:

(g) The chief medical examiner shall keep full and complete records in such form as may be provided by law.

(1) The chief medical examiner shall promptly deliver to the appropriate district attorney copies of all records relating to every death as to which there is, in the judgment of the medical examiner in charge, any indication of criminality. Such records shall not be open to public inspection *except that information contained in such records may be disclosed where provided by law.*

(2) *The chief medical examiner shall promptly deliver to the commissioner of consumer and worker protection copies of all records relating to every death that, in the judgment of the medical examiner in charge, was the result of a work-related fatal injury in the workplace.*

§ 2. Title 20 of the administrative code of the city of New York is amended by adding a new chapter 16 to read as follows:

**CHAPTER 16
WORKPLACE SAFETY**

§ 20-1601 *Workplace fatality reporting. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Contractor. The term "contractor" means a direct employer, contractor, or subcontractor. In the absence of a formal hiring agreement, the person who directs or provides compensation to the worker shall be considered the contractor unless such person is also directed and compensated by another. In such cases, the persons successively above the worker in the employment chain shall be considered the contractor. In the instance of the

death of an intern or volunteer, the entity directing such intern or volunteer in his or her duties as such shall be considered the contractor.

Worker. The term “worker” includes, but need not be limited to, direct employees, contracted employees, subcontracted employees, independent contractors, temporary or contingency workers, apprentices, interns, volunteers, or any other persons who perform duties at the direction and discretion of an employer, contractor, or who provide services pursuant to a contract in the workplace.

Workplace. The term “workplace” includes, but need not be limited to, any location where a worker performs any work-related duty in the course of his or her work, or any other site where the worker may be as a result of the direction of a contractor.

b. Seventy-two-hour reports. 1. No later than 72 hours after making a determination as to the cause of death of a person, the chief medical examiner shall deliver to the commissioner a report of such death if, in the judgment of the medical examiner in charge, such death was the result of a work-related fatal injury in the workplace.

2. Information to be reported to the commissioner pursuant to this subdivision shall include, but need not be limited to:

(a) The name of the deceased worker;

(b) The age of the deceased worker;

(c) The cause of death;

(d) The manner of death;

(e) The location of death;

(f) The name of the contractor of the deceased worker;

(g) The business address of such contractor;

(h) The name of the official or medical personnel making the declaration of death;

(i) The name of the person or persons charged with making the determination of the cause and manner of death; and

(j) Contact information for the office making notification to the commissioner, including contact information for the person or persons making the declaration of death, the person or persons determining the cause of death, and the person or persons determining the manner of death.

c. Ninety-day reports. 1. Upon receiving a report pursuant to subdivision b of this section, the commissioner shall notify the contractor that the reported death was determined to be the result of a work-related fatal injury in the workplace and shall require the contractor to submit to the commissioner additional information regarding such death no later than 90 days after receiving such notification.

2. Information to be reported to the commissioner pursuant to this subdivision shall include, but need not be limited to:

(a) The name of the contractor;

(b) The business address of the contractor;

(c) The business purpose or industry of the contractor;

(d) The name and age of the deceased worker;

(e) The ethnicity of the deceased worker, if known;

(f) The nationality of the deceased worker, if known;

(g) The immigration status of the deceased worker, if known;

(h) The occupation, craft, or trade of the deceased worker; and

(i) The union status of the deceased worker.

3. Failure to report. A violation of any requirement of this subdivision by a contractor shall be punishable by a civil penalty of not less than \$1,000 nor more than \$2,500 for each violation.

d. Registry; accessibility. Subject to applicable federal and state law, the commissioner shall establish and maintain an online database to make available information regarding workplace fatalities reported pursuant to this section. Such database shall be publicly accessible and searchable, provided that no deceased worker’s name shall be made publicly accessible or searchable in such database. The commissioner shall update such database with the information reported pursuant to this section within 5 business days of the receipt of such information.

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

Referred to the Committee on Consumer and Worker Protection.

Int. No. 866

By Council Members Dinowitz, Schulman, Menin, Williams and Brannan.

A Local Law to amend the administrative code of the city of New York, in relation to enforcing the human rights law and conducting an information campaign for places of public accommodation

Be it enacted by the Council as follows:

Section 1. Section 8-120 of the administrative code of the city of New York, as amended by local law number 63 for the year 2018, is amended to read as follows:

§ 8-120 Decision and order.

a. If, upon all the evidence at the hearing, and upon the findings of fact, conclusions of law and relief recommended by an administrative law judge, the commission shall find that a respondent has engaged in any unlawful discriminatory practice or any act of discriminatory harassment or violence as set forth in chapter 6 of this title, the commission shall state its findings of fact and conclusions of law and shall issue and cause to be served on the complainant, respondent, any necessary party and any complainant who has not intervened an order requiring such respondent to cease and desist from such unlawful discriminatory practice or acts of discriminatory harassment or violence. Such order shall require the respondent to take such affirmative action as, in the judgment of the commission, will effectuate the purposes of this chapter or chapter 6 of this title, as applicable, including, but not limited to:

1. Hiring, reinstatement or upgrading of employees;
2. The award of back pay and front pay;
3. Admission to membership in any respondent labor organization;
4. Admission to or participation in a program, apprentice training program, on-the-job training program or other occupational training or retraining program;
5. The extension of full, equal and unsegregated accommodations, advantages, facilities and privileges;
6. Evaluating applications for membership in a club that is not distinctly private, without unlawful discrimination;
7. Selling, renting or leasing, or approving the sale, rental or lease of housing accommodations, land or commercial space or an interest therein, or the provision of credit with respect thereto, without unlawful discrimination;
8. Payment of compensatory damages to the person aggrieved by such practice or act;
9. Submission of reports with respect to the manner of compliance; and
10. Payment of the complainant's reasonable attorney's fees, expert fees and other costs. The commission may consider matter-specific factors when determining the complainant's attorney's fee award, including, but not limited to:
 - (i) Novelty or difficulty of the issues presented;
 - (ii) Skill and experience of the complainant's attorney; and
 - (iii) The hourly rate charged by attorneys of similar skill and experience litigating similar cases in New York county.

b. *Where the commission has issued 3 cease and desist orders to the same respondent pursuant to subdivision a of this section, and where the underlying unlawful discriminatory, harassing, or violent conduct that led to the third such order occurred within 2 years of the underlying conduct that led to the first and second such orders, the commission shall consider including in the third such order a requirement that the respondent develop and carry out a remedial plan to prevent future discriminatory conduct.*

1. Where the commission requires a respondent to develop and carry out a remedial plan pursuant to this subdivision:

(a) Such plan shall be designed to remediate any factor, including any policy, practice, or group of policies or practices of a covered entity, that directly or indirectly led to or facilitated any instance of unlawful

discriminatory, harassing, or violent conduct for which the respondent was found responsible, pursuant to subdivision a of this section, within the preceding 2 years;

(b) The respondent shall submit a draft of such plan to the commission, and the commission shall approve such plan, with any modifications as it may require, within 6 months of the date on which the order requiring such plan was issued;

(c) The respondent shall implement such plan subject to a supervisory period of not less than 1 year and not more than 5 years from the date on which the commission approves the plan;

(d) The respondent shall report to the commission on implementation of such remedial plan at intervals to be determined by the commission, except that in no case shall the respondent submit fewer than 2 reports annually for the duration of the supervisory period required by subparagraph (c) of this paragraph; and

(e) The commission shall carry out regular inspections or audits of the respondent to determine compliance with such plan.

2. The commission may modify the terms of a remedial plan developed pursuant to this subdivision at any time prior to the end of the supervisory period required by subparagraph (c) of paragraph 1 of this subdivision where (i) such modification furthers the goal of effectuating the purposes of this chapter or chapter 6 of this title; (ii) such modification conforms with the requirements applicable when the terms were initially set; and (iii) either the respondent consents to such modification, or an administrative law judge finds that such modification would meaningfully advance the plan's purpose to effectuate this chapter or chapter 6 of this title.

3. The supervisory period required by subparagraph (c) of paragraph 1 of this subdivision shall be extended for an additional period of not less than 1 year and not more than 3 years from the date on which the commission, as applicable:

(a) Determines that, during such supervisory period, the respondent has materially deviated from the terms of the remedial plan on more than 2 occasions; or

(b) Finds, pursuant to requisite proceedings under subdivision a of this section, that during such supervisory period the respondent engaged in any unlawful discriminatory practice or any act of discriminatory harassment or violence as set forth in chapter 6 of this title.

c. If, upon all the evidence at the hearing, and upon the findings of fact and conclusions of law recommended by the administrative law judge, the commission shall find that a respondent has not engaged in any such unlawful discriminatory practice or act of discriminatory harassment or violence as set forth in chapter 6 of this title, the commission shall state its findings of fact and conclusions of law and shall issue and cause to be served on the complainant, respondent, and any necessary party and on any complainant who has not intervened an order dismissing the complaint as to such respondent.

§ 2. Education campaign for inclusion in places of public accommodation. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Covered entity. The term "covered entity" means a person required to comply with any provision of subdivision 4 of section 8-107 of the administrative code of the city of New York.

Place of public accommodation. The term "place of public accommodation" has the same meaning as in chapter 1 of title 8 of the administrative code of the city of New York.

Protected person. The term "protected person" means a person who is legally protected from any unlawful discriminatory practice prohibited by subdivision 4 of section 8-107 of the administrative code of the city of New York.

b. Beginning no later than 60 days after the effective date of this law, the city commission on human rights shall conduct a public education campaign to promote compliance with subdivision 4 of section 8-107 of the administrative code of the city of New York. Such campaign shall include information on:

1. Best practices for covered entities to avoid engaging in unlawful discriminatory practices prohibited by subdivision 4 of section 8-107 of the administrative code of the city of New York, including in relation to policies and practices which may result in a disparate impact to the detriment of any group protected by the human rights law, pursuant to subdivision 17 of section 8-107;

2. Best practices for covered entities to promote apparent and actual safety on their premises, including during public events and demonstrations, such that all persons may enjoy, on equal terms and conditions, the accommodations, advantages, facilities and privileges of a place of public accommodation; and

3. The application of subdivision 4 of section 8-107 of the administrative code of the city of New York to educational institutions and other places that regularly host intellectual or cultural events and discussions, such as cultural centers, museums, and libraries.

c. The campaign required by the preceding subdivision shall use, at a minimum, television, internet, radio, print media, digital kiosks, and subway and other public transportation advertisements throughout the city.

d. Such campaign shall continue for no less than 24 weeks.

§ 3. This local law takes effect immediately.

Referred to the Committee on Civil and Human Services.

Int. No. 867

By Council Members Farías, Brannan, Menin and Cabán.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the sale of menstrual and intimate care products that contain unsafe ingredients

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 15 to read as follows:

*SUBCHAPTER 15
MENSTRUAL AND INTIMATE CARE PRODUCTS*

§ 20-699.12 *Sale of menstrual and intimate care products. a. Definitions. For purposes of this section, the following terms have the followings meanings:*

Intimate care product. The term “intimate care product” means a douche, wipe, spray, powder, wash, suppository, lubricant, and any other product used in connection with sexual health.

Restricted ingredients. The term “restricted ingredient” means any chemical component of a menstrual product or intimate care product that the commissioner of health and mental hygiene designates a restricted ingredient pursuant to this section, and includes, but is not necessarily limited to, lead, mercury and related compounds, formaldehyde, triclosan, toluene, talc, per- and polyfluoro-alkyl substances, dibutyl phthalate, di(2)exylhexyl phthalate, butylphenyl methylpropional and isobutyl-, isopropyl-, butyl-, and propylparaben, and fragrance.

b. Prohibitions. No person shall sell, offer for sale, or distribute any menstrual product or intimate care product that contains a restricted ingredient.

c. Penalty. Any person who violates subdivision b of this section is liable for a civil penalty not to exceed \$250 for each violation. Each failure to comply with subdivision b of this section with respect to any individual product offered for sale, sold, or distributed constitutes a separate violation.

d. Designation of restricted ingredients. The commissioner of health and mental hygiene, in consultation with experts on sexual health, shall determine by rule the ingredients that shall constitute restricted ingredients for purposes of this section. In determining such ingredients, the commissioner shall consider the demonstrated risks of adverse health effects from use, exposure, or application of ingredients of menstrual products and intimate care products offered for sale in the city, and any other factor that is relevant to protecting the health of persons who use menstrual products and intimate care products.

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

Referred to the Committee on Women and Gender Equity.

Int. No. 868

By Council Members Feliz and Lee.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the distribution of hypodermic syringes and needles by mobile syringe service programs within 450 feet of schools and playgrounds.

Be it enacted by the Council as follows:

Section 1. Section 17-180.1 of the administrative code of the city of New York, is amended by adding a new subdivision i to read as follows:

i. Prohibition on the distribution of hypodermic syringes and needles by mobile syringe service programs within 450 feet of schools or playgrounds. a. Definitions. For the purposes of this subdivision, the term “mobile syringe service program” means any person, organization, or entity authorized by the commissioner of the New York state department of health operating out of a van, bus, or automobile to distribute hypodermic syringes and needles.

b. No mobile syringe service program shall distribute hypodermic syringes and needles within 450 feet of any early education, elementary, middle, or high school or playground.

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

Referred to the Committee on Health.

Int. No. 869

By Council Members Gutiérrez, Restler, Louis, Brannan, Menin, Cabán and Ariola.

A Local Law to amend the administrative code of the city of New York, in relation to a public campaign on parental mental health resources

Be it enacted by the Council as follows:

Section 1. Subchapter 9 of chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-195 to read as follows:

§ 3-195. Parental mental health outreach and education. The office shall establish and implement an outreach and education campaign to raise awareness about resources available at the city, state, and federal level addressing mental health challenges faced by parents, which shall include, but shall not be limited to, perinatal and postpartum depression, perinatal and postpartum anxiety, and post-traumatic stress disorder related to childbirth. The materials for such outreach and education campaign shall be made available in the designated citywide languages.

§ 2. This local law takes effect immediately.

Referred to the Committee on Mental Health, Disabilities and Addiction.

Int. No. 870

By Council Members Hanif, Krishnan, Lee, Restler and Brannan (by request of the Brooklyn Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to an annual report on compliance with the Americans with disabilities act standards for accessible design by the department of parks and recreation, and to repeal and replace section 18-143 of the administrative code of the city of New York

Be it enacted by the Council as follows:

Section 1. Section 18-143 of the administrative code of the city of New York is REPEALED and a new section 18-143 is added to read as follows:

§ 18-143 Parks accessibility assessment. a. No later than December 31 of each year, the commissioner shall assess each park under the jurisdiction of the department to determine if the park facilities, including entrances and park access points, bathrooms, playgrounds, beaches, and pools, conform to applicable federal, state, and city accessibility standards.

b. No later than December 31 of each year, the commissioner shall submit a report to the mayor and the speaker of the city council regarding the assessment conducted for that year pursuant to subdivision a of this section. Such report shall contain a table in which each park facility maintained by the department is represented by a row. Each row shall include the following information, set forth in separate columns:

- 1. The facility name;*
- 2. A geospatial reference for the facility;*
- 3. The community district(s) in which the facility is located;*
- 4. The amount of parkland expressed in acreage per 1,000 residents of each community district;*
- 5. Whether the facility has features specifically designed to be used by people with disabilities;*
- 6. Whether the facility conforms to the 2010 standards for accessible design, a successor standard, or any other applicable federal, state, and city accessible design standards;*
- 7. Actions necessary to achieve compliance with accessibility standards, if any;*
- 8. Plans that have been made to bring the facility into compliance with accessibility standards, if any, and a timeline for the completion of the plans; and*
- 9. A description of all work undertaken within the immediately preceding calendar year to bring the facility into compliance with such standards.*

c. The commissioner shall also create and place on the department's website a map depicting each facility listed in the report and all corresponding information required pursuant to subdivision b.

d. Nothing in this section shall be deemed to require that the department undertake any action that would not be required by the Americans with disabilities act, or any federal, state or city standard for accessibility.

§ 2. This local law takes effect immediately.

Referred to the Committee on Mental Health, Disabilities and Addiction.

Res. No. 399

Resolution calling upon the New York State legislature to pass, and the Governor to sign, S.319/A.5625, which mandates all medical students in New York State to receive anti-bias training.

By Council Members Hanif, Narcisse, Restler, Brannan, Cabán, Gutiérrez and Williams (by request of the Brooklyn Borough President).

Whereas, In recent years, there has been a heightened focus in the healthcare community on addressing health inequity impacting marginalized communities, including people of color, the LGBTQIA+ community,

immigrants, low-income individuals, people with disabilities, women, gender non-conforming people, the young, older adults, and those facing behavioral health issues; and

Whereas, Multiple studies suggest that implicit bias in healthcare can lead to disparities in access to quality care, diagnosis, and treatment, disproportionately impacting marginalized communities, and that implicit bias is considered to be a significant contributing factor to the alarming racial health disparity observed in the United States; and

Whereas, The American Psychological Association describes implicit bias as an unconscious and automatic negative attitude or stereotype that an individual holds toward a specific social group, often shaped by learned associations between particular qualities and social categories such as race, immigration status, gender, sexual orientation, religion, socioeconomic background, weight, and disability; and

Whereas, Studies consistently recognize the role of implicit bias in worsening health outcomes, increasing health care costs, and exacerbating health disparities, resulting in disparate maternal health outcomes, substandard pain management for Black patients, unequal cardiovascular testing for women, fewer mental health services for patients with mental illness, and mistreatment and avoidance of obese patients; and

Whereas, Studies have shown that Black patients are 3 times more likely to experience implicit bias from healthcare providers compared to white patients, and Latinx patients are 1.5 times more likely, according to a 2015 systematic review on implicit/ethnic bias of healthcare providers on healthcare outcomes, published in the American Journal of Public Health; and

Whereas, These healthcare disparities can be seen in New York City (NYC), where Black non-Latina women are 8 times more likely to experience maternal mortality than their white non-Latina counterparts, per the NYC Department of Health and Mental Hygiene's (DOHMH) latest 5-year report on Pregnancy-Associated Mortality (2011-2015); and

Whereas, Despite being at the highest risk of dying from breast, colorectal, and cervical cancers, the Black community has the lowest rates of early diagnosis for breast and cervical cancers, according to the National Cancer Institute; and

Whereas, According to the Center for the Independence of the Disabled New York (CIDNY), 44.4% of New Yorkers with disabilities rated their health as fair or poor in 2014, compared to only 9.1% of those without disabilities; and

Whereas, Per the 2023 annual report by the Mayor's Office of Community Mental Health, Black, Latinx, Asian, and Pacific Islanders experiencing depression are less likely to be connected to mental healthcare than white New Yorkers; and

Whereas, A 2021 report by the Center for American Progress found that nearly half of transgender people — and 68% of transgender people of color — reported having experienced mistreatment at the hands of a medical provider, including refusal of care and verbal or physical abuse in 2019, the year before the survey took place; and

Whereas, Despite such clear disparities in the healthcare system, implicit bias training is not universally provided to medical students in New York, posing a barrier to achieving health equity; and

Whereas, According to the National Academy of Medicine, 70% of medical schools have reported implementing some form of bias training, but the quality and effectiveness of these programs vary significantly, creating a need for more organized training requirements; and

Whereas, S.319/A.5625, sponsored by New York State (NYS) Senator Julia Salazar, and Assembly Member Karines Reyes, proposes requiring state-approved anti-bias training for all medical students, medical residents, and physician assistant students in NYS, in an effort to eliminate bias in healthcare; and

Whereas, This legislation requires the NYS Department of Health (DOH) to collaborate with the State Board of Medicine and the Division of Human Rights to create guidelines for anti-bias training focused around awareness and elimination of implicit and explicit bias in the healthcare field while requiring DOH to annually report on the implementation and effectiveness of such training; and

Whereas, Given the healthcare disparities faced by marginalized New Yorkers, it is crucial that the City ensure fair and equitable treatment for all residents through a well-trained and culturally competent healthcare workforce; 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.319/A.5625, which mandates all medical students in New York State to receive anti-bias training.

Referred to the Committee on Health.

Int. No. 871

By Council Members Hanks, Ayala, Salaam, Brooks-Powers, Banks, Nurse and Brannan.

A Local Law to amend the administrative code of the city of New York, in relation to extending reasonable workplace accommodations to caregivers

Be it enacted by the Council as follows:

Section 1. Subdivision 15 of section 8-107 of the administrative code of the city of New York, as amended by local law number 63 for the year 2018, is amended to read as follows:

15. Applicability; persons with disabilities *and caregivers*. (a) Requirement to make reasonable accommodations to the needs of person with disabilities *and caregivers*. Except as provided in paragraph (b), it is an unlawful discriminatory practice for any person prohibited by the provision of this section from discriminating on the basis of disability not to provide a reasonable accommodation to enable a person with a disability *or a caregiver* to satisfy the essential requisites of a job or enjoy the right or rights in question provided that the disability is known or should have been known by the covered entity.

§ 2. Subparagraph (2) of paragraph (a) of subdivision 28 of section 8-107 of the administrative code of the city of New York, as amended by local law number 59 for the year 2018, is amended to read as follows:

(2) Related to a disability *or caregiver status* as provided in subdivision 15 of this section;

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

Referred to the Committee on Civil and Human Rights.

Int. No. 872

By Council Members Hanks, Ariola, Zhuang, Brooks-Powers, Banks, Menin, Ung and Carr.

A Local Law to amend the administrative code of the city of New York, in relation to creating an interagency task force on squatting

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new subchapter 10 to read as follows:

**SUBCHAPTER 10
INTERAGENCY TASK FORCE ON SQUATTING**

§ 3-195 *Definitions. For the purposes of this subchapter, the following terms have the following meanings: Squat. The term "squat" means to enter a building or property and reside there without title, right, or permission of the owner, the owner's agent, or a person entitled to possession of such building or property.*

§ 3-196 *Task force. a. The mayor shall convene an interagency task force to address complaints regarding squatting. Such task force shall be composed of officers or employees of the police department, fire department, department of housing preservation and development, department of homeless services, department of sanitation, and any other relevant agency.*

b. The responsibilities of such task force shall include, but not be limited to, the following:

- 1. Removal of persons who are squatting on properties throughout the city;*
- 2. Helping persons who are squatting find lawful housing accommodations;*
- 3. Identifying properties where persons are or might be squatting and communicating with the owners of such properties;*
- 4. Identifying and communicating with the owners of abandoned properties in the city to ensure that such properties do not remain abandoned; and*
- 5. Notifying the owners of abandoned properties of their obligation to maintain such properties, and enforcing such obligation as provided by law.*

c. The task force shall be deployed by the mayor at the request of the council member or community district who represent the site where the property with squatters is located.

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

Referred to the Committee on Housing and Buildings.

Int. No. 873

By Council Members Hanks, Williams, Ayala, Salaam, Brooks-Powers, Banks, Nurse and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the New York City Police Department to report on arrests of individuals under eighteen years of age

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 14-150 of the administrative code of the city of New York is amended by adding a new paragraph 9 to read as follows:

9. A report of the total number of individuals under eighteen years of age arrested by Department personnel, and for each arrest (i) the charge, whether penal law or other section of law; (ii) the age of the individual arrested; (iii) the race of the individual arrested; (iv) the precinct of the arrest; and (v) whether or not the location of the arrest corresponds to the address of a school run by the Department of Education.

§2. This local law shall take effect immediately.

Referred to the Committee on Public Safety.

Int. No. 874

By Council Members Hanks, Ariola and Banks.

A Local Law to amend the administrative code of the city of New York, in relation to establishing a pilot abatement program for unsafe operators of pedal-assist bicycles

Be it enacted by the Council as follows:

§ 1. Chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new subchapter 5 to read as follows:

*Subchapter 5
Dangerous Pedal-Assist Bicycle Abatement Pilot Program*

§ 19-199.8 *Definitions. For the purposes of this section, the following terms have the following meanings:*

Covered operator. The term “covered operator” means any pedal-assist bicycle operator who, in accordance with the records of the department of finance, has accumulated 3 or more finally adjudicated predicate violations, as determined by the department, within any 12-month period.

Predicate violation. The term “predicate violation” means the notice of liability issued for failure of a pedal-assist bicycle operator to comply with section 19-176 or 19-195.1, or such rules as promulgated by the commissioner to effectuate such sections.

Pedal-assist bicycle. The term “pedal-assist bicycle” means a bicycle with electric assist as defined in section 102-c of the vehicle and traffic law.

Safe pedal-assist bicycle operation course. The term “safe pedal-assist bicycle operation course” means a course approved by the department that educates pedal-assist bicycle operators about safe pedal-assist bicycle operation.

§ 19-199.9 *Information for pedal-assist bicycle operators.* The department shall send by first-class mail, to all persons receiving a predicate violation, an informational letter stating that, pursuant to this subchapter, a pedal-assist bicycle operator who incurs 3 or more predicate violations within any 12-month period may be determined to be a covered operator, and that such person may thereafter be required to enroll in and complete a safe pedal-assist bicycle operation course pursuant to this subchapter and the rules of the department. Such informational letter shall also contain a warning that failure to enroll in and complete such course may result in the seizure and impoundment of any pedal-assist bicycle in the possession of such covered operator, pending completion of such course.

§ 19-199.10 *Covered operator notice and safety course.* a. The department may require a covered operator, pursuant to this subchapter, to complete a safe pedal-assist bicycle operation course in accordance with rules promulgated by the department and to certify completion of such course to the department within the time period set forth in such rules.

1. The department shall serve a notice of such requirement for completion by first-class mail to the covered operator.

2. Such course shall educate pedal-assist bicycle operators about the dangers resulting from pedal-assist bicycle operators failing to comply with traffic signals and operating a pedal-assist bicycle in an unsafe manner, including the potential to cause injury or death. Such course shall be conducted by utilizing a skilled facilitator to actively engage participants in self-reflection and discussion to identify and commit to specific safe pedal-assist bicycle operation practices. The goal of such course is to prevent pedal-assist bicycles from becoming dangerous instruments by educating operators about responsible pedal-assist bicycle operation.

b. A covered operator may request review by the department of a notice received pursuant to subdivision a of this section, within the time period set forth in rules promulgated by the department. The covered operator shall have the opportunity to contest such notice before the office of administrative trials and hearings. At a hearing, the operator may assert defenses, including but not limited to:

1. there are an insufficient number of finally adjudicated predicate violations for such covered operator notice; and

2. employment, health or family circumstances beyond the control of the covered operator would cause undue hardship and prevent them from completing the safe pedal-assist bicycle operation course within the time frame required by this subchapter.

c. If the office of administrative trials and hearings finds that such covered operator must complete the safe pedal-assist bicycle operation course, such covered operator shall complete such course within a period of time after such determination, as set forth in rules promulgated by the department.

§ 19-199.11 *Seizure and impoundment.* a. Where a covered operator fails to complete the safe pedal-assist bicycle operation course in accordance with this subchapter, any pedal-assist bicycle in the possession of such covered operator may be subject to impoundment in accordance with this section. Pedal-assist bicycles belonging to a bike share, as that term is defined in section 19-193, shall not be considered in the possession of a covered operator for the purposes of this subchapter.

b. The department shall serve an order by first-class mail upon the covered operator. Such order shall require the covered operator to complete the safe pedal-assist bicycle operation course and certify to the department completion of such course within a period of time to be set forth in such order, or appear at a hearing before the office of administrative trials and hearings at a time and place set forth in such order, at which such covered operator may present reasons why any pedal-assist bicycle belonging to such covered operator should

not be seized and impounded until such covered operator completes the safe pedal-assist bicycle operation course. The determination of the office of administrative trials and hearings shall be a final determination for purposes of review, pursuant to article 78 of the civil practice law and rules.

c. If the office of administrative trials and hearings sustains the order of seizure and impoundment, the department shall direct the city sheriff, after 20 days have passed from the date of such final determination, to seize and impound any pedal-assist bicycle in the possession of the covered operator. A pedal-assist bicycle in the possession of a covered operator may be immediately seized and impounded by a law enforcement officer if it is found to be used in the commission of another predicate violation. Such pedal-assist bicycle shall not be released until the covered operator provides certification of completion of the safe pedal-assist bicycle operation course, in accordance with rules promulgated by the department, and pays fees in the amount of the city's expenses for the seizure and impoundment of such pedal-assist bicycle that was in the possession of the covered operator.

§ 19-199.12 Successful completion of safe pedal-assist bicycle operation course. If within six months after completing a safe pedal-assist bicycle operation course a covered operator does not accumulate any additional predicate violations, any predicate violations accrued prior to the completion of such course shall not be counted as predicate violations for purposes of this subchapter.

§ 19-199.13 Program evaluation. The department shall publish on its website and report to the mayor and the speaker of the council on the implementation of this subchapter and the department's efforts to reduce dangerous pedal-assist bicycle operation, which shall contain, at a minimum, the following information:

a. no later than 13 months after the effective date of the local law that added this subchapter, and every year thereafter until the year following the expiration of the program established by the local law that added this subchapter, a report on the number of individuals who registered for the safe pedal-assist bicycle operation course and the number of individuals who completed such program, during the previous 12-month period;

b. no later than 13 months after the effective date of the local law that added this subchapter, and every year thereafter until the year following the expiration of the program established by the local law that added this subchapter, a report on the number of pedal-assist bicycles impounded pursuant to this subchapter, within the previous 12-month period;

c. no less than 3 months prior to the expiration of the program established by the local law that added this subchapter, an evaluation of the effectiveness of the safe pedal-assist bicycle operation course, including, but not limited to, the number of individuals who completed such course who were later found liable for a predicate violation following completion of such course and the number of such violations;

d. no less than 3 months prior to the expiration of the program established by the local law that added this subchapter, a study of pedal-assist bicycle behavior to identify specific behaviors indicating a pattern of dangerous pedal-assist bicycle operation associated with traffic crashes, injuries, and fatalities, including, but limited to, and to the extent feasible, an analysis of police reports on hit-and-run accidents by pedal-assist bicycles, and convictions for traffic-related violations or crimes; and

e. no less than 3 months prior to the expiration of the program established by the local law that added this subchapter, changes in patterns of dangerous pedal-assist bicycle operation and any additional interventions undertaken by the department or another city agency designed to address dangerous pedal-assist bicycle operation.

§ 2. This local law takes effect 12 months after it becomes law and applies to predicate violations, in section 1 of this local law, committed on and after such effective date, and shall remain in effect for 36 months, after which it is deemed repealed.

Notwithstanding the repeal of this local law, the provisions of this local law shall remain in effect for any covered operator required to take a safe pedal-assist bicycle operation course pursuant to subchapter 5 of chapter 1 of title 19 of the administrative code of the city of New York, as added by this local law, prior to such repeal.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 875

By Council Members Hanks, Ariola, Ayala, Salaam, Brooks-Powers, Banks, Restler and Brannan.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the installation of pedestrian lighting on step streets

Be it enacted by the Council as follows:

Section 1. Subchapter 3 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-188.3 to read as follows:

§ 19-188.3 *Lighting on step streets. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Pedestrian lighting fixture. The term “pedestrian lighting fixture” means a lighting fixture specifically designed to illuminate walking surfaces for pedestrians.

Step street. The term “step street” means a public, open-air staircase for pedestrians that connects two streets at different elevations.

Sufficient Lighting. The term “sufficient lighting” means that the level of illumination is at least 1 footcandle (11 lux), measured at the level of the walking surface, along the entire length of the step street.

b. Each calendar year, beginning with the first calendar year that commences after the effective date of the local law that added this section, the commissioner shall install pedestrian lighting fixtures on at least 25 step streets such that each step street has sufficient lighting. The commissioner may cease installing pedestrian lighting fixtures once every step street has sufficient lighting.

§ 2. This local law takes effect immediately.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 876

By Council Members Holden, Brannan, Won and Ariola

A Local Law in relation to a study and report on the ownership and maintenance of utility poles

Be it enacted by the Council as follows:

Section 1. a. Definitions. For purposes of this local law, the following terms have the following meanings:
City. The term “city” means the city of New York.

Utility pole. The term “utility pole” means a column or pole that is used to support overhead electrical, telephone or cable wires.

b. Study and report. The mayor shall designate an office or agency to study the ownership and maintenance of utility poles. No later than 6 months after the effective date of this local law, such office or agency shall submit to the council a report detailing its recommendations on increasing transparency regarding the ownership of utility poles in the city and improving maintenance of such poles. Such report shall, at a minimum:

1. Identify the locations of all utility poles in the city and the owner of each utility pole;
2. Provide methods to the public for contacting owners of utility poles in order to report problems with their utility poles; and
3. Recommend actions by the city to improve maintenance of utility poles, including inspection and identification of poorly maintained utility poles, communicating best practices to the owners of utility poles and reporting on when maintenance is performed on each utility pole.

§ 2. This local law takes effect immediately.

Referred to the Committee on Consumer and Worker Protection.

Int. No. 877

By Council Members Holden and Brannan.

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. 878

By Council Member Holden.

A Local Law to amend the New York city charter, in relation to establishing a cable franchise agreements website

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. *Cable franchise agreements website. a. The commissioner of information technology and telecommunications shall create and maintain an online portal containing information related to each franchise agreement for the provision of cable television services. Such portal shall include data on the non-confidential*

information maintained in connection with each such franchise agreement, including, but not limited to, the following:

- 1. The best available data on rates for any broadband internet services offered by franchisees, disaggregated by broadband technology, speed, and zip code. Such data shall be updated annually;*
- 2. An interactive map of the geographical coverage areas for each such franchise agreement; and*
- 3. A copy of all such franchise agreements signed on or after 2006, in a searchable, machine readable format.*

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

Referred to the Committee on Technology.

Int. No. 879

By Council Member Holden.

A Local Law in relation to creating a task force to conduct a feasibility study on a digital identification 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:

Digital identification program. The term “digital identification program” means a program providing digital identification that is verified and authenticated across digital platforms, that is unique and is established with individual consent and that protects user privacy and control over personal data.

Financial institution. The term “financial institution” means a company with expertise in technology and financial services.

Task force. The term “task force” means the digital identification program task force established by this local law.

§ 2. Task force established. There is hereby established a task force to be known as the digital identification program task force to conduct a study to assess and determine the feasibility of a pilot digital identification program.

§ 3. Membership. a. The task force shall be composed of the following members:

1. The chief technology officer of the city of New York or such officer’s designee who shall serve as chair of the task force;

2. The commissioner of the department of social services or such commissioner’s designee;

3. The chair of the New York city commission on human rights or such chair’s designee;

4. The chief privacy officer or such officer’s designee;

5. Two experts in the field of cyber security appointed by the mayor;

6. Two experts in the field of privacy protection. One such expert shall be appointed by the mayor, and one by the speaker of the council;

7. Two experts in the field of cryptography appointed by the mayor;

8. Two experts in the field of digital identity verification appointed by the mayor;

9. Two representatives of organizations providing services to homeless individuals and low-income households. The organization representatives shall be appointed by the mayor; and

10. Two representatives of financial institutions. One representative shall be appointed by the mayor, and one by the speaker of the council.

b. The task force shall invite experts and stakeholders, including members of financial institutions, to attend its meetings and to provide testimony and information relevant to the topic.

c. All appointments required by this section shall be made no later than 30 days after the effective date of this local law. 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.

§ 4. 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.

b. The task force shall meet no less than once each month, and hold at least one public hearing before submitting the report required by section five.

§ 5. Feasibility study report. a. No later than 6 months after such task force is established, the task force shall electronically submit to the mayor and the speaker of the council a feasibility study report that shall include:

1. The pilot program's design, including, but not limited to, the scope, the technology, the staffing and the rationale for such design;

2. Information on participation in the pilot program, including, but not limited to, the criteria to participate and the number of participants;

3. The plan to ensure the privacy of the participants, including, but not limited to, ensuring that transactions between individuals, and government entities are secure and confidential;

4. The plan to administer and conduct public outreach and feedback on the pilot program;

5. The plan to use the digital identification program to determine eligibility for public benefits and access to city services;

6. The risks related to potential criminal exploitation of digital identity and the plan to mitigate these risks;

7. The evaluated options for a decentralized identity pilot program that utilizes block chain technology;

8. The channels that provide better access to financial services;

9. The plan to promote fairness, transparency, and accountability of the digital identification program;

10. Recommendations on enforcement and oversight mechanisms on the part of entities and organizations designing and deploying the digital identification technology;

11. Data protection and privacy principles such as data minimization, data use limitations, storage limitations, confidentiality, data integrity, data retention policy, and a framework for collection and access to the data collected beyond the data provided by the user such as data collected through tracking technologies;

12. The mechanisms and policies to avoid unwanted surveillance and the use of digital identification that can be linked across digital platforms;

13. Possible effects on civil rights;

14. The plan to ensure compliance with chapter 126 of title 42 of the United States code and any applicable guidelines or regulations pursuant to such law;

15. The estimated cost of the digital identification pilot program; and

16. The metrics used to evaluate the pilot program.

§ 6. 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.

§ 7. Termination. The task force shall terminate 90 days after the date on which it submits its report, as required by section five.

§ 8. No digital identification program shall be established by or on behalf of the city prior to submission of the report required by section five.

§ 9. This local law takes effect immediately.

Referred to the Committee on Technology.

Int. No. 880

By Council Members Holden and Ariola.

A Local Law to amend the administrative code of the city of New York, in relation to community notification of proposed major transportation projects

Be it enacted by the Council as follows:

Section 1. Section 19-101.2 of the administrative code of the city of New York, as added by local law number 90 for the year 2009, subdivision c of such section as amended by local law number 64 for the year 2011, and subdivision j of such section as added by local law number 64 for the year 2011, is amended to read as follows:

§ 19-101.2. Review of major transportation projects. a. For the purposes of this section, the following terms shall be defined as follows:

1. “Affected council member(s) and community board(s)” shall mean the council member(s) and community board(s) in whose districts a proposed major transportation project is to be located, in whole or in part.

2. “Major transportation project” shall mean any project that, after construction will alter four or more consecutive blocks, or 1,000 consecutive feet of street, whichever is less, involving a major realignment of the roadway, including either removal of a vehicular lane(s) or full time removal of a parking lane(s) or addition of vehicular travel lane(s). *Any project that involves the construction or removal of a bus lane, busway, or bike lane shall be considered a major transportation project, regardless of the number of consecutive blocks or consecutive feet of street that the project alters.*

b. If an agency of the city other than the department implements a major transportation project, such agency, in lieu of the department, shall provide the notice required by this section.

c. Prior to the implementation of a major transportation project, the department shall forward notice of such project, including a description of such project, to affected council member(s) and community board(s) by electronic mail, *and shall offer a presentation of the project plan to the affected community board(s).*

d. Within ten business days after receipt of such notice *and offer of a presentation to the affected community board(s)*: (i) the affected council member(s) may submit recommendations and/or comments on such notice to the department; and (ii) the affected community board(s) may [either] submit recommendations and/or comments on such notice to the department and/or [request] *accept the offer of* a presentation of the major transportation project plan by the department, which shall be made to the community board within thirty days of such community board's [request] *acceptance of such offer.*

e. Each presentation shall include, at a minimum, the project limits, a description, and a justification of such plan, and a map showing the streets affected by such plan and, within three days of such presentation, shall be forwarded to the affected council member(s).

f. The department shall consider (i) recommendations [and/or] *and* comments, if any, made under the provisions of subdivision d of this section [and/or] *and* (ii) *recommendations and comments, if any, made* within [seven] *sixty* days of the presentation to the community board, from the affected council member(s) and affected community board(s)[, and]. *The department* may incorporate changes, where appropriate, into the plan.

g. The department may implement its plan fourteen or more days after it sends an amended plan or notice that it will proceed with its original plan to the affected council member(s) and community board(s).

h. Nothing in this section shall be construed to prohibit the department from providing notice of its major transportation projects on its website and to affected council member(s) and community board(s) and other interested parties by other means in addition to those specified in this section.

i. Nothing in this section shall be construed to require the department to provide notification of major transportation projects requiring immediate implementation to preserve public safety.

j. Prior to the implementation of a major transportation project, the department shall consult with the police department, the fire department, the department of small business services and the mayor's office for people with disabilities. The department shall include a certification of such consultations in the notice required by subdivision c of this section.

§ 2. Subdivision b of section 19-101.4 of the administrative code of the city of New York, as added by local law number 23 for the year 2012, is amended to read as follows:

b. The department shall post on its website, in a format accessible to people with disabilities:

i. The location of all major transportation projects and all installations or removals of bicycle lanes, pedestrian plazas, leading pedestrian signals, exclusive pedestrian signals and accessible pedestrian signals. Such posting shall be made not less than seventy-two hours prior to the expected completion date of each project, installation or removal.

ii. The location of all major transportation projects subject to section 19-101.2 of this code completed on or after January 1, 2010 and all bicycle lanes, pedestrian plazas, leading pedestrian signals, exclusive pedestrian signals and accessible pedestrian signals in existence on the effective date of this section. Such posting shall be

made on or before the effective date of this section, except that all such leading pedestrian signals and exclusive pedestrian signals shall be posted on or before December 31, 2012.

iii. The location of all proposed major transportation projects and all proposed installations or removals of bicycle lanes, bus lanes and busways. Such postings shall be made within fourteen days of the date of their proposal. Such postings shall provide progress reports on a quarterly basis for each such posted proposed major transportation project and each such proposed installation or removal, including, at a minimum, information about the estimated date of completion for any such project, installation or removal and information regarding opportunities for community members to provide input or feedback on any such project, installation or removal.

§ 3. This local law takes effect 180 days after becoming law.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 881

By Council Members Holden and Brannan.

A Local Law in relation to establishing a pilot program to study increasing the minimum percentage of reclaimed asphalt pavement in asphaltic concrete

Be it enacted by the Council as follows:

Section 1. Reclaimed asphalt pavement pilot program. a. Definitions. For purposes of this local law, the following terms have the following meanings:

Asphaltic concrete. The term “asphaltic concrete” means a mixture of liquid asphalt and graded aggregate used as paving material.

City. The term “city” means the city of New York.

Heavy-duty vehicle. The term “heavy-duty vehicle” means a motor vehicle that is greater than 8,500 pounds in gross vehicle weight.

Light-duty vehicle. The term “light-duty vehicle” means a motor vehicle that is a maximum of 8,500 pounds in gross vehicle weight.

Reclaimed asphalt pavement. The term “reclaimed asphalt pavement” means asphalt pavement that has been processed for reuse in asphaltic concrete.

b. No later than 90 days after the effective date of this local law, the department of design and construction, jointly with the department of transportation, shall establish a pilot program to study increasing the minimum percentage of reclaimed asphalt pavement used by the city in asphaltic concrete. The pilot program shall, at a minimum, include not less than 5 street paving projects, including streets that are used by light-duty vehicles and streets that are used by heavy-duty vehicles, as determined by the commissioner of design and construction and the commissioner of transportation.

c. Each street paving project that is part of the pilot program pursuant to subdivision b shall, at a minimum:

1. Include asphaltic concrete that contains no less than 30 percent reclaimed asphalt pavement; and
2. Contain varying percentages of reclaimed asphalt pavement, as determined by the commissioner of design and construction and the commissioner of transportation.

d. No later than May 1, 2024, the commissioner of design and construction, jointly with the commissioner of transportation, shall submit to the mayor and to the speaker of the council, and post on the department of design and construction’s website, a report on the results of the pilot program, which shall include, but not be limited to, the following:

1. The location and number of streets that were chosen;
2. The type and weight of vehicles and average daily number of vehicles on such streets;
3. An analysis of the durability of such streets, including the physical impact of vehicular traffic;
4. An analysis of any limitations of increasing the minimum required percentage of reclaimed asphalt pavement used for street paving;
5. The total cost of the program, including projected cost of expanding and maintaining such a program;

6. An analysis of the industry availability of reclaimed asphalt pavement and the percentages of reclaimed asphalt pavement in asphaltic concrete; and
7. Recommendations for increasing the minimum required percentage of reclaimed asphalt pavement used in asphaltic concrete for city street paving projects.
- § 2. This local law takes effect immediately.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 882

By Council Members Holden, Brannan, Menin and Ariola.

A Local Law to amend the administrative code of the city of New York, in relation to the installation and maintenance of tree guards

Be it enacted by the Council as follows:

Section 1. Title 19 of the administrative code of the city of New York is amended by adding a new section 19-159.6 to read as follows:

§ 19-159.6 *Tree guard. a. Definitions. For the purposes of this section, the following term has the following meaning:*

Tree guard. The term “tree guard” means a fence installed around the perimeter of a tree pit that provides a barrier between a tree and the surrounding environment for the purposes of protecting such tree from physical damage and other harm.

b. The department shall have jurisdiction over the installation and maintenance of any tree guard in a tree pit that is in or adjacent to a public sidewalk on property under the jurisdiction of either the department or the department of parks and recreation.

c. The department shall, in conjunction with the department of parks and recreation, develop a website that describes the process for tree guard design, installation and maintenance.

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

Referred to the Committee on Transportation and Infrastructure.

Int. No. 883

By Council Members Holden and Brannan.

A Local Law to amend the administrative code of the city of New York, in relation to improving the flow of traffic during street construction

Be it enacted by the Council as follows:

Section 1. Section 19-107 of the administrative code of the city of New York is amended by adding new subdivisions d and e to read as follows:

d. A person to whom a permit has been issued shall ensure that a flag person or other individual authorized by law to conduct traffic is present at the street closure for which such permit was issued.

e. The police department shall enforce the provisions of this section, and shall periodically conduct a visual inspection of each street closure for which a permit has been issued pursuant to this section to confirm that a flag person or other individual authorized by law to conduct traffic is present.

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

Referred to the Committee on Transportation and Infrastructure.

Int. No. 884

By Council Members Holden, Louis, Restler, Gutiérrez and Brannan.

A Local Law to amend the administrative code of the city of New York, in relation to the examination, survey and mapping of all methane leaks in New York City

Be it enacted by the Council as follows:

Section 1. Section 24-424 of the administrative code of the city of New York is amended by adding a new subdivision d to read as follows:

d. An office or agency designated by the mayor shall examine, survey and map all methane leaks, both hazardous and nonhazardous annually within the city. The mayor shall also provide written notification to any relevant gas utility of the city's intent or the city's grant of consent, to any other entity to open the ground on any public way for any nonemergency purpose including to survey or map leaking natural gas infrastructure. Such notification may also allow the gas utility to survey the area to be opened for the presence of natural gas and to repair or replace any aging, leak-prone or leaking natural gas infrastructure located on or in any public way. Where any leaking natural gas infrastructure is the source of a large volumetric leak, having a migration area of five hundred square feet or more, that is not repaired within ninety days after notice to the relevant gas utility, the designated agency shall repair the leak and seek cost recovery on behalf of the city.

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

Referred to the Committee on Environmental Protection, Resiliency and Waterfronts.

Int. No. 885

By Council Members Holden, Brannan and Ariola (by request of the Queens Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to remediating lead water hazards in schools and facilities providing day care services

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 9 of title 17 of the administrative code of the city of New York, as amended by local law number 28 for the year 2020, is amended to add a new section 17-925 as follows:

§ 17-925 Remediation of lead in water used for drinking or cooking at covered facilities.

a. All water supplied for drinking or cooking purposes in a covered facility shall have lead levels below a water lead action level established by rule of the department.

b. The operator of a covered facility or the owner of the premises where such facility is located shall:

1. Except as provided in subdivision c of this section, at least once in each year, cause a sample of water from each fixture in such facility that supplies water for drinking or cooking purposes to be analyzed for lead by a laboratory certified to perform such analysis by the United States environmental protection agency, or a state agency of appropriate jurisdiction, and provide, in a form and manner established by the department, a copy of the results of such analysis to the parent or guardian of each child that attends such facility and to the department; or

2. (i) Install, and thereafter maintain and replace in accordance with manufacturer specifications, water filtration or treatment systems that will reduce lead concentrations in water supplied for drinking or cooking purposes at such facility and that have been certified by NSF International, or another certifying body designated by rule of the department, to reduce lead concentrations in water in accordance with NSF/ANSI standard 53 or 58, as in effect on the effective date of the local law that added this section, or such other standard as the department may adopt by rule or (ii) otherwise provide occupants of such facility with an adequate supply of safe, water for drinking and cooking purposes in accordance with rules promulgated by the department, provided that if electing to comply with this paragraph, such owner or operator shall at least once in each year, in a time and manner established by the department, provide the department with a certification describing the manner of such compliance and provide a copy of such certification to the parents or guardian of each child that attends such facility.

c. 1. For a covered facility located in a building erected before June 19, 1988, the operator of such facility, or the owner of such building, may only elect to comply with paragraph 1 of subdivision b of this section for such facility if the department has authorized such election for such facility based upon submission of an application, in a form and manner established by the department, showing that (i) a person performed tests, using a lead test kit registered by the United States environmental protection agency pursuant to section 745.88 of title 40 of the code of federal regulations, of the pipes, pipe fittings, joints, valves, faucets and fixture fittings utilized to supply water for drinking or cooking purposes in such facility to determine the lead content thereof, (ii) such person determined that such tests yielded negative responses for lead, (iii) such person is a certified renovator, as such term is defined in section 745.83 of title 40 of the code of federal regulations, as in effect on the effective date of the local law that added this section, or is otherwise approved to perform such tests by the department, the department of buildings or another agency designated by the mayor, (iv) such application includes a copy of the results of such tests certified by such person and (v) a copy of such application was provided to the parent or guardian of each child attending such facility.

2. The department may reduce the frequency of sampling for a covered facility under paragraph 1 of subdivision b of this section from once in each year to once in every three years upon submission of an application, in a form established by such department, showing that for each of the immediately preceding three years, the results of sampling in accordance with such paragraph have indicated that lead levels in such samples were below the water lead action level established under subdivision a of this section.

d. If a test that is required by federal, state or local law or rule, or an order issued by a court or a federal, state or local agency having appropriate jurisdiction, indicates that water supplied for drinking or cooking at a covered facility has a lead level at or above the water lead action level established under subdivision a of this section, the operator of such facility or the owner of the premises where such facility is located shall:

1. Notify the department and the parent or guardian of each child that attends such facility in a time and manner established by the department; and

2. Comply with paragraph 1 of subdivision b of this section, except that an operator of such covered facility, or an owner of the premises where such a facility is located, who installs a water filtration or treatment system pursuant to such paragraph need not thereafter replace such system in accordance with such paragraph if such operator or owner submits to the department, in a time and manner established by the department, a certification showing that (i) a sample of water was obtained from each fixture in such facility that supplies water for drinking or cooking purposes, (ii) each such sample was obtained after the installation of such system but did not include water that passed through such system, (iii) each such sample was analyzed for lead by a laboratory certified to perform such analysis by the United States environmental protection agency, or a state agency having appropriate jurisdiction, (iv) such analysis indicated that the lead level for each such sample is below the water lead action levels established under section 17-912 of the code, provided that such certification shall include a copy of the results of such analysis as provided by such laboratory, and (v) a copy of such certification was provided to a parent or guardian of each child attending such facility.

e. Conditions prohibited by this section shall be remediated in the manner set forth under subdivision d of section 17-922.

§ 4. This local law takes effect 120 days after it becomes law, except that the commissioner of health and mental hygiene must take such actions as are necessary for implementation of this local law, including the promulgation of rules, before such effective date.

Referred to the Committee on Health.

Int. No. 886

By Council Members Holden, Borelli and Brannan.

A Local Law to amend the administrative code of the city of New York, in relation to building permit classifications and certificate of occupancy requirements

Be it enacted by the Council as follows:

Section 1. Item 2 of section 28-105.2 of the administrative code of the city of New York, as amended by local law 141 of 2013, is amended to read as follows:

2. Alteration permits: For the alteration of buildings or structures, including new and existing sign structures and partial demolition in conjunction with such building or structure. *Such alteration permits are further classified as follows:*

2.1 Alteration type 1 permits: for the alteration of buildings or structures requiring an amended or new certificate of occupancy, or having a cost of \$125,000 or more.

2.2 Alteration type 2 permits: for the alteration of buildings or structures involving multiple work types, but not requiring an amended or new certificate of occupancy and not having a cost of \$125,000 or more.

2.3 Alteration type 3 permits: for the alteration of buildings or structures involving only one work type and not requiring an amended or new certificate of occupancy, and not having a cost of \$125,000 or more.

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

Referred to the Committee on Housing and Buildings.

Int. No. 887

By Council Members Holden and Brannan (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.

Res. No. 400

Resolution calling on the New York City Economic Development Corporation to expand NYC Ferry service to LaGuardia Airport.

By Council Members Holden, Won and Brewer.

Whereas, Millions of passengers use LaGuardia Airport each year, and LaGuardia Airport is among the busiest airports in the United States; and

Whereas, LaGuardia Airport is not currently accessible through the Metropolitan Transportation Authority subway service; and

Whereas, LaGuardia Airport is the only major airport under the purview of the Port Authority of New York and New Jersey that is not accessible by train; and

Whereas, Traffic congestion on the roads and highways leading to LaGuardia Airport is sometimes so severe that the Transportation Security Administration has advised passengers to allow themselves at least two hours in order to travel to the airport; and

Whereas, LaGuardia Airport employs over 9,000 people, according to data collected by Baruch College, City University of New York; and

Whereas, The Port Authority of New York and New Jersey has presented a proposal regarding a ferry route that connects Manhattan to LaGuardia Airport;

Whereas, The Queens Borough Board has supported the addition of the Marine Air Terminal ferry terminal and expanded ferry service to LaGuardia Airport; and

Whereas, Renovations of LaGuardia Airport are scheduled to be completed in 2022; and

Whereas, The New York City Economic Development Corporation, in a 2013 study of citywide ferry service, projected that a ferry to LaGuardia Airport Marine Air Terminal could have a potential daily ridership of over 800 people; and

Whereas, Expanded NYC Ferry service to LaGuardia Airport would provide an alternative, affordable mode of transportation for the tens of thousands of people who use LaGuardia Airport on a daily basis; and

Whereas, Such expanded service would provide an alternative means of access that could help ease congestion on the roads near LaGuardia Airport; and

Whereas, NYC Ferry service is provided by Hornblower Cruises & Events through a contract managed by the New York City Economic Development Corporation; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York City Economic Development Corporation to expand NYC Ferry service to LaGuardia Airport.

Referred to the Committee on Economic Development.

Int. No. 888

By Council Member Hudson.

A Local Law to amend the administrative code of the city of New York, in relation to requiring disclosures of market value for unsolicited offers to purchase residential properties

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 27 to read as follows:

Subchapter 27

Disclosure of Market Value in Unsolicited Offers to Purchase Residential Property

§ 20-890 Definitions.

§ 20-891 Market value disclosure required.

§ 20-892. Penalties.

§ 20-890 Definitions. As used in this subchapter, the following terms have the following meanings:

Market value. The term “market value” means a reasonable estimate of the amount a residential property would sell for if listed for public sale. There is a rebuttable presumption that an appraisal by a person licensed or certified by an agency of the federal government or the state to appraise real estate is such an estimate.

Owner. The term “owner” means any person who has an interest in the title to a residential property.

Purchaser. The term “purchaser” means any natural person, firm, partnership, joint venture, corporation, or association who submits or posts an unsolicited offer to acquire a residential property.

Residential property. The term “residential property” means residential real property.

Substantially similar property. The term “substantially similar property” means a residential property with a similar lot size, interior square footage, number of rooms, bathrooms, amenities, historic details, and in a similar state of repair that is within one half mile of the property for which an offer is submitted or within the same zip code as the property for which an offer is submitted if no such similar property exists within one half mile.

Unsolicited offer. The term “unsolicited offer” means an offer to purchase an owner’s fractional or full interest in a residential property where such owner is not actively seeking an offer, has not advertised the property for sale, or intended to sell such property absent the offer, or is unaware of their interest in such property.

§ 20-891 Market value disclosure required. a. Every unsolicited offer submitted or posted by a purchaser to an owner or such person’s agent or agents must disclose to the owner in a clear and conspicuous manner the market value of the residential property for which the offer is being submitted and the market value of substantially similar properties that are currently listed for sale in select publicly searchable databases as determined by the department by rule.

b. If the unsolicited offer is submitted in writing, the statements required by subdivision a of this section must be in writing, in a conspicuous location, and printed in a color that sharply contrasts with the print surrounding it. If the unsolicited offer is submitted orally, the purchaser submitting such offer must provide written copies of the information required by subdivision a of this section.

§ 20-892 Penalties. a. Any purchaser who violates any provision of this subchapter or any rule promulgated thereunder is liable for a civil penalty of not less than \$250 for a first violation, and not less than \$500 for a second or subsequent violation.

b. Each distinct unsolicited offer that violates any provision of this subchapter or any rule promulgated thereunder constitutes a separate violation.

c. For the purposes of determining the total civil penalty, each day on which a violating unsolicited offer is submitted to the owner shall constitute a separate violation.

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

Referred to the Committee on Consumer and Worker Protection.

Int. No. 889

By Council Member Hudson.

A Local Law to amend the administrative code of the city of New York, in relation to providing notification to council members of the recording of certain real estate instruments*Be it enacted by the Council as follows:*

Section 1. Subdivision b of section 7-628 of the administrative code of the city of New York, as amended by local law number 136 for the year 2021, is amended to read as follows:

b. The department shall establish and maintain a system that provides any interested party a notification by e-mail, text message, or postal mail, that a deed-related or mortgage-related document affecting such party's interest in real property located in the city has been recorded against such property with the city register or the office of the Richmond county clerk, provided that the department has received notice of such recording from the office of the Richmond county clerk. Such notification shall include information on actions such interested party could take if such interested party suspects that a fraudulent document has been recorded, including but not limited to, information about whom to contact for assistance, filing a complaint or reporting an alleged criminal violation. *When a deed-related or mortgage-related document affecting an interest in real property located in the city that has been held by the same party for at least 30 years has been recorded against such property with the city register or the office of the Richmond county clerk, provided that the department has received notice of such recording from the office of the Richmond county clerk, the system shall additionally provide notification by e-mail that such document was recorded to the council member for the council district in which such real property is located, unless such council member has opted out of the receipt of such notifications.* The department shall not charge a fee for use of such notification system.

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

Referred to the Committee on Finance.

Res. No. 401

Resolution Declaring the Month of March as Blood Clot Awareness Month in the City of New York.

By Council Members Hudson and Gutiérrez.

Whereas, According to the National Disability Navigator and the National Blood Clot Alliance, blood clots or deep vein thrombosis (DVT) and pulmonary embolisms (PE) are alarmingly common, with over 900,000 and 300,000 individuals affected annually, respectively; and

Whereas, DVT often forms in the legs, thighs, pelvis, or arms, and can lead to lifelong complications - if a blood clot travels to the lungs, it creates a PE, which can prevent blood flow resulting in death; and

Whereas, the Centers for Disease Control and Prevention (CDC) states that as many as 100,000 individuals die annually from blood clots; and

Whereas, Research from Becker's Hospital Review has shown that blood clots formed in 16 percent of COVID-19 patients in the New York City (NYC) healthcare system; and

Whereas, Blood clots impact women at a higher rate due to estrogen levels caused by oral birth control and hormone therapies; and

Whereas, Despite their prevalence, there remains a widespread lack of awareness and education about their potential severity and the measures individuals can take to prevent them; and

Whereas, Blood clot awareness is essential for addressing maternal healthcare disparities, and promoting health equity for vulnerable and underrepresented racial demographics in NYC that are disproportionately affected by systemic barriers to healthcare access and unequal health policy issues; and

Whereas, Systemic racial barriers increase the risk of untreated blood clots and underscore the importance of targeted outreach and education initiatives to ensure equitable access and prevention efforts across all of New York City’s communities; and

Whereas, Declaring March as Blood Clot Awareness Month in NYC is an important step towards informing New Yorkers about blood clot-related health risks, which may include the potential for severe illness, disability, and death; and

Whereas, By educating New Yorkers about the signs, symptoms, and risk factors associated with blood clots, lives can be saved through early detection and prevention; now therefore, be it

Resolved, That the Council of the City of New York declares the month of March as Blood Clot Awareness Month in the City of New York.

Referred to the Committee on Health.

Int. No. 890

By Council Members Lee, Restler and Brannan.

A Local Law in relation to implementing a pilot program to establish postpartum support groups

Be it enacted by the Council as follows:

Section 1. Postpartum support group pilot program. a. Definitions. For purposes of this local law, the following terms have the following meanings:

Agency. The term “agency” has the same meaning as set forth in section 1-112 of the administrative code of the city of New York.

Commissioner. The term “commissioner” means the commissioner of health and mental hygiene.

Department. The term “department” means the department of health and mental hygiene.

b. Program established. The commissioner shall coordinate with any agency and community-based organization the commissioner deems relevant to implement a pilot program to establish postpartum support groups. Such groups shall:

1. Involve professionally facilitated meetings focused on the mental health of individuals who are up to 1 year postpartum;
2. Provide, at a minimum, mental health resources and access to lactation consultants, obstetricians, and gynecologists to such individuals; and
3. Incorporate, as deemed appropriate by the commissioner, best practices with respect to maternal mental health that are identified in the most recent report issued by the task force on maternal mental health within the federal department of health and human services pursuant to paragraph (1) of subsection (c) and subsection (e) of section 1113 of the consolidated appropriations act, 2023.

c. Postpartum support group locations. Through the pilot program established by subdivision b of this section, the commissioner shall establish:

1. At least 1 postpartum support group in each borough;
2. At least 1 postpartum support group in each of the 3 community districts with the highest rates of postpartum mental health issues, as identified by the commissioner; and
3. At least 1 postpartum support group in each of the 3 community districts with the highest risk factors for social determinants of poor mental health, as identified by the commissioner.

d. Implementation. The pilot program established by subdivision b of this section shall commence no later than 180 days after the effective date of this local law. The duration of such program shall be 3 years.

e. Informational materials. 1. The commissioner shall create materials in the designated citywide languages as defined in section 23-1101 of the administrative code of the city of New York that provide information on the pilot program established by subdivision b of this section, including but not limited to:

- (a) The types of resources provided through the postpartum support groups;
- (b) The meeting locations of such groups; and

(c) The telephone number or other contact information for the department.

2. No later than 120 days after the effective date of this local law, the commissioner shall:

(a) Distribute such materials to hospitals and other healthcare providers for dissemination to postpartum individuals; and

(b) Post such materials on the department's website.

f. Report. 1. No later than 1 year after the end of the pilot program established by subdivision b of this section, the commissioner shall submit to the mayor and the speaker of the council and post on the department's website a report on such program. Such report shall include, but need not be limited to, the following information:

(a) The total number of postpartum individuals who were served through such program;

(b) The total number of individuals who facilitated meetings of the postpartum support groups established through such program;

(c) The community districts identified by the commissioner as required by paragraph 2 of subdivision c of this section;

(d) The community districts identified by the commissioner as required by paragraph 3 of subdivision c of this section;

(e) Whether the commissioner established a postpartum support group in each borough and in certain community districts as required by subdivision c of this section, and if not, the reasons why;

(f) Any challenges with establishing or administering such program;

(g) Recommended ways to increase access to mental health resources for postpartum individuals; and

(h) Recommendations as to whether to establish a permanent postpartum support group program and whether and how to expand such program.

2. Such report shall also include a table with a separate row for each postpartum support group, indicated by a unique identification number. Each such row shall include the following information, set forth in separate columns:

(a) Such unique identification number;

(b) The borough in which the postpartum support group was established;

(c) The community district in which such group was established;

(d) The number of postpartum individuals who were served through such group;

(e) The number of individuals who facilitated the meetings of such group; and

(f) The most common meeting location of such group.

3. All data in such report shall be reported in a machine-readable format.

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

Referred to the Committee on Mental Health, Disabilities and Addiction.

Res. No. 402

Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation to require health insurance plans to develop and implement a maternal mental health quality management program to promote access to affordable and comprehensive maternal mental health services.

By Council Members Lee, Restler, Gutiérrez and Farías.

Whereas, Maternal mental health (MMH) conditions are a significant public health concern, affecting an estimated 1 in 5 women during pregnancy and postpartum, disproportionately impacting Black and Brown mothers, according to the National Institutes of Health; and

Whereas, Per the American Psychological Association (APA), untreated MMH conditions can have lasting negative consequences for mothers, infants, and families, including increased risk of postpartum depression, anxiety disorders, and impaired child development; and

Whereas, Numerous studies have highlighted that access to mental health screenings and treatment during pregnancy and postpartum is crucial for improving maternal health outcomes, and yet less than 20% of United

States patients were screened for maternal depression in 2021, according to the Policy Center for Maternal Mental Health (PCMMH); and

Whereas, Research estimates that 50-70% of MMH disorders remain undiagnosed; and

Whereas, Further, 75% of individuals diagnosed with a MMH do not receive treatment due to factors such as inadequate insurance coverage and a nationwide lack of emphasis on MMH, per PCMMH; and

Whereas, Health plans play a vital role in shaping access to mental healthcare services, but many health insurance plans in New York State (NYS), including Medicaid, lack adequate coverage for maternal mental health services, creating significant barriers for women seeking care; and

Whereas, This lack of MMH coverage annually costs the United States roughly \$14 billion, or \$32,000 per mother and infant for untreated MMH consequences, according to the March of Dimes; and

Whereas, To address this issue, in 2022 California became the first state to require health insurance plans to develop a MMH program designed to promote quality and cost-effective outcomes while improving screening, treatment, and referral to MMH services; and

Whereas, Given that mental health conditions ranked as the primary underlying cause of pregnancy-associated deaths in New York City in 2020 and the third leading cause of such deaths in NYS in 2018, as reported by the latest data from both the City and the State's Department of Health, comparable MMH services program could be a critical step in improving care and outcomes for pregnant people; and

Whereas, Implementing a standardized MMH quality management program would expand access to care, improve its quality, provide competitive rates, and incentivize providers to make these essential services available to pregnant and postpartum New Yorkers; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, legislation to require health insurance plans to develop and implement a maternal mental health quality management program to promote access to affordable and comprehensive maternal mental health services.

Referred to the Committee on Mental Health, Disabilities and Addiction.

Res. No. 403

Resolution calling upon the New York State legislature to pass, and the Governor to sign, legislation mandating all accredited psychiatry residency programs to offer a one-year, post-residency fellowship program specifically focused on Perinatal Mental Health (PMH).

By Council Members Lee, Restler and Gutiérrez.

Whereas, Affecting 1 in 5 women annually in the United States, Perinatal Mental Health (PMH) conditions stand as the leading cause of maternal mortality in the nation, accounting for 23% of pregnancy-related deaths, with particularly elevated rates among Black and Native American patients, as reported by the Association of American Medical Colleges (AAMC); and

Whereas, PMH conditions are maternal mental health (MMH) conditions that arise from conception until a year after birth, and can include mental health disorders like depression, anxiety, and postpartum psychosis, and their associated symptoms such as sadness, irritability, difficulty concentrating, sleeplessness, and extreme worry; and

Whereas, Studies have shown that pregnancy significantly increases the risk of developing mental health conditions due to factors such as heightened sensitivity to hormonal changes, genetic predispositions to mental illness, sleep deprivation, breastfeeding challenges, and past pregnancy-related traumas, along with substantial shifts in the new mother's relationships, responsibilities, and self-identity; and

Whereas, According to a 2022 study published in the National Library of Medicine on Peripartum (the period between 36 weeks of pregnancy until 6 weeks of postpartum) Mental Health Education, of individuals

who do not receive treatment for a depressive episode during pregnancy, 15% will attempt suicide, while more than 50% will continue to suffer from depression in the postpartum period; and

Whereas, Per the American Psychological Association (APA), untreated PMH conditions can have lasting negative consequences for mothers, infants, and families, including increased risk of postpartum depression, anxiety disorders, and impaired child development; and

Whereas, Early intervention and treatment of PMH conditions have been shown to improve maternal and child health outcomes, including reducing the risk of adverse birth outcomes and enhancing mother-infant bonding; and

Whereas, The American College of Obstetricians and Gynecologists recommends MMH screening at least 3 times during the perinatal period, and yet less than 20% of perinatal patients were screened for maternal depression in 2021, according to the Policy Center for Maternal Mental Health (PCMMH); and

Whereas, Research estimates that 50-70% of PMH disorders remain undiagnosed; and

Whereas, Further, 75% of individuals diagnosed with MMH disorders do not receive treatment due to factors such as a shortage of providers specializing in maternal mental health and a nationwide lack of emphasis on PMH, per PCMMH; and

Whereas, In fact, mental health conditions ranked as the primary underlying cause of pregnancy-associated deaths in New York City in 2020 and the third leading cause of such deaths in New York State in 2018, as reported by the latest data from the New York City Department of Health and Mental Hygiene and the New York State Department of Health, respectively; and

Whereas, Despite how common and potentially serious mental illness is during the peripartum period, there are currently no standardized educational requirements to expose medical students to topics in reproductive psychiatry; and

Whereas, Currently, only 19 psychiatry programs offer PMH-specific fellowships in the country, a number that was zero two decades ago, according to AAMC; and

Whereas, PMH fellowship programs provide psychiatrists with specialized training in areas such as postpartum depression, anxiety disorders during pregnancy, and the impact of mental health on maternal-fetal bonding, enhancing providers' ability to diagnose, treat, and support birthing parents experiencing these challenges; and

Whereas, By requiring accredited psychiatry residency programs to offer PMH-specific fellowship or training, New York State can take a vital step towards ensuring that pregnant and postpartum women and individuals have access to the specialized mental health care they need and deserve; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State legislature to pass, and the Governor to sign, legislation mandating all accredited psychiatry residency programs to offer a one-year, post-residency fellowship program specifically focused on Perinatal Mental Health (PMH).

Referred to the Committee on Mental Health, Disabilities and Addiction.

Res. No. 404

Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation to require obstetricians and gynecologists (OBGYNs) to conduct maternal mental health screening during pregnancy and postpartum, and to require Medicaid to cover such services.

By Council Members Lee, Restler, Gutiérrez, Farías and Brewer.

Whereas, Maternal mental health (MMH) disorders encompass a range of conditions that affect women and birthing people during pregnancy and the postpartum period, including but not limited to depression, anxiety, bipolar illness, obsessive-compulsive disorder, post-traumatic stress disorder, postpartum psychosis, and substance use disorders; and

Whereas, Research indicates that up to 1 in 5 women experience a MMH disorder during pregnancy or in the first year postpartum, with higher rates among low-income and minority populations; and

Whereas, According to the U.S. Centers for Disease Control and Prevention (CDC) data, approximately 1 in 5 or 23% of all pregnancy-related deaths in the U.S. are due to mental health conditions, which CDC recognizes as preventable deaths; and

Whereas, In 2020, mental health conditions were the leading underlying cause of pregnancy-associated deaths in New York City (NYC), with 9 individuals dying from substance abuse disorder and 2 from suicides, per the 2023 Pregnancy-Associated Mortality report by the NYC Department of Health and Mental Hygiene; and

Whereas, According to March of Dimes, MMH impacts 800,000 families each year in the United States and the COVID-19 pandemic has exacerbated this crisis nearly 3 to 4 times over; and

Whereas, Additionally, nearly 75% of those affected are left untreated or undiagnosed, creating a national annual cost of roughly \$14 billion, or \$32,000 per mother and infant, per March of Dimes; and

Whereas, MMH disorders can have serious and long-lasting effects on both mothers and children, impacting maternal-infant bonding, infant development, and overall family well-being, per the World Health Organization (WHO); and

Whereas, According to the National Institute of Mental Health, untreated MMH disorders can lead to adverse outcomes such as preterm birth, low birth weight, and developmental delays in children; and

Whereas, Studies indicate that early detection and intervention for MMH disorders can significantly improve outcomes for both mothers and children, reducing the risk of complications and promoting maternal and family welfare; and

Whereas, Despite the significant impact of MMH disorders, studies indicate screening and treatment rates remain low, in part due to limited awareness among both healthcare providers and the public about MMH disorders, as well as stigma and shame surrounding mental health issues, leading women and birthing people to avoid seeking help; and

Whereas, According to the 2020 Healthcare Effectiveness Data and Information Set (HEDIS) analysis, nationally, less than 20% of privately insured and Medicaid patients were screened for prenatal and postnatal maternal mental depression, with only 16% of Medicaid patients screened and given follow-up care during pregnancy and 17% in postpartum; and

Whereas, Similar trends were seen for patients with private insurance, among whom only 9% were screened during pregnancy and 11% in postpartum; and

Whereas, In recognition of the issue, New York State (NYS) has taken some positive steps to improve MMH through the launch of the 2023 Maternal Mental Health Workgroup along with Project TEACH's Maternal Mental Health Initiative, both focused on creating guidance for providers and policy recommendations centered around prenatal and postpartum mood and anxiety disorders; and

Whereas, Additionally, the NYS legislature recently passed S.2039-B/A.2870 to require the NYS Health Commissioner, in consultation with stakeholders, to release guidance and standards for incorporating maternal depression screenings into routine perinatal care; and

Whereas, While these two initiatives will play a crucial role in broadening access to prenatal and postpartum MMH care, they still leave screenings at the discretion of providers; and

Whereas, Another major barrier to MMH care is the lack of insurance coverage for MMH screening and treatment services; and

Whereas, In NYS, Medicaid plays a crucial role in providing healthcare coverage for eligible pregnant and postpartum people, including coverage for postpartum depression screenings, however, it does not fully provide coverage for all the associated prenatal and postpartum MMH disorders screenings and care; and

Whereas, This lack of Medicaid coverage and discretionary MMH screenings creates a treatment gap for millions of pregnant and postpartum people who might be experiencing MMH disorders; and

Whereas, Requiring obstetricians and gynecologists (OBGYNs) to screen for MMH disorders during pregnancy and postpartum visits and mandating Medicaid coverage for such services including but not limited to counseling, therapy, and psychiatric medication management, would greatly improve access to timely and appropriate care for women and birthing people across NYS and NYC; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, legislation to require obstetricians and gynecologists (OBGYNs) to conduct maternal mental health screening during pregnancy and postpartum, and to require Medicaid to cover such services.

Referred to the Committee on Mental Health, Disabilities and Addiction.

Res. No. 405

Resolution calling upon the New York State legislature to pass, and the Governor to sign, legislation mandating Medicaid Managed Care Organizations to collect and report prenatal and postpartum depression screenings and follow-up data using HEDIS measures.

By Council Members Lee, Restler, Gutiérrez, Fariás, Hanif, Sanchez, Ayala, Won, Bottcher, Louis, Hudson, Rivera and Mealy.

Whereas, According to the U.S. Centers for Disease Control and Prevention (CDC), mental health conditions are the leading cause of pregnancy-related deaths in the nation, accounting for approximately 1 in 5 or 23% of all pregnancy-related deaths; and

Whereas, Despite such statistics, the United States (U.S.) does not require healthcare organizations to collect any data related to maternal mental health (MMH) screening and follow-up, which could otherwise help to identify gaps in care and improve healthcare access for pregnant people; and

Whereas, Studies indicate that standardized MMH screening and data collection initiatives correlate with reductions in maternal mortality rates and enhancements in maternal and infant health outcomes; and

Whereas, In 2019, the National Committee for Quality Assurance (NCQA), a non-profit organization and the creator of the Healthcare Effectiveness Data and Information Set (HEDIS)—a widely recognized set of performance measures used by healthcare organizations to assess the quality of care provided to patients enrolled in their programs—developed 2 additional measures for health insurance plans to monitor how often screening and follow-up for maternal depression occurs in the U.S.; and

Whereas, HEDIS measures cover a wide range of clinical areas, including preventive care, chronic disease management, behavioral health, and patient experience; and

Whereas, New York State (NYS) and the U.S. as a whole already utilize HEDIS measures to monitor and improve healthcare quality across various domains such as diabetes care, high blood pressure control, childhood immunization status, lead screening, and prenatal and postpartum care; and

Whereas, The 2 new HEDIS measures, “Prenatal Depression Screening and Follow-Up” and “Postpartum Depression Screening and Follow-Up,” entail the collection of data from health insurers via electronic data capture systems, allowing screening data to be collected from various types of providers including obstetricians and gynecologists (OBGYNs), midwives, and pediatricians, as well as non-providers like insurance plan high-risk pregnancy case managers; and

Whereas, Since 2022, most private, non-Medicaid plans have adopted these 2 HEDIS measures and have been publicly reporting their MMH screening data on the NCQA’s annual Quality Compass report; and

Whereas, In 2021, the Centers for Medicare & Medicaid Services (CMS) approved the “Postpartum Depression Screening and Follow-Up” measure as part of its annual Adult Core Measure Set, but has yet to publish any related data due to incompatibility issues with the electronic data collection method used by the measure, according to the Policy Center for Maternal Mental Health; and

Whereas, Per the Policy Center for Maternal Mental Health, although there is no news of the “Postpartum Depression Screening and Follow-Up” measure being published in future reports, it has yet to be officially omitted by CMS, leaving the door open for the “Prenatal Depression Screening and Follow-Up” measure to also be approved and published alongside its twin measure; and

Whereas, A few states such as Pennsylvania, Colorado, and California already require their Medicaid Managed Care Organizations (MCOs) to report on postpartum and prenatal depression screening and follow-up measures using the 2 HEDIS measures; and

Whereas, NYS does not require its MCOs to collect and report prenatal and postpartum depression screening and follow-up data despite MMH conditions ranking among the leading causes of maternal mortality in the state and New York City (NYC); and

Whereas, According to the NYS Office of Mental Health, 15–20% of women experience some form of pregnancy-related depression or anxiety with higher prevalence rates among low-income and minority populations; and

Whereas, According to the American College of Obstetricians and Gynecologists (ACOG), 40% of Black birthing persons experience MMH conditions during pregnancy or postpartum, with over half of such instances going unreported; and

Whereas, In NYC, Black women are more than 8 times more likely to die from pregnancy-related complications than white women, according to the NYC Department of Health and Mental Hygiene; and

Whereas, Lack of standardized data collection impedes efforts to assess MMH disorders among patients, identify disparities, monitor the effectiveness of existing interventions, and develop targeted strategies to improve MMH care; and

Whereas, Underreporting of MMH conditions affects thousands of New Yorkers, particularly birthing persons of color, and creates an urgent need for standardized data collection to address disparities and improve MMH care; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State legislature to pass, and the Governor to sign, legislation mandating Medicaid Managed Care Organizations to collect and report prenatal and postpartum depression screenings and follow-up data using HEDIS measures.

Referred to the Committee on Mental Health, Disabilities and Addiction.

Res. No. 406

Resolution designating May annually as Maternal Mental Health Awareness Month in the City of New York and calling on the New York State Legislature to pass, and the Governor to sign, S.156/A.6603, which would make the same designation Statewide.

By Council Members Lee, Restler, Gutiérrez, Farías, Hanif, Hudson, Yeger, Narcisse, Sanchez, Ayala, Cabán, Won, Bottcher, Louis, Rivera and Mealy.

Whereas, S.156, introduced on January 4, 2023, by New York State (NYS) Senator Liz Kreuger, representing NYS Senate District 28 in Manhattan, and pending in the State Senate, would amend the executive law to designate May annually as Maternal Mental Health Awareness Month in NYS; and

Whereas, Companion bill, A.6603, introduced on April 24, 2023, by Assembly Member Karines Reyes, representing NYS Assembly District 87 in the Bronx, and pending in the State Assembly, would provide for the same commemorative designation; and

Whereas, This NYS legislation intends to support maternal mental health by raising awareness both of the mental health disorders that can occur during and just after pregnancy and of the treatments that are available to remedy them; and

Whereas, As reported in the December 2023 *AAMCNews*, the newsletter of the Association of American Medical Colleges, one in five women in the United States (U.S.) annually experiences a mental health or substance use disorder during the “perinatal period,” which includes the months of pregnancy and one year after the birth; and

Whereas, Although postpartum depression is the most common mental health illness during the perinatal period, more serious mental health illnesses also occur and can lead to suicide or infanticide; and

Whereas, Perinatal mental health illnesses are the leading cause of maternal deaths in the U.S., accounting for 23 percent of maternal deaths overall and for an even higher percentage of deaths among Black and Native American individuals, who are less likely to get the care that they need; and

Whereas, Although many maternal mental health illnesses respond well to treatment, about 75 percent of those suffering from them do not ever get any treatment due to a variety of reasons, including lack of screening for the illnesses, unavailability of adequate local care, and the patient's feelings of shame about being ill; and

Whereas, There are a variety of inpatient and outpatient treatments that can successfully help those suffering from perinatal mental health issues, including new safe medications, individual therapy, couples therapy, and group therapy; and

Whereas, In September 2023, a new federal Task Force on Maternal Mental Health was created to improve health care in this field, with a focus on mental health equity; and

Whereas, According to the Policy Center for Maternal Mental Health's 2023 State Report Cards, the U.S. received an overall grade of D when it came to supporting maternal mental health, with a grade of D or F earned by 40 states and the District of Columbia; and

Whereas, NYS received a grade of D, in part due to a poor perinatal mental health provider-to-patient ratio, the lack of a State maternal mental health task force or commission, and the lack of required screenings by doctors for maternal mental health disorders during the perinatal period; and

Whereas, According to data published in September 2023 by the NYC Maternal Mortality Review Committee (MMRC), under the auspices of the NYC Department of Health and Mental Hygiene, there were 100,022 live births in NYC in 2020; and

Whereas, According to MMRC data, mental health conditions accounted for about 22 percent of pregnancy-associated deaths in NYC in 2020, or 11 of 51 such deaths, and were the leading underlying cause of pregnancy-associated deaths; and

Whereas, These data indicate that it is appropriate to focus attention and resources on examining the causes of and treatments for maternal mental health illnesses, both in NYC and Statewide; now, therefore, be it

Resolved, That the Council of the City of New York designates May annually as Maternal Mental Health Awareness Month in the City of New York and calls on the New York State Legislature to pass, and the Governor to sign, S.156/A.6603, which would make the same designation Statewide.

Referred to the Committee on Mental Health, Disabilities and Addiction.

Int. No. 891

By Council Members Louis, Restler, Brannan and Cabán.

A Local Law to amend the administrative code of the city of New York, in relation to information about the maternal mortality and morbidity review committee

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 17-199.3.1 of the administrative code of the city of New York, as added by local law number 188 for the year 2018, is amended to read as follows:

c. [The] *No later than August 1, 2022, and no later than August 1 annually thereafter, the* department shall post and update as necessary on its website a list of the disciplines represented on the committee established pursuant to this section, *the names and titles of the individuals who serve on such committee, and a summary of such committee's activities over the preceding year.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Women and Gender Equity.

Int. No. 892

By Council Members Louis and Cabán.

A Local Law to amend the administrative code of the city of New York, in relation to supporting lactating individuals

Be it enacted by the Council as follows:

Section 1. Paragraph (c) of subdivision 22 of Section 8-107 of the administrative code of the city of New York, as added by local law 186 for the year 2018, is amended to read as follows:

(c) Employer lactation room accommodation policy.

(i) An employer shall develop and implement a written policy regarding the provision of a lactation room, which shall be distributed to all employees upon hiring *and posted online*. The policy shall include a statement that employees have a right to request a lactation room, and identify a process by which employees may request a lactation room. This process shall:

(1) Specify the means by which an employee may submit a request for a lactation room;

(2) Require that the employer respond to a request for a lactation room within a reasonable amount of time not to exceed five business days;

(3) Provide a procedure to follow when two or more individuals need to use the lactation room at the same time, including contact information for any follow up required;

(4) State that the employer shall provide reasonable break time for an employee to express breast milk pursuant to section 206-c of the labor law; and

(5) State that if the request for a lactation room poses an undue hardship on the employer, the employer shall engage in a cooperative dialogue, as required by subdivision 28 of this section.

(ii) The commission shall, in collaboration with the department of health and mental hygiene, develop a model lactation room accommodation policy that conforms to the requirements of this subdivision and a model lactation room request form. The commission shall make such model policy and request form available on its website.

(iii) The existence of a lactation room accommodation policy pursuant to this subdivision shall not affect an individual's right to breastfeed in public pursuant to article 7 of the civil rights law.

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

Referred to the Committee on Women and Gender Equity.

Int. No. 893

By Council Members Louis, Farías, Brannan, Cabán and Schulman.

A Local Law to amend the administrative code of the city of New York, in relation to establishing a screening program for endometriosis and polycystic ovarian syndrome

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 17-199.19 of the administrative code of the city of New York, as added by local law number 88 for the year 2022, is amended to read as follows:

a. The department shall provide sexual and reproductive health services and conduct research on sexual and reproductive health disparities within the city. In providing such services, the department shall have the power and duty to:

1. Provide outreach, education, and support to individuals, especially low-income individuals and those without health insurance, regarding issues related to sexual and reproductive health, including, but not limited to:

(a) Contraception, including a broad range of methods such as long-acting reversible contraception;

- (b) Preconception health services;
 - (c) Abortion services;
 - (d) Family planning services;
 - (e) Testing, prevention, and treatment for HIV;
 - (f) Testing and treatment for sexually transmitted infections;
 - (g) Routine screening for breast and cervical cancer; [and]
 - (h) Health education, in community settings, to promote reproductive health, prevent unintended pregnancy, and promote access to reproductive and preventive health services[.]; *and*
 - (i) *Endometriosis and polycystic ovarian syndrome.*
2. Make referrals, when determined appropriate by the department, to affordable and accessible services related to contraception; abortion; family planning; breast and cervical cancer screenings; *endometriosis; polycystic ovarian syndrome;* and counseling, testing, and treatment for HIV and sexually transmitted infections.
3. *Establish a menstrual health program to screen patients who display or have displayed symptoms of menstrual disorders for endometriosis and polycystic ovarian syndrome.*
- § 2. This local law takes effect 120 days after it becomes law.

Referred to the Committee on Women and Gender Equity.

Res. No. 407

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, S.6814, requiring teachers colleges to incorporate a course of instruction in mental health.

By Council Members Louis, Restler, Brannan, Cabán and Gutiérrez.

Whereas, The National Institute of Mental Health has confirmed that, at present, there are more than 10 million students who are in need of mental health support; and

Whereas, the National Alliance on Mental Illness (NAMI) has observed that schools are in a unique position to serve as a resource for vital connections to mental health resources and supports for young people who might feel overwhelmed and isolated when facing a mental health crisis; and

Whereas, NAMI estimates approximately 46 percent of the 55 million students who attend school in the United States will experience a mental health disorder at some point within their lifetime; and

Whereas, NAMI reported one in five young people are currently living with a mental health condition, and due to a lack of capacity within school systems to deliver or make referrals for mental health services, less than half of those students are able to receive treatment; and

Whereas, Effective July 2018, New York State Education Law § 804 requires that mental health be part of the curriculum of health education mandated in schools; and

Whereas, The New York State Education Department, the New York State Office of Mental Health and the Mental Health Association of New York State established the New York State Mental Health Education Advisory Council to provide guidance to schools on how to incorporate mental health curricula; and

Whereas, The Advisory Council's guidelines recommended nine core elements be part of mental health education in all schools including teaching the concept of mental health as part of wellness, how to identify early signs of mental health problems, how negative stigma and attitudes toward mental illness can contribute to discrimination against people and cause people to avoid getting help and how to access appropriate resources for help and support for someone facing a mental health crisis or problem; and

Whereas, Although the Advisory Council has created an online resource center that includes teacher trainings, lesson plans and information, these are broad guidelines that do not define how the mental health education should be delivered to students in accordance with the new regulations; and

Whereas, New York State Senate Bill S.6814, sponsored by State Senator Julia Salazar, would require teachers colleges to incorporate a course of instruction in mental health; and

Whereas, To date, there has been no reintroduction of a companion bill in the New York State Assembly; 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.6814, requiring teachers colleges to incorporate a course of instruction in mental health. Session 12

Referred to the Committee on Education.

Res. No. 408

Resolution declaring May 28 as Menstrual Hygiene Day in the City of New York.

By Council Members Louis, Cabán, Gutiérrez and Farías.

Whereas, Observed annually on May 28 since 2013, Menstrual Hygiene Day is a global advocacy initiative aimed at raising awareness about menstrual hygiene management, promoting access to menstrual hygiene products, and breaking the stigma surrounding menstruation; and

Whereas, Menstrual hygiene plays a crucial role in the overall health, well-being, and empowerment of individuals who menstruate; and

Whereas, Lack of access to menstrual hygiene products and inadequate knowledge about menstrual health can lead to adverse health outcomes and perpetuate gender inequality; and

Whereas, According to a 2022 Journal of Global Health report, an estimated 500 million people in the United States lack access to adequate menstrual products; and

Whereas, Additionally, 16.9 million menstruating people live in poverty, two-thirds of whom reported not being able to afford menstrual hygiene products in the past year, and half of whom had to choose between menstrual products and food; and

Whereas, This lack of period supplies, commonly referred to as period poverty, can have adverse effects on individuals' health and well-being; and

Whereas, According to Alliance for Period Supplies, in New York, 4,235,336, or 1 in 6 women and girls between ages 12 and 44, live below the federal poverty line and are potentially experiencing period poverty; and

Whereas, Nationally, 1 in 4 teens reported missing school while 1 in 5 low-income women reported missing work, school, or similar obligations due to the challenges associated with period poverty; and

Whereas, Individuals experiencing period poverty may resort to using products longer than they are intended or utilize makeshift alternatives like socks or toilet paper, risking urogenital infections like urinary tract infection, bacterial vaginosis, and in rare occasions, toxic shock syndrome, compromising their health; and

Whereas, Period poverty is also linked to higher rates of depression, as a 2021 study on the impact of period poverty on college-aged women in the United States found that out of 471 participants, 68.1% experienced moderate to severe depression; and

Whereas, Period poverty perpetuates the cycle of poverty by forcing menstruators to disengage from daily life, resulting in lost wages and missed educational opportunities; and

Whereas, Easy access to period products for students and low-income individuals reduces disruptions to their education and jobs, which enhances their ability to actively participate in daily activities while increasing their quality of life; and

Whereas, In recognition of these issues, during the 2021- 2022 session, Congresswoman Grace Meng of NY-6, introduced H. Res. 1145, which called to nationally recognize and observe May 28 as Menstrual Hygiene Day to raise awareness of menstrual hygiene and access to menstrual health management; and

Whereas, While H. Res. 1145 is yet to be reintroduced during the current session, dedicating May 28 as Menstrual Hygiene Day in New York City would provide an opportunity to highlight the importance of menstrual hygiene, educate the public, and mobilize efforts to address the challenges faced by individuals who menstruate; and

Whereas, This dedicated day shall serve as an opportunity for educational campaigns, community engagement, and advocacy activities aimed at raising awareness about menstrual hygiene management,

promoting access to menstrual products, and fostering a supportive and inclusive environment for individuals who menstruate; now, therefore, be it

Resolved, That the Council of the City of New York declares May 28 as Menstrual Hygiene Day in the City of New York.

Referred to the Committee on Women and Gender Equity.

Res. No. 409

Resolution calling on the New York City Department of Education to permit students excused absences while experiencing symptoms of menstrual disorders.

By Council Members Louis, Restler and Gutiérrez.

Whereas, Menstruation, a periodic and cyclical shedding of blood and tissue from the uterus, is a normal physiological process in women of reproductive age that begins during adolescence, which is defined by the World Health Organization as the age between 10 and 19 years old; and

Whereas, Menstruation is often associated with physical discomfort and psychological upset; and

Whereas, Symptoms of menstrual disorders, such as dysmenorrhea, endometriosis, menorrhagia, and polycystic ovarian syndrome can severely impact daily life; and

Whereas, Menstrual disorders could start as early as menarche sets in and can persist beyond adolescence; and

Whereas, Stressors brought about by life challenges, such as academics and relationships, can further worsen symptoms of menstruation; and

Whereas, Numerous studies on the prevalence and pattern of menstrual disorders among students, published in various scientific journals as well as the National Library of Medicine, show menstrual disorders are common among adolescence; and

Whereas, Dysmenorrhea, which is characterized by recurrent abdominal pain, headache, nausea, vomiting, diarrhea, and back pain, is the most commonly reported menstrual disorder among students; and

Whereas, Common side effects of menstrual disorders include reduction in concentration ability, academic disturbance, and changes in normal physical activities, which lead to the restriction of activities and absenteeism; and

Whereas, However, problems related to menstruation are perceived as normal and are regularly regarded as a condition that does not require medical attention, which sends the message to menstruating students that they should quietly suffer through the pain; and

Whereas, A student experiencing symptoms of a menstrual disorder should be entitled to excused absences from school, for which they should be given the opportunity to make up any school work missed during the absence; and

Whereas, Codifying excused absences for students experiencing menstrual disorders would help to normalize the experience as well as empower them to take care of themselves; and

Whereas, The New York City (NYC) Council made a commitment toward advancing menstrual equity for students with the passage of Local Law 84 of 2016, which requires the NYC Department of Education (DOE) to make feminine hygiene products available at no cost to students in the bathrooms of school buildings located in facilities that are leased by the DOE or over which DOE has care, custody, and control, serving female students in grades six through twelve; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York City Department of Education to permit students excused absences while experiencing symptoms of menstrual disorders.

Referred to the Committee on Women and Gender Equity.

Res. No. 410

Resolution calling on the New York City Department of Education to create a training program for school nurses and physicians to learn about endometriosis, including formation on systemic racism, bias, and racial and gender-based disparities related to the condition.

By Council Members Louis, Cabán, Gutiérrez, Brewer and Williams.

Whereas, Menstruation, a periodic and cyclical shedding of blood and tissue from the uterus, is a normal physiological process in women of reproductive age that begins during adolescence, which is defined by the World Health Organization as the age between 10 and 19 years old; and

Whereas, Menstruation is often associated with physical discomfort and psychological upset that can severely impact daily life; and

Whereas, Endometriosis is a chronic condition where tissue similar to the lining of the uterus grows outside the uterus; like endometrial tissue, it thickens, breaks down, and bleeds with each menstrual cycle but with no way to exit the body, it becomes trapped, which can irritate surrounding tissue, eventually developing scar tissue and adhesions that can cause pelvic tissues and organs to stick together; and

Whereas, Common signs and symptoms of endometriosis include painful menstruation, pain with intercourse, pain with bowel movements or urination, excessive bleeding, and infertility, as well as bloating, constipation, diarrhea, fatigue, and nausea, especially during menstruation; and

Whereas, The severity of one's pain may not be a reliable indicator of the extent of the condition and it is commonly mistaken for other conditions that can cause pelvic pain, including pelvic inflammatory disease or ovarian cysts, or even confused with irritable bowel syndrome; and

Whereas, Endometriosis is one of the most common gynecological diseases, affecting one-in-ten women, yet many women suffer up to a decade before being properly diagnosed; and

Whereas, Historical bias and poorly conducted research have led to the idea that endometriosis is less likely to be diagnosed in certain racial groups, such as Black women; and

Whereas, Medical education has perpetuated stereotypes surrounding Black patients and their experience of pain, which persists across different areas of pain care, with non-white patients receiving lesser quality pain care; and

Whereas, As a result, stereotypes surrounding the prevalence of endometriosis among women of color can cause them to be less likely to seek medical attention for their symptoms; and

Whereas, Menstrual disorders, such as endometriosis, could start as early as menarche sets in and can persist beyond adolescence; and

Whereas, Healthcare providers should reflect on their own potential implicit and explicit bias regarding endometriosis among women of color; and

Whereas, Moreover, it is imperative to limit misinformation among healthcare providers for students so that early intervention for a diagnosis of endometriosis can prevent future suffering; and

Whereas, The New York City (NYC) Council made a commitment toward advancing menstrual equity for students with the passage of Local Law 84 of 2016, which requires the NYC Department of Education (DOE) to make feminine hygiene products available at no cost to students in the bathrooms of school buildings located in facilities that are leased by the DOE or over which DOE has care, custody, and control, serving female students in grades six through twelve; now, therefore, be it

Resolved, That the Council of the City of New York calls on New York City Department of Education to create a training program for school nurses and physicians to learn about endometriosis, including formation on systemic racism, bias, and racial and gender-based disparities related to the condition.

Referred to the Committee on Women and Gender Equity.

Int. No. 894

By Council Members Menin and Ung.

A Local Law in relation to establishing a temporary program to resolve outstanding judgments imposed by the environmental control board and parking violations bureau

Be it enacted by the Council as follows:

Section 1. Temporary program to resolve outstanding judgments. a. Definitions. For purposes of this section, the following terms have the following meanings:

Amnesty period. The term “amnesty period” means the period of time, as determined by the department of finance pursuant to subdivision f of this section, during which a payor or respondent may resolve outstanding judgments imposed by the environmental control board or the parking violations bureau pursuant to the temporary program.

Base penalty. The term “base penalty” means, with respect to any notice of violation returnable to the environmental control board or the parking violations bureau, the penalty that would be imposed upon a timely admission by the respondent or finding of liability after an adjudication, pursuant to the applicable penalty schedule, without regard to reductions of penalty in cases of mitigation or involving stipulations.

City. The term “city” means the city of New York.

Default decision and order. The term “default decision and order” means:

a. A decision and order of the environmental control board, pursuant to subparagraph (d) of paragraph (1) of subdivision d of section 1049-a of the charter of the city, determining a respondent’s liability for a violation charged based upon that respondent’s failure to plead within the time allowed by the rules of the environmental control board or failure to appear before the environmental control board on a designated adjudication date or on a subsequent date following an adjournment.

b. A decision and order of the parking violations bureau, pursuant to subdivision b of section 19-207 or subdivision a of section 19-211, determining a respondent’s liability for a violation charged based upon that respondent’s failure to respond or plead within the time allowed by the rules of the parking violations bureau or failure to appear before the parking violations bureau on a designated adjudication date or on a subsequent date following an adjournment.

Default penalty. The term “default penalty” means:

a. With respect to any notice of violation returnable to the environmental control board, the penalty imposed by the environmental control board, pursuant to subparagraph (d) of paragraph (1) of subdivision d of section 1049-a of the charter of the city, in an amount up to the maximum amount prescribed by law for the violation charged.

b. With respect to any notice of violation returnable to the parking violations bureau, the penalty imposed by the parking violations bureau, pursuant to subdivision b of section 19-207 or subdivision a of section 19-211, in an amount up to the maximum amount prescribed by law for the violation charged.

Environmental control board. The term “environmental control board” means a division of the office of administrative trials and hearings and its tribunal, as described in section 1049-a of the charter of the city.

Imposed penalty. The term “imposed penalty” means:

a. With respect to any notice of violation returnable to the environmental control board, the penalty imposed by the environmental control board after an adjudication, pursuant to subparagraph (a) of paragraph (1) of subdivision d of section 1049-a of the charter of the city.

b. With respect to any notice of violation returnable to the parking violations bureau, the penalty imposed by the parking violations bureau after an adjudication, pursuant to paragraph a of section 19-207.

Judgment. The term “judgment” means monies owed to the city as a result of a final order of:

a. The environmental control board imposing a civil penalty, either as a result of a default decision and order or after a hearing and finding of violation, that was entered in the civil court of the city or any other place provided for the entry of civil judgments within the state, pursuant to subparagraph (g) of paragraph (1) of subdivision d of section 1049-a of the charter of the city, no later than 90 days prior to the first day of the amnesty

period and determining a respondent's liability for a violation charged in accordance with the applicable penalty schedule.

b. The parking violations bureau imposing a civil penalty, either as a result of a default decision and order or after a hearing and finding of violation, that was entered in the civil court of the city or any other place provided for the entry of civil judgments within the state, pursuant to section 19-207, no later than 90 days prior to the first day of the amnesty period and determining a respondent's liability for a violation charged in accordance with the applicable penalty schedule

Parking violations bureau. The term "parking violations bureau" means a bureau created by section 19-201.

Payor. The term "payor" means a person or entity who is not the respondent but who makes the payment for a particular judgment docketed by the environmental control board or the parking violations bureau.

Penalty schedule. The term "penalty schedule" means:

a. The schedule of penalties for particular violations of state or local law, or any rule or regulation promulgated thereunder, adopted as a rule by the environmental control board or by any city agency for violations adjudicated by the environmental control board pursuant to section 1049-a of the charter of the city, and published in the rules of the city, or any such predecessor schedule as may have applied on the date of the violation.

b. The schedule of penalties for particular violations of state or local law, or any rule or regulation promulgated thereunder, adopted as a rule by the parking violations bureau or for violations adjudicated by the parking violations bureau pursuant to section 19-207, and published in the rules of the city, or any such predecessor schedule as may have applied on the date of the violation.

Resolve. The term "resolve" means, with respect to an outstanding judgment of the environmental control board or parking violations bureau, to conclude all legal proceedings in connection with a notice of violation.

Respondent. The term "respondent" means a person or entity named as the subject of a notice of violation returnable to, or a judgment issued by, the environmental control board or parking violations bureau.

State. The term "state" means the state of New York.

Temporary program. The term "temporary program" means the temporary program to resolve outstanding judgments established pursuant to this local law.

b. Temporary program to resolve outstanding judgments. 1. Subject to an appropriate concurring resolution of the environmental control board described in subdivision a of section 1049-a of the charter of the city, and notwithstanding any other provision of law to the contrary, the commissioner of finance shall establish a temporary program to resolve outstanding judgments imposed by the environmental control board, for a ninety day period to be effective during the fiscal year that commences on July 1, 2024, that permits respondents who are subject to:

(a) judgments resulting from a default decision and order to resolve such judgments by payment of base penalties without payment of default penalties and accrued interest; and

(b) judgments entered after an adjudication and finding of violation to resolve such judgments by payment of seventy-five percent of the imposed penalties without payment of accrued interest.

2. Notwithstanding any other provision of law to the contrary, the commissioner of finance shall establish a temporary program to resolve outstanding judgments imposed by the parking violations bureau, for a ninety day period to be effective during the fiscal year that commences on July 1, 2024, that permits respondents who are subject to:

(a) judgments resulting from a default decision and order to resolve such judgments by payment of base penalties without payment of default penalties and accrued interest; and

(b) judgments entered after an adjudication and finding of violation to resolve such judgments by payment of 75 percent of the imposed penalties without payment of accrued interest.

3. All judgments described in paragraph 1 and 2 of this subdivision may be resolved under the temporary program except as otherwise specified by subdivisions c and d of this section.

c. Judgments that may only be resolved under the temporary program subject to certain conditions. 1. A judgment resulting from a default decision and order may not be resolved under the temporary program unless the base penalty of the violation that is the subject of the default decision and order can be determined from the notice of the violation, default decision and order, or applicable penalty schedule alone or from a combination of any of the foregoing.

2. A judgment arising out of a notice of violation that includes an order requiring the correction of the violation, where applicable, may be resolved under the temporary program only if the city agency that issued the notice of violation has issued, on or before the last day of the amnesty period, a certificate of compliance indicating that the condition cited in such notice of violation has been corrected to the satisfaction of such agency.

3. A judgment resulting from a default decision and order for which a respondent or payor has, prior to the first day of the amnesty period, made payments greater than or equal to the base penalty may only be resolved under the temporary program if such a respondent or payor submits an application for resolution of such judgment to the commissioner of finance in a manner and form to be determined by such commissioner. Such commissioner may impose a fee of up to \$1 for submission of such an application.

d. Judgments that may not be resolved under the temporary program. 1. A judgment shall not be resolved under the temporary program if the judgment had been the subject of an agreement with a marshal or sheriff that was executed prior to the amnesty period.

2. A judgment shall not be resolved under the temporary program if a respondent or payor fails to pay the amounts described in subdivision b of this local law to the department of finance on or before the last day of the amnesty period.

3. A judgment shall not be resolved under the temporary program if such judgment is for a violation that is the subject of a criminal investigation.

e. Conditions for participation in the temporary program. 1. A payment from a respondent or payor to resolve an outstanding judgment from a default decision and order under the temporary program shall be deemed an admission of the liability for the violation that resulted in the default decision and order.

2. A resolution of a judgment under the temporary program shall constitute a waiver of all legal and factual defenses to liability for the judgment.

f. Certificates of correction. Nothing contained herein shall require a city agency to issue or approve certificates of correction or the equivalent if such agency does not have a program to do so as of the effective date of this local law.

g. Duration of the temporary program. The amnesty period shall be in effect for a period of 90 days during the fiscal year that commences on July 1, 2024, provided that such amnesty period may be extended for an additional period of 90 days by rule of the commissioner of finance if such commissioner determines that such an extension would encourage further resolution of outstanding judgments, generate revenue for the city and reduce the amount of outstanding debt owed to the city.

h. Judgments that remain outstanding after conclusion of the temporary program. After the amnesty period has concluded, any judgment that remains outstanding and has not been resolved by this program shall continue to have full legal effectiveness and enforceability regardless of whether it could have been resolved under this program.

i. Notification of public. The commissioner of finance shall publicize the temporary program so as to maximize public awareness of and participation in such program.

§ 2. This local law takes effect immediately.

Referred to the Committee on Finance.

Int. No. 895

By Council Members Menin, Schulman, Joseph, Restler, Louis, Brannan, Cabán and Carr.

A Local Law to amend the administrative code of the city of New York, in relation to requiring schools and child care programs to stock epinephrine auto-injector devices

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 17-199.26 to read as follows:

§ 17-199.26 *Epinephrine auto-injector devices. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Child care facility. The term "child care facility" has the same meaning as the term "facility" as defined in section 47.01 of the New York city health code.

Child care program. The term "child care program" has the same meaning as in section 47.01 of the New York city health code.

Epinephrine auto-injector device. The term "epinephrine auto-injector device" has the same meaning as in section 3000-c of the public health law.

School premises. The term "school premises" means any building or facility, or any portion thereof, in which there is a public school, private school, or charter school.

b. The department of education and each private school and charter school shall stock epinephrine auto-injectors in all school premises under their respective control, in accordance with section 3000-c of the public health law.

c. Each child care program shall stock epinephrine auto-injectors in all child care facilities under its control, in accordance with section 3000-c of the public health law.

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

Referred to the Committee on Health.

Int. No. 896

By Council Members Moya, Cabán, Holden, Ossé, Abreu, Brewer, Rivera, Hudson, Farías, Ung, Bottcher and Marte.

A Local Law to amend the administrative code of the city of New York, in relation to limiting nighttime illumination for certain buildings

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 1 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-116.2 to read as follows:

§ 24-116.2 *Limitations on nighttime illumination. a. As used in this section, the term "night" means the period of time beginning at sunset and ending at sunrise.*

b. No exterior or interior of a building whose main use or dominant occupancy is classified in group B or M pursuant to the New York city building code may be illuminated at night, except as follows:

1. This subdivision shall not apply to a retail or wholesale establishment that sells good or services to consumers and occupies under 4,000 square feet of retail or wholesale space, excluding storage space, and is not one of a chain of stores.

2. An owner of a building that is a landmark, as such term is defined in section 25-302, and 20 or more stories in height may apply to the landmarks preservation commission for relief from the provisions of this section for such building. If such commission finds that such building is a significant part of the city's skyline, as determined pursuant to rules promulgated by such commission, such commission may, after consultation with the department, waive or vary the provisions of this section for such building.

3. Upon a showing by a building owner that special circumstances indicate a need for night security lighting for such building, the department may waive or vary the provisions of this section for such building to the minimum extent necessary to accommodate such lighting. The department shall, in coordination with the police department and the department of buildings, promulgate rules defining such special circumstances.

4. Where individuals are inside of a building at night, such building's interior or exterior may remain illuminated until such individuals exit such building.

5. This subdivision shall not prohibit illumination of a building's interior or exterior at night where such illumination is required by law, rule or the zoning resolution of the city of New York.

6. Storefront display windows containing temporary seasonal displays may be illuminated until midnight or until the last individual within the building exits, whichever occurs later.

7. Storefront display windows, other than those containing temporary seasonal displays, may be illuminated at night, provided that (i) such illumination does not exceed 50 watts per linear foot of the window perimeter until midnight and does not exceed 25 watts per linear foot of the window perimeter after midnight, (ii) no more than 20 percent of the luminaires providing such illumination are located more than 15 feet from the window, and (iii) each luminaire used for such illumination has a luminous efficacy greater than 30 lumens per watt.

c. An owner or operator of a building found to be in violation of this section shall be subject to a civil penalty of \$1,000 for each violation.

d. The department shall enforce the provisions of this section.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of environmental protection and chair of the landmarks preservation commission 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 Environmental Protection, Resiliency and Waterfronts.

Int. No. 897

By Council Members Narcisse, Schulman, Banks and Brannan.

A Local Law to amend the New York city charter, in relation to the committee on city healthcare services

Be it enacted by the Council as follows:

Section 1. Section 20-e of the New York city charter, as added by local law 6 for the year 2018, is amended to read as follows:

§ 20-e. Committee on city healthcare services. a. There shall be a committee on city healthcare services established by the mayor, or the mayor's designee, to review community-based health indicators in New York city, and evaluate community-level health needs that can be addressed by city healthcare services.

b. Such committee shall consist of, but need not be limited to: a representative from the department of health and mental hygiene; representatives from city agencies that provide healthcare services or that contract with entities for the provision of healthcare services; the speaker of the council or their designee; and the chairperson of the council committee on health, or successor committee, or their designee. A representative of the New York city health and hospitals corporation shall be invited to join. In addition, the mayor and the speaker shall each appoint [five]5 members representing healthcare stakeholders throughout the city[.], and at least 3 of the 5 such members appointed by the mayor and by the speaker shall represent healthcare stakeholders that focus on providing care to vulnerable populations, as listed in paragraph 2, subdivision d of this section.

c. The mayor or the mayor's designee shall designate the chairperson of the committee from among its members who shall preside over meetings. Members will be eligible for reappointment every [four] 4 years.

d. The committee shall issue a report on October 15, 2018, and every [two] 2 years thereafter. Such report shall be submitted to the mayor and the speaker of the council and posted [online] publicly on the department of health and mental hygiene's website. The report shall include, but not be limited to, the following information and data:

1. A review and compendium of reports produced by the city over the previous [two]2-year period pertaining to the provision of healthcare services[.];

2. Recommendations for utilizing city healthcare services to address the healthcare needs of, and engage in outreach to, vulnerable populations, including, but not limited to: low-income individuals; the uninsured; the under-insured; homeless individuals and families; incarcerated individuals; communities of color; the aging; lesbian, gay, bisexual and transgender individuals; immigrants; women; people with limited English proficiency; individuals under the age of 21; and people with disabilities;

3. A summary of any projects or programs undertaken to coordinate healthcare services across city agencies, with particular emphasis on historically underserved or vulnerable populations, and recommendations to improve such coordination and make optimal use of existing healthcare services;

4. A description for the immediately preceding fiscal year of allocations for healthcare services by the department of health and mental hygiene and all other agencies directly providing healthcare services to anyone other than an employee of such agency, or which contract with entities for the direct provision of healthcare services, and the number of persons served by the department and such agencies. The information described in this subparagraph shall be provided to the mayor and the speaker annually on October 15; [and]

5. A review and analysis of existing reportable city agency data for the immediately preceding fiscal year that may include, but need not be limited to, the following data, disaggregated geographically to the extent the data is available in such a disaggregated format:

- (a) insurance coverage,
- (b) infant mortality rates per 1000 live births,
- (c) immunizations,
- (d) smoking,
- (e) obesity,
- (f) hypertension,
- (g) asthma,
- (h) preventive care visits,
- (i) emergency room visits,
- (j) number of unique inpatients and outpatient visits at facilities operated by health and hospitals corporation,

and

- (k) other data or indicators of community health and healthcare service delivery[.];

6. An overview of the locations of clinical healthcare services operated by the city, inclusive of current street addresses[.];

7. An explanation of the methodology used to solicit input from members of the public, as required by subdivision e of this section; and

8. A summary of the steps taken to implement any of the recommendations discussed in the preceding report.

e. In carrying out the requirements of this section, the committee shall provide opportunity for meaningful and relevant input from, and duly solicit and consider the recommendations of, additional local providers of healthcare services, healthcare workers and organizations representing them, social service providers, community groups, patient and community advocacy organizations, and other members of the public. *Such input shall be solicited through a community survey or a public hearing.*

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

Referred to the Committee on Health.

Res. No. 411

Resolution calling on the New York State legislature to pass, and the Governor to sign, legislation to require hospitals to publicly disclose demographic data on cesarean sections and to reduce unnecessary cesarean sections among disproportionately affected populations.

By Council Members Narcisse, Louis, Restler, Gutiérrez and Farías.

Whereas, Cesarean section (C-section) rates have been on the rise in the United States, with approximately 32% of all births occurring via C-section, according to the latest data from the Centers for Disease Control and Prevention (CDC); and

Whereas, A C-section, also known as a cesarean birth, is a surgical procedure to deliver a baby by making an incision in the mother's abdomen and uterus that can be planned or performed in an emergency to deliver a baby when a vaginal delivery cannot be done safely; and

Whereas, While C-sections are relatively safe, life-saving intervention for the child and the birthing parent, there are certain risks associated with C-sections including increased risk of infection of the wound and womb lining, longer recovery times, and increased risk of complications in future pregnancies such as placenta previa, uterine rupture, and stillbirth, as well as heightened odds for the child of developing asthma and obesity; and

Whereas, The American Congress of Obstetricians and Gynecologists (ACOG) recommends a C-section rate of no more than 10-15% of all deliveries to ensure optimal maternal and infant health; and

Whereas, New York State had a C-section rate of 33.9% in 2022, significantly exceeding the ACOG recommended range, per the March of Dimes; and

Whereas, Currently New York State (NYS) hospitals are required to report certain annual percentage data on C-sections to the NYS Department of Health (DOH) as well as to the patient; and

Whereas, Despite existing reporting requirements, there is a lack of publicly available information regarding C-section rates broken down by demographic factors such as race, ethnicity, socioeconomic status, and maternal age; and

Whereas, Research suggests that racial and ethnic disparities exist in C-section rates, with Black and Hispanic mothers experiencing significantly higher rates compared to white mothers, even when controlling for medical risk factors; and

Whereas, While Clinical factors known to contribute to unplanned cesarean birth include nulliparity, which describes a female of reproductive age who has never given a live birth, larger fetal size, malposition of fetus, more advanced maternal age, and higher body mass index (BMI), several studies show that self-identification as Black increases odds of unplanned cesarean birth by as much as tenfold, even after adjusting for clinical factors, per BioMed Central (BMC); and

Whereas, A 2023 study published on BMC analyzing caesarian birth among low-risk nulliparity pregnancies found that rates of unplanned cesarean birth were significantly higher among Black (24.1%) and Hispanic participants (24.7%) compared to white participants (17.4%); and

Whereas, According to BMC, unplanned cesarean births are a principal driver of maternal morbidity and mortality in otherwise low-risk pregnant people; and

Whereas, Nationally, Black pregnant people are 3.2 times more likely to die in pregnancy and childbirth and 1.7 times more likely to experience severe maternal morbidity compared to their white counterparts; and

Whereas, Per the NYS Report of Pregnancy-Associated Deaths in 2018, Black, non-Hispanic women were 5 times more likely to die of pregnancy-related causes than white, non-Hispanic women, and had the highest mortality rates for both vaginal and cesarean birth among all ethnic groups analyzed; and

Whereas, The report highlighted that discrimination was a probable or definite circumstance surrounding 46% of pregnancy-related deaths; and

Whereas, Considering these disparities, increased transparency regarding C-section rates across demographics is crucial for identifying and addressing systemic inequalities in maternal healthcare access and outcomes; and

Whereas, Prioritizing efforts aimed at reducing unnecessary C-sections is imperative for decreasing maternal mortality rates in New York; and

Whereas, Providing demographic data on C-section rates will enable policymakers, healthcare providers, and communities to develop targeted interventions to reduce unnecessary C-sections and improve maternal health outcomes for all women and pregnant people while empowering them to make informed decisions about their birthing options and advocate for their healthcare needs; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State legislature to pass, and the Governor to sign, legislation to require hospitals to publically disclose demographic data on cesarean sections and to reduce unnecessary cesarean sections among disproportionately affected populations.

Referred to the Committee on Hospitals.

Int. No. 898

By Council Member Nurse (by request of the Mayor).

A Local Law to amend the administrative code of the city of New York, in relation to the establishment of the Cypress Hills Fulton business improvement district

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 25 of the administrative code of the city of New York is amended by adding a new section 25-495 to read as follows:

§ 25-495 Cypress Hills Fulton business improvement district. a. The city council having determined, pursuant to section 25-407 of chapter four of this title: that notice of hearing for all hearings required to be held was published and mailed as required by law and was otherwise sufficient; that, except as otherwise provided in section 25-403 of chapter four of this title, all the real property within the boundaries of the district will benefit from the establishment of the district; that all the real property benefited is included within the limits of the district; and that the establishment of the district is in the public interest; and the council having determined further that the requisite number of owners have not objected as provided in section 25-406 of chapter four of this title, there is hereby established in the borough of Brooklyn, the Cypress Hills Fulton business improvement district. Such district is established in accordance with the district plan required to be filed with the city clerk pursuant to subdivision b of this section.

b. Immediately upon adoption of this local law by the council, the council shall file with the city clerk the district plan upon which the Cypress Hills Fulton business improvement district is based.

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

§ 2. This local law shall take effect upon compliance with section 25-408 of chapter 4 of title 25 of the administrative code of the city of New York.

Referred to the Committee on Finance.

Int. No. 899

By Council Members Nurse and Brannan.

A Local Law to amend the administrative code of the city of New York, in relation to requiring a public education campaign on how to prevent unsolicited advertising on private property

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-118.2 to read as follows:

§ 16-118.2 Public education campaign on prevention of unsolicited advertising on private property. a. The commissioner shall conduct an ongoing education campaign for the public, including but not limited to owners of private property, to increase awareness of section 397-a of the general business law that prohibits unsolicited advertising on private property under certain conditions and any rules promulgated pursuant to such section. Through such campaign, the commissioner shall, at least:

1. Educate the public on the prohibition imposed by such section, exceptions to such prohibition, authorizations and requirements under such section for owners of private property, specifications under such section for the design and content of signs, and civil penalties imposed on violators of such section;

2. Create sample signs meeting the requirements of subdivision 2 of such section and make such signs available on the department's website for download and legible printing by the public; and

3. Educate the public on processes of the department and environmental control board that are applicable to owners of private property under such section, including the reporting of violations of such section to the department and adjudication of violations of such section.

b. In the event section 397-a of the general business law is repealed, the commissioner shall conduct an ongoing education campaign for the public, including but not limited to owners of private property, on any state of New York or local law or regulation intended for the same purpose as such section.

§ 2. This local law takes effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management.

Res. No. 412

Resolution concerning the establishment of the Cypress Hills Fulton Business Improvement District in the Borough of Brooklyn and setting the date, time and place for the public hearing to hear all persons interested in the establishment of such district.

By Council Members Nurse and Gutiérrez.

WHEREAS, pursuant to the authority granted by chapter 4 of title 25 of the Administrative Code of the City of New York (“the Law”), the Mayor, by authorization dated December 12, 2023, provided for the preparation of a district plan (“the Plan”) for the Cypress Hills Fulton Business Improvement District (“the District”) in the Borough of Brooklyn; and

WHEREAS, pursuant to Local Law No. 82 for the year 1990, the City Council assumed responsibility for adopting legislation establishing Business Improvement Districts; and

WHEREAS, pursuant to section 25-405(c) of the Law, the New York City Department of Small Business Services (“SBS”) submitted the Plan to the City Planning Commission (“the CPC”) on February 2, 2024; and

WHEREAS, pursuant to section 25-405(c) of the Law, the CPC submitted the Plan to the City Council on February 2, 2024; and

WHEREAS, pursuant to section 25-405(c) of the Law, the CPC submitted the Plan to the Council Member representing the council district in which the proposed District is located on February 2, 2024; and

WHEREAS, pursuant to section 25-405(c) of the Law, the CPC submitted the Plan to the community board for the community district in which the proposed District is located (Brooklyn Community Board 5, hereinafter “the Community Board”) on February 2, 2024; and

WHEREAS, the CPC submitted the Plan to the Brooklyn Borough President on February 2, 2024; and

WHEREAS, pursuant to section 25-405(c) of the Law, the Community Board notified the public of the Plan in accordance with the requirements established by the CPC; and

WHEREAS, on February 28, 2024, the Community Board voted to approve the establishment of the District; and

WHEREAS, pursuant to section 25-405(c) of the Law, the CPC reviewed the Plan, held a public hearing and prepared a report certifying its unqualified approval of the Plan; and

WHEREAS, pursuant to section 25-405(c) of the Law, the CPC submitted its report to the Mayor, to the Brooklyn Borough President, to the City Council, and to the Council Member representing the council district in which the proposed District is located; and

WHEREAS, pursuant to section 25-405(c) of the Law, a copy of the CPC's report, together with the original Plan, was transmitted for filing with the City Clerk on April 3, 2024; and

WHEREAS, pursuant to section 25-406(a) of the Law, a copy of the Plan and the CPC's report are annexed hereto and are made part of this Resolution; and

WHEREAS, pursuant to section 25-406(a) of the Law, the Plan is on file for public inspection in the Office of the City Clerk, 141 Worth Street, New York, New York; and

WHEREAS, pursuant to Section 25-406(b) of the Law, any owner of real property, deemed benefited and therefore within the District, objecting to the plan must file an objection at the Office of the City Clerk within thirty days of the conclusion of the hearing held by the City Council, notice of which is provided by this Resolution, on forms made available by the City Clerk; and

WHEREAS, pursuant to Section 25-406(b) of the Law, if owners of at least fifty-one percent of the assessed valuation of all the benefited real property situated within the boundaries of the District proposed for establishment, as shown upon the latest completed assessment roll of the City, or at least fifty-one percent of the owners of benefited real property within the area included in the District proposed for establishment, file objections to the Plan with the City Clerk within the thirty-day objection period, the District will not be established; now, therefore, be it

RESOLVED, that the Council of the City of New York, pursuant to Section 25-406 of the Law, hereby directs that:

(i) June 20, 2024 is the date and 10:00 AM is the time and the City Council Committee Room, City Hall, 2nd Floor, is the place for a public hearing ("the Public Hearing") to hear all persons interested in the establishment of the District;

(ii) the Cypress Hills Fulton Business Improvement District Steering Committee shall, not less than ten nor more than thirty days before the date of the Public Hearing, mail a copy of this Resolution or a summary thereof to each owner of real property within the proposed District at the address shown on the latest City assessment roll, to such other persons as are registered with the City to receive tax bills concerning real property within the proposed District, and to the tenants of each building within the proposed District;

(iii) SBS shall arrange for the publication of a copy of this Resolution or a summary thereof at least once in the City Record or a newspaper in general circulation in the City, the first publication to be not less than ten (10) nor more than thirty (30) days before the date of the Public Hearing; and

(iv) in the event that the Cypress Hills Fulton Business Improvement District Steering Committee mails, or SBS arranges for the publication of, a summary of this Resolution, such summary shall include the information required by section 25-406(c) of the Law.

Referred to the Committee on Finance.

Preconsidered Res. No. 413

Resolution calling on the New York State Legislature to pass, and the Governor to sign S4855/A5344, in relation to retroactively adjusting the compensation of formerly incarcerated individuals who were unjustly convicted.

By Council Members Nurse, Cabán and Hanif.

Whereas, Many unjustly and wrongfully convicted individuals have suffered not only the loss of their freedom, but also endured exploitation through compulsory labor during their incarceration, receiving inadequate compensation for their work; and

Whereas, According to *13th Forward*, wages for incarcerated workers range from just 10 cents to 65 cents per hour, before garnishments from fines and fees, and the vast majority of incarcerated workers earn less than 33 cents per hour; and

Whereas, New York State Correction Law Article 7 pertains to labor in correctional institutions, however, lacks provisions ensuring individuals unjustly or wrongfully convicted receive proper recompense for the compulsory work they performed while incarcerated; and

Whereas, Legislative measures are needed to address this injustice and ensure people who are unjustly or wrongfully convicted receive fair compensation for their work; and

Whereas, S4855/A5344 sponsored by New York State Senator Cordell Cleare and New York State Assemblymember Brian Cunningham, respectively, aims to address this problem by ensuring the vindicated receive proper remuneration to reflect their work without being penalized for it from a New York tax perspective; and

Whereas, This legislation seeks to amend the New York State Correction Law and Tax Law to retroactively adjust the compensation of formerly incarcerated individuals who were unjustly convicted as defined by the law, to reflect the value of their labor as well as exempting such adjusted income from State income taxes; and

Whereas, The City Council believes S4855/A5344 ensures that individuals who have suffered unjust and wrongful convictions are not further disadvantaged by financial burdens or tax penalties related to their unjust incarceration; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign S4855/A5344, in relation to retroactively adjusting the compensation of formerly incarcerated individuals who were unjustly convicted.

Referred to the Committee on Public Safety (preconsidered but laid over by the Committee on Public Safety).

Preconsidered Res. No. 414

Resolution calling on the New York State Legislature to pass, and the Governor to sign S.4795/A.5959, requiring at least one member of the State Board of Parole be a formerly incarcerated person.

By Council Members Nurse and Cabán.

Whereas, The New York State Board of Parole (“the Board”) determines whether to release eligible incarcerated individuals based on their rehabilitation and readiness to rejoin society; and

Whereas, Every year, between 10,000 and 12,000 people in New York State appear before the Board to make their case for release, according to multiple sources; and

Whereas, The Board has been criticized for not releasing enough incarcerated people who are up for parole and approximately 60 percent of parole applications were denied as of December 2023, according to New York Focus; and

Whereas, Pursuant to section 259-b of the New York Executive Law, the Board is comprised of up to nineteen members appointed by the governor with the advice and consent of the senate, and each member must have a degree from an accredited four-year college or university and at least five years of experience in fields such as criminology, law enforcement, corrections or psychology; and

Whereas, There is no requirement that the Board include a formerly incarcerated individual; and

Whereas, The Board would benefit from the perspective and insights of someone who has directly experienced the challenges of incarceration, rehabilitation and reintegration and therefore has a unique understanding of the needs and concerns of those seeking parole; and

Whereas, A formerly incarcerated person could offer invaluable insight and perspective into the complexities of the criminal justice system and contribute to promoting fairness and empathy within the parole decision-making process, ultimately leading to more informed and just outcomes; and

Whereas, S.4795, introduced by Senator Cordell Cleare and pending in the New York State Senate, and its companion bill A.5959, introduced by Assembly Member Harvey Epstein and pending in the New York State Assembly, would amend section 259-b of the Executive Law to require the governor to appoint at least one formerly incarcerated person to the Board.; and

Whereas, S.4795/A,5959 would help ensure that the Board represents a diverse range of viewpoints and promote fairness in parole decision-making; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign S.4795/A.5959, requiring at least one member of the State Board of Parole be a formerly incarcerated person.

Referred to the Committee on Public Safety (preconsidered but laid over by the Committee on Public Safety).

Int. No. 900

By Council Members Powers, Bottcher, Nurse, Krishnan, Abreu, Gennaro and Brannan.

A Local Law to amend the administrative code of the city of New York, in relation to installing drinking fountains in public spaces

Be it enacted by the Council as follows:

Section 1. Subchapter 4 of chapter 3 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-370 to read as follows:

§ 24-370 Drinking fountains. a. The commissioner of environmental protection, in collaboration with the commissioner of transportation and the commissioner of citywide administrative services, shall establish a program to install 500 drinking fountains in public locations throughout the city by 2030. No drinking fountain installed before the effective date of this section shall be counted toward the fulfillment of the requirements of this subdivision. As part of such program, the commissioners shall install at least 50 drinking fountains per borough with a focus on communities underserved by publicly accessible drinking fountains. Such drinking fountains shall be operational at least from April to September each year, and shall be designed to accommodate reusable water bottles, as well as to accommodate persons with disabilities. Such program shall commence no later than 2 years after the effective date of this section.

b. No later than 5 years after the effective date of this section, the commissioner of environmental protection, in collaboration with the commissioner of transportation and the commissioner of citywide administrative services, shall submit to the mayor and speaker of the council a report that contains recommendations for extending such program, including by further expanding access in underserved communities. Such report shall also identify any challenges and issues presented by the program.

§ 2. This local law takes effect immediately.

Referred to the Committee on Environmental Protection, Resiliency and Waterfronts.

Preconsidered Res. No. 415

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.206-A/A.1432-A, which would remove the lifetime ban on jury duty for convicted felons and postpone jury service for any person currently incarcerated for a felony.

By the Public Advocate (Mr. Williams) and Council Members Restler and Cabán.

Whereas, Pursuant to section 510 of the New York State Judiciary Law, individuals convicted of felonies are permanently disqualified from serving on a jury within the New York State Unified Court System, including courts in New York City, regardless of the seriousness of the felony or how long ago it occurred, resulting in jury disenfranchisement; and

Whereas, There are constitutional bases for the responsibility of serving on a jury, such as the right to a trial by jury enshrined in the Sixth Amendment to the United States Constitution and in section 2 of article I of the New York State Constitution; and

Whereas, Jury service provides an opportunity for citizens to participate in the process of governing by giving them a voice in the justice system; and

Whereas, Section 509 of the New York State Judiciary Law already requires the individualized screening of all prospective jurors to determine their qualification for jury service in the New York State Unified Court System; and

Whereas, New York State law does not impose a ban on jury service relating to conduct that bears more directly than the commission of a felony on fitness to participate in a jury, like tampering with a juror in the first degree, which is a misdemeanor pursuant to section 215.25 of the New York State Penal Law; and

Whereas, New York State's lifetime ban on jury duty for convicted felons has a disproportionate impact on minorities, as according to the New York State Division of Criminal Justice Services and the National Center for Health Statistics, in 2022 in New York State, 45 percent of adult arrests for felonies and 51 percent of prison sentences involved Black individuals, compared to just 25 percent of adult arrests for felonies and 28 percent of prison sentences involving White individuals; and

Whereas, The New York State Division of Criminal Justice Services and the National Center for Health Statistics also reported that in 2022 in New York City, Black individuals were involved in 52 percent of adult arrests for felonies and 61 percent of prison sentences, compared to White individuals who accounted for only 9 percent of adult arrests for felonies and 5 percent of prison sentences; and

Whereas, The New York Civil Liberties Union (NYCLU), a not-for-profit organization focused on advancing civil rights for New Yorkers, filed a lawsuit in December 2022 challenging the exclusion of convicted felons from Manhattan jury service and reported that between 2002 and 2019, Black individuals in Manhattan were convicted of felonies at a rate more than 21 times greater than the felony conviction rate for White individuals; and

Whereas, The NYCLU additionally found in connection with filing such lawsuit that approximately 25 percent of Manhattan's Black residents, which is approximately 38,000 people, would be otherwise eligible to serve on a jury but are instead disqualified due to a prior felony conviction; and

Whereas, It is essential for New York City to safeguard its residents' ability to participate in civic society and make the justice system fairer by reducing jury disenfranchisement that has a disproportionate impact on Black individuals in New York City, through advocating for removal of the New York State legislative ban on jury service on the basis of a previous felony conviction; and

Whereas, S.206-A, introduced by New York State Senator Cordell Cleare and pending in the New York State Senate, and A.1432-A, introduced by New York State Assemblymember Jeffrion L. Aubry and pending in the New York State Assembly, seek to remove such ban and postpone the jury service of any person serving a term of incarceration for a felony during the period of such incarceration; and

Whereas, In May 2021, former New York State Governor Andrew Cuomo signed into law S.830-B/A.4448-A, to grant voting rights to formerly incarcerated individuals convicted of a felony, and the enactment of S.206-A/A.1432-A would be a logical next step in promoting justice and the rehabilitation of incarcerated individuals after release from custody; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, S. 206-A/A.1432-A, which would remove the lifetime ban on jury duty for convicted felons and postpone jury service for any person currently incarcerated for a felony.

Referred to the Committee on Public Safety (preconsidered but laid over by the Committee on Public Safety).

Preconsidered Res. No. 416

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.3103-B/A.6058-A, to require mental health services for incarcerated individuals with mental health issues related to the trauma of incarceration.

By the Public Advocate (Mr. Williams) and Council Members Restler and Cabán.

Whereas, Incarcerated individuals are housed in jails and prisons where they experience overcrowding, solitary confinement, routine exposure to violence, and mental trauma while disconnected from support systems such as family, friends, and other communities; and

Whereas, According to the Prison Policy Initiative, a non-profit organization advocating against mass criminalization, exposure of incarcerated individuals to violence and other common conditions in jails and prisons can exacerbate their existing mental health disorders and lead to their development of post-traumatic stress symptoms such as anxiety, depression, hypersensitivity, hypervigilance, suicidality, flashbacks, and difficulty with emotional regulation; and

Whereas, The Prison Policy Initiative theorizes that incarceration can lead to post-incarceration syndrome, a syndrome similar to post-traumatic stress disorder whereby individuals continue to suffer mental health effects related to their incarceration after serving their official sentences; and

Whereas, The Urban Institute, a non-profit research organization advocating for upward mobility and equity, posits that women are the fastest-growing incarcerated population in the United States and that many will experience violence, abuse, and trauma during their term of incarceration; and

Whereas, According to a study conducted by the Vera Institute of Justice and Black and Pink National from 2019 to 2022 involving transgender individuals incarcerated in state prisons, transgender people are especially at risk for contact with the criminal justice system and half of the individuals surveyed reported that their mental health deteriorated during their period of incarceration; and

Whereas, The Vera Institute of Justice argues that resources and treatment options within jails and prisons to help incarcerated individuals manage their mental health after release are woefully inadequate, even though according to the United States Department of Health and Human Services more than 600,000 incarcerated individuals are released from state and federal prisons each year while another 9 million incarcerated individuals cycle through local jails; and

Whereas, The Prison Policy Initiative reported in 2022, based on a survey conducted by the Bureau of Justice Statistics of the United States Department of Justice in 2016, that over 50 percent of individuals incarcerated in state prisons reported mental health problems but only 26 percent of these individuals received mental health treatment since entering prison; and

Whereas, The New York State Department of Corrections and Community Supervision (DOCCS) manages two prisons within New York City, Edgecombe Residential Treatment Facility in Manhattan and Queensboro Correctional Facility in Long Island City; and

Whereas, S.3103-B, introduced by New York State Senator Jabari Brisport and pending in the New York State Senate, and A.6058-A, introduced by New York State Assemblymember Michaelle C. Solages and pending in the New York State Assembly, seek to require mental health services for incarcerated individuals in DOCCS custody with mental health issues related to the trauma of incarceration, in part involving inclusion by DOCCS of mental health reentry services in the transitional accountability plan for each person within DOCCS custody

and provision by DOCCS of supportive services for incarcerated individuals upon release who received trauma intervention while in DOCCS custody; and

Whereas, The New York City Council believes that the provision of adequate mental health services to individuals who have endured the traumas of incarceration is essential during and after incarceration, particularly supporting S.3103-B/A.6058-A because there are incarcerated individuals in DOCCS custody residing in state prisons located within New York City; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, S.3103-B/A.6058-A, to require mental health services for incarcerated individuals with mental health issues related to the trauma of incarceration.

Referred to the Committee on Public Safety (preconsidered but laid over by the Committee on Public Safety).

Int. No. 901

By Council Members Riley, Restler and Brannan.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the office of financial empowerment to provide assistance to homeowners

Be it enacted by the Council as follows:

Section 1. Section 20-701 of the administrative code of the city of New York is amended by adding a new subdivision f to read as follows:

f. Homeowner. The term "homeowner" has the same meaning as set forth in subdivision a of section 1807 of the charter.

§ 2. Subchapter 1 of chapter 5 of title 20 of the administrative code of the city of New York is amended by adding a new section 20-706.6 to read as follows:

§ 20-706.6 Outreach and education on asset protection for homeowners. The department's office of financial empowerment and its financial education providers, in coordination with the office of the homeowner advocate, shall provide support and counseling to homeowners and their heirs on topics such as scam prevention, mortgage counseling, municipal payment assistance, repair financing, financial planning and estate planning.

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

Referred to the Committee on Consumer and Worker Protection.

Preconsidered Res. No. 417

Resolution calling on the New York State Legislature to pass, and the Governor to sign S4812/A5269A, in relation to the return of fines, restitution and reparation payments where there was an unjust conviction, in a timely manner.

By Council Members Riley and Cabán.

Whereas, Tragically, and inexcusably, there are many people in New York City and State that have been unjustly and wrongfully convicted of crimes and sentenced to a term of imprisonment; and

Whereas, As of 2023, more than 340 individuals in New York State have had their convictions vacated and dismissed since 1989, resulting in a collective loss of over 3,500 years of life due to wrongful convictions, as reported by the National Registry of Exonerations; and

Whereas, In addition to a prison sentence, many of these people have been subject to fines, restitution, and reparation payments; and

Whereas, Criminal fines can be quite exorbitant and can be a fixed amount or a range as designated in the New York State Penal Law (“Penal Law”) depending on the level of the offense; and

Whereas, Restitution and reparations can also be significant as the Penal Law authorizes the court to consider both as part of the sentence, requiring the defendant to make restitution of the fruits of his or her offense or reparation for the actual out-of-pocket loss caused and, in certain cases, any costs or losses incurred due to any adverse action taken against the victim; and

Whereas, New York Criminal Procedure Law (“CPL”) §420.10, which governs fines, restitution and reparations, lacks provisions to ensure individuals unjustly or wrongfully convicted, who have paid fines, restitution, or reparations, are able to recoup those payments in a timely manner, thereby helping to alleviate the financial hardships they face following the injustices they have endured; and

Whereas, S4812/A5269A sponsored by New York State Senator Cordell Cleare and New York State Assemblymember Brian Cunningham, respectively, seek to ensure individuals unjustly convicted can pursue the timely return of fines, restitution, or reparation payments that have been imposed on them by amending CPL §420.10; and

Whereas, The proposed legislation mandates that upon a determination of an unjust conviction, as defined by the legislation, including cases where the person was pardoned based on innocence, the decision was reversed, dismissed or conviction vacated, the individual shall have all monies returned to them within 90 days of official notice of adjudication; and

Whereas, S4812/A5269A would provide essential support to individuals who have been wrongfully convicted by ensuring the prompt return of financial payments imposed as a result of their unjust convictions; and

Whereas, The City Council believes this legislation aligns with principles of fairness and justice for those who have been subjected to unjust convictions; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign S4812/A5269A, in relation to the return of fines, restitution and reparation payments where there was an unjust conviction, in a timely manner

Referred to the Committee on Public Safety (preconsidered but laid over by the Committee on Public Safety).

Int. No. 902

By Council Members Rivera, Nurse, Hanks, Restler, Cabán, Hudson, Salaam, Abreu, Avilés, Krishnan, Ossé, De La Rosa, Won, Joseph, Williams and Brewer (by request of the Brooklyn Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to giving qualified entities a first opportunity to purchase and an opportunity to submit an offer to purchase certain residential buildings when offered for sale

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 9-a to read as follows:

CHAPTER 9-a
FIRST OPPORTUNITY TO PURCHASE

§ 26-851 Definitions. For the purposes of this section, the following terms have the following meanings:
Bona fide purchaser. The term “bona fide purchaser” means a person that has tendered a bona fide offer to purchase a residential building.

Bona fide offer to purchase. The term “bona fide offer to purchase” means an offer to purchase a residential building, which offer is made in writing, in good faith and without fraud.

Commissioner. The term “commissioner” means the commissioner of housing preservation and development or the head of a successor agency charged with the administration of this chapter.

Community land trust. The term “community land trust” means a corporation that satisfies the following criteria: (i)(a) is incorporated pursuant to article 11 of the private housing finance law and section 402 of the not-for-profit corporation law; (b) the certificate of incorporation of which specifically provides for the provision of housing for persons of low income, as such term is defined in subdivision 19 of section 2 of the private housing finance law, in the form of a community land trust; (c) has submitted such disclosure statements as shall be required by the department and received the approval of such department; (d) lawfully acquired all of its real property in full compliance with such corporation’s certificate of incorporation and any agreements with a governmental entity with respect to such property or such corporation; and (ii) provides in its by-laws that it will (a) acquire parcels of land, primarily for conveyance under long-term ground leases, (b) transfer ownership of any structural improvements located on such leased parcels to the lessees, (c) retain a preemptive option to purchase any such structural improvement at a price determined by formula that is designed to ensure that the improvement remains affordable to low-income households, and (d) have a board of directors composed of lessees of housing associated with the entity, an adult resident of a particular geographic area specified in the bylaws of the organization and any other category of persons described in the bylaws of the organization.

Department. The term “department” means the department of housing preservation and development or a successor agency charged with the administration of this chapter.

Extremely low-income. The term “extremely low-income” means the income of a household that is no more than 30 percent of the area median income, adjusted according to the size of the household.

First opportunity to purchase. The term “first opportunity to purchase” means an opportunity for a qualified entity to purchase, in good faith and without fraud, a residential building at list price before such residential building becomes available for sale in the public market.

Low-income. The term “low-income” means the income of a household that is more than 50 percent of the area median income but no more than 80 percent of the area median income, adjusted according to the size of the household.

Opportunity to submit an offer to purchase. The term “opportunity to submit an offer to purchase” means the right of a qualified entity to submit to the owner of a residential building, in writing, in good faith and without fraud, an offer to purchase such building at the higher of either the list price or the identical price, terms and conditions offered by another person that has submitted a bona fide offer to purchase.

Owner. The term “owner” means any person or entity, or combination of such persons or entities, or any agent of such persons or entities, that has a controlling interest in a residential building that is offered for or subject to sale.

Qualified entity. The term “qualified entity” means any entity that meets the criteria set forth in section 26-852, any nonprofit entity on the department’s Qualified Preservation Buyers List or similar department list, or any organization that has received funding to operate or implement a community land trust program.

Residential building. The term “residential building” means a building with three or more dwelling units which are rented, leased, let or hired out to be occupied, or are occupied, as the residence or home of three or more families living independently of each other.

Sale. The term “sale” means the transfer, in exchange for money or any other thing of economic value, of a present interest in a residential building, including beneficial use, where the value of the present interest is the fee interest in the residential building, or substantially equal to the value of that fee interest. For purposes of this definition, a transfer may be completed in one transaction or a series of transactions over time. The term “sale” includes short-sales.

Short-sale. The term “short-sale” means a sale approved by a mortgagee to a bona fide purchaser at a price that is less than the owner’s existing debt on the residential property.

Very low-income. The term “very low-income” means the income of a household that is more than 30 percent of the area median income but no more than 50 percent of the area median income, adjusted according to the size of the household.

§ 26-852 Qualified entity. a. The commissioner shall promulgate rules establishing a process for certifying, on an annual basis, not-for-profit organizations that meet the following criteria:

1. The organization is exempt from federal income tax under paragraph (3) of subsection (c) of section 501 of title 26 of the United States code;

2. The organization has demonstrated a commitment to the provision of permanently affordable housing for extremely low-, very low-, and low-income city residents, and to preventing the displacement of such residents;

3. The organization has demonstrated a commitment to community representation, engagement and accountability, as evidenced by relationships with local residents, neighborhood-based organizations or tenant counseling organizations; and

4. The organization has demonstrated the capacity, including but not limited to the legal and financial capacity, to effectively acquire and manage residential real property at multiple locations in the city, or the organization partners with a housing development organization that has demonstrated such legal and financial capacity to effectively acquire and manage residential real property at multiple locations in the city.

b. The commissioner shall review new applications for qualified entity status at least three times each calendar year. A qualified entity that has been certified under this section shall remain qualified for two years, so long as it continues to meet the eligibility criteria set forth in subdivision a of this section. Any such qualified entity may apply for renewed certification when the commissioner accepts new applications for qualified entity status.

c. The commissioner shall post on the department's website and provide in hard copy on request, a list of qualified entities and their contact information, including but not limited to a mailing address, electronic mail address, and a telephone number.

d. The commissioner shall investigate any complaint alleging that a qualified entity has not complied with this chapter. If after providing the qualified entity with notice and opportunity to be heard, the department determines that a not-for-profit organization listed as a qualified entity failed to comply with this chapter, the department may suspend or revoke that not-for-profit organization's certification as a qualified entity.

§ 26-853 Notice of sale. a. An owner of a residential building shall provide notice to the department of such owner's action that will result in the sale of the residential building.

b. The owner shall provide such notice of sale no less than 180 days before taking such action. The notice may be provided fewer than 180 days before the owner takes such action where the owner shows good cause for delay, including but not limited to the owner's death or financial hardship, provided that the owner is not a corporation, or a limited liability company whose membership includes a corporation.

c. A notice of sale shall include the following information:

1. The name and address of each owner of the residential building;
2. All addresses and names of the residential building;
3. The action that will result in a sale;
4. The date on which such action is anticipated to take place;
5. The provision of law, rule or regulation pursuant to which such action is authorized, if any;
6. The total number and type of dwelling units subject to a sale;
7. The rent collected for each dwelling unit as of the date of the notice;
8. The income and expense report for the 12-month period before the notice of sale, including capital improvements, real property taxes and other municipal charges;
9. The amount of the outstanding mortgage as of the date of the notice;
10. The two most recent inspection reports of comprehensive building-wide inspections conducted by the department or the department of buildings, if any;
11. A statement that a qualified entity holds the opportunity to submit an offer to purchase as required by section 26-855 and the first opportunity to purchase as required by section 26-856; and
12. Such other information as the department may require.

d. An owner may withdraw a notice of sale, subject to the terms of any accepted offer to purchase or executed purchase and sale agreement, and to applicable statutory and common law remedies. In such event, the owner shall give notice of withdrawal to the department and to any qualified entity that submitted an offer to purchase such building. However, if the owner decides at any time to take an action that will result in a sale, such owner shall comply with subdivisions a, b and c of this section and with all other applicable requirements of this chapter.

e. Notwithstanding any provision of this section to the contrary:

1. A person shall be deemed to have complied with the requirement to provide notice of sale or notice of withdrawal under this section if such person has complied with a substantially similar notice requirement imposed pursuant to a superseding city, state or federal statute or program; and

2. If the notice of sale or notice of withdrawal is required by this section to include more information than is required by any applicable superseding city, state or federal statute or program, the additional information required by this section shall be provided within the time period established by the superseding statute or program.

§ 26-854 Notice of bona fide offer to purchase. a. If the owner of a residential building receives a bona fide offer to purchase such building and intends to consider or respond to such offer, then the owner shall provide a notice of bona fide offer to purchase to all qualified entities and the department no more than 15 days from the date such bona fide offer to purchase is delivered to the owner.

b. A notice of bona fide offer to purchase shall include the following information:

1. The name and address of the person who made the offer; and

2. The price and terms and conditions of the offer.

c. Within 15 days of completing the sale of such building, the owner shall provide a notice of sale to the department and any qualified entity that submitted an offer to purchase such building.

§ 26-855 Opportunity to submit an offer to purchase. a. Each qualified entity shall have an opportunity to submit an offer to purchase as defined in section 26-851.

b. A qualified entity shall provide notice of intent to exercise an opportunity to submit an offer to purchase to the owner of a residential building and the department within 60 days after the notice of sale pursuant to subdivision a of section 26-853 has been made.

c. Following notice of sale by the owner in compliance with subdivision a of section 26-853, a qualified entity shall have 120 days from the date of such notice to submit its offer to purchase, during which time the owner may not accept any other offer to purchase.

d. Following notice of bona fide offer to purchase by the owner in compliance with section 26-854, a qualified entity shall have 120 days from the date of such notice to submit its offer to purchase, during which time the owner may not accept any other offer to purchase.

e. The commissioner may extend any time limit set forth in this section upon application and for good cause shown, provided that the party applying for the extension was not at fault in causing the need for the extension.

f. If a qualified entity does not submit an offer in writing to the owner and the department within the time periods stated in subdivisions c or d of this section following provision of notice of sale by the owner under subdivision a of section 26-853 or notice of bona fide offer to purchase by the owner under subdivision a of section 26-854, then such opportunity to submit an offer to purchase shall be deemed waived and the owner shall have no further obligations under this section.

g. A qualified entity that has submitted a notice of intent to exercise an opportunity to submit an offer to purchase under subdivision b of this section may withdraw such notice by submitting a written notice of waiver of rights to the owner and to the department.

§ 26-856 First opportunity to purchase. a. Each qualified entity shall have a right of first opportunity to purchase as defined in section 26-851. The owner may not accept any other offer to purchase before the expiration of the time for the first opportunity to purchase pursuant to subdivisions b and c of this section.

b. A qualified entity shall provide notice to the owner and the department of its intent to exercise its right of first opportunity to purchase within 60 days after the notice of sale pursuant to subdivision a of section 26-853 has been made.

c. A qualified entity shall have 120 days from the date of the notice of sale pursuant to subdivision a of section 26-853 to submit its offer to purchase, during which time the owner may not accept any other offer to purchase.

d. The commissioner may extend any time limit set forth in this section upon application and for good cause shown, provided that the party applying for the extension was not at fault in causing the need for the extension.

e. If a qualified entity does not submit an offer in writing to the owner and the department within the time period stated in subdivision c of this section following notice of sale by the owner under subdivision a of section 26-853, then such right of first opportunity to purchase shall be deemed waived and the owner shall have no further obligations under this section.

f. A qualified entity that has submitted a notice of intent to exercise a first opportunity to purchase under subdivision b of this section may withdraw such notice by submitting a written notice of waiver of rights to the owner and to the department.

§ 26-857 Prior notification. Notwithstanding any other provision of this chapter, where an owner has listed a residential building for sale before the effective date of this chapter and such listing was properly posted under any other applicable provision of law and more than 45 days remain before the expiration of the time period applicable to such listing, a qualified entity may complete any action authorized by sections 26-855 and 26-856 at any time before the expiration of such time period.

§ 26-858 Notice requirements, generally. a. Wherever this chapter requires provision of notice, such notice shall be in writing and shall be provided to each recipient as required by this chapter through posting on a website designated by the commissioner and one or more of the following methods:

- 1. First class and registered mail;*
- 2. Personal delivery; or*
- 3. E-mail.*

b. The commissioner shall designate a website through which a person may provide notice to another under this chapter. The commissioner shall update the website at least daily and shall include disclaimers to the effect that (i) where a notice is provided on the website, such notice usually will not be provided in any other manner and (ii) it is the responsibility of any person interested in receiving any notice under this chapter to monitor the website for such notices.

c. Each such notice shall be deemed to have been given upon the deposit of such first class and registered mail in the custody of the United States postal service, upon receipt of personal delivery, upon delivery of e-mail or upon posting of such notice on the website approved by the commissioner, as applicable.

§ 26-859 Penalty. An owner found to have violated any provision of this chapter shall be liable for a civil penalty of \$30,000. Nothing in this section prohibits a qualified entity from seeking injunctive relief against a non-compliant owner in a court of competent jurisdiction.

§ 26-860 Exclusions; construction. a. The provisions of this chapter do not apply:

1. To any existing agreement regarding the transfer of a residential building to a qualified entity in effect on the effective date of this chapter, except that any renewal, modification or amendment of such agreement occurring on or after the effective date of this local law is subject to the provisions of this chapter;

2. To an owner or purchaser who refinances a residential building in order to maintain ownership of such building;

3. To any transfer of property effected by (i) a government entity implementing its powers of eminent domain, (ii) a judicial proceeding, including a judicially supervised sale, (iii) a bankruptcy proceeding, or (iv) other operation of law; or

4. Where a listing as described in section 26-857 was properly posted in accordance with any other applicable provision of law and 45 or fewer days remain before the expiration of such applicable notice of sale period.

b. Nothing in this chapter shall be construed as requiring an owner to give preference to any particular offer to purchase a residential building, or to accept any such offer.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of housing preservation and development 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 Housing and Buildings.

Preconsidered Res. No. 418

Resolution calling on the New York State Legislature to pass, and the Governor to sign S5824/A6860, in relation to claims for unjust conviction and imprisonment.

By Council Members Salaam and Cabán.

Whereas, Tragically, and inexcusably, there are many people in New York City and State that have been unjustly and wrongfully convicted of crimes and sentenced to a term of imprisonment; and

Whereas, In New York State, more than 340 individuals have had their convictions vacated and dismissed since 1989 as reported by the National Registry of Exonerations; and

Whereas, People wrongfully convicted and imprisoned often encounter formidable legal barriers in their search for justice and it is imperative to provide avenues of redress to those who have suffered this injustice; and

Whereas, Being imprisoned for a crime a person knows they did not commit is a profound injustice of inexplicable proportions that warrants restitution but for which no recompense for the suffering endured is adequate; and

Whereas, According to research conducted by High Rise Financial, a pre-settlement legal funding company, New York has paid out the highest amount of compensation to individuals wrongly incarcerated in the United States since 1989; and

Whereas, Monetary compensation cannot fully compensate for the time, experiences, and relationships lost due to wrongful conviction and imprisonment. However, if a person has been wrongfully convicted and imprisoned they didn't commit, they may seek damages by initiating a claim against New York State for money; and

Whereas, New York State Consolidated Laws, Court of Claims Act Article II Jurisdiction §8-b of 1984 outlines the procedure for individuals to present claims for wrongful convictions and imprisonment against the state; and

Whereas, To present such a claim, the claimant must show either pardon based on innocence or reversal of conviction, along with meeting specific legal criteria, and if successful, the court awards damages deemed fair and reasonable; and

Whereas, Individuals seeking compensation under §8-b of the Court of Claims Act due to a pardon granted or the dismissal of charges, must file their claim within two years from the date of the pardon or dismissal; and

Whereas, The current two-year timeframe for filing claims under §8-b of the Court of Claims Act imposes constraints on individuals seeking redress for unjust conviction and imprisonment; and

Whereas, Extending the time limit would provide additional opportunities for those who have been wrongfully convicted to pursue rightful compensation for damages incurred; and

Whereas, S5824/A6860 sponsored by New York State Senator Leroy Comrie and New York State Assemblymember Jeffrion Aubry, respectively, seeks to amend §8-b of the Court of Claims Act of 1984 to establish a five-year timeframe during which a case can be presented for compensation to those who have been wrongfully convicted and enact other technical amendments to eligibility requirements for filing claims; and

Whereas, The City Council believes that ensuring adequate time for individuals to file claims aligns with principles of fairness within the criminal justice system, and such an extension would afford individuals adequate time to navigate the complex legal processes involved in seeking redress for wrongful conviction and imprisonment; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign S5824/A6860, in relation to claims for unjust conviction and imprisonment.

Referred to the Committee on Public Safety (preconsidered but laid over by the Committee on Public Safety).

Int. No. 903

By Council Members Sanchez, Ossé, Restler, Brannan and Cabán.

A Local Law to amend the administrative code of the city of New York, in relation to expanding availability of rapid self-testing for sexually transmitted infections.

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 17-184.3 to read as follows:

§ 17-184.3 *Availability of rapid self-testing for sexually transmitted infections.* a. *Definitions.* As used in this section, the term “rapid self-testing” means testing that has been approved by the United States food and drug administration for patient self-administration and patient reading of results for sexually transmitted infections including, but not limited to, chlamydia, gonorrhea, syphilis, and HIV, that produces results in the same day or within hours.

b. *Availability.* The department shall make available rapid self-testing kits to community-based organizations in all five boroughs. The department shall prioritize community-based organizations located in areas with the highest rates of sexually transmitted infections, as determined by the department.

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

Referred to the Committee on Health.

Preconsidered Int. No. 904

By Council Members Sanchez, Nurse, Marte, Restler and Cabán.

A Local Law to amend the administrative code of the city of New York, in relation to establishing a risk-based structural inspection system for buildings

Be it enacted by the Council as follows:

Section 1. Article 302 of title 28 of the administrative code of the city of New York, as amended by local law number 126 of the year 2022, is amended to add new section 28-302.7 to read as follows:

§ 28-302.7 Risk based inspection program. The commissioner shall establish a risk-based inspection program to identify structurally hazardous buildings. The risk-based inspection program shall use a model weighing factors to predict the likelihood of a structural failure. The model shall assign a risk score indicating the likelihood of a structural failure to each building analyzed through the model, and the department shall conduct structural inspections on buildings receiving above a threshold score, as determined by rule of the commissioner. The model shall, at minimum, weigh the following factors:

1. building data, including the building’s age, occupancy type, ownership type, construction material, number of floors from the ground level, number of public-facing exposures, and number of inhabitants;
2. permit history and the date of the most recent alteration;
3. violation history;
4. current and prior critical examination reports;
5. qualified exterior wall inspector certification history;
6. prior maintenance records;
7. number of 311 complaints; and,
8. any other factors set by rule of the commissioner.

§ 2. Article 302 of title 28 of the administrative code of the city of New York, as amended by local law number 126 of the year 2022, is amended to add new section 28-302.7.1 to read as follows:

§ 28-302.7.1 Corrective action plan. *Within 10 days of the issuance of a notice of violation for an unsafe condition resulting from an inspection under the risk-based inspection program pursuant to 28-302.7, the owner, the owner’s agent or the person in charge shall submit to the department a corrective action plan. The corrective action plan shall be prepared by a registered design professional. The plan shall clearly document each structural defect and shall include a timeline detailing repairs to make the building safe. Such report must be signed and sealed by such registered design professional. The department shall conduct follow-up inspections*

every 60 days, to verify the progress of the corrective measures outlined in the corrective action plan. The owner of a building must distribute the corrective action plan to the inhabitants of the building, made available in all designated citywide languages.

§ 3. Article 302 of title 28 of the administrative code of the city of New York, as amended by local law number 126 of the year 2022, is amended to add new section 28-302.7.2 to read as follows:

§ 28-302.7.2 Timeframe to correct violations. *A building owner shall correct any immediately hazardous violation forthwith, and any major or lesser violation within 30 days, upon the issuance of a notice of violation following an inspection conducted by the department under the risk-based inspection program pursuant to 28-302.7.*

§ 4. Article 302 of title 28 of the administrative code of the city of New York, as amended by local law number 126 of the year 2022, is amended to add new section 28-302.7.3 to read as follows:

§ 28-302.7.3 Non-emergency work permits. *The commissioner shall not issue any non-emergency work permits to a building with uncorrected violations resulting from the risk-based inspection program pursuant to 28-302.7. The commissioner shall have the discretion to issue no more than two waivers per building.*

§ 5. Article 302 of title 28 of the administrative code of the city of New York, as amended by local law number 126 of the year 2022, is amended to add new section 28-302.7.4 to read as follows:

§ 28-302.7.4 Escalating civil penalties. *At intervals set by rule of the commissioner, the commissioner shall impose escalating civil penalties for failure to correct any violation issued as a result of the risk-based inspection program pursuant to 28-302.7.*

§ 6. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings (preconsidered but laid over by the Committee on Housing and Buildings).

Res. No. 419

Resolution calling on the New York State Legislature to pass, and the Governor to sign S.7823/A.4096, requiring the implementation of an electronic benefit transfer system using industry-standard commercial electronic funds transfer technology.

By Council Members Sanchez, Ung, Ayala, Cabán and Gutiérrez.

Whereas, Electronic Benefits Transfer (EBT) is an electronic system that allows Supplemental Nutrition Assistance (SNAP) or other cash assistance participants to access their benefits; and

Whereas, Participants receive an EBT card, also known as a Common Benefit Identification Card (CBIC), which functions like a debit card and allows participants to use their benefits at participating locations for eligible purchases; and

Whereas, Per data from the New York City Human Resources Administration (HRA), as of December 1, 2023, there were over 1 million households in New York City receiving SNAP benefits, comprised of more than 1.7 million individuals; and

Whereas, There has recently been an increase in reports of New Yorkers having their benefits stolen due to EBT card skimming; and

Whereas, Card skimming is the practice of stealing card and PIN numbers via a device hidden in card-swiping machines; and

Whereas, Skimmed card details are used by thieves to create replica EBT cards allowing them to access the victim's benefits; and

Whereas, According to reporting from The Gothamist, between August 2023 and February 2024, more than 61,000 New Yorkers submitted a claim of EBT fraud to the Department of Social Services and between January 2022 and October 2023 over \$17 million in benefits were stolen; and

Whereas, In February 2024, Governor Kathy Hochul announced the launch of a new statewide digital tool, the ConnectEBT app, to help protect EBT cardholders; and

Whereas, The ConnectEBT app allows cardholders to lock their card from the app and unlock it only when they are making a purchase; and

Whereas, While this app can help stop unverified purchases following a card being skimmed, there are further security measures that can prevent card skimming in the first place; and

Whereas, S.7823, introduced by New York State Senator Jose M. Serrano and pending in the State Senate, and companion bill A.4096 introduced by New York State Assembly Member Jessica Gonzalez-Rojas and pending in the State Assembly, require the implementation of an electronic benefit transfer system using industry-standard commercial electronic funds transfer technology; and

Whereas, S.7283/A.4096 calls specifically for the use of Europay, Mastercard and Visa (EMV) chip cards, which is an industry security standard, to replace the magnetic stripe technology that is currently used by EBT cards; and

Whereas, EMV chip cards are embedded with a small computer chip which does not transmit the card's real number during payment the way that magnetic stripes do; and

Whereas, EMV technology makes card skimming nearly impossible and transactions more secure at the point of sale; and

Whereas, According to EMVCo, 89% of all card-present transactions in the United States in 2023 were via EMV Chip, and almost all retailers have card machines that can accept EMV which would make the transition to this technology for EBT cardholders seamless; and

Whereas, SNAP recipients are some of the lowest-income New Yorkers who rely on benefits to ensure they are able to feed themselves and their families; and

Whereas, Even though New York State has created to fund to reimburse SNAP benefits, victims may be without access to critical funds for up to five days, possibly creating an extreme hardship; and

Whereas, Reimbursing victims of theft comes at a significant expense to the State; and

Whereas, The use of EMV technology in EBT cards could eliminate the majority of the risk associated with EBT card skimming, save the State considerable money, and protect the almost two million New Yorkers who rely on SNAP benefits to ensure they will not go hungry; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign S.7823/A.4096, requiring the implementation of an electronic benefit transfer system using industry-standard commercial electronic funds transfer technology.

Referred to the Committee on General Welfare.

Preconsidered Res. No. 420

Resolution calling on the New York State Legislature to pass, and the Governor to sign S1774, in relation to forensic DNA testing and to request certain DNA test comparisons.

By Council Members Williams, Stevens, Narcisse, Krishnan, Restler, Avilés and Hudson.

Whereas, According to the Innocence Project, over 10% of the nation's more than 200 DNA exonerations have been in New York State, with people serving an average of 11 years in prison for crimes they did not commit; and

Whereas, Advancements in post-conviction DNA testing have underscored the critical importance of evidence preservation, highlighting the need for standardized protocols and practices; and

Whereas, Evidence management policies are vital in ensuring the integrity of physical evidence throughout the criminal justice process, thereby safeguarding against wrongful convictions and promoting justice; and

Whereas, In 2006, the Innocence Project provided testimony before the State Assembly Codes Committee highlighting the need for a uniform system to preserve biological evidence in New York State; and

Whereas, Inconsistencies in storing, organizing, and retrieving preserved evidence across New York State has led to detrimental consequences, including the closure of numerous cases; and

Whereas, A preliminary analysis of Innocence Project's New York closed cases in the last decade reveals that 50% were closed because officials claimed evidence was lost or destroyed, while nationally more than one-quarter of cases faced similar issues; and

Whereas, New York State Criminal Procedure Law (“CPL”) §440.30, requires the prosecution to show available evidence for post-conviction testing, but doesn’t specify preservation periods, potentially allowing evidence destruction between conviction and testing requests; and

Whereas, S1774 sponsored by New York State Senator Jamaal Bailey, establishes minimum retention periods for forensic samples and mandates standards for testing, preservation, and cataloging of evidence by the Forensic Science Commission which oversees New York State’s DNA Databank; and

Whereas, S1774 creates the State Commission for the Integrity of the Criminal Justice System to address fictitious name indictments, DNA test comparisons, wrongful convictions, and recommendations for prevention; and

Whereas, The New York City Council recognizes the importance of ensuring the integrity of the criminal justice system through DNA preservation and preventing wrongful convictions from occurring in the future; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign S1774, in relation to forensic DNA testing and to request certain DNA test comparisons.

Referred to the Committee on Public Safety (preconsidered but laid over by the Committee on Public Safety).

Int. No. 905

By Council Members Won, Menin, Fariás, Restler and Brannan.

A Local Law to amend the administrative code of the city of New York, in relation to requiring standardized feedback surveys from food services contractors

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 6 of the administrative code of the city of New York is amended by adding a new section 6-130.1 to read as follows:

§ 6-130.1 Feedback surveys for food services contracts. a. Definitions. For the purposes of this section, the following term has the following meaning:

Food service contract. The term "food service contract" means any contract between a vendor and an agency valued at \$100,000 or more, the principal purpose of which is the preparation, handling, transportation, storage, or serving of food by such vendor.

b. The city chief procurement officer shall require vendors with active food service contracts to provide a feedback survey to consumers of food pursuant to such contract on a quarterly basis and provide the aggregate results of such surveys to the contracting agency. Such feedback survey shall include questions designed to solicit meaningful feedback from consumers on food quality, nutrition, taste, appearance, and other relevant factors as determined by the city chief procurement officer.

c. Contracting agencies shall review the feedback surveys received pursuant to this section and consider such feedback in future service contract solicitations. The aggregate results of one or more such surveys shall be provided to the speaker of the council upon request.

§ 2. This local law takes effect 120 days after enactment.

Referred to the Committee on Contracts.

Int. No. 906

By Council Member Won (by request of the Mayor).

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

Be it enacted by the Council as follows:

Section 1. Subdivisions a and b of section 25-467 of the administrative code of the city of New York, as added by local law number 62 for the year 2004, are amended to read as follows:

§ 25-467 [Queens Plaza/Court Square] *Long Island City* business improvement district. a. The city council having determined, pursuant to section 25-407 of chapter four of this title: that notice of hearing for all hearings required to be held was published and mailed as required by law and was otherwise sufficient; that, except as otherwise provided in section 25-403 of chapter four of this title, all the real property within the boundaries of the district will benefit from the establishment of the district; that all the real property benefited is included within the limits of the district; and that the establishment of the district is in the public interest; and the council having determined further that the requisite number of owners have not objected as provided in section 25-406 of chapter four of this title, there is hereby established in the borough of Queens, the [Queens Plaza/Court Square] *Long Island City* business improvement district. Such district is established in accordance with the district plan required to be filed with the city clerk pursuant to subdivision (b) of this section.

b. Immediately upon adoption of this local law by the council, the council shall file with the city clerk the district plan upon which the [Queens Plaza/Court Square] *Long Island City* business improvement district is based.

§ 2. Section 25-467.1 of the administrative code of the city of New York, as amended by local law number 223 for the year 2018, is amended to read as follows:

§ 25-467.1 [Queens Plaza/Court Square] *Long Island City* business improvement district. a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the [Queens Plaza/Court Square] *Long Island City* business improvement district beginning on July 1, [2018] 2024, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [one million dollars (\$1,000,000)] *two million fifty-eight thousand nine hundred seventy-eight dollars (\$2,058,978)*.

b. The amount of such expenditure to be levied upon each property in the district shall be determined in accordance with the method of assessment set forth in the [Queens Plaza/Court Square] *Long Island City* business improvement district plan.

§ 3. Section 25-467.2 of the administrative code of the city of New York, as added by local law number 1 for the year 2017, amended to read as follows:

§ 25-467.2 [Queens Plaza/Court Square] *Long Island City* business improvement district; extension of district. a. The city council having determined, pursuant to section 25-407 of chapter four of this title: that notice of hearing for all hearings required to be held was published and mailed as required by law and was otherwise sufficient; that, except as otherwise provided in section 25-403 of chapter four of this title, all the real property within the boundaries of the district will benefit from the extension of the district; that all the real property benefited is included within the limits of the district; and that the extension of the district is in the public interest; and the council having determined further that the requisite number of owners have not objected as provided in

section 25-406 of chapter four of this title, the [Queens Plaza/Court Square] *Long Island City* business improvement district in the borough of Queens is hereby extended. Such district is extended in accordance with the amended district plan of 2024 required to be filed with the city clerk pursuant to subdivision b of this section.

b. Immediately upon adoption of this local law by the council, the council shall file with the city clerk the amended district plan of 2024 upon which the [Queens Plaza/Court Square] *Long Island City* business improvement district, and the extension thereof, is based.

c. The amended district plan of 2024 shall not be further amended except in accordance with chapter four of this title.

§ 4. The heading and subdivision a of section 25-467.3 of the administrative code of the city of New York, as added by local law number 1 for the year 2017, amended to read as follows:

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

§ 5. The heading and subdivision a of section 25-467.4 of the administrative code of the city of New York, as added by local law number 70 for the year 2021, amended to read as follows:

[Queens Plaza/Court Square] *Long Island City* business improvement district; amendment of the district plan. a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize a change in the method of assessment upon which the district charge in the [Queens Plaza/Court Square] *Long Island City* business improvement district is based, and the council having determined further that the tax and debt limitations prescribed in section 25-412 of chapter four of this title will not be exceeded by such change, there is hereby authorized in such district such change as is set forth in the amended district plan required to be filed with the city clerk pursuant to subdivision b of this section.

§ 6. Chapter 5 of title 25 of the administrative code of the city of New York is amended by adding a new section 25-467.5 to read as follows:

§ 25-467.5 *Long Island City business improvement district; amendment of the district plan. a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize a change in the method of assessment upon which the district charge in the Long Island City business improvement district is based, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such change, there is hereby authorized in such district such change as is set forth in the amended district plan of 2024 required to be filed with the city clerk pursuant to subdivision b of this section.*

b. The city council having determined, pursuant to subdivision c of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the maximum total amount to be expended for improvements in the district, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such change, there is hereby authorized in the Long Island City business improvement district such change as is set forth in the amended district plan of 2024 required to be filed with the city clerk pursuant to subdivision c of this section.

c. Immediately upon adoption of this local law, the council shall file with the city clerk the amended district plan of 2024 containing the change in the method of assessment authorized by subdivision a of this section and the increase in the maximum total amount to be expended for improvements authorized by subdivision b of this section.

§ 7. This local law takes effect immediately and is retroactive to and deemed to have been in full force and effect as of July 1, 2024 provided, however, that section three of this local law takes effect upon compliance with section 25-408 of chapter 4 of title 25 of the administrative code of the city of New York.

Referred to the Committee on Finance.

Res. No. 421

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Resolution authorizing a change in the name of the Queens Plaza/Court Square business improvement district, an increase in the amount to be expended annually in such district, an extension of the boundaries of such district, a change in the method of assessment upon which the district charge in such district is based, and an increase in the maximum total amount to be expended for improvements in such district.

By Council Member Won.

WHEREAS, pursuant to the authority granted by chapter 4 of title 25 of the Administrative Code of the City of New York (“the Law”), the Mayor, by authorization dated December 12, 2023, provided for the preparation of a district plan (“the Plan”) for the Queens Plaza/Court Square Business Improvement District (to be renamed the Long Island City Business Improvement District, or the “District”) in the Borough of Queens; and

WHEREAS, pursuant to Local Law No. 82 for the year 1990, the City Council assumed responsibility for adopting legislation establishing Business Improvement Districts; and

WHEREAS, pursuant to authority granted by the Law, the District was established by Local Law No. 62 for the year 2004; and

WHEREAS, pursuant to Section 25-410(b) of the Law, an amendment to the District Plan that provides for additional improvements or services or any change in the method of assessment upon which the district charge is based, or an increase in the amount to be expended annually, may be adopted by local law, provided that the City Council determines, after a public hearing, that it is in the public interest to authorize such changes and that the tax and debt limits prescribed in Section 25-412 of the Law will not be exceeded by such changes; and

WHEREAS, pursuant to Section 25-410(c) of the Law, an amendment to the District Plan that provides for an increase in the total maximum amount to be expended for improvements in the District may be adopted by local law, provided that the City Council determines, after a public hearing, that it is in the public interest to authorize such increase and that the tax and debt limits prescribed in Section 25-412 of the Law will not be exceeded by such increase; and

WHEREAS, the district wishes to increase the amount to be expended annually in the District to \$2,058,978, to extend the District’s boundaries, to amend the district plan to change the method of assessment upon which the district charge is based and to increase the maximum total amount to be expended for improvements in the District; and

WHEREAS, pursuant to section 25-405(c) of the Law, the New York City Department of Small Business Services (“SBS”) submitted the Plan to the City Planning Commission (“the CPC”) on February 2, 2024; and

WHEREAS, pursuant to section 25-405(c) of the Law, the CPC submitted the Plan to the City Council on February 14, 2024; and

WHEREAS, pursuant to section 25-405(c) of the Law, the CPC submitted the Plan to the Council Members representing the council districts in which the proposed District is located on February 14, 2024; and

WHEREAS, pursuant to section 25-405(c) of the Law, the CPC submitted the Plan to the community boards for the community districts in which the proposed District is located (Queens Community Boards Number 1 and Number 2) on February 14, 2024; and

WHEREAS, the CPC submitted the Plan to the Queens Borough President on February 14, 2024; and

WHEREAS, pursuant to section 25-405(c) of the Law, Queens Community Board Number 1 and Queens Community Board Number 2 notified the public of the Plan in accordance with the requirements established by the CPC; and

WHEREAS, pursuant to section 25-405(c) of the Law, the CPC reviewed the Plan, held a public hearing and prepared a report certifying its unqualified approval of the Plan; and

WHEREAS, pursuant to section 25-405(c) of the Law, the CPC submitted its report to the Mayor, to the Queens Borough President, to the City Council, and to the Council Members representing the council districts in which the District is located; and

WHEREAS, pursuant to section 25-405(c) of the Law, a copy of the CPC's report, together with the amended Plan, was transmitted for filing with the City Clerk on April 3, 2024; and

WHEREAS, pursuant to section 25-406(a) of the Law, a copy of the Plan and the CPC's report are annexed hereto and are made part of this Resolution; and

WHEREAS, pursuant to section 25-406(a) of the Law, the Plan is on file for public inspection in the Office of the City Clerk, 141 Worth Street, New York, New York; and

WHEREAS, pursuant to Section 25-406(b) of the Law, any owner of real property, deemed benefited and therefore within the District, objecting to the plan must file an objection at the Office of the City Clerk within thirty days of the conclusion of the hearing held by the City Council, notice of which is provided by this Resolution, on forms made available by the City Clerk; and

WHEREAS, pursuant to Section 25-406(b) of the Law, if owners of at least fifty-one percent of the assessed valuation of all the benefited real property situated within the boundaries of the District proposed for establishment, as shown upon the latest completed assessment roll of the City, or at least fifty-one-percent of the owners of benefited real property within the area included in the District proposed for establishment, file objections to the Plan with the City Clerk within the thirty-day objection period, the District will not be established; now, therefore, be it

RESOLVED, that the Council of the City of New York, pursuant to Section 25-406 of the Law, hereby directs that:

(i) June 20, 2024 is the date and 10:00AM is the time and the City Council Committee Room, City Hall, 2nd Floor, is the place for a public hearing ("the Public Hearing") to hear all persons interested in the extension of the District;

(ii) the Long Island City District Management Association shall, not less than ten (10) nor more than thirty (30) days before the date of the Public Hearing, mail a copy of this Resolution or a summary thereof to each owner of real property within the proposed extended district at the address shown on the latest City assessment roll, to such other persons as are registered with the City to receive tax bills concerning real property within the proposed extended district, and to the tenants of each building within the proposed extended district;

(iii) SBS shall arrange for the publication of a copy of this Resolution or a summary thereof at least once in the City Record or a newspaper in general circulation in the City, the first publication to be not less than ten (10) nor more than thirty (30) days before the date of the Public Hearing;

(iv) in the event that the Long Island City District Management Association mails, or SBS arranges for the publication of, a summary of this Resolution, such summary shall include the information required by section 25-406(c) of the Law; and

(v) on behalf of the City Council and pursuant to Section 25-410(b) of the Law, the Long Island City District Management Association is hereby authorized to publish in a newspaper having general circulation in the District, not less than ten (10) days prior to the Public Hearing, a notice stating the time and place of the Public Hearing and stating the increase in the amount to be expended annually in the District.

Referred to the Committee on Finance.

Res. No. 422

Resolution calling on the New York State Department of Motor Vehicles to increase the point of proof value of IDNYC, New York City's municipal identification card, in an effort to help all New York City residents, regardless of immigration status, to obtain a New York State driver's license

By Council Members Won, Avilés, Brewer, Hanif and Cabán.

Whereas, Identity documents (IDs), such as driver's licenses or birth certificates, are essential for people to carry out important life functions, including driving a car, opening a bank account, getting a job, or voting; and

Whereas, Despite the importance of IDs, many people have difficulty obtaining and maintaining accurate IDs, which ultimately impacts their ability to access and interact with public services and the world; and

Whereas, According to a 2022 report by the Movement Advancement Project (MAP), an independent nonprofit think tank, key obstacles in obtaining accurate IDs include: burdensome and circular documentation requirements; expensive services; limited availability of ID services; confusing ID policies; and discrimination and prejudice; and

Whereas, In addition, there are noticeable gaps in the United States (U.S.) for who has one of the most popular forms of ID- a valid, accurate driver's license, with the MAP report citing that: while 12 percent of all U.S. adults lack a valid, accurate driver's license, when broken down by specific communities, 8 percent of white people; 21 percent of Black people; 23 percent of Hispanic people; 68 percent of transgender people; and 21 percent of people ages 70 and over lack a valid, accurate driver's license; and

Whereas, In 2015, New York City (NYC) launched a municipal ID program (IDNYC) to provide residents access to a free identification card, regardless of social or immigration status; and

Whereas, IDNYC is accepted as a government-issued photo identification card, and is a recognized ID for interacting with the NYC Police Department, allows access to all City buildings that provide services to the public, is permitted for qualification for affordable housing through the City's housing lottery system, and is permitted as proof of identity for employment and health benefits; and

Whereas, IDNYC helps many City residents, including persons experiencing homelessness, youth, undocumented immigrants, and formerly incarcerated individuals, obtain a government-issued photo ID; and

Whereas, City data shows that, as of September 30, 2023, IDNYC had issued 2,129,589 IDs since the start of the program; and

Whereas, In New York State (NYS), the Department of Motor Vehicles (DMV) requires a certain number of documents, each of which are designated a certain point value, to apply for a learner permit, driver's license, or non-driver ID card; and

Whereas, Some IDNYC users find it difficult to obtain a NYS driver's license due to IDNYC only being accepted as 1 point of proof of identity and 1 point of proof of residency, while the NYS DMV requires 6 points of documents that prove identity, and also prove date of birth and residency; and

Whereas, Increasing the point of proof value for IDNYC would allow for vulnerable New Yorkers to obtain a NYS driver's license much easier, which can provide for easier access to public services; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Department of Motor Vehicles to increase the point of proof value of IDNYC, New York City's municipal identification card, in an effort to help all New York City residents, regardless of immigration status, to obtain a New York State driver's license.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 907

By Council Members Zhuang, Riley, Marmorato, Borelli, Brooks-Powers, Menin, Narcisse, Schulman, Ung, Fariás, Paladino, Ariola, Brewer, Hanks, Lee, Vernikov, Carr, Williams, Stevens, Salaam, Holden, Banks, Louis and Mealy.

A Local Law to amend the administrative code of the city of New York, in relation to reporting on locations in which persons are squatting

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 14-166.1 to read as follows:

§ 14-166.1 Report on squatting. a. Definitions. For the purposes of this section, the term “squat” means to enter a building or property and reside or otherwise remain there without title, right, or permission of the owner, the owner’s agent, or a person entitled to possession of such building or property.

b. Reporting requirement. 1. No later than 30 days after the beginning of each quarter, the commissioner, in collaboration with the commissioner of housing preservation and development, commissioner of information technology and telecommunications, and any other relevant agency, shall submit to the speaker of the council and shall post conspicuously on the department’s website a report on buildings and properties in which the department has determined that persons were squatting at any time during the preceding quarter.

2. The report shall include a table in which each row references each individual building or property in which persons were determined to be squatting and that includes the following information set forth in separate columns, as well as any additional information the commissioner deems appropriate:

(a) The location of each such building or property, including the street address, the borough, block, and lot, and the council district in which such property is located;

(b) The number of days each such property has had persons squatting therein;

(c) How the department or any other relevant agency became aware that persons were squatting on such property;

(d) The number of complaints received about persons squatting on such property, including whether such complaints were received by the 311 customer service center, the 911 customer service center, or otherwise; and

(e) The department’s or any other relevant agency’s response to such complaints, including whether such complaints led to the removal of the persons squatting.

3. Except as otherwise expressly provided in this section, no report required by this section shall contain personally identifiable information.

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Preconsidered L.U. No. 75

By Council Member Brannan:

FAC JOE Shelter Retrofit GHPP.FY24: Block 309, Lot 1; Block 441, Lot 5; Block 668, Lot 15; Block 765, Lots 6 and 56; Block 781, Lots 74 and 75; Block 885, Lots 46 and 48; Block 959, Lot 7; Block 1168, Lots 30 and 32, Brooklyn, Community Districts 6, 7, and 8, Council Districts 35, 38, and 39.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered L.U. No. 76

By Council Member Brannan:

Lenoxville.HUDMF.FY24: Block 1595, Lot 1, Manhattan, Community District 10, Council District 9.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered L.U. No. 77

By Council Member Brannan:

BR Affordable HDFC.YR15.FY24: Block 2607, Lots 68 and 72; Block 2622, Lots 40 and 48, Bronx, Community District 3, Council District 17.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered L.U. No. 78

By Council Member Brannan:

Woodycrest HPO.FY24: Block 2507, Lot 1; Block 2511, Lot 68, Bronx, Community District 4, Council District 16.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered L.U. No. 79

Application number G 240051 GAM (Timbale Terrace ESDC Grant Application) submitted by the City of New York (the “City”) by and through its Department of Housing Preservation and Development requesting from the New York City Council a favorable resolution in support of the City’s application for funding from the New York State Empire State Development Corporation (“ESDC”), pursuant to Section 16-n of the ESDC Act, under the Restore New York Communities Initiative in connection with the reconstruction and redevelopment of the Timbale Terrace project (Block 1767, Lots 1, 2, 3, 4, 67, 68, 69, 71, 72, 168, 169), Borough of Manhattan, Community District 11, Council District 9.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions).

L.U. No. 80

By Council Member Salamanca:

Application number N 240300 HIX (New York Public Library, Tremont Branch) Designation by the Landmarks Preservation Commission of New York Public Library, Tremont Branch, 1866 Washington Avenue (Block 2918, Lot 1), Borough of the Bronx, Community District 6, Council District 15.

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

L.U. No. 81

By Council Member Salamanca:

Application number G 240053 XUM (104-108 West 139th Street ANCP Cluster) submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law and Article XI of the Private Housing Finance Law, for approval of an Urban Development Action Area Project (UDAAP) and an exemption from real property taxes for property located at 104-106 West 139 Street (Block 2007; Lot 39), 108 West 139 Street (Block 2007; Lot 41), 135 West 142 Street (Block 2011; Lot 18), 150 West 141 Street (Block 2009; Lot 46), Borough of Manhattan, Community District 10, Council District 9.

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

L.U. No. 82

By Council Member Salamanca:

Application number G 240052 XAQ (Sunnyside Barnett Article XI) submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of Article XI of the Private Housing Finance Law, for the approval of an exemption from real property taxation for property located at 50-25 Barnett Avenue (Block 119; Lot 143), Borough of Queens, Community District 2, Council District 26.

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****NEW YORK CITY COUNCIL
FISCAL YEAR 2025
EXECUTIVE BUDGET HEARINGS**

**Unless otherwise noted, all hearings will take place in the
Council Chambers at City Hall.**

Friday, May 17, 2024

Time/Chambers	Agency Testifying	Finance Committee jointly with Council Committee
9:30-11:00 AM	Department of Correction	Criminal Justice
11:00-12:30 PM	Department of Probation	Criminal Justice
12:30-2:00 PM	Department for the Aging	Aging
2:30 PM	Public	

Monday, May 20, 2024

Time/Chambers	Agency Testifying	Finance Committee jointly with Council Committee
9:30-12:30 PM	Department of Sanitation	Sanitation & Solid Waste Management
12:30-2:00 PM	Department of Parks and Recreation	Parks & Recreation
2:30 PM	Public	

Tuesday, May 21, 2024

Time/Chambers	Agency Testifying	Finance Committee jointly with Council Committee
9:30-11:00 AM	Libraries	Cultural Affairs, Libraries, and International Intergroup Relations
11:00-12:30 PM	Department of Cultural Affairs	Cultural Affairs, Libraries, and International Intergroup Relations
12:30 PM	Public	

[Subcommittee on Landmarks, Public Sitings and Dispositions](#)

Kamillah Hanks, Chairperson

See Land Use Calendar

Committee Room – 250 Broadway, 14th Floor..... 11:00 a.m.

Wednesday, May 22, 2024

Time/Chambers	Agency Testifying	Finance Committee jointly with Council Committee
9:30-11:00 AM	Comptroller	Finance
11:00-12:30 PM	Independent Budget Office	Finance
12:30-2:00 PM	Department of Finance	Finance
2:30-5:00 PM	Office of Management and Budget	Finance

[Subcommittee on Zoning & Franchises](#)

Kevin C. Riley, Chairperson

See Land Use Calendar

Committee Room – 250 Broadway, 14th Floor..... 11:00 a.m.

[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 – 250 Broadway, 14th Floor..... 12:00 p.m.

Thursday, May 23, 2024

Committee on Finance

Justin Brannan, Chairperson

Preconsidered Res ___ - By Council Member Brannan - **Resolution** approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – City Hall.....10:00 a.m.

Stated Council Meeting

Council Chambers – City Hall.....Agenda – 1:30 p.m.



**NEW YORK CITY COUNCIL
FISCAL YEAR 2025
EXECUTIVE BUDGET HEARINGS**

Unless otherwise noted, all hearings will take place in the
Council Chambers at City Hall.

Monday, May 6, 2024

Time/Chambers	Agency Testifying	Finance Committee jointly with Council Committee
9:30-12:00 PM	Department of Homeless Services and Human Resources Administration	General Welfare
12:00 PM	Public	

Tuesday, May 7, 2024

Time/Chambers	Agency Testifying	Finance Committee jointly with Council Committee
9:30-11:00 AM	New York City Housing Authority	Public Housing
11:00 AM	Public	

Wednesday, May 8, 2024

Time/Chambers	Agency Testifying	Finance Committee jointly with Council Committee
9:00-11:00 AM	Department of Transportation	Transportation & Infrastructure
11:00 AM	Public	

Thursday, May 9, 2024

Time/Chambers	Agency Testifying	Finance Committee jointly with Council Committee
9:30-12:30 PM	New York City Police Department	Public Safety
12:30 PM	Public	

Friday, May 10, 2024

Time/Chambers	Agency Testifying	Finance Committee jointly with Council Committee
9:30-11:00 AM	Administration for Children's Services	Children and Youth
12:00-2:30 PM	Department of Youth and Community Development	Children and Youth
2:30 PM	Public	

Monday, May 13, 2024

Time/Chambers	Agency Testifying	Finance Committee jointly with Council Committee
9:30-12:00 PM	Department of Health and Mental Hygiene	Health and Mental Health, Disabilities and Addiction
12:00-2:00 PM	Health + Hospitals	Hospitals
2:30 PM	Public	

Tuesday, May 14, 2024

Time/Chambers	Agency Testifying	Finance Committee jointly with Council Committee
9:30-11:00 AM	Department of Buildings	Housing and Buildings
12:00-2:30 PM	Housing Preservation and Development	Housing and Buildings
2:30 PM	Public	

Wednesday, May 15, 2024

Time/Chambers	Agency Testifying	Finance Committee jointly with Council Committee
9:30-12:30 PM	Department of Education	Education
12:30-2:00 PM	City University of New York	Higher Education
2:30 PM	Public	

Friday, May 17, 2024

Time/Chambers	Agency Testifying	Finance Committee jointly with Council Committee
9:30-11:00 AM	Department of Correction	Criminal Justice
11:00-12:30 PM	Department of Probation	Criminal Justice
12:30-2:00 PM	Department for the Aging	Aging
2:30 PM	Public	

Monday, May 20, 2024

Time/Chambers	Agency Testifying	Finance Committee jointly with Council Committee
9:30-12:30 PM	Department of Sanitation	Sanitation & Solid Waste Management
12:30-2:00 PM	Department of Parks and Recreation	Parks & Recreation
2:30 PM	Public	

Tuesday, May 21, 2024

Time/Chambers	Agency Testifying	Finance Committee jointly with Council Committee
9:30-11:00 AM	Libraries	Cultural Affairs, Libraries, and International Intergroup Relations
11:00-12:30 PM	Department of Cultural Affairs	Cultural Affairs, Libraries, and International Intergroup Relations
12:30 PM	Public	

Wednesday, May 22, 2024

Time/Chambers	Agency Testifying	Finance Committee jointly with Council Committee
9:30-11:00 AM	Comptroller	Finance
11:00-12:30 PM	Independent Budget Office	Finance
12:30-2:00 PM	Department of Finance	Finance
2:30-5:00 PM	Office of Management and Budget	Finance

For information regarding the process of providing testimony, accessibility of hearing rooms, or to request further accommodations, please visit the following link:

<https://council.nyc.gov/testify/>

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) asked for a moment to remember the life and legacy of community activist Don Lee. Mr. Lee passed away on May 6, 2024 at the age of 65. She noted that Mr. Lee grew up in Chinatown and had recently served as the board chair of Homecrest Community Services in Brooklyn. The Speaker (Council Member Adams) described him as a dedicated public servant who worked tirelessly to support his neighbors and was an advocate for the city's Asian-American community.

The Speaker (Council Member Adams) hoped that all mothers had a very Happy Mother's Day over the past weekend.

* * *

Whereupon on motion of the Speaker (Council Member Adams), the Majority Leader and Acting President Pro Tempore (Council Member Fariás) adjourned these proceedings to meet again for the Stated Meeting of Thursday, May 23, 2024.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor's Note: For the transcript of these proceedings, please refer to the respective attachment section of items introduced or adopted at this Stated Meeting of May 16, 2024 on the New York City Council website at <https://council.nyc.gov>.

Editor's Local Law Note: Int. Nos. 126-A and 127-A, both adopted by the Council at the April 11, 2024 Stated Meeting, were signed into law by the Mayor on May 1, 2024 as, respectively, Local Law Nos. 60 and 61 of 2024.

Int. No. 69-A, adopted at the April 11, 2024 Stated Meeting, was returned unsigned by the Mayor on May 13, 2024. These items had become law on May 11, 2024 due to the lack of Mayoral action within the Charter-prescribed thirty day time period. This bill was assigned subsequently as Local Law No. 62 of 2024.