

THE COUNCIL

Minutes of the Proceedings for the
STATED MEETING
of
Thursday, September 26, 2024, 2:52 p.m.

Council Members

Adrienne E. Adams, *The Speaker*

Amanda C. Farías, *The Majority Leader*
and Acting President Pro Tempore

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

Absent: Council Member Ung and the Minority Leader (Council Member Borelli);
Medical Leave: Council Member Menin.

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 Gutiérrez and Moya who participated remotely).

INVOCATION

The Invocation was delivered by Pastor Raymond Serrano, Life Together Works NYC located at 2347 Lafayette Avenue, The Bronx N.Y. 10473.

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 Farías moved to spread the Invocation in full upon the record.

ADOPTION OF MINUTES

Council Member Restler moved that the Minutes of the Stated Meeting of September 12, 2024 be adopted as printed.

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

M-71

Communication from the Queens Borough President - Submitting the name of Oudeshram “Raj” Rampershad to the Council for its advice and consent regarding his reappointment to the City Planning Commission, pursuant to Sections 31 and 192 of the City Charter.

September 23, 2024

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

Re: Nomination to the City Planning Commission

Dear Speaker Adams:

Pursuant to Section 192 of the New York City Charter, I am presenting the name of Oudeshram “Raj” Rampershad to the City Council for advice and consent in anticipation of his reappointment to the City Planning Commission for a term expiring on June 30, 2028. Mr. Rampershad’s prior term as a City Planning Commissioner expired on June 30 of last year.

I thank you and the Council for considering this appointment.

Sincerely,

Donovan Richards
President
Borough of Queens

cc (via e-mail): Jeffrey Campagna

Senior Counsel and Parliamentarian,
Office of General Counsel.

Referred to the Committee on Rules, Privileges and Elections.

LAND USE CALL-UPS

M-72

By The Chair of the Land Use Committee (Council Member Salamanca):

Pursuant to Sections 11.20(b-d) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Application No. C 230358 ZSK (962-972 Franklin Avenue Rezoning) shall be subject to Council review. This item is related to Application Nos. C 230356 ZMK and N 230357(A) ZRK.

Coupled on Call-Up Vote.

M-73

By The Chair of the Land Use Committee (Council Member Salamanca):

Pursuant to Sections 11.20(b-d) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the actions of the City Planning Commission on Application Nos. C 230184 ZSK, C 230185 ZSK, C 230188 ZSK, C 230189 ZSK, C 230190 ZSK, C 230191 ZSK, and C 230196 ZSK (Brooklyn Yards) shall be subject to Council review. These items are related to Application Nos. C 230182 ZMK and N 230183 ZRK.

Coupled on Call-Up Vote.

The Majority Leader and Acting President Pro Tempore (Council Member Farías) put the question whether the Council would agree with and adopt such motions 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, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Krishnan, Lee, Louis, Marmorato, Marte, Mealy, Moya, Narcisse, Nurse, Ossé, Paladino, Powers, Restler, Riley, Rivera, Salaam, Salamanca, Sanchez, Schulman, Stevens, Vernikoy, Williams, Won, Yeger, Zhuang, the Majority Leader (Council Member Farías) and the Speaker (Council Member Adams) - **48**.

At this point, the Majority Leader and Acting President Pro Tempore (Council Member Farías) declared the aforementioned items **adopted** and referred these items to the Committee on Land Use and to the appropriate Land Use subcommittee.

REPORTS OF THE STANDING COMMITTEES

Report of the Committee on Environmental Protection, Resiliency and Waterfronts

Report for Int. No. 353-A

Report of the Committee on Environmental Protection, Resiliency and Waterfronts 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 the installation of solar photovoltaic systems on city-owned property.

The Committee on Environmental Protection, Resiliency and Waterfronts, to which the annexed proposed amended local law was referred on February 28, 2024 (Minutes, page 772), respectfully

REPORTS:

I. INTRODUCTION

On September 26, 2024, the New York City Council Committee on Environmental Protection, Resiliency, and Waterfronts (the “Committee”), chaired by Council Member James F. Gennaro, held a hearing to vote on Int. No. 353-A, sponsored by Council Member Sandy Nurse, in relation to the installation of solar photovoltaic systems on city-owned property. Int. No. 353-A was first heard by the Committee on March 1, 2024.

II. BACKGROUND

Local Law 24 of 2016 required the Department of Citywide Administrative Services (“DCAS”) to assess the solar photovoltaic potential of city-owned buildings over 10,000 gross square feet once every two years, with a focus on identifying and quantifying the potential capacity of solar-ready buildings.¹ In 2019, the New York City Council enacted the Climate Mobilization Act as part of New York City’s Green New Deal, which included several pieces of legislation aimed at reducing greenhouse emissions.² In particular, Local Laws 92 and 94 required all new buildings and alterations of existing buildings where the entire existing roof deck or roof assembly was replaced to provide a sustainable roofing zone, which includes a solar photovoltaic system with a total power capacity of at least 4 kilowatts (“kW”), a green roof system, or a combination of the two,³ while Local Law 97 set limits on the greenhouse gas emissions of covered buildings beginning in 2024, with a series of future reduction benchmarks necessary for compliance.⁴ Local Law 97 also required that emissions from City government operations decrease by 40% by fiscal year 2025 and 50% by calendar year 2030, relative to a fiscal year 2006 baseline.⁵

In 2014, the de Blasio administration launched an initiative to install 100 megawatts (“MW”) of solar photovoltaic systems atop city-owned buildings by 2025.⁶ Of note, the 100 MW by 2025 target was not a codified requirement, but rather a stated goal of the de Blasio administration.⁷ According to testimony provided by DCAS at a recent Committee hearing, as of March 1, 2024, the agency had completed 24 MW worth of solar

¹ See Local Law 24 of 2016

² Office of the Mayor, *Action on Global Warming: NYC’s Green New Deal* (April 22, 2019), available at: <https://www.nyc.gov/office-of-the-mayor/news/209-19/action-global-warming-nyc-s-green-new-deal#/0>

³ See Local Laws 92 and 94 of 2019

⁴ See Local Law 97 of 2019

⁵ *Id.*

⁶ Department of Citywide Administrative Services, *City of New York Municipal Solar-Readiness Assessment* (2022), available at: https://www.nyc.gov/assets/dcas/downloads/pdf/energy/reportsandpublication/local24_2022.pdf

⁷ *Id.* at 4

installations atop city-owned buildings.⁸ DCAS further testified that, in light of various issues, including supply chain and shipping issues stemming from the COVID-19 pandemic, along with numerous city-owned building roofs being unable to host solar photovoltaic systems until necessary repairs or renovations occur, the original goal of 100 MW by 2025 has become unattainable.⁹

III. LEGISLATION

Int. No. 353-A

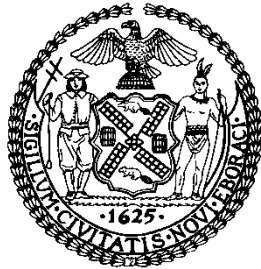
This bill would require DCAS, in coordination with other relevant agencies, to install 150 MW of solar photovoltaic systems on the roofs of city-owned buildings and other city-owned property by the end of 2035. The department would be required to complete at least 100 MW worth of installations by September 1, 2030. Installations would be prioritized in disadvantaged communities, and the department would be required to set criteria for increasing the number of eligible roofs that can host solar photovoltaic systems. Additionally, the department would be required to report: (1) factors considered when making determinations about the long-term ownership, operation and maintenance of such systems, (2) the expected location and size of each system to be installed, along with an indication of whether requests for proposals have been issued for all necessary contracts, (3) information pertaining to ineligible roofs, and (4) identifying information for all city-owned properties that have had such systems installed, including but not limited to the address, system size, annual energy savings, and annual emissions reduction.

This bill would take effect 45 days after becoming law, provided that the new information required to be reported by subdivision d, paragraph 4 of subdivision f, subparagraph (g) of paragraph 7 of subdivision f, and subdivision g of section 4-207.1 of the Administrative Code, as would be added by section one of this bill, would only be required to be included in the report that is due September 1, 2026 and thereafter.

UPDATE

On Thursday, September 26, 2024, the Committee adopted Int. No. 353-A by a vote of eight in the affirmative, zero in the negative, zero abstentions, and one absence.

(The following is the text of the Fiscal Impact Statement for Int. No. 353-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. NO. 353-A

**COMMITTEE: Environmental Protection, Resiliency
and Waterfronts**

⁸ Int. No. 353 Hearing Testimony (March 1, 2024), pg. 13, available at: <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6514976&GUID=54446048-8009-4C8C-B555-A6490F1439E0&Options=&Search=>

⁹ *Id.* at 15-17

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the installation of solar photovoltaic systems on city-owned property.

Sponsors: Council Members Nurse, Gennaro, De La Rosa, Avilés, Sanchez, Menin, Joseph, Restler, Schulman, Won, Brannan, Brewer, Hanif, Ung, Louis, Krishnan, Narcisse, Ayala, Bottcher, Marte, Salaam, Abreu, Ossé, Yeger, Gutiérrez, Powers, Hudson, Rivera, Cabán, Lee, Feliz, Farías, Holden, Banks, Zhuang, Riley, Williams, Mealy, Dinowitz, Brooks-Powers, Stevens, Moya, Salamanca, Hanks, Marmorato, Ariola and the Public Advocate (Mr. Williams) (in conjunction with the Brooklyn and Manhattan Borough Presidents).

SUMMARY OF LEGISLATION: This bill would require the Department of Citywide Administrative Services, in coordination with other relevant agencies, to install 150 megawatts of solar photovoltaic systems on the roofs of city-owned buildings and other city-owned property by the end of 2035. The department would be required to complete at least 100 megawatts worth of installations by September 1, 2030. Installations would be prioritized in disadvantaged communities, and the department would be required to set criteria for increasing the number of eligible roofs that can host solar photovoltaic systems. Additionally, the department would be required to report: (1) factors considered when making determinations about the long-term ownership, operation and maintenance of such systems, (2) the expected location and size of each system to be installed, along with an indication of whether requests for proposals have been issued for all necessary contracts, (3) information pertaining to ineligible roofs, and (4) identifying information for all city-owned properties that have had such systems installed, including but not limited to the address, system size, annual energy savings, and annual emissions reduction.

EFFECTIVE DATE: 45 days after becoming law, provided that the information required to be reported by subdivision d, paragraph 4 of subdivision f, subparagraph (g) of paragraph 7 of subdivision f, and subdivision g of section 4-207.1 of the administrative code of the city of New York, as added by section one of this local law, shall only be required to be included in the report required by subdivision f of such section 4-207.1 that is due September 1, 2026 and thereafter.

FISCAL YEAR (FY) IN WHICH FULL FISCAL IMPACT ANTICIPATED: N/A

FISCAL IMPACT STATEMENT:

	Effective FY25	Succeeding FY26	Full Fiscal Impact FY26
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	(See Below)	(See Below)	(See Below)
Net	(See Below)	(See Below)	(See Below)

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

IMPACT ON EXPENDITURES: As the legislation allows for the City to install a portion of the new solar capacity through Power Purchase Agreements (PPA) it cannot be determined what portion of the required expansion will be achieved through the City’s own capital construction and what portion will be done through PPAs. As such, under the assumption that the cost will be borne completely within the City’s capital program, any portion of the solar capacity requirement met through PPAs will decrease the City’s capital costs but increase its expense costs. For each megawatt (MW) that is achieved through PPA it is estimated the City’s expense cost will increase by \$4.6 million over 20 years and the City’s upfront capital cost will decrease by \$5 million.

The City has already installed 63 megawatts (MW) of solar photovoltaic systems on city-owned property. The total capital cost for installing the remaining 87 MW of solar capacity by 2035 is estimated at \$435 million, based on a cost of \$5 per watt (which includes all federal and state incentives). This includes \$185 million for the initial 37 MW to be installed by 2030 and an additional \$250 million for the subsequent 50 MW to be completed by 2035. In addition, it is estimated that the City will need to spend \$170 million in capital construction costs by 2035 to reconstruct those roofs that currently are unable to handle the loads placed by the photovoltaic systems to be installed. This estimate does not account for savings the City would realize from reduced reliance on outside energy providers.

For all other costs other than the costs of capital construction the agency will use existing resources.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council Finance Division
Department of Citywide Administrative Services (DCAS)

ESTIMATE PREPARED BY: Tanveer Singh, Legislative Financial Analyst

ESTIMATE REVIEWED BY: Aliya Ali , Unit Head
Eisha Wright, Deputy Director
Michael Twomey, Assistant Counsel
Jonathan Rosenberg, Managing Deputy Director

LEGISLATIVE HISTORY: This legislation was introduced to the Council on February 28, 2024, as Intro. No. 353 and referred to the Committee on Environmental Protection, Resiliency and Waterfronts (the Committee). The legislation was considered by the Committee at a hearing held on March 1, 2024, and laid over. The legislation was subsequently amended, and the amended version, Proposed Intro. No. 353-A will be considered by the Committee on September 26, 2024. Upon successful vote by the Committee, Proposed Intro. No. 353-A will be submitted to the full Council for a vote on September 26, 2024.

DATE PREPARED: 9/24/2024.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 353-A:)

Proposed Int. No. 353-A

By Council Members Nurse, Gennaro, De La Rosa, Avilés, Sanchez, Menin, Joseph, Restler, Schulman, Won, Brannan, Brewer, Hanif, Ung, Louis, Krishnan, Narcisse, Ayala, Bottcher, Marte, Salaam, Abreu, Ossé, Yeger, Gutiérrez, Powers, Hudson, Rivera, Cabán, Lee, Feliz, Farías, Holden, Banks, Zhuang, Riley, Williams, Mealy, Dinowitz, Brooks-Powers, Stevens, Moya, Salamanca, Hanks, Marmorato, Ariola and the Public Advocate (Mr. Williams) (in conjunction with the Brooklyn and Manhattan Borough Presidents).

A Local Law to amend the administrative code of the city of New York, in relation to the installation of solar photovoltaic systems on city-owned property

Be it enacted by the Council as follows:

Section 1. Section 4-207.1 of the administrative code of the city of New York, as added by local law number 24 for the year 2016, is amended to read as follows:

§ 4-207.1 Photovoltaic systems for city-owned buildings *and property*. a. As used in this section:

City building. The term “city building” shall have the meaning ascribed to such term in section 28-309.2 of the code.

Contracted entity. The term “contracted entity” means a local development corporation or other not-for-profit corporation, a majority of whose members are appointed by the mayor, that contracts with the city to provide or administer economic development benefits on behalf of the city and expending city capital appropriations in connection therewith, except that such term does not include the Brooklyn navy yard development entity as defined in section 22-821.

Cost effective. The term “cost effective” means, with respect to the installation of a photovoltaic system or additional photovoltaic system capacity, one or more of the following determinations:

1. The cumulative savings expected to result from such installation, including expected savings in energy costs, will in 25 years or less, equal or exceed the expected costs of such installation, less all federal, state and other non-city governmental assistance available to offset the cost of such installation and including the social cost of carbon value, as described in paragraphs 3 and 4 of subdivision d of section 3-125 of the code; provided, however, that a higher site- or project-specific social cost of carbon value may be developed and used in lieu of the social cost of carbon value described in such paragraphs.

2. A power purchase agreement relating to such installation, entered into with the city, offers electricity rates for photovoltaic systems that meet or are lower than the average prevailing utility rates.

Department. The term “department” means the department of citywide administrative services.

Eligible roof. The term “eligible roof” means a city building roof that is less than or equal to [ten] 10 years old and in good condition, as defined by city asset management standards.

b. 1. By December 31, 2035, the department, in coordination with any other relevant agency, shall install, maintain, and operate photovoltaic systems with a total power capacity of at least 150 megawatts on city building roofs and other city-owned property, including but not limited to parking lots, industrial sites, and property controlled, leased, or operated by a contracted entity.

2. By September 1, 2030, the department, in coordination with any other relevant agency, shall install at least 100 megawatts of the photovoltaic systems required to be installed pursuant to paragraph 1 of this subdivision.

c. In meeting the requirements of subdivision b of this section, the department shall prioritize the installation of photovoltaic systems in disadvantaged communities, as defined by section 75-0101 of the environmental conservation law.

d. The department, in coordination with any other relevant agency, shall set criteria for increasing the number of eligible roofs in order to meet the requirements of subdivision b of this section. The department shall identify such criteria and any increase in the number of eligible roofs in the report required by subdivision f of this section.

e. 1. By September 1, 2028, the department shall submit to the speaker of the council and the mayor, and make publicly available online, a report that identifies factors to consider when making determinations about the long-term ownership, operation, and maintenance of photovoltaic systems installed pursuant to subdivision b of this section that are the subject of power purchase agreements.

2. By September 1, 2030, the department shall submit to the speaker of the council and the mayor, and make publicly available online, a report (i) identifying the expected location and size, expressed in total power capacity (in kilowatts), of each photovoltaic system to be installed pursuant to subdivision b of this section that has not been installed as of September 1, 2030, and (ii) indicating whether a request for proposals has been issued for all contracts necessary to install such photovoltaic systems, and, if so, providing a planned timeline, including a planned date of completion, for all work to be performed pursuant to such contracts.

f. By December 31, 2016, and by September 1 of every second year thereafter, the department, with the cooperation of all appropriate city agencies, shall submit to the speaker of the council and the mayor, and make publicly available online, a report containing, at a minimum, the following information for each city building, disaggregated by council district:

1. The street address of such building;

2. The age of such building’s roof;

3. Whether such building’s roof is in good condition, as defined by city asset management standards;

4. The following information for 100 unique roofs that are not eligible roofs and for which such information has not been included in any prior report: the estimated photovoltaic system size that could be installed on each

such roof, as expressed in installed power capacity (in kilowatts), if such roof were repaired or replaced so as to become an eligible roof;

5. For each eligible roof, the following information will be provided:

(a) [the] *The estimated potential photovoltaic system size that could be installed on such roof, as expressed in installed power capacity (in kilowatts);*

(b) [the] *The estimated potential energy that could be generated by such system annually (in kilowatt-hours); and*

(c) [the] *The estimated amount of greenhouse gas emissions reduced or avoided annually due to the use of such system;*

[5.] 6. Whether a photovoltaic system has been installed at such building and, if such a system has been installed, a description thereof, including:

(a) [the] *The photovoltaic system size expressed in installed power capacity (in kilowatts), as a percentage of the maximum peak power need identified for such building and, if such building has an eligible roof, as a percentage of the maximum photovoltaic system size that could be cost effectively installed on the roof of such building;*

(b) [the] *The energy generated by such system annually (in kilowatt-hours) and expressed as a percentage of the estimated energy consumption of such building;*

(c) [the] *The date of such installation;*

(d) [the] *The total cost of such system and a description of how the installation of such system was financed, including whether such financing involved a power purchase agreement entered into with the city;*

(e) [the] *The energy cost savings resulting from and revenue generated by such system annually; [and]*

(f) [the] *The estimated amount of greenhouse gas emissions reduced or avoided due to such system annually[.]; and*

(g) *If such system was installed pursuant to a power purchase agreement, the legal name of the prime contractor responsible for such installation; and*

[6.] 7. If a photovoltaic system has not been installed at such building, the reasons that such a system was not installed and, where an alternate sustainability project, structural change or other use has been proposed or carried out for the roof of such building, a description of such alternate project, structural change or use including:

(a) [the] *The projected benefits thereof;*

(b) [the] *The estimated energy cost savings, if applicable; and*

(c) [the] *The estimated amount of greenhouse gas emissions reduced or avoided annually due to such project, structural change or use, if applicable, and associated economic value as determined using the social cost of carbon value, as described in paragraphs 3 and 4 of subdivision d of section 3-125 [of the code].*

g. The department shall also include in the report required by subdivision f of this section, the following information for each city-owned property, other than a city building, on which a photovoltaic system has been installed:

1. The street address of such property;

2. The property's primary use;

3. The photovoltaic system size expressed in installed power capacity (in kilowatts);

4. The energy generated by such system annually (in kilowatt-hours);

5. The date on which such system was installed;

6. The total cost of such system and a description of how the installation of such system was financed, including whether such financing involved a power purchase agreement entered into with the city;

7. The energy cost savings resulting from and revenue generated by such system annually;

8. The estimated amount of greenhouse gas emissions reduced or avoided due to such system annually; and

9. If such system was installed pursuant to a power purchase agreement, the legal name of the prime contractor responsible for such installation.

§ 2. This local law takes effect 45 days after becoming law, provided that the information required to be reported by subdivision d, paragraph 4 of subdivision f, subparagraph (g) of paragraph 7 of subdivision f, and subdivision g of section 4-207.1 of the administrative code of the city of New York, as added by section one of this local law, shall only be required to be included in the report required by subdivision f of such section 4-207.1 that is due September 1, 2026 and thereafter.

SANDY NURSE, *Acting Chairperson*; RAFAEL SALAMANCA, Jr, JUSTIN L. BRENNAN, ROBERT F. HOLDEN, ALEXA AVILES, LINCOLN RESTLER, KRISTY MARMORATO, SUSAN ZHUANG; 8-0-0; *Medical*: James F. Gennaro; Committee on Environmental Protection, Resiliency and Waterfronts, September 26, 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. 132

Report of the Committee on Land Use in favor of approving Application number C 240237 ZMM (MSK Pavilion) submitted by Memorial Sloan Kettering Cancer Center, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8c, changing from an R8 District to an R9 District, Borough of Manhattan, Community District 8, Council District 5.

The Committee on Land Use, to which the annexed Land Use item was referred on August 15, 2024 (Minutes, page 2997) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB 8 – FIVE APPLICATIONS RELATED TO MSK PAVILION

C 240237 ZMM (L.U. No. 132)

City Planning Commission decision approving an application submitted by the Memorial Sloan Kettering Cancer Center, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8c, changing from an R8 District to an R9 District property bounded by East 67th Street, a line 100 feet westerly of York Avenue, East 66th Street, and line 315 feet easterly of First Avenue, as shown on a diagram (for illustrative purposes only) dated April 29, 2024, and subject to the conditions of CEQR Declaration E-760.

N 240238 ZRM (L.U. No. 133)

City Planning Commission decision approving an application submitted by the Memorial Sloan Kettering Cancer Center, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article VII, Chapter 9 (Special Regulations Applying to Large-Scale Community Facility Developments).

C 240235 ZSM (L.U. No. 134)

City Planning Commission decision approving an application submitted by the Memorial Sloan Kettering Cancer Center, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 79-43** of the Zoning Resolution to modify:

1. the height and setback requirements of Section 24-522 (Front setbacks in districts where front yards are not required) on the periphery of a large-scale community facility development;
2. the lot coverage requirements of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage); and
3. the sign regulations of Section 22-321 (Nameplates or identification signs) and Section 22-342 (Height of signs)

to facilitate a proposed 31-story inpatient medical facility on the South Block Zoning Lot (Block 1461, Lots 13 & 21), in R9* and R10 Districts, within an existing Large-Scale Community Facility Development generally bounded by East 69th Street, a line 338 feet easterly of First Avenue, a line midway between East 69th Street and East 68th Street, a line 463 feet easterly of First Avenue, East 68th Street, York Avenue, East 66th Street, a line 300 feet westerly of York Avenue, East 67th Street, First Avenue, East 68th Street, and a line 100 feet easterly of First Avenue (Block 1461, Lots 13 & 21, Block 1462, Lots 1 & 5, and Block 1463, Lots 5 and 7501 (condo lot 1001)) in R8, R9*, and R10 Districts.

*Note: A portion of the site is proposed to be rezoned by changing an existing R8 District to an R9 District under a concurrent related application for a Zoning Map change (C 240237 ZMM).

**Note: A zoning text amendment is proposed to modify Section 79-40 under a concurrent related application (N 240238 ZRM).

M 240240 LDM (L.U. No. 135)

City Planning Commission decision approving an application submitted by Memorial Sloan Kettering Cancer Center for cancellation of a restrictive declaration associated with the approved applications 010547ZMM, 010145ZSM and 010549ZAM which was recorded on December 20, 2001 in Reel 3413, Page 1860 in the Office of the New York County Register.

C 240236 GFM (L.U. No. 136)

City Planning Commission decision approving an application submitted by Memorial Sloan Kettering Cancer Center, pursuant to Sections 197-c of the New York City Charter for a revocable consent to construct, maintain and use a 24 foot-wide pedestrian bridge over East 67th Street approximately 67 feet westerly of First Avenue.

INTENT

To approve the amendment to rezone the project area from an R8 zoning district to an R9 zoning district; amend the zoning text to enable modifications to lot coverage and signage, within a hospital or hospital-related large-scale community facility development located within the boundaries of Community District 8; grant an approval of the special permit to enable modifications of height and setback regulations along a street on the periphery of a LSCFD, lot coverage regulations and signage regulations; approve the cancelation of a previously approved restrictive declaration; and approve the revocable consent to enable a skybridge over a public street, to facilitate the development of a 31-story hospital building with a skybridge within an existing large-scale community facility development (LSCFD), located at 1233 York Avenue (Block 1461, Lots 13 and 21), in the

Upper East Side of Manhattan, Community District 8.

PUBLIC HEARING

DATE: September 10, 2024

Witnesses in Favor: Twenty-four

Witnesses Against: Twenty-six

SUBCOMMITTEE RECOMMENDATION

DATE: September 24, 2024

The Subcommittee recommends that the Land Use Committee approve the decisions of the City Planning Commission on L.U. Nos. 132 through 136.

In Favor:

Riley
Moya
Abreu
Hanks
Schulman
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: September 24, 2024

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Moya
Rivera
Riley
Brooks-Powers
Abreu
Farias
Hanks
Hudson
Sanchez

Against:

None

Abstain:

None

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

Res. No. 581

Resolution approving the decision of the City Planning Commission on ULURP No. C 240237 ZMM, a Zoning Map amendment (L.U. No. 132).

By Council Members Salamanca, Riley and Mealy.

WHEREAS, Memorial Sloan Kettering Cancer Center, 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. 8c, changing from an R8 District to an R9 District, which in conjunction with the related actions would facilitate the development of a 31-story hospital building with a skybridge within an existing large-scale community facility development (LSCFD), located at 1233 York Avenue (Block 1461, Lots 13 and 21), in the Upper East Side of Manhattan, Community District 8 (ULURP No. C 240237 ZMM) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on August 13, 2024 its decision dated August 7, 2024 (the "Decision") on the Application;

WHEREAS, the Application is related to applications N 240238 ZRM (L.U. No. 133), a zoning text amendment to enable modifications to lot coverage and signage, within a hospital or hospital-related large-scale community facility development located within the boundaries of Community District 8; C 240235 ZSM (L.U. No. 134), a zoning special permit to enable modifications of height and setback regulations along a street on the periphery of a LSCFD, lot coverage regulations and signage regulations; M 240240 LDM (L.U. No. 135), a cancelation of a recorded restrictive declaration; and C 240236 GFM (L.U. No. 136), a revocable consent to enable a skybridge over a public street;

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 September 10, 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 Positive Declaration issued March 28th, 2023 (CEQR No. 23DCP118M) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on July 26, 2024, in which significant adverse impacts related to traffic would be avoided through the establishment of a Transportation Monitoring Plan (TMP) as specified in FEIS Chapter 10, "Transportation"; and significant adverse impacts related to air quality and noise would be avoided through the placement of (E) designations (E-760) on project site as specified in FEIS Chapters 11 and 13 respectively. Project Components Related to the Environment (PCREs), are set forth in FEIS Chapter 16, "Construction"; to ensure the implementation of the PCREs, the applicant will enter into a Restrictive Declaration at the time of the approval of land use-related actions and prior to issuance of any permits. The proposed project as analyzed in the FEIS identified significant adverse impacts with respect to shadows and construction (transportation and noise); the identified significant adverse impacts and proposed mitigation measures under the proposed actions are summarized in FEIS Chapter 17, "Mitigation". In addition, the significant adverse impacts that would not be fully mitigated are summarized in FEIS Chapter 19, "Unavoidable Adverse Impacts". To ensure the implementation of the mitigation measures identified in the FEIS, the mitigation measures are included in the Restrictive Declaration.

RESOLVED:

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

1. The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
2. The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the action that is set forth in the Decision;
3. Consistent with social, economic and other essential considerations, from among the reasonable alternatives provided in the application, the actions are those which minimize or avoid adverse environmental impacts to the maximum extent practicable; and
4. The adverse environmental impacts revealed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the restrictive declaration dated August 7, 2024, those project components related to the environment and mitigation measures that were identified as practicable.

The Decision, together with the FEIS issued July 26th, 2024, constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d);

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report C 240237 ZMM, 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. 8c, changing from an R8 District to an R9 District property bounded by East 67th Street, a line 100 feet westerly of York Avenue, East 66th Street, and line 315 feet easterly of First Avenue, as shown on a diagram (for illustrative purposes only) dated April 29, 2024, and subject to the conditions of CEQR Declaration E-760.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ; 10-0-0; *Absent*: Joseph C. Borelli; Committee on Land Use, September 24, 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. 133

Report of the Committee on Land Use in favor of approving Application number N 240238 ZRM (MSK Pavilion) submitted by Memorial Sloan Kettering Cancer Center, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article VII, Chapter 9 (Special Regulations Applying to Large-Scale Community Facility Developments), Borough of Manhattan, Community District 8, Council District 5.

The Committee on Land Use, to which the annexed Land Use item was referred on August 15, 2024 (Minutes, page 2998) 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. 132 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 582

Resolution approving the decision of the City Planning Commission on Application No. N 240238 ZRM, for an amendment of the text of the Zoning Resolution (L.U. No. 133).

By Council Members Salamanca, Riley and Mealy.

WHEREAS, Memorial Sloan Kettering Cancer Center, filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article VII, Chapter 9 (Special Regulations Applying to Large-Scale Community Facility Developments), which in conjunction with the related actions would facilitate the development of a 31-story hospital building with a skybridge within an existing large-scale community facility development (LSCFD), located at 1233 York Avenue (Block 1461, Lots 13 and 21), in the Upper East Side of Manhattan, Community District 8 (ULURP No. N 240238 ZRM), (the "Application");

WHEREAS, the City Planning Commission filed with the Council on August 13, 2024 its decision dated August 7, 2024 (the "Decision") on the Application;

WHEREAS, the Application is related to applications C 240237 ZMM (L.U. No. 132), a zoning map amendment to change an R8 District to a R9 District; C 240235 ZSM (L.U. No. 134), a zoning special permit to enable modifications of height and setback regulations along a street on the periphery of a LSCFD, lot coverage regulations and signage regulations; M 240240 LDM (L.U. No. 135), a cancellation of a recorded restrictive declaration; and C 240236 GFM (L.U. No. 136), a revocable consent to enable a skybridge over a public street;

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 September 10, 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 Positive Declaration issued March 28th, 2023 (CEQR No. 23DCP118M) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on July 26, 2024, in which significant adverse impacts related to traffic would be avoided through the establishment of a Transportation Monitoring Plan (TMP) as specified in FEIS Chapter 10, "Transportation"; and significant adverse impacts related to air quality and noise would be avoided through the placement of (E) designations (E-760) on project site as specified in FEIS Chapters 11 and 13 respectively. Project Components Related to the Environment (PCREs), are set forth in FEIS Chapter

16, "Construction"; to ensure the implementation of the PCREs, the applicant will enter into a Restrictive Declaration at the time of the approval of land use-related actions and prior to issuance of any permits. The proposed project as analyzed in the FEIS identified significant adverse impacts with respect to shadows and construction (transportation and noise); the identified significant adverse impacts and proposed mitigation measures under the proposed actions are summarized in FEIS Chapter 17, "Mitigation". In addition, the significant adverse impacts that would not be fully mitigated are summarized in FEIS Chapter 19, "Unavoidable Adverse Impacts". To ensure the implementation of the mitigation measures identified in the FEIS, the mitigation measures are included in the Restrictive Declaration.

RESOLVED:

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

1. The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
2. The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the action[s] that is set forth in the Decision;
3. Consistent with social, economic and other essential considerations, from among the reasonable alternatives provided in the application, the actions are those which minimize or avoid adverse environmental impacts to the maximum extent practicable; and
4. The adverse environmental impacts revealed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the restrictive declaration dated August 7, 2024, those project components related to the environment and mitigation measures that were identified as practicable.

The Decision, together with the FEIS issued July 26th, 2024, constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d);

Pursuant to Sections 197-d and 201 of the City Charter and on the basis of the Decision, Application, the environmental determination, considerations described in the City Planning Commission report, N 240238 ZRM, 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.

ARTICLE VII ADMINISTRATION

**Chapter 9
Special Regulations Applying to Large-Scale Community Facility Developments**

* * *

**79-40
SPECIAL PERMIT PROVISIONS**

* * *

79-43**Special Permit for Limited Bulk Modifications for Certain Large-scale Community Facility Developments**

For #large-scale community facility developments# located within the boundaries of Community Districts 8 and 12 in the Borough of Manhattan, that contain #community facility uses# specified in Section 73-64 (Modification for Community Facility Uses), the City Planning Commission may, by special permit, ~~permit modification of regulations relating to height and setback on the periphery of the #large-scale community facility development#, #courts# and distance between windows and walls or #lot lines# not otherwise allowed in Section 79-21 (General Provisions).~~ As a condition for such action, allow modifications to the following provisions set forth in paragraph (a) of this Section, provided that the findings in paragraph (b) are met.

(a) The Commission may allow modifications:

- (1) to regulations relating to height and setback on the periphery of the #large-scale community facility development#, #courts# and distance between windows and walls or #lot lines# not otherwise allowed in Section 79-21 (General Provisions); and
- (2) additionally, in R9 and R10 Districts, located within Community District 8:
 - (i) to #lot coverage#; and
 - (ii) to #sign# regulations.

(b) In order to grant such special permit, the Commission shall find that such modification:

- (a)(1) is required in order to enable the #large-scale community facility development# to provide an essential service to the community;
- (b)(2) will provide a more satisfactory physical relationship to the existing #buildings# which form the #large-scale community facility development#, and provide a more efficient and integrated site plan;
- (c)(3) will better complement the existing character of the neighborhood;
- (d)(4) will not unduly increase the #bulk# of #buildings# in any #block# to the detriment of the occupants or users of #buildings# in the #block# or nearby #blocks#; ~~and~~
- (e)(5) will not adversely affect any other #zoning lots# or #streets# outside the #large-scale community facility development# by unduly restricting access to light and air.; and

(6) in R9 and R10 Districts located within Community District 8:

- (i) with regard to #lot coverage#, will result in a better site plan and a better relationship among #buildings# and open areas; and
- (ii) with regard to #sign# modifications:
 - (a) a signage plan has been submitted showing the location, size, height, and illumination of all #signs# on the #zoning lot#;
 - (b) the modifications are consistent with the amount and location of the #large-scale community facility development# that the Commission finds appropriate on the #zoning lot#; and
 - (c) #illuminated signs#, if provided:
 - (1) utilize an illumination type, and are located and oriented in a manner so as to minimize any negative effects on nearby #residences#; and
 - (2) do not alter the essential character of the adjacent area.

The Commission may prescribe additional conditions and safeguards to improve the quality of the #large-scale community facility development# and to minimize adverse effects on the character of the surrounding area.

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ; 10-0-0; *Absent*: Joseph C. Borelli; Committee on Land Use, September 24, 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. 134

Report of the Committee on Land Use in favor of approving Application number C 240235 ZSM (MSK Pavilion) submitted by Memorial Sloan Kettering Cancer Center, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 79-43 of the Zoning Resolution (as proposed to be amended) to modify: the height and setback requirements of Section 24-522 (Front setbacks in districts where front yards are not required) on the periphery of a large scale community facility development; the lot coverage requirements of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage); and the sign regulations of Section 22-231 (Nameplates or identification signs) and Section 22-342 (Height of signs) to facilitate a proposed 31-story inpatient medical facility on the South Block Zoning Lot (Block 1461, Lots 13 & 21), in R9(as proposed to be amended) and R10 Districts, within an existing Large-Scale Community Facility Development generally bounded by East 69th Street, a line 338 feet easterly of First Avenue, a line midway between East 69th Street and East 68th Street, a line 463 feet easterly of First Avenue, East 68th Street, York Avenue, East 66th Street, a line 300 feet westerly of York Avenue, East 67th Street, First Avenue, East 68th Street, and a line 100 feet easterly of First Avenue (Block 1461, Lots 13 & 21, Block 1462, Lots 1 & 5, and Block 1463, Lots 5 and 7501 (condo lot 1001)) in R8, R9(as proposed to be amended), and R10 Districts, Borough of Manhattan, Community District 8, Council District 5.

The Committee on Land Use, to which the annexed Land Use item was referred on August 15, 2024 (Minutes, page 2998) 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. 132 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 583

Resolution approving the decision of the City Planning Commission on ULURP No. C 240235 ZSM, for the grant of a special permit (L.U. No. 134).

By Council Members Salamanca, Riley and Mealy.

WHEREAS, Memorial Sloan Kettering Cancer Center, 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 Section 79-43 of the Zoning Resolution to modify:

1. the height and setback requirements of Section 24-522 (Front setbacks in districts where front yards are not required) on the periphery of a large-scale community facility development;
2. the lot coverage requirements of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage); and
3. the sign regulations of Section 22-321 (Nameplates or identification signs) and Section 22-342 (Height of signs)

to facilitate a proposed 31-story inpatient medical facility on the South Block Zoning Lot (Block 1461, Lots 13 & 21), in R9 and R10 Districts, within an existing Large-Scale Community Facility Development generally bounded by East 69th Street, a line 338 feet easterly of First Avenue, a line midway between East 69th Street and East 68th Street, a line 463 feet easterly of First Avenue, East 68th Street, York Avenue, East 66th Street, a

line 300 feet westerly of York Avenue, East 67th Street, First Avenue, East 68th Street, and a line 100 feet easterly of First Avenue (Block 1461, Lots 13 & 21; Block 1462, Lots 1 & 5; and Block 1463, Lots 5 and 7501 (condo lot 1001)) in R8, R9, and R10 Districts, Borough of Manhattan, Community District 8 (ULURP No. C 240235 ZSM) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on August 13, 2024, its decision dated August 7, 2024 (the “Decision”) on the Application;

WHEREAS, the Application is related to applications C 240237 ZMM (L.U. No. 132), a zoning map amendment to change an R8 District to a R9 District; N 240238 ZRM (L.U. No. 133), a zoning text amendment to enable modifications to lot coverage and signage, within a hospital or hospital-related large-scale community facility development located within the boundaries of Community District 8; M 240240 LDM (L.U. No. 135), a cancelation of a recorded restrictive declaration; and C 240236 GFM (L.U. No. 136), a revocable consent to enable a skybridge over a public street;

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 79-43 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 September 10, 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 Positive Declaration issued March 28th, 2023 (CEQR No. 23DCP118M) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on July 26, 2024, in which significant adverse impacts related to traffic would be avoided through the establishment of a Transportation Monitoring Plan (TMP) as specified in FEIS Chapter 10, “Transportation”; and significant adverse impacts related to air quality and noise would be avoided through the placement of (E) designations (E-760) on project site as specified in FEIS Chapters 11 and 13 respectively. Project Components Related to the Environment (PCREs), are set forth in FEIS Chapter 16, “Construction”; to ensure the implementation of the PCREs, the applicant will enter into a Restrictive Declaration at the time of the approval of land use-related actions and prior to issuance of any permits. The proposed project as analyzed in the FEIS identified significant adverse impacts with respect to shadows and construction (transportation and noise); the identified significant adverse impacts and proposed mitigation measures under the proposed actions are summarized in FEIS Chapter 17, “Mitigation”. In addition, the significant adverse impacts that would not be fully mitigated are summarized in FEIS Chapter 19, “Unavoidable Adverse Impacts”. To ensure the implementation of the mitigation measures identified in the FEIS, the mitigation measures are included in the Restrictive Declaration.

RESOLVED:

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

1. The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
2. The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the action that is set forth in the Decision;

3. Consistent with social, economic and other essential considerations, from among the reasonable alternatives provided in the application, the actions are those which minimize or avoid adverse environmental impacts to the maximum extent practicable; and
4. The adverse environmental impacts revealed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the restrictive declaration dated August 7, 2024, those project components related to the environment and mitigation measures that were identified as practicable.

The Decision, together with the FEIS issued July 26th, 2024, constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d);

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 240235 ZSM, 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 240235 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by AAI Architects, filed with this application and incorporated in this resolution:

<u>Drawing No.</u>	<u>Title</u>	<u>Last Revised Date</u>
Z-10	LSCFD Site Plan (Proposed)	01/12/2024
Z-11	LSCFD Zoning Analysis (Proposed)	07/30/2024
Z-22	South Block Zoning Lot – Zoning Diagrams	01/12/2024
Z-23	South Block Zoning Lot – Site Plan	01/12/2024
Z-30	Zoning Waiver Plan – Development Site	01/12/2024
Z-31	Zoning Waiver Section North-South 1	07/30/2024
Z-32	Zoning Waiver Section North-South 2	01/12/2024
Z-33	Zoning Waiver Section North-South 3	01/12/2024
Z-34	Zoning Waiver Section North-South 4	01/12/2024
Z-35	Zoning Waiver Section East-West	01/12/2024
Z-71	Signage Diagrams	01/12/2024
Z-72	Signage Diagrams	01/12/2024

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. 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, sublessee or occupant.
5. Development pursuant to this resolution shall be allowed only after the attached restrictive declaration dated August 7, 2024, executed by Memorial Hospital for Cancer and Allied Diseases, the terms of which are hereby incorporated in this resolution, shall have been recorded and filed in the Office of the

Register of the City of New York, County of New York.

6. In the event the property that is the subject of the application is developed, sold as, or converted to condominium units, a homeowners' association, or cooperative ownership, a copy of this resolution and restrictive declaration described below and any subsequent modifications to either document 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.
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 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 or breach of any of the conditions as stated above, may constitute grounds for the City Planning Commission or City Council, as applicable, to disapprove any application for modification, renewal or extension of the special permit hereby granted or of the attached 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's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ; 10-0-0; *Absent*: Joseph C. Borelli; Committee on Land Use, September 24, 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. 135

Report of the Committee on Land Use in favor of approving Application number M 240240 LDM (MSK Pavilion) submitted by Memorial Sloan Kettering Cancer Center for cancellation of a restrictive declaration associated with the approved applications 010547 ZMM, 010145 ZSM and 010549 ZAM which was recorded on December 20, 2001 in Reel 3413, Page 1860 in the Office of the New York County Register, Borough of Manhattan, Community District 8, Council District 5.

The Committee on Land Use, to which the annexed Land Use item was referred on August 15, 2024 (Minutes, page 2998) 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. 132 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. 584

Resolution approving the decision of the City Planning Commission on Application No. M 240240 LDM, for the cancellation of a Restrictive Declaration (L.U. No. 135).

By Council Members Salamanca and Riley.

WHEREAS, Memorial Sloan Kettering Cancer Center filed an application for a cancellation of the previously approved Restrictive Declaration, dated December 19, 2001, to facilitate a proposed 31-story inpatient medical facility on the south campus block zoning lot (Block 1461, Lots 13 & 21), within an existing large-scale community facility development generally bounded by East 69th Street, a line 338 feet easterly of First Avenue, a line midway between East 69th Street and East 68th Street, a line 463 feet easterly of First Avenue, East 68th Street, York Avenue, East 66th Street, a line 300 feet westerly of York Avenue, East 67th Street, First Avenue, East 68th Street, and a line 100 feet easterly of First Avenue (Block 1461, Lots 13 & 21, Block 1462, Lots 1 & 5, and Block 1463, Lots 5 and 7501 (condo lot 1001)) in the Upper East Side neighborhood of Manhattan, Community District 8 (the “Application”);

WHEREAS, the Restrictive Declaration was recorded in the Office of the New York Council Register, (Reel 3413, Page 1860) on December 20, 2001, by Memorial Hospital for Cancer and Allied Diseases in connection with a rezoning (C 010547 ZMM), zoning authorization (N 010549 ZAM), and special permit to establish a large-scale community facility development (LSCFD) (C 010545 ZSM);

WHEREAS, the Restrictive Declaration required a return to the City Planning Commission and City Council for approval to modify or cancel the Restrictive Declaration to allow the utilization of floor area, beyond the 75,000 square feet currently allowed by the Restrictive Declaration, resulting from the rezoning of the main campus block (Block 1462, Lots 1 and 5) within the LSCFD; and

WHEREAS, the City Planning Commission filed with the Council on August 13, 2024 its decision dated August 7, 2024 (the “Decision”), on the Application;

WHEREAS, the Application is related to applications C 240237 ZMM (L.U. No. 132), a zoning map amendment to change an R8 District to a R9 District; N 240238 ZRM (L.U. No. 133), a zoning text amendment to enable modifications to lot coverage and signage, within a hospital or hospital-related large-scale community facility development located within the boundaries of Community District 8; C 240235 ZSM (L.U. No. 134), a zoning special permit to enable modifications of height and setback regulations along a street on the periphery of a LSCFD, lot coverage regulations and signage regulations; and C 240236 GFM (L.U. No. 136), a revocable consent to enable a skybridge over a public street;

WHEREAS, the Decision is subject to review and action by the Council, pursuant to the terms of the Declaration;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 10, 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 Positive Declaration issued March 28th, 2023 (CEQR No. 23DCP118M) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on July 26, 2024, in which significant adverse impacts related to traffic would be avoided through the establishment of a Transportation Monitoring Plan (TMP) as

specified in FEIS Chapter 10, “Transportation”; and significant adverse impacts related to air quality and noise would be avoided through the placement of (E) designations (E-760) on project site as specified in FEIS Chapters 11 and 13 respectively. Project Components Related to the Environment (PCREs), are set forth in FEIS Chapter 16, “Construction”; to ensure the implementation of the PCREs, the applicant will enter into a Restrictive Declaration at the time of the approval of land use-related actions and prior to issuance of any permits. The proposed project as analyzed in the FEIS identified significant adverse impacts with respect to shadows and construction (transportation and noise); the identified significant adverse impacts and proposed mitigation measures under the proposed actions are summarized in FEIS Chapter 17, “Mitigation”. In addition, the significant adverse impacts that would not be fully mitigated are summarized in FEIS Chapter 19, “Unavoidable Adverse Impacts”. To ensure the implementation of the mitigation measures identified in the FEIS, the mitigation measures are included in the Restrictive Declaration.

RESOLVED:

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

1. The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
2. The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the action that is set forth in the Decision;
3. Consistent with social, economic and other essential considerations, from among the reasonable alternatives provided in the application, the actions are those which minimize or avoid adverse environmental impacts to the maximum extent practicable; and
4. The adverse environmental impacts revealed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the restrictive declaration dated August 7, 2024, those project components related to the environment and mitigation measures that were identified as practicable.

The Decision, together with the FEIS issued July 26th, 2024, constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d);

Pursuant to the Original Declaration, and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report of the City Planning Commission for M 240240 LDM, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ; 10-0-0; *Absent*: Joseph C. Borelli; Committee on Land Use, September 24, 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. 136

Report of the Committee on Land Use in favor of approving Application number C 240236 GFM (MSK Pavilion) submitted by Memorial Sloan Kettering Cancer Center, pursuant to Sections 197-c of the New York City Charter for a revocable consent to construct, maintain and use a 24 foot-wide pedestrian bridge over East 67th Street approximately 67 feet westerly of First Avenue, Borough of Manhattan, Community District 8, Council District 5.

The Committee on Land Use, to which the annexed Land Use item was referred on August 15, 2024 (Minutes, page 2999) 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. 132 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 585

Resolution approving the decision of the City Planning Commission on ULURP No. C 240236 GFM, for a Revocable Consent (L.U. No. 136).

By Council Members Salamanca, Riley and Mealy.

WHEREAS, Memorial Sloan Kettering Cancer Center filed an application, pursuant to Section 197-c of the New York City Charter for a revocable consent to construct, maintain and use a 24-foot-wide pedestrian bridge over East 67th Street approximately 67 feet westerly of First Avenue, which in conjunction with the related actions would facilitate the development of a 31-story hospital building with a skybridge within an existing large-scale community facility development (LSCFD), located at 1233 York Avenue (Block 1461, Lots 13 and 21), in the Upper East Side of Manhattan, Community District 8 (ULURP No. C 240236 GFM) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on August 13, 2024 its decision dated August 7, 2024 (the "Decision") on the Application;

WHEREAS, the Application is related to applications C 240237 ZMM (L.U. No. 132), a zoning map amendment to change an R8 District to a R9 District; N 240238 ZRM (L.U. No. 133), a zoning text amendment to enable modifications to lot coverage and signage, within a hospital or hospital-related large-scale community facility development located within the boundaries of Community District 8; C 240235 ZSM (L.U. No. 134), a zoning special permit to enable modifications of height and setback regulations along a street on the periphery of a LSCFD, lot coverage regulations and signage regulations; and M 240240 LDM (L.U. No. 135), a cancelation of a recorded restrictive declaration;

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 September 10, 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 Positive Declaration issued March 28th, 2023 (CEQR No. 23DCP118M) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on July 26, 2024, in which significant adverse impacts related to traffic would be avoided through the establishment of a Transportation Monitoring Plan (TMP) as specified in FEIS Chapter 10, “Transportation”; and significant adverse impacts related to air quality and noise would be avoided through the placement of (E) designations (E-760) on project site as specified in FEIS Chapters 11 and 13 respectively. Project Components Related to the Environment (PCREs), are set forth in FEIS Chapter 16, “Construction”; to ensure the implementation of the PCREs, the applicant will enter into a Restrictive Declaration at the time of the approval of land use-related actions and prior to issuance of any permits. The proposed project as analyzed in the FEIS identified significant adverse impacts with respect to shadows and construction (transportation and noise); the identified significant adverse impacts and proposed mitigation measures under the proposed actions are summarized in FEIS Chapter 17, “Mitigation”. In addition, the significant adverse impacts that would not be fully mitigated are summarized in FEIS Chapter 19, “Unavoidable Adverse Impacts”. To ensure the implementation of the mitigation measures identified in the FEIS, the mitigation measures are included in the Restrictive Declaration.

RESOLVED:

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

1. The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
2. The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the action that is set forth in the Decision;
3. Consistent with social, economic and other essential considerations, from among the reasonable alternatives provided in the application, the actions are those which minimize or avoid adverse environmental impacts to the maximum extent practicable; and
4. The adverse environmental impacts revealed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the restrictive declaration dated August 7, 2024, those project components related to the environment and mitigation measures that were identified as practicable.

The Decision, together with the FEIS issued July 26th, 2024, constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d);

Pursuant to Sections 197-d and 364 (d) of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 240236 GFM, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ; 10-0-0; *Absent*: Joseph C. Borelli; Committee on Land Use, September 24, 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. 137

Report of the Committee on Land Use in favor of approving Application number C 220080 ZMK (150 Mill Street Rezoning) submitted by B.P. Mill Street, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c, by changing from an M1-1 District to an M1-5 District, Borough of Brooklyn, Community District 6, Council District 38.

The Committee on Land Use, to which the annexed Land Use item was referred on August 15, 2024 (Minutes, page 2999) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:**SUBJECT****BROOKLYN CB - 6****C 220080 ZMK**

City Planning Commission decision approving an application submitted by B.P. Mill Street, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c, by changing from an M1-1 District to an M1-5 District property bounded by Mill Street, Hamilton Avenue (southwesterly portion), Centre Street, a line 70 feet southwesterly of Hamilton Avenue (southwesterly portion), a line midway between Mill Street and Centre Street, and a line 100 feet southeasterly of Clinton Street, as shown on a diagram (for illustrative purposes only) dated March 4, 2024, and subject to the conditions of CEQR Declaration E-699.

INTENT

To approve the amendment to rezone the project area from an M1-1 District to an M1-5 District to facilitate the development of a six-story mixed-use development containing 7,779 square feet of retail space, 14,832 square feet of ambulatory diagnostic use, and 41,734 square feet square feet of office space at 150 Mill Street (Block 552, Lot 13) in the Red Hook neighborhood of Brooklyn, Community District 6.

PUBLIC HEARING**DATE:** August 27, 2024**Witnesses in Favor:** Twelve**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** September 24, 2024

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

In Favor:

Riley
Moya
Abreu
Hanks
Schulman
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: September 24, 2024

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca
Moya
Rivera
Riley
Brooks-Powers
Abreu
Farias
Hanks
Hudson
Sanchez

Against:

None

Abstain:

None

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

Res. No. 586

Resolution approving the decision of the City Planning Commission on ULURP No. C 220080 ZMK, a Zoning Map amendment (L.U. No. 137).

By Council Members Salamanca, Riley and Mealy.

WHEREAS, B.P. Mill Street, LLC, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c, by changing from an M1-1 District to an M1-5 District, in the Red Hook neighborhood of Brooklyn, Community District 6, (ULURP No. C 220080 ZMK) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on August 9, 2024 its decision dated July 24, 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 August 27, 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 March 1st, 2024 (CEQR No. 22DCP016K), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-699) (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-699) 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 220080 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. 16c, by changing from an M1-1 District to an M1-5 District property bounded by Mill Street, Hamilton Avenue (southwesterly portion), Centre Street, a line 70 feet southwesterly of Hamilton Avenue (southwesterly portion), a line midway between Mill Street and Centre Street, and a line 100 feet southeasterly of Clinton Street, as shown on a diagram (for illustrative purposes only) dated March 4, 2024, and subject to the conditions of CEQR Declaration E-699, Borough of Brooklyn, Community District 6.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ; 10-0-0; *Absent*: Joseph C. Borelli; Committee on Land Use, September 24, 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. 138

Report of the Committee on Land Use in favor of approving, as modified, Application number C 230022 ZMQ (31-17 12th Street Rezoning) submitted by 31 17 19 1Z, LLC, pursuant to Sections 197- c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9a, by changing from an R5B District to an R6B District, Borough of Queens, Community District 1, Council District 22.

The Committee on Land Use, to which the annexed Land Use item was referred on August 15, 2024 (Minutes, page 2999), respectfully

REPORTS:

SUBJECT

QUEENS CB-1 – TWO APPLICATIONS RELATED TO 31-17 12th STREET REZONING

C 230022 ZMQ (L.U. No. 138)

City Planning Commission decision approving an application submitted by 31-17-19 IZ, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9a, by changing from an R5B District to an R6B District property bounded by a line 100 feet southwesterly of 31st Avenue, a line 150 feet southeasterly of 12th Street, 31st Drive, and 12th Street, as shown on a diagram (for illustrative purposes only) dated March 4, 2024, and subject to the conditions of CEQR Declaration E-757.

N 230023 ZRQ (L.U. No. 139)

City Planning Commission decision approving an application submitted by 31-17-19 IZ, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

INTENT

To approve the amendment to rezone the project area from an R5B zoning district to an R6B zoning district and amend the zoning text to designate the project area as a Mandatory Inclusionary Housing (MIH) area utilizing Option 1, to facilitate the development of a new five-story residential building with 35 dwelling units, of which nine would be permanently income-restricted, at 31-17 12th Street in the Astoria neighborhood of Community District 1, Queens.

PUBLIC HEARING

DATE: August 27, 2024

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: September 17, 2024

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission on L.U. No. 138 and approve with modifications the decision of the City Planning Commission on L.U. No. 139.

In Favor:

Riley
Moya
Abreu
Hanks
Salaam
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** September 19, 2024

The Committee recommends that the Council approve the attached resolutions.

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

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Parental*: Carlina Rivera; Committee on Land Use, September 19, 2024. *Other Council Members Attending: The Speaker (Council Member Adams) and Council Member Ayala.*

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. 139

Report of the Committee on Land Use in favor of approving, as modified, Application number N 230023 ZRQ (31-17 12th Street Rezoning) submitted by 31 17 19 1Z, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York modifying APPENDIX F, for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Community District 1, Council District 22.

The Committee on Land Use, to which the annexed Land Use item was referred on August 15, 2024 (Minutes, page 2999), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 138 printed above in these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Parental*: Carlina Rivera; Committee on Land Use, September 19, 2024. *Other Council Members Attending: The Speaker (Council Member Adams) and Council Member Ayala.*

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. 140

Report of the Committee on Land Use in favor of approving, as modified, Application number C 230354 ZMK (250 86th Street Rezoning) submitted by Dr. Helen Kim, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22b, changing from an R3-2 District to an R6B District, Borough of Brooklyn, Community District 10, Council District 47.

The Committee on Land Use, to which the annexed Land Use item was referred on August 15, 2024 (Minutes, page 3000), respectfully

REPORTS:

SUBJECT

BROOKLYN CB-10 – TWO APPLICATIONS RELATED TO 250 86th STREET REZONING

C 230354 ZMK (L.U. No. 140)

City Planning Commission decision approving an application submitted by Dr. Helen Kim, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22b, changing from an R3-2 District to an R6B District property bounded by 86th Street, a line 100 feet westerly of 3rd Avenue, a line midway between 86th Street and 87th Street, and a line 400 feet westerly of 3rd Avenue.

N 230355 ZRK (L.U. No. 141)

City Planning Commission decision approving an application submitted by Dr. Helen Kim, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

INTENT

To approve the amendment to rezone the project area from an R3-2 district to an R6B zoning district and amend zoning text to modify Appendix F and map the project area as a Mandatory Inclusionary Housing (MIH) area utilizing Options 1 and 2, to facilitate a community facility use within the basement and first floor of an existing two-story mixed use residential building at 250 86th Street (Block 6043, Lot 27) in Bay Ridge neighborhood of Brooklyn, Community District 10, Brooklyn.

PUBLIC HEARING

DATE: August 27, 2024

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION**DATE:** September 17, 2024

The Subcommittee recommends that the Land Use Committee approve with modifications the decision of the City Planning Commission on L.U. No. 140 and approve the motion to file pursuant to withdrawal of the application by the Applicant on L.U. No. 141.

In Favor:

Riley
Moya
Abreu
Hanks
Salaam
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** September 19, 2024

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Moya
Riley
Brooks-Powers
Abreu
Farias
Hanks
Hudson
Sanchez
Borelli

Against:

None

Abstain:

None

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Parental*: Carlina Rivera; Committee on Land Use, September 19, 2024. *Other Council Members Attending: The Speaker (Council Member Adams) and Council Member Ayala.*

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. 141

Report of the Committee on Land Use in favor of filing, pursuant to a letter of withdrawal, Application number N 230355 ZRK (250 86th Street Rezoning) submitted by Dr. Helen Kim, 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 10, Council District 47.

The Committee on Land Use, to which the annexed Land Use item was referred on August 15, 2024 (Minutes, page 3000), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 140 printed above in these Minutes)

Accordingly, this Committee recommends its filing pursuant to a letter of withdrawal.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Parental*: Carlina Rivera; Committee on Land Use, September 19, 2024. *Other Council Members Attending: The Speaker (Council Member Adams) and Council Member Ayala.*

Coupled to be Filed pursuant to a Letter of Withdrawal.

Report for L.U. No. 143

Report of the Committee on Land Use in favor of approving Application number C 240301 HAM (Malcolm Shabazz Harlem Plaza) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Article 16 of the General Municipal Law of New York State for the designation of an Urban Development Action Area and an Urban Development Action Area Project, and pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD, for property located at 73 West 115th Street and 52-58 West 116th Street (Block 1599, Lots 9, 61, 62 and 64), Borough of Manhattan, Community District 9, Council District 10.

The Committee on Land Use, to which the annexed Land Use item was referred on September 12, 2024 (Minutes, page 3136) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:**SUBJECT****MANHATTAN CB - 10****C 240301 HAM**

City Planning Commission decision approving an application submitted by the Department of Housing Preservation and Development (HPD),

1. pursuant to Article 16 of the General Municipal Law of New York State for:

- a. the designation of property located at 73 West 115th Street and 52-58 West 116th Street (Block 1599, Lots 9, 61, 62, and 64) as an Urban Development Action Area; and
 - b. an Urban Development Action Area Project for such area; and
2. pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate the construction of a nine-story mixed-use building containing approximately 108 affordable housing units, and community facility space, Borough of Manhattan, Community District 10.

INTENT

To approve the urban development action area designation, project approval, and disposition of city-owned property to facilitate the development of a two-tower, 9-story mixed-use development containing approximately 108 affordable housing units and the renovation and update of the Malcolm Shabazz Harlem Market at 52 West 116th Street (Block 1599, Lots 9, 61, 62, and 64), in the Harlem neighborhood of Manhattan, Community District 10.

PUBLIC HEARING

DATE: August 27, 2024

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: September 18, 2024

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

In Favor:

Hanks
Feliz
Farias
Marte
Nurse
Salaam

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: September 19, 2024

The Committee recommends that the Council approve the attached resolution.

In Favor:
 Salamanca
 Moya
 Riley
 Brooks-Powers
 Abreu
 Farias
 Hanks
 Hudson
 Sanchez
 Borelli

Against:
 None

Abstain:
 None

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

Res. No. 587

Resolution approving the application submitted by the New York City Department of Housing Preservation and Development (“HPD”) and the decision of the City Planning Commission, ULURP No. C 240301 HAM, approving the designation of an Urban Development Action Area, an Urban Development Action Area Project, and the disposition of city-owned property located at 73 West 115th Street and 52-58 West 116th Street (Block 1599, Lots 9, 61, 62, and 64), Borough of Manhattan, Community District 10, to a developer selected by HPD (L.U. No. 143; C 240301 HAM).

By Council Members Salamanca, Hanks and Mealy.

WHEREAS, the City Planning Commission filed with the Council on August 23, 2024 its decision dated August 21, 2024 (the “Decision”), on the application submitted by the New York City Department of Housing Preservation and Development (“HPD”) regarding city-owned property located at 73 West 115th Street and 52-58 West 116th Street (Block 1599, Lots 9, 61, 62, and 64), (the “Disposition Area”), approving:

- a) pursuant to Article 16 of the General Municipal Law of New York State the designation of Disposition Area as an Urban Development Action Area;
- b) pursuant to Article 16 of the General Municipal Law of New York State an Urban Development Action Area Project for the Disposition Area (the “Project”); and
- c) pursuant to Section 197-c of the New York City Charter the disposition of the Disposition Area to a developer to be selected by the New York City Department of Housing Preservation and Development;

to facilitate the development of a two-tower, nine-story, mixed-use development containing approximately 108 affordable housing units and the renovation and update of the Malcolm Shabazz Harlem Market at 52 West 116th Street (Block 1599, Lots 9, 61, 62, and 64), in the Harlem neighborhood of Manhattan, Community District 10 (ULURP No. C 240301 HAM) (the “Application”);

WHEREAS, the City Planning Commission has certified its unqualified approval of UDAAP pursuant to Article 16 of the General Municipal Law;

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

WHEREAS, by letter dated August 23, 2024 and submitted to the Council on August 23, 2024, HPD submitted its requests (the “HPD Requests”) respecting the Application including the submission of the project summary for the Project (the “Project Summary”);

WHEREAS, upon due notice, the Council held a public hearing on the Application and Decision and the HPD Requests on August 27, 2024;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Environmental Assessment Statement (“EAS”) and Negative Declaration issued March 22nd, 2024 (CEQR No. 21HPD005M). The Negative Declaration included measures that will be required through provisions contained in the Land Disposition Agreement (“LDA”) and/or Regulatory Agreement(s) between HPD and the project sponsor. The required measures in the LDA are binding and will ensure that the identified mitigation measures are implemented, with no significant adverse impacts related to noise or hazardous materials expected to occur, during or following construction of the Proposed Project. A Technical Memorandum was issued on July 23, 2024 to analyze the potential effects of the proposed City of Yes for Housing Opportunity (CHO) zoning text amendment (CEQR No. 24DCP033Y) on the Proposed Project (the “Technical Memorandum”), and concluded that the potential changes proposed by CHO would not exceed thresholds nor create conditions that require new analysis, nor would the proposed changes affect the conclusions presented within the EAS.

RESOLVED:

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

Pursuant to Section 197-d of the New York City Charter, based on the environmental determination and the consideration described in the report C 240301 HAM and incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission and the HPD Requests.

Pursuant to Article 16 of the General Municipal Law of the New York State, based on the environmental determination, and the consideration described in the report C 240301 HAM and incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission and the HPD Requests.

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

The Council approves the designation of the Area as an urban development action area pursuant to Section 693 of the General Municipal Law.

The Council approves the Project as an urban development action area project pursuant to Section 694 of the General Municipal Law and subject to the terms and conditions of the Project Summary, a copy of which is attached hereto.

The Council approves the disposition of the Disposition Area under Section 197-d of the New York City Charter, to a developer to be selected by the New York City Department of Housing Preservation and Development for the development of the Project consistent with the Project Summary.

ATTACHMENT:

PROJECT SUMMARY

- 1. **PROGRAM:** EXTREMELY LOW AND LOW INCOME AFFORDABILITY PROGRAM
- 2. **PROJECT:** Malcolm Shabazz Harlem Plaza
- 3. **LOCATION:** 73 West 115th Street/52-58 West 116th Street
 - a. **BOROUGH:** Manhattan
 - b. **COMMUNITY DISTRICT:** 10
 - c. **COUNCIL DISTRICT:** 9
 - d. **DISPOSITION AREA:**

<u>BLOCK</u>	<u>LOTS</u>	<u>ADDRESSES</u>
1599	9, 61, 62, 64	73 West 115 th Street/ 52-58 West 116 th Street
- 4. **BASIS OF DISPOSITION PRICE:** Nominal. Sponsor will pay one dollar per lot and deliver an enforcement note and mortgage for the remainder of the appraised value (“Land Debt”). For a period of at least thirty (30) years following completion of construction, the Land Debt or the City’s capital subsidy may be repayable out of resale or refinancing profits. The remaining balance, if any, may be forgiven at the end of the term.
- 5. **TYPE OF PROJECT:** New Construction
- 6. **APPROXIMATE NUMBER OF BUILDINGS:** 1
- 7. **APPROXIMATE NUMBER OF UNITS:** Up to 122 dwelling units (plus one superintendent’s unit)
- 8. **HOUSING TYPE:** Rental
- 9. **ESTIMATE OF INITIAL RENTS** Rents will be affordable to families earning from 30% - 100% of the area median income (“AMI”). Formerly homeless tenants referred by DHS and other City agencies will pay up to 30% of their income as rent.
- 10. **INCOME TARGETS** 30% to 100% of AMI
- 11. **PROPOSED FACILITIES:** Approximately 20,942 square feet of community facility space

- 12. PROPOSED CODES/ORDINANCES:** None
- 13. ENVIRONMENTAL STATUS:** Negative Declaration
- 14. PROPOSED TIME SCHEDULE:** Approximately 22 months from closing to completion of construction

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Parental*: Carlina Rivera; Committee on Land Use, September 19, 2024. *Other Council Members Attending: The Speaker (Council Member Adams) and Council Member Ayala.*

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. 144

Report of the Committee on Land Use in favor of approving Application number N 250006 HKK (Willoughby Hart Historic District) submitted by the Landmarks Preservation Commission, pursuant to Section 3020 of the New York City Charter and Section 25-303 of the Administrative Code of the City of New York, for the designation of the Willoughby Hart Historic District (DL-542/LP-2683), consisting of 33 properties located on Willoughby Avenue and Hart Street between Marcy Avenue and Nostrand Avenue in the Bedford-Stuyvesant neighborhood, Borough of Brooklyn, Community District 3, Council District 36.

The Committee on Land Use, to which the annexed Land Use item was referred on September 12, 2024 (Minutes, page 3136) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BROOKLYN CB – 3

N 250006 HKK

Designation by the Landmarks Preservation Commission [DL-542/LP-2683] pursuant to Section 3020 of the New York City Charter and Chapter 3 of Title 25 of the Administrative Code of the City of New York of the Willoughby-Hart Historic District.

PUBLIC HEARING

DATE: September 10, 2024

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: September 18, 2024

The Subcommittee recommends that the Land Use Committee affirm the designation.

In Favor:	Against:	Abstain:
Hanks	None	None
Feliz		
Farias		
Marte		
Nurse		
Salaam		

COMMITTEE ACTION

DATE: September 19, 2024

The Committee recommends that the Council approve the attached resolution.

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

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

Res. No. 588

Resolution affirming the designation by the Landmarks Preservation Commission of the Willoughby-Hart Historic District, Borough of Brooklyn, Designation List No. 542, LP-2683 (L.U. No. 144; N 250006 HKK).

By Council Members Salamanca, Hanks and Mealy.

WHEREAS, the Landmarks Preservation Commission filed with the Council on July 3, 2024 a copy of its designation report dated June 25, 2024 (the “Designation Report”), including the designation pursuant to Section 3020 of the City Charter and Chapter 3 of Title 25 of the Administrative Code of the City of New York of the Willoughby-Hart Historic District, Community District 3, Borough of Brooklyn, with the following district boundaries (the “Designation”):

The Proposed Willoughby-Hart Historic District consists of the properties bounded by a line beginning at the northwest corner of the property line of 445 Willoughby Avenue, and extending easterly along the northern

property lines of 445 through 507 Willoughby Avenue, southerly along the eastern property line of 507 Willoughby Avenue, across Willoughby Avenue and along the eastern property lines of 510 Willoughby Avenue and 75 Hart Street to the northern curbline of Hart Street, westerly along said curbline to a point on a line extending northerly from the eastern property line of 72 Hart Street, southerly along said line and the eastern property line of 72 Hart Street, westerly along the southern property lines of 72 through 12 Hart Street, northerly along a portion of the western property line of 12 Hart Street, westerly along the southern property lines of 10 through 2 Hart Street, to the eastern curbline of Nostrand Avenue, northerly along said curbline, across Hart Street and along the eastern curbline of Nostrand Avenue to a point on a line extending westerly from the northern property line of 1 Hart Street, easterly along said line and the northern property lines of 1 through 9 Hart Street, northerly along the western property lines of 11 Hart Street and 446 Willoughby Avenue, across Willoughby Avenue and along the western property line of 445 Willoughby Avenue to the point of beginning.

WHEREAS, the Designation is subject to review by the Council pursuant to Section 3020 of the New York City Charter;

WHEREAS, the New York City Planning Commission submitted to the Council on August 23, 2024 its report on the Designation dated August 21, 2024 (the “City Planning Commission Report”);

WHEREAS, upon due notice, the Council held a public hearing on the Designation on September 10, 2024; and

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

RESOLVED:

Pursuant to Section 3020 of the New York City Charter, and on the basis of the information and materials contained in the Designation Report and the City Planning Commission Report, the Council affirms the Designation.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Parental*: Carlina Rivera; Committee on Land Use, September 19, 2024. *Other Council Members Attending: The Speaker (Council Member Adams) and Council Member Ayala.*

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. 145

Report of the Committee on Land Use in favor of approving Application number C 230250 ZMQ (21st Street Rezoning) submitted by Astoria Park Warehouse, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9a, eliminating from within an existing R5D District a C1-3 District, changing from an R5B District to an R6A District, changing from an R5D District to an R6A District, and establishing within the proposed R6A District a C1-4 District, Borough of Queens, Community District 1, Council District 22.

The Committee on Land Use, to which the annexed Land Use item was referred on September 12, 2024 (Minutes, page 3137) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

QUEENS CB-1 – TWO APPLICATIONS RELATED TO 21st STREET REZONING

C 230250 ZMQ (L.U. No. 145)

City Planning Commission decision approving an application submitted by Astoria Park Warehouse LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9a, by eliminating from within an existing R5D District a C1-3 District, changing from an R5B District to an R6A District, changing from an R5D District to an R6A District, and establishing within the proposed R6A District a C1-4 District, as shown on a diagram (for illustrative purposes only) dated April 1, 2024, and subject to the conditions of CEQR Declaration E-762.

N 230251 ZRQ (L.U. No. 146)

City Planning Commission decision approving an application submitted by Astoria Park Warehouse LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

INTENT

To approve the amendment to rezone the project area from an R5B and R5D/C1-3 zoning districts to an R6A/C2-4 zoning district and amend the zoning text to designate the project area as a Mandatory Inclusionary Housing (MIH) area, to facilitate the development of two mixed-use buildings with 92 dwelling units, approximately 28 of which would be permanently income-restricted, and ground-floor commercial space at 21-01 24th Avenue and 21-16 24th Avenue in the Ditmars-Steinway neighborhood of Queens, Community District 1.

PUBLIC HEARING

DATE: September 10, 2024

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: September 17, 2024

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission on L.U. Nos. 145 and 146.

In Favor:

Riley
Moya
Abreu
Hanks
Salaam
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: September 19, 2024

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Moya
Riley
Brooks-Powers
Abreu
Farias
Hanks
Hudson
Sanchez
Borelli

Against:

None

Abstain:

None

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

Res. No. 589

Resolution approving the decision of the City Planning Commission on ULURP No. C 230250 ZMQ, a Zoning Map amendment (L.U. No. 145).

By Council Members Salamanca, Riley and Mealy.

WHEREAS, Astoria Park Warehouse, 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. 9a, by eliminating from within an existing R5D District a C1-3 District, changing from an R5B District to an R6A District, changing from an R5D District to an R6A District, establishing within the proposed R6A District a C1-4 District, which in conjunction with the related action would facilitate the development of two mixed-use building with 92 dwelling units, approximately 28 of which would be permanently income-restricted, and ground-floor commercial space at 21-01 24th Avenue and 21-16 24th Avenue in the Ditmars-Steinway neighborhood of Queens, Community District 1 (ULURP No. C 230250 ZMQ) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on September 6, 2024 its decision dated August 21, 2024 (the "Decision") on the Application;

WHEREAS, the Application is related to application N 230251 ZRQ (L.U. No. 146), 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 September 10, 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 April 1st, 2024 (CEQR No. 24DCP027Q), which includes an (E) designation related to hazardous materials, air quality and noise to avoid the potential for significant adverse impacts (E-762) (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-762) 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 230250 ZMQ, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 9a:

1. eliminating from within an existing R5D District a C1-3 District bounded by 21st Street, a line 100 feet northeasterly of 24th Avenue, a line 125 feet southeasterly of 21st Street, and 24th Avenue;
2. changing from an R5B District to an R6A District property bounded by:
 - a. 21st Street, 23rd Terrace, a line 100 feet southeasterly of 21st Street, and a line 100 feet northeasterly of 24th Avenue;
 - b. 21st Street, 24th Avenue, a line 85 feet northwesterly of 23rd Street, and a line 100 feet southwesterly of 24th Avenue;
3. changing from an R5D District to an R6A District property bounded by 21st Street, a line 100 feet northeasterly of 24th Avenue, a line 125 feet southeasterly of 21st Street, and 24th Avenue; and
4. establishing within the proposed R6A District a C1-4 District bounded by 21st Street, 23rd Terrace, a line 100 feet southeasterly of 21st Street, a line 100 feet northeasterly of 24th Avenue, a line 125 feet southeasterly of 21st Street, 24th Avenue, a line 85 feet northwesterly of 23rd Street, and a line 100 feet southwesterly of 24th Avenue;

as shown on a diagram (for illustrative purposes only) dated April 1, 2024, and subject to the conditions of CEQR Declaration E-762, Borough of Queens, Community District 1.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Parental*: Carlina Rivera; Committee on Land Use, September 19, 2024. *Other Council Members Attending: The Speaker (Council Member Adams) and Council Member Ayala.*

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. 146

Report of the Committee on Land Use in favor of approving Application number N 230251 ZRQ (21st Street Rezoning) submitted by Astoria Park Warehouse, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F, for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Community District 1, Council District 22.

The Committee on Land Use, to which the annexed Land Use item was referred on September 12, 2024 (Minutes, page 3137) 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. 145 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 590

Resolution approving the decision of the City Planning Commission on Application No. N 230251 ZRQ, for an amendment of the text of the Zoning Resolution (L.U. No. 146).

By Council Members Salamanca, Riley and Mealy.

WHEREAS, Astoria Park Warehouse 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 two-tower, mixed-use development with 92 dwelling units, approximately 28 of which would be permanently income-restricted, and ground-floor commercial space at 21-01 24th Avenue and 21-16 24th Avenue, in the Ditmars-Steinway neighborhood of Queens, Community District 1 (ULURP No. N 230251 ZRQ) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on September 6, 2024, its decision dated August 21, 2024 (the "Decision") on the Application;

WHEREAS, the Application is related to application C 230250 ZMQ (L.U. No. 145), a zoning map amendment to change R5B and R5D/C1-3 zoning districts to an R6A/C1-4 zoning district;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 10, 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 April 1, 2024 (CEQR No. 24DCP027Q), which includes an (E) designation related to hazardous materials, air quality and noise to avoid the potential for significant adverse impacts (E-762) (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-762) 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 230251 ZRQ, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission, with the following modifications.

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

Matter within # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution.

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

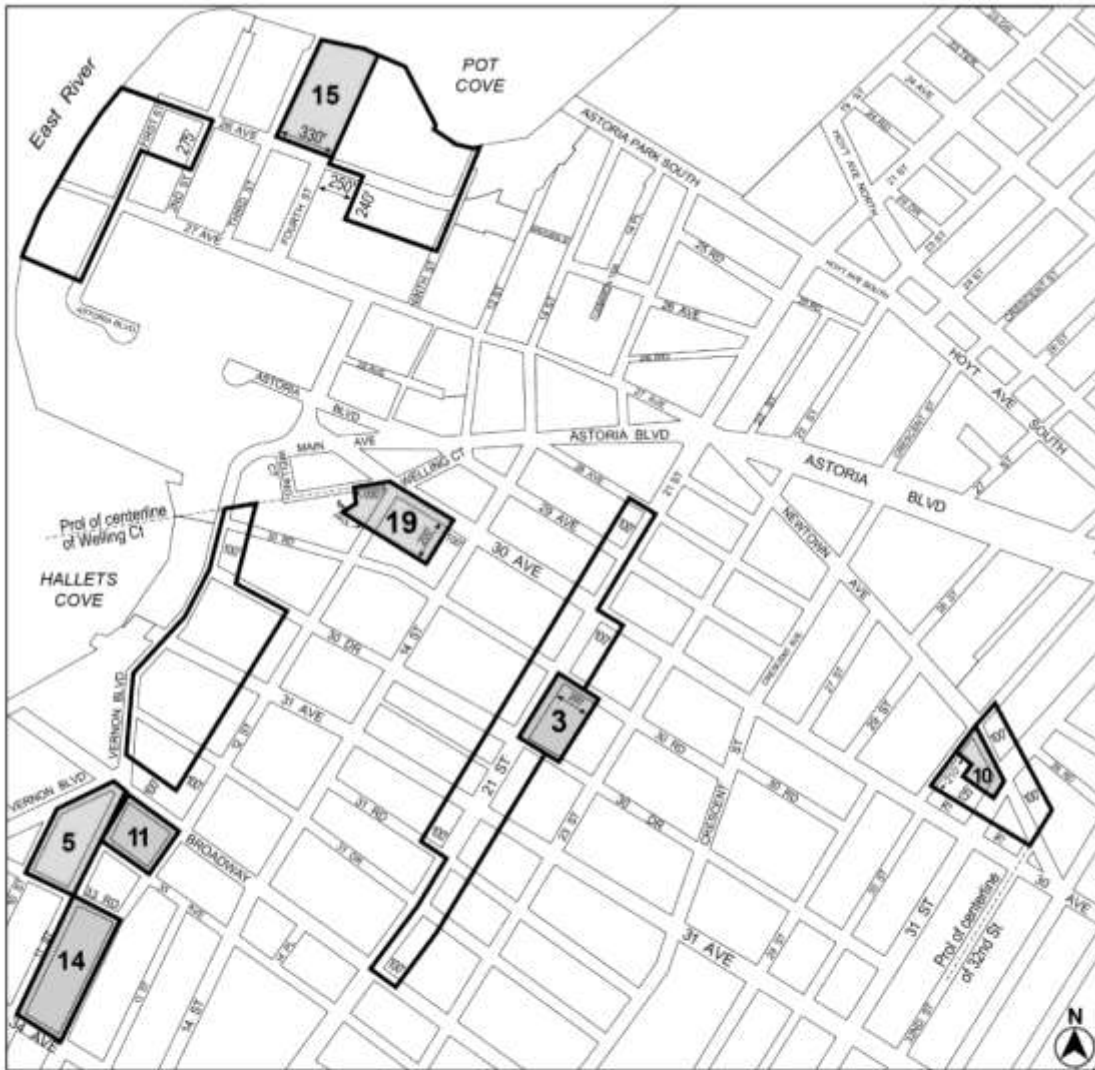
QUEENS

Queens Community District 1

* * *

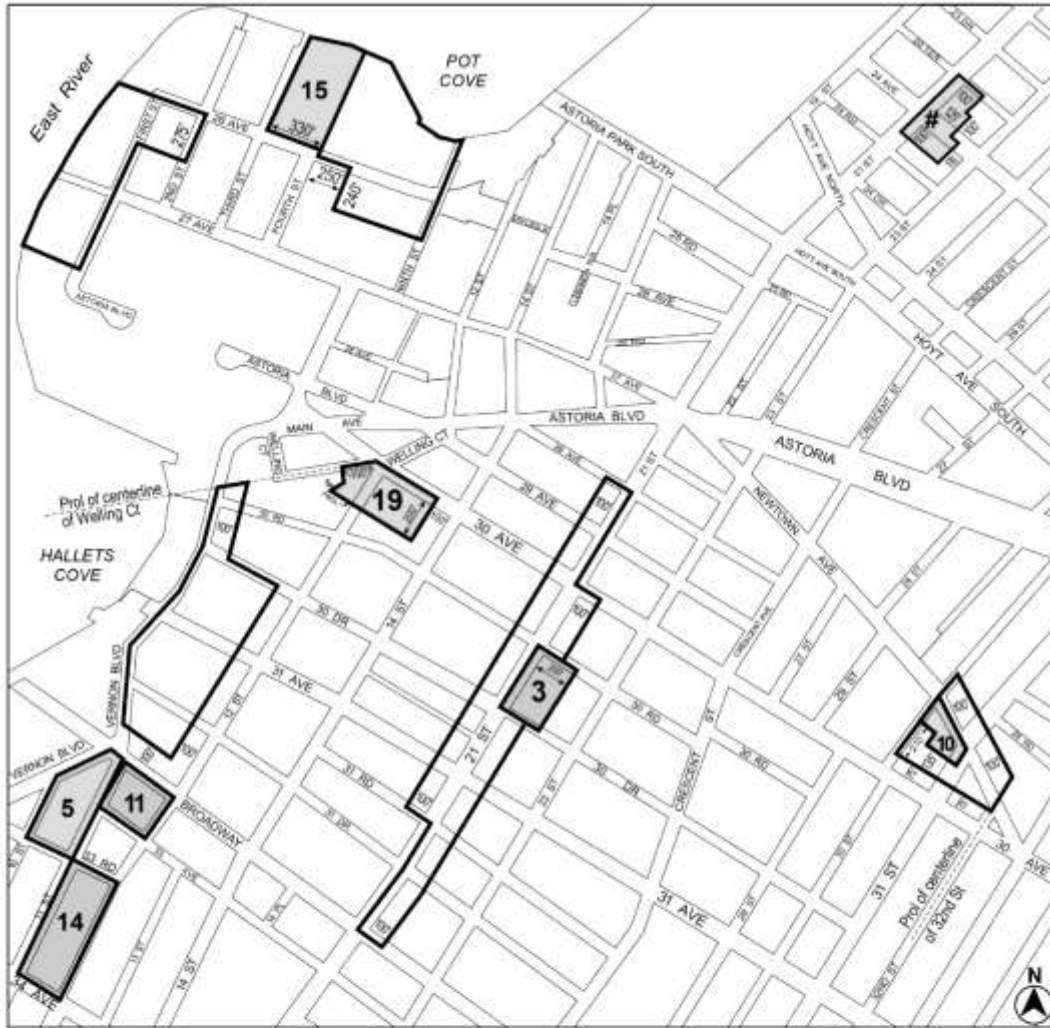
Map 1 – [date of adoption]

[EXISTING MAP]



- Inclusionary Housing designated area
- Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*
 - Area 3 – 10/31/18 MIH Program Option 1 and Option 2
 - Area 5 – 10/17/19 MIH Program Option 1
 - Area 10 – 6/17/21 MIH Program Option 1
 - Area 11 – 10/21/21 MIH Program Option 1
 - Area 14 – 7/14/22 MIH Program Option 1
 - Area 15 – 9/29/22 MIH Program Option 1 and Deep Affordability Option
 - Area 19 – 4/11/24 MIH Program Option 1 and Deep Affordability Option

[PROPOSED MAP]



- Inclusionary Housing designated area*
- Mandatory Inclusionary Housing Program Area** *see Section 23-154(d)(3)*
- Area **3** – 10/31/18 MIH Program Option 1 and Option 2
- Area **5** – 10/17/19 MIH Program Option 1
- Area **10** – 6/17/21 MIH Program Option 1
- Area **11** – 10/21/21 MIH Program Option 1
- Area **14** – 7/14/22 MIH Program Option 1
- Area **15** – 9/29/22 MIH Program Option 1 and Deep Affordability Option
- Area **19** – 4/11/24 MIH Program Option 1 and Deep Affordability Option
- Area **#** – [date of adoption] MIH Program Option 1 and Option 2

Portion of Community District 1, Queens

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Parental*: Carlina Rivera; Committee on Land Use, September 19, 2024. *Other Council Members Attending: The Speaker (Council Member Adams) and Council Member Ayala.*

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. 147

Report of the Committee on Land Use in favor of approving Application number G 240057 XAK (281-311 Marcus Garvey Boulevard) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Article XI of the Private Housing Finance Law for approval of an exemption from real property taxes for property located at 281 Marcus Garvey Boulevard (Block 1629, p/o Lot 1 (Tentative Lot 5)) and 311 Marcus Garvey Boulevard (Block 1634, p/o Lot 1 (Tentative Lot 80)), Borough of Brooklyn, Community District 3, Council District 36.

The Committee on Land Use, to which the annexed Land Use item was referred on September 12, 2024 (Minutes, page 3137) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 3

G 240057 XAK

Application 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 approval of a real property tax exemption for property located at 281-311 Marcus Garvey Boulevard (Block 1629, Lot 1 and Block 1634, Lot 1), Borough of Brooklyn, Community District 3, Council District 36.

INTENT

To approve a real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law, to facilitate two ten-story mixed-use buildings totaling approximately 141,000 square feet and consisting of 155 income-restricted housing units to be developed under the HPD ELLA program., 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: September 10, 2024

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: September 17, 2024

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

In Favor:	Against:	Abstain:
Riley	None	None
Moya		
Abreu		
Hanks		
Salaam		
Carr		

COMMITTEE ACTION

DATE: September 19, 2024

The Committee recommends that the Council approve the attached resolution.

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

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

Res. No. 591

Resolution approving a tax exemption pursuant to Article XI of the Private Housing Finance Law (L.U. No. 147; Non-ULURP No. G 240057 XAK).

By Council Members Salamanca, Riley and Mealy.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on September 3, 2024 its request dated September 3, 2024 that the Council approve a real property tax exemption request pursuant to Section 577 of the Private Housing Finance Law (the "Tax Exemption Request") for property located at 281-311 Marcus Garvey Boulevard (Block 1629, Lot 1 and Block 1634, Lot 1), Community District No. 3, Borough of Brooklyn, Council District No. 36 (the "Exemption Area");

WHEREAS, upon due notice, the Council held a public hearing on the Tax Exemption Request on September 10, 2024; and

WHEREAS, the Council has considered the land use and financial implications and other policy issues relating to the Tax Exemption Request.

RESOLVED:

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

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. "Community Facility Space" shall mean those portions of the Exemption Area which the Regulatory Agreement requires to be devoted solely to community facility uses.
 - 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 either (A) HPD and the Owner, or (B) HPD, HDC 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 1629, p/o Lot 1 (Tentative Lot 5) and Block 1634, p/o Lot 1 (Tentative Lot 80) 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 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.
 - e. "HDC" shall mean the New York City Housing Development Corporation.
 - f. "HDFC" shall mean Marcus Garvey Apartments Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - g. "HPD" shall mean the Department of Housing Preservation and Development of the City of New York.
 - h. "New Exemption" shall mean the exemption from real property taxation provided hereunder.
 - i. "Owner" shall mean, collectively, the HDFC and the Partnership.
 - j. "Partnership" shall mean Marcus Garvey Blvd Apartments, L.P. or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
 - k. "Prior Exemption" shall mean the exemption from real property taxation for the Exemption Area approved by the New York City Council on March 3, 2010 (Resolution No. 65) and March 25, 2010 (Resolution No. 129).
 - l. "Regulatory Agreement" shall mean the regulatory agreement that is executed on or after August 1, 2024, between either (i) HPD and the Owner, or (ii) HPD, HDC and the Owner, and that establishes certain controls upon the operation of the Exemption Area during the term of the New Exemption.
2. The Prior Exemption shall terminate with respect to the Exemption Area upon the Effective Date.
3. 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 or commercial use other than the Community Facility Space), 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 have a new permanent certificate of occupancy or a temporary certificate of occupancy for all of the residential areas on or before five years from 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.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Parental*: Carlina Rivera; Committee on Land Use, September 19, 2024. *Other Council Members Attending: The Speaker (Council Member Adams) and Council Member Ayala.*

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. 154

Report of the Committee on Land Use in favor of approving Application number D 2450065822 SWX (Seis Vecinos Restaurant) pursuant to Section 19-160.2 of the Administrative Code of the City of New York, for a revocable consent to establish, maintain, and operate a sidewalk café located at 640 Prospect Avenue, Bronx, NY 10455, Borough the Bronx, Community District 2, Council District 17.

The Committee on Land Use, to which the annexed Land Use item was referred on September 12, 2024 (Minutes, page 3139) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX CB - 5

D 2450065822 SWX

Application pursuant to Section 19-160.2 of the Administrative Code of the City of New York concerning the petition of Seis Vecinos Restaurant Sidewalk Café for a new revocable consent to establish, maintain and operate a sidewalk café located at 640 Prospect Avenue, Bronx, NY 10455.

INTENT

To allow an eating or drinking place located on a property which abuts the street to establish, maintain, and operate a sidewalk café on the sidewalk of such street.

PUBLIC HEARING

DATE: September 24, 2024

Witnesses in Favor: None

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: September 24, 2024

The Subcommittee recommends that the Land Use Committee approve the Petition.

In Favor:

Riley
Moya
Abreu
Hanks
Schulman
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: September 24, 2024

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca
Moya
Rivera
Riley
Brooks-Powers
Abreu

Against:

None

Abstain:

None

Farias
Hanks
Hudson
Sanchez

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

Res. No. 592

Resolution approving the petition for a revocable consent for a sidewalk café located at 640 Prospect Avenue, Borough of The Bronx (Non-ULURP No. D 2450065822 SWX; DOT No. 20240502020001; L.U. No. 154).

By Council Members Salamanca, Riley and Mealy.

WHEREAS, the Department of Transportation filed with the Council on August 13, 2024 its approval dated August 13, 2024 of the petition of J & J Prospect Corp., d/b/a Seis Vecinos Restaurant, for a revocable consent to establish, maintain and operate a sidewalk café located at 640 Prospect Avenue, Borough of The Bronx, Community District 2 (the "Petition"), pursuant to Section 19-160.2 of the New York City Administrative Code (the "Administrative Code");

WHEREAS, the Petition is subject to review by the Council pursuant to Section 19-160.2 (f) of the Administrative Code;

WHEREAS, upon due notice, the Council held a public hearing on the Petition on September 24, 2024; and

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

RESOLVED:

Pursuant to Section 19-160.2 of the Administrative Code, and based upon the record established before the Council, the Council approves the Petition.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ; 10-0-0; *Absent*: Joseph C. Borelli; Committee on Land Use, September 24, 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. 155

Report of the Committee on Land Use in favor of disapproving Application number D 2450082809 SWQ (Cozy Corner Bar) pursuant to Section 19-160.2 of the Administrative Code of the City of New York, for a revocable consent to establish, maintain, and operate a sidewalk café located at 6001 70th Avenue, Ridgewood, NY 11358, Borough of Queens, Community District 5, Council District 30.

The Committee on Land Use, to which the annexed Land Use item was referred on September 12, 2024 (Minutes, page 3139) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

QUEENS CB - 5

D 2450082809 SWQ

Application pursuant to Section 19-160.2 of the Administrative Code of the City of New York concerning the petition of Cozy Corner Bar for a new revocable consent to establish, maintain and operate a sidewalk cafe located at 6001 70th Avenue, Ridgewood, NY 11385.

INTENT

To allow an eating or drinking place located on a property which abuts the street to establish, maintain, and operate a sidewalk café on the sidewalk of such street.

PUBLIC HEARING

DATE: September 17, 2024

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: September 24, 2024

The Subcommittee recommends that the Land Use Committee disapprove the Petition.

In Favor:

- Riley
- Moya
- Abreu
- Hanks
- Schulman
- Carr

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: September 24, 2024

The Committee recommends that the Council disapprove the attached resolution.

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

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

Res. No. 593

Resolution disapproving the petition for a revocable consent for a sidewalk café located at 6001 70th Avenue, Borough of Queens (Non-ULURP No. D 2450082809 SWQ; DOT No. 20240404040002; L.U. No. 155).

By Council Members Salamanca and Riley.

WHEREAS, the Department of Transportation filed with the Council on August 13, 2024 its approval dated August 13, 2024 of the petition of Cozy Corner Corp., d/b/a Cozy Corner Bar, for a revocable consent to establish, maintain and operate a sidewalk café located at 6001 70th Avenue, Borough of Queens, Community District 5 (the "Petition"), pursuant to Section 19-160.2 of the New York City Administrative Code (the "Administrative Code");

WHEREAS, the Petition is subject to review by the Council pursuant to Section 19-160.2 (f) of the Administrative Code;

WHEREAS, upon due notice, the Council held a public hearing on the Petition on September 17, 2024; and

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

RESOLVED:

Pursuant to Section 19-160.2 of the Administrative Code, and based upon the record established before the Council, the Council disapproves the Petition.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ; 10-0-0; *Absent*: Joseph C. Borelli; Committee on Land Use, September 24, 2024.

Coupled to be Disapproved.

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. 156

Report of the Committee on Land Use in favor of approving Application number C 210340 ZMK (2390 McDonald Avenue Rezoning) submitted by MTL Realty, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 28c, by changing from a C8-1 District to a C4-4L District, Borough of Brooklyn, Community District 15, Council District 44.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on September 26, 2024 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BROOKLYN CB-15 – TWO APPLICATIONS RELATED TO 2390 MCDONALD AVENUE REZONING

C 210340 ZMK (Pre. L.U. No. 156)

City Planning Commission decision approving an application submitted by MTL Realty, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 28c, by changing from a C8-1 District to a C4-4L District property bounded a line 120 feet northerly of Village Road South, McDonald Avenue, Village Road South, and an easterly boundary line of Old Gravesend Cemetery, as shown on a diagram (for illustrative purposes only) dated May 13, 2024, and subject to the conditions of CEQR Declaration E-747.

N 210341 ZRK (Pre. L.U. No. 157)

City Planning Commission decision approving an application submitted by MTL Realty, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

INTENT

To approve the amendment to rezone the project area from a C8-1 zoning district to a C4-4L zoning district and amend the zoning text to designate the project area as a Mandatory Inclusionary Housing (MIH) area with Options 1 and 2, to facilitate the development of a new eight-story, approximately 91,500-square-foot mixed-use building containing approximately 73,900 square feet of residential space, or 80 dwelling units,

approximately 20 to 24 of which would be permanently income-restricted, as well as approximately 17,600 square feet of ground floor commercial space, located at 2390 McDonald Avenue in the Gravesend neighborhood of Brooklyn, Community District 15.

PUBLIC HEARING

DATE: September 17, 2024

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: September 24, 2024

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission on Pre. L.U. Nos. 156 and 157.

In Favor:

- Riley
- Moya
- Abreu
- Hanks
- Schulman
- Carr

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: September 24, 2024

The Committee recommends that the Council approve the attached resolutions.

In Favor:

- Salamanca
- Moya
- Rivera
- Riley
- Brooks-Powers
- Abreu
- Farias
- Hanks
- Hudson
- Sanchez

Against:

None

Abstain:

None

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

Res. No. 594

Resolution approving the decision of the City Planning Commission on ULURP No. C 210340 ZMK, a Zoning Map amendment (Preconsidered L.U. No. 156).

By Council Members Salamanca, Riley and Mealy.

WHEREAS, MTL Realty, 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. 28c, by changing from a C8-1 District to a C4-4L District, which in conjunction with the related action, which would facilitate the development of a new eight-story, approximately 91,500-square-foot mixed-use building containing approximately 73,900 square feet of residential space, or 80 dwelling units, approximately 20 to 24 of which would be permanently income-restricted, as well as approximately 17,600 square feet of ground floor commercial space located at 2390 McDonald Avenue in the Gravesend neighborhood of Brooklyn, Community District 15 (ULURP No. C 210340 ZMK) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on September 13, 2024 its decision dated September 11, 2024 (the “Decision”) on the Application;

WHEREAS, the Application is related to application N 210341 ZRK (Pre. L.U. No. ___), a zoning text amendment to designate the project area as a Mandatory Inclusionary Housing (MIH) area with Options 1 and 2;

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 September 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 May 13, 2024 (CEQR No. 21DCP090K), which includes an (E) designation to avoid the potential for significant adverse impacts related to air quality and noise (E-747). In order to avoid the potential for significant adverse historic and cultural resource impacts, as part of the Proposed Actions, the Applicant entered into a Restrictive Declaration on April 16, 2024, and recorded on May 7, 2024, which commits the applicant to conduct archaeological identification, investigation, and mitigation in accordance with the CEQR Technical Manual and NYC Landmarks Preservation Commission (LPC) guidelines for archaeological work in New York City, in which no significant adverse impact to archaeological resources would result from the proposed actions.

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-747) 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 210340 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. 28c, by changing from a C8-1 District to a C4-4L District property bounded a line 120 feet northerly of Village Road South, McDonald Avenue, Village Road South, and an easterly boundary line of Old Gravesend Cemetery, as shown on a diagram (for illustrative purposes only) dated May 13, 2024, and subject to the conditions of CEQR Declaration E-747.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ; 10-0-0; *Absent*: Joseph C. Borelli; Committee on Land Use, September 24, 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 Land Use and had been favorably reported for adoption.

Report for L.U. No. 157

Report of the Committee on Land Use in favor of approving Application number N 210341 ZRK (2390 McDonald Avenue) submitted by MTM Realty, 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 15, Council District 44.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on September 26, 2024 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. 156 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 595

Resolution approving the decision of the City Planning Commission on Application No. N 210341 ZRK, for an amendment of the text of the Zoning Resolution (Preconsidered L.U. No. 157).

By Council Members Salamanca, Riley and Mealy.

WHEREAS, MTL Realty, 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 eight-story, approximately 91,500-square-foot mixed-use building containing approximately 73,900 square feet of residential space, or 80 dwelling units, approximately 20 to 24 of which would be permanently income-restricted, as well as approximately 17,600 square feet of ground floor commercial space located at 2390 McDonald Avenue in the Gravesend neighborhood of Brooklyn,

Community District 15 (ULURP No. N 210341 ZRK), (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on September 13, 2024, its decision dated September 11, 2024 (the “Decision”) on the Application;

WHEREAS, the Application is related to application C 210340 ZMK (Pre. L.U. No. ____), a zoning map amendment to change a C8-1 zoning district to a C4-4L 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 September 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 May 13, 2024 (CEQR No. 21DCP090K), which includes an (E) designation to avoid the potential for significant adverse impacts related to air quality and noise (E-747). In order to avoid the potential for significant adverse historic and cultural resource impacts, as part of the Proposed Actions, the Applicant entered into a Restrictive Declaration on April 16, 2024, and recorded on May 7, 2024, which commits the applicant to conduct archaeological identification, investigation, and mitigation in accordance with the CEQR Technical Manual and NYC Landmarks Preservation Commission (LPC) guidelines for archaeological work in New York City, in which no significant adverse impact to archaeological resources would result from the proposed actions.

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-747) 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 210341 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

* * *

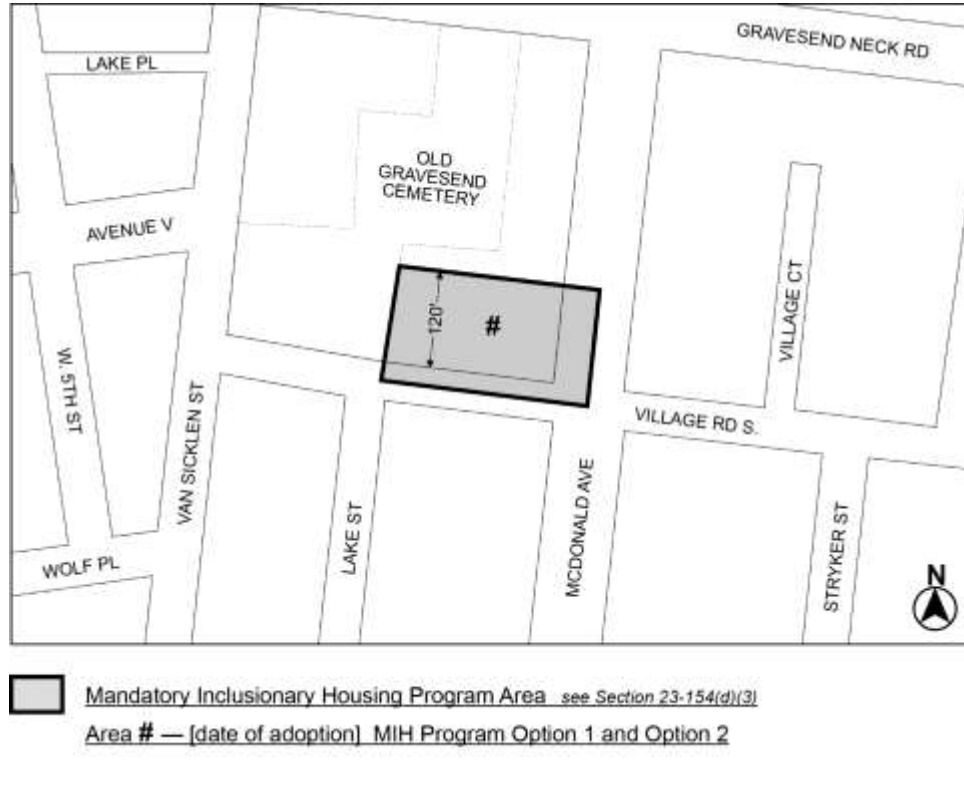
BROOKLYN

* * *

Brooklyn Community District 15

* * *

Map 7 – [date of adoption]



Portion of Community District 15, Brooklyn

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARIÁS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ; 10-0-0; *Absent*: Joseph C. Borelli; Committee on Land Use, September 24, 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 Mental Health, Disabilities and Addiction

Report for Int. No. 651-A

Report of the Committee on Mental Health, Disabilities and Addiction in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to create and distribute materials identifying mental health resources available to individuals who have experienced pregnancy loss.

The Committee on Mental Health, Disabilities and Addiction, to which the annexed proposed amended local law was referred on March 7, 2024 (Minutes, page 1300), respectfully

REPORTS:

I. INTRODUCTION

On September 26, 2024, the New York City Council Committee on Mental Health, Disabilities and Addiction, chaired by Council Member Linda Lee, will hold a vote on Proposed Introduction Number 651-A (Prop. Int. No. 651-A), sponsored by Council Member Kevin Riley; Proposed Introduction Number 869-A (Prop. Int. No. 869-A), sponsored by Council Member Jennifer Gutiérrez; Proposed Introduction Number 890-A (Prop. Int. No. 890-A), sponsored by Council Member Lee; and Resolution Number 402-2024 (Res. No. 402), Resolution Number 403-2024 (Res. No. 403), Resolution Number 404-2024 (Res. No. 404), Resolution Number 405-2024 (Res. No. 405), and Resolution Number 406-2024 (Res. No. 406), all sponsored by Council Member Lee.

On June 25, 2024, the Committee, jointly with the Committee on Women and Gender Equity, chaired by Council Member Farah Louis, heard Introduction Number 651-2024, Introduction Number 869-2024, and Introduction Number 890-2024. The Committees also heard Res. No. 402, Res. No. 403, Res. No. 404, Res. No. 405, and Res. No. 406. At the hearing, the Committees received testimony from the New York City Department of Health and Mental Hygiene (DOHMH), as well as parents, local legal service providers, community-based organizations, advocates, and other interested stakeholders.

II. BACKGROUND

Physical and mental health plays an important role in becoming pregnant, birthing a child, and caring for a child.¹ Mental health conditions continue to be a leading cause of postpartum complications and are the leading cause of pregnancy-related deaths in the United States (U.S.).² According to the U.S. Centers for Disease Control and Prevention, suicides and overdoses account for about a quarter of pregnancy-related deaths associated with mental health conditions.³ Additionally, rates of substance misuse, depression, anxiety and other mental health conditions are increasing among pregnant people and new mothers.⁴ Non-birthing parents also face mental health challenges, with sources finding that one in 10 fathers experience postpartum depression or anxiety.⁵ Although mental health conditions related to pregnancy and birth continue to impact parents, diagnosis and screening for

¹ *Maternal Health*, World Health Organization, available at <https://www.who.int/health-topics/maternal-health>.

² *Maternal Health Action Kit*, NYC Department of Health and Mental Hygiene, available at <https://www.nyc.gov/site/doh/providers/resources/public-health-action-kits-maternal-health.page>.

³ *Id.*

⁴ *Id.*

⁵ *Fact Sheet: Dads & Depression*, Maternal Mental Health Leadership Alliance (June 2021), available at <https://22542548.fs1.hubspotusercontent-na1.net/hubfs/22542548/Dads%20and%20Depression%20Fact%20Sheet%20-%20MMHLA.pdf>.

such conditions are lacking as parents are less likely to arrange for health checkups and treatment postpartum.⁶

III. LEGISLATIVE ANALYSIS

a. Prop. Int. No. 651-A

The proposed bill, sponsored by Council Member Riley, would require the Commissioner of DOHMH to create materials that provide information about the effects of pregnancy loss on mental health and identify mental health resources available to individuals who have experienced pregnancy loss. The Commissioner would be required to distribute physical copies of these materials to all facilities operated by DOHMH that provide reproductive healthcare and to post electronic copies on the department's website. Additionally, the Commissioner would be required to, to the extent practicable, inform family planning clinics within the city and hospital departments primarily providing reproductive healthcare about the availability of these materials and make physical copies available to them upon request.

Since its initial hearing, the proposed bill was amended to clarify that materials, not pamphlets, are to be distributed to facilities operated by DOHMH, and physical copies of such materials must be made available upon request to family planning clinics within city and hospital departments.

b. Prop. Int. No. 869-A

The proposed bill, sponsored by Council Member Gutiérrez, would require the Mayor's Office of Community Mental Health, or another agency designated by the Mayor, to establish and implement a public outreach and education campaign to raise awareness about resources available at the city, state, and federal level addressing mental health challenges faced by parents. The campaign would be required to be available in the designated citywide languages.

Since its initial hearing, the proposed bill was amended to clarify that the materials used for such outreach and education must reflect the most current information regarding the availability of city resources, as well as information on state and federal mental health resources.

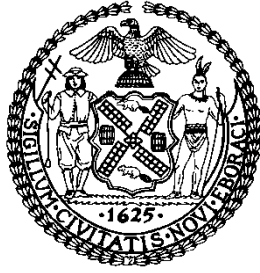
c. Prop. Int. No. 890-A

The proposed bill would require the Commissioner of DOHMH to implement a three-year pilot program to establish postpartum support groups focused on the mental health of postpartum individuals. The support groups would be professionally facilitated and provide access to peer support, educational materials on postpartum mental health and postpartum stressors, and resources on home visiting support, lactation consultants, and other maternal health experts. The bill would require at least one group to be established in each borough, at least one group established in each of the three community districts with the highest rates of postpartum mental health issues, and at least one group established in each of the three community districts facing the greatest community and geographic impacts due to factors such as structural racism, high poverty rates, limited access to healthcare services, and social determinants of poor mental health. The Commissioner would be required to submit to the Mayor and Speaker of the Council, and post online, a report on the program, in part including recommendations on whether to establish a permanent postpartum support group program.

Since its initial hearing, the proposed bill was amended to clarify the community districts in which the support groups must be established. The bill was also amended to include all individuals who are postpartum, instead of only those who are up to one year postpartum.

(The following is the text of the Fiscal Impact Statement for Int. No. 651-A:)

⁶ *Supra*, note 2.



**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, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 651-A

COMMITTEE: Mental Health, Disabilities and Addictions

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to create pamphlets identifying mental health resources available to individuals experiencing pregnancy loss.;

SPONSOR(S): Council Member Riley, Farías, Louis, Gutiérrez, Stevens, Hanif, Won, Narcisse, Feliz, Salaam, Gennaro, Hanks, De La Rosa, Ung, Cabán, Restler, Hudson, Williams, Avilés, Schulman, Ayala and Marmorato.

SUMMARY OF LEGISLATION: This bill would require the Commissioner of Health and Mental Hygiene to create materials designed to provide information about the effects of pregnancy loss on mental health and identify mental health resources available to individuals who have experienced pregnancy loss. The Commissioner would be required to distribute physical copies of these materials to all facilities operated by the Department of Health and Mental Hygiene that provide reproductive healthcare, and to post electronic copies on the department’s website. Additionally, the Commissioner must, to the extent practicable, inform family planning clinics within the city and hospital departments primarily providing reproductive healthcare about the availability of these materials and make physical copies available to them upon request.

EFFECTIVE DATE: This local law would take effect 180 days after becoming law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2026

FISCAL IMPACT STATEMENT:

	Effective FY25	FY Succeeding Effective FY26	Full Fiscal Impact FY26
Revenues	\$0	\$0	\$0
Expenditures	\$11,500	\$45,000	\$45,000
Net	\$11,500	\$45,000	\$45,000

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

IMPACT ON EXPENDITURES: It is estimated that the annual fiscal impact of this legislation would be \$45,000 when fully implemented. The estimate consists of costs for materials and distribution.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council Finance Division

New York City Office of Management and Budget

ESTIMATE PREPARED BY: Danielle Heifetz, Financial Analyst

ESTIMATE REVIEWED BY: Florentine Kabore, Unit Head
Elizabeth Hoffman, Assistant Director
Eisha Wright, Deputy Director
Michael Twomey, Assistant Counsel
Jonathan Rosenberg, Managing Deputy Director

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on March 7, 2024, as Intro. 651 and referred to the Committee on Mental Health, Disabilities and Addictions (the Committee). The legislation was considered at a joint hearing of the Committee and the Committee on Women and Gender Equity on June 25, 2024, and the bill was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 651-A will be considered by the Committee on September 26, 2024. Upon successful vote by the Committee, Proposed Intro. No. 651-A will be submitted to the full Council for a vote on September 26, 2024.

DATE PREPARED: September 24, 2024.

(For text of Int. Nos. 869-A and 890-A and their Fiscal Impact Statements, please see the Report of the Committee on Mental Health, Disabilities and Addictions for Int. Nos. 869-A and 890-A, respectively, printed in these Minutes; for text of Res. Nos. 402, 403, 404, 405, and 406, please see the voice-vote Resolutions calendar for Res. Nos. 402 to 406, respectively, printed in these Minutes; for text of Int. No. 651-A, please see below)

Accordingly, this Committee recommends the adoption of Int. Nos. 651-A, 869-A, 890-A, and Res. Nos. 402, 403, 404, 405, and 406.

(The following is the text of Int. No. 651-A:)

Int. No. 651-A

By Council Members Riley, Farías, Louis, Gutiérrez, Stevens, Hanif, Won, Narcisse, Feliz, Salaam, Gennaro, Hanks, De La Rosa, Ung, Cabán, Restler, Hudson, Williams, Avilés, Schulman, Ayala, Sanchez, Bottcher, Yeger, Rivera, Mealy and Marmorato.

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 create and distribute materials identifying mental health resources available to individuals who have experienced pregnancy loss

Be it enacted by the Council as follows:

Section 1. Section 17-199.21 of the administrative code of the city of New York, as added by local law number 108 for the year 2023, is redesignated section 17-199.26.

§ 2. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.26.1 to read as follows:

§ 17-199.26.1 *Mental health materials for individuals who have experienced pregnancy loss. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Designated citywide languages. The term “designated citywide languages” has the same meaning as set forth in subdivision a of section 23-1101.

Pregnancy loss. The term “pregnancy loss” means the loss of a fetus by miscarriage, stillbirth, or termination.

b. The commissioner shall create materials that contain information about the effects of pregnancy loss on mental health and that identify mental health resources available to individuals who have experienced pregnancy

loss. The department shall make such materials available in the designated citywide languages and shall review and update such materials as appropriate.

c. The commissioner shall distribute physical copies of the materials created pursuant to subdivision b of this section to all facilities operated by the department in which reproductive healthcare is provided and post electronic copies of such materials on the department's website. The commissioner shall, to the extent practicable, inform the following entities about the availability of such materials and make physical copies of such materials available to such entities upon request:

1. Family planning clinics within the city, for distribution to patients that may benefit from such materials at the discretion of each clinic; and

2. Hospital departments where the primary purpose is the provision of reproductive healthcare, for distribution to patients that may benefit from such materials at the discretion of each hospital.

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

LINDA LEE, *Chairperson*; TIFFANY CABÁN, SHAUN ABREU, SHAHANA K. HANIF, FARAH N. LOUIS, KRISTY MARMORATO; 6-0-0; *Absent*: Erik D. Bottcher and Darlene Mealy; Committee on Mental Health, Disabilities and Addiction, September 26, 2024. *Other Council Members Attending*: Council Member Gutiérrez.

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

Report for Int. No. 869-A

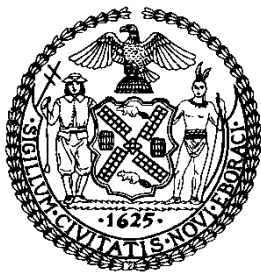
Report of the Committee on Mental Health, Disabilities and Addiction In favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to outreach and education regarding parental mental health resources.

The Committee on Mental Health, Disabilities and Addiction, to which the annexed proposed amended local law was referred on May 16, 2024 (Minutes, page 2018), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Mental Health, Disabilities and Addiction for Int. No. 651-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 869-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, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 869-A

**COMMITTEE: Mental Health, Disabilities and
Addictions**

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to outreach and education regarding parental mental health resources

SPONSOR(S): Council Member Gutiérrez, Restler, Louis, Brannan, Menin, Cabán, Narcisse, Farías, Hanif, Schulman, Hudson, Ayala, Sanchez and Ariola (in conjunction with the Brooklyn Borough President),

SUMMARY OF LEGISLATION: This bill would require the Mayor’s Office of Community Mental Health to establish and implement a public outreach and education campaign to raise awareness about resources available at the city, state, and federal level addressing mental health challenges faced by parents. The campaign would be required to be available in the designated citywide languages.

EFFECTIVE DATE: This local law would take effect 180 days after becoming law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2026

FISCAL IMPACT STATEMENT:

	Effective FY25	FY Succeeding Effective FY26	Full Fiscal Impact FY26
Revenues	\$0	\$0	\$0
Expenditures	\$11,500	\$45,000	\$45,000
Net	\$11,500	\$45,000	\$45,000

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

IMPACT ON EXPENDITURES: It is estimated that the annual fiscal impact of this legislation would be \$45,000 when fully implemented. The estimate consists of costs for education outreach and materials.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

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

ESTIMATE PREPARED BY: Danielle Heifetz, Financial Analyst

ESTIMATE REVIEWED BY: Florentine Kabore, Unit Head
Elizabeth Hoffman, Assistant Director
Eisha Wright, Deputy Director
Michael Twomey, Assistant Counsel
Jonathan Rosenberg, Managing Deputy Director

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on May 16, 2024, as Intro. 869 and referred to the Committee on Mental Health, Disabilities and Addictions (the Committee). The legislation was considered at a joint hearing of the Committee and the Committee on Women and Gender Equity on June 25, 2024, and the bill was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 869-A will be considered by the Committee on September 26, 2024. Upon successful vote by the Committee, Proposed Intro. No. 869-A will be submitted to the full Council for a vote on September 26, 2024.

DATE PREPARED: September 24, 2024.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 869-A:)

Int. No. 869-A

By Council Members Gutiérrez, Restler, Louis, Brannan, Menin, Cabán, Narcisse, Farías, Hanif, Schulman, Hudson, Ayala, Sanchez, Won, Bottcher, Yeger, Rivera, Mealy and Ariola (in conjunction with the Brooklyn Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to outreach and education regarding parental mental health resources

Be it enacted by the Council as follows:

Section 1. Section 3-192 of the administrative code of the city of New York, as added by local law number 106 for the year 2023, is amended to read as follows:

§ 3-192[.] Outreach. *a. General requirements; accessibility.* The office shall coordinate with relevant agencies and relevant organizations to support the city's efforts to coordinate, facilitate, or conduct culturally appropriate outreach in the designated citywide languages regarding mental health resources, including access to the online database described in section 3-191.

b. Mental health resources for parents. The office, or another agency designated by the mayor, shall conduct outreach and education activities to raise awareness about city resources for addressing mental health challenges faced by parents. Such resources shall relate to topics including, but not limited to, perinatal mood and anxiety disorders. The materials for such outreach and education activities shall reflect the most current information regarding the availability of such resources. Such materials shall also include information regarding state and federal mental health resources for parents.

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

LINDA LEE, *Chairperson*; TIFFANY CABÁN, SHAUN ABREU, SHAHANA K. HANIF, FARAH N. LOUIS, KRISTY MARMORATO; 6-0-0; *Absent*: Erik D. Bottcher and Darlene Mealy; Committee on Mental Health, Disabilities and Addiction, September 26, 2024. *Other Council Members Attending: Council Member Gutiérrez.*

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

Report for Int. No. 890-A

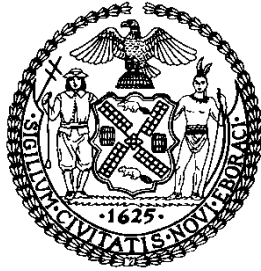
Report of the Committee on Mental Health, Disabilities and Addiction in favor of approving and adopting, as amended, a Local Law in relation to implementing a pilot program to establish postpartum support groups.

The Committee on Mental Health, Disabilities and Addiction, to which the annexed proposed amended local law was referred on May 16, 2024 (Minutes, page 2038), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Mental Health, Disabilities and Addiction for Int. No. 890-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 890-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, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 890-A

COMMITTEE: Mental Health, Disabilities and Addictions

TITLE: A Local Law in relation to implementing a pilot program to establish postpartum support groups.

SPONSOR(S): Council Members Lee, Restler, Brannan, Ung, Gutiérrez, Farías, Hanif, Narcisse, Schulman, Hudson, Ayala and Sanchez.

SUMMARY OF LEGISLATION: This bill would require the Commissioner of Health and Mental Hygiene to implement a three-year pilot program to establish postpartum support groups focused on the mental health of postpartum individuals. The support groups would be professionally facilitated and provide access to peer support, educational materials on postpartum mental health and postpartum stressors, and resources on home visiting support, lactation consultants, and other maternal health experts. There would need to be at least one group established in each borough, at least one group established in each of the three community districts with the highest rates of postpartum mental health issues, and at least one group established in each of the three community districts facing the greatest community and geographic impacts due to factors such as structural racism, high poverty rates, limited access to healthcare services, and social determinants of poor mental health. The Commissioner would be required to submit to the Mayor and Speaker of the Council, and post online, a report on the program, in part including recommendations on whether to establish a permanent postpartum support group program.

EFFECTIVE DATE: This local law would take effect 180 days after becoming law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2026

FISCAL IMPACT STATEMENT:

	Effective FY25	FY Succeeding Effective FY26	Full Fiscal Impact FY26
Revenues	\$0	\$0	\$0
Expenditures	\$465,000	\$1.86 million	\$1.86 million
Net	\$465,000	\$1.86 million	\$1.86 million

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

IMPACT ON EXPENDITURES: It is estimated that the annual fiscal impact of this legislation would be \$1.86 million when fully implemented. The cost estimate consists of Personal Services (PS) of approximately \$1.71 million, to fund positions that include one program manager, five behavioral health clinicians, five community health workers, five lactation counselors, two admin, and two R&E consultant/data analyst, as well as Other

Than Personal Services (OTPS) costs of approximately \$150,000 for materials. For Fiscal 2025, the prorated cost would be \$465,000, of which \$427,500 is for PS costs and \$37,500 is for OTPS costs.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

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

ESTIMATE PREPARED BY: Danielle Heifetz, Financial Analyst

ESTIMATE REVIEWED BY: Florentine Kabore, Unit Head
Elizabeth Hoffman, Assistant Director
Eisha Wright, Deputy Director
Michael Twomey, Assistant Counsel
Jonathan Rosenberg, Managing Deputy Director

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on May 16, 2024, as Intro. 890 and referred to the Committee on Mental Health, Disabilities and Addictions (the Committee). The legislation was considered at a joint hearing of the Committee and the Committee on Women and Gender Equity on June 25, 2024, and the bill was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 890-A will be considered by the Committee on September 26, 2024. Upon successful vote by the Committee, Proposed Intro. No. 890-A will be submitted to the full Council for a vote on September 26, 2024.

DATE PREPARED: September 24, 2024.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 890-A:)

Int. No. 890-A

By Council Members Lee, Restler, Brannan, Ung, Gutiérrez, Farías, Hanif, Narcisse, Schulman, Hudson, Ayala, Sanchez, Cabán, Won, Bottcher, Louis, Yeger, Rivera and Mealy.

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.

Postpartum support group. The term “postpartum support group” means a group of postpartum individuals who meet virtually or in-person.

b. Program established. The commissioner shall coordinate with any agency or any community-based organization the commissioner deems appropriate to implement a pilot program to establish postpartum support groups. Such groups shall:

1. Involve professionally facilitated meetings focused on the mental health of postpartum individuals, that include, at a minimum, access to peer support;

2. Make available to such individuals, at a minimum, educational materials on postpartum mental health, resources and techniques for addressing postpartum stressors, and resources regarding home visiting support, lactation consultants, obstetricians, and gynecologists;

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 of 2023; and

4. Each serve a number of postpartum individuals as determined by the commissioner.

c. Postpartum support group locations. In implementing the pilot program required 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 facing the greatest community and geographic impacts due to factors including structural racism, high poverty rates, limited access to healthcare services, social determinants of poor mental health, and other factors the department deems relevant.

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 and shall be in effect for 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 regarding 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 180 days after the effective date of this local law, the commissioner shall:

(a) Make such materials available to 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 not be limited to, the following information:

(a) The number of postpartum individuals who were served through such program;

(b) The number of individuals who facilitated meetings of the postpartum support groups established through such program;

(c) The community districts the postpartum support groups were placed in as identified by the commissioner as required by paragraph 2 of subdivision c of this section;

(d) The community districts the postpartum support groups were placed in as 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 maintaining such program;

(g) Any recommendations for increasing 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 180 days after it becomes law.

LINDA LEE, *Chairperson*; TIFFANY CABÁN, SHAUN ABREU, SHAHANA K. HANIF, FARAH N. LOUIS, KRISTY MARMORATO; 6-0-0; *Absent*: Erik D. Bottcher and Darlene Mealy; Committee on Mental Health, Disabilities and Addiction, September 26, 2024. *Other Council Members Attending: Council Member Gutiérrez.*

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 Sanitation and Solid Waste Management

Report for Int. No. 736-A

Report of the Committee on Sanitation and Solid Waste Management in favor of approving and adopting, as amended, a Local Law in relation to establishing a rat contraceptive pilot program.

The Committee on Sanitation and Solid Waste Management, to which the annexed proposed amended local law was referred on April 11, 2024 (Minutes, page 1300), respectfully

REPORTS:

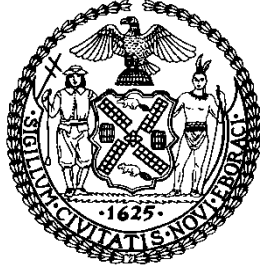
I. INTRODUCTION

On September 25th, 2024, the Committee on Sanitation and Solid Waste Management (the “Committee”), chaired by Council Member Shaun Abreu, will hold a hearing and vote on Int. No. 736-A, sponsored by Council Member Shaun Abreu. The Committee previously heard Int. No. 736-A at a hearing on May 1, 2024, where it received testimony from representatives of the Department of Sanitation (“DSNY”), animal rights advocates, and interested members of the public. More information about this legislation can be accessed online at <https://rb.gy/0znku0>.

II. LEGISLATION

Int. No. 736-A would require the Department of Health and Mental Hygiene (DOHMH), in consultation with the Department of Sanitation (DSNY) and an expert in rodent control, to establish a pilot program to deploy rat contraceptives within 180 days of the bill’s enactment, for a period of at least 12 months. DOHMH would be required to establish two pilot program areas and at least one comparison area with similar building types. The pilot program areas would be required to be located within rat mitigation zones, with majority residential buildings and where a majority of buildings are required to set out waste in containers. During the pilot program, DOHMH would be required to perform monthly inspections of such areas to track signs of rats. After the pilot period, DOHMH would be required to report to the Mayor and Speaker of the Council findings and other information collected during the pilot program. This local law would take effect immediately.

(The following is the text of the Fiscal Impact Statement for Int. No. 736-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. NO. 736-A

COMMITTEE: Sanitation and Solid Waste Management.

TITLE: A Local Law in relation to establishing a rat contraceptive pilot program.

Sponsors: Council Members Abreu, Yeger, Gennaro, Holden, Feliz, Louis, Brewer, Krishnan, Marte, Fariás, Avilés, Menin, Ayala, Sanchez, Narcisse, Banks, Powers, Cabán, Schulman, Salaam, Rivera, Won, Hanks, Ossé, Williams, Salamanca, Nurse, Ung, Brannan, Joseph, Bottcher, Hudson, Gutiérrez, Restler, De La Rosa, Hanif, Riley, Moya, Vernikov, Paladino and the Public Advocate (Mr. Williams).

SUMMARY OF LEGISLATION: This bill would require the Department of Health and Mental Hygiene (DOHMH), in consultation with the Department of Sanitation (DSNY) and an expert in rodent control, to establish a pilot program to deploy rat contraceptives within 180 days of the bill's enactment, for a period of at least 12 months. DOHMH would be required to establish two pilot program areas and at least one comparison area with similar building types. The pilot program areas would be required to be located within rat mitigation zones, with majority residential buildings and where a majority of buildings are required to set out waste in containers. During the pilot program, DOHMH would be required to perform monthly inspections of such areas to track signs of rats. After the pilot period, DOHMH would be required to report to the Mayor and Speaker of the Council findings and other information collected during the pilot program.

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR (FY) IN WHICH FULL FISCAL IMPACT ANTICIPATED: FY26

FISCAL IMPACT STATEMENT:

	Effective FY25	Succeeding FY26	Full Fiscal Impact FY26
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$472,625	\$597,000	\$597,000
Net	\$472,625	\$597,000	\$597,000

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

IMPACT ON EXPENDITURES: It is estimated that there would be \$597,000 of annual expenditures related to the enactment of this legislation. This expenditure is broken up in two different categories: Personal Services (PS) and Other Than Personal Services (OTPS) costs. In order for the agency to fulfill the requirement of this legislation the annual expenditure of 5 full-time equivalent headcount is required. The positions include: City Research Scientist III, IT Developer, Supervisor of Pest Control III, City Pest Control Aide, Public Health Sanitarian I, Associate Public Health Sanitarian I, and Community Coordinator. Total annual PS expenditures are estimated at \$439,000 annually. The remaining \$159,000 is for various OTPS costs associated with the fulfillment of this legislation. Finally, there is the cost of procuring the rat contraceptive, as this is subject to a competitive bidding process the cost cannot be estimated. The Fiscal 2025 cost has been prorated for the timing of the start of the pilot.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

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

ESTIMATE PREPARED BY: Tanveer Singh, Legislative Financial Analyst

ESTIMATE REVIEWED BY: Aliya Ali , Unit Head
Eisha Wright, Deputy Director
Michael Twomey, Assistant Counsel
Jonathan Rosenberg, Managing Deputy Director

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on April 11, 2024, as Intro. No. 736 and referred to the Committee on Sanitation and Solid Waste Management (the Committee). The legislation was considered by the Committee at a hearing held on May 1, 2024, and was subsequently amended. The amended version, Proposed Intro. No. 736-A will be considered by the Committee on September 25, 2024. Upon successful vote by the Committee, Proposed Intro. No. 736-A will be submitted to the full Council for a vote on September 26, 2024.

DATE PREPARED: 09/23/2024.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 736-A:)

Proposed Int. No. 736-A

By Council Members Abreu, Yeger, Gennaro, Holden, Feliz, Louis, Brewer, Krishnan, Marte, Farías, Avilés, Menin, Ayala, Sanchez, Narcisse, Banks, Powers, Cabán, Schulman, Salaam, Rivera, Won, Hanks, Ossé, Williams, Salamanca, Nurse, Ung, Brannan, Joseph, Bottcher, Hudson, Gutiérrez, Restler, De La Rosa, Hanif, Riley, Moya, Dinowitz, Mealy, Vernikov, Paladino and the Public Advocate (Mr. Williams).

A Local Law in relation to establishing a rat contraceptive pilot program

Be it enacted by the Council as follows:

Section 1. Rat contraceptive pilot program. a. Definitions. For the purposes of this local law, the following terms have the following meanings:

Department. The term “department” means the department of health and mental hygiene.

Rat contraceptive. The term “rat contraceptive” means an agent offered for sale that includes a representation that such agent promotes the reduction of reproductive capacity in rats.

Rat mitigation zone. The term “rat mitigation zone” means a zone designated pursuant to section 17-133.2 of the administrative code of the city of New York.

Rat signs. The term “rat signs” means the observable and measurable indicators, established in consultation with at least 1 expert in rodent control, used by the department of health and mental hygiene to determine the presence of rats, including but not limited to burrows, rub marks, runways, tracks, gnaw marks, droppings, and the presence of live rats.

b. Pilot program. The department, in consultation with the department of sanitation and at least 1 expert in rodent control, shall establish a pilot program to deploy rat contraceptives and, as appropriate, any other technology recommended by at least 1 expert in rodent control to reduce the rat population. Such program shall involve the following:

1. The pilot program shall be installed in areas to be designated by the department, provided that each area: (i) include buildings a majority of which are residential; (ii) include buildings a majority of which are required to set out waste in receptacles pursuant to rules promulgated by the department of sanitation; and (iii) be located within a rat mitigation zone. There shall be at least 2 pilot program areas, each of which shall cover at least 10 city blocks in surface area;

2. The department shall designate at least 1 pilot program comparison area that includes building types similar to those included in the pilot program areas, and shall make reasonable efforts to implement similar mitigation efforts, other than the deployment of rat contraceptive, across the pilot program areas and the pilot program comparison area or areas to allow for a controlled comparison;

3. The department shall deploy rat contraceptive at locations in the pilot program areas determined in consultation with the department of sanitation; and

4. For no less than 12 months immediately after the deployment of the rat contraceptive, the department shall perform monthly inspections of each pilot program area and each pilot program comparison area and shall tally all rat signs observed in each area, disaggregated by type of rat sign. During such monthly inspections of the pilot program areas, the department shall track the amount of rat contraceptive in each rat contraceptive dispenser. Any data provided by a vendor that supplies the department with rat contraceptive or other technology for the pilot program pursuant to this section shall be verified by an independent entity.

c. Implementation. The pilot program established pursuant to subdivision b of this section shall commence no later than 180 days after the effective date of this local law. The duration of the pilot program established pursuant to subdivision b of this section shall be no less than 12 months. Prior to the end of the pilot program, the department shall develop a plan for the safe removal of rat contraceptive from the pilot program areas to minimize, to the extent practicable, any increase in the rat population and any impact on residents living in such areas.

d. Report. No later than 180 days after the end of the pilot program established pursuant to this section, the commissioner of health and mental hygiene, in consultation with the commissioner of sanitation and at least 1 expert in rodent control, shall prepare and submit to the mayor and the speaker of the council a report regarding the outcomes of such pilot program and inspections during the period of such program. Such report shall include, but need not be limited to, the following information:

1. The cost of such program;

2. A description of market research performed by the department prior to its selection of a vendor to supply rat contraceptive or other technology for such program;

3. Any challenges experienced by the department and department of sanitation during the implementation of such program;

4. A description of any harm to non-target species caused by such program, if such information is available;

5. Any opportunities identified by the department to reduce its use of rodenticides that are not rat contraceptives;

6. A description of resources needed by the department to deploy rat contraceptives in place of rodenticides that are not rat contraceptives;

7. A table in which each separate row references a unique pilot program area or pilot program comparison area. Each such row shall include the following information, as well as any additional information the commissioner of health and mental hygiene deems appropriate, set forth in separate columns:

- (a) A unique identification code for the area;
 - (b) Whether the area is a pilot program area or pilot program comparison area;
 - (c) The location of such area; and
 - (d) A description of the building classes present in such area;
8. A table listing all rat inspections conducted in the pilot program areas and pilot program comparison area or areas in which each separate row corresponds to a unique inspection, including the inspections required by subdivision b and any regular inspections conducted by the department. Each such row shall include the following information, as well as any additional information deemed relevant by the commissioner of health and mental hygiene in consultation with at least 1 expert in rodent control, set forth in separate columns:
- (a) A unique identification code for the inspection;
 - (b) The date of such inspection;
 - (c) The borough, block, and lot number inspected;
 - (d) The location of such inspection, described as longitude and latitude; and
 - (e) The tally of all rat signs observed during such inspection, disaggregated by type of rat sign;
9. A description of the process used by the department to maintain rat contraceptive dispensers;
10. A description of the factors used to determine the placement of rat contraceptive dispensers in the pilot program areas, and if any changes were made to such placements, a description of the reasons for each such change;
11. The frequency with which the department refilled the rat contraceptive dispensers with rat contraceptive;
12. The volume or weight of rat contraceptive loaded into the rat contraceptive dispensers; and
13. A table listing the interventions performed in the pilot program areas and pilot program comparison area or areas in which each separate row corresponds to a unique intervention, including the application of rat contraceptive, any change in sanitation procedures, and any other rat mitigation interventions. Each such row shall include the following information as well as any additional information the commissioner of health and mental hygiene deems appropriate, set forth in separate columns:
- (a) A unique identification code for the intervention;
 - (b) A description of the intervention, including whether it is an application of rat contraceptive, a change in sanitation procedures, or any other rat mitigation intervention;
 - (c) The dates of such intervention;
 - (d) The borough, block, and lot number where such intervention was performed; and
 - (e) The location of such intervention, described as longitude and latitude.
- § 2. This local law takes effect immediately.

SHAUN ABREU, *Chairperson*; RAFAEL SALAMANCA, Jr., JAMES F. GENNARO, JULIE MENIN, SANDY NURSE, SANDRA UNG, CHRIS BANKS, SUSAN ZHUANG; DAVID M. CARR, INNA VERNIKOV; 10-0-0; *Absent*: Kalman Yeager; *Medical*: Vickie Paladino; Committee on Sanitation and Solid Waste Management, September 25, 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 Int. No. 346-A

Report of the Committee on Transportation and Infrastructure 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 pedestrian crossing guidelines and right of way.

The Committee on Transportation and Infrastructure, to which the annexed proposed amended local law was referred on February 28, 2024 (Minutes, page 760) and which was laid over by the Council at the September 12, 2024 (Minutes, page 3062), respectfully

REPORTS:

INTRODUCTION

On September 10, 2024, the Committee on Transportation and Infrastructure, chaired by Majority Whip Selvena N. Brooks-Powers, conducted a hearing to vote on Int. No. 346-A, sponsored by Council Member Mercedes Narcisse, in relation to pedestrian crossing guidelines and right of way. A previous version of this bill was heard on June 25, 2024 at an oversight hearing entitled: Intersections, Sidewalks and Pedestrian Safety. Those who testified at this hearing included representatives from the New York City (NYC or City) Department of Transportation (DOT), a representative from the NYC Police Department (NYPD), transit advocates, street safety advocates, and others.

On September 10, 2024, the Committee on Transportation and Infrastructure passed Int. No. 346-A by a vote of six in the affirmative, one in the negative, with zero abstentions.

BACKGROUND

Department of Transportation

DOT's goal is to provide for safe, efficient, and environmentally responsible movement of people and goods in NYC.¹ DOT works to improve traffic mobility throughout NYC; maintain the City's infrastructure; encourage the use of mass transit and other modes of transportation other than private vehicles; and provide traffic safety educational programs.² With an annual operating budget of \$1.4 billion and a ten-year \$33 billion capital program, DOT manages 6,300 miles of streets and highways, over 12,000 miles of sidewalks, and approximately 800 bridges and tunnels.³ DOT's staff also installs and maintains nearly one million street signs, 13,250 signalized intersections, over 315,000 street lights, over 350 million linear feet of markings, and 2,600 automated enforcement cameras.⁴

Street Safety and Vision Zero

Since 2014, NYC has instituted Vision Zero, a citywide initiative that seeks to improve the safety of its streets throughout every neighborhood and in every borough.⁵ First launched under former Mayor Bill de Blasio, the initiative includes: expanded enforcement against dangerous moving violations, such as speeding and failing to yield to pedestrians; new street designs and configurations; broad public outreach and communication; and

¹ NYC Department of Transportation (DOT), *About DOT*, available at <https://www1.nyc.gov/html/dot/html/about/about.shtml>

² *Id.*

³ *Id.*

⁴ *Id.*

⁵ NYC, *Vision Zero*, available at <https://www1.nyc.gov/content/visionzero/pages/>

legislation to increase penalties for dangerous drivers.⁶ Vision Zero rests on the belief that deaths and serious injuries in traffic incidents are not inevitable “accidents,” but preventable crashes that can be reduced through engineering, enforcement, and education.⁷ Traffic fatalities in NYC have fallen significantly since 1990, from 701 in 1990 to 381 in 2000 to an all-time low of 202 in 2018, with traffic deaths in NYC having fallen by a third when comparing 2018 with the year before Vision Zero began.⁸

Although the data through 2018 is encouraging, the citywide initiative has received a number of criticisms mainly due to the rapid increase in deaths occurring on City streets over the last several years. Notably, for a nearly two month period during the novel coronavirus (COVID-19) pandemic in 2020 there were zero pedestrian fatalities in NYC, largely attributed to the lack of congestion and lack of commuters in the City at that time.⁹ However, in January 2021, the *New York Times* indicated that the total number of traffic fatalities in 2020 made it the deadliest year on record since former Mayor de Blasio introduced Vision Zero, and the second straight year of increased road fatalities.¹⁰

In 2021, these trends continued, with 275 people killed due to traffic violence in the City, representing about a 33% increase from 2018.¹¹ There were a reported 93 hit-and-runs with critical injuries in 2021, twice as many as there had been in 2018.¹² Furthermore, the share of pedestrian fatalities caused by drivers of SUVs during Mayor de Blasio’s second term, which concluded in 2021, was up 42% compared to his first term.¹³

In 2022, the number of traffic fatalities in the City was 263.¹⁴ DOT Commissioner Ydanis Rodriguez announced that in 2022 the City experienced an overall decline of about 6% in traffic fatalities from 2021, and the first decline in annual fatalities since 2019.¹⁵ 2022 was one of the years with the fewest annual pedestrian deaths recorded in New York City;¹⁶ however, 2022 also marked the deadliest year since 2014 for child fatalities, with 16 children killed in traffic collisions.¹⁷

Last year, in 2023, there were 265 traffic fatalities, an increase of two people when compared to the year prior.¹⁸ Additionally, 2023 saw a record number of cyclist fatalities in the Vision Zero era.¹⁹

During the first half of 2024, traffic crashes killed 127 people, which is the highest number of people killed in the first six months of any year since Vision Zero was implemented in 2014, putting it on pace to be the deadliest year for traffic violence since Vision Zero was implemented, if the trend continues.²⁰ Some advocates note that lack of safety infrastructure could be one major reason for this increase.²¹ For instance, when pedestrians were killed at an intersection, 92% of those intersections had no daylighting measures at all, and 100% of those intersections lacked physical daylighting to stop drivers from parking all the way to the

⁶ *Id.*

⁷ *Id.*

⁸ NYC DOT & NYPD, *Vision Zero Accomplishments 2018*, at 4, available at <https://www.nyc.gov/html/dot/downloads/pdf/vz-accomplishments-core-outputs-2018.pdf>

⁹ Jake Offenhartz, *Vision Zero Sputter as NYC Traffic Deaths Reach Highest Level of De Blasio Era*, Gothamist, October 23, 2020, available at <https://gothamist.com/news/vision-zero-sputters-nyc-traffic-deaths-reach-highest-level-de-blasio-era>

¹⁰ Christina Goldbaum, *Why Emptier Streets Meant an Especially Deadly Year for Traffic Deaths*, New York Times January 1, 2021, available at <https://www.nytimes.com/2021/01/01/nyregion/nyc-traffic-deaths.html>

¹¹ NYC, *Vision Zero View*, available at <https://vzv.nyc/>

¹² Transportation Alternatives, *Last year was the deadliest under Vision Zero. Here’s how Mayor Adams can save lives in 2022*, January 26, 2022, available at <https://www.transalt.org/writing/last-year-was-the-deadliest-under-vision-zero-heres-how-mayor-adams-can-save-lives-in-2022>

¹³ *Id.*

¹⁴ NYC, *Vision Zero View*, available at: <https://vzv.nyc/>

¹⁵ NYC DOT, Press Release, *Vision Zero: NYC Traffic Fatalities Dropped in 2022 For First Time in Three Years, Pedestrian Deaths Near Record Lows*, January 6, 2023, available at <https://www.nyc.gov/html/dot/html/pr2023/vision-zero-fatalities-dropped-2022.shtml>

¹⁶ *Id.*

¹⁷ Ben Brachfield, *2022 was deadliest year for children on city streets in Vision Zero era: report*, AMNY, January 23, 2023, available at <https://www.amny.com/transit/record-children-killed-traffic-collisions-2022-nyc-streets/>

¹⁸ NYC, *Vision Zero View*, available at <https://vzv.nyc/>

¹⁹ Transportation Alternatives, *New York City Experiences Deadliest First Quarter in Vision Zero History, New Data from Transportation Alternatives and Families for Safe Streets Shows*, April 25, 2024, available at <https://transalt.org/press-releases/new-york-city-experiences-deadliest-first-quarter-in-vision-zero-history-new-data-from-transportation-alternatives-and-families-for-safe-streets-shows#:~:text=This%20data%20comes%20after%202023,the%20onset%20of%20Vision%20Zero>

²⁰ Transportation Alternatives, *New York City Experiences Deadliest First Six Months in Vision Zero History, New Analysis from Transportation Alternatives and Families for Safe Streets Shows*, July 23, 2024, available at <https://transalt.org/press-releases/new-york-city-experiences-deadliest-first-six-months-in-vision-zero-history-new-analysis-from-transportation-alternatives-and-families-for-safe-streets-shows>

²¹ *Id.*

crosswalk.²² 83% of cyclists were killed on streets without protected bicycle infrastructure, and 66% were killed on streets without any bicycle infrastructure at all.²³ In addition, there were 51 motorist fatalities in the first six months of 2024, which is 21% more than the average year.²⁴

Street Infrastructure

DOT is responsible for thousands of miles of streets and roadways, and conducts regular inspections to assess pavement conditions.²⁵ Furthermore, DOT is responsible for the implementation of street improvement projects, which add to the safety and accessibility of streets, including:

- Street Construction, which includes pothole repair, milling and repaving, and full reconstruction of streets;²⁶
- Capital Street Projects, which often include full reconstruction of the sewer pipes, the roadbed and sidewalks;²⁷
- Resiliency projects, which includes addressing threats from storm surge and extreme heat;²⁸
- Sidewalk repair and maintenance, which is used to ensure sidewalks are safe for pedestrians and helps prevent injuries caused by defective sidewalks;²⁹
- Traffic Signals and Street Signs, which are used to ensure less congestion and more safety for all road users;³⁰ and
- Street Lights, which provide lighting for road users, with DOT being a leader in using sustainable street lighting.³¹

In order to increase safety on City streets, DOT implements various measures to reduce opportunities for illegal speeding and aggressive driving.³² DOT largely does this through employing:

- Enhanced Crossings, which are marked high-visibility crosswalks on calm streets with low vehicle volumes and frequent pedestrian crossings, which improve mobility and accessibility for pedestrians;³³
- Neighborhood Slow Zones, which is a community-based program that reduces the speed limit from 25 mph to 20 mph and adds safety measures within a select area to change driver behavior;³⁴
- Pedestrian Ramps, which provide access on and off streets and sidewalks for pedestrians;³⁵
- Medians, which generally are installed as raised or a barrier made of concrete or with vegetation, and look to either: separate different lines, traffic directions or roadways within a street or extend through an intersection to prevent turns and through-movements to and from the intersecting street, depending on type;³⁶

²² *Id.*

²³ *Id.*

²⁴ *Id.*

²⁵ NYC DOT, *Infrastructure-Street and Roadway Construction*, available at <https://www.nyc.gov/html/dot/html/infrastructure/construction.shtml>

²⁶ NYC DOT, *Infrastructure*, available at <https://www.nyc.gov/html/dot/html/infrastructure/infrastructure.shtml>

²⁷ *Id.*

²⁸ *Id.*

²⁹ *Id.*

³⁰ *Id.*

³¹ *Id.*

³² NYC DOT, *Pedestrians*, available at <https://www.nyc.gov/html/dot/html/pedestrians/pedestrians.shtml>

³³ *Id.*

³⁴ *Id.*

³⁵ *Id.*

³⁶ NYC DOT, NYC Street Design, *Sidewalks and Raised Medians*, available at <https://www.nycstreetdesign.info/geometry/sidewalks-raised-medians>

- The Pedestrian Safety Action Plan, which is a borough-based plan to establish Priority Corridors, Intersections, and Areas, and outlines a comprehensive pedestrian safety plan for each borough guided by Vision Zero;³⁷
- Safe Routes to Transit, which is a part of PlanNYC, in which DOT is working to improve pedestrian access and calm motor vehicle movement around subway entrances and bus stops;³⁸
- Safe Streets for Seniors, which is an initiative for older New Yorkers where DOT engineers evaluate pedestrian conditions and make safety improvements in targeted neighborhoods from a senior's perspective;³⁹
- School Safety, which is an initiative where DOT's School Safety Unit implements Vision Zero by developing street safety improvement projects near city schools;⁴⁰ and
- The Turn Calming Program, which is a citywide effort to reduce left and right turn speeds and enforce safe turning behavior.⁴¹

The City Council also works to meet these goals and improve street safety. In 2022 and 2023, the Council passed legislation which required DOT to: designate certain senior pedestrians zones in the City;⁴² accelerate the schedule in which it conducts the study of traffic crashes involving a pedestrian fatality or serious injury and implement more sharing of studies and plans;⁴³ and implement new daylighting measures throughout the City.⁴⁴

Jaywalking

Jaywalking colloquially refers to the act of crossing a roadway in violation of applicable traffic regulations, including but not limited to crossing a roadway at a point other than at a marked crosswalk without yielding right of way to vehicle traffic, or crossing a roadway against a traffic control device, e.g., when there is a red upraised hand. In New York City, both crossing outside of a marked crosswalk and crossing against a traffic control signal are prohibited by the administrative code of the City of New York.⁴⁵ Jaywalking has been a part of the American streetscape since the 1920s, when automobile manufacturers and interest groups lobbied for legislation to shift the role of the roadway from a place for pedestrians where automobiles had to operate with care to a place for automobiles where pedestrians have to yield or risk injury or death.⁴⁶

In the present day, jaywalking is a rarely enforced violation with 467 summonses issued in NYC in 2023.⁴⁷ Of those summonses, 92 percent were issued to Black or Latino persons (59 percent to Black persons, 33 percent to Latino persons).⁴⁸ Despite such disproportionate issuance of violations, there is no evidence that over 90 percent of the jaywalking activity in the City is committed by persons from these communities, and advocates believe that jaywalking summonses are used as a pretext to target Black and Latino persons.⁴⁹ Data for NYPD stops in general closely track (in larger scale) the demographic skew evident in jaywalking summonses: of the 6,110 "stop, question and frisks" conducted by NYPD officers in the first quarter of 2024, 92 percent of the

³⁷ NYC DOT, *Pedestrians*, available at: <https://www.nyc.gov/html/dot/html/pedestrians/pedestrians.shtml>

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² Local Law 63 of 2023

⁴³ Local Law 65 of 2022

⁴⁴ Local Law 66 of 2023

⁴⁵ Ad. Code § 19-195; VTL § 1152

⁴⁶ Joseph Stromberg, *The forgotten history of how automakers invented the crime of 'jaywalking'*, Vox, November 4, 2015, available at <https://www.vox.com/2015/11/15/7551873/jaywalking-history>; Sarah Goodyear, *The Invention of Jaywalking*, Bloomberg, April 24, 2012, available at <https://www.bloomberg.com/news/articles/2012-04-24/the-invention-of-jaywalking>

⁴⁷ Gersh Kuntzman, *On the bias: NYPD's 'Walking While Black' Ticketing Continues*, StreetsBlogNYC, May 22, 2024, available at <https://nyc.streetsblog.org/2024/05/22/on-the-bias-nypds-walking-while-black-ticketing-continues>

⁴⁸ *Id.*; Transportation Alternatives, *Five Lessons for the 10-Year Anniversary of Vision Zero in New York City*, February 12, 2004, available at <https://projects.transalt.org/lessons-from-vision-zero-new-york-city>

⁴⁹ Vanessa Arredondo, *NYPD disproportionately cited people of color for 'jaywalking' in 2023, mirroring racist enforcement nationwide*, Reckon, May 30, 2024, available at <https://www.reckon.news/news/2024/05/nypd-disproportionately-cited-people-of-color-for-jaywalking-in-2023-mirroring-racist-enforcement-nationwide.html>

people stopped were Black or Latino (59 percent to Black persons, 32 percent to Latino persons).⁵⁰ Three police precincts, the 33rd Precinct in Washington Heights, the 79th Precinct in central Brooklyn, and the 28th Precinct in Upper Manhattan, accounted for nearly a quarter of all jaywalking summonses in 2023, and all but one of those summonses were issued to Black or Latino persons.⁵¹

There is little evidence to support the claim that having jaywalking either as a criminal or civil offense changes pedestrian behavior or increases pedestrian safety. Neither the Mayor’s administration in general nor NYPD in particular appears to view jaywalking enforcement as a safety measure given that only 47 of the City’s 77 NYPD precincts issued jaywalking summonses in 2023.⁵² Additionally, jaywalking enforcement has not been consistently targeting areas where pedestrians are most often injured: when compiling data from 2017 to the present, only a single precinct in the top 10 for pedestrians killed or seriously injured (KSI) has issued a commensurate number of jaywalking summonses.⁵³

Research conducted by the federal government in the 1990s found that pedestrians were no more likely to be involved in accidents while jaywalking than they were at the crosswalk.⁵⁴ The experience in states other than New York varies. Virginia was the first state to decriminalize jaywalking in 2021. Nevada followed shortly afterwards, while California decriminalized it in 2023.⁵⁵ Virginia and Nevada have experienced upticks and downticks of pedestrian related deaths in the years that followed, while California (for which there is only one year of data) experienced fewer pedestrian fatalities since the decriminalization of jaywalking.⁵⁶ Denver, the most recent major American city to decriminalize jaywalking, has shown a decrease in pedestrian fatalities in its first half-year since it decriminalized jaywalking.⁵⁷

LEGISLATIVE ANALYSIS

Below is a brief summary of Int. No. 346-A. This summary is intended for informational purposes only and does not substitute for legal counsel. For more detailed information, review the full text of the bill, which is included below.

Int. No. 346-A, A Local Law to amend the administrative code of the city of New York, in relation to pedestrian crossing guidelines and right of way

This bill would permit pedestrians to legally cross a roadway at any point, including outside of a marked or unmarked crosswalk, and allow for crossing against traffic signals. It would legalize the activity commonly referred to as “jaywalking” and specify that crossing against a traffic signal or crossing at any point outside of a crosswalk will not be a violation of the administrative code and therefore can no longer be the subject of a

⁵⁰ Eric Adams’s NYPD Has Stopped 50 Percent More New Yorkers in 2024, Hell Gate, June 12, 2024, available at <https://hellgatenyc.com/nypd-stops-keep-going-up-under-eric-adams-2024>; NYCLU, *NYPD Quarterly Reports, 2024 1st Quarter*, available at <https://www.nyclu.org/data/nypd-quarterly-reports>

⁵¹ Gersh Kuntzman, *On the bias: NYPD’s ‘Walking While Black’ Ticketing Continues*, StreetsBlogNYC, May 22, 2024, available at <https://nyc.streetsblog.org/2024/05/22/on-the-bias-nypds-walking-while-black-ticketing-continues>

⁵² *Id.*

⁵³ NYC OpenData, *NYPD Criminal Court Summons (Historic)*, last updated April 23, 2024, available at https://data.cityofnewyork.us/Public-Safety/NYPD-Criminal-Court-Summons-Historic/-sv2w-rv3k/about_data; NYC Open Data, *Motor Vehicle Collisions – Crashes*, last updated June 19, 2024, available at https://data.cityofnewyork.us/Public-Safety/Motor-Vehicle-Collisions-Crashes/h9gi-nx95/about_data

⁵⁴ Wyatt Parker Hough, *Street Rivalry Reignited? Repealing the Jaywalking Paradigm*, 91 UMKC L. Rev. 455, 463 (2022)

⁵⁵ Angie Schmitt, *The Movement to Decriminalize Walking Notching More Wins*, America Walks, February 14, 2023, available at <https://americawalks.org/decriminalizing-walking-notching-more-wins>; KCAL News Staff, *Jaywalking to be decriminalized started Jan. 1*, CBSNews, December 27, 2022, available at <https://www.cbsnews.com/losangeles/news/jaywalking-to-be-decriminalized-starting-jan-1/>; Jenni Bergal, *Racial Justice, Pedestrian Safety Fuel Jaywalking Debate*, Stateline, July 14, 2022, available at <https://stateline.org/2022/07/14/racial-justice-pedestrian-safety-fuel-jaywalking-debate/>

⁵⁶ Governor’s Highway Safety Association, *Pedestrian Fatalities by State*, available at <https://www.ghsa.org/sites/default/files/2024-02/Pedestrian%20Traffic%20Fatalities%20by%20State%2C%20January-June%202023%20Preliminary%20Data.pdf>

⁵⁷ City of Denver, *Denver Citywide Programs and Initiatives*, Updated 6/12/24, available at <https://denvergov.org/Government/Citywide-Programs-and-Initiatives/Vision-Zero>; Denver has recorded 26 pedestrian fatalities in the first 5.5 months of 2024, versus 83 deaths in 2023 when jaywalking was illegal. In Denver (and as proposed by this bill), vehicles still have the right-of-way anywhere outside of a crosswalk under both state and city law.

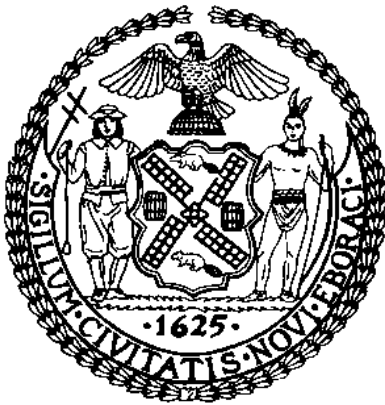
summons. The bill would also require the Department of Transportation to conduct an education effort regarding the rights and responsibilities of pedestrians and of operators of motor vehicles, bicycles, and other mobility devices on city roadways.

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

UPDATE

On September 10, 2024, the Committee on Transportation and Infrastructure passed Int. No. 346-A by a vote of six in the affirmative, one in the negative, with zero abstentions.

(The following is the text of the Fiscal Impact Statement for Int. No. 346-A:)



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

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO: 346-A

COMMITTEE: Transportation and Infrastructure

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to pedestrian crossing guidelines and right of way.

SPONSORS: Council Members Narcisse, Cabán, Won, Hanif, Hudson, Restler, and Louis.

SUMMARY OF LEGISLATION: Proposed Intro. No. 346-A would permit pedestrians to legally cross a roadway at any point, including outside of a marked or unmarked crosswalk, and allow for crossing against traffic signals. It would legalize the activity commonly referred to as “jaywalking” and specify that crossing against a traffic signal or crossing at any point outside of a crosswalk will not be a violation of the administrative code and therefore can no longer be the subject of a summons. The bill would also require the Department of Transportation (DOT) to conduct an education effort regarding the rights and responsibilities of pedestrians and of operators of motor vehicles, bicycles, and other mobility devices on city roadways.

EFFECTIVE DATE: This local law would take effect 120 days after it becomes law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2026

FISCAL IMPACT STATEMENT:

	Effective FY25	FY Succeeding Effective FY26	Full Fiscal Impact FY26
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is anticipated that there would be no impact on revenues as a result 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 DOT will utilize existing resources.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division
NYC Department of Transportation

ESTIMATE PREPARED BY: Adrian M. Drepaul, Senior Financial Analyst

ESTIMATE REVIEWED BY: Julia K. Haramis, Unit Head
Chima Obichere, Deputy Director
Michael Twomey, Assistant Counsel
Jonathan Rosenberg, Managing Director

LEGISLATIVE HISTORY: This legislation was introduced to the Council on February 28, 2024, as Int. No. 346 and was referred to the Committee on Transportation and Infrastructure (the Committee). A hearing was held by the Committee on June 25, 2024, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Int. No. 346-A, will be voted on by the Committee at a hearing on September 10th, 2024. Upon successful vote by the Committee, Proposed Intro. No. 346-A will be submitted to the full Council for a vote on September 26, 2024.

DATE PREPARED: September 19, 2024.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 346-A:)

Proposed Int. No. 346-A

By Council Members Narcisse, Cabán, Won, Hanif, Hudson, Restler, Louis, Bottcher and Mealy.

A Local Law to amend the administrative code of the city of New York, in relation to pedestrian crossing guidelines and right of way

Be it enacted by the Council as follows:

Section 1. Section 19-195 of the administrative code of the city of New York, as added by local law number 115 for the year 2016, is amended to read as follows:

§ 19-195 Pedestrian *crossings and* control signals. *a.* Whenever pedestrian control signals are in operation, exhibiting symbols of a walking person, upraised hand, or upraised hand with a pedestrian countdown display, or any other internationally recognized representation concerning the movement of pedestrians, such signals shall indicate as follows:

1. Steady walking person. Pedestrians facing such signal may proceed across the roadway in the direction of such signal, and other traffic shall yield the right of way to such pedestrians.

2. Flashing upraised hand or flashing upraised hand with pedestrian countdown display. Pedestrians facing such signal are advised that there may be insufficient time to cross the roadway. Pedestrians already in the roadway [shall] *are cautioned* to proceed to the nearest sidewalk or safety island in the direction of such signal. Other traffic shall yield the right of way to pedestrians proceeding across the roadway within the crosswalk towards such signal for as long as such signal remains flashing.

3. Steady upraised hand. [No pedestrians shall start to cross the roadway in the direction of such signal; provided, however that any pedestrians who have partially completed their crossing on a steady walking person signal or any flashing upraised hand signal shall proceed to the nearest sidewalk or safety island in the direction of such signal while such steady upraised hand signal is showing.] *Pedestrians crossing in the direction of such signal do not have the right of way. Pedestrians entering the roadway in the direction of such signal will be at risk of injury due to other traffic that has the right of way. Pedestrians may proceed across the roadway in the direction of a steady upraised hand but shall yield to other traffic that has the right of way, provided that a failure to yield shall not be a violation of this section.*

b. Pedestrians crossing at points outside of a marked or unmarked crosswalk do not have the right of way. Pedestrians may cross any roadway, other than a limited access highway, at any point, including points outside of a marked or unmarked crosswalk, but shall yield to other traffic that has the right of way, provided that a failure to yield shall not be a violation of this section.

c. Notwithstanding the provisions of this section, a pedestrian must exercise all duty of care when entering a roadway at a crosswalk facing a pedestrian signal with a steady upraised hand or at a point other than a marked or unmarked crosswalk. Nothing in this section shall be construed to relieve any person from the duty of due care for their safety or the safety of others in a roadway.

§ 2. 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 19-195.2 to read as follows:

§ 19-195.2 Public education campaign. The department shall conduct a continuing public education effort regarding the rights and responsibilities of pedestrians and operators of motor vehicles, bicycles, and other mobility devices on city roadways.

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

SELVENA N. BROOKS-POWERS, *Chairperson*; FARAH N. LOUIS, CARMEN N. De La ROSA, AMANDA C. FARIAS, MERCEDES NARCISSE, CHRIS BANKS; 6-1-0; *Negative*: Joann Ariola; *Absent*: Julie Won; *Parental*: Carlina Rivera; Committee on Transportation and Infrastructure, September 10, 2024. *Other Council Members Attending*: *Council Members Bottcher and Avilés.*

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. 346-A - | Pedestrian crossing guidelines and right of way. |
| (2) | Int. No. 353-A - | Installation of solar photovoltaic systems on city-owned property. |
| (3) | Int. No. 651-A - | Department of Health and Mental Hygiene to create and distribute materials identifying mental health resources. |
| (4) | Int. No. 736-A - | Establishing a rat contraceptive pilot program. |
| (5) | Int. No. 869-A - | Outreach and education regarding parental mental health resources. |
| (6) | Int. No. 890-A - | Implementing a pilot program to establish postpartum support groups. |
| (7) | L.U. No. 132 & Res. No. 581 - | App. C 240237 ZMM (MSK Pavilion) , Borough of Manhattan, Community District 8, Council District 5. |
| (8) | L.U. No. 133 & Res. No. 582 - | App. N 240238 ZRM (MSK Pavilion) , Borough of Manhattan, Community District 8, Council District 5. |
| (9) | L.U. No. 134 & Res. No. 583 - | App. C 240235 ZSM (MSK Pavilion) , Borough of Manhattan, Community District 8, Council District 5. |
| (10) | L.U. No. 135 & Res. No. 584 - | App. M 240240 LDM (MSK Pavilion) , Borough of Manhattan, Community District 8, Council District 5. |
| (11) | L.U. No. 136 & Res. No. 585 - | App. C 240236 GFM (MSK Pavilion) , Borough of Manhattan, Community District 8, Council District 5. |
| (12) | L.U. No.137 & Res. No. 586 - | App. C 220080 ZMK (150 Mill Street Rezoning) , Borough of Brooklyn, Community District 6, Council District 38. |

- (13) **L.U. No. 141 –** **App. N 230355 ZRK (250 86th Street Rezoning)**, Borough of Brooklyn, Community District 10, Council District 47 (**Coupled to be Filed**).
- (14) **L.U. No. 143 & Res. No. 587 -** **App. C 240301 HAM (Malcolm Shabazz Harlem Plaza)**, Borough of Manhattan, Community District 9, Council District 10.
- (15) **L.U. No. 144 & Res. No. 588 -** **App. N 250006 HKK (Willoughby Hart Historic District)**, Borough of Brooklyn, Community District 3, Council District 36.
- (16) **L.U. No. 145 & Res. No. 589 -** **App. C 230250 ZMQ (21st Street Rezoning)**, Borough of Queens, Community District 1, Council District 22.
- (17) **L.U. No. 146 & Res. No. 590 -** **App. N 230251 ZRQ (21st Street Rezoning)**, Borough of Queens, Community District 1, Council District 22.
- (18) **L.U. No. 147 & Res. No. 591 -** **App. G 240057 XAK (281-311 Marcus Garvey Boulevard)**, Borough of Brooklyn, Community District 3, Council District 36.
- (19) **L.U. No. 154 & Res. No. 592 -** **App. D 2450065822 SWX (Seis Vecinos Restaurant)**, Borough the Bronx, Community District 2, Council District 17.
- (20) **L.U. No. 155 & Res. No. 593 -** **App. D 2450082809 SWQ (Cozy Corner Bar)**, Borough of Queens, Community District 5, Council District 30 (**Coupled to be Disapproved**).
- (21) **Preconsidered L.U. No 156 & Res. No. 594 -** **App. C 210340 ZMK (2390 McDonald Avenue Rezoning)**, Borough of Brooklyn, Community District 15, Council District 44.
GO
- (22) **Preconsidered L.U. No. 157 & Res. No. 595 -** **App. N 210341 ZRK (2390 McDonald Avenue)**, Borough of Brooklyn, Community District 15, Council District 44.

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, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Krishnan, Lee, Louis, Marmorato, Marte, Mealy, Moya, Narcisse, Nurse, Ossé, Paladino, Powers, Restler, Riley, Rivera, Salaam, Salamanca, Sanchez, Schulman, Stevens, Vernikov, Williams, Won, Yeger, Zhuang, the Majority Leader (Council Member Farías) and the Speaker (Council Member Adams) - **48**.

The General Order vote recorded for this Stated Meeting was 48-0-0 as shown above with the exception of the votes for the following legislative items:

The following was the vote recorded for **Int. No. 346-A**:

Affirmative – Abreu, Avilés, Ayala, Banks, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Hudson, Joseph, Krishnan, Lee, Louis, Marte, Mealy, Moya, Narcisse, Nurse, Ossé, Powers, Restler, Riley, Rivera, Salaam, Salamanca, Sanchez, Schulman, Stevens, Williams, Won, the Majority Leader (Council Member Farías) and the Speaker (Council Member Adams) - **40**.

Negative – Ariola, Carr, Holden, Marmorato, Paladino, Vernikov, Yeger, and Zhuang - **8**.

The following was the vote recorded for **L.U. No. 144 & Res. No. 588**:

Affirmative – Abreu, Ariola, Avilés, Ayala, Banks, Bottcher, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Hudson, Joseph, Krishnan, Lee, Louis, Marmorato, Marte, Mealy, Moya, Narcisse, Nurse, Ossé, Powers, Riley, Rivera, Salaam, Salamanca, Sanchez, Schulman, Stevens, Williams, Won, , the Majority Leader (Council Member Farías) and the Speaker (Council Member Adams) - **41**.

Negative – Holden, Paladino, Vernikov, and Yeger - **4**;

Abstention – Brannan, Restler, and Zhuang - **3**.

*The following Introductions were sent to the Mayor for his consideration and approval:
Int. Nos. 346-A, 353-A, 651-A, 736-A, 869-A, and 890-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. 402

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, 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.

The Committee on Mental Health, Disabilities and Addiction, to which the annexed resolution was referred on May 16, 2024 (Minutes, page 2039), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Mental Health, Disabilities and Addiction for Int. No. 651-A printed in the Reports of the Standing Committees section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 402:)

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, Farías, Hanif, Narcisse, Sanchez, Ayala, Cabán, Won, Bottcher, Louis, Hudson, Rivera and Mealy.

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.

LINDA LEE, *Chairperson*; TIFFANY CABÁN, SHAUN ABREU, SHAHANA K. HANIF, FARAH N. LOUIS, KRISTY MARMORATO; 6-0-0; *Absent*: Erik D. Bottcher and Darlene Mealy; Committee on Mental Health, Disabilities and Addiction, September 26, 2024. *Other Council Members Attending: Council Member Gutiérrez.*

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.

Report for voice-vote item Res. No. 403

Report of the Committee on Mental Health, Disabilities and Addiction in favor of approving a 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).

The Committee on Mental Health, Disabilities and Addiction, to which the annexed resolution was referred on May 16, 2024 (Minutes, page 2040), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Mental Health, Disabilities and Addiction for Int. No. 651-A printed in the Reports of the Standing Committees section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 403:)

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, Gutiérrez, Hanif, Narcisse, Sanchez, Ayala, Cabán, Won, Bottcher, Louis, Hudson, Rivera and Mealy.

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).

LINDA LEE, *Chairperson*; TIFFANY CABÁN, SHAUN ABREU, SHAHANA K. HANIF, FARAH N. LOUIS, KRISTY MARMORATO; 6-0-0; *Absent*: Erik D. Bottcher and Darlene Mealy; Committee on Mental Health, Disabilities and Addiction, September 26, 2024. *Other Council Members Attending: Council Member Gutiérrez.*

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.

Report for voice-vote item Res. No. 404

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, 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.

The Committee on Mental Health, Disabilities and Addiction, to which the annexed resolution was referred on May 16, 2024 (Minutes, page 2041), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Mental Health, Disabilities and Addiction for Int. No. 651-A printed in the Reports of the Standing Committees section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 404:)

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, Brewer, Hanif, Narcisse, Sanchez, Ayala, Cabán, Won, Bottcher, Louis, Hudson, Rivera and Mealy.

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.

LINDA LEE, *Chairperson*; TIFFANY CABÁN, SHAUN ABREU, SHAHANA K. HANIF, FARAH N. LOUIS, KRISTY MARMORATO; 6-0-0; *Absent*: Erik D. Bottcher and Darlene Mealy; Committee on Mental Health, Disabilities and Addiction, September 26, 2024. *Other Council Members Attending: Council Member Gutiérrez.*

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.

Report for voice-vote item Res. No. 405

Report of the Committee on Mental Health, Disabilities and Addiction in favor of approving a 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.

The Committee on Mental Health, Disabilities and Addiction, to which the annexed resolution was referred on May 16, 2024 (Minutes, page 2043), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Mental Health, Disabilities and Addiction for Int. No. 651-A printed in the Reports of the Standing Committees section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 405:)

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, Farías, 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.

LINDA LEE, *Chairperson*; TIFFANY CABÁN, SHAUN ABREU, SHAHANA K. HANIF, FARAH N. LOUIS, KRISTY MARMORATO; 6-0-0; *Absent*: Erik D. Bottcher and Darlene Mealy; Committee on Mental Health, Disabilities and Addiction, September 26, 2024. *Other Council Members Attending: Council Member Gutiérrez.*

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.

Report for voice-vote item Res. No. 406

Report of the Committee on Mental Health, Disabilities and Addiction in favor of approving a 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.

The Committee on Mental Health, Disabilities and Addiction, to which the annexed resolution was referred on May 16, 2024 (Minutes, page 2044), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Mental Health, Disabilities and Addiction for Int. No. 651-A printed in the Reports of the Standing Committees section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 406:)

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.

LINDA LEE, *Chairperson*; TIFFANY CABÁN, SHAUN ABREU, SHAHANA K. HANIF, FARAH N. LOUIS, KRISTY MARMORATO; 6-0-0; *Absent*: Erik D. Bottcher and Darlene Mealy; Committee on Mental Health, Disabilities and Addiction, September 26, 2024. *Other Council Members Attending: Council Member Gutiérrez.*

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. 1046

By Council Members Abreu, Schulman, Louis and Gutiérrez.

A Local Law in relation to establishing a pilot program to provide oral appliances to individuals diagnosed with sleep apnea*Be it enacted by the Council as follows:*

Section 1. Sleep apnea treatment pilot program. a. For purposes of this local law, the following terms have the following meanings:

Department. The term “department” means the department of health and mental hygiene or another agency designated by the mayor that has appropriate subject matter expertise relating to the treatment of sleep apnea.

Health care professional. The term “health care professional” means an individual duly licensed or otherwise authorized to practice a health profession pursuant to applicable law, including, but not limited to, physicians, registered professional nurses, nurse practitioners, and physicians assistants.

Oral appliance. The term “oral appliance” means any oral device that has been cleared by the federal food and drug administration to treat, manage, or lessen the symptoms of sleep apnea, including, but not limited to, mandibular advancement devices and tongue-stabilizing devices.

Patient. The term “patient” means an individual who has been diagnosed with sleep apnea by a health care professional and who is uninsured or whose health insurance coverage requires the individual to pay an out-of-pocket cost of \$100 or more for an oral appliance.

Sleep apnea. The term “sleep apnea” means a sleep disorder in which breathing repeatedly stops and starts. For the purposes of this section, “sleep apnea” refers to obstructive sleep apnea.

b. The department shall establish a pilot program to provide oral appliances for patients at no cost to the patient. The department shall prioritize providing oral appliances to uninsured patients.

c. Implementation. The pilot program established by subdivision b of this section shall commence no later than 180 days after the effective date of this law. The duration of such program shall be 3 years.

d. Sleep apnea treatment report. No later than 1 year after the end of the pilot program established by subdivision b of this section, the department 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:

1. The number of patients that requested an oral appliance through such program, disaggregated by the age of the patient, the borough in which the patient resides, the race and ethnicity of the patient screened, and whether the patient has health insurance;

3. The number of patients that were provided with an oral appliance as required by subdivision b of this section, disaggregated by the age of the patient, the borough in which the patient resides, the race and ethnicity of the patient screened, and whether the patient has health insurance; and

4. Any challenges with establishing or administering such program and recommendations as to whether to establish a permanent sleep apnea treatment program.

e. No report required by subdivision d of this section shall contain personally identifiable information.

§ 2. This local law takes effect immediately and expires and is deemed repealed upon submission of the report required by subdivision d of this law.

Referred to the Committee on Health.

Int. No. 1047

By Council Members Abreu, Schulman, Louis and Gutiérrez.

A Local Law in relation to establishing a sleep apnea screening pilot program and public education and outreach campaign

Be it enacted by the Council as follows:

Section 1. Sleep apnea screening program and public education campaign. a. For purposes of this local law, the following terms have the following meanings:

Department. The term “department” means the department of health and mental hygiene or another agency designated by the mayor that has appropriate subject matter expertise relating to sleep apnea screening, testing, and treatment.

Health care professional. The term “health care professional” means an individual duly licensed or otherwise authorized to practice a health profession pursuant to applicable law, including, but not limited to, physicians, registered professional nurses, nurse practitioners, and physicians assistants.

Home sleep apnea test. The term “home sleep apnea test” means any non-invasive test or device cleared or approved by the federal food and drug administration to diagnose or evaluate risk of sleep apnea.

Patient. The term “patient” means an individual who is uninsured or an individual whose insurance coverage requires the individual to pay an out-of-pocket cost of \$100 or more for a sleep apnea screening or a home sleep apnea test.

Sleep apnea. The term “sleep apnea” means a sleep disorder in which breathing repeatedly stops and starts. For the purposes of this section, “sleep apnea” refers to both obstructive sleep apnea and central sleep apnea.

Sleep apnea screening. The term “sleep apnea screening” means screening tools that assess individual risk of sleep apnea, including but not limited to, the STOP-BANG questionnaire, Epworth Sleepiness Scale, and the 4-Variable screening tool.

b. Sleep apnea screening pilot program. The department shall establish a pilot program to conduct sleep apnea screenings for patients at no cost to the patient. The department shall prioritize providing such screenings to uninsured patients. If sleep apnea screening results are suggestive of sleep apnea or indicate a risk for sleep apnea, the department shall facilitate access to home sleep apnea tests at no cost to the patient, as well as make referrals to other health professionals when appropriate.

c. Implementation. The pilot program established by subdivision b of this section shall commence no later than 180 days after the effective date of this law. The duration of such program shall be 3 years.

d. Sleep apnea screening report. No later than 1 year after the end of the pilot program established by subdivision b of this section, the department 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:

1. The total number of patients screened through such program, disaggregated by the age of the patient screened, the borough in which the patient resides, the race and ethnicity of the patient screened, and whether the patient has insurance;

2. The total number of patients referred or connected to health professionals or other services following the sleep apnea screening;

3. The total number of patients that were provided with a home sleep apnea test as required by subdivision b of this section; and

4. Any challenges with establishing or administering such program and recommendations as to whether to establish a permanent sleep apnea screening program.

e. No report required by subdivision d of this section shall contain personally identifiable information.

f. Public education and outreach. Throughout the course of the pilot program established pursuant to subdivision b of this law, the department shall establish and implement an outreach and education campaign to raise awareness about sleep apnea. In conducting such outreach, the department shall utilize social media, internet, radio, print media, or digital kiosks, and shall advise the public on the health risks associated with sleep apnea, common signs and symptoms of sleep apnea, as well as information on how to access healthcare for sleep

apnea, including, but not limited to, the sleep apnea screening pilot program established pursuant to subdivision b of this section. The materials for such outreach campaign shall be made available in the designated citywide languages.

§ 2. This local law takes effect immediately and expires and is deemed repealed upon submission of the report required by subdivision d of this law.

Referred to the Committee on Health.

Res. No. 574

Resolution calling on the New York State Legislature to pass, and the New York State Governor to sign, S.3304/A.4637, which would establish a bicycle lane safety program in the city of New York to enforce certain restrictions on the use of bicycle lanes by means of bicycle lane photo devices.

By Council Members Bottcher and Hanif.

Whereas, Over the past two decades, New York City (NYC) has seen a rapid increase in bicycle use; and

Whereas, According to the NYC Department of Health and Mental Hygiene Community Health Survey, 30 percent of adult New Yorkers, which equates to more than 1.9 million people, ride a bike, with about 800,000 riding a bike regularly; and

Whereas, As of 2022, 1,525 lane miles of bike lanes and 644 lane miles of protected bike lanes were installed in NYC, according to the NYC Department of Transportation (DOT); and

Whereas, Although the number of bike lane and protected bike lane miles have increased in the past decade, NYC recorded the most overall cyclist deaths in the United States during the decade from 2011 to 2020, with 138 deaths, according to National Highway Traffic Safety Administration data; and

Whereas, According to DOT, in 2021, 273 people were killed in traffic fatalities in NYC, of which included 19 cyclists who were killed, and in 2022, 255 people were killed in traffic fatalities, of which included 17 cyclists who were killed; and

Whereas, In addition, for the first six months of 2023, according to Transportation Alternatives, 112 people were killed in traffic fatalities in NYC, with 18 cyclists being killed—a Vision Zero-era record, putting 2023 on pace for one of the deadliest years under Vision Zero for overall traffic fatalities and the second deadliest year for cyclists in recorded history; and

Whereas, As the number of cyclists in NYC has dramatically increased in the past two decades, while traffic fatalities among all road users continues to trend upwards, cyclists have been and remain a vulnerable population utilizing the road and require additional enforcement efforts to ensure their safety; and

Whereas, Installing cameras along bike lanes and penalizing drivers of motor vehicles for violations may provide cyclists with additional protection and would allow for them to ride more safely and confidently in bike lanes throughout NYC; and

Whereas, S.3304, sponsored by New York State Senator Brad Hoylman-Sigal, and A.4637, sponsored by New York State Assemblymember Zohran K. Mamdani, would authorize and empower the NYC to establish a bike lane safety program that protects cyclists and holds encroaching motorists accountable through bike lane cameras and monetary penalties; 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 New York State Governor to sign, S.3304/A.4637, which would establish a bicycle lane safety program in the city of New York to enforce certain restrictions on the use of bicycle lanes by means of bicycle lane photo devices.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 1048

By Council Members Brewer, Restler, Powers and Salaam.

A Local Law in relation to conducting a complaint based siren sound study in the city

Be it enacted by the Council as follows:

Section 1. Siren sound study. a. Definitions. As used in this section, the term “siren sound” means the sound generated by emergency signal devices installed on authorized emergency vehicles.

b. The commissioner of environmental protection, in consultation with the police commissioner, the fire commissioner, and the commissioners of any other relevant agencies, shall conduct a study of the experience of siren sounds on nearby residents. Such study shall:

1. establish a toll-free telephone number, a website, and a database to facilitate the centralized collection of public complaint data regarding siren noise for a period of one year during such study;
2. conduct a public outreach campaign to inform the public about the study and the methods of reporting siren noise for the study;
3. identify the locations within the city that experience the highest levels of siren noise, as determined by the collected information and other information the commissioner deems relevant;
4. to the extent known, identify and categorize siren sound complaint data received by their vehicle type: non-medical fire vehicle, emergency medical services ambulance, or police vehicle;
5. determine the most common times for siren noise to occur; and
6. recommend mitigation measures for reducing siren noise impact on residents.

c. Within 18 months of the date on which this local law takes effect, the commissioner of environmental protection shall submit to the mayor and the speaker of the council a report with the results of the study pursuant to subdivision b, accompanied by all raw data collected for the study.

§ 2. This local law takes effect immediately.

Referred to the Committee on Environmental Protection, Resiliency and Waterfronts.

Int. No. 1049

By Council Members Brooks-Powers and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to requiring sellers of petroleum products for use in motor vehicles or motor boats to disclose preauthorization holds

Be it enacted by the Council as follows:

Section 1. Section 20-672 of the administrative code of the city of New York is amended by adding a new subdivision h to read as follows:

h. Preauthorization holds disclosure. 1. Definitions. For purposes of this subdivision, the term “preauthorization hold” means a temporary hold placed on available funds or credit in the account associated with the form of payment used in a transaction when the amount held may exceed the actual amount due.

2. It is unlawful to initiate a transaction that results in a preauthorization hold in connection with the sale or offer for sale at retail of any petroleum products for use in motor vehicles or motor boats, unless written notice of the preauthorization hold is conspicuously posted at the place where payment is accepted. Such written notice shall contain the information and be displayed in the manner that the commissioner shall set by rule.

§ 2. This local law takes effect 180 days after it becomes law, except that the commissioner of consumer and worker protection shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, prior to such date.

Referred to the Committee on Consumer and Worker Protection.

Int. No. 1050

By Council Members De La Rosa and Ayala.

A Local Law to amend the administrative code of the city of New York, in relation to limiting the amount of liability coverage that the taxi and limousine commission may require for vehicles it licenses

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-557 to read as follows:

§ 19-557 Liability coverage for licensed vehicles. The commission shall not require an owner of a licensed vehicle to maintain liability coverage for the expenses specified in paragraphs (1), (2), and (3) of subdivision (a) of section 5102 of the insurance law in an amount that exceeds the amount of liability coverage for such expenses required by state law. This section does not prohibit any person from voluntarily purchasing liability coverage in excess of such amount.

§ 2. This local law takes effect immediately.

Referred to the Committee on Transportation and Infrastructure.

Res. No. 575

Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation providing for annual adjustments to the rental and carrying charges for Mitchell-Lama developments based on increases in the Consumer Price Index.

By Council Members Farías and Louis.

Whereas, The Mitchell-Lama Housing Program was created in 1955 by the Limited Profit Housing Act to provide affordable rental and cooperative housing to middle-income families; and

Whereas, Mitchell-Lama program compliance is overseen by the New York City Department of Housing Preservation and Development (HPD) and New York State Homes and Community Renewal (HCR) and involves regulating rental and carrying charge increases, capital reserves, property inspections, and waiting lists for affordable units; and

Whereas, According to HCR, 269 Mitchell-Lama developments, with over 105,000 units in total, have been constructed since the program's inception in 1955; and

Whereas, Under the New York State Private Housing Finance Law, Mitchell-Lama developments receive a subsidy allowing tenants and cooperators below a certain income level to pay below-market rental or carrying charges; and

Whereas, When a Mitchell Lama development's budget shows that its current income is insufficient to cover its financial obligations, the development can apply to HPD or HCR to increase its rental or carrying charges; and

Whereas, The NY State Comptroller conducted an audit from January 2019 through January 2023 to determine whether tenants living in four Mitchell-Lama developments supervised by HCR (753 Classon Avenue Housing Company, Cathedral Parkway Towers, Findlay House, and Jamie Towers) provided safe and clean-living conditions; and

Whereas, The audit also aimed to verify if funds were properly accounted for and used for intended purposes; and

Whereas, The audit revealed that tenants in these developments endured unsanitary conditions, including pest infestations and water leaks, potentially causing mold and allergens that can be harmful to human health; and

Whereas, The audit also highlighted that many of these hazards had remained uncorrected for years; and

Whereas, The Comptroller's audit revealed that Jamie Towers was facing a severe financial crisis, with rising operating costs and revenue losses; and

Whereas, Bronx News, an online news publication, reported that residents at Jamie Towers received a notice regarding a 49% increase in their carrying charges, effective May 1, 2024; and

Whereas, Bronx News reported that residents who are seniors living on fixed incomes have expressed concerns about this change; and

Whereas, The substantial carrying charge increase poses a serious threat to the financial stability of many of the impacted residents; and

Whereas, According to news reports and the Comptroller's audit, prior to requesting the 2024 increase, Jamie Towers' most recent request to HCR for increased carrying charges was in 2017; and

Whereas, Each Mitchell-Lama development is required to maintain a reserve fund to cover major repairs and replacements of common areas such as roofs, elevators, and heating systems; and

Whereas, The amount each development must contribute to such fund each month depends in part on the development's rent roll; and

Whereas, This reserve fund can help ensure that repairs are made in a timely manner, but ineffective management of the fund by board members or property owners, or insufficient resources in the fund due to low rental or carrying charges, may result in deferred maintenance; and

Whereas, Proper maintenance preserves and extends the life of a building's assets, while deferred maintenance reduces the lifespan of building components and accelerates the need for large capital expenditures to replace them; and

Whereas, The National Association of State Facilities Administrators, a national organization that develops best practices for maintaining facilities, has calculated that the cost of deferred maintenance in a building structure is anywhere from 15 to 30 times the cost of early intervention; and

Whereas, The rental/carrying charges at a Mitchell-Lama building should be regularly adjusted to reflect changes in the overall cost of building maintenance, with increases tied to rises in the Consumer Price Index; and

Whereas, This practice would ensure that sufficient financial resources are set aside for future repairs as costs increase; and

Whereas, This practice would also ensure that Mitchell-Lama buildings can maintain their financial stability and continue to provide affordable housing while safeguard against the need for large, sudden increases to rental or carrying charges; 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 providing for annual adjustments to the rental and carrying charges for Mitchell-Lama developments based on increases in the Consumer Price Index.

Referred to the Committee on Housing and Buildings.

Res. No. 576

Resolution calling on the New York State Legislature to introduce and pass, and the Governor to sign, legislation amending the tax law to authorize the City of New York to offer a tax credit for businesses to incentivize the creation of workforce development and training programs for newly arrived immigrants.

By Council Members Farías, Avilés, Louis, Hanif, Gutiérrez and Restler.

Whereas, New York City has welcomed a significant number of newly arrived immigrants over the past two years who want to join New York City's workforce; and

Whereas, However, according to reporting from the New York State Comptroller's office, the New York State immigrant workforce is below its 2015 peak; and

Whereas, The Comptroller's report also notes that in 2023, the City had 10,000 fewer immigrants than in 2015; and

Whereas, Several industries in the City rely heavily on foreign born workers including construction, which has been facing a significant shortage, transportation and utilities, and manufacturing, but contributions made by immigrants extend beyond these industries; and

Whereas, A 2024 report from the *Immigration Research Initiative* estimated that in the first year after an immigrant's arrival, for each 1,000 newly arrived immigrant workers, state and local tax revenue would increase by \$2.6 million; and

Whereas, However, integration into the workforce without the proper training can be complicated for new arrivals and workforce development is key to ensuring stability, safety, and growth in the workplace; and

Whereas, According to the *Center for an Urban Future*, with the influx of new arrivals, workforce development providers have been struggling to meet the increasing demand for their services, and waitlists are growing; and

Whereas, The demand for workforce development services continues to increase and without resources available to support this demand, new arrivals may struggle to find employment even after obtaining work permits; and

Whereas, New York City businesses have expressed interest in hiring new arrivals with work authorization, but if new arrivals require workforce development and training, businesses may be less likely to hire them, particularly if they do not have the resources to provide workforce development training themselves; and

Whereas, However, if certain businesses are incentivized to create workforce development and training programs, the growing demand for these services can begin to be met; and

Whereas, Tax credits are often utilized to incentivize businesses, with one recent example being the Biotechnology Tax Credit; and

Whereas, The Biotechnology Tax Credit was created by state law for qualified biotechnology companies in the City and can be applied to the business corporation tax, the general corporation tax, and the unincorporated business tax; and

Whereas, In 2023, the New York State Legislature passed S.4009C/A.3009C, that allowed New York City to renew this credit, which covers certain expenses of biotechnology companies; and

Whereas, The Biotechnology Tax Credit's goal is to encourage the growth of small life-science companies and support job creation; and

Whereas, This tax credit model could be applied to New York City businesses to develop and provide workforce development and training; and

Whereas, Successful integration into the workforce requires the proper resources, and once those resources are accessed they can provide stability for new arrivals and eventually growth for the City's economy; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to introduce and pass, and the Governor to sign, legislation amending the tax law to authorize the City of New York to offer a tax credit for businesses to incentivize the creation of workforce development and training programs for newly arrived immigrants.

Referred to the Committee on Immigration.

Res. No. 577

Resolution calling upon The New York State Public Service Commission (PSC) to require that all utility companies doing business in New York City file an annual report on all service outages, including the number, type, and severity of such incidents, as well as an assessment of the financial impact on affected entities.

By Council Members Gutiérrez, Ossé, Restler, Louis and Hanif.

Whereas, Reliable access to electrical service is a crucial component of modern life, as everything from public transit, personal electronics, machinery, lighting, heating and cooling, to the refrigeration of perishable goods are dependent on electricity to function; and

Whereas, Power outages can severely impair access to information resources, financial services, and municipal services, can render many businesses unable to operate, and can lead to economic losses, property damage, and potential loss of life; and

Whereas, Schools, hospitals, and medical facilities are vital community facilities that are particularly dependent on reliable access to electrical service in order to adequately serve the public; and

Whereas, As classrooms become increasingly reliant on technology for educating students, consistent access to power becomes even more crucial to ensure schools, universities, and other educational facilities have the reliability necessary to properly serve their students; and

Whereas, In medical settings, disruptions to power supply can have severe consequences for patients undergoing treatment or surgery at the time of the disruption, with the risk to patients increasing as the duration of the power outage increases; and

Whereas, Lack of electrical power can also have negative effects on the ability of medical professionals to render competent care, particularly when they must make diagnostic and care related decisions without access to digital medical records; and

Whereas, Power outages can also increase community dependence on medical facilities like hospital emergency rooms, as individuals reliant on at-home medical equipment like oxygen machines, nebulizers, at-home dialysis, infusion pumps, and electric wheelchairs must seek alternative medical support in the absence of electricity to power their devices; and

Whereas, According to one analysis of northern Manhattan emergency department visits during the 2003 East Coast blackout, nearly 10% of individuals seeking care during the 24 hour window examined were doing so due to the failure of an at home medical device, with such individuals accounting for over 20% of the patients admitted over that timeframe; and

Whereas, Medical imaging equipment such as magnetic resonance imaging (MRI) machines, computed axial tomography (CAT), and positron emission tomography (PET) scan machines require consistent power levels to function properly, with disruptions in power supply potentially leading to corrupted data files, time lost due to necessary re-imaging, and, in certain cases, even damage to the equipment itself; and

Whereas, After severe rain caused a power outage on September 29th, 2023, Woodhull Hospital in Brooklyn was forced to evacuate 120 patients to other medical facilities in order to shut off backup power so that repairs could be made; and

Whereas, While repairs were being made, patients who would normally have been routed to Woodhull Hospital for treatment had to be diverted to other New York City Health + Hospitals facilities for medical care, potentially delaying access to care, which in certain instances, can lead to worsening patient outcomes; and

Whereas, Power outages can also result in financial consequences for medical facilities, due to canceled appointments, inability to book new appointments, potential costs associated with transferring patients to other facilities, reduced staff productivity, reduced patient satisfaction, and potential damage to sensitive equipment; and

Whereas, Electric, gas, water, steam, and telecommunication utility service providers in New York State are under oversight of the New York State Public Service Commission (PSC), which is tasked with safeguarding access to safe, reliable utility service at just and reasonable rates; and

Whereas, The PSC is charged with the legal authority to set rates for utility companies, and can use the rate setting process to ensure that utilities are providing adequate service to their customers, with utility responsibilities outlined in an agreement known as a schedule for service; and

Whereas, The Schedule for Electricity Service for Con Edison, New York City's principal distributor of electricity, outlines a compensation policy for customers experiencing service interruptions, but the policy does not require them to reimburse customers for operational losses, or for damage to equipment incurred because of a loss of power; and

Whereas, According to Con Edison's Schedule for Electricity Service, the compensation policy for customers experiencing prolonged outages, defined as an outage lasting longer than 72 consecutive hours, includes a \$25 bill credit for every 24 consecutive hours an outage lasts beyond the initial 72 consecutive hours; and

Whereas, Residential and small business customers may also file for reimbursement for food and medication spoiled due to lack of refrigeration, though the amount of reimbursement cannot exceed \$235 for those providing only an itemized list of spoiled goods, or \$540 for those providing an itemized list and proof of loss, which may include itemized receipts, photographic evidence of spoiled items, or photographic evidence of replacement items that indicate price; and

Whereas, Concrete data on how often utility service outages occur, the cause and severity of those incidents, and their estimated financial impact on community facilities affected by those service outages could potentially compel service providers to be better stewards of their delivery infrastructure; now, therefore, be it

Resolved, That the Council of the City of New York calls upon The New York State Public Service Commission (PSC) to require that all utility companies doing business in New York City file an annual report on all service outages, including the number, type, and severity of such incidents, as well as an assessment of the financial impact on affected entities.

Referred to the Committee on Consumer and Worker Protection.

Res. No. 578

Resolution celebrating the NJ/NY Gotham FC's winning of the 2023 National Women's Soccer League Championship.

By Council Members Hanif, De La Rosa, Hudson, Menin, Rivera, Cabán and Gutiérrez.

Whereas, The New Jersey/New York Gotham Football Club (Gotham FC) won its first National Women's Soccer League (NWSL) Championship on November 11, 2023, at Snapdragon Stadium in San Diego by a score of 2-1 over the Olympique Lyonnais Reign (OL Reign), rebranded in 2024 as the Seattle Reign FC; and

Whereas, Gotham FC had to win all three of its playoff matches on the road in away games rather than in its home Red Bull Arena in Harrison, New Jersey; and

Whereas, The NWSL Championship win marked an extraordinary turnaround for the Gotham FC, which had finished last in the league just one year earlier in 2022; and

Whereas, Gotham FC captain, Olympian, and two-time United States (U.S.) Women's World Cup championship team player Ali Krieger retired from the sport after playing all 300 minutes of the playoff games leading to the NWSL Championship; and

Whereas, Both Gotham FC goals were scored off assists by Margaret "Midge" Purce, with one goal by Lynn Williams, who became the first player ever to play in four winning NWSL Championship games, and one goal by Spain's 2023 Women's World Cup championship team player Esther González; and

Whereas, One of only two players ever to record two assists in an NWSL Championship game, Purce was named the NWSL Championship's Most Valuable Player; and

Whereas, The only OL Reign goal was scored by Rose Lavelle, who then joined Gotham FC in time for the 2024 season; and

Whereas, The NWSL Championship game was also the final game to be played by OL Reign star and worldwide soccer icon Megan Rapinoe, who left the field after being injured in the sixth minute of the game; and

Whereas, Gotham FC coach Juan Carlos Amorós is only the fourth coach to win an NWSL Championship in a coach's first year with a team; and

Whereas, Gotham FC's newest arrivals, like Lavelle, join a team already boasting World-Cup-winning U.S. Women's National Team players, like Williams and Purce; and

Whereas, Gotham FC general manager Yael Averbuch West noted recently that his hope for the team's future is a "big vision" to become "the global capital of women's soccer"; now, therefore, be it

Resolved, That the Council of the City of New York celebrates the NJ/NY Gotham FC's winning of the 2023 National Women's Soccer League Championship.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Int. No. 1051

By Council Members Hanks, Narcisse, Ossé, Yeger, Brooks-Powers, Williams, Restler, Stevens, Louis, Farías, Hanif, Krishnan, Ayala, Marte, Mealy, Gutiérrez and Carr.

A Local Law to amend the New York city charter, in relation to the identification of formerly enslaved African American burial sites

Be it enacted by the Council as follows:

Section 1. Chapter 67 of the New York city charter is amended by adding a new section 2511 to read as follows:

§ 2511. *Formerly enslaved African American burial site list. a. No later than 6 months after the effective date of the local law that added this section, the commissioner shall create and maintain a list of known formerly enslaved African American burial sites citywide. The list shall be posted on the department's website and updated as frequently as practicable.*

b. The commissioner, in consultation with the commissioners of citywide administrative services and parks and recreation, the chair of the landmarks preservation commission, and relevant organizations and experts, shall develop and implement a plan to survey and identify unmarked formerly enslaved African American burial sites.

c. Upon identification of a burial site pursuant to subdivision b of this section, the commissioner shall ensure that a historical marker is placed at or adjacent to the burial site.

d. Upon identification of a burial site pursuant to subdivision b of this section, the commissioner shall provide notice to the community board, borough president, and council member representing the geographic area where the burial site was identified.

e. The commissioner shall develop and implement an education campaign to inform residents about the formerly enslaved African American burial sites identified pursuant to this section.

f. The commissioner shall maintain an interactive map on the department's website that includes regularly updated information related to the location of each formerly enslaved African American burial site identified pursuant to this section. Such map shall be searchable by address and borough.

§ 2. This local law takes effect immediately.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Preconsidered Int. No. 1052

By Council Members Hudson, Joseph, Louis, Hanif, Gutiérrez and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to LGBTQIA+ foster youth experience surveys

Be it enacted by the Council as follows:

Section 1. Section 21-910 of the administrative code of the city of New York, as added by local law number 146 for the year 2016, is amended to read as follows:

§ 21-910 Foster care experience surveys. a. [Commencing one year after the effective date of the local law that added this section,] ACS shall provide to all youth in foster care ages 13 and older an annual survey regarding such youth's experiences with each foster care placement where the youth resided *and with any ACS employees the youth came into contact with* that year. For youth placed with foster parents, such surveys shall be administered in a location other than the foster parent's home, or administered online or through a mobile application. ACS shall explain the purpose of such survey to youth and shall not attribute survey responses to youth without their consent. In addition to questions, such survey shall provide space for such youth to provide ACS with any additional information they wish to share. *ACS shall ensure that the option to provide anonymous responses is available to all youth who complete such survey.*

b. Such survey shall include but not be limited to questions addressing the following topic areas: access to food and clothing; religious practices; relationships with foster families, biological families, and friends; personal allowances; education and extracurricular activities; [and] internet and phone access[.]; *and treatment relating to gender expression, gender identity, sex characteristics, and sexual orientation.*

c. No later than [six] 6 months following the first administration of the survey, and annually thereafter, ACS shall submit to the speaker of the council and post on its website aggregated data from the surveys required pursuant to this section and any steps ACS had taken in response to the information provided in such surveys.

[d. Not later than 120 days after the effective date of the local law that added this section, ACS shall submit to the speaker of the council a report on its plan for the implementation of the survey required pursuant to this section.]

[e.] *d.* No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state, or local law relating to the privacy of information respecting youth in foster care or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If any category requested contains between 1 and 5 youth in foster care, or allows another category to be narrowed to between 1 and 5 youth in foster care, the number shall be replaced with a symbol.

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

Referred to the Committee on Children and Youth (preconsidered but laid over by the Committee on Children and Youth).

Preconsidered Int. No. 1053

By Council Members Hudson, Louis, Gutiérrez and Restler.

A Local Law in relation to a study and report on the feasibility of creating older adult information and service centers

Be it enacted by the Council as follows:

Section 1. a. Definitions. For the purposes of this local law, the following terms have the following meanings:

Department. The term "department" means the department for the aging.

Naturally occurring retirement community. The term "naturally occurring retirement community" has the same meaning as set forth in section 209 of the elder law.

Neighborhood naturally occurring retirement community. The term "neighborhood naturally occurring retirement community" has the same meaning as set forth in section 209 of the elder law.

Older adult. The term "older adult" means a person 60 years of age or older.

Older adult center. The term "older adult center" means a facility, other than a social adult day care, operated by a person pursuant to a contract with the department to provide services to older adults on a regular basis including, but not limited to meals, recreation, and counseling.

b. Study. The department shall study the feasibility of creating older adult information and service centers to expand access to services and information for older adults. Through the study the department shall:

1. Identify at least 5 potential locations in each borough for the creation of older adult information and service centers;
 2. Identify considerations for locating older adult information and service centers, such as the accessibility of the proposed location, and proximity to older adult centers, naturally occurring retirement communities and neighborhood naturally occurring retirement communities, and mass transit;
 3. Identify services that could be provided to older adults from older adult information and service centers, including at minimum, assistance with applications for services and benefits, and information on resources, services and programming provided through the department for the aging and older adult centers;
 4. Assess the potential benefits of establishing older adult information and service centers; and
 5. Assess potential constraints on the establishment of older adult information and service centers, including the resources needed to establish and staff each facility.
- c. Report. No later than 1 year after the effective date of this local law, the department shall submit to the mayor and the speaker of the council and post on the department's website a report on the findings of the study conducted pursuant to subdivision b. If the department determines through the study that the creation of older adult information and service centers would be infeasible, the department shall include a statement in the report explaining its reasons for such determination.
- §2. This local law takes effect immediately.

Referred to the Committee on Aging (preconsidered but laid over by the Committee on Aging).

Preconsidered Int. No. 1054

By Council Members Hudson, Louis, Gutiérrez and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to a 10-year plan to support aging in place

Be it enacted by the Council as follows:

Section 1. Chapter 2 of Title 21 of the administrative code of the city of New York, is amended by adding a new section 21-205.1 to read as follows:

§ 21-205.1 Aging in place plan. a. *Definitions. For purposes of this chapter, the following terms have the following meanings:*

Aging in place. The term "aging in place" means the phenomenon where older adults decide to stay in their own home or remain in their current community as they age.

Cooperating agencies. The term "cooperating agencies" means the department of buildings, the department of housing preservation and development, the department of transportation, and any other agency that the department deems necessary.

Naturally occurring retirement community. The term "naturally occurring retirement community" has the same meaning as set forth in section 209 of the elder law.

Neighborhood naturally occurring retirement community. The term "neighborhood naturally occurring retirement community" has the same meaning as set forth in section 209 of the elder law.

Older adults. The term "older adults" means persons who are 60 years of age or older.

b. *Ten-year plan. No later than 1 year after the effective date of the local law that added this section, the commissioner, in consultation with cooperating agencies, shall submit to the mayor and the speaker of the council and post on the department's website a 10-year aging in place plan. Such aging in place plan shall focus on assisting older adults with aging in place throughout the city, including in naturally occurring retirement communities and neighborhood naturally occurring retirement communities, and shall include, but need not be limited to:*

1. An evaluation of potential improvements and investments to enhance the existing healthcare facilities, social services, transportation, and other supportive services that help older adults successfully age in place

throughout the city, including within naturally occurring retirement communities and neighborhood naturally occurring retirement communities;

2. An evaluation of the potential accessibility improvements that may enhance such communities, including the installation of lighting, railings, grab bars, ramps, elevators, escalators, curb cuts, and enhancements such as the widening of doorways and hallways, and other accessibility features;

3. Plans for supportive services and accessibility improvement projects the department and cooperating agencies will initiate and complete throughout the 10-year plan, disaggregated by borough and address;

4. Information on the existing state of naturally occurring retirement communities, including their locations, vacancy rates, contact information for buildings and service providers; and

5. The resources that the department, in coordination with cooperating agencies, believe will be needed for the purpose of implementing and maintaining supportive services and accessibility improvement projects throughout the city, including within such naturally occurring retirement communities and neighborhood naturally occurring retirement communities.

c. *Implementation.* The department shall make best efforts to begin implementing the recommendations included in the aging in place plan upon the plan's publication.

d. *Progress reports.* Two years after the publication of the aging in place plan, and every 2 years thereafter until the completion of the plan, the commissioner shall submit to the mayor and the speaker of the council and post on the department's website a report detailing the status of the implementation of projects and recommendations included in the plan.

§ 2. This local law takes effect immediately.

Referred to the Committee on Aging (preconsidered but laid over by the Committee on Children and Youth).

Int. No. 1055

By Council Members Hudson, Abreu, Louis, Gutiérrez and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting discrimination on the basis of family and relationship structure in employment, housing, and public accommodations

Be it enacted by the Council as follows:

Section 1. Section 8-101 of the administrative code of the city of New York, as amended by local law number 61 for the year 2023, is amended to read as follows:

§ 8-101 Policy. In the city of New York, with its great cosmopolitan population, there is no greater danger to the health, morals, safety and welfare of the city and its inhabitants than the existence of groups prejudiced against one another and antagonistic to each other because of their actual or perceived differences, including those based on race, color, creed, age, national origin, immigration or citizenship status, gender, sexual orientation, *family or relationship structure*, disability, marital status, partnership status, caregiver status, sexual and reproductive health decisions, uniformed service, height, weight, any lawful source of income, status as a victim of domestic violence or as a victim of sex offenses or stalking, whether children are, may be or would be residing with a person, or conviction or arrest record. The council hereby finds and declares that prejudice, intolerance, bigotry, and discrimination, bias-related violence or harassment and disorder occasioned thereby threaten the rights and proper privileges of its inhabitants and menace the institutions and foundation of a free democratic state. The council further finds and declares that gender-based harassment threatens the terms, conditions, and privileges of employment. A city agency is hereby created with power to eliminate and prevent discrimination from playing any role in actions relating to employment, public accommodations, and housing and other real estate, and to take other actions against prejudice, intolerance, bigotry, discrimination, sexual harassment, and bias-related violence or harassment as herein provided; and the commission established hereunder is hereby given general jurisdiction and power for such purposes.

§ 2. Section 8-102 of the administrative code of the city of New York is amended by adding a new definition of "family or relationship structure" in alphabetical order to read as follows:

Family or relationship structure. The term “family or relationship structure” means involvement or noninvolvement in any romantic, physical, or emotional relationship that is not prohibited by any applicable law, without regard to the number of persons in such relationship, such as a nonmonogamous family or relationship, single-parent family, stepfamily, or multi-generational household.

§ 3. Paragraphs (a), (b), (c), and (d) of subdivision 1 of section 8-107 of the administrative code of the city of New York, as amended by local law number 61 for the year 2023, are amended to read as follows:

(a) For an employer or an employee or agent thereof, because of the actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, caregiver status, sexual and reproductive health decisions, sexual orientation, *family or relationship structure*, uniformed service, height, weight, or immigration or citizenship status of any person:

(1) To represent that any employment or position is not available when in fact it is available;

(2) To refuse to hire or employ or to bar or to discharge from employment such person; or

(3) To discriminate against such person in compensation or in terms, conditions, or privileges of employment.

(b) For an employment agency or an employee or agent thereof to discriminate against any person because of such person's actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, caregiver status, sexual and reproductive health decisions, sexual orientation, *family or relationship structure*, uniformed service, height, weight, or immigration or citizenship status in receiving, classifying, disposing or otherwise acting upon applications for its services, including by representing to such person that any employment or position is not available when in fact it is available, or in referring an applicant or applicants for its services to an employer or employers.

(c) For a labor organization or an employee or agent thereof, because of the actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, caregiver status, sexual and reproductive health decisions, sexual orientation, *family or relationship structure*, uniformed service, height, weight, or immigration or citizenship status of any person, to exclude or to expel from its membership such person, to represent that membership is not available when it is in fact available, or to discriminate in any way against any of its members or against any employer or any person employed by an employer.

(d) For any employer, labor organization or employment agency or an employee or agent thereof to declare, print or circulate or cause to be declared, printed or circulated any statement, advertisement or publication, or to use any form of application for employment or to make any inquiry in connection with prospective employment, which expresses, directly or indirectly, any limitation, specification, or discrimination as to age, race, creed, color, national origin, gender, disability, marital status, partnership status, caregiver status, sexual and reproductive health decisions, sexual orientation, *family or relationship structure*, uniformed service, height, weight, or immigration or citizenship status, or any intent to make any such limitation, specification, or discrimination.

§ 4. Paragraphs (b), (c), and (d) of subdivision 2 of section 8-107 of the administrative code of the city of New York, as amended by local law number 61 for the year 2023, are amended to read as follows:

(b) To deny to or withhold from any person because of such person's actual or perceived race, creed, color, national origin, gender, age, disability, marital status, partnership status, caregiver status, sexual and reproductive health decisions, sexual orientation, *family or relationship structure*, uniformed service, height, weight, immigration or citizenship status, or status as a victim of domestic violence or as a victim of sex offenses or stalking the right to be admitted to or participate in a guidance program, an apprentice training program, on-the-job training program, or other occupational training or retraining program, or to represent that such program is not available when in fact it is available.

(c) To discriminate against any person in such person's pursuit of such program or to discriminate against such a person in the terms, conditions, or privileges of such program because of actual or perceived race, creed, color, national origin, gender, age, disability, marital status, partnership status, caregiver status, sexual and reproductive health decisions, sexual orientation, *family or relationship structure*, uniformed service, height, weight, immigration or citizenship status, or status as a victim of domestic violence or as a victim of sex offenses or stalking.

(d) To declare, print or circulate or cause to be declared, printed or circulated any statement, advertisement or publication, or to use any form of application for such program or to make any inquiry in connection with such program which expresses, directly or indirectly, any limitation, specification, or discrimination as to race,

creed, color, national origin, gender, age, disability, marital status, partnership status, caregiver status, sexual and reproductive health decisions, sexual orientation, *family or relationship structure*, uniformed service, height, weight, immigration or citizenship status, or status as a victim of domestic violence or as a victim of sex offenses or stalking, or any intent to make any such limitation, specification, or discrimination.

§ 5. Paragraph a of subdivision 4 of section 8-107 of the administrative code of the city of New York, as amended by local law number 61 for the year 2023, is amended to read as follows:

a. It shall be an unlawful discriminatory practice for any person who is the owner, franchisor, franchisee, lessor, lessee, proprietor, manager, superintendent, agent, or employee of any place or provider of public accommodation:

1. Because of any person's actual or perceived race, creed, color, national origin, age, gender, disability, marital status, partnership status, sexual orientation, *family or relationship structure*, uniformed service, height, weight, or immigration or citizenship status, directly or indirectly:

(a) To refuse, withhold from or deny to such person the full and equal enjoyment, on equal terms and conditions, of any of the accommodations, advantages, services, facilities, or privileges of the place or provider of public accommodation; or

(b) To represent to any person that any accommodation, advantage, facility, or privilege of any such place or provider of public accommodation is not available when in fact it is available; or

2. Directly or indirectly to make any declaration, publish, circulate, issue, display, post or mail any written or printed communication, notice or advertisement, to the effect that:

(a) Full and equal enjoyment, on equal terms and conditions, of any of the accommodations, advantages, facilities, and privileges of any such place or provider of public accommodation shall be refused, withheld from or denied to any person on account of race, creed, color, national origin, age, gender, disability, marital status, partnership status, sexual orientation, *family or relationship structure*, uniformed service, height, weight, or immigration or citizenship status; or

(b) The patronage or custom of any person is unwelcome, objectionable, not acceptable, undesired or unsolicited because of such person's actual or perceived race, creed, color, national origin, age, gender, disability, marital status, partnership status, sexual orientation, *family or relationship structure*, uniformed service, height, weight, or immigration or citizenship status.

§ 6. Subparagraphs (1) and (2) of paragraph (a) of subdivision 5 of section 8-107 of the administrative code of the city of New York, as amended by local law number 61 for the year 2023, is amended to read as follows:

(1) Because of the actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, *family or relationship structure*, uniformed service, height, weight, marital status, partnership status, or immigration or citizenship status of any person or group of persons, or because of any lawful source of income of such person or persons, or because children are, may be, or would be residing with such person or persons:

(a) To refuse to sell, rent, lease, *or to refuse to* approve the sale, rental, or lease *of*, or otherwise deny to or withhold from any such person or group of persons such a housing accommodation or an interest therein;

(b) To discriminate against any such person or persons in the terms, conditions, or privileges of the sale, rental, or lease of any such housing accommodation or an interest therein or in the furnishing of facilities or services in connection therewith; or

(c) To represent to such person or persons that any housing accommodation or an interest therein is not available for inspection, sale, rental, or lease when in fact it is available to such person.

(2) To declare, print or circulate or cause to be declared, printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of such a housing accommodation or an interest therein or to make any record or inquiry in conjunction with the prospective purchase, rental or lease of such a housing accommodation or an interest therein which expresses, directly or indirectly, any limitation, specification, or discrimination as to race, creed, color, national origin, gender, age, disability, sexual orientation, *family or relationship structure*, uniformed service, height, weight, marital status, partnership status, or immigration or citizenship status, or any lawful source of income, or whether children are, may be, or would be residing with a person, or any intent to make such limitation, specification, or discrimination.

§ 7. Paragraph (b) of subdivision 5 of section 8-107 of the administrative code of the city of New York, as amended by local law number 58 for the year 2020, is amended to read as follows:

(b) Land and commercial space. It shall be an unlawful discriminatory practice for the owner, lessor, lessee, sublessee, or managing agent of, or other person having the right of ownership or possession of or the right to sell, rent, or lease[,] or approve the sale, rental, or lease of, land or commercial space or an interest therein, or any agency or employee thereof:

(1) Because of the actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, *family or relationship structure*, or uniformed service, marital status, partnership status, immigration or citizenship status of any person or group of persons, or because children are, may be, or would be residing with any person or persons:

(A) To refuse to sell, rent, lease, *or to refuse to* approve the sale, rental, or lease *of*, or otherwise deny or to withhold from any such person or group of persons land or commercial space or an interest therein;

(B) To discriminate against any such person or persons in the terms, conditions, or privileges of the sale, rental, or lease of any such land or commercial space or an interest therein or in the furnishing of facilities or services in connection therewith; or

(C) To represent to any person or persons that any land or commercial space or an interest therein is not available for inspection, sale, rental, or lease when in fact it is available.

(2) To declare, print or circulate or cause to be declared, printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental, or lease of such land or commercial space or an interest therein or to make any record or inquiry in connection with the prospective purchase, rental, or lease of such land or commercial space or an interest therein which expresses, directly or indirectly, any limitation, specification, or discrimination as to race, creed, color, national origin, gender, age, disability, sexual orientation, *family or relationship structure*, uniformed service, marital status, partnership status, or immigration or citizenship status, or whether children are, may be, or would be residing with such person, or any intent to make any such limitation, specification, or discrimination.

§ 8. Paragraph (c) of subdivision 5 of section 8-107 of the administrative code of the city of New York, as amended by local law number 58 for the year 2020, is amended to read as follows:

(c) Real estate brokers. It shall be an unlawful discriminatory practice for any real estate broker, real estate salesperson, or employee or agent thereof:

(1) To refuse to sell, rent, or lease any housing accommodation, land or commercial space or an interest therein to any person or group of persons or to refuse to negotiate for the sale, rental, or lease[,] of any housing accommodation, land or commercial space or an interest therein to any person or group of persons because of the actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, *family or relationship structure*, uniformed service, marital status, partnership status, or immigration or citizenship status of such person or persons, or because of any lawful source of income of such person or persons, or because children are, may be, or would be residing with such person or persons, or to represent *to any person or group of persons* that any housing accommodation, land or commercial space or an interest therein is not available for inspection, sale, rental, or lease when in fact it is so available[,] or otherwise to deny or withhold any housing accommodation, land or commercial space or an interest therein or any facilities of any housing accommodation, land or commercial space or an interest therein from any person or group of persons because of the actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, *family or relationship structure*, uniformed service, marital status, partnership status, or immigration or citizenship status of such person or persons, or because of any lawful source of income of such person or persons, or because children are, may be, or would be residing with such person or persons.

(2) To declare, print or circulate or cause to be declared, printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental, or lease of any housing accommodation, land or commercial space or an interest therein or to make any record or inquiry in connection with the prospective purchase, rental, or lease of any housing accommodation, land or commercial space or an interest therein which expresses, directly or indirectly, any limitation, specification, or discrimination as to race, creed, color, national origin, gender, age, disability, sexual orientation, *family or relationship structure*, uniformed service, marital status, partnership status, or immigration or citizenship status, or any lawful source of income, or [to] whether children are, may be, or would be residing with a person, or any intent to make such limitation, specification, or discrimination.

(3) To induce or attempt to induce any person to sell or rent any housing accommodation, land or commercial space or an interest therein by representations, explicit or implicit, regarding the entry or prospective entry into

the neighborhood or area of a person or persons of any race, creed, color, gender, age, disability, sexual orientation, *family or relationship structure*, uniformed service, marital status, partnership status, national origin, or immigration or citizenship status, or a person or persons with any lawful source of income, or a person or persons with whom children are, may be, or would be residing.

§ 9. Paragraph (d) of subdivision 5 of section 8-107 of the administrative code of the city of New York, as amended by local law number 58 for the year 2020, is amended to read as follows:

(d) Lending practices.

(1) It shall be an unlawful discriminatory practice for any person, bank, trust company, private banker, savings bank, industrial bank, savings and loan association, credit union, investment company, mortgage company, insurance company, or other financial institution or lender, doing business in the city, including unincorporated entities and entities incorporated in any jurisdiction, or any officer, agent or employee thereof to whom application is made for a loan, mortgage or other form of financial assistance for the purchase, acquisition, construction, rehabilitation, repair or maintenance of any housing accommodation, land or commercial space or an interest therein:

(A) To discriminate against such applicant in the granting, withholding, extending or renewing[,] or in the fixing of rates, terms or conditions of any such financial assistance, or in the appraisal of any housing accommodation, land or commercial space or an interest therein:

(i) Because of the actual or perceived race, creed, color, national origin, gender, disability, sexual orientation, *family or relationship structure*, age, marital status, uniformed service, partnership status, or immigration or citizenship status of such applicant, any member, stockholder, director, officer or employee of such applicant, or the occupants or tenants or prospective occupants or tenants of such housing accommodation, land or commercial space; or

(ii) Because children are, may be, or would be residing with such applicant or other person.

(B) To use any form of application for a loan, mortgage, or other form of financial assistance, or to make any record or inquiry in connection with applications for such financial assistance, or in connection with the appraisal of any housing accommodation, land or commercial space or an interest therein, which expresses, directly or indirectly, any limitation, specification, or discrimination as to race, creed, color, national origin, gender, disability, sexual orientation, *family or relationship structure*, uniformed service, age, marital status, partnership status, or immigration or citizenship status, or whether children are, may be, or would be residing with a person.

(2) It shall be an unlawful discriminatory practice for any person, bank, trust company, private banker, savings bank, industrial bank, savings and loan association, credit union, investment company, mortgage company, insurance company, or other financial institution or lender, doing business in the city, including unincorporated entities and entities incorporated in any jurisdiction, or any officer, agent or employee thereof to represent to any person that any type or term of loan, mortgage or other form of financial assistance for the purchase, acquisition, construction, rehabilitation, repair or maintenance of such housing accommodation, land or commercial space or an interest therein is not available when in fact it is available:

(A) Because of the actual or perceived race, creed, color, national origin, gender, disability, sexual orientation, *family or relationship structure*, uniformed service, age, marital status, partnership status, or immigration or citizenship status of such person, any member, stockholder, director, officer or employee of such person, or the occupants or tenants or prospective occupants or tenants of such housing accommodation, land or commercial space; or

(B) Because children are, may be, or would be residing with a person.

§ 10. Paragraph (e) of subdivision 5 of section 8-107 of the administrative code of the city of New York, as amended by local law number 58 for the year 2020, is amended to read as follows:

(e) Real estate services. It shall be an unlawful discriminatory practice, because of the actual or perceived race, creed, color, national origin, gender, disability, sexual orientation, *family or relationship structure*, uniformed service, age, marital status, partnership status, or immigration or citizenship status of any person or because children are, may be, or would be residing with such person:

(1) To deny such person access to, membership in or participation in a multiple listing service, real estate brokers' organization, or other service; or

(2) To represent to such person that access to or membership in such service or organization is not available, when in fact it is available.

§ 11. Paragraph (f) of subdivision 5 of section 8-107 of the administrative code of the city of New York, as amended by local law number 58 for the year 2020, is amended to read as follows:

(f) Real estate related transactions. It shall be an unlawful discriminatory practice for any person whose business includes the appraisal of housing accommodations, land or commercial space or interest therein or an employee or agent thereof to discriminate in making available or in the terms or conditions of such appraisal on the basis of the actual or perceived race, creed, color, national origin, gender, disability, sexual orientation, *family or relationship structure*, uniformed service, age, marital status, partnership status, or immigration or citizenship status of any person or because children are, may be, or would be residing with such person.

§ 12. Subdivision 20 of section 8-107 of the administrative code of the city of New York, as amended by local law number 58 for the year 2020, is amended to read as follows:

20. Relationship or association. The provisions of this section set forth as unlawful discriminatory practices shall be construed to prohibit such discrimination against a person because of the actual or perceived race, creed, color, national origin, disability, age, sexual orientation, *family or relationship structure*, uniformed service, or immigration or citizenship status of a person with whom such person has a known relationship or association.

§ 13. Subdivision a of section 8-602 of the administrative code of the city of New York, as amended by local law number 58 for the year 2020, is amended to read as follows:

a. Whenever a person interferes by threats, intimidation or coercion or attempts to interfere by threats, intimidation or coercion with the exercise or enjoyment by any person of rights secured by the constitution or laws of the United States, the constitution or laws of this state, or local law of the city and such interference or attempted interference is motivated in whole or in part by the victim's actual or perceived race, creed, color, national origin, gender, sexual and reproductive health decisions, sexual orientation, *family or relationship structure*, age, [whether children are, may or would be residing with such victim,] marital status, partnership status, disability, or immigration or citizenship status as defined in chapter 1 of this title, *or whether children are, may, or would be residing with such victim*, the corporation counsel, at the request of the commission on human rights or on the corporation counsel's own initiative, may bring a civil action on behalf of the city for injunctive and other appropriate equitable relief in order to protect the peaceable exercise or enjoyment of the rights secured.

§ 14. Subdivisions a and b of section 8-603 of the administrative code of the city of New York, as amended by local law number 58 for the year 2020, are amended to read as follows:

a. No person shall by force or threat of force, knowingly injure, intimidate or interfere with, oppress, or threaten any other person in the free exercise or enjoyment of any right or privilege secured to such other person by the constitution or laws of this state or by the constitution or laws of the United States or local law of the city when such injury, intimidation, oppression or threat is motivated in whole or in part by the victim's actual or perceived race, creed, color, national origin, gender, sexual and reproductive health decisions, sexual orientation, *family or relationship structure*, age, marital status, partnership status, disability, or immigration or citizenship status, as defined in chapter 1 of this title.

b. No person shall knowingly deface, damage or destroy the real or personal property of any person for the purpose of intimidating or interfering with the free exercise or enjoyment of any right or privilege secured to the other person by the constitution or laws of this state or by the constitution or laws of the United States or by local law of the city when such defacement, damage or destruction of real or personal property is motivated in whole or in part by the victim's actual or perceived race, creed, color, national origin, gender, sexual and reproductive health decisions, sexual orientation, *family or relationship structure*, age, marital status, partnership status [or whether children are may be, or would be residing with such victim], disability, or immigration or citizenship status, as defined in chapter 1 of this title, *or whether children are, may be, or would be residing with such victim*.

§ 15. Subparagraph f-5 of paragraph 48 of subdivision a of section 27-2004 of the administrative code of the city of New York, as amended by local law number 61 for the year 2023, is amended to read as follows:

f-5. threatening any person lawfully entitled to occupancy of such dwelling unit based on such person's actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, caregiver status, uniformed service, height, weight, sexual orientation, *family or relationship structure*, immigration or citizenship status, status as a victim of domestic violence or as a victim of sex offenses or stalking, lawful source of income or because children are, may be or would be residing in such dwelling unit, as such terms are defined in [sections] *section 8-102* [and 8-107.1 of the code];

§ 16. This local law takes effect immediately.

Referred to the Committee on Civil and Human Rights.

Int. No. 1056

By Council Members Hudson, Abreu, Louis and Gutiérrez.

A Local Law to amend the administrative code of the city of New York, in relation to training for medical personnel in public schools and reporting on participation in such training

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 17-180.3 to read as follows:

§ 17-180.3 *Public school medical personnel competency training. a. For purposes of this section, the following terms have the following meanings:*

Gender expression. The term “gender expression” means the representation of gender as expressed through one’s name, pronoun, clothing, hairstyle, behavior, voice, or similar characteristics which may or may not conform to gender stereotypes, norms, and expectations.

Gender identity. The term “gender identity” means an individual’s sense of their own gender which may be the same as or different from their sex assigned at birth.

Sex characteristics. The term “sex characteristics” means the umbrella term for differences in reproductive or sex anatomy that may appear in an individual’s chromosomes, genitals, secondary sex characteristics, or internal organs such as testes or ovaries, and may be identified at birth, or may not be discovered until puberty or later in life.

Sexual orientation. The term “sexual orientation” means an individual’s actual or perceived romantic, physical, or sexual attraction to other persons, or lack thereof, on the basis of gender.

b. The commissioner, in collaboration with the department of education and community-based organizations, shall provide a mandatory annual training for department-employed or contracted medical personnel stationed in public school facilities that provides competency training on health concerns related to sexual orientation, gender identity, gender expression, and sex characteristics. Such training shall also be offered to medical personnel employed or contracted by the department of education and shall include, but not be limited to, use of affirming language, information related to prevention and treatment of sexually transmitted infections, information related to variations in sex characteristics including intersex traits, health concerns related to gender affirming care, and a list of referrals and resources to better assist medical personnel to connect students with such affirming care.

c. No later than 30 days after the effective date of the local law that added this section, and annually thereafter, the commissioner, in collaboration with the department of education, shall submit to the speaker of the council and post on the department’s website a report on the training provided pursuant to subdivision b of this section. The report shall include, but not be limited to, the following:

- 1. The number of department-employed and contracted medical personnel trained; and*
- 2. The number of department of education employed and contracted medical personnel trained.*

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

Referred to the Committee on Health.

Int. No. 1057

By Council Members Joseph, Ossé, Hanif, Narcisse, Brooks-Powers, Riley, Gutiérrez and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to student journalism programming at the city's high schools

Be it enacted by the Council as follows:

Section 1. Title 21-A of the administrative code of the city of New York is amended by adding a new chapter 35 to read as follows:

**CHAPTER 35
STUDENT JOURNALISM PROGRAMMING**

§ 21-1006 *Student journalism programming in high schools. a. Definitions. For the purposes of this chapter, the following terms have the following meanings:*

High school. The term "high school" means a school of the city school district of the city of New York that contains any combination of grades from grade 9 through grade 12.

Journalism club. The term "journalism club" means a student organization with a faculty advisor that primarily operates outside of school hours, with a focus on journalism, media production, broadcasting, or publishing.

Journalism course. The term "journalism course" means a credit-bearing class taught by an instructor during school hours with a focus on journalism, media production, broadcasting, or publishing.

Student publication. The term "student publication" means a printed or electronic publication produced by students that exhibits student work at least once per semester, is accessible to the student body, and is overseen by faculty advisor.

b. By August 31 of each year, the chancellor shall submit to the mayor and the speaker of the council and shall post conspicuously on the department's website an annual report regarding student journalism programming in the city's high schools that was available during the previous school year.

c. For each high school, the annual report required by subdivision b of this section must include the following information, as well as any additional information the department deems appropriate:

- 1. The number and name of journalism courses offered;*
- 2. The number and percentage of students who completed a journalism course, disaggregated by:*
 - (a) Grade level;*
 - (b) Race or ethnicity;*
 - (c) Gender;*
 - (d) Special education status;*
 - (e) English language learner status; and*
 - (f) Primary home language;*
- 3. The number of full-time and part-time instructors who teach a journalism course at the school;*
- 4. The ratio of full-time instructors who teach a journalism course at the school to students in the school;*
- 5. The number and name of journalism clubs offered;*
- 6. The number and percentage of students who were a member of a journalism club, disaggregated by:*
 - (a) Grade level;*
 - (b) Race or ethnicity;*
 - (c) Gender;*
 - (d) Special education status;*
 - (e) English language learner status; and*
 - (f) Primary home language;*
- 7. The number of full-time and part-time staff serving as faculty advisor to a journalism club at the school;*
- 8. The ratio of full-time staff serving as faculty advisor to a journalism club at the school to students in the school;*
- 9. The number, name, and format of student publications;*
- 10. The number and percentage of students who participated in a student publication, disaggregated by:*

- (a) *Grade level;*
- (b) *Race or ethnicity;*
- (c) *Gender;*
- (d) *Special education status;*
- (e) *English language learner status; and*
- (f) *Primary home language;*

11. *The number of full-time and part-time staff serving as faculty advisor to a student publication; and*

12. *The ratio of full-time staff serving as faculty advisor to a student publication to students at the school.*

d. For each high school that does not offer a journalism course, the annual report required by subdivision b of this section must include the following information, as well as any additional information the department deems appropriate:

1. The number of instructors on staff who would be suitable to teach a journalism course; and

2. The financial and administrative resources needed to offer a journalism course.

e. For each high school that does not offer a journalism club, the annual report required by subdivision b of this section must include the following information, as well as any additional information the department deems appropriate:

1. The number of staff who would be suitable to serve as faculty advisor to a journalism club; and

2. The financial and administrative resources needed to offer a journalism club.

f. For each high school that does not offer a student publication, the annual report required by subdivision b of this section must include the following information, as well as any additional information the department deems appropriate:

1. The number of staff who would be suitable to serve as faculty advisor to a student publication; and

2. The financial and administrative resources needed to offer a student publication.

g. The report required by subdivision b of this section must include a data dictionary.

h. Information required to be reported pursuant to this section may not be reported in a manner that would violate any applicable provision of federal, state, or local law relating to the privacy of student information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If a category contains between 1 and 5 students, or contains an amount that would allow another category that contains between 1 and 5 students to be deduced, the number must be replaced with a symbol. A category that contains zero must be reported as zero, unless such reporting would violate any applicable provision of federal, state, or local law relating to the privacy of student information.

§ 21-1007 Distribution of information regarding student journalism programming. At the start of each school year, the chancellor shall ensure that each high school distributes to each student information on journalism courses, journalism clubs, and student publications offered at such school and how to enroll in a journalism course, become a member of a journalism club, or participate in a student publication offered at such school. Distribution of such information to students may be in hard copy or electronic if distribution of other similar information occurs electronically. The chancellor shall also post such information conspicuously on the department's website.

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

Referred to the Committee on Education.

Preconsidered Int. No. 1058

By Council Members Krishnan, Louis, Brewer, Gutiérrez and Restler.

A Local Law in relation to determining the feasibility of creating of a junior lifeguard corps

Be it enacted by the Council as follows:

Section 1. The department of parks and recreation, in consultation with the department of education, shall conduct a feasibility study to determine the level of interest of New York city public high school students in

being trained and certified as lifeguards, in order to facilitate and encourage such students to seek employment as lifeguards at beaches and pools under the jurisdiction of the department of parks and recreation during the bathing season. Such study shall be submitted to the mayor and the speaker of the council by no later than July 1, 2025. Such study shall include, but not be limited to:

1. Information on the current lifeguard training and certification protocols implemented by the department of parks and recreation and the department of education, how they are applied to lifeguard trainees under the age of 18 and the average number of lifeguard trainees who were under the age of 18 during each of the last 3 years;
 2. An analysis on what the current capacity is for the department of parks and recreation or the department of education to provide lifeguard training and certification to New York city public high school students and what additional resources would be needed to provide such training or certification to a greater numbers of such students as well as to high school students who do not attend public high schools;
 3. Information on not for profit organizations that the department of parks and recreation or the department of education engages with, or could engage with, in order to provide additional lifeguard training and certification programs to New York city public high school students;
 4. An analysis on the potential locations, whether it be City owned property or private property, where additional lifeguard training programs could occur;
 5. An analysis on how other municipal jurisdictions throughout the United States recruit and train high school students as lifeguards for employment at municipal beaches and pools; and
 6. Information regarding what outreach efforts the department of parks and recreation, the department of education, or any other relevant agency could engage in to attract high school students, regardless of where such students attend school, to seek lifeguard training and certification.
- § 2. This local law takes effect immediately.

Referred to the Committee on Parks and Recreation (preconsidered but laid over by the Committee on Parks and Recreation).

Preconsidered Int. No. 1059

By Council Members Krishnan, Louis, Brewer, Hanif and Gutiérrez.

A Local Law to amend the administrative code of the city of New York, in relation to the distribution of materials on water safety in schools

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 18 of the administrative code of the city of New York is amended by adding a new section 18-165 to read as follows:

§ 18-165 *Distribution of materials on water safety. a. Definitions. As used in this section, the following terms have the following meanings:*

School. The term "school" means a school of the city school district of the city of New York.

Student. The term "student" means any child who is enrolled in pre-kindergarten through grade 12 in a school, any child who is enrolled in an early education center with which the department of education contracts to provide pre-kindergarten, and any child who is enrolled in a free full-day early education program for 3-year-old children offered by the department of education.

b. Written materials. No later than 6 months after the effective date of the local law that added this section, the department shall develop written materials containing information about water safety and drowning prevention. The department shall update the content of such materials on a yearly basis to reflect any changes in best practices. Such materials shall include, but need not be limited to, the following:

- 1. Water safety practices and methods, including drowning prevention techniques;*
- 2. Information on swimming lessons and other water safety programming offered by the department;*
- 3. Contact information for non-governmental organizations providing swimming lessons and water safety programming; and*
- 4. Any additional information deemed necessary by the department.*

c. Publication and distribution. 1. The department shall post the written materials developed pursuant to subdivision b on its website.

2. The department shall provide the written materials developed pursuant to subdivision b to the department of education. The department of education shall distribute such materials to each school to be shared with every student of each school at the beginning and end of each academic year.

§ 2. This local law takes effect immediately.

Referred to the Committee on Parks and Recreation (preconsidered but laid over by the Committee on Parks and Recreation).

Int. No. 1060

By Council Members Lee, Powers and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to the sale of tianeptine

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
TIANEPTINE*

§20-699.12 Sale of tianeptine. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Medical professional. The term “medical professional” means a physician, physician assistant, nurse practitioner or other individual licensed or certified pursuant to title 8 of the education law.

Person. The term “person” means any natural person, individual, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint stock association, or other entity or business organization.

Pharmacy. The term “pharmacy” has the same meaning as set forth in subdivision 1 of section 6802 of the education law.

Retail store. The term “retail store” means any place that, in the regular course of business, sells or rents goods directly to the public.

Stock keeping unit. The term “stock keeping unit” means each group of items offered for sale of the same product, brand name, quantity of contents, and retail price.

Tianeptine. The term “tianeptine” means the chemical compound tianeptine sodium, marketed under commercial names including, but not limited to: Tianeptine Sulfate; Tianeptine Sodium Powder; Tianaa; Tianna Green; Tianna Red; Tianna White; Coaxil; Salymbra; Stablon; Tatinol; Tianeptine; Tynept; Zaza Red; Zaza White; Zaza Silver; and Zinosal.

b. Sale of tianeptine. No person shall distribute, sell, or offer for sale tianeptine in the city of New York except as provided by subdivision c of this section.

c. Exception. Nothing in this section shall be construed to prohibit the dispensation of tianeptine by a medical professional through a pharmacy or through any retail store that contains a pharmacy.

d. Penalty. Any person who violates subdivision b of this section shall be liable for a civil penalty of not more than one thousand dollars for the first violation, and not more than one thousand dollars for each additional violation found on that day; and not more than two thousand dollars for the second violation at the same place of business within a three-year period, and not more than two thousand dollars for each additional violation found on that day; and not more than five thousand dollars for the third and all subsequent violations at the same place of business within a three-year period. Each failure to comply with subdivision b of this section with respect to any one stock keeping unit constitutes a separate violation.

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

Referred to the Committee on Consumer and Worker Protection.

Int. No. 1061

By Council Member Louis.

A Local Law to amend the administrative code of the city of New York, in relation to the department of correction report on sexual abuse

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 9-156 of the administrative code of the city of New York, as amended by chapter 486 of the laws of 2022, is amended to read as follows:

b. *Incident report.* Within 90 days of [July 1, 2019] *January 1, 2025* and every six months thereafter, the department shall provide to the speaker of the council and the board of correction a report of alleged incidents of sexual abuse and sexual harassment [for which an investigation lasted longer than 90 days] that occurred during the preceding six-month period[, provided that the information required in paragraphs 14 through 25 of this subdivision need not be included in such reports until the report due within 90 days of July 1, 2021]. All data shall be reported in a format capable of automated processing. Such report shall include *a table in which each row references an alleged incident indicated by a unique identification number, and be accompanied by a data dictionary. Each row shall include* the following information [for each allegation of sexual abuse and sexual harassment] *set forth in separate columns:*

1. *The unique identification number required under this subdivision;*

[1.]2. The date on which the incident occurred and whether the incident took place between the times of 7:00 AM and 3:00 PM, 3:00 PM and 11:00 PM, and 11:00 PM and 7:00 AM;

[2.]3. Whether the allegation is of sexual abuse or sexual harassment as defined in subdivision a of this section;

[3.]4. The date the incident was reported [and an investigation was opened];

5. *A unique identification number for the alleged victim;*

[4.]6. The gender *identity* of the alleged victim;

[5.]7. Whether the alleged victim at the time of the incident was between the ages of 18-25, 26-35, 36-40, 41-60, over 60, or under 18 when such individuals are in department custody;

[6.]8. The race [and ethnic origin]of the alleged victim;

9. *The ethnic origin of the alleged victim;*

[7.]10. Whether the alleged victim had been in custody for more than 24 hours and who, during such confinement, received treatment for a mental illness, not including incarcerated individuals seen by mental health staff on no more than two occasions during their confinement and assessed on the latter of those occasions as having no need for further treatment in any city correctional facility or upon their release from any such facility;

[8.]11. The gender *identity* of the alleged perpetrator;

[9.]12. Whether the alleged perpetrator was an incarcerated individual or staff;

[10.]13. If the alleged perpetrator was staff, the number of previous allegations against [the] *such* staff that were substantiated and the outcome of each investigation;

[11.]14. If the alleged perpetrator was staff, the number of previous allegations against such staff that were unsubstantiated;

[12.]15. If the alleged perpetrator was staff, the number of previous allegations against such staff which are still pending;

[13.]16. The facility in which the incident occurred;

[14.]17. Whether the incident occurred in a service area or housing area;

[15.]18. If the incident occurred in a housing area, the housing area type;

- [16.]19. Whether video camera surveillance recorded the incident;
- [17.]20. The type of sexual abuse or harassment as defined in subdivision a of this section;
- [18.]21. Whether the alleged victim is known to identify as transgender or intersex;
- [19.] Whether the alleged victim is known to identify as non-binary or gender non-conforming;]
- [20.]22. Whether the alleged victim is known to identify as lesbian, gay or bi-sexual;
- [21.]23. Whether DNA or any other physical evidence was obtained;
- [22.]24. Whether a rape kit was administered, declined or not applicable;
- [23.]25. If a rape kit was deemed not applicable, whether that determination was the result of a delay in reporting, due to the type of abuse alleged to have occurred, or any other reason;
- [24.]26. *If a rape kit was administered in connection with such incident*, [W]whether a sexual assault nurse examiner or sexual assault response team was present during the administration of a rape kit; and
- [25.] Whether the case was referred to the department of investigation, the date of such referral, and whether the department of investigation referred it back to the department of correction to investigate.]

§ 2. Subdivision c of section 9-156 of the administrative code of the city of New York, as amended by New York chapter law 286 of 2022, is amended to read as follows:

c. *Report on investigations.* Within 90 days of [July 1, 2019] *January 1, 2025*, and every six months thereafter, the department shall report to the council and the board of correction a report of investigations of allegations of sexual abuse and sexual harassment that *opened or* concluded during the preceding six-month period[, provided that the information required in paragraphs 14 through 25 of subdivision b and paragraphs 8 through 11 of this subdivision need not be included in such reports until the report due within 90 days of July 1, 2021]. All data shall be reported in a format capable of automated processing. Such report shall include *a table in which each row references an alleged incident indicated by a unique identification number, and be accompanied by a data dictionary. Each row shall include* the following information in addition to the information in paragraphs 1 through [25] 26 of subdivision b of this section:

1. The date the investigation was opened and closed;
2. Whether the department determined that the incident was substantiated, unsubstantiated, or unfounded;
3. Whether the allegation was referred to a district attorney's office and whether that district attorney's office declined to prosecute, and whether the alleged perpetrator was convicted during the reporting period;
4. Whether the investigation was conducted by the facility or by the investigation division;
5. Where an investigation was referred to the investigation division, the reason for such referral;
6. Whether the investigation was referred back from the investigative division to the department facility and the reason for such referral;
7. Whether the alleged victim was notified regarding the outcome of the investigation;
8. Whether the alleged victim was referred to trauma or rape crisis services following the incident and if the victim accepted or declined such services while in custody;
9. Whether the alleged perpetrator and alleged victim were separated from physical contact during pendency of the investigation;
10. For substantiated allegations, if the perpetrator was a staff person, whether during the pendency of the investigation such staff person resigned, was suspended, placed on modified duty, assigned to a post without contact with incarcerated individuals, assigned to a post with restricted contact with incarcerated individuals, placed on administrative leave, or administered any other form of discipline;
11. For substantiated allegations, whether the allegation was referred for disciplinary action, including whether the department declined to file disciplinary charges, or if disciplinary charges were filed, the outcome of such disciplinary proceeding and whether the alleged staff perpetrator resigned or retired in lieu of charges or as part of a negotiated plea[.]; *and*

12. *For substantiated allegations that were not referred to a district attorney's office, a justification for not referring such case.*

§ 3. Subdivision d of section 9-156 of the administrative code of the city of New York, as amended by New York chapter law 286 of 2022, is amended to read as follows:

d. *Aggregate report.* Within 90 days of [July 1, 2019] *January 1, 2025*, and every six months thereafter, the department shall post on its website the information required in subdivisions b and c of this section in the aggregate, including the number and percentage of each data point, provided that such information that cannot

be aggregated need not be included in such report. Such aggregated reports shall include the number of cases pending for over 90 days. Such reports shall be stored on the department's website for at least ten years.

§ 4. Section 9-156 of the administrative code of the city of New York, as amended by New York chapter law 286 of 2022, is amended by adding subdivision e as follows:

e. Review of reported information. The commissioner shall review the information collected through the reports required under subdivisions b and c of this section in order to assess and improve the effectiveness of the department's prevention, detection, and response policies concerning sexual abuse and harassment against incarcerated individuals. No later than 1 year after the effective date of the local law that added this section, and annually thereafter, the commissioner shall submit to the mayor, speaker of the council, and board of correction a report including the following information:

- 1. The commissioner's findings through such review; and*
- 2. Any updates to such policies for each facility of the department and for the department as a whole made by the commissioner in response to such review.*

§ 5. This local law takes effect immediately.

Referred to the Committee on Criminal Justice.

Res. No. 579

Resolution pursuant to Rule 10.60 of the Rules of the Council and Section 440 of the New York City Charter, approving the appointment by the Council of Dr. Mohammad Khalid, a resident of Staten Island, to the Civilian Complaint Review Board.

(For text of Res. No. 579, please refer to the attachments section of [the Res. No. 579 of 2024 file](#) in the legislation section of the New York City Council website at <https://council.nyc.gov>)

Referred to the Committee on Rules, Privileges and Elections.

Preconsidered Int. No. 1062

By Council Members Restler, Brannan, Hanif, Ayala, Marte, Menin, Brooks-Powers, Banks, Holden, Gutiérrez, Powers, Salaam, Sanchez, Cabán, De La Rosa, Brewer, Vernikov, Ossé, Stevens, Zhuang, Krishnan, Hudson, Williams, Joseph, Avilés, Feliz, Riley, Won, Nurse, Abreu, Narcisse, Farías, Dinowitz, Rivera, Paladino, Borelli, Louis, Bottcher and Gennaro.

A Local Law to amend the New York city charter, in relation to clarifying the requirement that heads of mayoral agencies advise and assist elected officials and bodies of elected officials in regard to matters under the jurisdiction of their agencies.

Be it enacted by the Council as follows:

Section 1. Subdivision b of Section 386 of the New York city charter is amended to read as follows:

- b. Heads of mayoral agencies shall advise and assist the mayor, other elected officials and bodies of elected officials in regard to matters under the jurisdiction of their agencies. *Such advice and assistance shall be rendered without any accompanying requirement that a form or other paperwork, either digital or physical, be*

completed as a precondition to such advice and assistance, and the provision of such advice and assistance shall not be contingent upon prior approval from any elected official.

§ 2. This local law takes effect immediately.

Referred to the Committee on Governmental Operations, State & Federal Legislation (preconsidered but laid over by the Committee on Governmental Operations, State & Federal Legislation).

Int. No. 1063

By Council Members Sanchez, Hudson, De La Rosa, Brewer, Schulman, Gutiérrez and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to the third party transfer program, and to repeal sections 11-425, 11-426, and 11-427 of such code, relating to agreements for payment of delinquent taxes and charges in installments

Be it enacted by the Council as follows:

Section 1. Section 11-401 of the administrative code of the city of New York, as amended by local law number 152 for the year 2017, is amended to read as follows:

§ 11-401 Definitions. [Whenever used in this chapter, the following terms shall mean] *For purposes of this chapter, the following terms have the following meanings:*

[1. "Tax lien." The lien arising as a result of the nonpayment of taxes, assessments, sewer rents, sewer surcharges, water rents, any other charges that are made a lien subject to the provisions of this chapter or chapter three of this title, interest and penalties thereon, and the right of the city to receive such amounts.

2. "Court." The supreme court.

3. "]" Class.["] *The term "class" means [Any] any class of real property defined in subdivision [one] 1 of section [eighteen hundred two] 1802 of the real property tax law, and any subclassification of class [two] 2 real property where such subclassification is established by rule of the commissioner of finance promulgated pursuant to this subdivision.*

Court. The term "court" means the supreme court of the state of New York.

[4. "]" Distressed property. ["Any] *The term "distressed property" means [parcel of class one or class two real property that is subject to a tax lien or liens that result from an environmental control board judgment against the owner of such parcel for a building code violation with a lien or liens to value ratio, as determined by the commissioner of finance, equal to or greater than 25 percent or any parcel of class one or class two real property that is subject to a tax lien or liens with a lien or liens to value ratio, as determined by the commissioner of finance, equal to or greater than fifteen percent and that meets one of the following two criteria:*

i. such parcel has an average of five or more hazardous or immediately hazardous violations of record of the housing maintenance code per dwelling unit; or

ii. such parcel is subject to a lien or liens for any expenses incurred by the department of housing preservation and development for the repair or the elimination of any dangerous or unlawful conditions therein, pursuant to section 27-2144 of this code, in an amount equal to or greater than one thousand dollars] *any class 1 real property or cooperative that is subject to a tax lien or liens that exceeds 3 years of the owner's annual tax liability or any class 2 real property that is subject to a tax lien or tax liens that exceeds 1 year of the owner's annual tax liability, and that is one of no fewer than 500 properties identified by indexing properties by high to low when multiplying the property's municipal debt by the property's total open hazardous and immediately hazardous maintenance code violations.*

Exempt property. The term "exempt property" means a dwelling unit in a condominium that is the primary residence of an owner of such property; real property receiving an exemption from taxation pursuant to section 11-245.3; residential real property where such owner is receiving benefits in accordance with department of finance memorandum 05-3, or any successor memorandum thereto, relating to active duty military personnel; or real property that has been allowed a credit pursuant to subdivision (e) of section 606 of the tax law for the

calendar year in which the date of the first lien sale occurs or for the calendar year immediately preceding such date.

Extenuating Circumstances. The term "extenuating circumstances" means (i) the death of a party to a payment plan agreement; (ii) a loss of income for a party to the payment plan agreement due to such party's involuntary absence from the property for any consecutive period of 6 or more months for treatment of an illness, for military service, or pursuant to a court order, that results in a default of the payment plan agreement or inability to cure the default; or (iii) a loss of income for a party to the payment plan agreement due to such party's unemployment for any consecutive period of 6 or more months that results in a default of the payment plan agreement or inability to cure the default.

Monitor. The term "monitor" means an organization approved by the department of housing preservation and development and retained and paid for by the property owner to oversee compliance with a corrective action plan pursuant to section 11-425.

Tax lien. The term "tax lien" means a lien arising as a result of the nonpayment of taxes, assessments, sewer rents, sewer surcharges, water rents, any other charges that are made a lien subject to the provisions of this chapter or chapter 3 of this title, interest, and penalties thereon, and the right of the city to receive such amounts.

§ 2. Section 11-401.1 of the administrative code of the city of New York, as added by local law number 37 for the year 1996, is amended to read as follows:

§ 11-401.1 Procedures for distressed property. a. The commissioner of finance shall, not less than [sixty] 90 days preceding the date of the sale of a tax lien or tax liens, submit to the commissioner of housing preservation and development a description by block and lot, or by such other identification as the commissioner of finance may deem appropriate, of any parcel of class [one] 1 or class [two] 2 real property on which there is a tax lien that may be foreclosed upon by the city. The commissioner of housing preservation and development shall determine, and direct the commissioner of finance, not less than [ten] 30 days preceding the date of the sale of a tax lien or tax liens, whether any such parcel is a distressed property [as defined in subdivision four of section 11-401 of this chapter]. Any tax lien on a parcel so determined to be a distressed property shall not be included in such sale. In connection with a subsequent sale of a tax lien or tax liens, the commissioner of finance may, not less than [sixty] 90 days preceding the date of the sale, resubmit to the commissioner of housing preservation and development a description by block and lot, or by such other identification as the commissioner of finance may deem appropriate, of any parcel of class [one] 1 or class [two] 2 real property that was previously determined to be a distressed property [pursuant to this paragraph] and on which there is a tax lien that may be included in such sale. The commissioner of housing preservation and development shall determine, and direct the commissioner of finance, not less than [ten] 30 days preceding the date of the sale, whether such parcel remains a distressed property. If the commissioner of housing preservation and development determines that the parcel is not a distressed property, then the tax lien on the parcel may be included in the sale.

b. The commissioner of housing preservation and development may periodically review whether a parcel of class [one] 1 or class [two] 2 real property that is subject to subdivision c of this section or [subdivision j] paragraph 10 of subdivision a of section 11-412.1 [of this chapter] remains a distressed property. If [the] such commissioner determines that the parcel is not a distressed property [as defined in subdivision four of section 11-401 of this chapter], then the parcel shall not be subject to [such subdivisions] subdivision c of this section or paragraph 10 of subdivision a of section 11-412.1.

c. Any parcel so determined to be a distressed property shall be subject to an in rem foreclosure action, unless it is an exempt property, or in the case where the commissioner of finance does not commence such action the commissioner of housing preservation and development shall evaluate such parcel and take such action as [he or she deems] appropriate under the programs, existing at the time of such evaluation, that are designed to encourage the rehabilitation and preservation of existing housing, and shall monitor or cause to be monitored the status of the property. The commissioner of housing preservation and development, in [his or her] such commissioner's discretion, shall cause an inspection to be conducted on any parcel so determined to be a distressed property. The commissioner of housing preservation and development or such commissioner's designee shall contact the owner of each property that has been determine to be a distressed property in person and shall notify such owner that such property is a distressed property and that it has a tax lien that may be foreclosed upon by the city. The commissioner of housing preservation and development or such commissioner's designee shall notify each occupant of a distressed property that the property has been determined to be distressed and that it has a tax lien that may be foreclosed upon by the city. In addition, the commissioner of

housing preservation and development shall submit to the council a list of all parcels so determined to be a distressed property within [thirty] 30 days from the date such parcels are identified as a distressed property.

§ 3. Section 11-404 of the administrative code of the city of New York, as added by local law number 37 for the year 1996, is amended to read as follows:

§ 11-404 Foreclosure by action in rem. [a.] Whenever [it shall appear that] a tax lien or tax liens [has or have been due and unpaid for a period of at least one year from the date on which the tax, assessment or other legal charge represented thereby became a lien] *on a class 1 or class 2 property that is not an exempt property is eligible to be sold by the city pursuant to subdivision a, a-2, a-4, or a-6 of section 11-319*, such tax lien or tax liens [, except as provided in subdivision b of this section or otherwise provided by this chapter.] may be summarily foreclosed *upon* in the manner provided in this chapter, notwithstanding the provisions of any general, special, or local law and notwithstanding any omission to hold a sale of a tax lien or tax liens prior to such foreclosure. A bill of arrears or any other instrument evidencing such tax lien or tax liens shall be evidence of the fact that the tax lien or tax liens represented thereby has not or have not been paid to the city or sold by it.

[b. A tax lien on any class one property or any class two property that is a residential condominium or residential cooperative, as such classes of property are defined in subdivision one of section eighteen hundred two of the real property tax law, and on any multiple dwelling owned by a company organized pursuant to article XI of the private housing finance law with the consent and approval of the department of housing preservation and development, shall not be foreclosed in the manner provided in this chapter until such tax lien has been due and unpaid for a period of at least three years from the date on which the tax, assessment or other legal charge represented thereby became a lien.]

§ 4. Section 11-405 of the administrative code of the city of New York, as amended by local law number 69 for the year 1997, is amended to read as follows:

§ 11-405 Preparation and filing of lists of delinquent taxes. a. The commissioner of finance, *together with the commissioner of environmental protection*, from time to time shall prepare a list, to be known as a "list of delinquent taxes", of all parcels, or all parcels within a particular class or classes, that are within a particular borough or section of a tax map or portion of a section of a tax map of the city and on which there are tax liens subject to foreclosure pursuant to this chapter[, provided, however, that no such portion shall be smaller than a block, as defined in subdivision d of section 11-204 of subchapter one of chapter two of this title]. Every such list shall bear a caption containing the in rem action number of the city's tax foreclosure proceeding, the borough or the section of a tax map or portion of a section of a tax map, and where the action covers less than all parcels in an entire borough or section of a tax map or portion of a section of a tax map, the particular class or classes, and shall contain a statement of the rate or rates at which interest and penalties will be computed for the various liens it includes.

b. Every such list shall set forth the parcels it includes separately and number them serially. For each parcel it shall contain:

[(1) a] 1. A brief description sufficient to identify the parcel, including section, block and lot numbers, and the street and street number, if any, or in the absence of such information the parcel or tract identification number shown on a tax map or on a map filed in the county clerk's or register's office; [and

(2) a] 2. A statement of the amounts and dates of all unpaid tax liens which are subject to foreclosure under this chapter and of those which have accrued thereafter; *and*

3. *If the property is a distressed property, a description of how the property qualifies as a distressed property under the definition of distressed property set forth in section 11-401.*

c. [(1)] 1. The commissioner of finance may exclude or thereafter remove from such list any parcels (i) as to which questions the commissioner deems meritorious have been raised regarding the validity of the liens, (ii) as to which all the taxes and other charges which rendered said parcels eligible for inclusion in said list have been paid *in full*, or (iii) [which are owned by an entity other than a company organized pursuant to article XI of the private housing finance law with the consent and approval of the department of housing preservation and development and which are not owner-occupied residential buildings of not more than five residential units and as to which] *where* an agreement has been duly made, executed, and filed with such commissioner for the payment of the delinquent taxes, assessments, or other legal charges, interest, and penalties in installments.

[The first installment shall be paid upon the filing of the installment agreement with the commissioner and shall be in an amount of not less than fifteen] (a) *Pursuant to a payment plan agreement with the department of finance pursuant to paragraph 2 of subdivision a of section 11-407 and, if applicable, with the department of*

environmental protection in accordance with the rules prescribed by the New York city water board, the property owner shall be required to remit a payment equal to 20 percent of such delinquent taxes, assessments, or other legal charges, interest, and penalties, together with a sworn statement, in a form to be determined by the commissioner of finance, that the property owner has the financial ability to (i) remediate all open hazardous or immediately hazardous violations of record of the housing maintenance code, (ii) continue to maintain the property so as to prevent the existence of further hazardous or immediately hazardous conditions, and (iii) comply with the terms of the payment plan agreement. The remaining installments, which shall be twice the number of unpaid quarters of real estate taxes or the equivalent thereof but which shall in no event exceed [thirty-two] 120 in number, shall be payable quarterly on the first day of July, October, January, and April. [For the purposes of calculating the number of such remaining installments unpaid real estate taxes which are, on and after July first, nineteen hundred eighty-two, due and payable on an other than quarterly basis shall be deemed to be payable on a quarterly basis.] *The property owner shall also submit a corrective action plan agreement pursuant to section 11-425.*

(b) Pursuant to a payment plan agreement, if the property owner is unable to remit a payment equal to not less than 20 percent of such delinquent taxes, the applicant shall submit a corrective action plan agreement pursuant to section 11-425 and agree to the appointment of a monitor.

[(2) The commissioner of finance may also exclude or thereafter remove from such list any parcels which are owned by a company organized pursuant to article XI of the private housing finance law with the consent and approval of the department of housing preservation and development, and (i) as to which an agreement has been duly made, executed and filed with said commissioner for the payment of the delinquent taxes, assessments or other legal charges incurred prior to the ownership of said parcel by said article XI company, and the interest and penalties thereon, in installments. The first installment thereof shall be paid upon the filing of the installment agreement with the commissioner and shall be in an amount of not less than ten percent of such delinquent taxes, assessments or other legal charges and the interest and penalty thereon. The remaining installments, which shall be three times the number of unpaid quarters of real estate taxes or the equivalent thereof but which shall in no event exceed forty-eight in number shall be payable quarterly on the first days of July, October, January and April. For the purposes of calculating the number of such remaining installments unpaid real estate taxes which are, on and after July first, nineteen hundred eighty-two due and payable on an other than quarterly basis shall be deemed to be payable on a quarterly basis; and (ii) as to which an agreement has been duly made, executed and filed with said commissioner, for the payment of the delinquent taxes, assessments or other legal charges incurred after the ownership of said parcel by said article XI company on the same terms as are provided in paragraph one of this subdivision.

(3) The commissioner of finance may also exclude or thereafter remove from such list any parcels which are owner-occupied residential buildings of not more than five residential units as to which an agreement has been duly made, executed and filed with said commissioner for the payment of the delinquent taxes, assessments, or other legal charges and the interest and penalties thereon, in installments. The first installment thereof shall be paid upon the filing of the installment agreement with the commissioner and shall be in an amount not less than ten percent of such delinquent taxes, assessment or other legal charges and the interest and penalty thereon. The remaining installments, which shall be three times the number of unpaid quarters of real estate taxes or the equivalent thereof but which shall in no event exceed forty-eight in number, shall be payable quarterly on the first days of July, October, January and April. For purposes of calculating the number of such remaining installments unpaid real estate taxes which are, on and after July first, nineteen hundred eighty-two, due and payable on an other than quarterly basis shall be deemed to be payable on a quarterly basis.

(4) Notwithstanding paragraph one, two or three of this subdivision, with respect to installment agreements duly made, executed and filed on or after the date on which this paragraph takes effect, the commissioner of finance may also exclude or thereafter remove from such list any parcel that is (i) (A) a residential building containing not more than five residential units, (B) a residential condominium unit, (C) a residential building held in a cooperative form of ownership or (D) owned by a company organized pursuant to article XI of the state private housing finance law with the consent and approval of the department of housing preservation and development, and (ii) as to which an agreement has been duly made, executed and filed with such commissioner for the payment of the delinquent taxes, assessments or other legal charges, and the interest and penalties thereon, in installments. The first installment thereof shall be paid upon the filing of the installment agreement with the commissioner and shall be in an amount equal to not less than ten percent of the total amount of such delinquent

taxes, assessments or other legal charges and the interest and penalties thereon. The remaining installments, which shall be three times the number of unpaid quarters of real estate taxes or the equivalent thereof, but which shall in no event exceed thirty-two in number, shall be payable quarterly on the first days of July, October, January and April. For the purposes of calculating the number of such remaining installments, unpaid real estate taxes that are due and payable on other than a quarterly basis shall be deemed to be payable on a quarterly basis.

(5) Notwithstanding paragraph one, two or three of this subdivision, with respect to installment agreements duly made, executed and filed on or after the date on which this paragraph takes effect, the commissioner of finance may also exclude or thereafter remove from such list any parcel of class one or class two real property, other than a parcel described in paragraph four of this subdivision, as to which an agreement has been duly made, executed and filed with such commissioner for the payment of the delinquent taxes, assessments or other legal charges, and the interest and penalties thereon, in installments. The first installment thereof shall be paid upon the filing of the installment agreement with the commissioner and shall be in an amount equal to not less than fifteen percent of the total amount of such delinquent taxes, assessments or other legal charges and the interest and penalties thereon. The remaining installments, which shall be twice the number of unpaid quarters of real estate taxes or the equivalent thereof, but which shall in no event exceed thirty-two in number, shall be payable quarterly on the first days of July, October, January and April. For the purposes of calculating the number of such remaining installments, unpaid real estate taxes that are due and payable on other than a quarterly basis shall be deemed to be payable on a quarterly basis.

(6) Notwithstanding paragraph one, two or three of this subdivision, with respect to installment agreements duly made, executed and filed on or after the date on which this paragraph takes effect, the commissioner of finance may also exclude or thereafter remove from such list any parcel of class three or class four real property as to which an agreement has been duly made, executed and filed with such commissioner for the payment of the delinquent taxes, assessments or other legal charges, and the interest and penalties thereon, in installments. The first installment thereof shall be paid upon the filing of the installment agreement with the commissioner and shall be in an amount equal to not less than fifteen percent of the total amount of such delinquent taxes, assessments or other legal charges and the interest and penalties thereon. The remaining installments, which shall be twice the number of unpaid quarters of real estate taxes or the equivalent thereof, but which shall in no event exceed twenty in number, shall be payable quarterly on the first days of July, October, January and April. For the purposes of calculating the number of such remaining installments, unpaid real estate taxes that are due and payable on other than a quarterly basis shall be deemed to be payable on a quarterly basis.

(7) 2. A parcel for which any such [installment] *payment plan* agreement or agreements have been filed with the commissioner shall be excluded or removed from the list of delinquent taxes before the commencement of the in rem action based upon such list only if the amounts paid pursuant to such agreement exceed the amount required to pay all taxes and charges which render said parcel eligible for inclusion in the in rem action and there has been no default in such agreement prior to the commencement of said action as to either quarterly installments or current taxes, assessments, or other legal charges.

[(8)] 3. As a condition to entering into any agreement under this section or section 11-409 [of this chapter], the commissioner shall have received from the applicant[,] an affidavit stating that each tenant located on the parcel has been notified by certified mail that an application for [an installment] *a payment plan* agreement will be made and that a copy of a standard agreement form has been included with such notification. Any false statement in such affidavit shall not be grounds to cancel the agreement or affect its validity in any way.

4. The commissioner of finance, with assistance from the commissioner of housing preservation and development, may exclude or thereafter remove from such list any property that is a distressed property but where all of the hazardous or immediately hazardous violations of record of the housing maintenance code have been cleared.

d. Not less than 120 days before the filing of the list of delinquent taxes with the office of the clerk of the county in which the parcels listed therein are situated, the commissioner of finance shall post a notice of the list of delinquent taxes on the department of finance's website, and send a copy of the list of delinquent taxes via first class mail with return receipt requested to any person on such list who has registered their mailing address or electronic mail address with the department of finance. The department of finance shall mail 1 copy of the list of delinquent taxes to each dwelling unit of each property on such list and post 1 copy in the common area of such property. Such notice shall include, to the extent such information is available, the borough, block, and lot of any property to be included in such a list. Such notice shall include a conspicuous statement that the owner

of the property may enter into a payment plan agreement for exclusion or removal from the list of delinquent taxes to be filed. The department of finance and the department of environmental protection shall then, to the extent practicable, contact by telephone or electronic mail any person who (i) has registered their telephone number or electronic mail address with such departments and (ii) has been sent the notice described in this subdivision.

e. Two duplicate originals thereof, verified by the commissioner of finance or a subordinate designated by the commissioner, shall be filed in the office of the clerk of the county in which the parcels listed therein are situated. Such filing shall constitute and have the same force and effect as the filing and recording in such office of an individual and separate notice of pendency of action and as the filing in the supreme court in such county of an individual and separate complaint by the city as to each parcel described in said list, to enforce the payment of the delinquent taxes, assessments, or other lawful charges which have accumulated and become liens against such parcels.

*[e.] f. Each county clerk with whom such a list of delinquent taxes is filed shall, on the date of said filing, [place and thereafter maintain one duplicate original copy thereof, as separately and permanently bound by the commissioner of finance, adjacent to and together with the block index of notices of pendency of action and each county clerk shall, on the date of said filing or as soon thereafter as with due diligence is practicable,] docket the parcels contained in the list of delinquent taxes in [said] *the* block index of notices of pendency of action, which shall constitute due filing, recording, and indexing of the separate notices constituting said list of delinquent taxes in lieu of any other requirement under rule [sixty-five hundred eleven] 6511 of the civil practice law and rules or otherwise.*

*[f.] g. The commissioner of finance shall file a copy of each list of delinquent taxes, certified as such copy by [him or her] *the commissioner* or a subordinate designated by the commissioner, in the borough office of the city collector in the borough in which the parcels listed therein are situated and in the office of the corporation counsel.*

[g. The validity of any proceeding hereunder shall not be affected by any omission or error of the commissioner of finance in including or excluding parcels from any such list or in the designation of a street or street number or by any other similar omission or error.]

§ 5. Section 11-406 of the administrative code of the city of New York, as amended by local law number 69 of the year 1997, is amended to read as follows:

§ 11-406 Public notice of foreclosure. a. Upon the filing of a list of delinquent taxes in the office of the county clerk, the commissioner of finance forthwith shall cause a notice of foreclosure to be published at least once a week for [six] 6 successive weeks in the City Record and, subject to section [ninety-one] 91 of the judiciary law, in [two] 2 newspapers, [one] 1 of which may be a law journal, to be designated by the commissioner of finance, which are published in and are circulated throughout the county in which the affected property is located. If there are no newspapers published in such county, the commissioner of finance may designate newspapers published in the city of New York which are circulated throughout the affected county. *The commissioner of finance shall also cause a notice of foreclosure to be published on the department of finance website and a copy sent to the council member in whose district the affected property is located.*

b. Such notice shall clearly indicate that it is a notice of foreclosure of tax liens; the borough or the section of a tax map or portion of a section of a tax map in which the [properties] *property* subject to foreclosure [are] *is* located [and where the area affected by the action includes less than all parcels in an entire borough or section of a tax map or portion of a section of a tax map, the particular class or classes contained therein, and by a general description which need not contain measurements and direction]; where and when the list of delinquent taxes was filed; the general nature of the information contained in the list; *the amount of any tax liens, including all taxes, assessments, sewer rents, sewer surcharges, water rents, and any other charges that are made a lien pursuant to the provisions of chapter 3 of this title;* that the filing of the list constitutes commencement of a foreclosure action by the city in the supreme court for the particular county and a notice of pendency of action against each parcel listed; that such action is against the property only and no personal judgment will be entered; that the list will be available for inspection at the [city collector's] *depart of finance's* central office and at the borough office of the [city collector] *department of finance* in the borough in which said property is located until a specified date at least [ten] 10 weeks after the date of first publication; that until such date a parcel may be redeemed by paying all taxes and charges contained in said list of delinquent taxes together with interest [and penalties] thereon *or entering into a payment plan agreement in accordance with paragraph 2 of subdivision a*

of section 11-407; that during said period of redemption and for an additional period of [twenty] 20 days after said last date for redemption any person having any interest in or lien upon a parcel on the list may file with the appropriate county clerk and serve upon the corporation counsel a verified answer setting forth in detail the full name of said answering party, the nature and amount of [his or her] *said party's* interest or lien, and any legal defense against foreclosure; [and] that in the absence of redemption or answer a judgment of foreclosure may be taken by default; *and if the property is a distressed property, a description of how the property qualifies as a distressed property as defined in section 11-401. Such notice shall be in the designated citywide languages, as determined pursuant to section 23-1101, and any additional languages as determined by the department of finance in consultation with local community organizations.*

c. The commissioner of finance shall cause a copy of the notice described in subdivision b of this section to be posted in the office of the commissioner of finance, in the county courthouse in which the property subject to such tax lien is situated, posted on the website of the department of finance, and posted in the department of finance business center located in the borough in which the affected property is located.

d. 1. On or before the date of the first publication of such notice, the commissioner of finance shall cause a copy of the notice to be personally served on the owner of record of the property at the owner's address of record and mailed by first class mail with return receipt requested to all owners, mortgagees, lienors, or encumbrancers, who may be entitled to receive such notice by virtue of any owner's registration [or in rem card filed in the office of the city collector] pursuant to section 11-416 or 11-417 [of this chapter]. If such owner's registration [or in rem cards have] has not been [filed in the office of the city collector] submitted to the city register then said notice shall be mailed to the name and address, if any, appearing in the latest annual record of assessed valuations. The commissioner of finance shall cause to be inserted with such notice a statement substantially in the following form and including the amount currently owed to the city:

*"To the party to whom the enclosed notice is addressed: You are the presumptive owner or lienor of one or more of the parcels mentioned and described in the list referred to in the attached notice. **YOU ARE IN DANGER OF LOSING YOUR HOME.** Unless the taxes and assessments and all other legal charges are paid, or an answer is interposed; or an arrangement is made for payment of such taxes and assessments and all other legal charges in installments, as provided by statute, [the ownership of said property will in due course pass to the city of New York] **YOUR PROPERTY WILL BE TRANSFERRED TO THE CITY OF NEW YORK OR TO A QUALIFIED THIRD PARTY** as provided by the administrative code of the city of New York. *If you have any questions, you may contact the New York City Department of Finance at (enter telephone number) or visit the Department website at (enter web address).*"*

[The failure of the commissioner of finance to mail such notice shall not affect the validity of any proceeding brought pursuant to this chapter as to any parcel other than the parcel with respect to which notice was not mailed.]

2. The department of finance shall prescribe the telephone number and web address to be included in the notice described in paragraph 1 of this subdivision.

3. Such service shall occur in accordance with article 3 of the civil practice laws and rules and a copy of such affidavit of service shall be filed in accordance with section 11-408.

4. Such notice shall be in the designated citywide languages, as determined pursuant to section 23-1101, and any additional languages as determined by the department of finance in consultation with local community organizations.

[d. The commissioner of finance shall cause a copy of such notice to be posted in the office of the commissioner of finance, in the county courthouse of the county in which the property subject to such tax lien is situated and at three other conspicuous places in the borough in which the affected properties are located.]

e. 1. The commissioner of finance shall cause a copy of such notice to be mailed by first class mail to each dwelling unit in each affected property and posted in a common area in the property. The department of housing preservation and development shall place a copy of such notice under the entrance of each dwelling unit within the property. The notice shall include a statement substantially in the following form:

"The property where your apartment is located is the subject of a foreclosure proceeding. The owner of this property owes taxes, assessments, and other legal charges to the City of New York. If the owner of this property does not pay these outstanding charges to the City of New York, title to this property may be

transferred to the City of New York or to a qualified third party. If title to this property is transferred, you are entitled to remain in your home. If you need further information, please call the New York City Department of Finance telephone helpline at (enter telephone number) or visit the Department's website at (enter web address).

2. *The department of finance shall prescribe the telephone number and web address to be included in the notice described in paragraph 1 of this subdivision.*

3. *Such notice shall be in the designated citywide languages, as determined pursuant to section 23-1101, and any additional languages as determined by the department of finance in consultation with local community organizations.*

f. If the property is owned by a housing development fund company organized pursuant to article XI of the private housing finance law, the department of finance shall hold at least 3 meetings with the members of the company to inform them that the property has been included in the list of delinquent taxes and that the property can be removed from such list by entering into a payment plan agreement with the department of finance pursuant to paragraph 2 of subdivision a of section 11-407.

§ 6. Section 11-407 of the administrative code of the city of New York is amended to read as follows:

§ 11-407 Redemption. a. After the filing of a list of delinquent taxes and until a date at least [ten weeks] 120 days after the [first publication] service of the [public] notice of foreclosure *has been properly effected*, as determined by the commissioner of finance and specified in the said notice, a person claiming to have an interest in any parcel in said list may redeem [it] the property by:

1. [paying] *Paying all taxes and charges contained in said list of delinquent taxes together with interest and penalties thereon; or*

2. (a) *Entering into a payment plan agreement with the department of finance and, if applicable, with the department of environmental protection in accordance with the rules prescribed by the New York city water board, pursuant to which, the person claiming to have an interest in such parcel shall be required to remit a payment equal to no less than 20 percent of such delinquent taxes, assessments, or other legal charges, interest, and penalties, together with a sworn statement, in a form to be determined by the commissioner of finance, that the person claiming to have an interest in such parcel has the financial ability to (i) remediate all open hazardous or immediately hazardous violations of record of the housing maintenance code; (ii) continue to maintain the property so as to prevent the existence of further hazardous or immediately hazardous conditions; and (iii) comply with the terms of the payment plan agreement. The remaining installments, which shall be twice the number of unpaid quarters of real estate taxes or the equivalent thereof but which shall in no event exceed 120 in number, shall be payable quarterly on the first day of July, October, January, and April. The person claiming to have an interest in such parcel shall also submit a corrective action plan agreement pursuant to section 11-425; or*

(b) *If the person claiming to have an interest in such parcel is unable to remit a payment equal to no less than 20 percent of such delinquent taxes, assessments, or other legal charges, interest, and penalties, the applicant shall submit a corrective action plan agreement pursuant to section 11-425 and agree to the appointment of a monitor.*

b. Upon such redemption the commissioner of finance shall deliver to the corporation counsel a certificate of redemption. The corporation counsel shall file such certificate with the clerk of the county in which said list was filed. The filing of such certificate shall constitute and be deemed a discontinuance of the in rem action as to the affected parcel, and the county clerk shall thereupon note such redemption and discontinuance in the copy of the list of delinquent taxes maintained by [him or her] *the county clerk and adjacent to the county clerk's block index of notices of pendency of action and shall cancel and discharge any notations of the filing of said list of delinquent taxes as to said parcel that may appear in any other books, records, indices, and dockets maintained in said clerk's office. The commissioner of finance shall also deliver a duplicate original certificate of redemption to the person who has redeemed the property and a duplicate certificate of redemption to any occupant in the property who has requested such certificate.*

c. 1. When the time to redeem in an in rem tax foreclosure action has expired, any person claiming to have an interest in a parcel included in said action shall have the right to make a late redemption payment to the commissioner of finance, *and, if applicable, to the commissioner of environmental protection.* Such late redemption payment shall consist of all taxes and charges owing on said parcel, the lawful interest thereon to the

date of payment [and a penalty of five percent of said payment of taxes, charges and interest, which penalty may not exceed one thousand dollars as to each parcel on which a late redemption payment is being made], or by entering into a payment plan agreement with the department of finance and, if applicable, with the department of environmental protection in accordance with the rules prescribed by the New York city water board, pursuant to which, the person claiming to have an interest in such parcel shall be required to remit a payment equal to not less than 30 percent of such delinquent taxes, assessments, or other legal charges, interest, and penalties, together with a sworn statement, in a form to be determined by the commissioner of finance, that the person claiming to have an interest in such parcel has the financial ability to (i) remediate all open hazardous or immediately hazardous violations of record of the housing maintenance code; (ii) continue to maintain the property so as to prevent the existence of further hazardous or immediately hazardous conditions; and (iii) comply with the terms of the payment plan agreement. The remaining installments, which shall be twice the number of unpaid quarters of real estate taxes or the equivalent thereof but which shall in no event exceed 120 in number, shall be payable quarterly on the first day of July, October, January, and April. The applicant shall also submit a corrective action plan agreement pursuant to section 11-425.

2. Such late redemption payment shall be made in cash or by certified or bank check and shall be accepted by the commissioner of finance and, if applicable, the commissioner of environmental protection, at any time after the last day to redeem up to the date on which the commissioner of finance is advised by the corporation counsel that the preparation of the judgment of foreclosure in the in rem action has been commenced. Upon receipt of such late redemption payment, the commissioner of finance shall issue a certificate of withdrawal pursuant to the provisions of section 11-413 [of this chapter].

§ 7. Chapter 4 of title 11 of the administrative code of the city of New York is amended by adding a new section 11-407.1 to read as follows:

§ 11-407.1 *Class 1 real property exemption in certain circumstances.* A class 1 real property that is a distressed property may be exempted from an in rem foreclosure action pursuant to this chapter when the owner of such property requests such an exemption. The department of finance and the department of housing preservation and development may exempt a property pursuant to this section no more than once. Such class 1 real property is eligible for removal where the owner demonstrates:

a. The owner has used such property as their primary residence for an uninterrupted period of not less than 12 months immediately preceding the owner's request for removal, except that a hospitalization or temporary stay in a nursing home or rehabilitation facility for a period of not more than 3 years shall toll the requirement to maintain primary residence for 12 uninterrupted months; and

b. The owner of such property does not own any real property classified as class 1 or class 2 in the city of New York other than the property for which the owner is seeking exemption pursuant to this section.

§ 8. Section 11-409 of the administrative code of the city of New York, as amended by local law number 37 for the year 1996, is amended to read as follows:

§ 11-409 Severance and trial of issues where answer is interposed; [installment] payment plan agreements authorized after action commenced. a. If a duly verified answer is served upon the corporation counsel not later than [twenty] 20 days after the last date for redemption, the answering defendant shall have the right to a severance of the action, as to any parcel in which the defendant has pleaded an interest, upon written demand therefor filed with or made a part of [his or her] the defendant's answer.

b. When such answer is interposed, the court shall summarily hear and determine the issues raised by the complaint and answer in the same manner as it hears and determines other actions, except as herein otherwise provided. Proof that the taxes which made said property subject to foreclosure hereunder together with interest and penalties thereon, were paid before filing of the list of delinquent taxes or that the property was not subject to tax shall constitute a complete defense.

c. [No counterclaim may be asserted in an answer interposed in an action brought pursuant to this chapter. Where a counterclaim is asserted in an in rem answer the city may disregard that portion of the answer and shall suffer no legal penalty or impediment in the prosecution of its in rem action for its failure to reply or respond thereto. Where an answer contains only a counterclaim and no other defenses the city may proceed to judgment of foreclosure against the property affected without the need for moving against the answer.

d.] When a verified answer alleges [a substantial] equity [over] of at least 50 percent of the city's lien for taxes, the defendant may demand additional time in which to pay the taxes and interest or to have the property sold with all taxes and interest to be paid out of the proceeds of such sale. Upon such demand a defendant shall

have the right to an extension of time for such purpose not in excess of [six months] *180 days* from the last day to interpose an answer. Where a mortgagee or lienor who has interposed such answer commences a proceeding to foreclose [his or her] *such party's* mortgage or lien and it appears that with due diligence such proceeding cannot be concluded in time to allow the payment of taxes within the aforesaid [six month] *180 day* period, the court may, on application before the end of said [six month] *180 day* period, authorize an additional period during which such proceeding may be concluded and the taxes, together with interest and penalties, paid.

[e.] *d.* Where an answer of the type described in subdivision [d] *c* of this section is interposed and taxes are paid within the period set forth in such subdivision [d] *c*, the commissioner of finance shall issue a certificate of withdrawal as to the property on which such payment has been made pursuant to the provisions of section 11-413 [of this chapter]. When taxes are not paid within the period set forth in such subdivision [d] *c*, it shall be deemed that there was no equity over the city's tax liens and the answer shall be deemed to be without merit. The city in that event may proceed to judgment of foreclosure against such property without moving against the answer.

[f.] *e.* All answers interposed in an action hereunder and all affidavits and other papers pertaining to any litigation involving such answers or to any proceeding brought pursuant to this chapter involving less than an entire action shall bear a caption containing the in rem action number of the city's tax foreclosure proceeding, the borough or the section of a tax map or portion of a section of a tax map affected, and if the action covers less than all parcels in an entire borough or section of a tax map or portion of a section of a tax map, the particular class or classes, and the serial, section, block, and lot numbers of the parcel or parcels in issue.

[g.] *f.* The corporation counsel, when submitting an in rem judgment roll pursuant to the provisions of this chapter, may request a severance as to any parcel on which an in rem answer or litigation is pending, or as to which, before the preparation of said in rem judgment roll is commenced, an agreement was duly made, executed and filed with the commissioner of finance for the payment of the delinquent taxes, assessments, or other legal charges [and], interest, and penalties in installments as provided in subdivision *c* of section 11-405 [of this chapter] and there has been no default in such agreement as to either quarterly installments or current taxes, assessments, or other legal charges. [Where such an agreement is entered into subsequent to the last date for redemption specified in subdivision *a* of section 11-407 of this chapter, there shall be paid to the commissioner of finance at the time the aforesaid agreement is executed an amount equal to the penalty which would have been payable under subdivision *c* of section 11-407 of this chapter had the person executing the agreement made a late redemption payment. Such amount shall be in addition to any installment payments required to be made under the agreement and shall not be credited against any such installment payments. Where a default occurs in such agreement as to either quarterly installments or current taxes, assessments or other legal charges, all payments made under the agreement shall be forfeited and the city shall be entitled to acquire the parcel as to which the default occurred. Where such default occurs before the submission of the judgment roll, the parcels as to which such default occurs shall be included in said judgment roll among the parcels to be acquired by the city. Where such default has occurred as to a parcel severed pursuant to this subdivision, the corporation counsel shall cause to be entered a supplemental judgment of foreclosure as to such parcel immediately on notification by the commissioner of finance of such default. Where such installment agreement is paid in full the commissioner of finance shall discontinue the in rem action from which said parcel was severed by issuing a certificate of withdrawal as to said parcel pursuant to the provisions of section 11-413 of this chapter.

[h.] *g. 1.* A party who has interposed an answer as to any parcel included in an in rem tax foreclosure action, or any other party interested in such parcel, shall have the right, at any time prior to the final disposition of a motion to strike said answer, to pay all taxes, assessments, and other legal charges and interest owing on said parcel. An answering party who makes such payment shall not be required to pay any penalty. [Where such payment is made by other than an answering party after the expiration of the period of redemption, there shall be paid to the commissioner of finance an additional amount equal to the penalty payable under subdivision *c* of section 11-407 of this chapter.] Where all delinquent taxes, assessments, and other legal charges together with lawful interest thereon [and penalties], where required, are paid, the commissioner of finance shall issue a certificate of withdrawal as to said parcel pursuant to the provisions of section 11-413 [of this chapter]. Said parties may also pay such taxes, assessments, and other legal charges and interest by [an installment agreement] *a payment plan agreement upon the approval of the commissioner of housing preservation and development. The commissioner of housing preservation and development, in consultation with the commissioner of finance, may at the commissioner of housing preservation and development's discretion, permit a party to enter into a*

payment plan agreement for the payment of such taxes, assessments, and other legal charges and interest. [Where such agreement is requested before the preparation of the aforesaid in rem judgment roll is commenced, the terms of said agreement shall be consistent with the provisions of subdivision g or i of this section, whichever is applicable. Where such agreement is requested after judgment of foreclosure has been entered in the in rem action in which the aforesaid answer was interposed, said agreement shall require a first installment of fifty percent of all taxes, assessments and other legal charges and interest owing on said parcel, a penalty of five percent of all such taxes, assessments and other legal charges and interest, which penalty may not exceed one thousand dollars, and the payment of the balance of such taxes, assessments and other legal charges and interest in four equal quarterly installments together with all current taxes, assessments and other legal charges that accrue during such period. The request of an answering party for an installment agreement shall constitute a withdrawal of such party's answer. An installment] *A payment plan agreement requested by an interested party other than the answering party shall require the consent of said answering party [which shall also constitute a withdrawal of such party's answer]. The severance provided for in this section shall be continued during the term of all [installment] payment plan agreements entered into pursuant to the provisions of this subdivision. Where a default has occurred as to a parcel severed pursuant to this subdivision, the corporation counsel shall cause to be entered a supplemental judgment of foreclosure as to such parcel immediately on notification by the commissioner of finance of such default. Where such [installment] payment plan agreement is paid in full, the commissioner of finance shall discontinue the in rem action from which said parcel was severed by issuing a certificate of withdrawal as to said parcel pursuant to the provisions of section 11-413 [of this chapter].*

2. The terms of a payment plan agreement made pursuant to paragraph 1 of this subdivision shall be as follows. The answering party or interested party shall be required to remit a payment equal to not less than 30 percent of such delinquent taxes, assessments, or other legal charges, interest, and penalties, together with a sworn statement, in a form to be determined by the commissioner of finance, that the answering party or interested party has the financial ability to (i) remediate all open hazardous or immediately hazardous violations of record of the housing maintenance code; (ii) continue to maintain the property so as to prevent the existence of further hazardous or immediately hazardous conditions; and (iii) comply with the terms of the payment plan agreement. The remaining installments, which shall be twice the number of unpaid quarters or real estate taxes or the equivalent thereof but which shall in no event exceed 120 in number, shall be payable quarterly on the first day of July, October, January, and April. The answering party or interested party shall also demonstrate that not less than 75 percent of the conditions that gave rise to the immediately hazardous violations have been corrected. The answering party or interested party shall also submit a corrective action plan agreement pursuant to section 11-425.

[i. (1) Notwithstanding subdivision g of this section, this subdivision shall apply with respect to installment agreements made, executed and filed with the commissioner of finance on or after the date on which this subdivision takes effect. An installment agreement pursuant to this subdivision may be made, executed and filed with such commissioner during the period beginning on the date on which an action is commenced as provided in subdivision d of section 11-405 of this chapter with respect to the parcel that is the subject of such agreement and ending on the date on which such commissioner is advised by the corporation counsel that the preparation of the judgment of foreclosure in such in rem action has been commenced. Notwithstanding anything to the contrary, and except to the extent provided in paragraph two of this subdivision, the provisions of paragraphs one through six of subdivision c of section 11-405 of this chapter shall not apply to any installment agreement requested on or after the date on which this subdivision takes effect and on or after the date on which an action is commenced as provided in subdivision d of such section 11-405 with respect to the parcel that is the subject of such requested agreement.

(2) An agreement entered into pursuant to this subdivision shall provide for the payment in installments of the delinquent taxes, assessments and other legal charges, and the interest and penalties thereon, due and owing as of the date on which such agreement is requested. Unless an eligible owner or other interested person requests an agreement pursuant to the provisions of paragraph three of this subdivision, the terms of such agreement with respect to a parcel shall be the same as the terms that would be applicable to such parcel under paragraph four, five or six, as the case may be, of subdivision c of section 11-405 of this chapter, except that, for purposes of the agreement pursuant to this paragraph, the amount of the first installment shall be equal to: (i) fifteen percent of the total amount due in the case of a parcel described in such paragraph four; (ii) twenty percent of the total

amount due in the case of a parcel described in such paragraph five; and (iii) twenty-five percent of the total amount due in the case of a parcel described in such paragraph six.

(3) 3. Instead of an agreement pursuant to paragraph [two] 2 of this subdivision, an eligible owner or other interested party may request an agreement pursuant to the following provisions:

[(i)] (a) With respect to a parcel that is owned by a company organized pursuant to article XI of the [state] private housing finance law with the consent and approval of the department of housing preservation and development, such agreement shall provide for the payment in installments of the delinquent taxes, assessments, and other legal charges, and the interest and penalties thereon, due and owing as of the date on which such agreement is requested. The first installment thereof shall be paid upon the filing of the [installment] *payment plan* agreement with the commissioner of finance and shall be in an amount at least equal to, at the applicant's election, [either thirty-five percent or fifty percent] *not less than 5 percent* of the total amount of such delinquent taxes, assessments, or other legal charges, and the interest and penalties thereon. *Such agreement shall include a sworn statement, in a form to be determined by the commissioner of finance, that the eligible owner or other interested party has the financial ability to (i) remediate all open hazardous or immediately hazardous violations of record of the housing maintenance code; (ii) continue to maintain the property so as to prevent the existence of further hazardous or immediately hazardous conditions; and (iii) comply with the terms of the payment plan agreement.* The remaining installments, which shall be [three] 3 times the number of unpaid quarters of real estate taxes or the equivalent thereof, but which shall in no event exceed [thirty-two] 240 in number, shall be payable quarterly on the first days of July, October, January, and April, together with interest at the rate or rates determined as provided in *clause (1) of* subparagraph [(iv)] (b) of this paragraph. For the purposes of calculating the number of such remaining installments, unpaid real estate taxes that are due and payable on other than a quarterly basis shall be deemed to be payable on a quarterly basis. *Such company shall also submit a corrective action plan agreement pursuant to section 11-425.*

[(ii)] With respect to a parcel, other than a parcel described in subparagraph (i) of this paragraph, that is a residential building containing not more than five residential units, a residential condominium unit or a residential building held in a cooperative form of ownership, such agreement shall provide for the payment in installments of the delinquent taxes, assessments and other legal charges, and the interest and penalties thereon, due and owing as of the date on which such agreement is requested. The first installment thereof shall be paid upon the filing of the installment agreement with the commissioner of finance and shall be in an amount at least equal to, at the applicant's election, either twenty-five percent or fifty percent of the total amount of such delinquent taxes, assessments or other legal charges and the interest and penalties thereon. The remaining installments, which shall be three times the number of unpaid quarters of real estate taxes or the equivalent thereof, but which shall in no event exceed twenty in number, shall be payable quarterly on the first days of July, October, January and April together with interest at the rate or rates determined as provided in subparagraph (iv) of this paragraph. For the purposes of calculating the number of such remaining installments, unpaid real estate taxes that are due and payable on other than a quarterly basis shall be deemed to be payable on a quarterly basis.

[(iii)] With respect to any parcel of class one or class two real property, other than a parcel described in subparagraph (i) or (ii) of this paragraph, such agreement shall provide for the payment in installments of the delinquent taxes, assessments and other legal charges, and the interest and penalties thereon, due and owing as of the date on which such agreement is requested. The first installment thereof shall be paid upon the filing of the installment agreement with the commissioner of finance and shall be in an amount at least equal to, at the applicant's election, either thirty-five percent or fifty percent of the total amount of such delinquent taxes, assessments or other legal charges and the interest and penalties thereon. The remaining installments, which shall be twice the number of unpaid quarters of real estate taxes or the equivalent thereof, but which shall in no event exceed twenty in number, shall be payable quarterly on the first days of July, October, January and April, together with interest at the rate or rates determined as provided in subparagraph (iv) of this paragraph. For the purposes of calculating the number of such remaining installments, unpaid real estate taxes that are due and payable on other than a quarterly basis shall be deemed to be payable on a quarterly basis.

[(iv) (A)] (b) (1) Notwithstanding any higher rate of interest prescribed pursuant to applicable law, and unless a lower rate of interest is applicable to a delinquent amount owing on a parcel that is the subject of an agreement pursuant to this paragraph, the interest payable together with the remaining installments due under such agreement shall *be calculated at a rate equal to the rate prescribed for the applicable period pursuant to paragraph (i) of subdivision (e) of section 11-224.1* [be:

(I) with respect to an agreement for which a twenty-five percent or thirty-five percent down payment was made, calculated at a rate equal to the sum of (a) the rate prescribed for the applicable period pursuant to paragraph (i) of subdivision e of section 11-224.1 of this title and (b) one-half of the difference between such rate and the rate prescribed for such period pursuant to paragraph (ii) of subdivision e of section 11-224.1 of this title; or

(II) with respect to an agreement for which a fifty percent down payment was made, calculated at a rate equal to the rate prescribed for the applicable period pursuant to paragraph (i) of subdivision e of section 11-224.1 of this title].

[(B)] (2) If a default occurs in any agreement executed pursuant to this paragraph as to either quarterly installments or current taxes, assessments or other legal charges, the rates of interest determined under this subparagraph shall thereupon cease to be applicable and the commissioner of finance shall thereafter charge, collect, and receive interest in the manner and at the rates otherwise prescribed pursuant to law.

[(4)] 4. The corporation counsel, when submitting an in rem judgment roll pursuant to the provisions of this chapter, may request a severance as to any parcel as to which, before the preparation of said in rem judgment roll is commenced, an agreement was duly made, executed, and filed with the commissioner of finance for the payment of all delinquent taxes, assessments, [and] other legal charges, [and] interest, and penalties in installments as provided in this subdivision, and there has been no default in such agreement as to either quarterly installments or current taxes, assessments or other legal charges. [Where such an agreement is entered into subsequent to the last date for redemption specified in subdivision a of section 11-407 of this chapter, there shall be paid to the commissioner of finance at the time such agreements are executed an amount equal to the penalty that would have been payable under subdivision c of section 11-407 of this chapter had the person executing the agreement made a late redemption payment. Such amount shall be in addition to any installment payments required to be made under the agreement and shall not be credited against any such installment payments.] Where a default occurs in such agreement as to either quarterly installments or current taxes, assessments, or other legal charges, all payments made under the agreement shall be [forfeited] *refunded to the property owner* or other interested party and the city shall be entitled to obtain a judgment hereunder as to the parcel as to which the default occurred. Where such default occurred before the submission of the judgment roll, the parcels as to which such default occurs shall be included in said judgment roll amount the parcels to be acquired by the city or by a third party. Where such default has occurred as to a parcel severed pursuant to this subdivision, the corporation counsel shall cause to be entered a supplemental judgment of foreclosure as to such parcel immediately on notification by the commissioner of finance of such default. Where such [installment] *payment plan* agreement is paid in full, the commissioner of finance shall discontinue the in rem action from which such parcel was severed by issuing a certificate of withdrawal as to such parcel pursuant to the provisions of section 11-413 [of this chapter].

§ 9. Section 11-411 of the administrative code of the city of New York is amended to read as follows:

§ 11-411 Presumption of validity. It shall [not] be necessary for the city to plead or prove the various steps, procedures, and notices for the assessment and levy of the taxes, assessments, or other lawful charges against the parcels set forth in the list of delinquent taxes and all such taxes, assessments, or other lawful charges [and the lien thereof shall be presumed to be valid. A defendant alleging any jurisdictional defect or invalidity in such taxes, assessments or other lawful charges or in the foreclosure thereof must particularly specify in his or her answer such jurisdictional defect or invalidity and must affirmatively establish such defense. A judgment of foreclosure granted in any proceeding brought pursuant to this chapter, which contains recitals that any acts were done or proceedings had which were necessary to give the court jurisdiction or power to grant such judgment of foreclosure, shall be presumptive evidence that such acts were duly performed or proceedings duly had, if such judgment of foreclosure shall have been duly entered or filed in the office of the clerk of the county in which the proceeding was pending and wherein such judgment was granted. The provisions of this chapter shall apply to and be valid and effective with respect to all defendants even though one or more of them be infants, incompetents, absentees or non-residents of the state of New York].

§ 10. Section 11-412 of the administrative code of the city of New York, as amended by local law number 37 for the year 1996, is amended to read as follows:

§ 11-412 Final judgment. a. The court shall determine upon proof and shall make finding upon such proof whether there has been due compliance by the city with the provisions of this chapter.

b. The court shall make a final judgment awarding to the city the possession of any parcel described in the list of delinquent taxes not redeemed or withdrawn as provided in this chapter and as to which no answer is interposed as provided herein. In addition thereto, such judgment shall contain a direction to the commissioner of finance to prepare, execute, and cause to be recorded a deed conveying to the city full and complete title to such lands. Upon the execution of such deed, the city shall be seized of an estate in fee simple absolute in such land and all persons, including the state of New York, infants, *persons judicially declared to be incapable of managing their own affairs* [incompetents], absentees, and non-residents who may have had any right, title, interest, claim, lien, or equity of redemption in or upon such lands shall be barred and forever foreclosed of all such right, title, interest, claim, lien, or equity of redemption, except as otherwise provided in section 11-424 [of this chapter]. The appointment and tenure of receivers, trustees, or any other persons, including administrators under article seven-A of the real property actions and proceedings law, appointed by an order of a court to manage real property, shall terminate when title to such property vests in the city pursuant to the provisions of this chapter. After such termination, said receivers, trustees, or administrators shall be accountable to the courts that appointed them for the faithful performance of their fiduciary obligations during the term of their appointment and to the city for any rents and income received by them for any period subsequent to the date of the vesting of title in the city. [If the city serves a tenant in possession of a dwelling unit with notice of termination of tenancy on grounds other than non-payment of rent, the acceptance of rent for the first forty-five 45 days after termination of tenancy by anyone other than an employee of the department designated by the department to receive such rent shall not be deemed or construed as a waiver of the city's right to initiate and prosecute a proceeding to terminate the tenancy for good cause.]

c. Every deed given pursuant to the provisions of this section shall be presumptive evidence that the action and all proceedings therein and all proceedings prior thereto from and including the assessment of the lands affected and all notices required by law were regular and in accordance with all provisions of law relating thereto. After [two] 2 years from the date of the recording of such deed, the presumption shall be conclusive, unless at the time that this subdivision takes effect the [two] 2 year period since the recording of the deed has expired or less than [six months] 180 days of such period of [two] 2 years remains unexpired, in which case the presumption shall become conclusive [six months] 180 days after this subdivision takes effect. No action to set aside such deed may be maintained unless the action is commenced and a notice of pendency of the action is filed in the office of the proper county clerk prior to the time that the presumption becomes conclusive as aforesaid.

§ 11. Section 11-412.1 of the administrative code of the city of New York, as added by local law number 37 for the year 1996, is amended to read as follows:

§ 11-412.1 Special procedures relating to final judgment and release of class [one] 1 and class [two] 2 real property. Notwithstanding any other provision of law to the contrary:

a. The court shall determine upon proof and shall make a finding upon such proof whether there has been due compliance by the city with the applicable provisions of this chapter.

b. [(1)] 1. The court shall make a final judgment authorizing the award of possession of any parcel of class [one] 1 or class [two] 2 real property described in the list of delinquent taxes not redeemed or withdrawn as provided in this chapter and as to which no answer is interposed as provided herein, and authorizing the commissioner of finance to prepare, execute, and cause to be recorded a deed conveying either to the city or to a third party deemed qualified and designated by the commissioner of housing preservation and development full and complete title to such lands. Any such conveyance to a third party shall be for an existing use. *As consideration for such conveyance, the third party shall be required to execute a regulatory agreement, in accordance with rules to be promulgated by the commissioner of housing preservation and development, which may include protections for tenants of such property, including but not limited to affordability based on the tenant's income, eviction protections, and lease renewals.*

[(2)] 2. Such third party shall be deemed qualified and shall be designated pursuant to such criteria as are established in rules promulgated by the commissioner of housing preservation and development, provided, however, that such criteria shall include but not be limited to: residential management experience; financial ability; rehabilitation experience; ability to work with government and community organizations; neighborhood ties; and that the commissioner shall consider whether the third party is a responsible legal tenant, not-for-profit organization [or], neighborhood-based-for-profit individual or organization, *or community land trust*. The commissioner shall not deem qualified any third party who has been finally adjudicated by a court of competent jurisdiction, within [seven] 7 years of the date on which such third party would otherwise be deemed qualified,

to have violated any section of articles [one hundred fifty] 150, [one hundred seventy-five] 175, [one hundred seventy-six] 176, [one hundred eighty] 180, [one hundred eighty-five] 185, or [two hundred] 200 of the penal law or any similar laws of another jurisdiction, or who has been suspended or debarred from contracting with the city or any agency of the city pursuant to section 335 of the charter during the period of such suspension or debarment. The rules promulgated by the commissioner pursuant to this paragraph may establish other bases for disqualification of a third party.

[c.] 3. Following the expiration of the [four-month] 180 day period prescribed in subdivision d of this section, but not more than [eight months] 1 year after the date on which, pursuant to subdivision b of this section, the final judgment authorizing the award of possession of a parcel of class [one] 1 or class [two] 2 real property was entered, the commissioner of finance may execute a deed, pursuant to [subdivision b] paragraph 2 of this [section] subdivision, with respect to such parcel. The owner of said parcel shall continue to have all of the rights, liabilities, responsibilities, duties, and obligations of an owner of such parcel, including, but not limited to, maintaining such parcel in compliance with the housing maintenance, building, and fire codes, and all other applicable laws, unless and until the commissioner of finance has prepared and executed a deed conveying to the city or to a third party full and complete title to such parcel. Upon the execution of such deed, the city or the third party shall be seized of an estate in fee simple absolute in such land and all persons, including the state of New York, infants, [incompetents] persons judicially declared to be incapable of managing their affairs, absentees, and non-residents who may have had any right, title, interest, claim, lien, or equity of redemption in or upon such lands shall be barred and forever foreclosed of all such right, title, interest, claim, lien, or equity of redemption, except as otherwise provided in subdivisions e and f of this section. The appointment and tenure of receivers, trustees, or any other persons, including administrators under article seven-A of the real property actions and proceedings law, appointed by an order of a court to manage real property, shall terminate when title to such property vests in the city or a third party pursuant to the provisions of this chapter. After such termination, said receivers, trustees, or administrators shall be accountable to the courts that appointed them for the faithful performance of their fiduciary obligations during the term of their appointment and to the city or such third party for any rents and income received by them for any period subsequent to the date of the vesting of title in the city or such third party. [If the city serves a tenant in possession of a dwelling unit with notice of termination of tenancy on grounds other than nonpayment of rent, the acceptance of rent for the first forty-five days after termination of tenancy by anyone other than an employee of the department designated by the department to receive such rent shall not be deemed or construed as a waiver of the city's right to initiate and prosecute a proceeding to terminate the tenancy for good cause.]

d. Within [four months] 180 days after the date on which, pursuant to subdivision b of this section, the final judgment authorizing the award of possession of a parcel of class [one] 1 or class [two] 2 real property was entered, any person claiming to have an interest in such parcel shall have the right to make a payment to the commissioner of finance consisting of all taxes, assessments, and other legal charges owing on said parcel[, the lawful interest thereon to the date of payment and a penalty of five percent of said payment of taxes, assessments and other legal charges and interest, which penalty may not exceed one thousand dollars]. Such payment shall be made in cash or by certified or bank check. Within such [four-month] 180 day period, such interested person may also request [an installment] a payment plan agreement from the commissioner of finance. Such agreement shall require[, in addition to full payment of the penalty specified in this subdivision at the time such agreement is entered into,] the payment at such time of a first installment equal to [fifty] 50 percent of all taxes, assessments, and other legal charges, and the lawful interest thereon, then owing on such parcel, and the payment of the balance of such taxes, assessments, and other legal charges and interest in [four] 4 equal quarterly installments together with all current taxes, assessments, and other legal charges that accrue during such period, together with a sworn statement in a form to be determined by the department of finance that the person claiming to have an interest in such parcel has the financial ability to (i) remediate all open hazardous or immediately hazardous violations of record of the housing maintenance code; (ii) continue to maintain the property so as to prevent the existence of further hazardous or immediately hazardous conditions; and (iii) comply with the terms of the payment plan agreement. The applicant shall also submit a corrective action plan agreement pursuant to section 11-425. Upon receipt of payment in full of the amount specified in the first sentence of this subdivision, the commissioner of finance shall direct the corporation counsel to prepare and cause to be entered an order discontinuing the in rem tax foreclosure action as to said property, cancelling the notice of pendency of such action as to said property, and vacating and setting aside the final judgment. Upon the execution of [an

installment] *a payment plan* agreement and payment of the amounts due at the time such agreement is executed as provided in this subdivision, the commissioner of finance shall direct the corporation counsel to prepare and cause to be entered an order vacating and setting aside the final judgment. The entry of either such order shall restore all parties, including owners, mortgagees, and any and all lienors, receivers, [and] administrators, and encumbrancers, to the status they held immediately before such final judgment was entered. Where the commissioner of finance approves an application requesting [an installment] *a payment plan* agreement pursuant to this subdivision, the order vacating and setting aside the final judgment shall provide that in the event of any default as to the payment of either quarterly installments or current taxes, assessments, or other legal charges during the term of such agreement, all payments under said agreement shall be [forfeited] *refunded* and the corporation counsel, immediately upon notification by the commissioner of finance of such default, shall cause to be entered as to such property a supplemental judgment of foreclosure in the in rem action which authorizes the commissioner of finance to prepare, execute, and cause to be recorded a deed conveying either to the city or to a third party full and complete title to such lands. Upon the entry of such supplemental judgment, the provisions of subdivisions c through i of this section shall apply in the same manner as such subdivisions would have applied had no payment been made nor [installment] *payment plan* agreement executed during the [four-month] *120 day* period specified in this subdivision.

e. 1. If the commissioner of finance has prepared, executed, and caused to be recorded a deed conveying to the city full and complete title to a parcel of class [one] *1* or class [two] *2* real property acquired by in rem tax foreclosure, the city's interest in such parcel may be released pursuant to this subdivision on the application of any party who has an interest in said parcel as either owner, mortgagee, lienor, or encumbrancer at the time of the city's acquisition thereof where such application is made at any time up to [sixteen months] *1 year and 120 days* from the date on which the deed by which the city acquired title to said parcel was recorded.

2. Any such application shall be made in writing to the commissioner of [general] *administrative* services and shall be verified. It shall contain the information required pursuant to paragraph [one] *1* of subdivision b of section 11-424 [of this chapter,] *and* the documents required by subdivision c of such section [, and shall be accompanied by the fees required by paragraphs three and six of subdivision b of such section. The fee required by paragraph three of subdivision b of section 11-424 of this chapter shall not be refundable.

3. The city's interest in any such parcel shall be released only after payment of the sums of money specified in subdivision d of section 11-424 of this chapter.

4] 3. The provisions contained in subdivision g of section 11-424 of this chapter shall govern such an application, except as follows:

(a) where such provisions are inconsistent with the provisions contained in this subdivision, the provisions contained in this subdivision shall govern such application; and

(b) where the in rem foreclosure release board denies a written request for [an installment] *payment plan* agreement that was filed in connection with an application for release of the city's interest in a parcel of class [one] *1* or class [two] *2* real property and such application was filed within [thirty] *30* days of the date of the city's acquisition of the property sought to be released, the board may, in its discretion, authorize a release of the city's interest[, provided that the applicant thereafter pays all the amounts required to be paid pursuant to subdivision d of section 11-424 [of this chapter] within [thirty] *30* days of the date on which a letter requesting such payment is mailed or delivered to such applicant.

[5] 4. Upon receipt of all the amounts required to be paid pursuant to this subdivision, the commissioner of finance shall direct the corporation counsel to prepare and cause to be entered an order discontinuing the in rem tax foreclosure action as to said property, cancelling the notice of pendency of such action as to said property, and vacating and setting aside the final judgment entered pursuant to subdivision b of this section and the deed executed and recorded pursuant to such final judgment as to said property. The entry of such order shall restore all parties, including owners, mortgagees, and any and all lienors, receivers, [and] administrators, and encumbrancers, to the status they held immediately before the final judgment was entered, as if the in rem tax foreclosure had never taken place, and shall render said property liable for all taxes, deficiencies, management fees, and liens which shall accrue subsequent to those paid in order to obtain the release provided for in this subdivision, or which were, for whatever reason, omitted from the payment made to obtain said release.

f. If the commissioner of finance has prepared, executed, and caused to be recorded a deed conveying to the city full and complete title to a parcel of class [one] *1* or class [two] *2* real property acquired by in rem tax foreclosure and such parcel is entitled to an exemption under any of the provisions of article [four] *4* of the real

property tax law during all or part of the period covered by the tax items appearing on a list of delinquent taxes, the owner of such parcel may apply for a release of the city's interest in such exempt property under the provisions of subdivision e of this section during the period of time set forth in paragraph [one] 1 of such subdivision and for an additional period up to [ten] 10 years from the date on which the deed by which the city acquired title to said property was recorded. The application of such owner shall [be accompanied by the nonrefundable fee required by paragraph four of subdivision b of section 11-424 of this chapter and shall] contain, in addition to the statements, searches, and proofs required by subdivision e of this section, a statement that an exemption under the real property tax law is being claimed. Such application shall also state either that it is accompanied by the written certificate of the comptroller setting forth the precise period during which said property, while owned by such application, and during the period after the city's acquisition up to the date of the certificate if said property was still being used for an exempt purpose after said acquisition, was entitled to an exemption and the exact nature and extent of such exemption, or that an application for such written certificate has been filed with the comptroller. On issuing such written certificate, the comptroller shall cancel those tax items which have accrued during the period covered by the certificate to the extent the applicant is entitled to an exemption as set forth in the certificate. A release of the city's interest may be authorized only at the discretion of the in rem foreclosure release board and, except as otherwise provided in paragraph [four] 4 of subdivision e of this section, subject to all the restrictions set forth in subdivision g of section 11-424 [of this chapter]. A release to an exempt applicant shall be effected only after said applicant has paid all of the amounts required to be paid by subdivision d of section 11-424 [of this chapter], except for those tax items which have been canceled, in whole or in part, pursuant to the comptroller's certificate, within [thirty] 30 days of the date on which the letter requesting payment is mailed or delivered to the applicant.

g. If the commissioner of finance has prepared, executed, and caused to be recorded a deed conveying to the city or to a third party full and complete title to a parcel of class [one] 1 or class [two] 2 real property acquired by in rem tax foreclosure, the provisions contained in subdivisions f and i of section 11-424 [of this chapter] for the release of property so acquired shall not be available. If the commissioner of finance has prepared, executed, and caused to be recorded a deed conveying to a third party full and complete title to a parcel of class [one] 1 or class [two] 2 real property acquired by in rem tax foreclosure, the provisions contained in subdivisions e and f of this section for the release of property so acquired shall not be available.

h. Every deed given pursuant to the provisions of this section shall be presumptive evidence that the action and all proceedings therein and all proceedings prior thereto from and including the assessment of the lands affected and all notices required by law were regular and in accordance with all provisions of law relating thereto. After [four months] 180 days from the date of entry of the final judgment authorizing the award of possession of any parcel of class [one] 1 or class [two] 2 real property pursuant to the provisions of this section, the presumption shall be conclusive. No action to set aside such deed may be maintained unless the action is commenced and a notice of pendency of the action is filed in the office of the property county clerk prior to the time that the presumption becomes conclusive as aforesaid. Should any lawsuit or proceeding be commenced to set aside a deed conveying to a third party a parcel of class [one] 1 or class [two] 2 real property pursuant to the provisions of this section, such third party shall send to the corporation counsel within [ten] 10 days of their receipt a copy of any papers served on such third party in such lawsuit or proceeding.

i. If the commissioner of finance does not execute a deed conveying to the city or to a third party a parcel of class one or class two real property within [eight] 12 months after the entry of final judgment authorizing the award of possession of such parcel pursuant to subdivision b of this section, the commissioner of finance shall direct the corporation counsel to prepare and cause to be entered an order discontinuing the in rem foreclosure action as to said property, canceling the notice of pendency of such action as to said property, and vacating and setting aside said final judgment. The entry of such order shall restore all parties, including owners, mortgagees, and any and all lienors, receivers, [and] administrators, and encumbrancers, to the status they held immediately before such final judgment was entered.

j. If the commissioner of finance directs the corporation counsel, pursuant to subdivision i of this section, to prepare and cause to be entered an order discontinuing the in rem foreclosure action with respect to a parcel of class [one] 1 or class [two] 2 real property determined to be a distressed property [pursuant to section 11-401.1 of this chapter], the commissioner of housing preservation and development shall evaluate the parcel determined to be a distressed property and take such action as [he or she] the commissioner of housing preservation and development deems appropriate under the programs, existing at the time of such evaluation, that are designed to

encourage the rehabilitation and preservation of existing housing, and shall monitor or cause to be monitored the status of the property. The commissioner of housing preservation and development shall maintain a register of properties determined to be distressed *properties*.

§ 12. Section 11-412.2 of the administrative code of the city of New York, as added by local law number 37 for the year 1996, is amended to read as follows is amended to read as follows:

§ 11-412.2 Council review of conveyance to a third party. a. The commissioner of finance shall, prior to the execution of a deed conveying full and complete title of any parcel of class [one] 1 or class [two] 2 real property to a third party pursuant to subdivision c of section 11-412.1 [of this chapter], notify the council of the proposed conveyance. Within [forty-five] 90 days of such notification, the council may act by local law disapproving the proposed conveyance. In the event the council does not act by local law within such [forty-five] 90 day period, the council shall be deemed to have approved the proposed conveyance. During such [forty-five] 90 day period or, if the [city] council acts by local law pursuant to this section, during the period of time from the notification of the council to the presentation to the mayor of such local law and during any additional period of time prescribed in section 37 of the charter, the [eight-month] 12 month period provided in [subdivisions c] paragraphs 3 and [i] 9 of subdivision a of section 11-412.1 [of this chapter] shall be tolled.

b. *By January 1, 2026, and by each January 1 thereafter, the department of finance shall post on the department's website a report with information on the proposed conveyances that were disapproved by the council by local law pursuant to subdivision a of this section. For each such proposed conveyance, such report shall include, but need not be limited to, the following information:*

1. *The borough, block, and lot;*
2. *The amount of arrears;*
3. *The reason for the disapproval, if provided; and*
3. *The number of outstanding hazardous and immediately hazardous violations.*

c. *Owners of buildings that are disapproved by the council by local law pursuant to subdivision a of this section shall be required to submit a corrective action plan agreement pursuant to section 11-425 when there are outstanding hazardous and immediately hazardous violations. If the reason for the disapproval is that the property does not meet the criteria for distressed property, the owner of the building is not required to submit a corrective action plan agreement pursuant to the subdivision.*

§ 13. Section 11-413 of the administrative code of the city of New York is amended to read as follows:

§ 11-413 Withdrawal of parcels from foreclosure. a. The commissioner of finance [may] *shall*, prior to final judgment, withdraw a parcel from a proceeding under this chapter for any of the following reasons, [(1)] (i) a question which the commissioner deems meritorious has been raised as to the validity of the tax liens affecting the parcel[, (2)]; (ii) the city collector has accepted a payment of all taxes and interest which rendered the parcel subject to foreclosure hereunder because the records in the commissioner's office indicated that the principal amount of such taxes was exceeded by the principal amount of subsequent taxes which would not have rendered the parcel subject to foreclosure hereunder and which had been paid prior to the commencement of said proceeding; or [(3)] (iii) in cases where the tax foreclosure action cannot be maintained such as, but not limited thereto, where the charges which rendered a parcel subject to foreclosure hereunder have been cancelled or were paid before the commencement of the foreclosure proceeding but such payment was not reported or did not clear for payment until after the commencement of said proceeding, or where a name and address appearing on an owner's registration [card or an in rem card] filed pursuant to section 11-416 or 11-417 [of this chapter] and contained in the files of the city collector did not appear in the mailing list used by the commissioner of finance for mailing notices of foreclosure in such proceeding.

b. To effectuate such withdrawal the commissioner of finance shall deliver a certificate of withdrawal to the corporation counsel who shall file it in the office of the county clerk in which the list of delinquent taxes was filed. The filing of such certificate with such county clerk shall effect a discontinuance of the tax foreclosure action as to the affected parcel, and the county clerk shall thereupon note such withdrawal and discontinuance in the copy of the list of delinquent taxes maintained by [him or her] *the county clerk* adjacent to the county clerk's block index of notices of pendency of action and shall cancel and discharge any and all notations of the filing of said list of delinquent taxes as to said parcel that may appear in any other books, records, indices, and dockets maintained in said clerk's office.

c. The commissioner of finance shall also deliver a duplicate original certificate of withdrawal to the person entitled to such withdrawal *and a notification by first class mail to each dwelling unit of such property, and by posting in the property's common area that the property is no longer subject to foreclosure under this chapter.*

d. The commissioner of finance shall recite the parcels so withdrawn and the reasons for withdrawal in an affidavit of regularity to be submitted by the commissioner in each action brought pursuant to this chapter.

e. The commissioner of finance shall issue a certificate of withdrawal whenever taxes and interest are paid, cancelled, liquidated, or otherwise lawfully disposed of as to any parcel which was previously severed pursuant to section 11-409 [of this chapter] because an answer or litigation was pending.

§ 14. Section 11-416 of the administrative code of the city of New York is amended to read as follows:

§ 11-416 Owner's registration [cards]; mailing tax bills and notices to registered owners or their designees.

a. The commissioner of finance shall maintain a file of [owner's registration cards submitted by owners of] *record of each registered real property owner which identifies* [Each such owner's registration card shall be signed by the owner or a duly authorized representative and shall state the date on which it was filed,] the owner's full name and post office address and a description of the premises by reference to the section, block, and lot numbers on the tax map.

b. The commissioner of finance shall mail bills for taxes, charges, and assessments to all *registered real property* owners [who have filed owner's registration cards as herein provided , but the failure of the commissioner of finance so to mail such bill shall not invalidate or otherwise affect the tax, charge or assessment represented thereby nor prevent the accruing of any interest or penalty imposed for the non-payment thereof, nor prevent or stay proceedings under this chapter, nor effect the title of the plaintiff or any purchaser under such proceedings].

c. The commissioner of finance shall also mail notice of foreclosure and any other process required by this chapter to all owners who have filed *an* owner's registration [cards] whenever the parcels as to which such [cards were] *registration was* filed are included in a list of delinquent taxes filed pursuant to this chapter. [The failure to receive such notice or process as herein provided shall not affect the validity of any action or proceeding brought pursuant to this chapter.] *Nothing within this section shall preclude the requirement that the commissioner of finance effect personal service under subdivision d of section 11-406.*

d. An owner who files an owner's registration [card] may also designate thereon the full name and post office address of a mortgagee, lienor, or other person to receive bills and notices [Where such designation is made, the commissioner of finance shall not mail any bills and notices to the owner but shall mail all bills and notices to the owner's designee].

§ 15. Section 11-417 of the administrative code of the city of New York is amended to read as follows:

§ 11-417 In rem [cards] *registration*; mailing notices to other interested persons.

a. The commissioner of finance shall, in addition to the file maintained by [him or her] *said commissioner* pursuant to section 11-416 [of this chapter], maintain a [file of in rem cards] *database of registrations* submitted by any person having an interest in real property who is not entitled to have tax bills mailed to [him or her] *such person* by the commissioner of finance, including mortgagees, lienors, encumbrancers, and owners who have filed *an* owner's registration [cards] designating someone else to receive bills and notices. Each such [in rem card] *registration* shall be signed by the person filing such [card] *registration* or a duly authorized representative[,]; shall contain a description of the premises by reference to the section, block, and lot numbers on the tax map; and shall state the date on which said [card] *registration* was filed, the full name and post office address of the person filing said [card] *registration*, and the nature of the interest said person has in said premises.

b. The commissioner of finance shall mail a notice of foreclosure and any other process required by this chapter to each person who has filed [an in rem card] *a registration* whenever the parcels to which such [cards] *registrations* refer are included in a list of delinquent taxes filed pursuant to this chapter. [However, failure to receive such notice or process shall not affect the validity of any proceeding brought pursuant to this chapter.]

§ 16. Section 11-424 of the administrative code of the city of New York, as amended by local law number 59 for the year 1996, is amended to read as follows:

§ 11-424 Application to the city for release of property acquired by in rem tax foreclosure. a. [(1)] *I*. The city's interest in property acquired by in rem tax foreclosure may be released pursuant to this section on the application of any party who had an interest in said property as either owner, mortgagee, lienor, or encumbrancer at the time of the city's acquisition thereof where such application is made at any time up to [two] 2 years from the date on which the deed by which the city acquired title to said property was recorded.

[2.] 2. Notwithstanding any inconsistent provision of paragraph [one] 1 of this subdivision to the contrary, the city's interest in property acquired by in rem tax foreclosure may be released pursuant to this section upon application of any party who had an interest in said property as either owner, mortgagee, lienor, or encumbrancer at the time of the city's acquisition thereof where such application is made more than [two] 2 years after the date on which the deed by which the city acquired title to said property was recorded provided such application is authorized by the council as hereinafter provided. An application for such release and the documents required by subdivision c of this section in support thereof shall be filed with the department of citywide administrative services in the manner provided in subdivision b of this section. The department of citywide administrative services shall give the council written notice of the receipt of each such filing. After review and approval of the application by the corporation counsel as to form and eligibility of the applicant, the department of citywide administrative services shall send a copy of such application to the in rem foreclosure release board and to the council. Upon receipt of such application, the in rem foreclosure release board shall take no further action on such application unless the council adopts a resolution within [one hundred twenty] 120 days following the first stated meeting of the council after receipt of such application authorizing the board to consider such application. If the council fails to adopt a resolution within such [one-hundred-twenty-day] 120 day period, the council shall be deemed to have denied its authorization for the board to consider such application. A resolution of the council pursuant to this paragraph shall describe the property for which release is sought by borough, tax map, block, and lot number and shall specify that release of the city's interest in such property is subject to the approval of the in rem foreclosure release board and to all the conditions and restrictions set forth in this section.

b. [1.] Any such application shall be made in writing to the commissioner of citywide administrative services and shall be verified. It shall contain the name and address of the applicant and shall state the date on which and the in rem action by which the city acquired title to the property sought to be released. It shall also contain a statement specifying the nature of the applicant's interest in the property and a full description of the instrument from which the applicant's interest derives including the date of execution, the date and place of the recording or entry of said instrument, and the parties thereto. In the event the applicant's interest arises by reason of the death of a prior owner, mortgagee, lienor, or encumbrancer, then the application shall also state the applicant's relationship to said decedent and shall include whatever additional information may be necessary to prove the applicant's right to make such application.

[2. A fee of two hundred seventy-five dollars shall be paid on the submission of any such application which is subject to the provisions of subdivision f of this section, except that the fee for any such application for the release of property improved by a one or two-family dwelling shall be one hundred dollars.

3. A fee of five hundred fifty dollars shall be paid on the submission of any such application which is subject to the provisions of subdivision g of this section, except that the fee for any such application for the release of property improved by a one or two-family dwelling shall be one hundred dollars.

4. A fee of two hundred seventy-five dollars shall be paid on the submission of any such application which is subject to the provisions of subdivision h of this section within four months from the date on which the deed by which the city acquired title to the subject property was recorded, and a fee of five hundred and fifty dollars shall be paid on the submission of any such application which is subject to the provisions of such subdivision not within four months from such date; except that the fee for any such application which is subject to the provisions of such subdivision for the release of property improved by a one or two-family dwelling shall be one hundred dollars.

5. The fees payable pursuant to paragraphs two, three and four of this subdivision shall not be refundable.

6. In addition to the fees specified in paragraphs two, three and four of this subdivision, there shall be paid on the submission of any application which is subject to this section an amount at least equal to the lesser of nine hundred dollars or the sum specified in paragraph one of subdivision d of this section, which amount shall not be refundable, but shall be applied in reduction of the sum specified in paragraph one of subdivision d of this section; provided, however, that if a release requires the authorization of the in rem foreclosure release board, and such authorization is not given, such additional amount shall be refunded to the applicant.]

c. Each application shall be supported by the certified search of the city register or by an official letter, certificate, or certified search of any title insurance, or abstract company, organized and doing business under the laws of this state. Such supporting instruments shall recite the recording data both as to the deed by which the city acquired title to the parcel sought to be released and the instrument from which the applicant's interest derives. In the event the applicant's interest does not appear of record but is derived by the death of an owner,

mortgagee, lienor, or encumbrancer of record, then the application shall also be supported by the affidavit of the applicant or other person having information thereof, or by the duly written certificate or certification of the county clerk or the clerk of any surrogate's or other court of record, or by any other instrument or document required by the corporation counsel to substantiate the applicant's right to file such application in compliance with the provisions of this section.

d. The city's interest shall be released only after payment, as to each parcel to be released, of the following sums of money:

1. The principal amount due on all unpaid taxes, assessments, water charges, and sewer rents appearing on the list of delinquent taxes and accruing thereafter together with interest at the rate or rates provided by law.

2. [Five percent of the amount paid pursuant to the preceding paragraph but not exceeding one thousand dollars for each parcel.

3.] Any deficiency which may result to the city after all payments made by it for the repair, maintenance, and operation of the lands, real estate, or real property shall have been charged or debited in the appropriate accounts of the city and all rents, license fees, and other moneys collected by the city as a result of its operation of the said lands, real estate, or real property shall have been credited in such accounts. Any contract for repair, maintenance, management, or operation made by the city on which it shall be liable, although payment thereon shall not have been made, shall be deemed a charge or debit to such accounts as though payment had been made. The amounts paid and collected by the city as shown in its accounts and the necessity for making the several payments and contracts to be charged as herein provided shall be conclusive upon the applicant. Where a deficiency under this [subdivision] *paragraph* shall be created or increased by the failure of the city to collect rents, license fees, or other moneys to which the city may have been entitled, the right to collect or to bring action for the same shall be assigned, transferred, and set over to the applicant by an instrument in writing.

[4. Any and all costs and disbursements which shall have been awarded to the city or to which it may have become entitled by operation of law or which it may have paid or become liable for payment in connection with any litigation between it and the applicant or any person having an estate or interest in the lands, real estate or real property to be released resulting directly or indirectly from the foreclosure by action in rem of the delinquent taxes affecting said lands, real estate or real property.

5.] 3. A reasonable monthly fee to be determined by the city, through the department of citywide administrative services, for management services and operations of the lands, real estate, or real property by the city prior to the release of said lands, real estate, or property.

[6.] 4. The city, through the department of citywide administrative services, shall also require as additional consideration for such release, the payment of all arrears on mortgages held by the city and all liens accruing to it by operation of law including but not limited to relocation and emergency repair liens.

e. The corporation counsel shall effect the release of the city's interest in property acquired by in rem tax foreclosure, as provided for in this section, by preparing and causing to be entered an order discontinuing the in rem tax foreclosure action as to said property, cancelling the notice of pendency of such action as to said property, and vacating and setting aside the in rem judgment of foreclosure and the deed executed and recorded pursuant to such judgment of foreclosure as to said property. The entry of such order shall restore all parties, including owners, mortgagees, and any and all lienors, receivers and administrators, and encumbrancers, to the status they held at the time the city acquired title to said property, as if the in rem tax foreclosure had never taken place, and shall render said property liable for all taxes, deficiencies, management fees, and liens which shall accrue subsequent to those paid in order to obtain the release provided for in this section, or which were, for whatever reason, omitted from the payment made to obtain said release.

f. If an application pursuant to this section, and the documents required by subdivision c of this section in support thereof, are filed within [four months] *180 days* after the date of the city's acquisition of the subject property, said application shall be granted [providing] *provided* the corporation counsel approves the application as to form, timeliness, and eligibility of the applicant and [providing] *provided* the applicant has paid all amounts required to be paid by subdivision d of this section within [thirty] *30* days of the date on which a letter requesting *the* applicant to make such payment is mailed or delivered to the applicant. The city shall not sell or assign any property acquired by in rem tax foreclosure within [four months] *180 days* of said acquisition but this provision shall not prevent the city from authorizing condemnation of such property or vesting title thereto in a condemnation proceeding during said [four month] *180 day* period. In the event an application pursuant to this section is filed within [four months] *180 days* of the city's acquisition by in rem tax foreclosure and title to the

subject property vests in condemnation before the city's interest therein has been released by the vacate order provided for herein, the applicant shall be entitled to the condemnation award for such property without the entry of such vacate order, providing the corporation counsel has approved the application as aforesaid and [providing] *provided* that the amounts specified in subdivision d of this section, if not previously paid, are deducted from said condemnation award, with taxes apportioned to the date of the condemnation title vesting.

g. If an application for a release of the city's interest in property acquired by in rem tax foreclosure, and the documents required by subdivision c of this section in support thereof, have been filed within the time allowed in paragraph [one] 1 of subdivision a of this section, but more than [four months] 180 days after the date of the city's acquisition or if an application for such release has been authorized by a resolution of the council pursuant to paragraph [two] 2 of subdivision a of this section and such application and the documents required by subdivision c of this section in support thereof have been filed, the in rem foreclosure release board may, in its discretion, authorize the release of the city's interest in said property pursuant to this section, provided that the application has been approved by the corporation counsel as to form, timeliness, and eligibility of the applicant and provided that the city has not sold or otherwise disposed of said property and provided, further, that said property has not been condemned or assigned to any agency of the city and is not the subject of contemplated use for any capital or urban renewal project of the city. The corporation counsel shall effect such discretionary release only where the applicant, after the board's authorization of the release, has paid all the amounts required to be paid by subdivision d of this section within [thirty] 30 days of the date on which a letter requesting the applicant to make such payment is mailed or delivered to the applicant. The in rem foreclosure release board may also, in its discretion, authorize a release of the city's interest in such property, pursuant to the above provisions, whenever an application for such release, approved as to form, timeliness, and eligibility by the corporation counsel, has been filed at any time during the period allowed in subdivision a of this section in which the applicant has requested [an installment] *payment plan* agreement of the commissioner of citywide administrative services for the payment of the amounts required to be paid by subdivision d of this section, provided that said commissioner has approved such request. The commissioner of citywide administrative services shall not approve any such request unless the applicant shall have given notice by certified mail to each tenant located on the parcel, of the request and shall have given such commissioner an affidavit stating that such notice has been provided, within [thirty] 30 days after the request. Any false statement in such affidavit shall not in any way affect the validity of the agreement, be grounds for its cancellation, or in any way affect the release of the city's interest in the parcel. Such agreement shall require, in addition to full payment of the amounts due under paragraphs [two] 2, [three] 3, [four] 4, [five] 5, and [six] 6 of subdivision d of this section, a first installment of [fifty] 20 percent of the amount due under paragraph [one] 1 of said subdivision d with the balance of said amount to be paid in [four] 4 equal quarterly installments together with all current taxes, assessments, or other legal charges that accrue during such period; provided, however, that: (i) whenever a request for [an installment] *a payment plan* agreement is made of the commissioner of citywide administrative services by a company organized pursuant to article XI of the private housing finance law with the consent and approval of the department of housing preservation and development, or for a parcel which is an owner-occupied residential building of not more than [five] 5 residential units, the commissioner of citywide administrative services may, as to that portion of the amounts due under paragraph [one] 1 of subdivision d of this section which became due prior to the acquisition by the article XI company of its interest in the property and as to the amount due under paragraph [one] 1 of subdivision d of this section in the case of such an owner-occupied building, approve a reduction of such first installment to an amount not less than [ten] 10 percent of the amount due under paragraph [one] 1 of subdivision d of this section and an increase in the number of the following equal quarterly installments to a number which shall be equal to [three] 3 times the number of unpaid quarters of real estate taxes or the equivalent thereof but which shall in no event exceed [forty-eight] 48, and (ii) notwithstanding the preceding clause, whenever an installment agreement is requested on or after the date on which this clause takes effect with respect to a parcel that, immediately prior to the city's acquisition thereof by in rem tax foreclosure, was owned by a company organized pursuant to article XI of the [state] private housing finance law with the consent and approval of the department of housing preservation and development, or with respect to a parcel that is a residential building containing not more than [five] 5 residential units, a residential condominium unit, or a residential building held in a cooperative form of ownership, the commissioner of [general] *administrative* services may, as to the amount due under paragraph [one] 1 of subdivision d of this section, approve [an installment] *a payment plan* agreement containing the terms relating to the required percentage payment for the

first installment and the required number of subsequent quarterly installments[, that would be applicable to such parcel under paragraph two (but without regard to any reference therein to paragraph three) of subdivision i of section 11-409 of this chapter]. For purposes of calculating the number of such following equal quarterly installments, unpaid real estate taxes, or the equivalent which are[, on and after July first, nineteen hundred eighty-two,] due and payable on an other than quarterly basis shall be deemed to be payable on a quarterly basis. Where the in rem foreclosure release board denies an application requesting [an installment] *a payment plan* agreement, the board shall authorize a release of the city's interest, provided that the applicant thereafter pays all the amounts required to be paid by subdivision d of this section within [thirty] 30 days of the date on which a letter requesting such payment is mailed or delivered to the applicant only when said application and the documents required by subdivision c of this section in support thereof were filed within [thirty] 30 days of the date of the city's acquisition of the property sought to be released. Where the in rem foreclosure release board denies an application requesting [an installment] *a payment plan* agreement which was filed more than [thirty] 30 days after the date of the city's acquisition, the board may, in its discretion, authorize a release of the city's interest, provided that the applicant thereafter pays all the amounts required to be paid by subdivision d of this section within [thirty] 30 days of the date on which a letter requesting such payment is mailed or delivered to the applicant. Where the in rem foreclosure release board approves an application requesting [an installment] *a payment plan* agreement, the order releasing the city's interest shall provide that in the event of any default as to the payment of either quarterly installments or current taxes, assessments, or other legal charges during the term of such agreement, as set forth in the board's resolution, all payments made under said agreement shall be *refunded* and the city shall be entitled to reacquire the property so released. The corporation counsel shall effect such reacquisition by causing to be entered as to such property a supplemental judgment of foreclosure in the in rem action by which said property was originally acquired immediately on notification by the commissioner of finance of such default.

h. An owner of property entitled to an exemption under any of the provisions of article [four] 4 of the real property tax law during all or part of the period covered by the tax items appearing on a list of delinquent taxes may apply for a release of the city's interest in such exempt property under the provisions of this section during the periods of time set forth herein and for an additional period up to [ten] 10 years from the date of the city's acquisition of said property by in rem foreclosure. The application of such owner shall contain, in addition to the statements, searches, and proofs required by this section, a statement that an exemption under the real property tax law is being claimed. Such application shall also state either that it is accompanied by the written certificate of the comptroller setting forth the precise period during which said property, while owned by such applicant, and during the period after the city's acquisition up to the date of the certificate if said property was still being used for an exempt purpose after said acquisition, was entitled to an exemption and the exact nature and extent of such exemption or that an application for such written certificate has been filed with the comptroller. On issuing such written certificate, the comptroller shall cancel those tax items which have accrued during the period covered by the certificate to the extent the applicant is entitled to an exemption as set forth in the certificate. Where an application by an exempt owner is filed more than [four months] 120 days after the date of the city's acquisition of the subject property, a release of the city's interest may be issued only at the discretion of the in rem foreclosure release board and subject to all the restrictions set forth in the preceding subdivision. A release to an exempt applicant shall be effected only after said applicant has paid all the amounts required to be paid by subdivision d of this section, except for those tax items which have been cancelled, in whole or in part, pursuant to the comptroller's certificate, within [thirty] 30 days of the date on which a letter requesting payment is mailed or delivered to the applicant.

i. The corporation counsel shall also effect the release of the city's interest in property acquired by in rem foreclosure, as provided for in this action, whenever the commissioner of finance shall accept as to any parcel so acquired, the payment provided for in [paragraph two] *item (ii)* of subdivision a of section 11-413 [of this chapter]. Said commissioner may accept such payment at any time within [four months] 120 days of the date of the city's acquisition and may further, subject to the approval of the in rem foreclosure release board, accept such payment at any time more than [four months] 120 days after the date of the city's acquisition but less than [two] 2 years from the date on which the city's deed was recorded [providing] *provided* said property has not been sold or otherwise disposed of nor condemned or assigned to any agency of the city and is not the subject of contemplated use of any capital or urban renewal project of the city.

§ 17. Section 11-425 of the administrative code of the city of New York is REPEALED and a new section 11-425 is added to read as follows:

§ 11-425 *Corrective action plans.* The owner of a distressed property that has open hazardous and immediately hazardous violations shall submit to the department of housing preservation and development for approval a corrective action plan consisting of the following: (i) the names of any contractors retained by such owner to clear any outstanding hazardous or immediately hazardous violations; (ii) the date by which the condition that gave rise to the hazardous or immediately hazardous violation is expected to be remediated; and (iii) any funding obtained by such owner to clear any hazardous or immediately hazardous violations. The department of housing preservation and development shall provide approval or disapproval of the corrective action plan within 45 days of receipt of such plan. Should the department of housing preservation and development decline to approve a corrective action plan, such department may provide an explanation why the plan was not approved and may provide an option to resubmit an amended corrective action plan for approval.

§ 18. Section 11-426 of the administrative code of the city of New York is REPEALED and a new section 11-426 is added to read as follows:

§ 11-426 *Defaults.* a. An owner who has entered into a payment plan agreement with the department of finance or the department of environmental protection will be in default of such agreement if any installment required under such agreement remains unpaid for a period of 60 days from the date payment is required to be made. In the event of default of a payment plan agreement pursuant to this subdivision, the agreement may be canceled. Such a default may be cured upon payment, within 60 days from the date of default, of the unpaid payments, including all past due payments required by the agreement, and all other charges that became due during the term of the agreement that are past due and unpaid at the time of the default. If the default is not cured, all sums previously paid shall be returned to the owner.

b. If a default is not cured as described in subdivision a of this section, the owner of the affected property will not be eligible to enter into a payment plan agreement with the department of finance or the department of environmental protection for the affected property for 3 years from the date of such default, unless the property owner can demonstrate that there were extenuating circumstances that prevented the property owner from curing the default.

§ 19. Section 11-427 of the administrative code of the city of New York is REPEALED and a new section 11-427 is added to read as follows:

§ 11-427 *Tenant ownership of property.* a. Tenants of a property that is subject to in rem foreclosure pursuant to this chapter shall be eligible to apply for eventual ownership of the subject property. The department of housing preservation and development shall provide written notice to the tenants of such property that the subject property is subject to an in rem judgment of foreclosure. Such notice shall include, but not be limited to:

1. Information on the in rem foreclosure program;
2. Information on how the tenants can apply for eventual ownership of the subject property;
3. The factors the department of housing preservation and development considers in determining whether to approve the transfer to tenant ownership upon completion of the interim evaluation period as specified in subdivisions d and e of this section;
4. Any relevant qualifications the tenants would need to meet in order to be eligible for eventual ownership of the subject property; and
5. Resources available from third parties, through the department of housing preservation and development, or through other city agencies for the tenants for financial, physical, technical, operational, governance, regulatory, and legal assistance in the management of such a property.

b. Such notice as required in subdivision a of this section shall be provided prior to entry of the judgment of foreclosure. Such notice shall be posted in a common area of the subject property, mailed to each dwelling unit in such property, and placed beneath the doors of individual dwelling units in such property.

c. The application of the tenants of the subject property shall be sponsored by a third party, as described in section 11-412.1, indicating that the third party applying for transfer of the foreclosed property is prepared to acquire, manage, and rehabilitate the foreclosed property, and is sponsoring the tenants in their effort to eventually own such property.

d. No later than 30 days after the transfer of the property to the third party sponsoring a tenant application, as described in subdivision c of this section, the department of housing preservation and development shall inform the tenants that the property has entered into an interim evaluation period. During such interim

evaluation period, the department of housing preservation and development shall provide information on the evaluation process and any necessary steps the tenants need to take during the interim evaluation period to obtain ownership of the property. Such evaluation process shall include, but not be limited to:

- 1. Whether the tenants have cooperated with the third party sponsor in renewing leases or establishing new leases where none exist;*
- 2. Whether at least 80 percent of the tenants are actively paying rent;*
- 3. Whether the tenants have cooperated with relocation plans, where applicable;*
- 4. Whether the tenants have attended training programs offered by the third party;*
- 5. Whether at least 80 percent of the tenants have expressed interest in eventual ownership of the property;*
- 6. Whether the tenants have formed a tenant association or organization; and*
- 7. Whether record-keeping and management systems have been established or implemented.*

e. Upon completion of the interim evaluation period, the department of housing preservation and development shall make a determination whether the property will be transferred to tenant ownership.

f. Properties owned by a cooperative corporation formed by a housing development fund corporation when the foreclosure proceeding commenced shall not be excluded from such application process. Where a property was owned by a housing development fund corporation organized pursuant to article XI of the private housing finance law, and such housing development fund corporation seeks to reorganize as a housing development fund corporation and regain ownership of the property, at least 80 percent of existing occupants must sign subscription agreements; be current on rent; and attend mandatory cooperative homeownership training classes on governance, regulatory compliance, and financial management to be eligible for such transfer pursuant to this section.

§ 20. Section 11-428 of the administrative code of the city of New York is amended to read as follows:

§ 11-428 Disposition of proceeds of sales of properties acquired by city through tax enforcement foreclosure proceedings. The proceeds of the sale of real property acquired through tax enforcement foreclosure proceedings, or by deed in lieu thereof, including subsequent receipts in diminution of purchase money mortgages accepted at the time of sale, shall be applied as follows:

a. The amount of the unpaid real estate taxes accrued against such property from the first day of January or the first day of July, whichever first immediately precedes the date on which title vested in the city to the date of conveyance of title by the city, without interest or penalties thereon, shall be credited to the tax deficiency account.

b. The balance, if any, remaining after deduction of the amount specified in [paragraph] *subdivision a* [hereof], shall be paid into the funds hereinafter specified in the following order:

1. A sum equal to the amount of the unpaid assessments for local improvements accrued against such property at the date of commencement of the foreclosure proceeding and up to the date of conveyance of title by the city, without interest or penalties thereon, shall be paid into the appropriate assessment funds.

2. A sum equal to the amount of unpaid sewer rents, including interest and penalties thereon, accrued against such property at the date of commencement of the foreclosure proceedings and up to the date of conveyance of title by the city shall be paid into the sewer fund.

3. The amount of the brokerage fee and other expenses expended by the city in connection with such sale shall be paid into the fund or code to which such fee was charged.

4. The balance of such proceeds, if any, and the interest on any purchase money mortgage accepted by the city at the time of such sale shall be paid [into the general fund] *to the property owner who owned the property prior to the tax enforcement foreclosure proceeding.* [In the event that any part of such balance is represented by bonds and mortgages, such bonds and mortgages may be deposited in the tax appropriation and general fund stabilization reserve fund and a sum equal to the amount of the cash represented by such bonds and mortgages shall in such event be transferred from the tax appropriation and general fund stabilization reserve fund to the general fund.]

§ 21. Section 1807 of the New York city charter is amended by adding a new subdivision d to read as follows:

d. The commissioner of finance, the commissioner of housing preservation and development, and the commissioner of environmental protection shall collectively appoint a single ombudsperson to be tasked with responding to inquiries from owners of distressed class 1 or class 2 real property on which there is a tax lien that may be foreclosed upon by the city, pursuant to chapter 4 of title 11 of the administrative code. Such

ombudsperson shall have a dedicated phone number and email address and may also be contacted through 311. Such ombudsperson shall provide relevant services or referrals to third party organizations or the appropriate agency to provide such services, including, but not limited to:

1. Assistance in assessing building conditions, developing capital plans, removing department of housing preservation and development violations, department of buildings violations, and environmental control board violations;
2. Financial assistance in assessing financial conditions, assessing payment plans, preparing for and applying for loans, exemptions and tenant subsidies, and securing financing for repairs;
3. Operational training and assistance in bookkeeping and expense tracking, hiring staff and vendors, leasing, coordinating landlord and tenant relations, helping owners navigate government programs, and assisting with registration compliance; and
4. Specialized assistance for housing development fund corporations, including training for governance, regulatory compliance, legal, and estate planning.

§ 22. Section 27-2095 of the administrative code of the city of New York is amended by adding a new subdivision e to read as follows:

e. Every time a notice of violation for a hazardous or immediately hazardous violation is issued against a property, the department shall include in the notice of violation to the property owner that: (i) there is a hazardous or immediately hazardous violation assessed against such property; (ii) the property may fall within the definition of distressed property, as such term is defined in section 11-401, for purposes of section 11-412.1 if, in addition to such hazardous or immediately hazardous violation, the property is subject to a tax lien that may be foreclosed upon by the city; (iii) if the property owner does not cure such hazardous or immediately hazardous violation and pay any outstanding debts to the city, such property may be subject to the procedures set forth in section 11-412.1; and (iv) the property owner can reach out to the ombudsperson appointed pursuant to subdivision d of section 1807 of the charter with any questions. The lettering of such notice shall be of bold type and shall be property spaced to provide good legibility and the background shall be of contrasting colors.

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

Referred to the Committee on Housing and Buildings.

Res. No. 580

Resolution calling on Congress to pass, and the President to sign, H.R.9494, the Continuing Appropriations and Other Matters Act, 2025, to extend programs expiring on September 30, 2024, including the Consolidated Appropriations Act of 2023, which provides reimbursement for stolen benefits.

By Council Members Ung, Louis and Gutiérrez.

Whereas, Electronic Benefits Transfer (EBT) card skimming, or the practice of copying EBT card details through hidden devices in ATMs and point-of-sale terminals in order to steal benefits from the owner's account, has been on the rise across the United States, including in New York City; and

Whereas, Data from the United States Department of Agriculture (USDA) shows that, nationally, over 125,000 households suffered from benefits theft in fiscal year 2023, totaling more than \$60 million in stolen benefits; and

Whereas, Thousands of New Yorkers have reported their Supplemental Nutrition Assistance Program (SNAP) benefits stolen through EBT card skimming; and

Whereas, Between January 2022 and October 2023, over \$17 million in benefits were stolen from New Yorkers, according to reporting from Gothamist; and

Whereas, Over the last year, the New York City Department of Social Services (DSS) has received over 80,000 reports of benefits theft; and

Whereas, USDA statistics show that there are an average of 42.1 million SNAP recipients per month, and in 2022 1.7 million New Yorkers received SNAP benefits; and

Whereas, Though Congress and individual states are working to increase EBT card security to prevent skimming, as of today, all of these SNAP recipients are vulnerable to benefits theft through card skimming; and

Whereas, The bipartisan Consolidated Appropriations Act of 2023 (CAA) included a provision to replace stolen EBT benefits with federal funds; and

Whereas, The CAA will expire on September 30, 2024, after which victims of benefits theft due to card skimming will no longer have assurance that their stolen benefits will be replaced; and

Whereas, For many SNAP recipients, money on their EBT cards is all they have to go toward food for their families each month; and

Whereas, New Yorkers face the very real risk of going hungry or falling behind on other bills in order to pay for food if their stolen benefits are not replaced; and

Whereas, The Continuing Appropriations and Other Matters Act, 2025, would provide ongoing Fiscal Year 2025 appropriations for federal agencies and extend expiring programs, including the CAA; and

Whereas, Extending the CAA would ensure that vulnerable New Yorkers who rely on SNAP and fall victim to card skimming are not further victimized by hunger; now, therefore, be it

Resolved, That the Council of the City of New York calls on Congress to pass, and the President to sign, H.R.9494, the Continuing Appropriations and Other Matters Act, 2025, to extend programs expiring on September 30, 2024, including the Consolidated Appropriations Act of 2023, which provides reimbursement for stolen benefits.

Referred to the Committee on General Welfare.

Int. No. 1064

By Council Members Williams and Fariás.

A Local Law to amend the administrative code of the city of New York, in relation to requiring transparency concerning promotional opportunities

Be it enacted by the Council as follows:

Section 1. Section 8-102 of the administrative code of the city of New York is amended by adding a new definition of “job opportunity” in alphabetical order to read as follows:

Job opportunity. The term “job opportunity” means current or anticipated vacancy for which the employer is considering a candidate or candidates or interviewing a candidate or candidates or that the employer externally posts.

§ 2. Section 8-107 of the administrative code of the city of New York is amended by adding a new subdivision 33 to read as follows:

33. Employment; transparency in employment opportunity.

(a) It shall be an unlawful discriminatory practice for an employer to fail to make reasonable efforts to make a job opportunity known to all employees on the same calendar day and prior to the date on which the employer makes a selection decision.

(b) It shall be an unlawful discriminatory practice for an employer to select a candidate to fill a job opportunity without making reasonable efforts to announce, post or otherwise make known the following information to, at a minimum, the employees with whom the employer intends the selected candidate to work with regularly, within thirty calendar days after such candidate begins working in the position:

(1) The name of the candidate selected for the job opportunity;

(2) The selected candidate’s former job title if selected while already employed by the employer;

(3) The selected candidate’s new job title; and

(4) Information on how employees may demonstrate interest in similar job opportunities in the future.

(c) The provisions of this subdivision shall only apply to employers with more than 100 employees.

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

Referred to the Committee on Civil and Human Rights.

Int. No. 1065

By Council Member Williams.

A Local Law to amend the New York city charter, in relation to the terms of employment for district managers

Be it enacted by the Council as follows:

Section 1. Subdivision f of section 2800 of the New York city charter, as amended by a vote of the electors on November 7, 1989, is amended to read as follows:

f. 1. Each community board, within the budgetary appropriations therefor, shall appoint a district manager and shall be authorized to utilize the services of such other professional staff and consultants, including planners and other experts, as it may deem appropriate, all of whom shall serve at the pleasure of the community board, *except as otherwise provided in this paragraph*, and shall provide the board with the staff support and technical assistance it requires to fulfill the duties assigned to it by this charter or other law. *A district manager shall serve a term of four years, except that the first such term shall run from the effective date of the local law that added this sentence until December 31 of the fourth full calendar year thereafter. A community board may reappoint the same person as district manager for successive terms, and the community board or borough president with jurisdiction over a community district may remove that district's district manager before the expiration of such term. A member of a community board shall be eligible for appointment to the position of district manager provided that such member does not participate in any manner in the selection of the district manager by the board and resigns as a member of any board prior to or upon assuming the duties of district manager.* The district manager shall (1) have responsibility for processing service complaints, (2) preside at meetings of the district service cabinet and (3) perform such other duties as are assigned by the community board in accordance with the statement of duties required by paragraph seven of subdivision d of this section.

2. One of the board members shall be elected by the other members to serve as chairperson. The chairperson shall use no title other than chair or chairperson of the community board and the other members shall use no title other than member of the community board or community board member, except that any member who is elected or appointed to an official position on the board, including but not limited to, vice-chairperson, secretary, treasurer, or chair of a committee or subcommittee of the board shall be allowed to use such title when acting in such capacity. The department of investigation shall investigate any allegations concerning the misuse of a community board title and shall report its findings to the mayor, the council and the borough president in whose borough the community board is located. The knowing and intentional use of an improper title by any member of a community board shall be punishable by a civil penalty of not less than one hundred dollars nor more than two hundred and fifty dollars for every infraction thereof. The chairperson of the community board or his or her representative shall be a member of the district service cabinet. [A member of a community board shall be eligible for appointment to the position of district manager provided that such member does not participate in any manner in the selection of the district manager by the board and resigns as a member of any board prior to or upon assuming the duties of district manager.]

§ 2. This local law takes effect immediately.

Referred to the Committee on Governmental Operations, State & Federal Legislation.

Int. No. 1066

By Council Members Williams, Menin, Gutiérrez and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a task force to review the impacts of artificial intelligence on civil service and civil service employees

Be it enacted by the Council as follows:

Section 1. Subchapter 1 of chapter 1 of title 3 of the administrative code of the city of New York, is amended by adding a new section 3-119.5.1 to read as follows:

§3-119.5.1. Task force on the impacts of artificial intelligence on civil service. a. An interagency task force on the impacts of artificial intelligence on civil service shall be established, consisting of the heads of the following agencies, or their designees:

- 1. The department of citywide administrative services;*
- 2. The department of consumer and worker protection; and*
- 3. Such other offices within the office of the mayor and such other agencies which shall be designated by the mayor, including, when appropriate, agencies with subject matter expertise in artificial intelligence.*

b. There shall be one seat on the taskforce reserved for a representative of the municipal labor committee designated by the chair of the municipal labor committee.

c. The taskforce shall convene not less than once every six months to examine the impacts of artificial intelligence on civil service and civil service employees. The taskforce shall create a mechanism for city employees to provide information and evidence of the impacts of artificial intelligence on their positions, or on others in their agency, to the taskforce. The taskforce may provide recommendations to the mayor or the speaker of the council to address any impacts of artificial intelligence on civil service or civil service employees.

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

Referred to the Committee on Civil Service and Labor.

Int. No. 1067

By Council Members Williams, Brooks-Powers and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to an assistance program for homeowners experiencing groundwater flooding in southeast Queens, and to repeal such amendments upon the expiration thereof

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 24-530 of the administrative code of the city of New York, as added by local law 56 for the year 2017, is amended to read as follows:

b. By no later than [six] 6 months after the end of each fiscal year, beginning with the first fiscal year that commences more than [one] 1 year after the effective date of the local law that added this section, the department of environmental protection shall submit to the mayor and the speaker of the council a report on progress in implementing the plan required by subdivision a of this section during the prior fiscal year. Each such report shall include, but not be limited to, a description of any changes to such plan, a description of any changes in funds committed by or on behalf of the city in furtherance of such plan, [and] a description of all funds expended by or on behalf of the city in furtherance of such plan, *and an update on progress made in any studies related to groundwater levels and flooding in Queens community districts 12 and 13 in which the department of environmental protection is participating.*

§ 2. Chapter 5 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-530.1 to read as follows:

§ 24-530.1 *Southeast Queens flooding adaptation assistance. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Commissioner. The term “commissioner” means the commissioner of environmental protection.

Community-based organization. The term “community-based organization” means a non-profit organization representing the needs of and providing services to a particular community.

Department. The term “department” means the department of environmental protection.

Eligible property. The term “eligible property” means a residential property in Queens community district 12 or 13 that has experienced damage from groundwater flooding.

b. No more than 60 days after the effective date of the local law that added this section, the department shall issue a request for proposals for a community-based organization to:

1. Identify the street addresses of each eligible property, and provide such information to the department;
2. For a period of no less than 5 years, connect eligible property owners to financial and technical assistance for building retrofit programs and other financial and technical assistance that may be available to such property owners;

3. For a period of no less than 5 years, provide case management support to each eligible property owner;

4. Conduct 5 annual mailings to residents of community district 12 and community district 13, providing information on the Southeast Queens flooding adaptation assistance, including but not limited to information on eligibility and available resources; and

5. Submit to the department, the mayor, and the speaker of the council 5 annual reports, the information in which shall be anonymized, and which shall include, at a minimum:

(a) The number of eligible properties identified by the community-based organization;

(b) A description of the flood damage each eligible property has experienced, including the estimated cost of the damage;

(c) The estimated cost of retrofitting each eligible property to protect against future groundwater flooding;

(d) The number of eligible property owners the program has helped apply for financial and technical assistance and the status of each such application; and

(e) Any feedback or recommendations from the community-based organization for improving the financial or technical assistance programs available to eligible property owners.

c. Within 30 days of a contract for such actions being entered into by the department, the commissioner shall provide to the speaker of the council a detailed written framework of the timeline for such tasks, including relevant milestones and implementation deadlines.

d. No later than 90 days after receiving any annual report described in paragraph 5 of subdivision b of this section, the commissioner shall submit a letter to any state, federal, or other entity administering financial or technical assistance programs for which eligible property owners may apply for assistance communicating any relevant feedback generated by the contracted community-based organization in such report.

§ 3. Chapter 5 of title 24 of the administrative code of the city of New York is amended by adding new section 24-530.2, to read as follows:

§ 24-530.2 *Southeast Queens flooding adaptation assistance task force. a. There shall be an interagency task force to recommend changes to the laws, rules, regulations and policies with regard to Southeast Queens flooding adaptation assistance where appropriate.*

b. The task force shall consist of the following members:

1. The director of the office of environmental remediation, or their designee;

2. The commissioner of environmental protection, or their designee;

3. The commissioner of housing and preservation development, or their designee;

4. One member appointed by the public advocate; and

5. Three members appointed by the speaker of the council.

c. The chair of such task force shall be the commissioner of environmental protection or such commissioner’s designee.

d. The task force shall invite representatives from relevant city and state agencies, elected officials and advocacy organizations, as identified by the task force, to participate in the development of task force reports and to provide feedback on the Southeast Queens flooding adaptation assistance.

e. All members shall be appointed to the task force within 60 days of the effective date of the local law that added this section. The members shall serve without compensation, except that each member shall be allowed

actual and necessary expenses to be audited in the same manner as other city expenses. Any vacancies shall be filled in the same manner as the original appointment.

f. The task force shall meet at least four times a year and shall convene an annual public hearing in community district 12 and community district 13.

g. No later than 1 year after the appointment of the final member of the task force, and annually thereafter, the task force shall issue a report to the mayor and the speaker of the council detailing its activities and recommendations, which shall be made publicly available on the city's website.

§ 4. This local law takes effect 180 days after it becomes law and section three of this local law expires and is deemed repealed upon the submission of the fifth annual report required by subdivision g of section 24-530.2 of the administrative code of the city of New York, as added by such section three.

Referred to the Committee on Environmental Protection, Resiliency and Waterfronts.

Int. No. 1068

By Council Members Williams, Brewer, Restler and Hanif.

A Local Law to amend the administrative code of the city of New York, in relation to establishing rules of decorum for posting on official social media accounts

Be it enacted by the Council as follows:

Section 1. Subchapter 1 of chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-119.9 to read as follows:

§ 3-119.9 *Social media decorum. a. Definitions. As used in this section, the following terms have the following meanings:*

Elected official. The term "elected official" means the mayor, comptroller, public advocate, each borough president, each district attorney, and each member of the council.

Official social media account. The term "official social media account" means an account on a social media platform used by an agency in connection with the transaction of official city business.

Online alias. The term "online alias" means a false online identity created for a law enforcement purpose.

Social media platform. The term "social media platform" means a website or application that enables users to publish and share information.

b. Minimum standards. No later than 120 days after the effective date of the local law that added this section, and except as otherwise provided in subdivision e of this section, the commissioner of information technology and telecommunications, or the head of another office or agency designated by the mayor, shall promulgate rules establishing minimum standards relating to decorum that all agencies must follow in posting on official social media accounts. Such standards shall be no more expansive than necessary to ensure that official social media accounts are not used to insult, intimidate, or harass the public and shall not prohibit the posting of statistical or factual information. At a minimum, such standards shall include:

1. A prohibition on attributing negative characteristics or traits to particular persons or to groups of persons;

2. A prohibition on using language that is intended to incite violence; and

3. A prohibition on using language that is intended to intimidate.

c. Complaints. The commissioner of information technology and telecommunications, or the head of another office or agency designated by the mayor under subdivision b of this section, shall establish a mechanism for receiving complaints of violations of the minimum standards established under such subdivision and referring such complaints to the appropriate agency.

d. Outreach and education. The commissioner of information technology and telecommunications, or the head of another office or agency designated by the mayor under subdivision b of this section, shall establish and engage in ongoing outreach and education efforts to inform the public of the minimum standards established under such subdivision and the mechanism established under subdivision c of this section for receiving and referring complaints of violations of such standards.

e. Exceptions. The minimum standards established under subdivision b of this section are not applicable to an official social media account used by the office of an elected official or an official social media account associated with an online alias.

§ 2. This local law takes effect immediately.

Referred to the Committee on Technology.

Int. No. 1069

By Council Members Williams, Riley and Stevens (by request of the Queens Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to reducing the maximum time commercial vehicles may park

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 19-170 of the administrative code of the city of New York, as amended by local law number 167 for the year 2021, is amended to read as follows:

a. When parking is not otherwise restricted, no person shall park a commercial vehicle in excess of three hours, *except that if the commercial vehicle is a tractor-trailer combination, tractor, truck trailer or semi-trailer, no person shall park such vehicle in excess of 90 minutes*, unless otherwise indicated by a posted sign. For purposes of this section, the term commercial vehicle has the same meaning as set forth in the rules of the department.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of transportation 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 Transportation and Infrastructure.

Preconsidered L.U. No. 156

By Council Member Salamanca:

Application number C 210340 ZMK (2390 McDonald Avenue Rezoning) submitted by MTL Realty, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 28c, by changing from a C8-1 District to a C4-4L District, Borough of Brooklyn, Community District 15, Council District 44.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Zoning and Franchises).

Preconsidered L.U. No. 157

By Council Member Salamanca:

Application number N 210341 ZRK (2390 McDonald Avenue) submitted by MTM Realty, 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 15, Council District 44.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Zoning and Franchises).

L.U. No. 158

By Council Member Salamanca:

Application number C 240328 ZMQ (South Jamaica Gateway Rezoning) submitted by Fulcrum Properties, LLC; The Briarwood Organization, LLC; and the New York City Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 14d, changing from an R4 District to an R7A District, changing from an R5B District to an R7A District, changing from an R5D District to an R7A District, and establishing within the proposed R7A District a C1-4 District, Borough of Queens, Community District 12, Council Districts 27 and 28.

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

L.U. No. 159

By Council Member Salamanca:

Application number N 240329 ZRQ (South Jamaica Gateway Rezoning) submitted by Fulcrum Properties, LLC; The Briarwood Organization, LLC; and the NYC Department of Housing Preservation and Development (HPD), pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Community District 12, Council Districts 27 and 28.

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

L.U. No. 160

By Council Member Salamanca:

Application number C 240330 HAQ (South Jamaica Gateway Rezoning) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Article 16 of the General Municipal Law of New York State for the designation of an Urban Development Action Area and an Urban Development Action Area Project, and pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD, for property located at 106-01 Guy R. Brewer Boulevard (Block 10161, Lots 1, 3, and 9), Borough of Queens, Community District 12, Council Districts 27 and 28.

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

L.U. No. 161

By Council Member Salamanca:

Application number C 230356 ZMK (962-972 Franklin Avenue Rezoning) submitted by Franklin Ave Acquisition, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16d, changing from an R6A District to an R8A District, and establishing within the proposed R8A District a C2-4 District, Borough of Brooklyn, Community District 9, Council District 35.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 162

By Council Member Salamanca:

Application number N 230357(A) ZRK (962-972 Franklin Avenue Rezoning) submitted by Franklin Ave Acquisition 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 bulk regulations in ARTICLE II, Chapter 3 (Residential Bulk Regulations in Residence Districts) and Chapter 4 (Bulk Regulations for Community Facilities in Residence Districts), as well as APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 9, Council District 35.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 163

By Council Member Salamanca:

Application number C 230358 ZSK (962-972 Franklin Avenue Rezoning) submitted by Franklin Ave Acquisition, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-533 of the Zoning Resolution to reduce the number of required accessory off-street parking spaces for dwelling units in a development within the Transit Zone, that includes at least 20 percent of all dwelling units as income-restricted housing units, in connection with a proposed mixed-use development on property located at 962-972 Franklin Avenue (Block 1192, Lots 63 and 66), in R8A and R8A/C2-4 Districts, Borough of Brooklyn, Community District 9, Council District 35.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 164

By Council Member Salamanca:

Application number C 230182 ZMK (Brooklyn Yards) submitted by Brooklyn Yards Development, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 22c and 22d, changing from an R5 District to an R6 District, changing from an M1-1 District to an R6 District, changing from an M1-1 District to a C4-5 District, and establishing within the proposed R6 District a C2-4 District, Borough of Brooklyn, Community Districts 11 and 12, Council Districts 43 and 44.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 165

By Council Member Salamanca:

Application number N 230183 ZRK (Brooklyn Yards) submitted by Brooklyn Yards Development, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area and to modify APPENDIX I (Transit Zone), Borough of Brooklyn, Community District 12, Council Districts 43 and 44.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 166

By Council Member Salamanca:

Application number C 230184 ZSK (Brooklyn Yards) submitted by Brooklyn Yards Development, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-52 of the Zoning Resolution to reduce the number of required accessory off- street parking spaces for dwelling units in a development within a Transit Zone, that includes at least 20 percent of all dwelling units as income-restricted housing units, in connection with a proposed mixed-use development on property located at 1557 60th Street (Block 5516, p/o Lots 1 and 33), in an R6 District, Borough of Brooklyn, Community District 12, Council Districts 43 and 44.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 167

By Council Member Salamanca:

Application number C 230185 ZSK (Brooklyn Yards) submitted by Brooklyn Yards Development, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-61 of the Zoning Resolution to allow a portion of a railroad or transit right right-of- way which will be completely covered over by a permanent platform to be included in the lot area for a proposed mixed use development, on property located at 1557 60th Street (Block 5509, Lots 41 and 57), in a R6 & R6/C2-4 District, Borough of Brooklyn, Community District 12, Council Districts 43 and 44.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 168

By Council Member Salamanca:

Application number C 230188 ZSK (Brooklyn Yards) submitted by Brooklyn Yards Development, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-745(a) of the Zoning Resolution to allow required or permitted accessory off-street parking spaces to be located anywhere within a large-scale general development without regard for zoning lot lines, in connection with a proposed mixed-use development, within a Large-Scale General Development generally bounded by 59th Street, 16th Avenue, the southerly boundary line of Long Island Railroad right-of-way (Bay Ridge Division), New Utrecht Avenue, 61st Street, the northerly boundary line of Long Island Railroad right-of-way (Bay Ridge Division), a line 460 feet southeasterly of 15th Avenue, a line midway between 59th Street and 60th Street and the northerly boundary line of Long Island Railroad right-of-way (Bay Ridge Division (Block 5509, Lots 41 and 57; Block 5516, p/o Lots 1 and 33; Block 5727, p/o Lot 14), in R6, R6/C2-4 & C4-5 Districts, Borough of Brooklyn, Community Districts 11 and 12, Council Districts 43 and 44.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 169

By Council Member Salamanca:

Application number C 230189 ZSK (Brooklyn Yards) by Brooklyn Yards Development, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-61 of the Zoning Resolution to allow that portion of a railroad or transit right-of-way which will be completely covered over by a permanent platform to be included in the lot area, in connection with a proposed mixed use development, on property located at 1557 60th Street (Block 5727, p/o Lot 14), in a C4-5 District, Borough of Brooklyn, Community District 11, Council Districts 43 and 44.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 170

By Council Member Salamanca:

Application number C 230190 ZSK (Brooklyn Yards) submitted by Brooklyn Yards Development, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-61 of the Zoning Resolution to allow that portion of a railroad or transit right-of-way which will be completely covered over by a permanent platform to be included in the lot area, in connection with a proposed mixed use development, on property located at 1557 60th Street (Block 5516, p/o Lots 1 and 33), in an R6 District, Borough of Brooklyn, Community District 12, Council Districts 43 and 44.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 171

By Council Member Salamanca:

Application number C 230191 ZSK (Brooklyn Yards) submitted by Brooklyn Yards Development, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-52 of the Zoning Resolution to reduce the number of required accessory off-street parking spaces for dwelling units in a development within a Transit Zone, that includes at least 20 percent of all dwelling units as income-restricted housing units, in connection with a proposed mixed-use development on property located at 1557 60th Street Avenue (Block 5727, p/o Lot 14), in a C4-5 District, Borough of Brooklyn, Community District 11, Council Districts 43 and 44.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 172

By Council Member Salamanca:

Application number C 230196 ZSK (Brooklyn Yards) submitted by Brooklyn Yards Development, 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 and lot coverage without regard for the zoning lot lines or district boundaries; Section 74-743(a)(2) - to modify the rear yard regulations of Sections 23-40 (Yard Regulations); and Section 74-743(a)(6) - to modify the minimum distance between legally required windows and walls or lot lines regulations of Section ZR 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines); in connection with a proposed mixed-use development, within a Large-Scale General Development generally bounded by 59th Street, 16th Avenue, the southerly boundary line of Long Island Railroad right-of-way (Bay Ridge Division), New Utrecht Avenue, 61st Street, the northerly boundary line of Long Island Railroad right-of-way (Bay Ridge Division), a line 460 feet southeasterly of 15th Avenue, a line midway between 59th Street and 60th Street and the northerly boundary line of Long Island Railroad right-of-way (Bay Ridge Division) (Block 5509, Lots 41 and 57; Block 5516, p/o Lots 1 and 33; Block 5727, p/o Lot 14), in R6, R6/C2-4 & C4-5 Districts, Borough of Brooklyn, Community Districts 11 and 12, Council Districts 43 and 44.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

NEW YORK CITY COUNCIL**A N N O U N C E M E N T S****Friday, September 27, 2024**Committee on Criminal Justice

Sandy Nurse, Chairperson

Int 151 - By Council Members Cabán, Rivera, Hanif, Restler, Nurse, Bottcher, Hudson and Farías - **A Local Law** to amend the New York city charter, the administrative code of the city of New York, the New York city plumbing code, and the New York city building code, in relation to the terms “inmate,” “prisoner,” and “incarcerated individual” and other similar terminology as used therein.

Int 152 - By Council Members Cabán, Hudson, Hanif, Gutiérrez, Brewer, Restler and Louis - **A Local Law** in relation to extending the minimum duration of and updating other requirements pertaining to the task force related to address policies related to the treatment and housing of transgender, gender nonconforming, non-binary, and intersex individuals in the custody of the department of correction

Proposed Int. 206-A - By Council Members Hanif, Rivera, Ossé, Bottcher, Narcisse, the Public Advocate (Mr. Williams), Restler, Hudson and Brewer - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring correction officers to carry and administer opioid antagonists while on duty and to receive related training.

Int 412 - By Council Members Restler, Rivera, Hanif, Hudson, Avilés, Louis, Won, Krishnan, Abreu, Narcisse, Salaam, Ayala, Cabán, Schulman and Ossé - **A Local Law** to amend the administrative code of the city of New York, in relation to notifying emergency contacts and attorney of record when an individual in custody attempts suicide, is hospitalized, or is seriously injured

Int 420 - By Council Members Rivera, Restler, Won, Hanif, Cabán, Abreu, Ossé, Avilés, Williams, Ayala, Hudson, Narcisse and Farías - **A Local Law** to amend the administrative code of the city of New York, in relation to establishing a program for child visitors of department of correction facilities.

Int 423 - By Council Members Rivera, Cabán, the Public Advocate (Mr. Williams), Abreu, Restler, Powers, Hudson, Hanif, Brewer, Krishnan, Avilés, Louis, Salaam, Won, Schulman, Narcisse, Banks, Ayala and Ossé - **A Local Law** to amend the New York city charter and the administrative code of the city of New York, in relation to procedures following the death of an individual in custody of the department of correction and a report on compassionate release

Int 625 - By Council Members Powers, Cabán, Hudson, Ossé, Hanif, Avilés, Farías, Nurse, Bottcher, Abreu, Krishnan, Marte, Restler and Gutiérrez - **A Local Law** to amend the administrative code of the city of New York, in relation to housing decisions for transgender, gender nonconforming, non-binary and intersex individuals

Proposed Int 735-A - By Council Members Stevens and De La Rosa, the Public Advocate (Mr. Williams), and Council Members Nurse, Riley, Gutiérrez, Narcisse, Louis, Farías, Salaam, Restler, Won, Williams and Schulman - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of correction to report on physical violence against and sexual harassment of correctional staff and ensure that staff have access to mental health treatment resources

Int 1023 - By Council Members Gutiérrez, Louis, Nurse, Restler, Hanif and Cabán - **A Local Law** to amend the administrative code of the city of New York, relation to requiring the department of correction to establish, operate and maintain an online scheduling system to facilitate visits to incarcerated individuals.

Int 1026 - By Council Members Hudson, Salaam, Louis, Restler and Cabán - **A Local Law** to amend the administrative code of the city of New York, in relation to quarterly reporting regarding the visitation of incarcerated individuals and requiring the department of correction to record interactions in which an individual is informed about a visitor and refuses to attend the visit.

Int 1027 - By Council Members Hudson, Louis, Ossé, Restler and Cabán - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring that people in the custody and staff of the department of correction have access to gender-affirming items and medical devices.

Int 1036 - By Council Members Nurse, Lee, Restler and Cabán - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of correction to provide reports regarding people in custody who have been ordered to undergo a mental health examination.

Int 1061 - By Council Member Louis - **A Local Law** to amend the administrative code of the city of New York, in relation to the department of correction report on sexual abuse.
Committee Room – 250 Broadway, 16th Floor..... 10:00 a.m.

Committee on Transportation and Infrastructure Selvena N. Brooks-Powers, Chairperson

- Oversight** - TLC: For-Hire Vehicles, Commuter Vans and Other TLC Licensees.
- Int 100** - By Council Members Won, Joseph, Krishnan, Cabán, Holden, Hanif, Nurse, Avilés, Brooks-Powers, Gennaro, Gutiérrez, Hudson, Schulman, Yeger, Riley, Menin, Farías, Narcisse, Banks, Williams, Restler, Ung, Salaam, Ossé and Louis - **A Local Law** to amend the administrative code of the city of New York, in relation to the suspension of alternate side parking regulations on Losar.
- Int 276** - By Council Members Krishnan, Hanif, Lee, Banks, Restler, Marte, Brewer, Hudson, Avilés, Cabán and Abreu - **A Local Law** to amend the administrative code of the city of New York, in relation to the wrongful deactivation of high-volume for-hire vehicle drivers.
- Int 277** - By Council Members Krishnan, Hanif, Lee, Banks, Abreu, Won, Hudson, Avilés and Cabán - **A Local Law** to amend the administrative code of the city of New York, in relation to taxicab driver pay for electronically dispatched taxicab trips.
- Int 323** - By Council Members Moya and Hudson - **A Local Law** to amend the administrative code of the city of New York, in relation to establishing maximum rates for the leasing, rental, lease-to-own and conditional purchase of for-hire vehicles.
- Int 939** - By Council Members Brooks-Powers, Louis, Banks and the Public Advocate (Mr. Williams) - **A Local Law** to amend the administrative code of the city of New York, in relation to allowing commuter vans to accept hails from prospective passengers in the street.
- Int 950** - By the Public Advocate (Mr. Williams) - **A Local Law** to amend the administrative code of the city of New York, in relation to increasing the number of violations required to revoke authorization to operate a commuter van service.
- Int 1021** - By Council Members Farías, Yeger, Narcisse and Louis - **A Local Law** to amend the administrative code of the city of New York, in relation to the suspension of alternate side parking regulations on Patriot Day.
Council Chambers – City Hall.....10:00 a.m.

Monday, September 30, 2024

Committee on Education jointly with the Rita Joseph, Chairperson
Committee on Contracts Julie Won, Chairperson

- Oversight** - Upgrading School Transportation Services & Rebidding Contracts.
- Int 515** - By Council Members Brannan, Hanif and Schulman - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of education to report on school bus transportation services employees.
- Res 250** - By Council Members Riley, Abreu, Gutiérrez, Schulman, Stevens, Won, Feliz, Salaam, Gennaro, Farías, Cabán, Williams, Avilés and Marmorato - **Resolution** calling on the New York State Legislature to pass, and the Governor to sign, legislation that would require all school buses operating within the state, regardless of seating capacity, to have a stop-arm on each side, and to prohibit any school buses from operating if they do not have functioning stop-arms.
Council Chambers – City Hall.....10:00 a.m.

Committee on Housing and Buildings Pierina Ana Sanchez, Chairperson

- Oversight** - Third Party Transfer Program.
- Int 1063** - By Council Members Sanchez, Hudson, De La Rosa and Brewer - **A Local Law** to amend the administrative code of the city of New York, in relation to the third party transfer program, and to repeal sections 11-425, 11-426, and 11-427 of such code, relating to agreements for payment of delinquent taxes and charges in installments.
Council Chambers – City Hall.....1:00 p.m.

[Committee on Technology](#)

Jennifer Gutiérrez, Chairperson

Oversight - The “MyCity” Portal.

Int 821 - By Council Members Holden, Brannan, Louis, Borelli and Paladino - **A Local Law** to amend the administrative code of the city of New York, in relation to the creation of a centralized mobile application for accessing city services.

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

Tuesday, October 1, 2024

[Subcommittee on Landmarks, Public Sitings and Dispositions](#)

Kamillah Hanks, Chairperson

See Land Use Calendar

Committee Room – 250 Broadway, 16th Floor..... 11:00 a.m.

[Subcommittee on Zoning & Franchises](#)

Kevin C. Riley, Chairperson

See Land Use Calendar

Committee Room – 250 Broadway, 16th Floor..... 12:30 p.m.

Tuesday, October 8, 2024

[Subcommittee on Landmarks, Public Sitings and Dispositions](#)

Kamillah Hanks, Chairperson

See Land Use Calendar

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

[Subcommittee on Zoning & Franchises](#)

Kevin C. Riley, Chairperson

See Land Use Calendar

Committee Room – City Hall.....12:00 p.m.

Wednesday, October 9, 2024

[Committee on General Welfare](#) jointly with the
[Committee on Women and Gender Equity](#)

Diana I. Ayala, Chairperson
Farah N. Louis, Chairperson

Oversight - Supporting Domestic Violence Survivors in NYC’s Shelter System.

Council Chambers – City Hall.....10:00 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, 16th Floor.....11:00 a.m.

★Note Topic Addition

[Committee on Rules, Privileges and Elections](#)

Keith Powers, Chairperson

Preconsidered Res 579 - Resolution pursuant to Rule 10.60 of the Rules of the Council and Section 440 of the New York City Charter, approving the appointment by the Council of Dr. Mohammad Khalid, a resident of Staten Island, to the Civilian Complaint Review Board.

★M 71 - Communication from the Queens Borough President - Submitting the name of Oudeshram “**Raj**” **Rampershad** to the Council for its advice and consent regarding his reappointment to the City Planning Commission, pursuant to Sections 31 and 192 of the City Charter.

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – 250 Broadway, 14th Floor..... 1:00 p.m.

Thursday, October 10, 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.....10:30 a.m.

Stated Council Meeting

Council Chambers – City Hall.....Agenda – 1:30 p.m.

The following comments were among the remarks made by the Speaker (Council Member Adams) during the Communication from the Speaker segment of this meeting:

The Speaker (Council Member Adams) acknowledged the death of NYC Department of Sanitation worker Richard Errico who was killed in a workplace accident. Mr. Errico, 54, was a nineteen-year veteran of the Sanitation department and was based in northeast Queens when he died on September 20, 2024. She described him as a dedicated public servant whose contributions to the city would not be forgotten. The Speaker (Council Member Adams) also acknowledged the deaths of 56-year-old vendor Leslie Sanchez in the Bronx and 26-year-old spa worker Jui Mei Tang in Queens – both were victims to workplace violence.

The Speaker (Council Member Adams) acknowledged the death of a 71-year-old resident who died in a fatal fire in Council Member Louis's district. The fire took place on September 20, 2024 in the Flatbush section of Brooklyn.

On behalf of the Council, the Speaker (Council Member Adams) offered her thoughts and prayers to the families, colleagues, and loved ones of the deceased mentioned above as they work to heal from these tragedies.

The Speaker (Council Member Adams) spoke of a September 15, 2024 incident when NYPD officers opened fire at the Cedar Avenue L train station in Brooklyn. She noted that several New Yorkers had suffered severe injuries as a result of the shooting including one police officer and two bystanders. On behalf of the Council, the Speaker (Council Member Adams) offered her thoughts and prayers to the individuals who were harmed in the incident. She emphasized that the safety of everyone in the city must be prioritized and that the health of public transit requires that New Yorkers feel safe and confident while using the system. The Speaker (Council Member Adams) asked for an independent investigation into the use of deadly force which took place at the subway station that day in order to prevent the reoccurrence of such episodes.

The Speaker (Council Member Adams) acknowledged that Rosh Hashanah, the Jewish New Year, would begin on the evening of October 2 and run through October 4, 2024. She wished a *Shana Tova* and a happy and sweet new year to all New Yorkers celebrating.

* * *

Whereupon on motion of the Speaker (Council Member Adams), the Majority Leader and Acting President Pro Tempore (Council Member Farías) adjourned these proceedings to meet again for the Stated Meeting of Thursday, October 10, 2024.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor's Note No. 1: For the transcript of these proceedings, please refer to the respective attachment section of items introduced or adopted at this Stated Meeting of September 26, 2024 on the New York City Council website at <https://council.nyc.gov>.

Editor's Note No. 2: At the Stated Meeting of September 12, 2024, the Public Advocate (Mr. Williams) was present on the floor and briefly spoke in support of Int. No. 833-A (2024). The Public Advocate (Mr. Williams) had introduced this bill which was before the Council for a vote. The bill required the installation and maintenance of an informational sign at the intersection of Wall and Pearl Streets in Manhattan to mark the site of New York's first slave market. Int. No. 833-A was subsequently passed by the Council on that day by the General Order vote of 49-0-0.

Editor's Local Law Note: Int. Nos. 123-A, 460-A, and 745-A, all adopted at the August 15, 2024 Stated Meeting, were returned unsigned by the Mayor on September 16, 2024. These items had become law on September 14, 2024 due to the lack of Mayoral action within the Charter-prescribed thirty day time period. These bills were assigned subsequently as Local Laws Nos. 86, 87, and 88 of 2024, respectively.

