

**THE COUNCIL**

---

*Minutes of the Proceedings for the*  
**STATED MEETING**  
*of*  
Wednesday, June 30, 2021, 1:55 p.m.

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

Council Members

Corey D. Johnson, *Speaker*

Adrienne E. Adams	Vanessa L. Gibson	Kevin C. Riley
Alicka Ampry-Samuel	Mark Gjonaj	Carlina Rivera
Inez D. Barron	Barry S. Grodenchik	Ydanis A. Rodriguez
Joseph C. Borelli	Robert F. Holden	Deborah L. Rose
Justin L. Brannan	Ben Kallos	Helen K. Rosenthal
Selvena N. Brooks-Powers	Peter A. Koo	Rafael Salamanca, Jr
Fernando Cabrera	Karen Koslowitz	Mark Treyger
Margaret S. Chin	Bradford S. Lander	Eric A. Ulrich
Robert E. Cornegy, Jr	Stephen T. Levin	James G. Van Bramer
Laurie A. Cumbo	Mark D. Levine	Kalman Yeger
Darma V. Diaz	Alan N. Maisel	
Ruben Diaz, Sr.	Steven Matteo	
Eric Dinowitz	Carlos Menchaca	
Daniel Dromm	I. Daneek Miller	
Mathieu Eugene	Francisco P. Moya	
Oswald Feliz	Keith Powers	
James F. Gennaro	Antonio Reynoso	

Absent: Council Members Ayala, Perkins, and Vallone;  
Medical Leave: Council Member Louis.

At the time of this Stated Meeting, there were two vacancies in the Council (22nd District, Queens and 48th District, Brooklyn) pending the swearing-in of the respective certified winners of the November 2, 2021 General Election.

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

*There were 45 Council Members marked present at this in-person Stated Meeting held in the Council Chambers of City Hall, New York, N.Y.*

### INVOCATION

The Invocation was delivered by Rabbi Michael S. Miller, Executive Vice-President & CEO, spiritual leader at the Jewish Community Relations Council, located at 225 West 34<sup>th</sup> Street, New York, N.Y. 10122.

*Ribbono shel olam,*  
 Lord of the Universe,  
 we ask that you bestow your divine blessings  
 on the Council of the City of New York.  
 We beseech you, as we are living in precarious times.  
 On one of the hottest on the calendar,  
 we witness our society  
 as having become perilously polarized.  
 Our views on politics, ideology, and issues  
 are rigidly frozen in place  
 ever more distance from our counterparts.  
 Isn't it all too frequent  
 that we don't merely disagree,  
 rather we demonize?  
 We all know that hate crimes  
 are being reported in abundance  
 by multiple faith, ethnic, language and gender sectors;  
 but do we pause to recognize  
 that our hostility toward the other side  
 venomously contributes to *societal* climate change,  
 the poisoning of the public atmosphere?  
 When tragedy is experienced,  
 gun violence on the streets of our city,  
 or a building collapse in Surfside, Florida,  
 we seem to take time off from inertness and nastiness  
 to grieve and mourn together,  
 to console one another.  
 But why must it take, why must we wait  
 for a calamity for there to be  
 a semblance of comradery of unity?  
 As the wise biblical King Solomon wrote in *Ecclesiastics*,  
 or in Hebrew, *Quoheleth*,  
*et liq'ro*, there's a time for ripping, for tearing,  
*w'et lit Por*, and a time for sewing, for stitching.

The social fabric of our city, of our state,  
of our nation is already ruptured.  
A season is set for everything,  
a time for every experience under heaven,  
and now is the time for mending.  
The verse continues,  
*et lachashot*, a time for silence,  
*w'et I'daBer*, and a time for speaking.  
The repairing will not happen spontaneously on its own.  
The voices of leadership  
need be raised and be heard,  
the divides need to be bridged.  
The abysses need to be joined,  
the chasms need to be spanned.  
King Solomon then concludes this passage  
*et milchamam*, a time for battle.  
Yes, there is a time for conflict,  
*w'et shalom*, a time for peace.  
Now is the time for peace.  
Lord, we pray that you instill within the Members  
of this august legislative body,  
the strength and fortitude to lead, to heal, to build,  
to bind, to love, to be agents of peace.  
*(A phrase spoken in Hebrew);*  
May God who makes peace on high  
make peace for all of us, among all of us,  
Amen.

The Speaker (Council Member Johnson) moved to spread the Invocation in full upon the record.

During the Communication from the Speaker segment of this meeting, the Speaker (Council Member Johnson) welcomed everyone back to the Council Chambers. He acknowledged that these proceedings constitutes the first in-person Stated Meeting that the Council had held in sixteen months. He also noted that the last budget of the term would be up for a vote and that this budget would be one of the most consequential for the city.

The Speaker (Council Member Johnson) acknowledged that the number of coronavirus deaths in New York City had reached 33,415. He reiterated that it was important to remember that these statistics represent actual human beings who were our friends, neighbors, parents, siblings, co-workers, and colleagues.

The Speaker (Council Member Johnson) asked for a Moment of Silence in memory of these New Yorkers who had lost their lives during the COVID-19 pandemic.

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

\* \* \*

**ADOPTION OF MINUTES**

Council Member Gibson moved that the Minutes of the Stated Meeting of May 27, 2021 be adopted as printed.

**MESSAGES & PAPERS FROM THE MAYOR**

M-321

**Communication from the Mayor - Submitting amended certificate setting forth the maximum amount of debt and reserves which the City, and the NYC Municipal Water Finance Authority, may soundly incur for capital projects for Fiscal Year 2022 and the ensuing three fiscal years, and the maximum amount of appropriations and expenditures for capital projects which may soundly be made during each fiscal year, pursuant to Section 250 of the New York City Charter.**

June 30, 2021

Honorable Members of the Council

Honorable Scott M. Stringer, Comptroller

Honorable Ruben Diaz, Jr., Bronx Borough President

Honorable Eric L. Adams, Brooklyn Borough President

Honorable Gale A. Brewer, Manhattan Borough President

Honorable Donovan Richards, Queens Borough President

Honorable James S. Oddo, Staten Island Borough President

Honorable Members of the City Planning Commission

Ladies and Gentlemen:

This certificate amends my previous certificate submitted to you, dated April 26, 2021. I hereby certify that, as of this date, in my opinion, the City of New York (the “City”), the New York City Municipal Water Finance Authority and the New York City Transitional Finance Authority may soundly issue debt and expend reserves to finance total capital expenditures of the City for fiscal year 2022 and the ensuing three fiscal years, in maximum annual amounts as set forth below:

2022	\$10,839 Million
2023	12,601 Million
2024	13,287 Million
2025	14,394 Million

Certain capital expenditures are herein assumed to be financed from the proceeds of sale of bonds by the City and the New York City Transitional Finance Authority. Amounts of expenditures to be so financed have been included in the total amounts listed above and are estimated to be as follows in fiscal years 2022 – 2025:

2022	\$8,897	Million
2023	10,635	Million
2024	11,188	Million
2025	12,003	Million

Certain water and sewer capital expenditures are herein assumed to be financed from the proceeds of the sale of bonds by the New York City Municipal Water Finance Authority. Amounts of expenditures to be so financed have been included in the total amounts listed in the first paragraph hereof and are estimated to be as follows in fiscal years 2022 — 2025:

2022	\$1,942	Million
2023	1,966	Million
2024	2,099	Million
2025	2,391	Million

I further certify that, as of this date, in my opinion, the City may newly appropriate in the Capital Budget for fiscal year 2022, and may include in the capital program for the ensuing three fiscal years, amounts to be funded by City debt, New York City Transitional Finance Authority debt or, with respect to water and sewer projects, debt of the New York City Municipal Water Finance Authority, not to exceed the following:

2022	\$16,102	Million
2023	14,489	Million
2024	15,854	Million
2025	18,437	Million

Sincerely,

Bill de Blasio Mayor

Received, Ordered, Printed and Filed.

**COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES**

Preconsidered M-317

**Communication from the Office of Management & Budget - Transfer City funds between various agencies in Fiscal Year 2021 to implement changes to the City's expense budget, pursuant to Section 107(b) of the New York City Charter (MN-7).**

(For text of the MN-7 and Appendix A numbers, please see the New York City Council website at <https://council.nyc.gov/> for the respective attachments section of [the M-317 & Res. No. 1704 of 2021 files](#))

Referred to the Committee on Finance.

Preconsidered M-318

**Communication from the Office of Management & Budget – Appropriation of new City revenues in Fiscal Year 2021, pursuant to Section 107(e) of the New York City Charter (MN-8).**

(For text of the MN-8 numbers, please see the New York City Council website at <https://council.nyc.gov/> for the respective attachments section of [the M-318 & Res. No. 1705 of 2021 files](#))

Referred to the Committee on Finance.

Preconsidered M-319

**Communication from the Chancellor - Submitting proposed amendment to the five-year Capital Plan FY 2020 – 2024.**

(For text of this School Construction Authority Capital Budget material, please refer to the website of the New York City School Construction Authority at <http://www.nycsca.org/Community/Capital-Plan-Reports-Data#Capital-Plan-67> )

Referred to the Committee on Finance.

## REPORTS OF THE STANDING COMMITTEES

### Report of the Committee on Finance

Report for Int. No. 2331-A

**Report of the Committee on Finance in favor of approving and adopting, as amended, a Local Law to authorize adoption by resolution of an interest rate for nonpayment of taxes on real property with an assessed value over two hundred fifty thousand dollars in fiscal year 2022 for certain property owners adversely affected by COVID-19.**

The Committee on Finance, to which the annexed proposed amended local law was referred on June 17, 2021 (Minutes, page 1868), respectfully

### REPORTS:

#### I. Introduction

On June 30, 2021, the Committee on Finance, chaired by Council Member Daniel Dromm, will hold a second hearing to consider two pieces of legislation relating to providing late payment interest rate relief for certain COVID-19-impacted property owners unable to pay their real property tax due between July 1, 2021 and December 31, 2021. At a first hearing of the bills on June 11, 2021, the Committee heard testimony from representatives from the Department of Finance (DOF).

The legislation that will be heard includes the following bills: Proposed Int. No. 2331-A, sponsored by Council Member Chin, a local law to authorize adoption by resolution of an interest rate for nonpayment of taxes on real property with an assessed value over two hundred fifty thousand dollars in fiscal year 2022 for certain property owners adversely affected by COVID-19; and Proposed Int. No. 2350-A, sponsored by Council Member Moya, A Local Law to authorize adoption by resolution of an interest rate for nonpayment of taxes on real property with an assessed value of two-hundred and fifty thousand dollars or less in fiscal year 2022 for property owners adversely affected by COVID-19.

#### II. Background

Novel coronavirus COVID-19 was first confirmed in New York City on March 1, 2020.<sup>1</sup> On March 7, 2020 Governor Cuomo issued Executive Order No. 202 declaring a state disaster emergency for New York State in an effort to contain the spread of the virus.<sup>2</sup> On March 11, 2020 the World Health Organization (WHO) characterized COVID-19 as a pandemic.<sup>3</sup> On March 12, 2020 Mayor de Blasio issued Emergency Executive Order No. 98 declaring a state of emergency in New York City.<sup>4</sup>

#### New York State's COVID-19 PAUSE and Reopening

In an effort to manage the spread of the virus, Governor Andrew Cuomo issued an executive order,<sup>5</sup> and

<sup>1</sup> Governor Cuomo Issues Statement Regarding Novel Coronavirus in New York, Mar. 1, 2020, available at: <https://www.governor.ny.gov/news/governor-cuomo-issues-statement-regarding-novel-coronavirus-new-york>.

<sup>2</sup> New York State, Governor Andrew M. Cuomo, Executive Order No. 202: Declaring a Disaster Emergency in the State of New York, [https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO\\_202.pdf](https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO_202.pdf).

<sup>3</sup> Press Release, World Health Organization, WHO Director-General's opening remarks at the media briefing on COVID-19 (March 11, 2020), available at: <https://www.who.int/dg/speeches/detail/who-director-general-s-opening-remarks-at-the-media-briefing-on-covid-19--11-march-2020> (last accessed on June 7, 2021).

<sup>4</sup> New York City, Mayor Bill de Blasio, Executive Order No. 98: Declaration of Local State Emergency (March 12, 2020), available at <https://www1.nyc.gov/assets/home/downloads/pdf/executive-orders/2020/eo-98.pdf>.

<sup>5</sup> See id at *supra* note 3.

subsequent continuing executive orders, to bring the State to a “PAUSE,” which ordered the closing of all businesses deemed “nonessential.”<sup>6</sup> The initial “PAUSE” order was issued on March 7, 2020, and businesses began to close or were required to reduce the number of in-person employees commencing on that date.<sup>7</sup> The closure of “nonessential” businesses eventually became applicable to 100 percent of employees at all nonessential businesses at 8:00 p.m. on March 22, 2020.<sup>8</sup>

On June 8, 2020, around when New York City’s daily count of new cases first fell below 1,000, the local “PAUSE” started to lift, with Phase 1 of a four-part gradual reopening plan permitting the re-opening of construction, retail, manufacturing, and wholesale trade, subject to Empire State Development guidelines to maximize safety and social distancing.<sup>9</sup> The City was permitted to proceed through the reopening stages over last summer, and additional restrictions were lifted last fall, including the resumption of indoor dining at 25% capacity on September 30, 2020.<sup>10</sup> However, as COVID-19 caseloads again increased with the advent of colder weather and more activities occurring indoors, hospital capacity again became constrained and progress toward reopening was reversed, including the suspension of all indoor dining as of December 14, 2020.<sup>11</sup> That same day, however, brought the hopeful news of first COVID-19 vaccination in the United States administered outside of a clinical trial setting, in a Queens hospital to a nurse who worked there.<sup>12</sup>

The subsequent rollout of vaccinations became critical to the suppression of the second wave, which peaked at nearly 8,000 new cases in January 2021, fell to a plateau of nearly 4,000 new cases a day throughout March, and declined to about 2,000 cases per day at the end of April.<sup>13</sup> Soon thereafter, Governor Cuomo, together with the governors of New Jersey and Connecticut, announced that the suppression of the second wave again made it possible to lift many of the remaining capacity restrictions as of May 19, 2021.<sup>14</sup> On June 7, 2021, Governor Cuomo announced that New York’s vaccination rate was at 68.6% and that he would drop virtually all remaining COVID-19 restrictions when the state’s vaccination rate hits 70%.<sup>15</sup>

### Economic Effects of COVID-19 PAUSE on Homeowners, Tenants, and Landlords

The pandemic shutdown unleashed economic shocks that had immediate, widespread negative impact on the City’s homeowners, residential and commercial rental tenants, and residential and commercial property owners.

According to the Independent Budget office, testifying before the Council on March 2, 2021, “the [March 2020] shutdown of many local businesses triggered an economic crisis that left tens of thousands of residents out of work. New York City lost 557,000 jobs between the end of 2019 and the end of 2020, with many of those lost jobs in the restaurant, retail, and tourism sectors—jobs held by people in households and communities also

<sup>6</sup> See *id.*

<sup>7</sup> See *id.*

<sup>8</sup> N.Y. Exec. Order No. 202.8 (Mar. 20, 2020), available at: [https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO\\_202.8.pdf](https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/EO_202.8.pdf).

<sup>9</sup> Governor Cuomo Announces New York City to Enter Phase 1 of Reopening on June 8 and Five Regions Enter Phase 2 of Reopening Today (May 29, 2020), available at <https://www.governor.ny.gov/news/governor-cuomo-announces-new-york-city-enter-phase-1-reopening-june-8-and-five-regions-enter>; see also, New York Forward: New York City Phase One Industries (retrieved Jun. 8, 2020), <https://forward.ny.gov/new-york-city-phase-one-industries>.

<sup>10</sup> Governor Cuomo Announces Indoor Dining in New York City Allowed to Resume Beginning September 30 with 25 Percent Occupancy Limit (Sept. 9, 2020), available at: <https://www.governor.ny.gov/news/governor-cuomo-announces-indoor-dining-new-york-city-allowed-resume-beginning-september-30-25>.

<sup>11</sup> Governor Cuomo Announces Updated Zone Metrics, Hospital Directives and Business Guidelines (Dec. 11, 2020), available at: <https://www.governor.ny.gov/news/governor-cuomo-announces-updated-zone-metrics-hospital-directives-and-business-guidelines>.

<sup>12</sup> Sharon Otterman, “‘I Trust Science,’ Says Nurse Who Is First to Get Vaccine in U.S.,” NY TIMES (Dec. 14, 2020), available at: <https://www.nytimes.com/2020/12/14/nyregion/us-covid-vaccine-first-sandra-lindsay.html>.

<sup>13</sup> Sharon Otterman and Joseph Goldstein, “New York’s Spring of Optimism: Finally, the Second Virus Wave Is Ebbing,” NY TIMES (Apr. 28, 2021), available at: <https://www.nytimes.com/2021/04/28/nyregion/covid-cases-new-york-city-second-wave.html>.

<sup>14</sup> Governor Cuomo, Governor Murphy and Governor Lamont Announce Significant Easing Of COVID-19 Pandemic Restrictions on Businesses, Gatherings and Venues (May 3, 2021), available at: <https://www.governor.ny.gov/news/governor-cuomo-governor-murphy-and-governor-lamont-announce-significant-easing-covid-19>.

<sup>15</sup> Governor Cuomo Announces Most Remaining COVID-19 Restrictions to Be Lifted When 70% of Adult New Yorkers Have Received First Dose of COVID-19 Vaccine (June 7, 2021), available at: <https://www.governor.ny.gov/news/governor-cuomo-announces-most-remaining-covid-19-restrictions-be-lifted-when-70-adult-new>.



enduring the worst of the pandemic.”<sup>16</sup>

Many New York homeowners who lost their jobs, or were otherwise impacted by COVID-19, became delinquent on their mortgages.<sup>17</sup> However, widespread default and foreclosure was largely avoided because of federally-mandated lender forbearance and a state foreclosure moratorium.<sup>18</sup> Under the March 27, 2020 Coronavirus Aid, Relief, and Economic Security (CARES) Act, borrowers with federally-backed mortgages could request up to twelve months of forbearance if they experienced financial hardship because of COVID-19.<sup>19</sup> Moreover, on December 28, 2020 New York State passed a foreclosure moratorium through May 1, 2021, that has since been extended until August 31, 2021.<sup>20</sup> Still, COVID-impacted homeowners often face other economic challenges including consumer debt and other liabilities arising from the pandemic’s economic shocks and many will have difficulty paying their real property taxes.<sup>21</sup>

New York renters have also had difficulty paying for their housing,<sup>22</sup> although there have been a series of overlapping eviction moratoria that have prevented them from being evicted. The CARES Act included an eviction moratorium for March 27, 2020 through August 23, 2020, under which covered tenants could not be forced to vacate, and landlords could not file notices to vacate.<sup>23</sup> Two weeks after the expiration of the CARES moratorium, on September 4, 2020, the Centers for Disease Control and Prevention (CDC) imposed a nationwide federal moratorium on residential evictions for nonpayment of rent. Initially in effect through December 31, 2020, the moratorium was subsequently extended through June 30, 2021.<sup>24</sup> Simultaneously, New York State implemented a residential eviction moratorium on December 28, 2020, which was set to expire on May 1, 2021,

<sup>16</sup> Testimony of the Independent Budget Commission before the New York City Council Committee on Finance and the Subcommittee on Capital Budget on the New York City Preliminary Budget for Fiscal Year 2022, Mar. 2, 2021, available at: <https://ibo.nyc.ny.us/iboreports/ibo-prelimianry-budget-testimony-march-2021.pdf>.

<sup>17</sup> At the end of 2020 an average 11.8% (533,313) of New York State homeowners were delinquent on their mortgages, according to US Census data. This rate is over three times the last high of 3.8% in January 2009 at the height of the Great Recession; and over five times the delinquency rate of January 2020 of 2.2%. Senator Brian Kavanaugh, Press Release: “Forwarding: Half a Million NYers in Danger of Displacement Due to COVID-19--Coalition Calls on Lawmakers to Permanently Fund Homeowner Protection Program,” Mar. 3, 2021, available at: <https://www.nysenate.gov/newsroom/press-releases/brian-kavanaugh/forwarding-half-million-nyers-danger-displacement-due-covid>.

<sup>18</sup> Andrew Haughwout et al., “Keeping Borrowers Current in a Pandemic,” Liberty Street Economics blog of the Federal Reserve Bank of New York, May 19, 2021, available at: <https://libertystreeteconomics.newyorkfed.org/2021/05/keeping-borrowers-current-in-a-pandemic.html>. Haughwout notes several federal agencies subsequently granted extensions: “Specifically, borrowers with mortgages backed by the government-sponsored enterprises (GSEs) Fannie Mae and Freddie Mac can request up to two additional three-month extensions (for a maximum of eighteen months of total forbearance) if they were in an active forbearance plan as of February 28, 2021, while borrowers with mortgages backed by the Department of Housing and Urban Development/Federal Housing Administration (HUD/FHA), the U.S. Department of Agriculture (USDA), or the Department of Veterans Affairs (VA) can enroll in forbearance until June 30, 2021, and receive up to eighteen months of total forbearance.”

<sup>19</sup> See *Id.*

<sup>20</sup> See, COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020, Laws of New York Chap. 381 of 2020, as extended by Laws of New York Chap. 104 of 2021.

<sup>21</sup> See Haughwout, *supra* note 17.

<sup>22</sup> Indeed, rent burdens, limited affordable housing options, and evictions are issues that plagued significant shares of the population before the COVID-19 pandemic, particularly communities of color and low-income populations. Marisa Casellas-Barnes, White Paper: The COVID-19 Eviction Cliff: Key Issues and Insights to Help Mitigate a Crisis, Federal Reserve Bank of New York, Dec. 22, 2020, available at: <https://www.newyorkfed.org/medialibrary/media/outreach-and-education/evictions-white-paper-12-2020>. These populations were hardest hit both by the disease itself and the pandemic’s economic effects.

<sup>23</sup> See Congressional Research Service, “Federal Eviction Moratoriums in Response to the COVID-19 Pandemic”, updated March 30, 2021, available at: <https://crsreports.congress.gov/product/pdf/IN/IN11516>. The CARES Act’s eviction protections only apply to “covered dwellings,” which are rental units in properties: (1) that participate in federal assistance programs, (2) are subject to a “federally backed mortgage loan,” or (3) are subject to a “federally backed multifamily mortgage loan.” Covered federal assistance programs include most rental assistance and housing grant programs, including public housing, Housing Choice Vouchers, Section 8 Project-Based Rental Assistance, rural housing programs, and the Low Income Housing Tax Credit (LIHTC) program. A “federally backed mortgage loan” is a single-family (1-4 units) residential mortgage owned or securitized by Fannie Mae or Freddie Mac or insured, guaranteed, or otherwise assisted by the federal government. The term includes mortgages insured by the Federal Housing Administration and the Department of Veterans Affairs, and the Department of Agriculture’s direct and guaranteed loans. The act defines a “federally backed multifamily mortgage loan” almost identically to “federally backed mortgage loan” except that it applies to properties designed for five or more families. See Congressional Research Service, “CARES Act Eviction Moratorium”, Apr. 7, 2020, available at: <https://crsreports.congress.gov/product/pdf/IN/IN11320>.

<sup>24</sup> *Id.* In the last weeks of the CDC moratorium, a federal judge vacated the moratorium on the grounds that it exceeded the agency’s authority -- but has stayed its order pending further arguments. See *Alabama Assoc. of Realtors v. U.S. Dep’t of Health and Human Servs.*, Order, and Order Staying Order, May 5, 2021, D.D.C., No. 20-cv-3377.

and which was subsequently extended until August 31, 2021.<sup>25</sup>

While these moratoria have helped to keep tens of thousands of New York renters in their homes, many are burdened by catastrophic rent arrears, estimated to exceed \$2 billion as of January, 2021.<sup>26</sup> A study by the Furman Center of nearly 19,000 units mostly occupied by lower-income New Yorkers found that between February 2020 and February 2021, more than nine out of ten properties saw an increase in average rental balance per occupied unit.<sup>27</sup> More than 55% had unpaid rent and the average amount owed had increased by 66% to \$3,435.<sup>28</sup> By contrast the average debt in February 2019 was only \$1,654.<sup>29</sup> About 20% of the sample group owe more than \$3,000, and more than 5% are behind at least \$10,000.<sup>30</sup> More recently, members of the Community Housing Improvement Program, mostly small and mid-sized owners of rent-regulated units, reported that 17% of tenants paid no rent in May 2021, with 11% more than two months behind and 4% owing more than \$15,000.<sup>31</sup>

The March 11, 2021 American Rescue Plan Act (ARPA), will provide \$22 billion in rental housing assistance, \$2.7 billion of which has been allocated to New York State, to qualifying households needing support paying current and/or past-due rent as well as past due utilities.<sup>32</sup> Qualifying households must have suffered from a loss of income related to the pandemic and be at or below 80% of Area Median Income (AMI) – for 2021 in New York City, \$66,880 for an individual or \$95,440 for a family of four. Those who are eligible can apply for up to 12 months in back rent and up to three months of future rent payments, as well as up to 12 months of overdue electric or gas bill payments.<sup>33</sup> New York State began taking applications as of June 1, 2021, but until July 1 is prioritizing applications from household with income at or below 50% of AMI – for 2021 in New York City, \$41,800 for an individual or \$59,650 for a family of four.<sup>34</sup> Payments will be made directly to the landlords and utility companies on behalf of the tenant.<sup>35</sup>

According to estimates from Moody's Analytics, New York's \$2.4 billion portion of the funds is expected to cover less than 80% of back rent, utilities and late fees owed in the State as of March 2021.<sup>36</sup> While these payments will cover the rent arrears for many tenants and make some landlords whole, landlords with tenants that exceed the AMI levels with rent arrears will not receive support. In the case of tenants who voluntarily vacated owing significant rent arrears, it's unclear if landlords will be able to recoup their back rent from these

<sup>25</sup> See COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020, Laws of New York Chap. 381 of 2020, as extended by Laws of New York Chap. 104 of 2021.

<sup>26</sup> A January 2021 survey, conducted by the Community Housing Improvement Program, a landlord trade group, focused on New York buildings subject to the city's rent-regulation laws. These apartments account for about half of the city's total rental apartments. Tallying responses from landlords, the group estimated that as many as 185,000 households living in these apartments are more than two months behind on rent, with an average debt of more than \$6,000. The survey also found that 5.64% of tenants are more than \$15,000 in arrears, or more than 11 months behind on average rent. Jay Martin, executive director of CHIP, said rent debt from the rest of New York's apartment inventory is probably the same or greater, meaning the total debt New York City renters are carrying is likely more than \$2 billion. Will Parker, "New York City Renters Owe More Than \$1 Billion in Unpaid Rent, Survey Finds," WALL ST. J., Jan. 14, 2021, available at: <https://www.wsj.com/articles/new-york-city-renters-owe-more-than-1-billion-in-unpaid-rent-survey-finds-11610622000>.

<sup>27</sup> NYU Furman Center, "The State of New York City's Housing and Neighborhoods: 2020 Focus on Renters and Recovery", May 26, 2021, available at: <https://furmancenter.org/stateofthecity/state-of-the-city-2020/>.

<sup>28</sup> *Id.*

<sup>29</sup> *Id.*

<sup>30</sup> *Id.*

<sup>31</sup> Greg David, "Cuomo's Back-Rent Relief Finally Arrives. Tenants and Landlords Ask: Will it be Enough?," THE CITY, May 25, 2021, available at: <https://www.thecity.nyc/2021/5/25/22453678/nyc-rent-relief-applications-cuomo-for-tenants-landlords>.

<sup>32</sup> Congressional Research Service, Housing Funding in the American Rescue Plan Act of 2021, updated May 13, 2021, available at: <https://crsreports.congress.gov/product/pdf/IN/IN11641/2>.

<sup>33</sup> *Id.*, see also, New York City Housing Preservation & Development, "Affordable Housing: Area Median Income," <https://www1.nyc.gov/site/hpd/services-and-information/area-median-income.page> (last accessed June 7, 2021). These future rent payments will coincide with the end of the expanded unemployment insurance and the end of the state eviction moratorium, creating uncertainty about whether tenants will be able to afford to remain in their homes without additional support.

<sup>34</sup> Office of Temporary and Disability Assistance, "Emergency Rental Assistance Program (ERAP)," <https://otda.ny.gov/programs/Emergency-Rental-Assistance/> (last accessed June 7, 2021).

<sup>35</sup> Notably, landlord who accept payment must waive late fees due on any rental arrears covered by the payment, not increase the monthly rental amount above the monthly amount due at the time of application for assistance for months for which rental assistance is received and for one year from receipt of the payment. Not evict the household on behalf of whom the payment is made for reason of expired lease or holdover tenancy for one year from the receipt of the payment. An exception to this requirement shall be made if the dwelling unit contains four or fewer units and the property owner or owner's immediate family members intend to immediately occupy the unit for use as a primary residence. *Id.*

<sup>36</sup> Prashant Gopal and Noah Buhayar, "Rent Crisis Spirals for Landlords Awaiting \$47 Billion in Relief," Bloomberg Equality, April 27, 2021, available at: <https://www.bloomberg.com/news/articles/2021-04-27/rent-relief-comes-slowly-for-struggling-u-s-landlords>

funds.<sup>37</sup> Also, landlords who negotiated rental concessions with tenants during the pandemic will not be able to recoup the difference between the prior lease rent and the concessionary lease rent. In any case, many rental landlords will have gone more than a year without receiving rent on their units will have difficulty paying their real property taxes.

Meanwhile, many of the City's commercial tenants and their landlords have been dramatically impacted by the pandemic. According to a March 2020 analysis by the New York City Comptroller, the City's hotels were projected to only maintain an occupancy rate of 20 percent, while restaurant sales are expected to drop by a staggering 80 percent. Real estate and retail sales are both expected to decline by 20 percent.<sup>38</sup>

COVID-19 impacted small businesses with fifty or fewer employees that had weathered the first year of the pandemic while avoiding eviction became eligible for a State commercial eviction moratorium on March 9, 2021, because of the COVID-19 Emergency Protect Our Small Businesses Act of 2021.<sup>39</sup> Such act prevented eviction for nonpayment of rent, or for holding over after lease expiration until May 1, 2021, which was subsequently extended until August 31, 2021.<sup>40</sup> The same act also prevented commercial foreclosures for independently owned and operated businesses with ten or fewer commercial units and fifty or fewer employees.<sup>41</sup>

For those businesses that were able to weather the pandemic and avoid closure or bankruptcy, a reopening rebound is underway, but far from complete. For example, according to lodging data provider STR, in the last week of May 2021, City hotel occupancy rates increased to 59%, a marked improvement from a year earlier, but well below booking levels before the pandemic, or elsewhere in the country.<sup>42</sup>

The City's restaurants have been especially hard hit. According to a December 2020 survey conducted by the New York State Restaurant Association, in partnership with the National Restaurant Association, New York restaurants were hurting more from the economic crisis in comparison to the industry nationwide.<sup>43</sup> Overall, the National Restaurant Association estimates that one in six restaurants across the country have already permanently shuttered due to the economic crisis amid the pandemic, which would mean that in the City 4,500 establishments have permanently shut down so far.<sup>44</sup> In April 2021, Thomas Grech, president and chief executive of the Queens Chamber of Commerce, estimated that 1,000 of the 6,000 restaurants in his borough had closed for good.<sup>45</sup>

Restaurants that were able to stay open have experienced a rebound. One recent indication is New School's Center for New York City Affairs reports that restaurants lead the gain in City employment with 39,100 new jobs between January and April 2021.<sup>46</sup> The ARPA also created a \$28.6 billion Restaurant Revitalization Fund to provide grants of up to \$10 million per entity or \$5 million per location to restaurant owners to use for rent, mortgage payments, payroll, and other operational expenses. However, in just ten days, the Small Business Administration received 266,000 applications asking for \$65 billion in aid, overwhelming the available funding.<sup>47</sup> Nevertheless, some of that money should help New York City restaurants and commercial landlords

---

<sup>37</sup> See *Id.* For example, landlord Lincoln Eccles, who owns a 14-unit building in Crown Heights is unlikely to receive government grants to cover losses from a tenant who voluntarily vacated in November 2020 owing \$96,000 in back rent.

<sup>38</sup> New York City Comptroller Scott M. Stringer "Comptroller Stringer: City must take immediate action to prepare for economic impacts of COVID-19 and protect vital services for most vulnerable New Yorkers", March 16, 2020, available at: <https://comptroller.nyc.gov/newsroom/comptroller-stringer-city-must-take-immediate-action-to-prepare-for-economic-impacts-of-covid-19-and-protect-vital-services-for-most-vulnerable-new-yorkers/>.

<sup>39</sup> Laws of New York Chap. 73 of 2021.

<sup>40</sup> Laws of New York Chap. 104 of 2021.

<sup>41</sup> *Id.*

<sup>42</sup> Patrick Clark, "NYC Hotels Are Ready to Party as Guests Slowly Start to Return," BLOOMBERG WEALTH, June 4, 2021, <https://www.bloomberg.com/news/articles/2021-06-04/nyc-hotels-are-ready-to-party-as-guests-slowly-start-to-return> (last accessed June 7, 2021).

<sup>43</sup> Erika Adams, "More Than Half of New York's Restaurants Are in Danger of Closing: Survey," NY EATER, Dec. 11, 2020, <https://ny.eater.com/2020/12/11/22166728/new-york-restaurant-closing-survey-pandemic> (last accessed June 7, 2021).

<sup>44</sup> *Id.*

<sup>45</sup> Jane Margolies, "Midtown Has Been Empty, but Other Retail Zones Have Bounced Back," NY TIMES, Apr. 13, 2021, available at: <https://www.nytimes.com/2021/04/13/realestate/new-york-city-retail.html>

<sup>46</sup> James Parrot, "NYC Job Rebound Led by Restaurants, Private Universities, and Home Health Care," New School Center for New York City Affairs, June 4, 2021, <http://www.centernyc.org/reports-briefs/2021/6/3/nyc-job-rebound-led-by-restaurants-private-universities-and-home-health-care> (last accessed June 7, 2021).

<sup>47</sup> Sarah Wire, "Congress Provided \$28 Billion to Save Restaurants. It's Running Out", LA TIMES, May. 13, 2021, available at: <https://www.latimes.com/politics/story/2021-05-13/restaurants-quickly-exhausting-emergency-fund-could-congress-provide-more-money-to-save-restaurants-and-bars>.

with restaurant tenants.

The Community Housing Improvement Program survey also found that roughly half of the retail ground-floor tenants paid no rent in August 2020, as most New York City businesses remained closed.<sup>48</sup> The results align with the finding by Datex Property Solutions that nationally only 58.6 percent of retail rents were paid in May 2020.<sup>49</sup> According to Datex, the situation is especially dire for owners of hotels and malls. Faced with plunging sales, companies are trying to renegotiate their office and retail leases — and in some cases refusing to pay — in hopes of lowering their overhead and surviving the worst economic downturn since the Great Depression.<sup>50</sup>

Many chains stopped paying rent entirely in May 2020, and while Starbucks paid May rent, it also sent a letter to landlords requesting rent concessions starting June 1 and continuing for 12 months.<sup>51</sup> Christopher Whalen of Whalen Global Advisors wrote that “social distancing means financial Armageddon for commercial real estate and municipalities in coming months,” predicting defaults could be worse than the peak losses of the early 1990s commercial real estate bust “by a wide margin.”<sup>52</sup> One challenge for commercial landlords navigating these challenges is that fewer than 40 percent of commercial property loans are owned by banks, with the remainder held by life insurers, real estate investment trusts and investors in commercial mortgage-backed securities.<sup>53</sup> Such diffuse ownership of commercial real estate debt may complicate the negotiation of concession agreements.

The difficulties faced by small businesses and residential tenants has also been felt sharply by property owners. An eviction moratorium or rent deferral program shifts the financial burden of the lost rent directly to the property owner.<sup>54</sup> The difficulties faced by small businesses and residential tenants has also been felt sharply by property owners. An eviction moratorium or rent deferral program shifts the financial burden of the lost rent directly to the property owner.<sup>55</sup>

#### Interest Rates on Late Payment of Real Property Taxes and Prior Relief

The Administrative Code tasks the City Council with responsibility to adopt rates of interest on the late payment of property taxes to incentivize timely payment.<sup>56</sup> For July 1, 2020 to June 30, 2021, for properties with an assessed value of not more than \$250,000 the interest rate was 3.25% for the first quarter, and 5% for the remainder the year,<sup>57</sup> and for properties with an assessed value of over \$250,000 it was 18%.<sup>58</sup>

The Council also adopted special interest rates for the first quarter of the year for certain property owners adversely affected by COVID-19 under the authority granted by Local Laws 62 and 63 of 2020. For properties with an assessed value of not more than \$250,000 first quarter interest was reduced from 3.25% to 0% if a property owner either was enrolled in a PTAID hardship installment agreement or if the property was a tax class 1 property or a condominium and had been the primary residence of at least one of its owners for an uninterrupted period of at least one year prior to July 1, 2020, and the combined annual federal adjusted gross income of all owners was a \$150,000 or less during calendar year 2019.<sup>59</sup> To qualify, an owner additionally had to certify with DOF no later than September 30, 2020 that the owner had been ill with COVID-19, experienced COVID-19 symptoms and sought a medical diagnosis, or experienced a loss in their primary source of income for at least

<sup>48</sup> Community Housing Improvement Program, August 2020 Rent Survey.

<sup>49</sup> Heather Long, “The next big problem for the economy: Businesses can’t pay their rent,” WASH. PO., Jun. 4, 2020, available at <https://www.washingtonpost.com/business/2020/06/03/next-big-problem-businesses-cant-or-wont-pay-their-rent-its-setting-off-dangerous-chain-reaction/>.

<sup>50</sup> Conor Dougherty and Peter Eavis, Tenants’ Troubles Put Stress on Commercial Real Estate, NY Times, June 5, 2020, available at <https://www.nytimes.com/2020/06/05/business/economy/coronavirus-commercial-real-estate.html>

<sup>51</sup> Long, *supra* note 54.

<sup>52</sup> *Id.*

<sup>53</sup> *Id.*

<sup>54</sup> Laurie Goodman and Dan Magder, Avoiding a COVID-19 Disaster for Renters and the Housing Market, Urban Institute Housing Policy Finance Center, April 2020, [https://www.urban.org/sites/default/files/publication/102013/avoiding-a-covid-19-disaster-for-renters-and-the-housing-market\\_1.pdf](https://www.urban.org/sites/default/files/publication/102013/avoiding-a-covid-19-disaster-for-renters-and-the-housing-market_1.pdf).

<sup>55</sup> *Id.*

<sup>56</sup> Admin Code § 11-224.1(e).

<sup>57</sup> Res 1348-2020.

<sup>58</sup> Res 1349-2020.

<sup>59</sup> Local Law 63 of 2020, Reso 1350-2020.

one month between March 7 and June 30, 2020, as a result of the COVID-19 pandemic. As a result of the program, 61 properties received interest reductions worth \$7,315.64.<sup>60</sup>

For properties with an assessed value of more than \$250,000, first quarter interest was reduced from 18% to 7.5% for properties with an assessed value under \$750,000, containing 30 or fewer residential units, at least half of which were rent regulated, if an owner certified with DOF no later than September 30, 2020 that the owner's income from the property declined by at least 25% between March 7, 2020 and June 30, 2020, as compared to the same period in the year immediately prior. The same reduction was available for class four properties with an assessed value of less than \$750,000 if a property owner certified with DOF no later than September 30, 2020 that the owner's income from the property declined by at least 50% between March 7, 2020 and June 30, 2020, as compared to the same period in the year immediately prior, for class four properties with an assessed value of less than \$750,000.<sup>61</sup> 38 properties received reduced interest worth \$61,809.73 as a result of the program.<sup>62</sup>

For the coming fiscal year, for the first time the Council will adopt three interest rates, for properties with an assessed value of not more than \$250,000, for properties with an assessed value of more than \$250,000 and less than \$450,000, and for properties with an assessed value of more than \$450,000.<sup>63</sup>

To mitigate continued pressures on COVID-impacted property taxpayers, the proposed bills propose to again provide reduced interest rates, under expanded circumstances, and for the entire year.

### III. Legislative Analysis

#### a. Analysis of Proposed Int. No. 2331-A (sponsored by Council Member Chin)

Proposed Int. No. 2331-A would authorize the City Council to pass a resolution adopting an interest rate between 3 percent and 7.5 percent for qualifying properties with an assessed value of more than \$250,000 and no greater than \$450,000 and an interest rate between 6 percent and 7.5 percent for qualifying properties with an assessed value of more than \$450,000 for the nonpayment of taxes due on July 1, 2021 and paid no later than December 31, 2021 for fiscal year 2022 for real property.

Section 1 would authorize the City Council to adopt by resolution the interest rates applicable to the following real property: (1) classified as class 2 or class 4 pursuant to section 1802 of the real property tax law with an assessed value of more than \$250,000 and less than \$1,000,000, provided that such taxes are paid no later than December 31, 2021 and that no later than November 30, 2021, the owner of such property submits documentation to the commissioner of finance demonstrating that such owner has been adversely affected by the COVID-19 pandemic; or (2) with an assessed value over \$250,000 (i) where at least 50 percent of the property is used for residential rental dwellings; and (ii) which contains no more than 50 rental dwelling units of which at least 50 percent are rent regulated accommodations, provided that such taxes are paid no later than December 31, 2021 and that no later than November 30, 2021, the owner of such property submits documentation to the commissioner of finance demonstrating that such owner has been adversely affected by the COVID-19 pandemic.

Section 2 would define for the purposes of the law what it means to have been adversely affected by the COVID-19 pandemic, who qualifies as an owner, and which properties are rent-regulated accommodations.

Section 3 would require DOF to report to the Speaker no later than February 1, 2022 the number of properties for which the lower interest rate was imposed, the total amount of tax due and the total amount of interest reduced pursuant to the provisions of this local law, disaggregated by two qualifying provisions, and the aggregate value of the real property tax liability of those properties.

Section 4 would require that DOF, no later than August 15, 2021, send a notice advising of lower interest rate authorized by this local law to the owner of any real property which potentially qualifies for a reduced interest rate if the taxes for such property due on July 1, 2021 have not been paid as of August 1, 2021.

Section 5 would require that DOF, no later August 1, 2021, post a notice on its website describing the reduced interest rate authorized by this local law for certain owners adversely affected by the COVID-19

---

<sup>60</sup> Department of Finance, "Annual Report on Properties Adversely Affected by the COVID-19 Pandemic Per Local Law 62 and Per Local Law 63," on file with Finance Committee staff.

<sup>61</sup> Local Law 62 of 2020, Reso 1349-2020.

<sup>62</sup> Department of Finance, *supra* note 63.

<sup>63</sup> Local Law 24 of 2021.

pandemic, distribute a print copy of this notice in DOF business centers, and translate such notices, and make such notices available translated all designated citywide languages.

Section 6 would require that DOF discuss the reduced interest rates at all of their outreach session relating to the payment of property taxes conducted between July 1, 2021 and November 30, 2021.

Section 7 would provide that this local law takes effect immediately and is retroactive to and deemed to have been in effect as of June 1, 2021, except that the council of the city of New York may take such measures as are necessary for the implementation of this local law, including the adoption of the resolution that is the subject of this local law, on or before such date.

b. Analysis of Proposed Int. No. 2350-A (sponsored by Council Member Moya)

Proposed Int. No. 2350-A would authorize the City Council to adopt by resolution a zero percent interest rate for the nonpayment of taxes due on July 1, 2021, on October 1, 2021, or on July 1, 2021 and October 1, 2021, and paid between July 15, 2021 and December 31, 2021 for fiscal year 2022 for real property.

Section 1 would authorize the City Council to pass a resolution adopting a zero percent interest rate for the nonpayment of taxes on real property due on July 1, 2021, on October 1, 2021, or on July 1, 2021 and October 1, 2021, and paid between July 15, 2021 and December 31, 2021 for fiscal year 2022, for real property either subject to a PTAID installment agreement, or with an assessed value of \$250,000 or less whose owners made less than \$150,000 in 2020, and which served as the primary residence of at least one such property owner (and in the case of co-ops, at least 30 percent of the dwelling units held in such common ownership meet the eligibility criteria), provided that, in both cases, the owners certify to DOF that they have been adversely affected by the COVID-19 pandemic no later than November 30, 2021.

Section 2 would define for the purposes of the law what it means to have been adversely affected by the COVID-19 pandemic, what is a cooperative ownership property, what is income, and which property types would be eligible for reduced interest adopted pursuant to this law.

Section 3 would exclude unpaid taxes subject to reduced interest rates adopted pursuant to this law from being sold as a tax lien.

Section 4 would require DOF to report to the Speaker no later than February 1, 2022 the number of properties for which the lower interest rate was imposed, the total amount of tax due and the total amount of interest reduced pursuant to the provisions of this local law, disaggregated by three qualifying provisions, and the aggregate value of the real property tax liability of those properties.

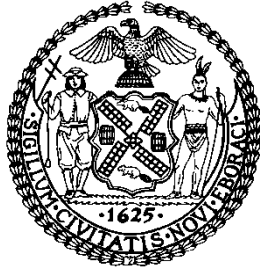
Section 5 would require that DOF, no later than August 15, 2021, send a notice advising of zero percent interest rate authorized by this local law to the owner of any real property which potentially qualifies for a reduced interest rate if the taxes for such property due on July 1, 2021 have not been paid as of August 1, 2021.

Section 6 would require that DOF, no later August 1, 2021, post a notice on its website describing the reduced interest rate authorized by this local law for certain owners adversely affected by the COVID-19 pandemic, distribute a print copy of this notice in DOF business centers, and translate such notices, and make such notices available translated all designated citywide languages.

Section 7 would require that DOF discuss the reduced interest rates at all of their outreach session relating to the payment of property taxes conducted between July 1, 2021 and November 30, 2021.

Section 8 would provide that this local law takes effect immediately and is retroactive to and deemed to have been in effect as of June 1, 2021, except that the council of the city of New York may take such measures as are necessary for the implementation of this local law, including the adoption of the resolution that is the subject of this local law, on or before such date.

**(The following is the text of the Fiscal Impact Statement for Int. No. 2331-A:)**



**THE COUNCIL OF THE CITY OF NEW YORK**  
**FINANCE DIVISION**  
 LATONIA MCKINNEY, DIRECTOR  
**FISCAL IMPACT STATEMENT**  
**PROPOSED INTRO. 2331-A**  
**COMMITTEE: Finance**

**TITLE:** A Local Law to authorize adoption by resolution of an interest rate for nonpayment of taxes on real property with an assessed value over two hundred fifty thousand dollars in fiscal year 2022 for certain property owners adversely affected by COVID-19.

**SPONSOR(S):** Council Members Chin and Riley.

**SUMMARY OF LEGISLATION:** Proposed Int. 2331-A would authorize the City Council to pass a resolution adopting interest rate charges for the late payment of property taxes due on July 1, 2021, and paid by December 31, 2021 for certain COVID-19 impacted real property owners that differ from the rates that would otherwise be charged. Baring specific eligibility requirements, properties with assessed values greater than \$250,000 and less than \$450,000 would accrue interest between 3 percent and 7.5 percent, and properties with assessed values greater than \$1 million would accrue interest between 6 percent and 7.5 percent, with the exact interest rates to be set by Council resolution.

This legislation would require eligible property owners to demonstrate proof of an adverse impact attributable to COVID-19 to the Department of Finance (DOF) no later than November 30, 2021 and that they either: (a) own class 2 or class 4 real property with an assessed value of more than \$250,000 and less than \$1,000,000; or (b) own real property with an assessed value over \$250,000 where at least 50 percent of the property is used for residential rental dwellings and contains no more than 50 rental dwelling units, of which at least 50 percent are rent regulated accommodations. For the first category, adversely affected by COVID-19 means the income of the property owner declined for any six month between March 7, 2020 and June 30, 2021 by at least 50 percent as compared to the corresponding period in the previous 12 months. For the second category, adversely affected by COVID-19 means the income of the property owner declined between March 7, 2020 and June 30, 2021, by at least 25 percent for any six-month period as compared to the corresponding period in the previous 12 months. The legislation would require DOF to send notices to all potentially eligible properties whose July 1, 2021 tax bill remains unpaid as of August 1, 2021. Such notice would inform the property owner of their potential eligibility for reduced interest rates.

**EFFECTIVE DATE:** This local law would take effect immediately and would be retroactive to and deemed to have been in effect as of June 1, 2021, except that the Council may take such measures as are necessary for the implementation of this local law, including the adoption of the resolution that is the subject of this local law, on or before such date.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2022

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY21</b>	<b>FY Succeeding Effective FY22</b>	<b>Full Fiscal Impact FY22</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	(\$5,000)	(\$5,000)
<b>Net</b>	\$0	(\$5,000)	(\$5,000)

**IMPACT ON REVENUES:** It is estimated that there would be no impact on revenues resulting from the enactment of this legislation. This legislation would authorize the Council to adopt a late payment interest rate ranging from 3 percent to 7.5 percent for properties that meet specified criteria but would not mandate it. Therefore, since it would not directly effectuate different interest rates, there would be no impact on revenues directly attributed to this legislation. For context, under similar legislation passed last year, specifically Local Law 62 of 2020, DOF waived \$61,809 of interest for 38 properties.

**IMPACT ON EXPENDITURES:** It is estimated that up to 10,000 potentially eligible properties may have unpaid balances as of August 1 and will receive notification of the reduced interest rates. The mailing costs associated with those notifications would cost about 50 cents each, for a total of \$5,000.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** General Fund

**SOURCE OF INFORMATION:** New York City Council Finance Division  
New York City Banking Commission  
New York City Department of Finance

**ESTIMATE PREPARED BY:** Andrew Wilber, Economist

**ESTIMATE REVIEWED BY:** Emre Edev, Assistant Director  
Raymond Majewski, Deputy Director/Chief Economist  
Rebecca Chasan, Senior Counsel

**LEGISLATIVE HISTORY:** This legislation was heard by the Committee on Finance (Committee) as a Preconsidered Introduction on June 11, 2021 and was laid over. The legislation was then introduced as Introduction No. 2331 and referred back to the Committee. The legislation was subsequently amended and the amended legislation, Proposed Int. No. 2331–A, will be considered by the Committee on June 29, 2020. Upon a successful vote by the Committee, the legislation will be submitted to the full Council for a vote on June 29, 2020.

**DATE PREPARED:** June 21, 2020.

**(For text of Int. No. 2350-A and its Fiscal Impact Statement, please see the Report of the Committee on Finance for Int. No. 2350-A printed in these Minutes; for text of Int. No. 2331-A, please see below)**

*Accordingly, this Committee recommends the adoption of Int. Nos. 2331-A and 2350-A.*

**(The following is the text of Int. No. 2331-A:)**

Int. No. 2331-A

By Council Members Chin and Riley.

**A Local Law to authorize adoption by resolution of an interest rate for nonpayment of taxes on real property with an assessed value over two hundred fifty thousand dollars in fiscal year 2022 for certain property owners adversely affected by COVID-19**

*Be it enacted by the Council as follows:*

Section 1. Notwithstanding paragraph (ii) and paragraph (iii) of subdivision (e) of section 11-224.1 of the administrative code of the city of New York, the council may by resolution adopt an interest rate between 3 percent and 7.5 percent for properties with an assessed value of more than \$250,000 and no greater than \$450,000 and an interest rate between 6 percent and 7.5 percent for properties with an assessed value of more than \$450,000 for the nonpayment of taxes due on July 1, 2021 for fiscal year 2022 for real property:



(1) classified as class 2 or class 4 pursuant to section 1802 of the real property tax law with an assessed value of more than \$250,000 and less than \$1,000,000, provided that such taxes are paid no later than December 31, 2021 and that no later than November 30, 2021, the owner of such property submits documentation to the commissioner of finance demonstrating that such owner has been adversely affected by the COVID-19 pandemic, and provided further that nothing herein shall be construed to amend paragraph 6 of subdivision b of section 11-319 of such code; or

(2) with an assessed value over \$250,000 (i) where at least 50 percent of the property is used for residential rental dwellings; and (ii) which contains no more than 50 rental dwelling units of which at least 50 percent are rent regulated accommodations, provided that such taxes are paid no later than December 31, 2021 and that no later than November 30, 2021, the owner of such property submits documentation to the commissioner of finance demonstrating that such owner has been adversely affected by the COVID-19 pandemic, and provided further that nothing herein shall be construed to amend paragraph 6 of subdivision b of section 11-319 of such code.

§ 2. For the purposes of this local law, the following terms shall have the following meanings:

(a) “Adversely affected by the COVID-19 pandemic” means: (1) for real property described in subdivision 1 of section one of this local law, the income of the owner from such real property declined, for any six month period between March 7, 2020 and June 30, 2021, by at least 50 percent as compared to the corresponding period in the previous 12 month period due to COVID-19; and (2) for real property described in subdivision 2 of section one of this local law, the income of the owner from such real property declined, for any six month period between March 7, 2020 and June 30, 2021, by at least 25 percent as compared to the corresponding period in the previous 12 month period due to COVID-19.

(b) “Owner” means a person who is liable for payment of the real property tax on the subject property.

(c) “Rent regulated accommodation” means a dwelling unit required by law or by an agreement with a governmental entity to be regulated in accordance with the emergency tenant protection act of 1974, the rent stabilization law of 1969, the local emergency housing rent control act of 1962.

§ 3. No later than February 1, 2022, the department of finance shall report to the speaker of the council the number of properties for which the lower interest rate was imposed pursuant to the provisions of this local law, the total amount of tax due and the total amount of interest reduced pursuant to this local law, disaggregated by the total amount of tax due and the total amount of interest reduced pursuant to subdivisions 1 and 2 of section one of this local law, and the aggregate value of the real property tax liability of those properties.

§ 4. No later than August 15, 2021, the department of finance shall send a notice to the owner of any real property: (1) classified as class 2 or class 4 pursuant to section 1802 of the real property tax law with an assessed value of more than \$250,000 and less than \$1,000,000 for which taxes for such property due on July 1, 2021 have not been paid as of August 1, 2021; or (2) with an assessed value over \$250,000 and which contains no more than 50 rental dwelling units of which at least 50 percent are rent regulated accommodations for which taxes for such property due on July 1, 2021 have not been paid as of August 1, 2021. Such notice shall advise such owner of the reduced interest rate authorized by this local law for certain owners adversely affected by the COVID-19 pandemic.

§ 5. No later than August 1, 2021, the department of finance shall post a notice on the department of finance’s website describing the reduced interest rate authorized by this local law for certain owners adversely affected by the COVID-19 pandemic. The department shall distribute a print copy of this notice in department of finance business centers. This notice shall be translated pursuant to the requirements of article 11 of chapter 23 of the administrative code of the city of New York.

§ 6. Any outreach session conducted by the department of finance between July 1, 2021 and November 30, 2021 relating to the payment of property taxes must discuss the reduced interest rate authorized by this local law for certain owners adversely affected by the COVID-19 pandemic.

§ 7. This local law takes effect immediately and is retroactive to and deemed to have been in effect as of June 1, 2021, except that the council of the city of New York may take such measures as are necessary for the implementation of this local law, including the adoption of the resolution that is the subject of this local law, on or before such date.

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeager, Rose and Gennaro.*

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

Report for Int. No. 2350-A

**Report of the Committee on Finance in favor of approving and adopting, as amended, a Local Law to authorize adoption by resolution of an interest rate for nonpayment of taxes on real property with an assessed value of two-hundred and fifty thousand dollars or less in fiscal year 2022 for property owners adversely affected by COVID-19.**

The Committee on Finance, to which the annexed proposed amended local law was referred on June 17, 2021 (Minutes, page 1884), respectfully

**REPORTS:**

**For text of report, please see the Report of the Committee on Finance for Int. No. 2331-A printed in these Minutes)**

*The following is the text of the Fiscal Impact Statement for Int. No. 2350-A:*



**THE COUNCIL OF THE CITY OF NEW YORK  
FINANCE DIVISION  
LATONIA MCKINNEY, DIRECTOR  
FISCAL IMPACT STATEMENT  
PROPOSED INTRO. 2350-A  
COMMITTEE: Finance**

---

**TITLE:** A Local Law to authorize adoption by resolution of an interest rate for nonpayment of taxes on real property with an assessed value of two-hundred and fifty thousand dollars or less in fiscal year 2022 for property owners adversely affected by COVID-19. **SPONSOR(S):** Council Members Moya and Riley.

**SUMMARY OF LEGISLATION:** Proposed Int. 2350-A would authorize the Council to adopt a resolution to set a zero percent interest rate charge for the late payment of property taxes due on July 1, 2021 and/or October 1, 2021 that are paid before December 31, 2021 for certain property owners who demonstrate they were adversely affected by the COVID-19 pandemic. Eligible properties include class 1 and condominium properties that either (a) are enrolled in a Property Tax and Interest Deferral Program installment agreement with the Department of

Finance (DOF); or (b) have a property with an assessed value of \$250,000 or less and the property owners have an income of less than \$150,000. Cooperative properties would also be eligible if at least 30 percent of the units were the primary residence of shareholders whose incomes were below \$150,000 and were impacted by COVID-19. Eligible property owners would be required to submit documentation to the Department of Finance demonstrating an adverse impact attributable to COVID-19 no later than November 30, 2021.

The legislation would require DOF to send notices to all potentially eligible properties whose July 1, 2021 tax bill remains unpaid as of August 1, 2021. Such notice would inform the property owner of their potential eligibility for reduced interest rates.

**EFFECTIVE DATE:** This local law would take effect immediately and be retroactive to and deemed to have been in effect as of June 1, 2021, except that the Council may take such measures as are necessary for the implementation of this local law, including the adoption of the resolution that is the subject of this local law, on or before such date.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2022

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY21</b>	<b>FY Succeeding Effective FY22</b>	<b>Full Fiscal Impact FY22</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	(\$45,000)	(\$45,000)
<b>Net</b>	\$0	(\$45,000)	(\$45,000)

**IMPACT ON REVENUES:** It is estimated that there would be no impact on revenues resulting from the enactment of this legislation. This legislation would permit the Council the option of adopting a zero percent interest rate for properties that meet specified criteria, but would not mandate it. Therefore, since it would not directly effectuate different interest rates, there would be no impact on revenues directly attributed to this legislation. For purposes of context, under similar legislation passed last year, specifically Local Law 63 of 2020, DOF waived a total of \$7,316 in interest for 61 properties.

**IMPACT ON EXPENDITURES:** It is estimated that up to 90,000 potentially eligible properties may have unpaid balances as of August 1 and will receive notification of the reduced interest rates. The mailing costs associated with those notifications would cost about 50 cents each, for a total of \$45,000.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** General Fund

**SOURCE OF INFORMATION:** New York City Council Finance Division  
New York City Banking Commission  
New York City Department of Finance

**ESTIMATE PREPARED BY:** Andrew Wilber, Economist

**ESTIMATE REVIEWED BY:** Emre Edev, Assistant Director  
Raymond Majewski, Deputy Director/Chief Economist  
Rebecca Chasan, Senior Counsel

**LEGISLATIVE HISTORY:** This legislation was heard by the Committee on Finance (Committee) as a Preconsidered Introduction on June 11, 2021 and was laid over. The legislation was then introduced as Introduction No. 2350 and referred back to the Committee. The legislation was subsequently amended and the amended legislation, Proposed Int. No. 2350–A, will be considered by the Committee on June 29, 2021. Upon

a successful vote by the Committee, the legislation will be submitted to the full Council for a vote on June 29, 2021.

**DATE PREPARED:** June 21, 2021.

*Accordingly, this Committee recommends its adoption, as amended.*

**(The following is the text of Int. No. 2350-A:)**

Int. No. 2350-A

By Council Members Moya and Riley.

**A Local Law to authorize adoption by resolution of an interest rate for nonpayment of taxes on real property with an assessed value of two-hundred and fifty thousand dollars or less in fiscal year 2022 for property owners adversely affected by COVID-19**

*Be it enacted by the Council as follows:*

Section 1. Notwithstanding paragraph (i) of subdivision (e) of section 11-224.1 of the administrative code of the city of New York, the council may, by resolution pursuant to such subdivision, adopt an interest rate to be charged for nonpayment of taxes on real property due on July 1, 2021 as follows:

a. For property for which, as of July 1, 2021, an owner of such property has an executed agreement with the department of finance for the payment in installments of any real property taxes, assessments or other charges that are made a lien subject to the provisions of chapter 3 of title 11 of the administrative code of the city of New York, pursuant to section 11-322.1 of such code, the interest rate to be charged for nonpayment of taxes on the real property that is the subject of such executed agreement, due on July 1, 2021, on October 1, 2021, or on July 1, 2021 and October 1, 2021, and paid between July 15, 2021 and December 31, 2021 for fiscal year 2022, shall be zero percent, provided that no later than November 30, 2021, such owner submits documentation to the commissioner of finance demonstrating that such owner has been adversely affected by the COVID-19 pandemic.

b. For property with an assessed value of \$250,000 or less, for which the income of the owner of such property, and all the additional owners of such property, during calendar year 2020 was less than \$150,000, the interest rate to be charged for nonpayment of taxes on such property due on July 1, 2021, on October 1, 2021, or on July 1, 2021 and October 1, 2021 and paid between July 15, 2021 and December 31, 2021, shall be zero percent, provided that:

(1) such property has been the primary residence of at least one such owner for an uninterrupted period of not less than one year preceding July 1, 2021, which determination shall be made without regard to any hospitalization or temporary stay in a nursing home or rehabilitation facility; and

(2) no later than November 30, 2021, such owner submits documentation to the commissioner of finance demonstrating that such owner has been adversely affected by the COVID-19 pandemic and that the income of such owner and all the additional owners of such property during calendar year 2020 was less than \$150,000.

c. For a cooperative ownership property, the interest rate to be charged for nonpayment of taxes on such property due on July 1, 2021, on October 1, 2021 or on July 1, 2021 and October 1, 2021, and paid between July 15, 2021 and December 31, 2021 for fiscal year 2022, shall be zero percent, provided that:

(1) thirty percent or more of the dwelling units therein are leased to a shareholder in the corporation that owns such cooperative ownership property: (A) whose income, and the income of all other shareholders who have concurrently leased the same dwelling unit, was less than \$150,000 during calendar year 2020; (B) who used such dwelling unit as a primary residence for an uninterrupted period of not less than one year preceding July 1, 2021, which determination shall be made without regard to any hospitalization or temporary stay in a nursing home or rehabilitation facility; and (C) who has been adversely affected by the COVID-19 pandemic; and

(2) no later than November 30, 2021, the board of directors of such cooperative ownership property certifies to the commissioner of finance that such cooperative ownership property meets the criteria set forth in paragraph one of this subdivision.

d. Nothing in this section shall be construed to amend paragraph 6 of subdivision b of section 11-319 of the administrative code of the city of New York.

e. For the purposes of this section, documentation demonstrating that an owner of a property or a member of the household of such owner was diagnosed with COVID-19, received confirmation from a health professional of having contracted COVID-19 or experienced symptoms of COVID-19 and sought a medical diagnosis shall take the form of a certification executed by such owner on a form provided by the department of finance.

§ 2. For the purposes of this local law, the following terms shall have the following meanings:

a. “Adversely affected by the COVID-19 pandemic” means: (i) the owner of the property or shareholder, as applicable, or a member of the household of such owner or shareholder was diagnosed with COVID-19, received confirmation from a health professional of having contracted COVID-19 or experienced symptoms of COVID-19 and sought a medical diagnosis; or (ii) the loss of the primary source of income because of COVID-19 between March 7, 2020 and June 30, 2021, which continued for at least two months, by the owner of the property or any additional owners of such property, or by the shareholder, as applicable.

b. “Cooperative ownership property” means real property classified as a class 1 or class 2 pursuant to section 1802 of the real property tax law that is held in a cooperative form of ownership and the assessed value for which is less than or equal to the product of \$250,000 and the number of dwelling units in such real property.

c. “Income” has the meaning set forth in subdivision a of section 11-322.1 of the administrative code of the city of New York.

d. “Property” means: (i) real property classified as class 1 pursuant to section 1802 of the real property tax law, or (ii) a dwelling unit in a condominium, except that the term “property” shall not include any cooperative ownership property.

§ 3. Any nonpayment of taxes on real property due on July 1, 2021 or on October 1, 2021 and paid between July 15, 2021 and December 31, 2021, pursuant to subdivisions a, b and c of section one of this local law, shall not be subject to the provisions regarding subsequent tax liens in subdivision a-1 of section 11-319 of the administrative code of the city of New York.

§ 4. No later than February 1, 2022, the department of finance shall report to the speaker of the council the number of properties and cooperative ownership properties for which the zero percent interest rate was imposed pursuant to the provisions of this local law, the total amount of tax due and the total amount of interest reduced pursuant to this local law, disaggregated by the total amount of tax due and the total amount of interest reduced pursuant to each of subdivisions (a), (b) and (c) of section one of this local law, and the aggregate value of the real property tax liability of those properties and cooperative ownership properties.

§ 5. No later than August 15, 2021, the department of finance shall send a notice to the owner of any property with an assessed value of \$250,000 or less and any cooperative ownership property for which taxes for such property due on July 1, 2021 have not been paid as of August 1, 2021. Such notice shall advise such owner of the zero percent interest rate authorized by this local law for certain owners adversely affected by the COVID-19 pandemic.

§ 6. No later than August 1, 2021, the department of finance shall post a notice on the department of finance’s website describing the zero percent interest rate authorized by this local law for certain owners adversely affected by the COVID-19 pandemic. The department shall distribute a print copy of this notice in department of finance business centers. This notice shall be translated pursuant to the requirements of article 11 of chapter 23 of the administrative code of the city of New York.

§ 7. Any outreach session conducted by the department of finance between July 1, 2021 and November 30, 2021 relating to the payment of property taxes must discuss the zero percent interest rate authorized by this local law for certain owners adversely affected by the COVID-19 pandemic.

§ 8. This local law takes effect immediately and is retroactive to and deemed to have been in effect as of June 1, 2021, except that the council of the city of New York may take such measures as are necessary for the implementation of this local law, including the adoption of the resolution that is the subject of this local law, on or before such date.

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS, STEVEN MATTEO; Committee on Finance, *June 30, 2021 (In-person Hearing)*. *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeger, Rose and Gennaro.*

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

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

Report for Res. No. 1691

**Report of the Committee on Finance in favor of approving a Resolution Computing and Certifying Base Percentage, Current Percentage and Current Base Proportion of Each Class of Real Property for Fiscal 2022 to the State Board of Real Property Tax Services Pursuant to Section 1803-a of the Real Property Tax Law.**

The Committee on Finance, to which the annexed preconsidered resolution was referred on June 30, 2021, respectfully

**REPORTS:**

**Introduction.** Section 1803-a of the Real Property Tax Law requires the City Council to certify to the State Board of Real Property Tax Services ("SBRPTS") certain calculations used in the process of updating the class shares from the previous year. These calculations are made every year by the Council to reflect the following changes in each class of real property:

- a. Changes in the market value of taxable real property (as determined by SBRPTS sample studies),
- b. Physical changes as a result of new construction or demolitions,
- c. Changes in taxable status, and
- d. Transfers of real property among the four classes of real property as a result of changes in use or for other reasons.

Under SBRPTS regulations, the Council must update the class shares by making two separate certifications. The action to be taken in the above-referenced resolution constitutes the first step of establishing the class shares of the four classes of taxable real property in the City to which the tax levy for the Fiscal 2022 budget will be applied. The purpose of this step is to give effect to the latest class equalization rates required by Article 18 of the Real Property Tax Law. Using these rates, new estimates of market values for each class are calculated.

The second step, certifying the "adjusted base proportions," is the subject of a separate resolution that takes into account all the changes that are included in the final assessment roll, after the Tax Commission's review of taxpayer protests. Attached hereto, as Exhibit A, are definitions of terms that are used in the analysis below.

**Analysis.** The class equalization rates described above produce prospective current base proportions that show an increase in Classes 1 and 2 above the Fiscal 2021 adjusted base proportion, or "class shares" (as shown in column R of SBRPTS Form RP-6700 attached to the above-captioned resolution), and a decrease in Class 3 and 4 class shares. Pursuant to Section 1803-a(1)(c) of the Real Property Tax Law, if the increase in any class exceeds five percent, the Council is directed to shift the excess (and only the excess) to any other class or classes so long as the shift does not cause the current base proportion of any other class to increase by more than five percent. Class 1 is the only class that exceeds this cap. Therefore, in the above-captioned resolution, the excess above five percent from Class 1 is shifted to Class 3.

As shown in the chart below, the shift of the increase in class share from Class 1 to Class 3 alters the final outcome of the current base proportions. The table below outlines the change in the Fiscal 2022 current base proportion from the Fiscal 2021 adjusted base proportion.

Class	Percent Change Before Shifting Excess to Classes 3	Percent Change After Shifting Excess to Classes 3
1	+ 15.1	+ 5.0
2	+ 4.3	+ 4.3
3	- 18.8	+ 3.1
4	- 6.2	- 6.2

However, these current base proportions must still undergo adjustments for the physical changes and transfers among classes introduced in the final assessment roll. These adjustments ensue in a separate resolution, constituting the Council's second step. The "adjusted base proportions" derived from the adjustments will become the class shares used for allocating the Fiscal 2022 real property tax levy.

**EXHIBIT A**

"Class equalization rate" represents the percentage that the total assessed value of each class is of the market value of the class, as shown in SBRPTS sample studies.

"Base percentage" represents the percentage of total market value that each class constitutes in the 1989 base tax roll. The 1989 base tax roll is the one that was used in setting the tax levy for Fiscal 1990.

"Current percentage" is similar to the base percentage, but applies to the most recent year for which the SBRPTS has established class equalization rates (in this case, the Calendar Year 2020 assessment roll).

"Local base proportions" are the class tax shares used to fix the tax rates for Fiscal 1991.

"Current base proportions" are the local base proportions modified to take into account the market value changes revealed by the latest class equalization rates.

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 1691:)**

Preconsidered Res. No. 1691

**RESOLUTION COMPUTING AND CERTIFYING BASE PERCENTAGE, CURRENT PERCENTAGE AND CURRENT BASE PROPORTION OF EACH CLASS OF REAL PROPERTY FOR FISCAL 2022 TO THE STATE BOARD OF REAL PROPERTY TAX SERVICES PURSUANT TO SECTION 1803-a OF THE REAL PROPERTY TAX LAW.**

By Council Member Dromm.

**Whereas**, This Resolution, dated June 30, 2021, computes and certifies the base percentage, current percentage, and current base proportion of each class of real property for the fiscal year beginning on July 1, 2021 and ending on June 30, 2022 (“Fiscal 2022”) to the State Board of Real Property Tax Services (“SBRPTS”) pursuant to Section 1803-a of the Real Property Tax Law; and

**Whereas**, On February 19, 2021 the SBRPTS certified the final State equalization rate, class ratios and class equalization rates for the City's Fiscal 2021 assessment rolls, required by Article 18 of the Real Property Tax Law; and

**Whereas**, Section 1803-a(1) of the Real Property Tax Law, requires the Council to compute and certify, to the SBRPTS, for each tax levy, the base percentage, the current percentage and the current base proportion of each class of real property in the City subsequent to the date on which the SBRPTS files with the Clerk of the Council a certification setting forth the final state equalization rate, class ratios and class equalization rates for the City's Fiscal 2022 assessment rolls, pursuant to Section 1212 of the Real Property Tax Law; and

**Whereas**, Section 1803-a(1)(c) of the Real Property Tax Law requires that if any increase in the current base proportion for any class of real property, as compared with the previous year's adjusted base proportion for such class of property shall exceed five percent, such excess over five percent must be shifted to any other class of property;

**NOW, THEREFORE**, be it resolved by The Council of The City of New York as follows:

**Section 1. Computation and Certification of Base Percentages, Current Base Percentages and Current Base Proportions for Fiscal 2022.** (a) The Council hereby computes and certifies the base percentage, the current percentage and the current base percentage for the City's Fiscal 2022 assessment rolls as shown on SBRPTS Form RP-6700, attached hereto as Exhibit A and incorporated herein by reference (the "CBP Certificate").

(b) The Clerk of the Council is hereby authorized and directed to execute the CBP Certificate and to file it with the SBRPTS after the date on which the SBRPTS filed with the Clerk of the Council a certification setting forth the final state equalization rate, class ratios and class equalization rates for the City's Fiscal 2022 assessment rolls, pursuant to Section 1212 of the Real Property Tax Law.

**Section 2. Effective Date.** This resolution shall take effect as of the date hereof.

**ATTACHMENT: Exhibit A - the CBP Certificate**

(For text of Exhibit A Chart, known as the “CBP Certificate”, please refer to the legislation section of the New York City Council website <https://www.council.nyc.gov> and search in the attachments section of [the Res. No. 1691 of 2021 file](#))



DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeager, Rose and Gennaro.*

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

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

Report for Res. No. 1692

**Report of the Committee on Finance in favor of approving a Resolution Computing and Certifying Adjusted Base Proportion of Each Class of Real Property for Fiscal 2022 to the State Board of Real Property Tax Services Pursuant to Section 1803-a of the Real Property Tax Law.**

The Committee on Finance, to which the annexed preconsidered resolution was referred on June 30, 2021, respectfully

**REPORTS:**

**Introduction.** The above-captioned resolution completes the certification procedure required by Section 1803-a of the Real Property Tax Law to establish the class shares used in levying the real property taxes for the adopted Fiscal 2022 budget.

In a separate resolution, the Council computed and certified the current base proportions for Fiscal 2022 (the "CBP Resolution"). The above-captioned resolution uses those current base proportions, together with data supplied by the New York City Department of Finance from the final assessment roll released on May 25, 2021, to determine the adjusted base proportions (or class shares) in accordance with the procedure established by the State Board of Real Property Tax Services (the "SBRPTS").

The current base proportion for each class of real property takes into account the market value changes in the class occurring between the assessment roll for the base period, 1989, and the latest roll for which SBRPTS has established class equalization rates, 2020. The CBP Resolution modified the class shares for the Fiscal 2022 property tax levy accordingly. The remaining step, to be taken in the above-captioned resolution, adjusts these current base proportions to take account of the various physical changes (such as demolitions, new construction, changes in exempt status and transfers among classes) that are reflected in the new final assessment roll. The computations called for in the SBRPTS procedure are designed to separate the effects of these physical changes from equalization changes made by local assessors.

**Analysis.** The calculations shown on the SBRPTS Form RP-6702, attached to the above-captioned resolution, modify the share for each class to reflect physical changes. For Fiscal 2022, assessments in all property tax classes undergo a slight impact from physical changes resulting in adjustments to the proportions of the levy assigned to each class. The Fiscal 2022 adjusted base proportions for Classes 1, 2, and 4 decrease from their respective Fiscal 2022 current base proportions by 1.4 percent, 0.4 percent, and 0.1 percent respectively. Conversely, the adjusted base proportion in Class 3 increases by 6.2 percent.

Correspondingly, changes in the adjusted base proportions between Fiscal 2021 and Fiscal 2022, as reported in the table below, reflect increases for Classes 1, 2, and 3, with the adjusted base proportion for Class 4 decreasing.

Comparison of Class Shares for Fiscal 2021 and Fiscal 2022			
Class	Fiscal 2021	Fiscal 2022	Percent Change
1	14.2228	14.7206	+ 3.5
2	37.8149	39.2894	+ 3.9
3	6.5586	7.1806	+ 9.5
4	41.4037	38.8094	- 6.3
Total	100.0000	100.0000	

The tax rates resulting from the use of class shares, or adjusted base proportions, shown above for Fiscal 2022 are compared to the Fiscal 2021 tax rates in the following table.

Comparison of Tax Rates for Fiscal 2021 and Fiscal 2022 (Per \$100 Assessed Value)			
Class	Fiscal 2021	Fiscal 2022	Percent Change
1	\$21.045	\$19.963	- 5.1
2	12.267	12.235	- 0.3
3	12.826	12.289	- 4.2
4	10.694	10.755	+ 0.6

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 1692:)**

Preconsidered Res. No. 1692

**RESOLUTION COMPUTING AND CERTIFYING ADJUSTED BASE PROPORTION OF EACH CLASS OF REAL PROPERTY FOR FISCAL 2022 TO THE STATE BOARD OF REAL PROPERTY TAX SERVICES PURSUANT TO SECTION 1803-a OF THE REAL PROPERTY TAX LAW.**

By Council Member Dromm.

**WHEREAS**, This Resolution, dated June 30, 2021, computes and certifies the adjusted base proportion of each class of real property for the fiscal year beginning on July 1, 2021 and ending on June 30, 2022 (“Fiscal

2022”) to the State Board of Real Property Tax Services (“SBRPTS”) pursuant to Section 1803-a of the Real Property Tax Law; and

**WHEREAS**, On May 25, 2021, pursuant to Section 1514 of the New York City Charter, the Commissioner of the Department of Finance delivered to the Council the certified assessment rolls for all real property assessable for taxation in the City in each borough thereof for Fiscal 2022, a certified copy of which is in the Office of the Clerk of the City pursuant to Section 516 of the Real Property Tax Law (the "Fiscal 2022 Assessment Rolls"); and

**WHEREAS**, Pursuant to Section 1803-a(1) of the Real Property Tax Law the Council adopts herewith a resolution in which the Council computed and certified the current base proportion, the current percentage and the base percentage of each class of real property in the City for Fiscal 2022 (the "Current Base Proportion Resolution"); and

**WHEREAS**, Section 1803-a(5) of the Real Property Tax Law requires the Council, subsequent to the filing of the final Fiscal 2022 Assessment Rolls, to adjust current base proportions computed pursuant to the Current Base Proportion Resolution to reflect additions to and removals from the Fiscal 2022 Assessment Rolls as described therein (each such current base proportion so adjusted to be known as an "Adjusted Base Proportion"); and

**WHEREAS**, Within five days upon determination of the Adjusted Base Proportions, Section 1803-a(6) of the Real Property Tax Law, requires the Council to certify, to the SBRPTS, the Adjusted Base Proportion for each class of real property applicable to the City, the assessed value of all property in each class of real property, the net change in assessed value for each class on the Fiscal 2022 Assessment Rolls resulting from the additions to or removals from the Fiscal 2022 Assessment Rolls as described above, and the net change in assessed value for each class on the Fiscal 2022 Assessment Rolls resulting from changes other than those referred to above;

**NOW, THEREFORE**, be it resolved by The Council of The City of New York as follows:

**Section 1. Computation and Certification of Adjusted Base Proportions and Related Information for Fiscal 2022.** (a) The Council hereby computes and certifies the Adjusted Base Proportion for each class of real property applicable to the City, the assessed value of all property in each class of real property, the net change in assessed value for each class on the Fiscal 2022 Assessment Rolls resulting from the additions to or removals from the Fiscal 2022 Assessment Rolls as described in Section 1803-a(5) of the Real Property Tax Law, and the net change in assessed value for each class on the Fiscal 2022 Assessment Rolls resulting from changes other than those described in Section 1803-a(5) of the Real Property Tax Law, as shown on SBRPTS Form RP-6702, attached hereto as Exhibit A and incorporated herein by reference (the "ABP Certificate").

(b) The Clerk of the Council is hereby authorized and directed to execute the ABP Certificate and to file it with the SBRPTS no later than five days after the date hereof.

**Section 2. Effective Date.** This resolution shall take effect as of the date hereof.

**ATTACHMENT: Exhibit A - the ABP Certificate**

(For text of Exhibit A Chart, known as the "ABP Certificate", please refer to the legislation section of the New York City Council website at <https://www.council.nyc.gov> and search in the attachments section of [the Res. No. 1692 of 2021 file](#))

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeger, Rose and Gennaro.*

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

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

Report for Res. No. 1693

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

The Committee on Finance, to which the annexed preconsidered resolution was referred on June 30, 2021, respectfully

**REPORTS:**

Introduction. The Council of the City of New York (the “Council”) annually adopts the City’s budget covering expenditures other than for capital projects (the “expense budget”) pursuant to Section 254 of the Charter. On June 14, 2018, the Council adopted the expense budget for fiscal year 2019 with various programs and initiatives (the “Fiscal 2019 Expense Budget”). On June 19, 2019, the Council adopted the expense budget for fiscal year 2020 with various programs and initiatives (the “Fiscal 2020 Expense Budget”). On June 30, 2020, the Council adopted the expense budget for fiscal year 2021 with various programs and initiatives (the “Fiscal 2021 Expense Budget”).

Analysis. In an effort to continue to make the budget process more transparent, the Council is providing a list setting forth new designations and/or changes in the designation of certain organizations receiving funding in accordance with the Fiscal 2021 Expense Budget, a change in the designation of a certain organization receiving funding in accordance with the Fiscal 2020 Expense Budget, and amendments to the description for the Description/Scope of Services of certain organizations receiving funding in accordance with the Fiscal 2021, Fiscal 2020, and Fiscal 2019 Expense Budgets.

This Resolution, dated June 29, 2021, approves the new designation and the changes in the designation of certain organizations receiving local, youth, aging, and anti-poverty discretionary funding and funding for certain initiatives in accordance with the Fiscal 2021 Expense Budget, approves the change in the designation of a certain organization receiving local discretionary funding in accordance with the Fiscal 2020 Expense Budget, and amends the description for the Description/Scope of Services of certain organizations receiving local, youth, aging, and anti-poverty discretionary funding and funding for certain initiatives in accordance with Fiscal 2021, Fiscal 2020, and Fiscal 2019 Expense Budgets.

This Resolution sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2021 Expense Budget, as described in Chart 1; sets forth the changes in the designation of certain organizations receiving youth discretionary funding pursuant to the Fiscal 2021 Expense Budget, as described in Chart 2; sets forth the changes in the designation of certain organizations receiving aging discretionary funding, as described in Chart 3; sets forth the new designation and the changes in the designation of certain organizations receiving anti-poverty discretionary funding pursuant to the Fiscal 2021 Expense Budget, as described in Chart 4; sets forth the new designation and the changes in the

designation of certain organizations receiving funding pursuant to certain initiatives pursuant to the Fiscal 2021 Expense Budget, as described in Charts 5-11; sets forth the change in the designation of a certain organization receiving local discretionary funding pursuant to the Fiscal 2020 Expense Budget, as described in Chart 12; amends the description for the Description/Scope of Services for certain organizations receiving local, youth, aging, and anti-poverty discretionary funding and funding for certain initiatives in accordance with the Fiscal 2021 Expense Budget, as described in Chart 13; amends the description for the Description/Scope of Services for certain organizations receiving local discretionary funding in accordance with the Fiscal 2020 Expense Budget, as described in Chart 14; amends the description for the Description/Scope of Services for a certain organization receiving funding for a certain initiative in accordance with the Fiscal 2019 Expense Budget, as described in Chart 15.

Specifically, Chart 1 sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2021 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 2 sets forth the new designation and the changes in the designation of certain organizations receiving youth discretionary funding pursuant to the Fiscal 2021 Expense Budget.

Chart 3 sets forth the changes in the designation of certain organizations receiving aging discretionary funding pursuant to the Fiscal 2021 Expense Budget.

Chart 4 sets forth the new designation and the changes in the designation of certain organizations receiving anti-poverty discretionary funding pursuant to the Fiscal 2021 Expense Budget. One such change will be effectuated upon a budget modification.

Chart 5 sets forth the change in the designation of a certain organization receiving funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2021 Expense Budget.

Chart 6 sets forth the new designation and the change in the designation of certain organizations receiving funding pursuant to the Speaker's Initiative to Address Citywide Needs Initiative in accordance with the Fiscal 2021 Expense Budget.

Chart 7 sets forth the new designation and the change in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2021 Expense Budget.

Chart 8 sets forth the new designation and the change in the designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2021 Expense Budget.

Chart 9 sets forth the new designation and the change in the designation of certain organizations receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2021 Expense Budget.

Chart 10 sets forth the new designation and the change in the designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2021 Expense Budget. All such changes will be effectuated upon a budget modification.

Chart 11 sets forth the change in the designation of a certain organization receiving funding pursuant to the Art a Catalyst for Change Initiative in accordance with the Fiscal 2021 Expense Budget.

Chart 12 sets forth the change in the designation of a certain organization receiving local discretionary funding pursuant to the Fiscal 2020 Expense Budget.

Chart 13 amends the description for the Description/Scope of Services for certain organizations receiving local, youth, aging, and anti-poverty discretionary funding and funding for certain initiatives in accordance with the Fiscal 2021 Expense Budget.

Chart 14 amends the description for the Description/Scope of Services for certain organizations receiving local discretionary funding in accordance with the Fiscal 2020 Expense Budget.

Chart 15 amends the description for the Description/Scope of Services for a certain organization receiving funding in accordance with the NYC Cleanup Initiative in accordance with the Fiscal 2019 Expense Budget.

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

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

Description of Above-captioned Resolution. In the above-captioned Resolution, the Council would approve the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2021, Fiscal 2020 and Fiscal 2019 Expense Budgets. Such Resolution would take effect as of the date of adoption.

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 1693:)**

Preconsidered Res. No. 1693

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

By Council Member Dromm.

**Whereas**, On June 30, 2020, the Council of the City of New York (the “City Council”) adopted the expense budget for fiscal year 2021 with various programs and initiatives (the “Fiscal 2021 Expense Budget”); and

**Whereas**, On June 19, 2019, the City Council adopted the expense budget for fiscal year 2020 with various programs and initiatives (the “Fiscal 2020 Expense Budget”); and

**Whereas**, On June 14, 2018, the City Council adopted the expense budget for fiscal year 2019 with various programs and initiatives (the “Fiscal 2019 Expense Budget”); and

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

**Whereas**, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2020 Expense Budget by approving the change in the designation of a certain organization receiving local discretionary funding in accordance therewith; and

**Whereas**, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2021 Expense Budget by approving new Description/Scope of Services for certain organizations receiving local, youth, aging, and anti-poverty discretionary funding and funding for certain initiatives in accordance therewith; and

**Whereas,** The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2020 Expense Budget by approving new Description/Scope of Services for certain organizations receiving local discretionary funding in accordance therewith; and

**Whereas,** The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2019 Expense Budget by approving new Description/Scope of Services for a certain organization receiving funding in accordance with the a certain initiative in accordance therewith; now, therefore, be it

**Resolved,** That the City Council approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2021 Expense Budget, as set forth in Chart 1; and be it further

**Resolved,** That the City Council approves the new designation and the changes in the designation of certain organizations receiving youth discretionary funding pursuant to the Fiscal 2021 Expense Budget, as set forth in Chart 2; and be it further

**Resolved,** That the City Council approves the changes in the designation of certain organizations receiving aging discretionary funding pursuant to the Fiscal 2021 Expense Budget, as set forth in Chart 3; and be it further

**Resolved,** That the City Council approves the new designation and the changes in the designation of certain organizations receiving anti-poverty discretionary funding pursuant to the Fiscal 2021 Expense Budget, as set forth in Chart 4; and be it further

**Resolved,** That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 5; and be it further

**Resolved,** That the City Council approves the new designation and the change in the designation of certain organizations receiving funding pursuant to the Speaker's Initiative to Address Citywide Needs Initiative in accordance with the Fiscal 2021 Expense Budget as set forth in Chart 6; and be it further

**Resolved,** That the City Council approves the new designation and the change in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 7; and be it further

**Resolved,** That the City Council approves the new designation and the change in the designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 8; and be it further

**Resolved,** That the City Council approves the new designation and the change in the designation of certain organizations receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 9; and be it further

**Resolved,** That the City Council approves the new designation and the change in the designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 10; and be it further

**Resolved,** That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Art a Catalyst for Change Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 11; and be it further

**Resolved,** That the City Council approves the change in the designation of a certain organization receiving local discretionary funding pursuant to the Fiscal 2020 Expense Budget, as set forth in Chart 12; and be it further

**Resolved,** That the City Council approves the approves the amendment of the description for the Description/Scope of Services for certain organizations receiving local, youth, aging, and anti-poverty discretionary funding and funding for certain initiatives in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 13; and be it further

**Resolved,** That the City Council approves the description for the Description/Scope of Services for certain organizations receiving local discretionary funding in accordance with the Fiscal 2020 Expense Budget as set forth in Chart 14; and be it further

**Resolved,** That the City Council approves the description for the Description/Scope of Services for a certain organization receiving funding in accordance with the NYC Cleanup Initiative in accordance with the Fiscal 2019 Expense Budget, as set forth in Chart 15.

(For text of the Exhibit Charts, please refer to the attachments section of [the Res. No. 1693 of 2021 file](#) in the legislation section of the New York City Council website at <https://council.nyc.gov>)

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeger, Rose and Gennaro.*

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

#### Report for M-314

**Report of the Committee on Finance in favor of approving a Communication from the New York City Banking Commission in regard to transmitting recommendations of the interest rate to be charged for Fiscal Year 2022 for non-payment of taxes on real estate and for the discount rate to be allowed for early payment of real estate taxes for Fiscal Year 2022, pursuant to the City Charter.**

The Committee on Finance, to which the annexed communication was referred on May 27, 2021, respectfully

#### REPORTS:

**(For related resolutions, please see the Reports of the Committee on Finance for Res. Nos. 1694, 1695, 1696, 1697, and 1698, respectively, printed below in these Minutes)**

*Accordingly, this Committee recommends its adoption.*

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS, STEVEN MATTEO; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeger, Rose and Gennaro.*

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



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

Report for Res. No. 1694

**Report of the Committee on Finance in favor of approving a Resolution to establish that the interest rate be three percent per annum for Fiscal Year 2022 for non-payment of taxes on properties with an assessed value of no greater than \$250,000, or no greater than \$250,000 per residential unit for cooperative apartments.**

The Committee on Finance, to which the annexed preconsidered resolution was referred on June 30, 2021, respectfully

**REPORTS:**

Section 11-224.1 of the Administrative Code of the City of New York requires the New York City Banking Commission (the “Banking Commission”) to send a written recommendation to the City Council of proposed interest rates to be charged for late payment of property taxes no later than the 13th day of May each year. In making such recommendation, the Banking Commission must consider the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the “Prime Rate”). Specifically, the Banking Commission must propose rates that meets the following requirements:

- for real property with an assessed value of \$250,000 or less, or \$250,000 or less per residential unit for cooperative apartments,<sup>64</sup> the recommended interest rate shall be at least equal to the Prime Rate;
- for real property with an assessed value of more than \$250,000 and no greater than \$450,000, or more than \$250,000 and no greater than \$450,000 per residential unit for cooperative apartments,<sup>65</sup> the recommended interest rate shall be at least four percent per annum greater than the Prime Rate; and
- for real property with an assessed value of over \$450,000, or over \$450,000 per residential unit for cooperative apartments,<sup>66</sup> the recommended interest rate shall be at least six percent per annum greater than the Prime Rate.

By letter dated May 13, 2021, the Banking Commission identified the Prime Rate as three and one-quarter percent (3.25%) and recommended to the Council the following rates for late payment of property taxes:

- for real property with an assessed value of \$250,000 or less, or \$250,000 or less per residential unit for cooperative apartments, its recommended interest rate was three and one-quarter percent (3.25%) per annum in the first quarter (July 1, 2021 to September 30, 2021) and four and one-half percent (4.5%) per annum in the second, third, and fourth quarters (October 1, 2021 to June 30, 2022);
- for real property with an assessed value of more than \$250,000 and no greater than \$450,000, or more than \$250,000 and no greater than \$450,000 per residential unit for cooperative apartments, its recommended interest rate was twelve percent per annum; and
- for real property with an assessed value of over \$450,000, or over \$450,000 per residential unit for cooperative apartments, its recommended interest rate was 18 percent per annum.

As required by Local Law 30 of 2015, the Banking Commission included with its recommendation a report detailing the factors considered when determining the recommendation. For the Fiscal Year 2022 recommendation, the Banking Commission considered the penalty rates used by other property tax collectors, and the interest rates charged for mortgages and home equity lines of credit.

<sup>1</sup> To be deemed \$250,000 or less, the cooperative apartment must be located in a building where the average assessed value of units is \$250,000 or less.

<sup>65</sup> To be deemed more than \$250,000 and no greater than \$450,000, the cooperative apartment must be located in a building where the average assessed value of units is more than \$250,000 and no greater than \$450,000.

<sup>66</sup> To be deemed over \$450,000, the cooperative apartment would have to be located in a building where the average assessed valuation of units is over \$450,000.

Pursuant to section 11-224.1 of the Administrative Code, the Council adopts by resolution interest rates that are lower than the rates recommended by the Banking Commission:

- for real property with an assessed value of \$250,000 or less, or \$250,000 or less per residential unit for cooperative apartments, the adopted interest rate is three percent per annum;
- for real property with an assessed value of more than \$250,000 and no greater than \$450,000, or more than \$250,000 and no greater than \$450,000 per residential unit for cooperative apartments, the adopted interest rate is six percent per annum; and
- for real property with an assessed value of over \$450,000, or over \$450,000 per residential unit for cooperative apartments, the adopted interest rate is 13 percent per annum.

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 1694:)**

Preconsidered Res. No. 1694

**Resolution to establish that the interest rate be three percent per annum for Fiscal Year 2022 for non-payment of taxes on properties with an assessed value of no greater than \$250,000, or no greater than \$250,000 per residential unit for cooperative apartments.**

By Council Member Dromm.

**Whereas**, Pursuant to Section 11-224.1 of the Administrative Code of the City of New York the Banking Commission is required to recommend to the City Council, not later than the 13th day of May of each year, the proposed interest rate to be charged for non-payment of taxes on properties with an assessed value of no greater than \$250,000, or no greater than \$250,000 per residential unit for cooperative apartments; and

**Whereas**, The Banking Commission is required to propose a rate at least equal to the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the "Prime Rate"); and

**Whereas**, The Banking Commission notes that as of May 13, 2021, the Prime Rate stands at three and one-quarters percent as published by the Board of Governors of the Federal Reserve System; and

**Whereas**, It is in the best interest of the City to encourage the prompt payment of taxes on real estate by all taxpayers; and

**Whereas**, The Banking Commission forwarded its recommendation to the Council, by letter dated May 13, 2021, that the interest rate to be charged for the non-payment of taxes on properties with an assessed value of no greater than \$250,000, or no greater than \$250,000 per residential unit for cooperative apartments, be three and one-quarter percent (3.25%) per annum in the first quarter (July 1, 2021 to September 30, 2021) and four and one-half percent (4.5%) per annum in the second, third, and fourth quarters (October 1, 2021 to June 30, 2022); now, therefore, be it

**Resolved**, That the Council of the City of New York establishes that the interest rate be three percent per annum for Fiscal Year 2022 for non-payment of taxes on properties with an assessed value of no greater than \$250,000, or no greater than \$250,000 per residential unit for cooperative apartments.

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS, STEVEN MATTEO; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeager, Rose and Gennaro.*

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

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

Report for Res. No. 1695

**Report of the Committee on Finance in favor of approving a Resolution to establish that the interest rate be six percent per annum for Fiscal Year 2022 for non-payment of taxes on properties with an assessed value of more than \$250,000 and no greater than \$450,000, or more than \$250,000 and no greater than \$450,000 per residential unit for cooperative apartments.**

The Committee on Finance, to which the annexed preconsidered resolution was referred on June 30, 2021, respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Finance for Res. No. 1694 printed in these Minutes)**

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 1695:)**

Preconsidered Res. No. 1695

**Resolution to establish that the interest rate be six percent per annum for Fiscal Year 2022 for non-payment of taxes on properties with an assessed value of more than \$250,000 and no greater than \$450,000, or more than \$250,000 and no greater than \$450,000 per residential unit for cooperative apartments.**

By Council Member Dromm.

**Whereas**, Pursuant to Section 11-224.1 of the Administrative Code of the City of New York the Banking Commission is required to recommend to the City Council, not later than the 13th day of May of each year, the proposed interest rate to be charged for non-payment of taxes on properties with an assessed value of more than \$250,000 and no greater than \$450,000, or more than \$250,000 and no greater than \$450,000 per residential unit for cooperative apartments;

**Whereas**, The Banking Commission is required to propose a rate at least four percent per annum greater than the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the "Prime Rate"); and

**Whereas**, The Banking Commission notes that as of May 13, 2021, the Prime Rate stands at three and one-quarters percent as published by the Board of Governors of the Federal Reserve System; and

**Whereas**, It is in the best interest of the City to encourage the prompt payment of taxes on real estate by all taxpayers; and

**Whereas**, The Banking Commission forwarded its recommendation to the Council, by letter dated May 13, 2021, that the interest rate to be charged for the non-payment of taxes on properties with an assessed value of more than \$250,000 and no greater than \$450,000, or more than \$250,000 and no greater than \$450,000 per residential unit for cooperative apartments, be 12 percent per annum; now, therefore, be it

**Resolved**, That the Council of the City of New York establishes that the interest rate be six percent per annum for Fiscal Year 2022 for non-payment of taxes on properties with an assessed value of more than \$250,000

and no greater than \$450,000, or more than \$250,000 and no greater than \$450,000 per residential unit for cooperative apartments.

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeager, Rose and Gennaro.*

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

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

Report for Res. No. 1696

**Report of the Committee on Finance in favor of approving a Resolution to establish that the interest rate be 13 percent per annum for Fiscal Year 2022 for non-payment of taxes on properties with an assessed value of more than \$450,000, or more than \$450,000 per residential unit for cooperative apartments.**

The Committee on Finance, to which the annexed preconsidered resolution was referred on June 30, 2021, respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Finance for Res. No. 1694 printed in these Minutes)**

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 1696:)**

Preconsidered Res. No. 1696

**Resolution to establish that the interest rate be 13 percent per annum for Fiscal Year 2022 for non-payment of taxes on properties with an assessed value of more than \$450,000, or more than \$450,000 per residential unit for cooperative apartments.**

By Council Member Dromm.

**Whereas**, Pursuant to Section 11-224.1 of the Administrative Code of the City of New York the Banking Commission is required to recommend to the City Council, not later than the 13th day of May of each year, the proposed interest rate to be charged for non-payment of taxes on properties with an assessed value of more than \$450,000, or more than \$450,000 per residential unit for cooperative apartments; and

**Whereas**, The Banking Commission is required to propose a rate at least six percent per annum greater than the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the "Prime Rate"); and

**Whereas**, The Banking Commission notes that as of May 13, 2021, the Prime Rate stands at three and one-quarters percent as published by the Board of Governors of the Federal Reserve System; and

**Whereas,** It is in the best interest of the City to encourage the prompt payment of taxes on real estate by all taxpayers; and

**Whereas,** The Banking Commission forwarded its recommendation to the Council, by letter dated May 13, 2021, that the interest rate to be charged for the non-payment of taxes on properties with an assessed value of more than \$450,000, or more than \$450,000 per residential unit for cooperative apartments, be 18 percent per annum; now, therefore, be it

**Resolved,** That the Council of the City of New York establishes that the interest rate be 13 percent per annum for Fiscal Year 2022 for non-payment of taxes on properties with an assessed value of more than \$450,000, or more than \$450,000 per residential unit for cooperative apartments.

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeager, Rose and Gennaro.*

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

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

Report for Res. No. 1697

**Report of the Committee on Finance in favor of approving a Resolution to adopt an interest rate of three percent for a portion of Fiscal Year 2022 for the non-payment of taxes on real property with an assessed value of more than \$250,000 and no greater than \$450,000 and an interest rate of six and one-half percent for a portion of Fiscal Year 2022 for the non-payment of taxes on real property with an assessed value of more than \$450,000 for property owners adversely affected by COVID-19, as authorized by the local law for the year 2021 as proposed in introduction number 2331-A.**

The Committee on Finance, to which the annexed preconsidered resolution was referred on June 30, 2021, respectfully

#### **REPORTS:**

Section 11-224.1 of the Administrative Code of the City of New York requires the New York City Banking Commission (the "Banking Commission") to send a written recommendation to the City Council of proposed interest rates to be charged for non-payment of taxes on real property no later than the 13th day of May each year.

The Banking Commission forwarded, by letter dated May 13, 2021, a recommendation that the Council establish an interest rate of 12 percent per annum for real property with an assessed value of more than \$250,000 and no greater than \$450,000, or more than \$250,000 and no greater than \$450,000 per residential unit for cooperative apartments,<sup>1</sup> and 18 percent per annum for real property with an assessed value of over \$450,000,

---

<sup>1</sup> To be deemed more than \$250,000 and no greater than \$450,000, the cooperative apartment must be located in a building where the average assessed value of units is more than \$250,000 and no greater than \$450,000.

or over \$450,000 per residential unit for cooperative apartments.<sup>2</sup> The Banking Commission additionally recommended that the Administration and City Council repeat the late payment interest rate relief enacted for the first quarter of Fiscal Year 2021 and consider local legislation to reduce the late payment interest rate to seven and one-half percent (7.5%) per annum for properties with an assessed value of more than \$250,000 in the first quarter of Fiscal Year 2022 for owners who demonstrate hardship caused by the COVID-19 pandemic.

Proposed Int. 2331-A, sponsored by the Council Member Chin, would authorize the Council to adopt by resolution an interest rate between three percent and seven and one-half percent for qualifying properties with an assessed value of more than \$250,000 and no greater than \$450,000 and between six percent and seven and one-half percent for qualifying properties with an assessed value of more than \$450,000 for the nonpayment of taxes due on July 1, 2021 and paid no later than December 31, 2021 for fiscal year 2022 for real property.

Qualifying properties would include real property classified as class 2 or class 4 pursuant to section 1802 of the real property tax law with an assessed value of more than \$250,000 and less than \$1,000,000, where no later than November 30, 2021, the owner of such property submits documentation to the commissioner of finance demonstrating that the income of the owner from such real property declined, for any six month period between March 7, 2020 and June 30, 2021, by at least 50 percent as compared to the corresponding period in the previous 12 month period due to COVID-19. Qualifying properties would also include properties with an assessed value over \$250,000 where at least 50 percent of the property is used for residential rental dwellings, and which contains no more than 50 rental dwelling units of which at least 50 percent are rent regulated accommodations, where no later than November 30, 2021, the owner of such property submits documentation to the commissioner of finance demonstrating that the income of the owner from such real property declined, for any six month period between March 7, 2020 and June 30, 2021, by at least 25 percent as compared to the corresponding period in the previous 12 month period due to COVID-19;

Proposed Int. 2331-A would be retroactive to and deemed to have been in effect as of June 1, 2021, and would authorize the Council to take such measures as are necessary for its implementation on or before such date, including the adoption of the resolution expressly authorized by the legislation.

This Preconsidered Resolution would set a three percent interest rate for a portion of Fiscal Year 2021 for the non-payment of taxes on real properties with an assessed value of more than \$250,000 and no greater than \$450,000, and a six and one-half percent interest rate for a portion of Fiscal Year 2021 for the non-payment of taxes on real properties with an assessed value of more than \$450,000 for property owners adversely affected by COVID-19, as authorized by the local law for the year 2021 as proposed in introduction number 2331-A. The Preconsidered Resolution would take effect on the same date as the local law for the year 2021 as proposed in introduction number 2331-A would take effect.

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 1697:)**

Preconsidered Res. No. 1697

**Resolution to adopt an interest rate of three percent for a portion of Fiscal Year 2022 for the non-payment of taxes on real property with an assessed value of more than \$250,000 and no greater than \$450,000 and an interest rate of six and one-half percent for a portion of Fiscal Year 2022 for the non-payment of taxes on real property with an assessed value of more than \$450,000 for property owners adversely affected by COVID-19, as authorized by the local law for the year 2021 as proposed in introduction number 2331-A.**

By Council Member Dromm.

**Whereas,** Pursuant to the local law for the year 2021 as proposed in introduction number 2331-A, the Council of the City of New York is authorized to adopt by resolution an interest rate between three percent and

---

<sup>2</sup> To be deemed over \$450,000, the cooperative apartment would have to be located in a building where the average assessed valuation of units is over \$450,000.

seven and one-half percent for qualifying properties with an assessed value of more than \$250,000 and no greater than \$450,000 and between six percent and seven and one-half percent for qualifying properties with an assessed value of more than \$450,000 for the nonpayment of taxes due on July 1, 2021 and paid no later than December 31, 2021 for fiscal year 2022 for real property; and

**Whereas**, Pursuant to the legislation, qualifying properties include real property classified as class 2 or class 4 pursuant to section 1802 of the real property tax law with an assessed value of more than \$250,000 and less than \$1,000,000, where no later than November 30, 2021, the owner of such property submits documentation to the commissioner of finance demonstrating that the income of the owner from such real property declined, for any six month period between March 7, 2020 and June 30, 2021, by at least 50 percent as compared to the corresponding period in the previous 12 month period due to COVID-19; and

**Whereas**, Pursuant to the legislation, qualifying properties also include properties with an assessed value over \$250,000 where at least 50 percent of the property is used for residential rental dwellings, and which contains no more than 50 rental dwelling units of which at least 50 percent are rent regulated accommodations, where no later than November 30, 2021, the owner of such property submits documentation to the commissioner of finance demonstrating that the income of the owner from such real property declined, for any six month period between March 7, 2020 and June 30, 2021, by at least 25 percent as compared to the corresponding period in the previous 12 month period due to COVID-19; now, therefore, be it

**Resolved**, That an interest rate of three percent is hereby adopted for a portion of Fiscal Year 2021 for the non-payment of taxes on real properties with an assessed value of more than \$250,000 and no greater than \$450,000 and an interest rate of six and one-half percent is hereby adopted for a portion of Fiscal Year 2021 for the non-payment of taxes on qualifying real properties with an assessed value of more than \$450,000 for property owners adversely affected by COVID-19 as authorized by the local law for the year 2021 as proposed in introduction number 2331-A; and be it further

**Resolved**, That this resolution shall take effect on the same date as the local law for the year 2021 as proposed in introduction number 2331-A takes effect.

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeager, Rose and Gennaro.*

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

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

Report for Res. No. 1698

**Report of the Committee on Finance in favor of approving a Resolution to adopt an interest rate of zero percent for a portion of Fiscal Year 2022 for the non-payment of taxes on real property with an assessed value of \$250,000 or less for property owners adversely affected by COVID-19 as authorized by the local law for the year 2021 as proposed in introduction number 2350-A.**

The Committee on Finance, to which the annexed preconsidered resolution was referred on June 30, 2021, respectfully

**REPORTS:**

Section 11-224.1 of the Administrative Code of the City of New York requires the New York City Banking Commission (the “Banking Commission”) to send a written recommendation to the City Council of proposed interest rates to be charged for non-payment of taxes on real property no later than the 13th day of May each year.

The Banking Commission forwarded, by letter dated May 13, 2021, a recommendation to the Council to establish an interest rate of three and one-quarter percent (3.25%) per annum in the first quarter (July 1, 2021 to September 30, 2021) and four and one-half percent (4.5%) per annum in the second, third, and fourth quarters (October 1, 2021 to June 30, 2022) for non-payment of taxes of real property where the assessed value on a parcel is \$250,000 or less, or \$250,000 or less per residential unit for cooperative apartments.<sup>1</sup> The Banking Commission additionally recommended that the Administration and City Council repeat the late payment interest rate relief enacted for the first quarter of Fiscal Year 2021 and consider local legislation to reduce the late payment interest rate to zero for properties with an assessed value of no more than \$250,000 in the first quarter of Fiscal Year 2021 for owners who demonstrate hardship caused by the COVID-19 pandemic.

Proposed Int. 2350-A, sponsored by the Council Member Moya, would authorize the City Council to pass a resolution adopting a zero percent interest rate the late payment of property taxes due on July 1, 2021, on October 1, 2021, or on July 1, 2021 and October 1, 2021, and paid between July 15, 2021 and December 31, 2021 for fiscal year 2022 for real property.

To be eligible, such property’s owners would be required to demonstrate to the Department of Finance (DOF) by no later than November 30, 2021 that they were adversely affected by COVID-19 and such property would either have to be subject to a PTAID installment agreement, or with an assessed value of \$250,000 or less whose owners made less than \$150,000 in 2020, and which served as the primary residence of at least one such property owner (and in the case of co-ops, at least 30 percent of the dwelling units held in such common ownership meet the eligibility criteria). Proposed Int. 2350-A would be retroactive to and deemed to have been in effect as of June 1, 2021, and would authorize the Council to take such measures as are necessary for its implementation on or before such date, including the adoption of the resolution expressly authorized by the legislation.

This Preconsidered Resolution would set the zero percent interest rate as authorized by Proposed Int. 2350-A. The Preconsidered Resolution takes effect on the same date as the local law for the year 2021 as proposed in introduction number 2350-A takes effect.

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 1698:)**

Preconsidered Res. No. 1698

**Resolution to adopt an interest rate of zero percent for a portion of Fiscal Year 2022 for the non-payment of taxes on real property with an assessed value of \$250,000 or less for property owners adversely affected by COVID-19 as authorized by the local law for the year 2021 as proposed in introduction number 2350-A.**

By Council Member Dromm.

**Whereas**, Pursuant to the local law for the year 2021 as proposed in introduction number 2350-A, the Council of the City of New York is authorized to adopt by resolution an interest rate of zero percent for a portion of Fiscal Year 2022 for the nonpayment of taxes on real property with an assessed value of \$250,000 or less for property adversely affected by COVID-19; and

**Whereas**, Pursuant to the legislation, the Council is authorized to adopt an interest rate of zero percent for nonpayment of taxes due on July 1, 2021, on October 1, 2021, or on July 1, 2021 and October 1, 2021, and paid between July 15, 2021 and December 31, 2021 for fiscal year 2022, on real property which, as of July 1, 2021,

---

<sup>1</sup> To be deemed \$250,000 or less, the cooperative apartment must be located in a building where the average assessed value of units is \$250,000 or less.



a property owner has an executed agreement with the Department of Finance for the payment in installments of any real property taxes, assessments or other charges that are made a lien subject to the provisions of section 11-322.1 of the Administrative Code of the City of New York, provided that no later than November 30, 2021, such property owner submits documentation to the commissioner of finance demonstrating that such property owner has been adversely affected by the COVID-19 pandemic; and

**Whereas**, Further, pursuant to the legislation the Council is authorized to adopt an interest rate of zero percent for nonpayment of taxes due on July 1, 2021, on October 1, 2021, or on July 1, 2021 and October 1, 2021, and paid between July 15, 2021 and December 31, 2021 for fiscal year 2022, on real property with an assessed value of \$250,000 or less, and for property held in a cooperative form of ownership the assessed value shall be less than or equal to the product of \$250,000 and the number of dwelling units in such real property, for which the income, as defined in section 11-322.1(a) of the Administrative Code of the City of New York, of the owner of such property, and all the additional property owners of such real property, during calendar year 2020 was less than \$150,000, provided that such property has been the primary residence of at least one such property owner for an uninterrupted period of not less than one year preceding July 1, 2021, which determination shall be made without regard to any hospitalization or temporary stay in a nursing home or rehabilitation facility, and provided further that no later than November 30, 2021, such property owner submits documentation to the commissioner of finance demonstrating that such property owner has been adversely affected by the COVID-19 pandemic; and

**Whereas**, Adversely affected by the COVID-19 pandemic means the property owner or a member of the household of such property owner was diagnosed with COVID-19, received confirmation from a health professional of having contracted COVID-19 or experienced symptoms of COVID-19 and sought a medical diagnosis; or the loss of the primary source of income because of COVID-19 between March 7, 2020 and June 30, 2021, which continued for at least two months, by the property owner or any additional property owners of such property, or by the shareholder, as applicable; and

**Whereas**, The subject real property must be classified as class 1 pursuant to section 1802 of the real property tax law, be a dwelling unit in a condominium, or be real property classified as a class 1 or class 2 pursuant to section 1802 of the real property tax law and held in a cooperative form of ownership; now, therefore, be it

**Resolved**, That an interest rate of zero percent is hereby adopted for a portion of Fiscal Year 2022 for the non-payment of taxes on real property with an assessed value of \$250,000 or less for property owners adversely affected by COVID-19 as authorized by the local law for the year 2021 as proposed in introduction number 2350-A; and be it further

**Resolved**, That this resolution shall take effect on the same date as the local law for the year 2021 as proposed in introduction number 2350-A takes effect.

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS, STEVEN MATTEO; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeger, Rose and Gennaro.*

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

## Report for M-300

**Report of the Committee on Finance in favor of approving, as modified, a Communication from the Mayor regarding the submittal of the Expense Revenue Contract Budget, for Fiscal Year 2022, pursuant to Section 249 of the New York City Charter.**

The Committee on Finance, to which the annexed Budget communication was referred on April 29, 2021, (Minutes, page 966) and which same communication was coupled with the Expense-Revenue-Contract Budget resolutions shown below, respectfully

**REPORTS:**

*After careful and due deliberation on the matter, this Committee recommended the approval, as modified, of the Expense-Revenue-Contract Budget for Fiscal Year 2022.*

(For full text of [Res. No. 1699 with Schedule A attachment](#) and [Res. No. 1700 with Schedule B attachment](#), please see, respectively, the attachments section to Res. No. 1699 & Res. No. 1700 on the Council website <https://council.nyc.gov> or the Office of Management and Budget page on the New York City website at <https://www1.nyc.gov/site/omb/publications/publications.page>; for the complete digital text of the related 326-page supporting document entitled "[Adjustments Summary / Schedule C](#)" for FY 2022", please also refer to the New York City Council website at <https://council.nyc.gov>)

*Accordingly, this Committee recommends the adoption of M-300 & Res. No. 1699 & Res. No. 1700.*

In connection herewith, Council Member Dromm offered the following two resolutions (Res Nos. 1699 & 1700):

## Res. No. 1699

**RESOLUTION TO ADOPT A BUDGET APPROPRIATING THE AMOUNTS NECESSARY FOR THE SUPPORT OF THE GOVERNMENT OF THE CITY OF NEW YORK AND THE COUNTIES THEREIN AND FOR THE PAYMENT OF INDEBTEDNESS THEREOF, FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2021 AND ENDING ON JUNE 30, 2022 IN ACCORDANCE WITH THE PROVISIONS OF THE NEW YORK CITY CHARTER.**

By Council Member Dromm:

**RESOLVED**, That the Council hereby adopts the Proposed Fiscal 2022 Budget, as modified to reflect increases, decreases, additions or omissions of units of appropriation and to reflect additions of terms or conditions related to such appropriations as set forth in the schedules hereto (the Fiscal Year 2022 Budget").

*And be it further Resolved;*

## Res. No. 1700

**RESOLUTION TO ADOPT A CONTRACT BUDGET SETTING FORTH, BY AGENCY, CATEGORIES OF CONTRACTUAL SERVICES FOR WHICH APPROPRIATIONS HAD BEEN PROPOSED FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2021 AND ENDING ON JUNE 30, 2022, IN ACCORDANCE WITH THE PROVISIONS OF THE NEW YORK CITY CHARTER.**

By Council Member Dromm:

**RESOLVED**, That the Council hereby adopts the Proposed Fiscal 2022 Contract Budget, as modified to reflect increases, decreases or omissions of such amounts as set forth in the schedules hereto.

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS; Committee on Finance, June 30, 2021 (In-person Hearing).  
*Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeager, Rose and Gennaro.*

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

#### Report for M-301

**Report of the Committee on Finance in favor of approving, as modified, a Communication from the Mayor regarding the submittal of the Executive Capital Budget for Fiscal Year 2022, pursuant to Section 249 of the New York City Charter.**

The Committee on Finance, to which the annexed Budget communication was referred on April 29, 2021, (Minutes, page 966) and which same communication was coupled with the Capital Budget resolutions shown below, respectfully

#### REPORTS:

*After careful and due deliberation on the matter, this Committee recommended the approval, as modified, of the Capital Budget for Fiscal Year 2022.*

(For text of **Res A** and **Res B**, please see, respectively, the attachment section to Res No. 1701 and Res. No. 1702 on the Council website <https://council.nyc.gov>; for the complete digital text of the related 94-page supporting document entitled **“Supporting Detail for Fiscal Year 2022/ Changes to the Executive Capital Budget”**, please also refer to the Office of Management and Budget page on the New York City website at <https://www1.nyc.gov/site/omb/publications/publications.page>).

*Accordingly, this Committee recommends the adoption of M-301 & Res. No. 1701 & Res. No. 1702.*

In connection herewith, Council Member Dromm offered the following two resolutions (Res Nos. 1701 & 1702):

#### Res. No. 1701

**RESOLUTION BY THE NEW YORK CITY COUNCIL PURSUANT TO SECTION 254 OF THE NEW YORK CITY CHARTER, THAT THE CAPITAL BUDGET FOR FISCAL YEAR 2022 AND CAPITAL PROGRAM, BEING THE EXECUTIVE CAPITAL BUDGET FOR FISCAL YEAR 2022 AND PROGRAM AS SUBMITTED BY THE MAYOR AND BY THE BOROUGH PRESIDENTS PURSUANT TO SECTION 249 OF THE NEW YORK CITY CHARTER, INCLUDING RESCINDMENT OF AMOUNTS FROM PRIOR CAPITAL BUDGETS, BE AND THE SAME ARE HEREBY APPROVED IN ACCORDANCE WITH THE FOLLOWING SCHEDULE OF CHANGES (RESOLUTION A).**

By Council Member Dromm:

**RESOLVED**, By the New York City Council pursuant to Section 254 of the New York City Charter, that the Capital Budget for the Fiscal Year 2022 and Capital Program, being the Executive Capital Budget for Fiscal Year 2022 and Program as submitted by the Mayor and by the Borough Presidents pursuant to Section 249 of the New York City Charter, including rescindment of amounts from prior Capital Budgets, be and the same are hereby approved in accordance with the following schedule of changes. (Resolution A)

*And be it further Resolved;*

Res. No. 1702

**RESOLUTION BY THE NEW YORK CITY COUNCIL PURSUANT TO SECTION 254 OF THE NEW YORK CITY CHARTER, THAT THE CAPITAL BUDGET FOR FISCAL YEAR 2022 AND CAPITAL PROGRAM FOR THE ENSUING THREE YEARS, AS SET FORTH IN THE EXECUTIVE CAPITAL BUDGET FOR THE FISCAL YEAR 2022 AND CAPITAL PROGRAM AS SUBMITTED BY THE MAYOR AS AUGMENTED BY THE BOROUGH PRESIDENTS PURSUANT TO SECTION 249 OF THE NEW YORK CITY CHARTER, AND AMENDED BY THE SCHEDULE OF CHANGES APPROVED UNDER RESOLUTION A, INCLUDING AMOUNTS REALLOCATED BY THE RESCINDMENT OF AMOUNTS FROM PRIOR CAPITAL BUDGET APPROPRIATIONS, IS HEREBY ADOPTED IN THE TOTAL AMOUNTS AS FOLLOWS. (RESOLUTION B).**

By Council Member Dromm:

**RESOLVED**, By the City Council pursuant to Section 254 of the New York City Charter, that the Capital Budget for the Fiscal Year 2022 and Capital Program for the ensuing three years, as set forth in the Executive Capital Budget for Fiscal Year 2022 and Capital Program as submitted by the Mayor as augmented by the Borough Presidents pursuant to Section 249 of the New York City Charter, and amended by the schedule of changes approved under Resolution A, including amounts reallocated by the rescindment of amounts from prior Capital Budget appropriations, is hereby adopted in the total amounts as follows. (Resolution B)

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeager, Rose and Gennaro.*

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

Report for M-302

**Report of the Committee on Finance in favor of approving a Communication from the Mayor regarding the submittal of the Proposed City Fiscal Year 2022 Community Development Program, the Proposed CFY'22 Budget, the Proposed Reallocations-the CD XLVII Funds, Proposed CD XLVIII Statement of Objectives and Budget, dated April 27, 2021.**

The Committee on Finance, to which the annexed Budget communication was referred on April 29, 2021 (Minutes, page 966) and which same communication was coupled with the Community Development Program resolution shown below, respectfully

**REPORTS:**

Introduction. The Proposed City Fiscal Year 2022 Community Development Program, Proposed Reallocation of Forty-Seventh Year Community Development Funds, and Proposed Forty-Eighth Year Community Development Program were submitted by the Mayor to the Council on April 27, 2021 and referred to the Committee on Finance.

Analysis. The Committee on Finance held hearings on the 6<sup>th</sup>, 7<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>, 14<sup>th</sup>, 19<sup>th</sup>, 20<sup>th</sup>, 21<sup>st</sup>, 24<sup>th</sup>, and 25<sup>th</sup> of May, 2021. The testimony elicited at these hearings regarding the budget as a whole and with respect to specific needs and projects was supplemented by further data developed at the meetings of the Committee on Finance, and from Council staff and representatives of City agencies. The primary concern of the Committee was that the funding contained in the Proposed City Fiscal Year 2022 Community Development Program would meet the actual and perceived needs of the communities the City of New York comprises.

In its deliberations, the Committee on Finance took into consideration the testimony of the citizenry at the public hearings and the information furnished by Council Members, staff assistants, and City agencies.

As a result of the Committee on Finance’s deliberation, the Committee recommends the following:

1. A City Fiscal Year 2022 Community Development Program totaling \$281,558,000; and
2. A Reallocated Forty-Seventh Year Community Development Program totaling \$281,603,000; and
3. A Forty-Eighth Community Development Program totaling \$260,797,000.

The Committee makes this recommendation with the stipulation that the portion of the Forty-Eighth Year Community Development budget, which will be spent in City Fiscal Year 2023 and not City Fiscal Year 2022, will be subject to review and reallocation in the City Fiscal Year 2023 Community Development budget.

**Community Development Block Grant (CDBG)-Additional Funding**

(Dollars in Millions)

<b>COMMUNITY DEVELOPMENT PROGRAM</b>	<b>PROPOSED BUDGET</b>	<b>PROPOSED CHANGES</b>	<b>REVISED BUDGET</b>
City Fiscal Year 2022 Community Development Program Total:	281.165	0.393	281.558
Reallocated Forty- Seventh Year Community Development Program Total:	281.409	0.194	281.603
Forty-Eighth Year Community Development Program Total:	260.780	0.017	260.797

The proposed changes to the City Fiscal Year 2022 Community Development Program Total are comprised of the addition of \$0.375 for the Food Pantry Services Program, an increase of \$0.014 to the Comprehensive Planning Data and Tools program in the Department of City Planning, and a collective bargaining amount of \$0.004. The Food Pantry Services program will be administered through the Department of Youth and Community Development. Community Development funds will pay for food distribution programs at service organizations targeting low- and moderate-income residents in New York City. Funds are expected to pay for the administrative staff and for food.

Additionally, several programmatic changes were proposed in CFY 2022:

1. Consolidation of several programs that were funded in both CFYs 2021 and 2022. The consolidation, which was a HUD suggestion, is aimed at making CDBG-related documents more accessible and readable.
2. Moving funding for the Community Arts Development Program from the Department of Cultural Affairs to the Department of Small Business Services (SBS). SBS would use the funds to develop strategies to integrate arts and culture into the commercial revitalization work performed under its Avenue NYC program.

**Proposed Revised CY 2021 - Prior Year Funds Projected to be Spent in 2021:**

1. City Educational Facilities: Accessibility Improvements in City Schools  
Total Budget: \$13.065
2. Day Care Center Environmental Health Improvements  
Total Budget: \$3.968
3. DOE School Kitchen Renovations  
Total Budget: \$2.321
4. Inspections in City Shelters  
Total Budget: \$6.542
5. Parks Construction and Renovation Program  
Total Budget: \$3.437
6. Public Housing Rehabilitation Program  
Total Budget: \$170.140
7. Schoolyards to Playgrounds  
Total Budget: \$3.029
8. Recreation Services Planning  
Total Budget: \$2.000

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

## Preconsidered Res. No. 1703

**Resolution approving The City Fiscal Year 2022 Community Development Program, Reallocation of Forty-Seventh Year Community Development Funds, and the Proposed Forty-Eighth Year Community Development Program.**

By Council Member Dromm.

**Whereas**, The Office of Management and Budget has prepared a Proposed City Fiscal Year 2022 Community Development Program, a Proposed Reallocation of Forty-Seventh Year Community Development Funds, and a Proposed Forty-Eighth Year Community Development Program; and

**Whereas**, The Proposed City Fiscal Year 2022 Community Development Program, Proposed Reallocation of Forty-Seventh Year Community Development Funds and Proposed Forty- Eighth Year Community Development Program are provided to the City Council for review and consideration; and

**Resolved**, That the Council of the City of New York hereby agrees to the Proposed Community Development Program for City Fiscal Year 2022 in the amount of \$281,558,000, which reflects an increase of \$393,000 over the Executive Budget as submitted by the Mayor on April 27, 2021; and be it further

**Resolved**, That the Council of the City of New York hereby agrees to the Proposed Reallocation of Forty-Seventh Year Community Development Funds in the amount of \$281,603,000, which reflects an increase of \$194,000 over the Proposed Forty-Seventh Year Community Development Budget as submitted by the Mayor on April 27, 2021; and be it further

**Resolved**, That the Council of the City of New York hereby agrees to the Proposed Forty-Eighth Year Community Development Program in the amount of \$260,797,000 which reflects an increase of \$17,000 over the Proposed Forty-Eighth Year Community Development Program as submitted by the Mayor on April 27, 2021; and be it further

**Resolved**, That the Council of the City of New York hereby shall have the opportunity to review the allocation as part of the City Fiscal Year 2023 budget adoption, of that portion of the Forty-Eighth Community Development budget that will be scheduled to be spent in City Fiscal Year 2023 and not City Fiscal Year 2022.

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeager, Rose and Gennaro.*

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

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

Report for M-317

**Report of the Committee on Finance in favor of approving a Communication from the Office of Management & Budget regarding the transfer of City funds between various agencies in Fiscal Year 2021 to implement changes to the City's expense budget, pursuant to Section 107(b) of the New York City Charter (MN-7).**

The Committee on Finance, to which the annexed preconsidered communication was referred on June 30, 2021 and which same communication was coupled with the resolution shown below, respectfully

**REPORTS:**

Introduction. At a meeting of the Committee on Finance of the City Council of the City of New York (the "City Council") on June 30, 2021, the Committee on Finance considered a communication, dated June 29, 2021, from the Office of Management and Budget of the Mayor of The City of New York (the "Mayor"), of a proposed request, attached hereto as Exhibit "1" (the "modification" or "MN-7"), to modify units of appropriation and transfer City funds between various agencies in the amount of \$1,148,225,614 in the Fiscal 2021 expense budget as adopted by the Council on June 30, 2020.

Analysis. The Council annually adopts the City's budget covering expenditures other than for capital projects (the "expense budget") pursuant to Section 254 of the Charter. On June 30, 2020, the Council adopted the expense budget for Fiscal 2021 (the "Fiscal 2021 Expense Budget"). This Modification reallocates appropriations in the amount of \$1,148,225,614 that were reflected in the Fiscal 2021 Adopted Budget to fund City Council local initiatives. The net effect of the Modification is zero.

For more detail on the funding transfer between agencies, see Appendix A of the Modification attached hereto as Exhibit "1."

Procedure. If the Mayor wishes to transfer part or all of any unit of appropriation to another unit of appropriation from one agency to another; or when a transfer from one unit of appropriation to the another, and such transfer results in any unit of appropriation being increased or decreased by the greater of five percent or \$50,000, section 107(b) of the Charter requires that the Mayor must first notify the Council of the proposed action. Within 30 days after the first stated meeting of the Council following receipt of such notice, the Council may disapprove such proposed action. If the Council fails to approve or disapprove such proposed action within such 30-day period, the proposed action becomes effective and the Mayor has the authority to make such transfer.

Description of Above-captioned Resolution. In the above-captioned resolution, the Council would approve the Modification pursuant to Section 107(b) of the Charter. Such resolution would take effect as of the date of approval.

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

Preconsidered Res. No. 1704

**RESOLUTION APPROVING THE MODIFICATION (MN-7) OF UNITS OF APPROPRIATION AND THE TRANSFER OF CITY FUNDS BETWEEN AGENCIES PROPOSED BY THE MAYOR PURSUANT TO SECTION 107(b) OF THE NEW YORK CITY CHARTER.**

By Council Member Dromm.



**Whereas**, At a meeting of the Committee on Finance of the City Council of the City of New York (the “City Council”) on June 30, 2021, the Committee on Finance considered a communication, dated June 29, 2021, from the Office of Management and Budget of the Mayor of The City of New York (the “Mayor”), of a proposed request, attached hereto as Exhibit 1 (the “Modification”), to modify units of appropriation and transfer city funds in the amount of \$1,148,225,614 in the Fiscal 2021 expense budget as adopted by the Council on June 30, 2020, pursuant to Section 107(b) of the Charter of the City of New York (the “Charter”); and

**Whereas**, pursuant to Section 107(b) of the Charter, the City Council has thirty (30) days after the first stated meeting of the City Council following such receipt within which to act upon the Modification;

**NOW, THEREFORE**, The Council of The City of New York hereby resolves as follows:

1. **Approval of Modification.** The City Council hereby approves, pursuant to Section 107(b) of the Charter, the actions proposed by the Mayor as set forth in the Modification.
2. **Effective Date.** This resolution shall take effect as of the date hereof.

(For text of the MN-7 and Appendix A numbers, please see the New York City Council website at <https://council.nyc.gov/> for the respective attachments section of [the M-317 & Res. No. 1704 of 2021 files](#))

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeger, Rose and Gennaro.*

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

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

Report for M-318

**Report of the Committee on Finance in favor of approving a Communication from the Office of Management & Budget regarding the Appropriation of new City revenues in Fiscal Year 2021, pursuant to Section 107(e) of the New York City Charter (MN-8).**

The Committee on Finance, to which the annexed preconsidered communication was referred on June 30, 2021 and which same communication was coupled with the resolution shown below, respectfully

#### **REPORTS:**

**Introduction.** At the meeting of the Committee on Finance of the City Council on June 30, 2021, the Council considered a communication from the Office of Management and Budget of the Mayor, dated June 29, 2021, of a proposed request to modify, pursuant to Section 107(e) of the Charter of the City of New York, the Fiscal 2021 Expense Budget Plan, and the revenue estimate related thereto prepared by the Mayor as of June 29, 2021.

Analysis. The Council annually adopts the City's budget covering expenditures pursuant to Section 254 of the Charter. On June 30, 2020, the Council adopted the expense budget for fiscal year 2021 (the "Fiscal 2021 Expense Budget"). On December 17, 2020, the Council adopted MN-1, modifying the Fiscal 2021 Expense Budget, and MN-2, which appropriated new revenues. On February 25, 2021, the Council adopted MN-3, modifying the Fiscal 2021 Expense Budget, and MN-4, which appropriated new revenues. On May 21, 2021, the Council adopted MN-5, modifying the Fiscal 2021 Expense Budget, and MN-6, which appropriated new revenues. On June 29, 2021, the Mayor submitted to the Council MN-7, modifying the Fiscal 2021 Expense Budget. On June 29, 2021, the Mayor submitted to the Council a revenue estimate MN-8, related to the Fiscal 2021 Expense Budget.

Circumstances have changed since the Council last amended the Fiscal 2021 Expense Budget.

Section 107(e) provides one mechanism for the Mayor and the Council to amend the Expense Budget and related revenue estimate to reflect changes in circumstances that occur after adoption of a budget. Section 107(e) permits the modification of the budget in order to create new units of appropriation, to appropriate new revenues from any source other than categorical federal, state and private funding, or to use previously unappropriated funds received from any source.

Discussion of Above-captioned Resolution. The above-captioned resolution would authorize the modifications to the Fiscal 2021 Expense Budget and related revenue estimate requested in the communication.

This modification (MN-8) seeks to increase revenues in the net amount of \$2.07 billion compared to the most recent Revenue Budget Modification (MN-6). This represents an increase in City funds of approximately 3.1 percent.

MN-8 recognizes \$2.07 billion in increased revenues, including \$2.07 billion in tax revenues, a reduction of \$5.8 million in miscellaneous revenues, and an additional \$205,000 in unrestricted aid.

Tax revenues increased by \$2.07 billion since the April 2021 Financial Plan. The largest contribution to the increase, \$1.6 billion, came from personal income tax collections. Additional tax revenues included \$439 million from the general corporation tax.

Miscellaneous revenues decreased by \$5.8 million. This mostly consisted of a reimbursement from the New York City Water Board.

This budget modification adds \$2.48 billion to prepay Fiscal 2022 expenses. This addition is funded by the \$2.07 billion increase in revenue, and a \$0.41 billion reduction in the General Reserve.

The resolution would also direct the City Clerk to forward a certified copy thereof to the Mayor and the Comptroller so that the Mayor, the Comptroller and the City Clerk may certify the Fiscal 2021 Expense Budget as amended thereby as the budget for the remainder of the fiscal year. The above-captioned resolution would take effect as of the date adopted.

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

Preconsidered Res. No. 1705

**RESOLUTION APPROVING A MODIFICATION (MN-8) PURSUANT TO SECTION 107(e) OF THE CHARTER OF THE CITY OF NEW YORK.**

By Council Member Dromm.

**Whereas**, At a meeting of the Committee on Finance of the City Council of the City of New York (the "City Council") on June 30, 2021, the Committee on Finance considered a communication, dated June 29, 2021, from the Office of Management and Budget of the Mayor of the City of New York (the "Mayor"), of a proposed request to recognize a net increase in revenue pursuant to Section 107(e) of the Charter of the City of New York (the "Charter"), attached hereto as Exhibit A (the "Request to Appropriate"); and

**Whereas**, Section 107(e) of the Charter requires the City Council and the Mayor to follow the procedures and required approvals pursuant to Sections 254, 255, and 256 of the Charter, without regard to the dates specified therein, in the case of the proposed appropriation of any new revenues and the creation of new units of appropriation; and

**Whereas**, Section 107(e) of the Charter requires that any request by the Mayor respecting an amendment of the budget that involves an increase in the budget shall be accompanied by a statement of the source of current revenues or other identifiable and currently available funds required for the payment of such additional amounts, attached hereto as Exhibit B (together with the Request to Appropriate, the "Revenue Modification");

**NOW, THEREFORE**, The Council of the City of New York hereby resolves as follows:

**1. Approval of Modification.** The City Council hereby approves the Revenue Modification pursuant to Section 107(e) of the Charter.

**2. Further Actions.** The City Council directs the City Clerk to forward a certified copy of this resolution to the Mayor and the Comptroller as soon as practicable so that the Mayor, the Comptroller and the City Clerk may certify the Fiscal 2021 Expense Budget as amended by this resolution as the budget for the remainder of the fiscal year.

**3. Effective Date.** This resolution shall take effect as of the date hereof.

(For text of the MN-8 numbers, please see the New York City Council website at <https://council.nyc.gov/> for the respective attachments section of [the M-318 & Res. No. 1705 of 2021 files](#))

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeager, Rose and Gennaro.*

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

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

Report for M- 319

**Report of the Committee on Finance in favor of approving a Communication from the Chancellor regarding the submittal of a proposed amendment to the five-year Capital Plan FY 2020 – 2024.**

The Committee on Finance, to which the annexed preconsidered communication was referred on June 30, 2021 and which same communication was coupled with the resolution shown below, respectfully

### **REPORTS:**

Introduction. Section 2590-p of the State Education Law provides for the submission by the Chancellor of the New York City Department of Education (“Chancellor”) to the Council of the City of New York (“Council”) every five years, of a five-year educational facilities capital plan and amendments thereto. In addition, a memorandum of understanding (“MOU”) entered into by the Chancellor, the Speaker of the Council (the “Speaker”), and the Mayor of the City of New York (the “Mayor”) requires annual amendments to the Plan.

On June 19, 2019 the Council adopted the Five-Year Educational Facilities Capital Plan for the period of July 1, 2020 until June 30, 2024 (“2020 Plan”) for the New York City Public Schools as submitted by the Mayor, pursuant to Section 2590-p of the State Education Law. On February 26, 2021, the Council received a communication from the Chancellor, officially transmitting the proposed annual amendment to the 2020 Plan.

History. Generally, the State Education Law sets forth a planning process for repair, maintenance, and construction work in the City’s public school facilities. As stated above, section 2590-p requires the Chancellor to prepare five-year educational facilities capital plans (“Five-Year Plans”). These Five-Year Plans are required to break down the work proposed to be performed on the school facilities into categories called program elements and to provide cost estimates and start and completion dates for design and construction of projects.

Since the 2002, when the State School Governance Legislation brought the City’s school system under increased Mayoral control, Section 2590-p has required the Speaker and the Mayor to approve the Five-Year Plans. In addition, Section 2590-p provides for Council approval of amendments to the Plans.

On November 10, 2020, the Mayor, the Speaker, and the Chancellor entered into an MOU, which:

- Requires the annual amendment to include siting and/or location of each project (by building or school district, as appropriate), cost estimates, start dates and completion dates for each project;
- Requires an amendment to be submitted within sixty days of any State budgetary action regarding the City’s educational capital facilities that creates a shortfall of funding of 5% or greater for any Plan year;
- Requires each amendment to include an updated Plan showing the projects anticipated over the next year of the Plan, and any changes to such projects that would result from the proposed amendment;
- Requires the Department of Education (“DOE”) and the School Construction Authority (“SCA”) to meet with each City Council Borough Delegation at least once per year, with meeting to be held after the November proposed amendment and, at the discretion of the Delegation, to meet at least one time after the release of the second proposed amendment;
- Requires the SCA to post on its website the Annual Facilities Survey and any Alternate Site Analysis within 30 days of completion and also requires the SCA to update and post on its website quarterly a report detailing the schedules and budgets for all capital projects, disaggregated by school district, currently in process; and
- Prohibits actions or expenditures, excluding those facilitating scope and design or those for emergency projects, in furtherance of any projects to be undertaken in the Plan year that is the subject of the annual amendment to be taken prior to approval of the annual amendment by the Mayor and Council.

Proposed Amendment. On February 26, 2021, the Chancellor submitted to the Council the proposed annual amendment (hereinafter referred to as the “Proposed Amended Plan”) to the 2020 Plan totaling \$19.3 billion, which reflects an increase of \$2.3 billion from the 2020 Plan prior to the Proposed Amended Plan. Such increase is the result of the following actions in the following program areas:

- Capacity Program: an approximate \$162 million increase in the Capacity Program, which now totals \$8.9 billion;
- Capital Investment Program: an approximately \$1.5 billion increase in the Capital Investment Program, which now totals \$6.7 billion; and
- Mandated Programs: an approximately \$554.1 million increase in Mandated Programs, which now totals \$3.6 billion.

Of the \$2.3 billion increase, \$819.5 million is funding provided by the City Council, Borough Presidents, and the Mayor.

Capacity Program (\$162 million increase in funding)

The Proposed Amended Plan increases funding for the Capacity Program from \$8.8 billion to \$8.9 billion. Funding for the Capacity Program, which includes all elements of the plan that result in new or replacement capacity for the system, is provided in four categories, including:

1. New Capacity (\$84 million deduction)

Funding for New Capacity in the Proposed Amended Plan totals \$7.8 billion, which reflects an decrease of \$84 million. The Proposed Amended Plan's New Capacity program which would fund approximately 57,000 new seats. Only those districts and sub-districts where there is an identified need for capacity will receive additional seats.

2. Early Education Initiative (\$39 million increase)

In the Proposed Amended Plan, \$39 million is added to the Pre-Kindergarten Initiative, bringing the total funding level to \$589 million. It would allow for the identification of new locations and provide 684 new pre-Kindergarten seats and 2,235 new 3K seats to children across the City. These funds would create classrooms within existing buildings and new locations.

3. Class Size Reduction Program (\$10 million deduction)

Funding for the Class Size Reduction Program in the Proposed Amended Plan totals \$140 million, which reflects a decrease of \$10 million. The Proposed Amended Plan's Class Size Reduction Program would provide funding to make a investment and commitment to reduce class size citywide and improve diversity within schools by increasing the number of school options available to students.

4. Capacity to Support Removal of Transportable Classroom Units (no proposed changes)

In the Proposed Amended Plan, no additional funding will be added or deducted from the Capacity to Support Removal of Transportable Classroom Units (TCUs), maintaining the current total funding level at \$180 million.

5. Facility Replacement Program (\$217 million increase)

The Facility Replacement Program is intended for the replacement of facilities whose leases will expire during the course of the 2019 Plan and for seats that will otherwise become unavailable. The replacement site could be another lease or a newly constructed building, depending on the available real estate. Funding for the Facility Replacement Program in the Proposed Amended Plan totals \$217 million over the five-year life of the 2019 Plan. Four projects have been identified to take place as part of the Facility Replacement Program.

Capital Investment Program (\$1.1 billion increase)

The Proposed Amended Plan increases funding for the Capital Investment program by \$1.1 billion. The Capital Investment Program now totals almost \$6.7 billion, which is 34.7 percent of the entire \$19.3 billion plan. The Capital Investment Program is comprised of the Capital Improvement Program and School Enhancement Projects.

1. Capital Improvement Program (\$351.3 million increase)

The Proposed Amended Plan increases the funding level for the Capital Improvement Program (“CIP”) by \$351.3 million, bringing the total to \$3.1 billion. The program includes all interior and exterior upgrades to the DOE building stock of approximately 1,300 buildings, including work such as building repairs, system replacements, and reconfiguration of existing school buildings.

The CIP projects are selected for the plan based on the level of need for repair. The need for repair is determined by the Building Conditions Assessment Survey (“BCAS”), a survey mandated by the New York State Education Department that requires visual inspections of every school building to assess the building’s physical condition. The BCAS gives every building component a rating of 1 to 5.

2. School Enhancement Projects (\$377.2 million increase)

Under the Proposed Amended Plan, the School Enhancement Projects include Facility Enhancements (\$1.8 billion) and Technology Enhancements (\$1 billion). These projects are upgrades to instructional spaces in existing buildings. The Proposed Amended Plan reflects an increase of \$110.4 million for Facilities Enhancements, which funds facility adjustments that enable changes to instructional offerings in particular buildings.

For Technology Enhancements, the Proposed Amended Plan includes a funding level of \$1 billion which reflects an increase of \$266.8 million compared to the 2019 Plan.

Mandated Programs (\$554.1 million increase)

Funding for Mandated Programs increased from \$3.1 billion to \$3.6 billion in the Proposed Amended Plan, which is 18.6 percent of the entire 19.3 billion plan. Mandated Programs includes funding for projects required by law or City agency mandate, such as completing the BCAS, emergency lighting, code compliance, prior plan completion costs, and insurance.

Sub-programs funded within Mandated Programs include, but is not limited to:

- Wrap-Up Insurance includes funding for the insurance coverage for the SCA, its contractors, and subcontractors.
- Boiler Conversions and Associated Climate Control covers the conversion of boilers from using the dirtiest and polluting grades of heating fuel, known as residual oil Number 4 or Number 6, to using one of the cleanest, Number 2 oil.
- The Building Conditions Surveys Program includes funding for the completion of the annual facility inspection surveys and an extensive BCAS every year.
- The Emergency, Unspecified, and Miscellaneous category is a category that allows the SCA to respond to any unforeseen needs and emergencies that arise during the course of executing its capital plan.

Description of Above-captioned Resolution. In the above-captioned resolution, the Council would approve the annual amendment to the 2020 Plan pursuant to §2590-p of the State Education Law, and Paragraph (1)(a) of the November 10, 2020 MOU providing for annual amendments. ;

**(For text of School Construction Authority Capital Budget material, please refer to the website of the New York City School Construction Authority at <http://www.nycsca.org/Community/Capital-Plan-Reports-Data#Capital-Plan-67> )**

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

Preconsidered Res. No. 1706

**RESOLUTION APPROVING, PURSUANT TO SECTION 2590-p OF THE STATE EDUCATION LAW AND PARAGRAPH(1)(a) OF THE MEMORANDUM OF UNDERSTANDING, DATED NOVEMBER 10, 2020, AMONG THE MAYOR, THE SPEAKER, AND THE CHANCELLOR, THE AMENDMENT TO THE FIVE-YEAR EDUCATIONAL FACILITIES CAPITAL PLAN FOR 2020-2024 SUBMITTED BY THE CHANCELLOR.**

By Council Member Dromm.

**WHEREAS**, State Education Law Section 2590-p provides for the development and approval, every five years, of a five-year educational facilities capital plan and amendments thereto; and

**WHEREAS**, On June 19, 2019, after extensive discussions and negotiations with the Department of Education over the content and specifics of the proposed 2020-2024 Five-Year Educational Facilities Capital Plan, the Council of the City of New York approved the Five-Year Educational Facilities Capital Plan for the period of July 1, 2019 until June 30, 2024 (“2020 Plan”) pursuant to Section 2590-p of the Education Law for a total budget of \$17 billion; and

**WHEREAS**, On November 10, 2020, the Mayor of the City of New York (“Mayor”), the Speaker of the Council of the City of New York (“Speaker”), and the Chancellor entered into a Memorandum of Understanding (“MOU”), which required, *inter alia*, the Chancellor of the New York City Department of Education (“Chancellor”) to submit annual amendments to the 2020 Plan to the Mayor and the City Council for their respective consideration and approval; and

**WHEREAS**, The MOU also continued reporting requirements on the New York City Department of Education (“DOE”); and

**WHEREAS**, On February 26, 2021, the Chancellor submitted to the Council the Proposed February 2021 Amendment (hereinafter referred to as the “Amendment”) to the 2020 Plan, which would increase funding for the 2020 Plan by \$2.3 billion to \$19.3 billion; and

**WHEREAS**, This Amendment provides \$8.9 billion for the Capacity Program, which includes all elements of the 2020 Plan that result in new or replacement capacity for the educational system; and

**WHEREAS**, This Amendment also provides \$6.7 billion for the Capital Investment Program, which is for the enhancement and repair of existing facilities to improve the quality of infrastructure of buildings and properties; and

**WHEREAS**, This Amendment also provides \$3.6 billion for the Mandated Programs, which are projects required by law or City agency mandate; and

**WHEREAS**, This Amendment also includes funding in the amount of approximately \$819.5 million, which has been provided by the City Council, Borough President, and Mayor/Council sources; now, therefore, be it

**RESOLVED**, That the Council of the city of New York hereby approves, pursuant to Section 2590-p of the State Education Law and Paragraph (1)(a) of the Memorandum of Understanding, dated November 10, 2020, among the Mayor, the Speaker, and the Chancellor, the Amendment to the Five-Year Educational Facilities Capital Plan for 2020-2024 submitted by the Chancellor.

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeager, Rose and Gennaro.*

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

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

Report for M-320

**Report of the Committee on Finance in favor of approving a Resolution of the Council of the City of New York fixing the tax rate for the Fiscal Year 2022, adopted June 30, 2021 upon the recommendation of the Committee on Finance of the Council.**

The Committee on Finance, to which the annexed preconsidered communication was referred on June 30, 2021 and which same communication was coupled with the Tax-Fixing Resolution shown below, respectfully

**REPORTS:**

**Introduction.** This Resolution, dated June 30, 2021, provides the amounts necessary for the support of the government of the City of New York and the counties therein and for the payment of indebtedness thereof, for the fiscal year beginning on July 1, 2021 and ending on June 30, 2022 by the levy of taxes on the real property in the city of New York, in accordance with the provisions of the Constitution of the State of New York, the Real Property Tax law and the New York City Charter.

On April 26, 2021, the Mayor submitted the executive budget for Fiscal 2022 to the Council pursuant to Section 249 of the Charter. On the date hereof, the Council adopted the budget for Fiscal 2022 pursuant to Section 254 of the Charter (the "Fiscal 2022 Budget"). Pursuant to Section 1516 of the Charter, the Council must fix the annual real property tax rates immediately upon such approval of the Fiscal 2022 Budget. In the resolution, captioned above, fixing the real property tax rates for Fiscal 2022 (the "Tax Fixing Resolution"), the Council fixes the annual real property tax rates, as described in greater detail below, and authorizes the levy of real property taxes for Fiscal 2022.

**Determining the Amount of the Real Property Tax Levy.** In the Tax Fixing Resolution, the Council determines the amount of the real property tax levy for Fiscal 2022, pursuant to the provisions of Section 1516 of the Charter, in the following manner. First, the Council acknowledges the amount of the Fiscal 2022 Budget to be \$98,723,402,321 as set forth in the communication from the Mayor pursuant to Section 1515(a) of the



Charter (the "Fiscal 2022 Budget Amount"). The Council then acknowledges the estimate of the probable amount of all non-property tax revenues to be \$69,439,487,321 as set forth in the communication from the Mayor pursuant to Section 1515(a) of the Charter (the "Fiscal 2022 Revenue Estimate"). (Attached hereto as Exhibit A is an itemization of the Fiscal 2022 Revenue Estimate, detailing all sources of revenues exclusive of real property taxes.) Finally, pursuant to Section 1516 of the Charter, the Council determines the net amount required to be raised by tax on real property to be \$30,691,000,000 by subtracting the amount of the Fiscal 2022 Revenue Estimate from the Fiscal 2022 Budget Amount.

In order to achieve a real property tax yield of \$29,283,915,000 however, due to provision for uncollectible taxes and refunds and collection of levies from prior years equal in the aggregate to \$2,352,134,460 the Council determines that a real property tax levy of \$31,636,049,460 is required. Such amount, levied at rates on the classes of real property as further described below will produce a balanced budget within generally accepted accounting principles for municipalities.

The Council also provides for the application of the real property tax levy (net of provision for uncollectible taxes and refunds and collection of levies from prior years) to (1) debt service not subject to the constitutional operating limit, (2) debt service subject to the constitutional operating limit and (3) the Fiscal 2022 Budget in excess of the amount of the Fiscal 2022 Revenue Estimate.

**Authorizing and Fixing the Real Property Tax Rates.** After having determined the amount of the real property tax levy, the Council authorizes and fixes the real property tax rates. On May 25, 2021, the Commissioner of the Department of Finance (the "Commissioner") delivered the certified assessment rolls for all real property assessable for taxation in the City in each borough thereof for Fiscal 2022 to the Council, pursuant to Section 1514 of the Charter (the "Fiscal 2022 Assessment Rolls"). On June 30, 2021 the Council adopted a resolution in which the Council computed and certified the current base proportion, the current percentage and the base percentage of each class of real property in the City for Fiscal 2022 (the "Current Base Proportion Resolution"), pursuant to Section 1803-a(1) of the Real Property Tax Law. On June 30, 2021, pursuant to Section 1803-a(5) of the Real Property Tax Law, the Council adopted a resolution in which the Council adjusted the current base proportions of each class of real property in the City for Fiscal 2022, to reflect the additions to, and full or partial removal from, the Fiscal 2022 Assessment Rolls (the "Adjusted Base Proportion Resolution").

The following sections describe the determinations the Council must make before it fixes the real property tax rates and the process by which the Council fixes the real property tax rates:

*Assessed Valuation Calculations.* In the Tax Fixing Resolution, the Council sets out the assessed valuation calculations of taxable real property in the City by class within each borough of the City. Next, the Council sets out the assessed valuation by class of real property for the purpose of taxation in each borough of the City.

*Compliance with Constitutional Operating Limit Provisions.* In the Tax Fixing Resolution, the Council also provides evidence of compliance with constitutional operating limit provisions. The Council determines that the amount to be levied by tax on real property for the Fiscal 2022 Budget does not exceed the limit imposed by Section 10, Article VIII of the Constitution of the State of New York, as amended, and Article 12-A of the Real Property Tax Law (the "Operating Limit Provisions"). The Operating Limit Provisions require that the City not levy taxes on real property in any fiscal year in excess of an amount equal to a combined total of two and one-half percent (2 ½%) of the average full valuation of taxable real property in the City, determined by taking the assessed valuations of taxable real property on the last completed assessment roll and the four preceding assessment rolls of the City and applying thereto the special equalization ratio which such assessed valuations of each such roll bear to the full valuations as fixed and determined by the State Office of Real Property Services ("ORPS"), minus (i) the amount to be raised by tax on real property in such year for the payment of the interest on and the redemption of certificates of other evidence of indebtedness described in the Constitution and (ii) the aggregate amount of business improvement district charges exclusive of debt service. (Attached hereto as Exhibit

B is an itemization of net reductions of the amounts to be raised by the Fiscal 2022 tax levy as authorized by New York State law for purposes of the Operating Limit determination.)

*Adjusted Base Proportions.* The Tax Fixing Resolution sets forth the adjusted base proportions for Fiscal 2022, pursuant to the Adjusted Base Proportion Resolution, to be used in determining the Fiscal 2022 tax rates for the four classes of property.

*Tax Rates on Adjusted Base Proportions.* Finally, in the Tax Fixing Resolution, the Council authorizes and fixes, pursuant to Section 1516 of the Charter, the rates of tax for Fiscal 2022 by class upon each dollar of assessed valuation of real property subject to taxation for all purposes of, and within, the City, as fixed in cents and thousandths of a cent per dollar of assessed valuation, as follows:

All One-, Two- and Three-Family Residential Real Property .....	0.19963
All Other Residential Real Property .....	0.12235
Utility Real Property.....	0.12289
All Other Real Property .....	0.10755

(Attached hereto as Exhibit C is a history of the tax rates by fiscal year).

**Authorization of the Levy of Property Taxes for Fiscal 2022.** The Council authorizes and directs the Commissioner, pursuant to Section 1517 of the Charter, to set down in the Fiscal 2022 Assessment Rolls, opposite to the several sums set down as the valuation of real property, the respective sums to be paid as a tax thereon and add and set down the aggregate valuations of real property in the boroughs of the City and send a certificate of such aggregate valuation in each such borough to the State Comptroller. The Tax Fixing Resolution then requires the City Clerk to procure the proper warrants, in the form attached thereto, such warrants to be signed by the Public Advocate and counter-signed by the City Clerk.

The Tax Fixing Resolution would take effect as of the date of adoption of the Fiscal 2022 Budget.

**(For text of the Committee Report’s Exhibit A, Exhibit B, and Exhibit C, please refer to the search legislation section of the New York City Council website at [https:// council.nyc.gov](https://council.nyc.gov) for the attachment section to [the Res. No. 1707 of 2021 file](#))**

Accordingly, the Committee on Finance recommends adoption of the Tax Fixing Resolution.

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

Preconsidered Res. No. 1707

**Resolution to provide the amounts necessary for the support of the Government of the City of New York and the counties therein and for the payment of indebtedness thereof, for the Fiscal Year beginning on July 1, 2021 and ending on June 30, 2022 by the levy of taxes on the Real Property in the City of New York, in accordance with the provisions of the constitution of the State of New York, the Real Property Tax Law and the New York City Charter.**

By Council Member Dromm.

**(For text of the Tax-Fixing Resolution Res No. 1707 of 2021, please refer to the search legislation section of the New York City Council website at <https://council.nyc.gov> for [the Res. No. 1707 of 2021 file](#))**

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeager, Rose and Gennaro.*

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

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

Report for L.U. No. 815

**Report of the Committee on Finance in favor of approving a Resolution approving an exemption from real property taxes for property located at (Block 1387, Lot 57; Block 1452, Lot 51; Block 1466, Lots 65 and 67; Block 1470, Lot 29; Block 1987, Lot 71; Block 3208, Lot 50) Brooklyn, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 815).**

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on June 30, 2021 and which same Land Use item was coupled with the resolution shown below, respectfully

#### **REPORTS:**

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

June 30, 2021

TO: Hon. Daniel Dromm  
Chair, Finance Committee  
Members of the Finance Committee

FROM: Rebecca Chasan, Senior Counsel, Finance Division  
Stephanie Ruiz, Assistant Counsel, Finance Division  
Noah Brick, Assistant Counsel, Finance Division

RE: Finance Committee Agenda of June 30, 2021 – Resolutions approving a tax exemption for three Land Use items (Council Districts 14, 15, 34, 35 and 41)

#### **Item 1: TBK902 - Shinda**

TBK902 – Shinda is a Third Part Transfer (“TPT”) Round 9 project consisting of seven buildings located in the Crown Heights, Bedford-Stuyvesant, Ocean Hill/Brownville, and Bushwick sections of Brooklyn. The project includes 95 residential units, comprised of 31 one-bedroom units, 41 two-bedroom units, 16 three-bedroom units, inclusive of one superintendent unit.

Currently, all 95 units are rent stabilized and the properties receive J-51 Benefits. Under the proposed project, S-Five Housing Development Fund Corporation (“HDFC”) would acquire the properties and S-Five Properties LLC (“Company”) would be the beneficial owner. The HDFC and the Company (collectively, “Owner”) financed the rehabilitation of the properties with loans from New York City Department of Housing Preservation and Development (“HPD”) and a private lending institution.

HPD is requesting that the Council approve a full, 40-year Article XI property tax exemption to support the continued affordability for the buildings that will be reduced by an amount equal to any concurrent J-51 Benefits. The Owner and HPD would enter into an amended and restated regulatory agreement that would require that the 48 units be leased to households with incomes up to 70 percent of the Area Median Income (“AMI”), 28 units be leased to households with incomes up to 100 percent of the AMI, and 18 units be leased to households with incomes up to 110 percent of the AMI. The project would also have a new 10 percent homeless set aside.

Summary:

- Borough – Brooklyn
- Block 1387, Lot 57; Block 1452, Lot 51; Block 1466, Lots 65 and 67; Block 1470, Lot 29; Block 1987, Lot 71; Block 3208, Lot 50
- Council Districts – 34, 35, 41
- Council Members – Reynoso, Cumbo, Ampry-Samuel
- Council Members approval –Yes
- Number of buildings – 7
- Number of units – 95
- Type of exemption – Article XI, full, 40 years
- Population – affordable rental housing
- Sponsors – S-Five Housing HDFC; S-FIVE Properties LLC
- Purpose – preservation
- Cost to the city - \$4.5 million
- Housing Code Violations
  - Class A – 14
  - Class B – 10
  - Class C – 3
- AMI target – 48 units at 70% of AMI; 28 units at 100% of AMI; 18 units at 110% of AMI.

**Item 2: University Heights**

University Heights is a project consisting of a building with 104 residential units. The residential units include 75 studio units, and 29 one-bedroom units, inclusive of one superintendent unit.

Sedgwick and North Halls HDFC had an existing Article XI exemption, which it received on March 6, 1980 and was set to expire at the end of March 2022, or upon the sooner prepayment of an existing HUD Section 202 mortgage. On April 16, 2021, the HUD loan was paid off by Seller upon acquisition of the property by 123 West 183 HDFC. The project is now seeking a new 40-year Article XI property tax exemption in order to meet the needs of the project and preserve affordability. The project would be completed using 100 percent equity, but would be refinanced with a to-be-determined mortgage product in the future. Each year of the exemption, the project would pay a base amount of \$207,858, plus 25 percent on future contract rent increases.

HPD is requesting that the Council approve a partial, 40-year Article XI property tax exemption to support the continued affordability for the building. The Owner and HPD would enter into a regulatory agreement that would require that all residential units be leased to households with incomes up to 50 percent of the AMI.

Summary:

- Borough – Bronx
- Block 3225, Lot 48
- Council District – 14
- Council Member – Cabrera
- Council Member approval –Yes
- Number of buildings – 1
- Number of units – 104
- Type of exemption – Article XI, partial, 40 years
- Population – affordable rental housing
- Sponsor – 123 West 183 HDFC; 123 West Senior Apartments LLC
- Purpose – preservation
- Cost to the city - \$2.5 million
- Housing Code Violations
  - Class A – 11
  - Class B – 17
  - Class C – 4
- AMI target – 104 units at 50% of AMI

**Item 3: 2465 Crotona Avenue**

2465 Crotona Avenue is comprised of a 32-unit residential building located in the Belmont neighborhood of the Bronx. The property consists of 15 one-bedrooms, 16 two-bedrooms, and one three-bedroom, inclusive of one superintendent unit. Six of the units are currently market rate and unregulated, but will be placed into rent regulation through this transaction, and 25 units are already subject to rent regulation.

Under the proposed project, 2465 Crotona Avenue HDFC would acquire the property and 2465 Crotona LLC (“Company”) would be the beneficial owner and would manage the building. The HDFC and the Company (collectively, “Owner”) would finance the acquisition and rehabilitation of the building with a loan from HPD’s Green Housing Preservation Program. The anticipated scope of work, deriving from the Integrated Physical Needs Assessment (“IPNA”) conducted in the Fall of 2020, consists of the following items: window replacement, roof replacement, façade repairs, door replacement, sidewalk repairs, and energy efficiency improvements.

HPD is requesting that the Council approve a full, 40-year Article XI property tax exemption to support the continued affordability for the building. The Owner and HPD would enter into a regulatory agreement that would require that five units be leased to households with incomes up to 50 percent of the AMI, 14 units be leased to households with incomes up to 75 percent of the AMI, and 12 units be leased to households with incomes up to 100 percent of the AMI.

Summary:

- Borough – Bronx
- Block 3105, Lot 34
- Council District – 15
- Council Member – Feliz
- Council Member approval –Yes
- Number of buildings – 1
- Number of units – 32
- Type of exemption – Article XI, full, 40 years

- Population – affordable rental housing
- Sponsor – 2465 Crotona Avenue HDFC; 2465 Crotona LLC
- Purpose – preservation
- Cost to the city - \$2.1 million
- AMI target – 5 units at 50% of AMI, 14 units at 75% of AMI, and 12 units at 100% of AMI.

**(For text of the coupled resolutions for L.U. Nos. 816 and 817, please see the Report of the Committee on Finance for L.U. Nos. 816 and 817, respectively, printed in these Minutes; for the coupled resolution for L.U. No. 815, please see below:)**

*Accordingly, this Committee recommends the adoption of L.U. Nos. 815, 816, and 817.*

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

Res. No. 1708

**Resolution approving an exemption from real property taxes for property located at (Block 1387, Lot 57; Block 1452, Lot 51; Block 1466, Lots 65 and 67; Block 1470, Lot 29; Block 1987, Lot 71; Block 3208, Lot 50) Brooklyn, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 815).**

By Council Member Dromm.

**WHEREAS**, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated April 27, 2021 that the Council take the following action regarding a housing project located at (Block 1387, Lot 57; Block 1452, Lot 51; Block 1466, Lots 65 and 67; Block 1470, Lot 29; Block 1987, Lot 71; Block 3208, Lot 50) Brooklyn (“Exemption Area”):

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

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

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

**RESOLVED:**

The Council hereby grants an exemption from real property taxes as follows:

1. For the purposes hereof, the following terms shall have the following meanings:
  - a. “Company” shall mean S-Five Properties LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
  - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
  - c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
  - d. “Exemption Area” shall mean the real property located in the Borough of Brooklyn, City and State of New York, identified as Block 1387, Lot 57, Block 1452, Lot 51, Block 1466, Lots 65

and 67, Block 1470, Lot 29, Block 1987, Lot 71, and Block 3208, Lot 50 on the Tax Map of the City of New York.

- e. "Expiration Date" shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
  - f. "HDFC" shall mean S-Five Properties 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. "J-51 Benefits" shall mean any tax benefits pursuant to Section 489 of the Real Property Tax Law which are in effect on the Effective Date.
  - i. "Owner" shall mean, collectively, the HDFC and the Company.
  - j. "Regulatory Agreement" shall mean the regulatory agreement between HPD and the Owner that is executed on or after March 1, 2021 and that establishes certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
  3. Notwithstanding any provision hereof to the contrary:
    - a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
    - b. The Exemption shall apply to all land in the Exemption Area ,but shall only apply to buildings on the Exemption Area that exist on the Effective Date.
    - c. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.

4. In consideration of the Exemption, the owner of the Exemption Area shall, for so long as the Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, (a) nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities, and (b) the J-51 Benefits shall remain in effect, but the Exemption shall be reduced by the amount of such J-51 Benefits.

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS, STEVEN MATTEO; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeger, Rose and Gennaro.*

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

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

Report for L.U. No. 816

**Report of the Committee on Finance in favor of a Resolution approving an exemption from real property taxes for property located at (Block 3225, Lot 48), Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 816).**

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on June 30, 2021 and which same Land Use item was coupled with the resolution shown below, respectfully

#### **REPORTS:**

**(For text of the Finance Memo, please see the Report of the Committee on Finance for L.U. No. 815 printed in these Minutes)**

*Accordingly, this Committee recommends its adoption.*

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

Res. No. 1709

**Resolution approving an exemption from real property taxes for property located at (Block 3225, Lot 48), Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 816).**

By Council Member Dromm.



**WHEREAS**, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated June 10, 2021 that the Council take the following action regarding a housing project located at (Block 3225, Lot 48), Bronx (“Exemption Area”):

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

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

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

**RESOLVED:**

The Council hereby grants an exemption from real property taxes as follows:

1. For the purposes hereof, the following terms shall have the following meanings:
  - a. “Company” shall mean 123 West Senior Apartments LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
  - b. “Contract Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Contract Rent Differential Tax for the applicable tax year.
  - c. “Contract Rent Differential” shall mean the amount by which the total contract rents applicable to the Exemption Area for such tax year (as adjusted and established pursuant to Section 8 of the United States Housing Act of 1937, as amended) exceed the total contract rents which are authorized as of the Effective Date.
  - d. “Contract Rent Differential Tax” shall mean the sum of (i) \$207,858, plus (ii) twenty-five percent (25%) of the Contract Rent Differential; provided, however, that the total annual real property tax payment by the Owner shall not at any time exceed the lesser of (A) seventeen percent (17%) of the contract rents in the applicable tax year, or (B) the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, if the Owner fails to provide the contract rents on or before the Contract Rent Deadline, Contract Rent Differential Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
  - e. “Effective Date” shall mean April 16, 2021.
  - f. “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 3225, Lot 48 on the Tax Map of the City of New York.
  - g. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the 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.

- h. “HDFC” shall mean 123 West 183 Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
  - i. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
  - j. “New Exemption” shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
  - k. “Owner” shall mean, collectively, the HDFC and the Company.
  - l. “Prior Exemption” shall mean the exemption from real property taxation for the Exemption Area approved by the Board of Estimate on March 6, 1980 (Cal. No. 170).
  - m. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area on or after the date such Regulatory Agreement is executed.
2. The Prior Exemption shall terminate 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, commercial, or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
4. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Contract Rent Differential Tax.
5. 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 a building on the Exemption Area that exists on the Effective Date.
  - c. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
  - d. All previous resolutions, if any, providing an exemption from or abatement of real property taxation with respect to the Exemption Area are hereby revoked as of the Effective Date.

6. In consideration of the New Exemption, the owner of the Exemption Area shall (a) execute and record the Regulatory Agreement, and (b) 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.

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS, STEVEN MATTEO; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeger, Rose and Gennaro.*

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

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

Report for L.U. No. 817

**Report of the Committee on Finance in favor of a Resolution approving an exemption from real property taxes for property located at (Block 3105, Lot 34) Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 817).**

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on June 30, 2021 and which same Land Use item was coupled with the resolution shown below, respectfully

#### **REPORTS:**

**(For text of the Finance Memo, please see the Report of the Committee on Finance for L.U. No. 815 printed in these Minutes)**

*Accordingly, this Committee recommends its adoption.*

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

Res. No. 1710

**Resolution approving an exemption from real property taxes for property located at (Block 3105, Lot 34) Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 817).**

By Council Member Dromm.

**WHEREAS**, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated June 10, 2021 that the Council take the following action regarding a housing project located at (Block 3105, Lot 34) Bronx (“Exemption Area”):

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

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

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

**RESOLVED:**

1. For the purposes hereof, the following terms shall have the following meanings:
  - a. “Company” shall mean 2465 Crotona LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
  - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
  - c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
  - d. “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 3105, Lot 34 on the Tax Map of the City of New York.
  - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
  - f. “HDFC” shall mean 2465 Crotona Avenue 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. “Owner” shall mean, collectively, the HDFC and the Company.
  - i. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
3. Notwithstanding any provision hereof to the contrary:
  - a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with

the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.

- b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that exists on the Effective Date.
  - c. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
4. In consideration of the Exemption, the owner of the Exemption Area shall, for so long as the Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, 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.

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS, STEVEN MATTEO; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeger, Rose and Gennaro.*

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

Report for M-276

**Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the Preliminary Expense, Revenue, and Contract Budget for Fiscal Year 2022, pursuant to Sections 225 and 236 of the New York City Charter.**

The Committee on Finance, to which the annexed communication was referred on January 28, 2021 (Minutes, page 38), respectfully

**REPORTS:**

*(With the Budget for Fiscal Year 2022 expected to be adopted by the Council at the scheduled Stated Meeting of June 30, 2021, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)*

*Accordingly, this Committee recommends its filing.*

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeager, Rose and Gennaro.*

Coupled to be Filed.

Report for M-277

**Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the January 2021 Financial Plan Detail for Fiscal Years 2021-2025, pursuant to Sections 101 and 213 of the New York City Charter.**

The Committee on Finance, to which the annexed communication was referred on January 28, 2021 (Minutes, page 38), respectfully

**REPORTS:**

*(With the Budget for Fiscal Year 2022 expected to be adopted by the Council at the scheduled Stated Meeting of June 30, 2021, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)*

*Accordingly, this Committee recommends its filing.*

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeager, Rose and Gennaro.*

Coupled to be Filed.

Report for M-278

**Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the Geographic Reports for Expense Budget for Fiscal Year 2022, pursuant to Sections 100 and 231 of the New York City Charter.**

The Committee on Finance, to which the annexed communication was referred on January 28, 2021 (Minutes, page 38), respectfully

**REPORTS:**

*(With the Budget for Fiscal Year 2022 expected to be adopted by the Council at the scheduled Stated Meeting of June 30, 2021, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)*

*Accordingly, this Committee recommends its filing.*

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeager, Rose and Gennaro.*

Coupled to be Filed.

Report for M-279

**Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the Departmental Estimates for Fiscal Year 2022, pursuant to Sections 100, 212 and 231 of the New York City Charter.**

The Committee on Finance, to which the annexed communication was referred on January 28, 2021 (Minutes, page 38), respectfully

**REPORTS:**

*(With the Budget for Fiscal Year 2022 expected to be adopted by the Council at the scheduled Stated Meeting of June 30, 2021, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)*

*Accordingly, this Committee recommends its filing.*

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeager, Rose and Gennaro.*

Coupled to be Filed.

Report for M-280

**Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the Preliminary Capital Budget, Fiscal Year 2022, pursuant to Section 213 and 236 of the New York City Charter.**

The Committee on Finance, to which the annexed communication was referred on January 28, 2021 (Minutes, page 39), respectfully

**REPORTS:**

*(With the Budget for Fiscal Year 2022 expected to be adopted by the Council at the scheduled Stated Meeting of June 30, 2021, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)*

*Accordingly, this Committee recommends its filing.*

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeager, Rose and Gennaro.*

Coupled to be Filed.

Report for M-281

**Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the Preliminary Capital Commitment Plan, Fiscal Year 2022, Volumes 1, 2, 3, & 4, pursuant to Section 219 of the New York City Charter.**

The Committee on Finance, to which the annexed communication was referred on January 28, 2021 (Minutes, page 39), respectfully

**REPORTS:**

*(With the Budget for Fiscal Year 2022 expected to be adopted by the Council at the scheduled Stated Meeting of June 30, 2021, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)*

*Accordingly, this Committee recommends its filing.*

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeager, Rose and Gennaro.*

Coupled to be Filed.

Report for M-282

**Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the Preliminary Ten-Year Capital Strategy Fiscal Years 2022-2031, pursuant to Section 215 of the New York City Charter.**

The Committee on Finance, to which the annexed communication was referred on January 28, 2021 (Minutes, page 39), respectfully

**REPORTS:**



*(With the Budget for Fiscal Year 2022 expected to be adopted by the Council at the scheduled Stated Meeting of June 30, 2021, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)*

*Accordingly, this Committee recommends its filing.*

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeager, Rose and Gennaro.*

Coupled to be Filed.

Report for M-303

**Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the Executive Budget Supporting Schedules, for Fiscal Year 2022 pursuant to Section 250 of the New York City Charter.**

The Committee on Finance, to which the annexed communication was referred on April 29, 2021 (Minutes, page 967), respectfully

**REPORTS:**

*(With the Budget for Fiscal Year 2022 expected to be adopted by the Council at the scheduled Stated Meeting of June 30, 2021, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)*

*Accordingly, this Committee recommends its filing.*

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeager, Rose and Gennaro.*

Coupled to be Filed.

Report for M-304

**Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the Capital Commitment Plan, Executive Budget, Fiscal Year 2022, Volumes I, II, III and IV, pursuant to Section 219(d) of the New York City Charter.**

The Committee on Finance, to which the annexed communication was referred on April 29, 2021 (Minutes, page 967), respectfully

**REPORTS:**

*(With the Budget for Fiscal Year 2022 expected to be adopted by the Council at the scheduled Stated Meeting of June 30, 2021, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)*

*Accordingly, this Committee recommends its filing.*

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeager, Rose and Gennaro.*

Coupled to be Filed.

Report for M-305

**Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the Executive Budget - Geographic Reports for Expense Budget for Fiscal Year 2022.**

The Committee on Finance, to which the annexed communication was referred on April 29, 2021 (Minutes, page 967), respectfully

**REPORTS:**

*(With the Budget for Fiscal Year 2022 expected to be adopted by the Council at the scheduled Stated Meeting of June 30, 2021, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)*

*Accordingly, this Committee recommends its filing.*

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeager, Rose and Gennaro.*

Coupled to be Filed.

Report for M-306

**Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the Budget Summary, the Message of the Mayor, and the Citywide Savings Program relative to the Executive Budget, Fiscal Year 2022, pursuant to Section 249 of the New York City Charter.**

The Committee on Finance, to which the annexed communication was referred on April 29, 2021 (Minutes, page 968), respectfully

**REPORTS:**

*(With the Budget for Fiscal Year 2022 expected to be adopted by the Council at the scheduled Stated Meeting of June 30, 2021, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)*

*Accordingly, this Committee recommends its filing.*

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeager, Rose and Gennaro.*

Coupled to be Filed.

Report for M-307

**Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the Ten-Year Capital Strategy, Fiscal Year 2022-2031.**

The Committee on Finance, to which the annexed communication was referred on April 29, 2021 (Minutes, page 968), respectfully

**REPORTS:**

*(With the Budget for Fiscal Year 2022 expected to be adopted by the Council at the scheduled Stated Meeting of June 30, 2021, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)*

*Accordingly, this Committee recommends its filing.*

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, FRANCISCO P. MOYA, KEITH POWERS, DARMA V. DIAZ, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS; Committee on Finance, June 30, 2021 (In-person Hearing). *Other Council Members Attending: Council Members Reynoso, Menchaca, Cabrera, Yeager, Rose and Gennaro.*

Coupled to be Filed.

**GENERAL ORDER CALENDAR**

Report for L.U. No. 790 & Res. No. 1711

**Report of the Committee on Land Use in favor of approving, as modified, Application number C 190118 ZMX (909 Castle Hill Avenue Rezoning) submitted by 510 East Realty Inc., pursuant to Section 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 7a, changing from an R3-2 District to an R6B and establishing within the proposed R6B District a C1-3 District, Borough of the Bronx, Community District 9, Council District 18.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 12, 2021 (Minutes, page 1431) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on June 17, 2021 (Minutes, page 1698), respectfully

**REPORTS:**

**SUBJECT**

**BRONX CB-9 – TWO APPLICATIONS RELATED TO 909 CASTLE HILL AVENUE  
REZONING**

**C 190118 ZMX (L.U. No. 790)**

City Planning Commission decision approving an application submitted by 510 East Realty Inc., pursuant to Sections 197-c and 201 of the NYC Charter for the amendment of the Zoning Map, Section No. 7a:

1. changing from an R3-2 District to an R6B property bounded by Quimby Avenue, Castle Hill Avenue, Story Avenue, a line 180 feet westerly of Castle Hill Avenue, a line midway between Quimby Avenue and Story Avenue, and a line 80 feet westerly of Castle Hill Avenue; and
2. establishing within the proposed R6B District a C1-3 District bounded by Quimby Avenue, Castle Hill Avenue, Story Avenue, and a line 80 feet westerly of Castle Hill Avenue; as shown on a diagram (for illustrative purposes only) dated December 14, 2020, and subject to the conditions of CEQR Declaration E-596.

as shown on a diagram (for illustrative purposes only) dated December 14, 2020 and subject to the conditions of CEQR Declaration E-596.

**N 210096 ZRX (L.U. No. 791)**

City Planning Commission decision approving an application submitted by 510 East Realty Inc., pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

**INTENT**

To approve an amendment to rezone the Project Area from R3-2 zoning district to an R6B/C1-3 and amend the zoning text to establish the Project Area as an MIH Area utilizing Options 1 and 2 to facilitate the construction of a mixed-use building containing a total of approximately 35 units of affordable housing, nine of which would be permanently affordable at 909 Castle Hill Avenue in the Castle Hill neighborhood of Bronx Community District 9.

**PUBLIC HEARING**

**DATE:** May 19, 2021

**Witnesses in Favor:** Four

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** June 1, 2021

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission on L.U. No. 790 and approve with modifications the decision of the City Planning Commission on L.U. No. 791.

**In Favor:**

Moya, Levin, Reynoso, Grodenchik, Ayala, Rivera, Borelli.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** June 16, 2021

The Committee recommends that the Council approve the attached resolutions.

**In Favor:**

Salamanca, Gibson, Barron, Koo, Levin, Miller, Reynoso, Treyger, Grodenchik, Adams, Ayala, R. Diaz Sr., Moya, Rivera, Riley, Brooks-Powers, Feliz, Borelli.

**Against:**

None

**Abstain:**

None.

**FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION**

The City Planning Commission filed a letter dated June 21, 2021, with the Council on June 22, 2021, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 1711

**Resolution approving the decision of the City Planning Commission on ULURP No. C 190118 ZMX, a Zoning Map amendment (L.U. No. 790).**

By Council Members Salamanca and Moya.

**WHEREAS**, 510 East Realty Inc., filed an application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 7a, changing from an R3-2 District to an R6B and establishing within the proposed R6B District a C1-3 District, which in conjunction with the related action would facilitate the construction of a mixed-use building containing a total of approximately 35 units of affordable housing, nine of which would be permanently affordable at 909 Castle Hill Avenue in the Castle Hill neighborhood of Bronx Community District 9 (ULURP No. C 190118 ZMX) (the "Application");

**WHEREAS** the City Planning Commission filed with the Council on May 10, 2021 its decision dated May 5, 2021 (the "Decision") on the Application;

**WHEREAS**, the Application is related to application N 210096 ZRX (L.U. No. 791), 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 May 19, 2020;

**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 December 14<sup>th</sup>, 2020 (CEQR No. 19DCP222X) which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-596) (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-596) 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 190118 ZMX, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

**The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 7a:**

1. changing from an R3-2 District to an R6B property bounded by Quimby Avenue, Castle Hill Avenue, Story Avenue, a line 180 feet westerly of Castle Hill Avenue, a line midway between Quimby Avenue and Story Avenue, and a line 80 feet westerly of Castle Hill Avenue; and

2. establishing within the proposed R6B District a C1-3 District bounded by Quimby Avenue, Castle Hill Avenue, Story Avenue, and a line 80 feet westerly of Castle Hill Avenue; as shown on a diagram (for illustrative purposes only) dated December 14, 2020, and subject to the conditions of CEQR Declaration E-596.

as shown on a diagram (for illustrative purposes only) dated December 14, 2020 and subject to the conditions of CEQR Declaration E-596, Community District 9, Borough of the Bronx.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, VANESSA L. GIBSON, INEZ D. BARRON, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, DIANA AYALA, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Land Use, June 16, 2021 (Remote Hearing).

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

Report for L.U. No. 791 & Res. No. 1712

**Report of the Committee on Land Use in favor of approving, as modified, Application number N 210096 ZRX (909 Castle Hill Avenue Rezoning) submitted by 510 East Realty Inc., pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of the Bronx, Community District 9, Council District 18.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 12, 2021 (Minutes, page 1431) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on June 17, 2021 (Minutes, page 1700), respectfully

#### **REPORTS:**

**(For text of report, please see the Report of the Committee on Land Use for L.U. No. 790 printed in the General Order Calendar section of these Minutes)**

*Accordingly, this Committee recommends its adoption, as modified.*

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

Res. No. 1712

**Resolution approving with modifications the decision of the City Planning Commission on Application No. N 210096 ZRX, for an amendment of the text of the Zoning Resolution (L.U. No. 791).**

By Council Members Salamanca and Moya.

**WHEREAS**, 510 East Realty Inc., filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, which in conjunction with the related action would facilitate the construction of a mixed-use building containing a total of approximately 35 units of

affordable housing, nine of which would be permanently affordable at 909 Castle Hill Avenue in the Castle Hill neighborhood of Bronx Community District 9 (Application No. N 210096 ZRX) (the “Application”);

**WHEREAS**, the City Planning Commission filed with the Council on May 10, 2021, its decision dated May 5, 2021 (the “Decision”), on the Application;

**WHEREAS**, the Application is related to application C 190118 ZMX (L.U. No. 790), a zoning map amendment to change an R3-2 zoning district to an R6B/C1-3 district;

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on May 19, 2021;

**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 December 14<sup>th</sup>, 2020 (CEQR No. 19DCP222X) which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-596) (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-596) 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 210096 ZRX, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission with the following modifications:

Matter underlined is new, to be added;

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

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

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

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

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

\* \* \*

**APPENDIX F**

**Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**



\* \* \*

**THE BRONX**

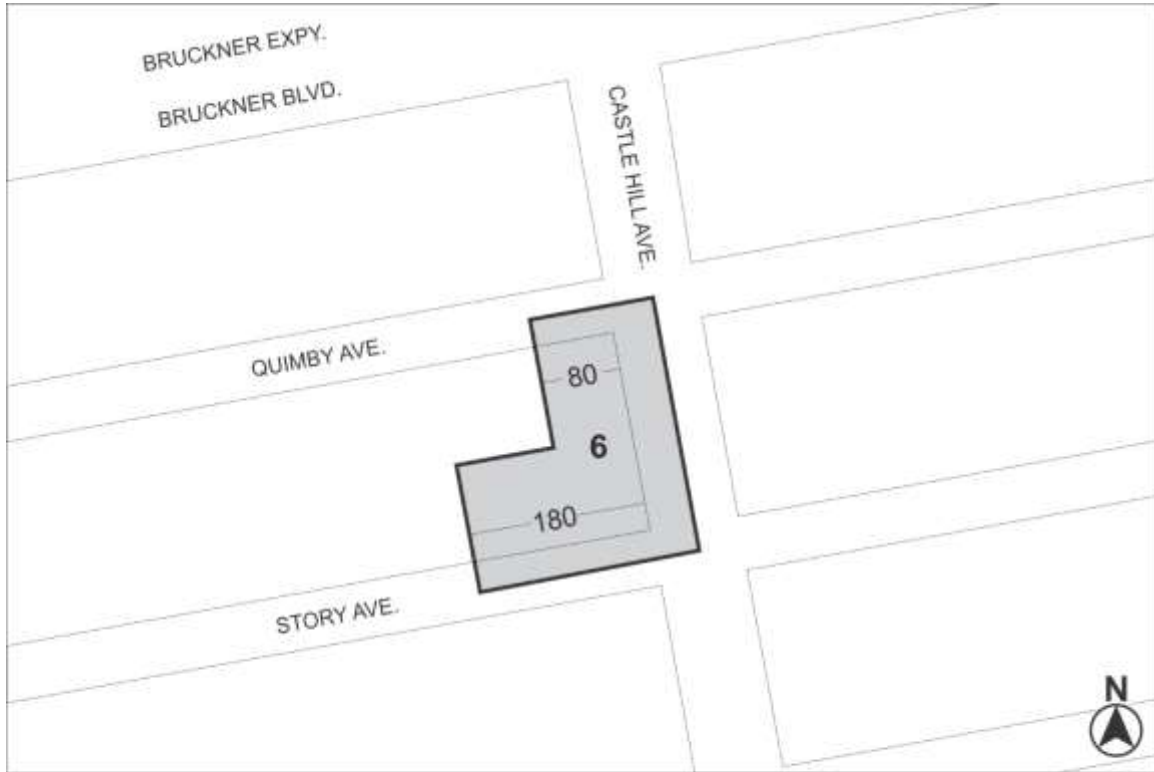
\* \* \*

**The Bronx Community District 9**

\* \* \*

Map 6 - [date of adoption]

[PROPOSED MAP]



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

Area 6 – [date of adoption] – MIH Program Option 1 ~~and Option 2~~

Portion of Community District 9, Bronx

\* \* \*

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, VANESSA L. GIBSON, INEZ D. BARRON, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, DIANA AYALA, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Land Use, June 16, 2021 (Remote Hearing).

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

**ROLL CALL ON GENERAL ORDERS FOR THE DAY**  
**(Items Coupled on General Order Calendar)**

- (1) **M-300 & Res 1699 & Res 1700 -** Submitting the Expense Revenue Contract Budget, for Fiscal Year 2022 (**Budget Resolutions**).
- (2) **M-301 & Res 1701 & Res 1702 -** Submitting the Executive Capital Budget for Fiscal Year 2022 (**Budget Resolutions**).
- (3) **M-302 & Res 1703 -** Proposed City Fiscal Year 2022 Community Development Program, the Proposed CFY'22 Budget, the Proposed Reallocations-the CD XLVII Funds, Proposed CD XLVIII Statement of Objectives and Budget (**CDP Resolution**).
- (4) **M-314 -** NYC Banking Commission - Transmitting recommendations of the interest rate to be charged for FY'22.
- (5) **M-317 & Res 1704 -** Transfer City funds between various agencies in Fiscal Year 2021 to implement changes to the City's expense budget (**MN-7**).
- (6) **M-318 & Res 1705 -** Appropriation of new City revenues in Fiscal Year 2021, pursuant to Section 107(e) of the New York City Charter (**MN-8**).
- (7) **M-319 & Res 1706 -** Proposed amendment to the Five-Year Capital Plan FY 2020 – 2024.
- (8) **M-320 & Res 1707 -** Fixing the Tax Rate for the Fiscal Year 2022, adopted June 30, 2021 upon the recommendation of the Committee on Finance of the Council (**Tax-Fixing Resolution**).
- (9) **Int 2331-A -** Interest rate for nonpayment of taxes on real property with an assessed value over two hundred fifty thousand dollars in Fiscal Year 2022 for certain property owners adversely affected by COVID-19.
- (10) **Int 2350-A -** Interest rate for nonpayment of taxes on real property with an assessed value of two-hundred and fifty

- thousand dollars or less in Fiscal Year 2022 for property owners adversely affected by COVID-19.
- (11) **Res 1691 -** Base Percentage, Current Percentage and Current Base Proportion of Each Class of Real Property for Fiscal 2022 to the State Board of Real Property Tax Services (**CBP Class Shares**).
- (12) **Res 1692 -** Computing and Certifying Adjusted Base Proportion of Each Class of Real Property for Fiscal 2022 to the State Board of Real Property Tax Services (**ABP Class Shares**).
- (13) **Res 1693 -** The new designation and changes in the designation of certain organizations to receive funding in the Expense Budget (**Transparency Resolution**).
- (14) **Res 1694 -** Interest rate be three percent per annum for Fiscal Year 2022 for non-payment of taxes on properties with an assessed value of no greater than \$250,000, or no greater than \$250,000 per residential unit for cooperative apartments.
- (15) **Res 1695 -** Interest rate be six percent per annum for Fiscal Year 2022 for non-payment of taxes on properties with an assessed value of more than \$250,000 and no greater than \$450,000, or more than \$250,000 and no greater than \$450,000 per residential unit for cooperative apartments.
- (16) **Res 1696 -** Interest rate be 13 percent per annum for Fiscal Year 2022 for non-payment of taxes on properties with an assessed value of over \$450,000, or over \$450,000 per residential unit for cooperative apartments.
- (17) **Res 1697 -** Interest rate of three percent for a portion of Fiscal Year 2022 for the non-payment of taxes on real property with an assessed value Fiscal Year 2022, for the non-

- payment of taxes on real property with an assessed value for property owners adversely affected by COVID-19.
- (18) **Res 1698 -** Interest rate of zero percent for a portion of Fiscal Year 2022 for the non-payment of taxes on real property with an assessed value for property owners adversely affected by COVID-19.
- (19) **L.U. 815 & Res 1708 -** TBK902 – Shinda Brooklyn, Community District Nos. 3, 4, 8, and 16, Council District Nos. 34, 35, and 41.
- (20) **L.U. 816 & Res 1709 -** University Heights Bronx, Community District No. 7, Council District No. 14.
- (21) **L.U. 817 & Res 1710 -** 2465 Crotona Avenue, Bronx, Community District No. 6, Council District No. 15.
- (22) **L.U. 790 & Res 1711 –** App. **C 190118 ZMX** (909 Castle Hill Avenue Rezoning) of the Bronx, Community District 9, Council District 18.
- (23) **L.U. 791 & Res 1712 –** App. **N 210096 ZRX** (909 Castle Hill Avenue Rezoning) Borough of the Bronx, Community District 9, Council District 18.
- (24) **M-276 -** Preliminary Expense, Revenue, and Contract Budget for Fiscal Year 2022 **(Coupled to be Filed)**.
- (25) **M-277 -** January 2021 Financial Plan Detail for Fiscal Years 2021-2025 **(Coupled to be Filed)**.
- (26) **M-278 -** Geographic Reports for Expense Budget for Fiscal Year 2022 **(Coupled to be Filed)**.
- (27) **M-279 -** Departmental Estimates for Fiscal Year 2022 **(Coupled to be Filed)**.
- (28) **M-280 -** Preliminary Capital Budget, Fiscal Year 2022 **(Coupled to be Filed)**.

- (29) M-281 - Preliminary Capital Commitment Plan, Fiscal Year 2022, Volumes 1, 2, 3, & 4 **(Coupled to be Filed)**.
- (30) M-282 - Preliminary Ten-Year Capital Strategy Fiscal Years 2022-2031 **(Coupled to be Filed)**.
- (31) M-303 - Executive Budget Supporting Schedules, for Fiscal Year 2022 **(Coupled to be Filed)**.
- (32) M-304 - Capital Commitment Plan, Executive Budget, Fiscal Year 2022, Volumes I, II, III and IV **(Coupled to be Filed)**.
- (33) M-305 - Executive Budget - Geographic Reports for Expense Budget for Fiscal Year 2022 **(Coupled to be Filed)**.
- (34) M-306 - Budget Summary, the Message of the Mayor, and the Citywide Savings Program relative to the Executive Budget, Fiscal Year 2022 **(Coupled to be Filed)**.
- (35) M-307 - Ten-Year Capital Strategy, Fiscal Year 2022-2031 **(Coupled to be Filed)**.

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

**Affirmative** – Adams, Ampry-Samuel, Barron, Borelli, Brannan, Brooks-Powers, Cabrera, Chin, Cornegy, D. Diaz, R. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Koslowitz, Lander, Levin, Levine, Maisel, Menchaca, Miller, Moya, Powers, Reynoso, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Van Bramer, Yeger, the Minority Leader (Council Member Matteo), the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – 45.

**The General Order vote recorded for this Stated Meeting was 45-0-0 as shown above with the exception of the votes for the following legislative items:**

The following was the vote recorded for **M-300 & Res. No. 1699 & Res. No. 1700 (Expense-Revenue-Contract Budget Resolutions)**:

**Affirmative** – Adams, Ampry-Samuel, Brannan, Brooks-Powers, Cabrera, Chin, Cornegy, D. Diaz, R. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Koslowitz, Levin, Levine, Maisel, Menchaca, Miller, Moya, Powers, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Yeger, the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **39**.

**Negative** – Barron, Borelli, Lander, Reynoso, Van Bramer and the Minority Leader (Council Member Matteo) – **6**.

The following was the vote recorded for **M-301 & Res. No. 1701 & Res. No. 1702 (Capital Budget Resolutions)**:

**Affirmative** – Adams, Ampry-Samuel, Barron, Brannan, Brooks-Powers, Cabrera, Chin, Cornegy, D. Diaz, R. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Koslowitz, Lander, Levin, Levine, Maisel, Menchaca, Miller, Moya, Powers, Reynoso, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Van Bramer, Yeger, the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **43**.

**Negative** – Borelli and the Minority Leader (Council Member Matteo) – **2**.

The following was the vote recorded for **M-302 & Res. No. 1703 (Community Development Program)**:

**Affirmative** – Adams, Ampry-Samuel, Barron, Brannan, Brooks-Powers, Cabrera, Chin, Cornegy, D. Diaz, R. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Gjonaj, Grodenchik, Kallos, Koo, Koslowitz, Lander, Levin, Levine, Maisel, Menchaca, Miller, Moya, Powers, Reynoso, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Van Bramer, Yeger, the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **42**.

**Negative** – Borelli, Holden, and the Minority Leader (Council Member Matteo) – **3**.

The following was the vote recorded for **M-314**:

**Affirmative** – Adams, Ampry-Samuel, Barron, Brannan, Brooks-Powers, Cabrera, Chin, Cornegy, D. Diaz, R. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Grodenchik, Holden, Kallos, Koo, Koslowitz, Lander, Levin, Levine, Maisel, Menchaca, Moya, Powers, Reynoso, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Van Bramer, the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **40**.

**Negative** – Borelli, Gjonaj, Miller, Yeger, and the Minority Leader (Council Member Matteo) – **5**.

The following was the vote recorded for **Preconsidered M-317 & Res. No. 1704:**

**Affirmative** – Adams, Ampry-Samuel, Barron, Brannan, Brooks-Powers, Cabrera, Chin, Cornegy, D. Diaz, R. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Koslowitz, Lander, Levin, Levine, Maisel, Menchaca, Miller, Moya, Powers, Reynoso, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Van Bramer, the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **42**.

**Negative** – Borelli and the Minority Leader (Council Member Matteo) – **2**.

**Abstention** – Yeger – **1**.

The following was the vote recorded for **Preconsidered M-318 & Res. No. 1705** and **Preconsidered M-319 & Res. No. 1706:**

**Affirmative** – Adams, Ampry-Samuel, Barron, Brannan, Brooks-Powers, Cabrera, Chin, Cornegy, D. Diaz, R. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Koslowitz, Lander, Levin, Levine, Maisel, Menchaca, Miller, Moya, Powers, Reynoso, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Van Bramer, Yeger, the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **43**.

**Negative** – Borelli and the Minority Leader (Council Member Matteo) – **2**.

The following was the vote recorded for **Preconsidered M-320 & Res. No. 1707:**

**Affirmative** – Adams, Ampry-Samuel, Barron, Brannan, Brooks-Powers, Cabrera, Chin, Cornegy, D. Diaz, R. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Grodenchik, Kallos, Koo, Koslowitz, Lander, Levin, Levine, Maisel, Menchaca, Miller, Moya, Powers, Reynoso, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Van Bramer, the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **40**.

**Negative** – Borelli, Gjonaj, Holden, Yeger, and the Minority Leader (Council Member Matteo) – **5**.

The following was the vote recorded for **Int. No. 2331-A:**

**Affirmative** – Adams, Ampry-Samuel, Barron, Brannan, Brooks-Powers, Cabrera, Chin, Cornegy, D. Diaz, R. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Grodenchik, Holden, Kallos, Koo, Koslowitz, Lander, Levin, Levine, Maisel, Menchaca, Miller, Moya, Powers, Reynoso, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Van Bramer, the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **41**.

**Negative** – Borelli, Gjonaj, Yeger, and the Minority Leader (Council Member Matteo) – **4**.



The following was the vote recorded for **Preconsidered Res. Nos. 1691 and 1692:**

**Affirmative** – Adams, Ampry-Samuel, Barron, Brannan, Brooks-Powers, Cabrera, Chin, Cornegy, D. Diaz, R. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Grodenchik, Kallos, Koo, Koslowitz, Lander, Levin, Levine, Maisel, Menchaca, Miller, Moya, Powers, Reynoso, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Van Bramer, the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **40**.

**Negative** – Borelli, Gjonaj, Holden, Yeger, and the Minority Leader (Council Member Matteo) – **5**.

The following was the vote recorded for **Preconsidered Res. No. 1693:**

**Affirmative** – Adams, Ampry-Samuel, Barron, Brannan, Brooks-Powers, Cabrera, Chin, Cornegy, D. Diaz, R. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Koslowitz, Lander, Levin, Levine, Maisel, Menchaca, Miller, Moya, Powers, Reynoso, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Van Bramer, Yeger, the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **43**.

**Negative** – Borelli and the Minority Leader (Council Member Matteo) – **2**.

The following was the vote recorded for **Preconsidered Res. Nos. 1694, 1695, 1696, and 1697:**

**Affirmative** – Adams, Ampry-Samuel, Barron, Brannan, Brooks-Powers, Cabrera, Chin, Cornegy, D. Diaz, R. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Grodenchik, Holden, Kallos, Koo, Koslowitz, Lander, Levin, Levine, Maisel, Menchaca, Moya, Powers, Reynoso, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Van Bramer, the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **40**.

**Negative** – Borelli, Gjonaj, Miller, Yeger, and the Minority Leader (Council Member Matteo) – **5**.

The following was the vote recorded for **L.U. No. 790 & Res. No. 1711 and L.U. No. 791 & Res. No. 1712:**

**Affirmative** – Adams, Ampry-Samuel, Borelli, Brannan, Brooks-Powers, Cabrera, Chin, Cornegy, D. Diaz, R. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Koslowitz, Lander, Levin, Levine, Maisel, Menchaca, Miller, Moya, Powers, Reynoso, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Van Bramer, Yeger, the Minority Leader (Council Member Matteo), the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **44**.

**Abstention** – Barron – **1**.

The following was the **vote to file** recorded for **M-276 to M-282, M-303 to M-307**:

**Affirmative** – Adams, Ampry-Samuel, Barron, Brannan, Brooks-Powers, Cabrera, Chin, Cornegy, D. Diaz, R. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Koslowitz, Lander, Levin, Levine, Maisel, Menchaca, Miller, Moya, Powers, Reynoso, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Van Bramer, Yeger, the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **43**.

**Negative** – Borelli and the Minority Leader (Council Member Matteo) – **2**.

*The following Introductions were sent to the Mayor for his consideration and approval:  
Int. Nos. 2331-A and 2350-A.*

### **FY 2022 Budget Sponsorship Disclosures**

During the Roll Call for General Orders, several Council Members made disclosures on the record detailing relationships that either: 1) do not constitute a conflict of interest under City law; or 2) are pending determination while awaiting guidance from the Conflicts of Interest Board on whether to proceed with the sponsorship. Please refer to the Transcript of the Stated Meeting of June 30, 2021 for further details (*i.e.*, see the attachments to [the M-300 of 2021 file](#) for the Stated Meeting Transcript on the Council website <https://council.nyc.gov>; the verbal disclosures may be found on pages 32 to 106 throughout the Roll Call for General Orders segment).

### **Budget Adoption Declaration**

At this point, the Majority Leader and Acting President Pro Tempore (Council Member Cumbo) made the following budget adoption declaration:

*I now formally declare that  
the Executive Expense-Revenue-Contract Budget,  
the Executive Capital Budget,  
and the Community Development Program,  
for Fiscal Year 2022;  
all as modified;  
and all in accordance  
with the New York City Charter;*

***have been hereby adopted***

as of 3:54 p.m., on this 30th day of June, 2021.

## INTRODUCTION AND READING OF BILLS

Int. No. 2354

By Council Member Dinowitz (by request of the Mayor).

**A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to the veterans' advisory board, the definition of veteran, and employment resources for veterans.**

*Be it enacted by the Council as follows:*

Section 1. Section 3101 of the New York city charter, as added by local law number 113 for the year 2015, is amended to read as follows:

§ 3101. Definition. As used in this chapter, the following term has the following meaning:

Veteran. The term "veteran" shall mean a person who *serves or* has served in the active military service [of the United States and who has been released from such service other than by dishonorable discharge, or who has been furloughed to the reserve], *including the navy, air force, marines, army, space force, and their respective national guard or reserve components, regardless of discharge status or time served. "Veteran" shall also mean a person who serves or has served in the United States public health service or as a commissioned member of the national oceanic and atmospheric administration.*

§ 2. Section 3103 of the New York city charter, as added by local law number 113 for the year 2015, is amended to read as follows:

§ 3103. Veterans' advisory board. *a. There shall be a veterans' advisory board consisting of [eleven] 13 members, [all] 11 of whom shall be veterans[, six of whom] and two of whom shall be immediate family members, spouses or domestic partners, survivors, or caregivers of veterans. Of these 13 members, seven shall be appointed by the mayor, including one immediate family member, spouse or domestic partner, survivor or caregiver of a veteran, and [five of whom] six shall be appointed by the speaker of the council, including one immediate family member, spouse or domestic partner, survivor or caregiver of a veteran. Of these [eleven appointees] 13 members, there shall be at least one representative from each of the five boroughs of the city of New York. The mayor and the speaker shall each consider service in conflicts involving members of the United States armed forces when making such appointments.*

*b. All members shall serve for a term of three years and may be removed by the appointing official for cause. Members of the advisory board shall elect by majority vote one such member to serve as [chairperson] chair and one such member to serve as [vice-chairperson] vice chair, each to serve in that capacity for one-year terms. [In the event of a vacancy on the advisory board during the term of office of a member by reason of removal, death, resignation, or otherwise, a successor shall be chosen in the same manner as the original appointment. A member appointed to fill a vacancy shall serve for the balance of the unexpired term.]*

*c. The first members shall be appointed to serve as follows:*

- 1. Two members appointed by the mayor for a term of one year;*
- 2. Two members appointed by the mayor for a term of two years;*
- 3. Three members appointed by the mayor for a term of three years;*
- 4. Two members appointed by the speaker for a term of one year;*
- 5. Two members appointed by the speaker for a term of two years; and*
- 6. Two members appointed by the speaker for a term of three years.*

*The first terms shall commence on July 1, 2021. Thereafter, each member shall be appointed by the mayor or the speaker according to the original manner of appointment for a term of three years. In the case of a vacancy, a member shall be appointed to serve for the remainder of the unexpired term according to the original manner of appointment of the member whose seat has become vacant.*

*d. The advisory board shall*

- [(i)] 1. advise the commissioner on all matters concerning veterans;*

[(ii)] 2. hold at least one meeting open to the public in each borough on an annual basis, with notice of each public meeting provided in accordance with the public notice requirements of article 7 of the public officers law except with respect to those requirements provided in section 31-105 of the administrative code, and with each public meeting recorded and broadcast in accordance with subdivision d of section 1063 of the charter;

[(iii)] 3. keep a record of its deliberations;

[(iv)] 4. determine its own rules of procedure; and

[(v)] 5. submit an annual report of its activities to the mayor and the council on or before December 31 of each year. Such annual report should include policy and legislative recommendations for the department of veterans' services and the council.

§ 3. Section 31-102 of the administrative code of the city of New York, as added by local law number 113 for the year 2015 and paragraph 2 of subdivision b as amended by section 39 of part AA of chapter 56 of the laws of 2019, is amended to read as follows:

§ 31-102 Employment resources. a. [Definitions.] For the purposes of this section[: Federal veterans job bank. The] *the* term "federal veterans job bank" means the job bank developed by the federal government for veterans or any subsequent online tool that the federal government utilizes to connect veterans with employment opportunities.

[City job. The term "city job" means employment with the government of the city of New York.]

b. The department shall publish on its website information concerning resources intended to assist veterans in obtaining employment including, but not limited to:

1. a link to the federal veterans job bank;

2. links to websites describing veteran employment services provided by the federal government and New York state government, including, but not limited to, the websites of the United States department of labor, the New York state department of labor, the United States department of veterans affairs, and the New York state division of veterans' services; and

3. links to any additional resources deemed relevant by the department.

[c. The department shall consult with the department of citywide administrative services and other appropriate city agencies to identify city job postings for inclusion in the federal veterans job bank and shall also ensure that such city job postings are included in such job bank and are updated as necessary to maintain accuracy.

d. The department shall consult with the department of small business services to identify job postings that are received or maintained by the department for inclusion in the federal veterans job bank and shall also ensure that such job postings are included in such job bank and are updated as necessary to maintain accuracy].

§ 4. This takes local law takes effect July 1, 2021, upon which date the appointments and terms set forth in section 3103 of the charter, as such section was in effect prior to the enactment of this local law, shall terminate. Terms set forth in such section, as amended by section two of this local law, shall commence on July 1, 2021. Provided, however, that the mayor and the speaker may make appointments to the veterans advisory board created by section 3103 as amended by section one of this local law, with terms commencing on July 1, 2021, prior to the effective date of such local law.

Referred to the Committee on Veterans.

Int. No. 2355

By Council Member Dromm.

**A Local Law to amend the New York city charter, in relation to the composition of the youth board**

*Be it enacted by the Council as follows:*

Section 1. Subdivision b of section 734 of the New York city charter is amended to read as follows:

- a. There shall be in the department a youth board, which shall serve as a forum for representatives of disciplines directly concerned with the welfare of youth.
  - b. The youth board shall be representative of the community, and shall include persons representing the areas of social service, health care, education, business, industry and labor. *All members shall have demonstrated experience with organizations or activities directly concerned with the welfare of youth. At least one member of the youth board shall be at least 16 years of age and not older than 24 years of age.*
  - c. The youth board shall consist of up to [twenty-eight] 28 members, appointed by the mayor, [fourteen] 14 of whom shall be appointed upon recommendation of the city council.
  - d. The mayor shall designate one of the members of the youth board to be chair.
  - e. The members of the youth board shall serve without compensation.
  - f. The youth board shall meet at least quarterly.
- § 2. This local law takes effect immediately.

Referred to the Committee on Youth Services.

Preconsidered Res. No. 1691

**RESOLUTION COMPUTING AND CERTIFYING BASE PERCENTAGE, CURRENT PERCENTAGE AND CURRENT BASE PROPORTION OF EACH CLASS OF REAL PROPERTY FOR FISCAL 2022 TO THE STATE BOARD OF REAL PROPERTY TAX SERVICES PURSUANT TO SECTION 1803-a OF THE REAL PROPERTY TAX LAW.**

By Council Member Dromm.

**Whereas**, This Resolution, dated June 30, 2021, computes and certifies the base percentage, current percentage, and current base proportion of each class of real property for the fiscal year beginning on July 1, 2021 and ending on June 30, 2022 (“Fiscal 2022”) to the State Board of Real Property Tax Services (“SBRPTS”) pursuant to Section 1803-a of the Real Property Tax Law; and

**Whereas**, On February 19, 2021 the SBRPTS certified the final State equalization rate, class ratios and class equalization rates for the City's Fiscal 2021 assessment rolls, required by Article 18 of the Real Property Tax Law; and

**Whereas**, Section 1803-a(1) of the Real Property Tax Law, requires the Council to compute and certify, to the SBRPTS, for each tax levy, the base percentage, the current percentage and the current base proportion of each class of real property in the City subsequent to the date on which the SBRPTS files with the Clerk of the Council a certification setting forth the final state equalization rate, class ratios and class equalization rates for the City's Fiscal 2022 assessment rolls, pursuant to Section 1212 of the Real Property Tax Law; and

**Whereas**, Section 1803-a(1)(c) of the Real Property Tax Law requires that if any increase in the current base proportion for any class of real property, as compared with the previous year's adjusted base proportion for such class of property shall exceed five percent, such excess over five percent must be shifted to any other class of property;

**NOW, THEREFORE**, be it resolved by The Council of The City of New York as follows:

**Section 1. Computation and Certification of Base Percentages, Current Base Percentages and Current Base Proportions for Fiscal 2022.** (a) The Council hereby computes and certifies the base percentage, the current percentage and the current base percentage for the City's Fiscal 2022 assessment rolls as shown on

SBRPTS Form RP-6700, attached hereto as Exhibit A and incorporated herein by reference (the "CBP Certificate").

(b) The Clerk of the Council is hereby authorized and directed to execute the CBP Certificate and to file it with the SBRPTS after the date on which the SBRPTS filed with the Clerk of the Council a certification setting forth the final state equalization rate, class ratios and class equalization rates for the City's Fiscal 2022 assessment rolls, pursuant to Section 1212 of the Real Property Tax Law.

**Section 2. Effective Date.** This resolution shall take effect as of the date hereof.

**ATTACHMENT: Exhibit A - the CBP Certificate**

**(For text of Exhibit A Chart, known as the "CBP Certificate", please refer to the legislation section of the New York City Council website <https://www.council.nyc.gov> and search in the attachments section of the Res. No. 1691 of 2021 file)**

Adopted by the Council (preconsidered and adopted by the Committee on Finance).

Preconsidered Res. No. 1692

**RESOLUTION COMPUTING AND CERTIFYING ADJUSTED BASE PROPORTION OF EACH CLASS OF REAL PROPERTY FOR FISCAL 2022 TO THE STATE BOARD OF REAL PROPERTY TAX SERVICES PURSUANT TO SECTION 1803-a OF THE REAL PROPERTY TAX LAW.**

By Council Member Dromm.

**WHEREAS**, This Resolution, dated June 30, 2021, computes and certifies the adjusted base proportion of each class of real property for the fiscal year beginning on July 1, 2021 and ending on June 30, 2022 ("Fiscal 2022") to the State Board of Real Property Tax Services ("SBRPTS") pursuant to Section 1803-a of the Real Property Tax Law; and

**WHEREAS**, On May 25, 2021, pursuant to Section 1514 of the New York City Charter, the Commissioner of the Department of Finance delivered to the Council the certified assessment rolls for all real property assessable for taxation in the City in each borough thereof for Fiscal 2022, a certified copy of which is in the Office of the Clerk of the City pursuant to Section 516 of the Real Property Tax Law (the "Fiscal 2022 Assessment Rolls"); and

**WHEREAS**, Pursuant to Section 1803-a(1) of the Real Property Tax Law the Council adopts herewith a resolution in which the Council computed and certified the current base proportion, the current percentage and the base percentage of each class of real property in the City for Fiscal 2022 (the "Current Base Proportion Resolution"); and

**WHEREAS**, Section 1803-a(5) of the Real Property Tax Law requires the Council, subsequent to the filing of the final Fiscal 2022 Assessment Rolls, to adjust current base proportions computed pursuant to the Current Base Proportion Resolution to reflect additions to and removals from the Fiscal 2022 Assessment Rolls as described therein (each such current base proportion so adjusted to be known as an "Adjusted Base Proportion"); and

**WHEREAS**, Within five days upon determination of the Adjusted Base Proportions, Section 1803-a(6) of the Real Property Tax Law, requires the Council to certify, to the SBRPTS, the Adjusted Base Proportion for

each class of real property applicable to the City, the assessed value of all property in each class of real property, the net change in assessed value for each class on the Fiscal 2022 Assessment Rolls resulting from the additions to or removals from the Fiscal 2022 Assessment Rolls as described above, and the net change in assessed value for each class on the Fiscal 2022 Assessment Rolls resulting from changes other than those referred to above;

**NOW, THEREFORE**, be it resolved by The Council of The City of New York as follows:

**Section 1. Computation and Certification of Adjusted Base Proportions and Related Information for Fiscal 2022.** (a) The Council hereby computes and certifies the Adjusted Base Proportion for each class of real property applicable to the City, the assessed value of all property in each class of real property, the net change in assessed value for each class on the Fiscal 2022 Assessment Rolls resulting from the additions to or removals from the Fiscal 2022 Assessment Rolls as described in Section 1803-a(5) of the Real Property Tax Law, and the net change in assessed value for each class on the Fiscal 2022 Assessment Rolls resulting from changes other than those described in Section 1803-a(5) of the Real Property Tax Law, as shown on SBRPTS Form RP-6702, attached hereto as Exhibit A and incorporated herein by reference (the "ABP Certificate").

(b) The Clerk of the Council is hereby authorized and directed to execute the ABP Certificate and to file it with the SBRPTS no later than five days after the date hereof.

**Section 2. Effective Date.** This resolution shall take effect as of the date hereof.

**ATTACHMENT: Exhibit A - the ABP Certificate**

(For text of Exhibit A Chart, known as the "ABP Certificate", please refer to the legislation section of the New York City Council website at <https://www.council.nyc.gov> and search in the attachments section of [the Res. No. 1692 of 2021 file](#))

Adopted by the Council (preconsidered and adopted by the Committee on Finance).

Preconsidered Res. No. 1693

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

By Council Member Dromm.

**Whereas**, On June 30, 2020, the Council of the City of New York (the "City Council") adopted the expense budget for fiscal year 2021 with various programs and initiatives (the "Fiscal 2021 Expense Budget"); and

**Whereas**, On June 19, 2019, the City Council adopted the expense budget for fiscal year 2020 with various programs and initiatives (the "Fiscal 2020 Expense Budget"); and

**Whereas**, On June 14, 2018, the City Council adopted the expense budget for fiscal year 2019 with various programs and initiatives (the "Fiscal 2019 Expense Budget"); and

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

**Whereas,** The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2020 Expense Budget by approving the change in the designation of a certain organization receiving local discretionary funding in accordance therewith; and

**Whereas,** The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2021 Expense Budget by approving new Description/Scope of Services for certain organizations receiving local, youth, aging, and anti-poverty discretionary funding and funding for certain initiatives in accordance therewith; and

**Whereas,** The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2020 Expense Budget by approving new Description/Scope of Services for certain organizations receiving local discretionary funding in accordance therewith; and

**Whereas,** The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2019 Expense Budget by approving new Description/Scope of Services for a certain organization receiving funding in accordance with the a certain initiative in accordance therewith; now, therefore, be it

**Resolved,** That the City Council approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2021 Expense Budget, as set forth in Chart 1; and be it further

**Resolved,** That the City Council approves the new designation and the changes in the designation of certain organizations receiving youth discretionary funding pursuant to the Fiscal 2021 Expense Budget, as set forth in Chart 2; and be it further

**Resolved,** That the City Council approves the changes in the designation of certain organizations receiving aging discretionary funding pursuant to the Fiscal 2021 Expense Budget, as set forth in Chart 3; and be it further

**Resolved,** That the City Council approves the new designation and the changes in the designation of certain organizations receiving anti-poverty discretionary funding pursuant to the Fiscal 2021 Expense Budget, as set forth in Chart 4; and be it further

**Resolved,** That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 5; and be it further

**Resolved,** That the City Council approves the new designation and the change in the designation of certain organizations receiving funding pursuant to the Speaker's Initiative to Address Citywide Needs Initiative in accordance with the Fiscal 2021 Expense Budgets set forth in Chart 6; and be it further

**Resolved,** That the City Council approves the new designation and the change in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 7; and be it further

**Resolved,** That the City Council approves the new designation and the change in the designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 8; and be it further

**Resolved,** That the City Council approves the new designation and the change in the designation of certain organizations receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 9; and be it further

**Resolved,** That the City Council approves the new designation and the change in the designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 10; and be it further

**Resolved,** That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Art a Catalyst for Change Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 11; and be it further

**Resolved,** That the City Council approves the change in the designation of a certain organization receiving local discretionary funding pursuant to the Fiscal 2020 Expense Budget, as set forth in Chart 12; and be it further

**Resolved,** That the City Council approves the approves the amendment of the description for the Description/Scope of Services for certain organizations receiving local, youth, aging, and anti-poverty discretionary funding and funding for certain initiatives in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 13; and be it further



**Resolved,** That the City Council approves the description for the Description/Scope of Services for certain organizations receiving local discretionary funding in accordance with the Fiscal 2020 Expense Budget as set forth in Chart 14; and be it further

**Resolved,** That the City Council approves the description for the Description/Scope of Services for a certain organization receiving funding in accordance with the NYC Cleanup Initiative in accordance with the Fiscal 2019 Expense Budget, as set forth in Chart 15.

Adopted by the Council (preconsidered and approved by the Committee on Finance; for text of the Exhibit Charts, please refer to the attachments section of [the Res. No. 1693 of 2021 file](#) in the legislation section of the New York City Council website at <https://council.nyc.gov>).

Preconsidered Res. No. 1694

**Resolution to establish that the interest rate be three percent per annum for Fiscal Year 2022 for non-payment of taxes on properties with an assessed value of no greater than \$250,000, or no greater than \$250,000 per residential unit for cooperative apartments.**

By Council Member Dromm.

**Whereas,** Pursuant to Section 11-224.1 of the Administrative Code of the City of New York the Banking Commission is required to recommend to the City Council, not later than the 13th day of May of each year, the proposed interest rate to be charged for non-payment of taxes on properties with an assessed value of no greater than \$250,000, or no greater than \$250,000 per residential unit for cooperative apartments; and

**Whereas,** The Banking Commission is required to propose a rate at least equal to the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the “Prime Rate”); and

**Whereas,** The Banking Commission notes that as of May 13, 2021, the Prime Rate stands at three and one-quarters percent as published by the Board of Governors of the Federal Reserve System; and

**Whereas,** It is in the best interest of the City to encourage the prompt payment of taxes on real estate by all taxpayers; and

**Whereas,** The Banking Commission forwarded its recommendation to the Council, by letter dated May 13, 2021, that the interest rate to be charged for the non-payment of taxes on properties with an assessed value of no greater than \$250,000, or no greater than \$250,000 per residential unit for cooperative apartments, be three and one-quarter percent (3.25%) per annum in the first quarter (July 1, 2021 to September 30, 2021) and four and one-half percent (4.5%) per annum in the second, third, and fourth quarters (October 1, 2021 to June 30, 2022); now, therefore, be it

**Resolved,** That the Council of the City of New York establishes that the interest rate be three percent per annum for Fiscal Year 2022 for non-payment of taxes on properties with an assessed value of no greater than \$250,000, or no greater than \$250,000 per residential unit for cooperative apartments.

Adopted by the Council (preconsidered and adopted by the Committee on Finance).

Preconsidered Res. No. 1695

**Resolution to establish that the interest rate be six percent per annum for Fiscal Year 2022 for non-payment of taxes on properties with an assessed value of more than \$250,000 and no greater than \$450,000, or more than \$250,000 and no greater than \$450,000 per residential unit for cooperative apartments.**

By Council Member Dromm.

**Whereas**, Pursuant to Section 11-224.1 of the Administrative Code of the City of New York the Banking Commission is required to recommend to the City Council, not later than the 13th day of May of each year, the proposed interest rate to be charged for non-payment of taxes on properties with an assessed value of more than \$250,000 and no greater than \$450,000, or more than \$250,000 and no greater than \$450,000 per residential unit for cooperative apartments;

**Whereas**, The Banking Commission is required to propose a rate at least four percent per annum greater than the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the “Prime Rate”); and

**Whereas**, The Banking Commission notes that as of May 13, 2021, the Prime Rate stands at three and one-quarters percent as published by the Board of Governors of the Federal Reserve System; and

**Whereas**, It is in the best interest of the City to encourage the prompt payment of taxes on real estate by all taxpayers; and

**Whereas**, The Banking Commission forwarded its recommendation to the Council, by letter dated May 13, 2021, that the interest rate to be charged for the non-payment of taxes on properties with an assessed value of more than \$250,000 and no greater than \$450,000, or more than \$250,000 and no greater than \$450,000 per residential unit for cooperative apartments, be 12 percent per annum; now, therefore, be it

**Resolved**, That the Council of the City of New York establishes that the interest rate be six percent per annum for Fiscal Year 2022 for non-payment of taxes on properties with an assessed value of more than \$250,000 and no greater than \$450,000, or more than \$250,000 and no greater than \$450,000 per residential unit for cooperative apartments.

Adopted by the Council (preconsidered and adopted by the Committee on Finance).

Preconsidered Res. No. 1696

**Resolution to establish that the interest rate be 13 percent per annum for Fiscal Year 2022 for non-payment of taxes on properties with an assessed value of more than \$450,000, or more than \$450,000 per residential unit for cooperative apartments.**

By Council Member Dromm.

**Whereas**, Pursuant to Section 11-224.1 of the Administrative Code of the City of New York the Banking Commission is required to recommend to the City Council, not later than the 13th day of May of each year, the proposed interest rate to be charged for non-payment of taxes on properties with an assessed value of more than \$450,000, or more than \$450,000 per residential unit for cooperative apartments; and

**Whereas**, The Banking Commission is required to propose a rate at least six percent per annum greater than the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the “Prime Rate”); and

**Whereas**, The Banking Commission notes that as of May 13, 2021, the Prime Rate stands at three and one-quarters percent as published by the Board of Governors of the Federal Reserve System; and

**Whereas**, It is in the best interest of the City to encourage the prompt payment of taxes on real estate by all taxpayers; and

**Whereas**, The Banking Commission forwarded its recommendation to the Council, by letter dated May 13, 2021, that the interest rate to be charged for the non-payment of taxes on properties with an assessed value of more than \$450,000, or more than \$450,000 per residential unit for cooperative apartments, be 18 percent per annum; now, therefore, be it

**Resolved,** That the Council of the City of New York establishes that the interest rate be 13 percent per annum for Fiscal Year 2022 for non-payment of taxes on properties with an assessed value of more than \$450,000, or more than \$450,000 per residential unit for cooperative apartments.

Adopted by the Council (preconsidered and adopted by the Committee on Finance).

Preconsidered Res. No. 1697

**Resolution to adopt an interest rate of three percent for a portion of Fiscal Year 2022 for the non-payment of taxes on real property with an assessed value of more than \$250,000 and no greater than \$450,000 and an interest rate of six and one-half percent for a portion of Fiscal Year 2022 for the non-payment of taxes on real property with an assessed value of more than \$450,000 for property owners adversely affected by COVID-19, as authorized by the local law for the year 2021 as proposed in introduction number 2331-A.**

By Council Member Dromm.

**Whereas,** Pursuant to the local law for the year 2021 as proposed in introduction number 2331-A, the Council of the City of New York is authorized to adopt by resolution an interest rate between three percent and seven and one-half percent for qualifying properties with an assessed value of more than \$250,000 and no greater than \$450,000 and between six percent and seven and one-half percent for qualifying properties with an assessed value of more than \$450,000 for the nonpayment of taxes due on July 1, 2021 and paid no later than December 31, 2021 for fiscal year 2022 for real property; and

**Whereas,** Pursuant to the legislation, qualifying properties include real property classified as class 2 or class 4 pursuant to section 1802 of the real property tax law with an assessed value of more than \$250,000 and less than \$1,000,000, where no later than November 30, 2021, the owner of such property submits documentation to the commissioner of finance demonstrating that the income of the owner from such real property declined, for any six month period between March 7, 2020 and June 30, 2021, by at least 50 percent as compared to the corresponding period in the previous 12 month period due to COVID-19; and

**Whereas,** Pursuant to the legislation, qualifying properties also include properties with an assessed value over \$250,000 where at least 50 percent of the property is used for residential rental dwellings, and which contains no more than 50 rental dwelling units of which at least 50 percent are rent regulated accommodations, where no later than November 30, 2021, the owner of such property submits documentation to the commissioner of finance demonstrating that the income of the owner from such real property declined, for any six month period between March 7, 2020 and June 30, 2021, by at least 25 percent as compared to the corresponding period in the previous 12 month period due to COVID-19; now, therefore, be it

**Resolved,** That an interest rate of three percent is hereby adopted for a portion of Fiscal Year 2021 for the non-payment of taxes on real properties with an assessed value of more than \$250,000 and no greater than \$450,000 and an interest rate of six and one-half percent is hereby adopted for a portion of Fiscal Year 2021 for the non-payment of taxes on qualifying real properties with an assessed value of more than \$450,000 for property owners adversely affected by COVID-19 as authorized by the local law for the year 2021 as proposed in introduction number 2331-A; and be it further

**Resolved,** That this resolution shall take effect on the same date as the local law for the year 2021 as proposed in introduction number 2331-A takes effect.

Adopted by the Council (preconsidered and adopted by the Committee on Finance).

## Preconsidered Res. No. 1698

**Resolution to adopt an interest rate of zero percent for a portion of Fiscal Year 2022 for the non-payment of taxes on real property with an assessed value of \$250,000 or less for property owners adversely affected by COVID-19 as authorized by the local law for the year 2021 as proposed in introduction number 2350-A.**

By Council Member Dromm.

**Whereas**, Pursuant to the local law for the year 2021 as proposed in introduction number 2350-A, the Council of the City of New York is authorized to adopt by resolution an interest rate of zero percent for a portion of Fiscal Year 2022 for the nonpayment of taxes on real property with an assessed value of \$250,000 or less for property adversely affected by COVID-19; and

**Whereas**, Pursuant to the legislation, the Council is authorized to adopt an interest rate of zero percent for nonpayment of taxes due on July 1, 2021, on October 1, 2021, or on July 1, 2021 and October 1, 2021, and paid between July 15, 2021 and December 31, 2021 for fiscal year 2022, on real property which, as of July 1, 2021, a property owner has an executed agreement with the Department of Finance for the payment in installments of any real property taxes, assessments or other charges that are made a lien subject to the provisions of section 11-322.1 of the Administrative Code of the City of New York, provided that no later than November 30, 2021, such property owner submits documentation to the commissioner of finance demonstrating that such property owner has been adversely affected by the COVID-19 pandemic; and

**Whereas**, Further, pursuant to the legislation the Council is authorized to adopt an interest rate of zero percent for nonpayment of taxes due on July 1, 2021, on October 1, 2021, or on July 1, 2021 and October 1, 2021, and paid between July 15, 2021 and December 31, 2021 for fiscal year 2022, on real property with an assessed value of \$250,000 or less, and for property held in a cooperative form of ownership the assessed value shall be less than or equal to the product of \$250,000 and the number of dwelling units in such real property, for which the income, as defined in section 11-322.1(a) of the Administrative Code of the City of New York, of the owner of such property, and all the additional property owners of such real property, during calendar year 2020 was less than \$150,000, provided that such property has been the primary residence of at least one such property owner for an uninterrupted period of not less than one year preceding July 1, 2021, which determination shall be made without regard to any hospitalization or temporary stay in a nursing home or rehabilitation facility, and provided further that no later than November 30, 2021, such property owner submits documentation to the commissioner of finance demonstrating that such property owner has been adversely affected by the COVID-19 pandemic; and

**Whereas**, Adversely affected by the COVID-19 pandemic means the property owner or a member of the household of such property owner was diagnosed with COVID-19, received confirmation from a health professional of having contracted COVID-19 or experienced symptoms of COVID-19 and sought a medical diagnosis; or the loss of the primary source of income because of COVID-19 between March 7, 2020 and June 30, 2021, which continued for at least two months, by the property owner or any additional property owners of such property, or by the shareholder, as applicable; and

**Whereas**, The subject real property must be classified as class 1 pursuant to section 1802 of the real property tax law, be a dwelling unit in a condominium, or be real property classified as a class 1 or class 2 pursuant to section 1802 of the real property tax law and held in a cooperative form of ownership; now, therefore, be it

**Resolved**, That an interest rate of zero percent is hereby adopted for a portion of Fiscal Year 2022 for the non-payment of taxes on real property with an assessed value of \$250,000 or less for property owners adversely affected by COVID-19 as authorized by the local law for the year 2021 as proposed in introduction number 2350-A; and be it further

**Resolved**, That this resolution shall take effect on the same date as the local law for the year 2021 as proposed in introduction number 2350-A takes effect.

Adopted by the Council (preconsidered and adopted by the Committee on Finance).

Int. No. 2356

By Council Member Gjonaj.

**A Local Law to amend the administrative code of the city of New York, in relation to prohibiting certain telephone order charges by third-party food delivery services**

*Be it enacted by the Council as follows:*

Section 1. Section 20-847 of the administrative code of the city of New York, as amended by local law number 87 for the year 2020, is amended as follows:

§ 20-847 Telephone orders. [a.] No third-party food delivery service may charge any fee from a food service establishment for a telephone order if a telephone call between such establishment and a customer does not result in an actual transaction during such telephone call.

[b. The requirements of this section apply only during the period in which a state disaster emergency has been declared by the governor of the state of New York or a state of emergency has been declared by the mayor, such declaration is in effect in the city, and all food service establishments in the city are prohibited from operating at the maximum indoor occupancy and for a period of 90 days thereafter.]

§ 2. This local law takes effect immediately.

Referred to the Committee on Small Business.

Int. No. 2357

By Council Member Holden.

**A Local Law to amend the administrative code of the city of New York, in relation to reporting on the last known address of those in city-administered temporary emergency housing facilities and technical amendments in relation thereto**

*Be it enacted by the Council as follows:*

Section 1. The subchapter heading of subchapter 1 of chapter 1 of title 3 of the administrative code of the city of New York, as designated by local law number 52 for the year 2011, is amended to read as follows:

SUBCHAPTER 1  
*OFFICE OF THE MAYOR*

§ 2. The section heading of section 3-111 of subchapter 1 of chapter 1 of title 3 of the administrative code of the city of New York, as added by local law number 58 for the year 1986, is amended to read as follows:

§ 3-111 *Drug enforcement and drug abuse task force.*

§ 3. Section 3-113 of subchapter 1 of chapter 1 of title 3 of the administrative code of the city of New York, as added by local law number 25 for the year 2011, is renumbered section 3-112, and the section heading of section 3-113 of such subchapter, as added by local law number 37 for the year 2011, is amended to read as follows:

§ 3-113 *Reporting on utilization of city-administered temporary emergency housing facilities.*

§ 4. Section 3-121 of subchapter 1 of chapter 1 of title 3 of the administrative code of the city of New York, as added by local law number 75 of the year 2018, is renumbered section 3-119.5.

§ 5. 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 3-119.6 to read as follows:

§ 3-119.6 *Reporting on last known address of those in city-administered temporary emergency housing facilities. a. Definitions. As used in this section, the following terms have the following meanings:*

*City-administered facility.* The term “city-administered facility” means a hotel, shelter or other accommodation or associated service, managed by or provided under contract or similar agreement with, the department of homeless services, the human resources administration, the department of housing preservation and development or the department of youth and community development, which is provided to individuals or families who need temporary emergency housing or assistance finding or maintaining stable housing.

*Last known address.* The term “last known address” means the address that a household in a city-administered facility reported as residing at, before entering such facility, and which is not an address of a city-administered facility.

*b. Reporting required.* By no later than December 1, 2021, and annually thereafter, the mayor’s office of operations shall report to the speaker of the council on the last known address of individuals in city-administered facilities, and shall post such report on the mayor’s office of operations’ website. The report shall include the following, for each city-administered facility:

*1. The number and percentage of households and individuals in each such facility whose last known address is within the state of New York;*

*2. The number and percentage of households and individuals in each such facility whose last known address is outside the state of New York;*

*3. The number and percentage of households and individuals in each such facility whose last known address is within the city;*

*4. The number and percentage of households and individuals in each such facility whose last known address is outside the city;*

*5. The number and percentage of households and individuals in each such facility whose last known address is within the city, disaggregated by council district and community district; and*

*6. The number and percentage of households and individuals in each such facility whose last known address is an unknown location.*

*c. In the report required by subdivision b, the mayor’s office of operations shall define the term “unknown location” and any other such term that the office deems appropriate.*

*d. The reports required by this section shall not contain any personally identifiable information of any individual.*

§ 6. This local law takes effect 30 days after it becomes law.

Referred to the Committee on General Welfare.

Int. No. 2358

By Council Member Holden.

**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**

*Be it enacted by the Council as follows:*

Section 1. Title 23 of the administrative code of the city of New York is amended by adding a new chapter 13 to read as follows:

**CHAPTER 13**  
**ACCESS TO CITY SERVICES WITH MOBILE TECHNOLOGY**

*23-1301 Definitions.* For the purposes of this chapter, the following terms have the following meanings:  
*Commissioner.* The term “commissioner” means the commissioner of information technology and telecommunications.

*Department.* The term “department” means the department of information technology and telecommunications.

*23-1302 Mobile application; creation.* a. The department shall create a mobile application capable of allowing members of the public to access services provided by a city agency.

*b. The department, in collaboration with other agencies, shall provide public access through such application to all city services except services whose nature makes them unsusceptible of access using mobile application technology.*

*23-1303 Accessibility. The department shall adopt an accessibility protocol for the mobile application required by this chapter to ensure the application is accessible for persons with disabilities.*

*23-1304 Encryption. The mobile application maintained by the department on behalf of the city or all city agencies shall encrypt all exchanges and transfers between a web server, maintained by or on behalf of the city or a city agency, and the mobile application and shall require web browsers to request such encrypted exchange or transfer at all times, provided that such encryption shall not be required if such exchanges or transfers are conducted in a manner that provides at least an equivalent level of confidentiality, data integrity and authentication.*

*23-1305 Open source software. Any custom software, web development service or mobile application created by the department in furtherance of this chapter shall be open source and publicly accessible, except as otherwise provided in the rules or policies of the department.*

*23-1306 Rules. The commissioner may promulgate rules in furtherance of the purposes of this chapter.*

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

Referred to the Committee on Technology.

Int. No. 2359

By Council Members Moya and Gjonaj.

**A Local Law to amend the administrative code of the city of New York, in relation to limiting fees charged to food service establishments by third-party food delivery services**

*Be it enacted by the Council as follows:*

Section 1. Section 20-845 of the administrative code of the city of New York, as amended by local law number 88 for the year 2020, is amended by adding a new definition of “credit card” in alphabetical order to read as follows:

*Credit card. The term “credit card” means any credit card, charge card, courtesy card, debit card, internet payment technology or other device or technology issued by a person to another person which may be used to obtain a cash advance or a loan or credit, or to purchase or lease property or services on the credit of the person issuing the credit card or a person who has agreed with the issuer to pay obligations arising from the use of a credit card issued another person.*

§ 2. Section 20-846 of the administrative code of the city of New York, as amended by local law number 88 for the year 2020, is amended to read as follows:

§ 20-846 [Fee limits during declared emergencies] *Fees.* a. It shall be unlawful for a third-party food delivery service to charge a food service establishment a delivery fee that totals more than 15% of the purchase price of each online order.

b. It shall be unlawful for a third-party food delivery service to charge a food service establishment any fee other than a delivery fee for the use of their service greater than 5% of the purchase price of each online order, provided that such cap shall not apply to a credit card *transaction* fee that is charged to the third-party food delivery service and is charged in the same amount by the third-party food delivery service to such food service establishment.

[c. The requirements of this section apply only during the period in which a state disaster emergency has been declared by the governor of the state of New York or a state of emergency has been declared by the mayor, such declaration is in effect in the city, and all food service establishments in the city are prohibited from operating at the maximum indoor occupancy and for a period of 90 days thereafter.]

§ 3. This local law takes effect immediately.

Referred to the Committee on Small Business.

Preconsidered Int. No. 2360

By Council Member Reynoso.

**A Local Law to amend the administrative code of the city of New York, in relation to the definition of trade waste broker**

*Be it enacted by the Council as follows:*

Section 1. The definition of “trade waste broker” in section 501 of chapter 1 of title 16-A of the administrative code of the city of New York is amended to read as follows

g. "Trade waste broker" shall mean a person or entity who, for a fee, brokers agreements between commercial establishments and providers of trade waste removal, collection or disposal services [or conducts evaluations or analyses of the waste generated by such commercial establishments in order to recommend cost efficient means of waste disposal or other changes in related business practices].

§ 2. This local law takes effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management (preconsidered but laid over by the Committee on Sanitation and Solid Waste Management).

Preconsidered L.U. No. 815

By Council Member Dromm:

**TBK902 - Shinda; Block 1387, Lot 57, Block 1452, Lot 51, Block 1466, Lots 65, and 67, Block 1470, Lot 29, Block 1987, Lot 71, and Block 3208, Lot 50; Brooklyn, Community District Nos. 3, 4, 8, and 16, Council District Nos. 34, 35, and 41.**

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered L.U. No. 816

By Council Member Dromm:

**University Heights; Block 3225, Lot 48; Bronx, Community District No. 7, Council District No. 14.**

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered L.U. No. 817

By Council Member Dromm:

**2465 Crotona Avenue.GHPP.FY21; Block 3105, Lot 34; Bronx, Community District No. 6, Council District No. 15.**

Adopted by the Council (preconsidered and approved by the Committee on Finance).



NEW YORK CITY COUNCIL

**A N N O U N C E M E N T S**

**Thursday, July 1, 2021**

Committee on Small Business

Mark Gjonaj, Chairperson

**Int 2333** - By Council Member Gjonaj - **A Local Law** to amend the administrative code of the city of New York, in relation to prohibiting third-party delivery services from arranging unauthorized deliveries from and posting unauthorized listings of food service establishments, and technical amendments in relation thereto.

**Int 2335** - By Council Member Gjonaj - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring third-party food delivery services to provide a description of the telephone numbers listed in connection with food service establishments.

**Int 2356** - By Council Member Gjonaj - **A Local Law** to amend the administrative code of the city of New York, in relation to prohibiting certain telephone order charges by third-party food delivery services.

**Int 2359** - By Council Members Moya and Gjonaj - **A Local Law** to amend the administrative code of the city of New York, in relation to limiting fees charged to food service establishments by third-party food delivery services

HYBRID HEARING - Chambers/Virtual Room 1.....11:00 a.m.

Shortly after the delivery of the Invocation during this Stated Meeting, the Speaker (Council Member Johnson) acknowledged that this was Rabbi Miller’s last day as Executive Vice-President & CEO at the Jewish Community Relations Council (JCRC). He added that Rabbi Miller had held this position with the JCRC since 1986. The Speaker (Council Member Johnson) noted that Rabbi Miller was leaving behind a tremendous legacy of intra-communal consensus building which was renown throughout the country and the world. He praised his ability to bridge gaps between people of various ethnicities and religions. He thanked Rabbi Miller and his wife for their service and a job very well done. The Speaker (Council Member Johnson) asked for a standing ovation in thanks and appreciation for his service. At this point, those assembled in the Chambers cheered and gave Rabbi Miller a standing ovation.

The following comments were among the remarks made by the Speaker (Council Member Johnson) during the Communication from the Speaker segment of this meeting:

The Speaker (Council Member Johnson) acknowledged that the Council would be voting on the Fiscal Year 2022 Budget during this Stated Meeting. He recognized and thanked a number of individuals for their role in this year’s budget-making process including: Council Member and Finance chair Daniel Dromm; Council Member and Capital Budget subcommittee chair Helen Rosenthal; and each and every member of the Budget Negotiating Team and the borough delegations. He also recognized and thanked Chief of Staff of the City Council Jason Goldman for his service throughout the year. The Speaker (Council Member Johnson) also gave a special thanks to the entire Finance Division, and in particular, the Finance Division’s leadership team of Ray Majewski, Nathan Toth, Regina Poreda-Ryan, Paul Scimone, Emre Edev, Rebecca Chasan, Paul Sturm, Dohini Sompura, Eisha Wright, Crilhién Francisco, John Russell, and Chima Obichere. The Speaker (Council Member Johnson) especially thanked and expressed his gratitude to Finance Director Latonia McKinney for all of her work in helping bring this budget to fruition. Those assembled in the Chambers responded with cheers and applause in appreciation of Ms. McKinney, the Finance team, and the others mentioned above.

The Speaker (Council Member Johnson) expressed his hope that the current Council budget response would serve as a blueprint for rebuilding the city. He noted that the Council was able to restore much of the funding that was cut in June 2020 and was able to enhance funding for programs that would keep the city on a path to

economic recovery. In conclusion, the Speaker (Council Member Johnson) thanked all of the Council Members for this last Budget of his tenure and expressed pride in everything that they had collectively accomplished together. He again thanked everyone and expressed his gratitude to all.

During the Roll Call for General Orders segment of this Stated Meeting, the Speaker (Council Member Johnson) also thanked a number of other individuals: the Sergeants-at-Arms team led by Carl D'Alba and Rafael Perez; City Clerk Michael McSweeney; Jonathan Ettricks, Matthew DiStefano and William Martin of the Legislative Document Unit; Council Parliamentarian Lance Polivy; CeCe Scott of the Speaker's Office; Ebony Meeks, Genevieve Michels, Michael Krevet, and Sean Coughlin of the Speaker's Office; and Jennifer Fermino of the Communications Division. The Speaker (Council Member Johnson) thanked all of the Council staff that made that day's Stated Meeting possible. He wished everyone a safe summer and wished everyone some time to spend with family for rest and rejuvenation.

Whereupon on motion of the Speaker (Council Member Johnson), the Majority Leader and Acting President Pro Tempore (Council Member Cumbo) adjourned these in-person proceedings.

MICHAEL M. McSWEENEY, City Clerk  
Clerk of the Council

*Editor's Local Law Note: Int. Nos. 146-C, 176-A, 415-A, 1128-A, 1827-A, and 2042-A, all adopted at the May 27, 2021 Stated Meeting, were **returned unsigned** by the Mayor on June 28, 2021. These items had lapsed into law on June 27, 2021 due to the lack of Mayoral action within the Charter-prescribed thirty day time period. These bills were assigned subsequently as Local Laws Nos. 71 to 76 of 2021, respectively.*