

THE COUNCIL

Minutes of the Proceedings for the

STATED MEETING

of

Wednesday, October 12, 2022, 2:19 p.m.

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

Council Members

Adrienne E. Adams, *Speaker*

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

Absent: Council Members Richardson Jordan, Vernikov, and the Minority Leader (Council Member Borelli).

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

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

There were 48 Council Members marked present at this Stated Meeting held in the Council Chambers at City Hall, New York, N.Y. (Council Members Ayala, Moya, and Velázquez participated remotely).

INVOCATION

The Invocation was delivered by Rabbi Yossi Mendelson, Congregation Machane Chodosh, located at 67-29 108th Street, Forest Hills, N.Y. 11375.

Let me begin by saying that today
 is a very unique day on the Jewish calendar.
 So unique in fact that it occurs only once in seven years.
 It's called *Hakhel* or Gathering Day,
 and once in seven years during the *Sukkos* Holiday,
 the Festival of Booths, the entire Jewish nation,
 from eldest to youngest,
 even to the smallest babies
 would gather in the plaza
 outside the Holy Temple in Jerusalem
 to hear the highest political official in the nation
 read inspirational scriptures,
 intended to inspire the nation,
 to rededicate themselves to the service of God,
 and their fellow residents.
 So as such, I invite you to join me
 in reflecting on gathering.
 We bring to mind, the universal and eternal source of life
 that embraces us all, and in whose sight
 we are all gathered as one.
 As we gather, we reflect on our individual voice,
 and then how is it gathered
 with those with whom I serve?
 What does it contribute to the gathering?
 And how is it enhanced by the others gathered with me?
 The Jewish people, as we celebrate *Sukkos*,
 gathered together with our ancestors,
 and each day we remember,
 one of those ancestors seven in total.
 And so perhaps you'll find your own voice in one of theirs.
 Is mine, the voice of Abraham,
 whose name is invoked on the first day of *Sukkos*?
 The voice of unconditional love?
 Or is it the voice of Isaac for the second day?
 The voice of holding boundaries and establishing rules?
 Or is it the voice of Jacob, the voice of balance and harmony?
 Perhaps identify with the spirit of Moses,
 for his courage and perseverance?
 Or maybe my voice is that of Aaron,
 for his gentle touch, and humble spirit?
 Or am I the relationship builder, and communicator, Joseph?
 Or am I the embodiment of the final day of *Sukkos*,

King David, the implementer, who brings ideas to reality.
Each of these are beautiful on their own,
but true goodness is only present,
when they are all gathered together.
When we gather, our work is praise.
And I pray that this illustrious gathering be blessed
to be truly united for the spiritual
and material well-being of its members,
all those who live in this great city,
and the impact we have beyond,
and then our work is praise.
And in the words of Psalm 117,
"Praise the eternal, all you nations praise him,
all you peoples, for his love for us is great,
and the truth of the Lord endures forever."
Hallelujah.

[Hebrew spoken for about ten seconds]

Hallelujah.

Amen.

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

During the Communication from the Speaker segment of this meeting, the Speaker (Council Member Adams) asked for a moment of silence in memory of FDNY-EMS Captain Allison Russo. She noted that Captain Russo was a 24 year veteran of the FDNY and a 9-11 first responder who had dedicated her life to public service and to saving lives. Captain Russo, 61, was stabbed to death in an unprovoked attack in Queens on September 29, 2022. On behalf of the Council, the Speaker (Council Member Adams) offered her condolences to her family and friends as well as to the entire FDNY during this this difficult time.

At this point, a moment of silence was observed in the Chambers.

* * *

ADOPTION OF MINUTES

Council Member Feliz moved that the Minutes of the Stated Meeting of September 14, 2022 be adopted as printed.

MESSAGES AND PAPERS FROM THE MAYOR

M-94

Communication from the Mayor – Submitting Executive Order No. 224 of 2022 pursuant to the New York Executive Law, the New York City Charter and the Administrative Code of the City of New York, and the common law authority to protect the public in the event of an emergency, regarding a state of emergency declared to exist within the City of New York based on the arrival of thousands of individuals and families seeking asylum.

(For text of M-94, please refer to the attachments section of [the M-94 of 2022 file](https://council.nyc.gov) in the legislation section of the New York City Council website at <https://council.nyc.gov>)

Received, Ordered, Printed and Filed.

M-95

Communication from the Mayor – Submitting the name of Gregorio Mayers to the City Council for advice and consent regarding their appointment as a Commissioner of the New York City Local Conditional Release Commission, pursuant Section 271 of the New York State Correction Law and Section 9-207 of the Administrative Code.

September 30, 2022

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

Dear Speaker Adams:

Pursuant Local Law No. 60 of 2020, I am pleased to present the name of Gregorio Mayers to the City Council for advice and consent regarding their appointment as a Commissioner of the New York City Local Conditional Release Commission. If approved, they will serve for a four-year term.

I send my thanks to you and all Council members for reviewing this appointment.

Sincerely,

Eric Adams
Mayor

EA:jd

cc: Gregorio Mayers
Philip Banks III, Deputy Mayor for Public Safety
Ana M. Bermudez, Commissioner, Department of Probation
Jessica Carrano, Director, Mayor's Office of City Legislative Affairs

Referred to the Committee on Rules, Privileges and Elections.

M-96

Communication from the Mayor – Submitting the name of David Fullard to the City Council for advice and consent regarding their appointment as a Commissioner of the New York City Local Conditional Release Commission, pursuant Section 271 of the New York State Correction Law and Section 9-207 of the Administrative Code.

September 30, 2022

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

Dear Speaker Adams:

Pursuant Local Law No. 60 of 2020, I am pleased to present the name of David Fullard to the City Council for advice and consent regarding their appointment as a Commissioner of the New York City Local Conditional Release Commission. If approved, they will serve for a four-year term.

I send my thanks to you and all Council members for reviewing this appointment.
Sincerely,

Eric Adams
Mayor
EA:jd

cc: David Fullard
Philip Banks III, Deputy Mayor for Public Safety
Ana M. Bermudez, Commissioner, Department of Probation
Jessica Carrano, Director, Mayor's Office of City Legislative Affairs

Referred to the Committee on Rules, Privileges and Elections.

M-97

Communication from the Mayor – Submitting the name of Lily Shapiro to the City Council for advice and consent regarding their appointment as a Commissioner of the New York City Local Conditional Release Commission, pursuant Section 271 of the New York State Correction Law and Section 9-207 of the Administrative Code.

September 30, 2022

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

Dear Speaker Adams:

Pursuant Local Law No. 60 of 2020, I am pleased to present the name of Lily Shapiro to the City Council for advice and consent regarding their appointment as a Commissioner of the New York City Local Conditional Release Commission. If approved, they will serve for a four-year term.

I send my thanks to you and all Council members for reviewing this appointment.

Sincerely,

Eric Adams
Mayor

EA:jd

cc: Lily Shapiro
Philip Banks III, Deputy Mayor for Public Safety
Ana M. Bermudez, Commissioner, Department of Probation
Jessica Carrano, Director, Mayor's Office of City Legislative Affairs

Referred to the Committee on Rules, Privileges and Elections.

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

M-98

Communication from the New York City Districting Commission - Submitting to the Council for its review, the Districting Commission plan adopted at an October 6, 2022 public hearing for the division of New York City into fifty-one districts for the election of members to the New York City Council.

October 6, 2022

BY HAND

Speaker Adrienne Adams
Council of the City of New York
City Hall
New York, N.Y. 10007

Dear Speaker Adams and City Council Members,

The City of New York 2022-2023 Districting Commission (the “Commission”) hereby submits for the Council’s review, its plan for dividing New York City into fifty-one districts for the election of Members of the New York City Council.

The public’s interest and participation in the City Council redistricting process has been unprecedented. From June to September, the Commission held two rounds of public hearings in each of the five boroughs for over 35 hours of total in-person and virtual testimony. After the release of the Preliminary Plan on July 15, 2022, the Commission made the maps available for the public’s inspection and comment on its website as well as in public spaces across the five boroughs. The Commission also conducted extensive outreach of the local community on the Commission’s process including leading public engagement sessions and running a media campaign in 70 of the city’s community and ethnic weekly newspapers in ten languages. In addition, the Commission opened its mapping sessions to the public for further access to the Commission’s redistricting process and provided free mapping software, District, for the public to draw their own maps.

In total to date, the Commission has received over 12,500 submissions of public testimony in both hard copies and electronic submissions, which have been made available to the Commissioners for their consideration. The public testimony spans across all five boroughs from individuals, community organizations, and Council members. The Commission has carefully reviewed and considered the public testimony and the public’s valuable input was incorporated to the extent practicable into this updated revised plan¹ being submitted to the Council herewith (“Updated Revised Plan”).

Under the provisions of the New York City Charter, Chapter 2-A, the Commission now submits the Updated Revised Plan to the City Council for its consideration and such plan shall be deemed adopted unless “within three weeks, the council by the vote of a majority of all its members adopts its resolution objecting to such plan and returns the plan to the commission with such resolutions and a statement of its objections.” NYC Charter § 51(d). With this submission of the Updated Revised Plan to the Council, the public will also have the opportunity to inspect the Updated Revised Plan, but the Commission will not take any further action

¹ At the September 22, 2022 public meeting, a proposed revised plan to be submitted to Council was not approved by the Commission.

until a resolution by Council is returned or the three-week period has elapsed. Thus, the decision as to whether the plan is adopted by the Council in its current form or whether the Commission's process of review and public comment will continue, will be based on the Council's decision.

This Commission believes that the Updated Revised Plan complies with all applicable laws and incorporates many of the desires expressed by the public, including the Council Members, within the limitations set forth by the City Charter, voting rights law, and state law. It is a Districting Plan that fairly represents the voters and residents of this diverse and vibrant New York City.

Respectfully,

Dennis M. Walcott
Chair
New York City Districting Commission 2022-2023

cc: Carlos E. Beato, Special Counsel
Council of the City of New York
City Hall, New York, NY 10007

cc: Jonathan Etricks, Director of the Legislative Documents Unit
Council of the City of New York
City Hall, New York, NY 10007

Commissioners, New York City Districting Commission
John Flateau, Ph.D., Executive Director
Grace Pyun, General Counsel

Received, Ordered, Printed and Filed.

LAND USE CALL-UPS

M-99

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

Pursuant to Sections 11.20(b-d) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the actions of the City Planning Commission on Application Nos. C 220365 ZSQ, C 220366 ZSQ, C 220368 ZSQ, C 220369 ZSQ, C 220371 ZSQ, C 220373 ZSQ, and C 220374 ZSQ (Innovation Queens Rezoning and LSGD) shall be subject to Council review. These items are related to Application Nos. C 220364 ZMQ and N 220367 ZRQ.

Coupled on Call-up vote.

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

Affirmative – Abreu, Ariola, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Williams, Won, Yeger, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **48**.

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

REPORTS OF THE STANDING COMMITTEES

Report of the Committee on Finance

Report for Int. No. 655-A

Report of the Committee on Finance in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to authorizing an increase in the amount to be expended annually in three business improvement districts.

The Committee on Finance, to which the annexed proposed amended local law was referred on September 14, 2022 (Minutes, page 2136), respectfully

REPORTS:

On October 12, 2022, the Committee on Finance (“Committee”) will hold a hearing on Intro. No. 655-A, a local law to amend the administrative code of the city of New York, in relation to authorizing an increase in the amount to be expended annually in three business improvement districts (“BIDs”), sponsored by Council Members Brannan and Restler (by request of the Mayor).

These increases, which have been requested by the three BIDs and approved by the respective District Management Associations, would result in a higher assessment on all properties currently subject to BID assessments as a result of the increase in the assessment rate.

Pursuant to §§25-410(b) and 25-416 of the Administrative Code, a BID may obtain an increase in its budget (i.e. the total amount allowed to be expended annually by the BID or improvements, services, maintenance, and operation) by means of the adoption of a local law amending the BID’s district plan. Such a local law may be adopted by the City Council after a determination that it is in the public interest to authorize such an increase in the maximum annual amount and that the tax and debt limits prescribed in §25-412 of the Administrative Code will not be exceeded. Notice of the public hearing to consider such a local law must be published in at least one newspaper having general circulation in the district specifying the time when, and the place where, the hearing will be held and stating the increase proposed in the maximum amount to be expended annually.

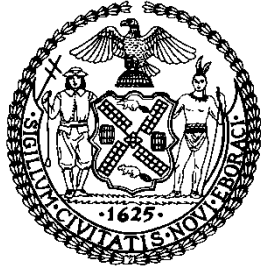
On September 29, 2022, the Committee adopted Resolution 306-A that set October 12, 2022 as the date to consider a local law that would increase the annual expenditures of five BIDs, as of July 1, 2022. There were issues with the publication of the notice for two of the BIDs, 125th Street and DUMBO. The proposed local law was amended to increase the annual expenditures only in the three BIDs whose notice was determined to be adequate by the Department of Small Business Services. Today, the Committee will hear from all persons interested in the legislation, which would increase the amount to be expended annually in the three BIDs.

The following BIDs have requested increases to their budgets, as indicated below:

BID ASSESSMENT INCREASE REQUESTS **FISCAL YEAR 2022**

| BID Name | Year Established | Year of Previous Increase | Current Authorized Assessment Cap | Proposed Authorized Assessment Cap | \$ Increase Request | | Projected Years for Increase Phase-In | CM District(s) | Increase Justification |
|-----------------------------------|------------------|---------------------------|-----------------------------------|------------------------------------|---------------------|-----------------------|--|--------------------------|--|
| | Years | Previous Increase Amount | | | % Increase | Annualized % Increase | Phase-In Schedule | Supporting Councilmember | |
| Columbus Amsterdam BID | 1987 | 2015 | \$350,000 | \$650,000 | \$300,000 | | 3 | 7 | Assessment increase will be used to sustain the BID's weekly Open Streets program; expand and redevelop marketing initiatives and holiday lighting; provide cost-of-living increases to sanitation personnel; and increase beautification & horticulture programs. Columbus Amsterdam BID is also planning for executive transition and increasing staff capacity, requiring an increase to the assessment. |
| | 35 | \$90,000 | | | 85.71% | 1.32 % | 1 x \$100,000 (FY24) 1 x \$100,000 (FY25) 1 x \$100,000 (FY26) | Shaun Abreu | |
| Court-Livingston-Schermerhorn BID | 2008 | 2020 | \$1,400,000 | \$1,800,000 | \$400,000 | | 3 | 33 | Assessment increase will allow the BID to maintain current service levels despite rising contract costs for sanitation, public safety, and landscaping services; introduce outdoor, public events for the first time; and maintain competitive staff salaries and benefits. The BID has been operating on a very tight budget for several years, and the assessment will allow the organization to build up the recommended reserve fund. |
| | 14 | \$493,000 | | | 28.57% | 1.59 % | 1 x \$160,000 (FY24) 1 x \$80,000 (FY25) 1 x \$160,000 (FY26) | Lincoln Restler | |
| Fifth Avenue Association BID | 1993 | 2020 | \$6,414,000 | \$8,054,663 | \$1,640,663 | | 1 (retroactive) | 4 | Assessment increase will fund the design costs for a transformative streetscape redesign of the Fifth Avenue retail corridor. The vision project will include traffic analysis, land use, utility investigations, landscape, and architectural services. In the longer term, the additional funding will allow the BID to maintain the new public spaces and streetscape elements, plus provide public programming to activate Fifth Avenue. If the redesign is not implemented, the assessment increase will be used for alternative streetscape improvements, including additional trees, plantings, and street furniture. |
| | 29 | \$3,207,000 | | | 25.58% | 0.70 % | 1 x \$1,640,663 (FY23) | Keith Powers | |

(The following is the text of the Fiscal Impact Statement for Int. No. 655-A:)



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
TANISHA EDWARDS, CHIEF FINANCIAL OFFICER
AND DEPUTY CHIEF OF STAFF TO THE SPEAKER
FISCAL IMPACT STATEMENT**

PROPOSED INT. NO. 655-A

COMMITTEE: FINANCE

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to authorizing an increase in the amount to be expended annually in three business improvement districts.

Sponsors: Council Members Brannan and Restler (by request of the Mayor).

SUMMARY OF LEGISLATION: The proposed local law amends the Administrative Code of the city of New York to increase the budget amounts of three business improvement districts (“BIDs”) throughout the City. The budgets are funded by special assessments on properties within the BID and pay for additional services beyond those which the City provides. The special assessments are collected with the City’s property tax collection system and passed through to the BIDs.

EFFECTIVE DATE: This local law would take effect immediately and is retroactive to and deemed to have been in full effect as of July 1, 2022.

FISCAL YEAR (FY) IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal Year 2023

FISCAL IMPACT STATEMENT:

| | Effective FY 23 | Succeeding FY 24 | Full Fiscal Impact FY 23 |
|-------------------------|----------------------------|-----------------------------|-------------------------------------|
| Revenues (+) | \$0 | \$0 | \$0 |
| Expenditures (-) | \$0 | \$0 | \$0 |
| Net | \$0 | \$0 | \$0 |

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: BIDs special assessments

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

ESTIMATE PREPARED BY: Kathleen Ahn, Counsel

ESTIMATE REVIEWED BY: Jonathan Rosenberg, Managing Deputy Director

LEGISLATIVE HISTORY: On September 29, 2022, the Finance Committee adopted Resolution 306-A that set October 12, 2022 as the date to consider a local law that would increase the annual expenditures of three Business Improvement Districts as of July 1, 2022. Proposed Int. No. 655-A will be heard by the Finance Committee on October 12, 2022, and upon a successful vote by the Finance Committee on October 12, 2022, the bill will be submitted to the full Council for a vote on October 12, 2022.

DATE PREPARED: October 11, 2022.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 655-A:)

Int. No. 655-A

By Council Members Brannan and Restler (by request of the Mayor).

A Local Law to amend the administrative code of the city of New York, in relation to authorizing an increase in the amount to be expended annually in three business improvement districts.

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 25-431.1 of the administrative code of the city of New York, as amended by local law number 209 for the year 2019, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the Fifth Avenue Association business improvement district beginning on July 1, [2019] 2022, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [six million four hundred fourteen thousand dollars (\$6,414,000)] *eight million fifty-four thousand six hundred sixty-three dollars (\$8,054,663)*.

§ 2. Subdivision a of section 25-461 of the administrative code of the city of New York, as amended by local law number 3 for the year 2015, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the Columbus/Amsterdam business improvement district beginning on July 1, [2014] 2022, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [three hundred fifty thousand dollars (\$350,000)] *six hundred fifty thousand dollars (\$650,000)*.

§ 3. Subdivision a of section 25-472.1 of the administrative code of the city of New York, as amended by local law number 223 for the year 2018, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the Court-Livingston-Schermerhorn business improvement district beginning on July 1, [2018] 2022, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [one million four hundred thousand dollars (\$1,400,000)] *one million eight hundred thousand dollars (\$1,800,000)*.

§ 4. This local law takes effect immediately and is retroactive to and deemed to have been in effect as of July 1, 2022.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, CHARLES BARRON, GALE A. BREWER, AMANDA FARIÁS, KAMILLAH HARRIS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, JULIE WON; Committee on Finance, October 12, 2022.

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

Report of the Committee on Land Use

Report for L.U. No. 100

Report of the Committee on Land Use in favor of approving, as modified, Application number C 210174 ZMK (2080 McDonald Avenue) submitted by Jackson Ex 2 Avenue S, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 28c, changing from an R5B District to a C4-4L District and changing from an M1-1 District to a C4-4L District, Borough of Brooklyn, Community District 11, Council District 44.

The Committee on Land Use, to which the annexed Land Use item was referred on September 14, 2022 (Minutes, page 2194), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 100 & Res. No. 357 printed in the General Orders Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*: FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 11-0-0; *Absent*: Selvena N. Brooks-Powers and Carlina Rivera; Committee on Land Use, October 6, 2022.

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

Report for L.U. No. 101

Report of the Committee on Land Use in favor of approving, as modified, Application number N 210175 ZRK (2080 McDonald Avenue) submitted by Jackson Ex 2 Avenue S, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 11, Council District 44.

The Committee on Land Use, to which the annexed Land Use item was referred on September 14, 2022 (Minutes, page 2194), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 101 & Res. No. 358 printed in the General Orders Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 11-0-0; *Absent*: Selvena N. Brooks-Powers and Carlina Rivera; Committee on Land Use, October 6, 2022.

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

Report for L.U. No. 102

Report of the Committee on Land Use in favor of approving Application number C 220007 ZMX (Bruckner Sites Rezoning) submitted by Throggs Neck Associates, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 4b, eliminating from within an existing R4-1 District a C1-2 District, eliminating from within an existing R4A District a C1-2 District, eliminating from within an existing R4A District, a C2-2 District, changing from an R4-1 District to an R5B District, changing from an R4-1 District to an R6A District, changing from an R4A District to an R6A District, establishing within the proposed R5B District a C2-4 District, establishing within the proposed R6A District a C2-4 District, Borough of the Bronx, Community District 10, Council District 13.

The Committee on Land Use, to which the annexed Land Use item was referred on September 14, 2022 (Minutes, page 2195) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:**SUBJECT**

**BRONX CB-10 - TWO APPLICATIONS RELATED TO BRUCKNER SITES
REZONING**

C 220007 ZMX (Pre. L.U. No. 102)

City Planning Commission decision approving an application submitted by Throggs Neck Associates, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 4b:

1. eliminating from within an existing R4-1 District a C1-2 District bounded by a southerly boundary line of St. Raymonds Cemetery and its easterly prolongation, East Tremont Avenue, Bruckner Expressway, and a line 100 feet easterly of Revere Avenue;
2. eliminating from within an existing R4A District a C1-2 District bounded by Meyers Street, Edison Avenue, a line 150 feet northwesterly of Bruckner Boulevard, Crosby Avenue, Bruckner Expressway, and East Tremont Avenue;
3. eliminating from within an existing R4A District, a C2-2 District bounded by a line 175 feet northwesterly of Bruckner Boulevard, a line 100 feet northeasterly of East Tremont Avenue, Meyers Street, and East Tremont Avenue;
4. changing from an R4-1 District to an R5B District property bounded by a line 100 feet southerly of Gifford Avenue, the northwesterly centerline prolongation of Brinsmade Avenue, Bruckner Boulevard (southeasterly portion), and a line 100 feet easterly of Balcom Avenue and its southerly prolongation;
5. changing from an R4-1 District to an R6A District property bounded by a southerly boundary line of St. Raymonds Cemetery and its easterly prolongation, East Tremont Avenue, Bruckner Expressway, and Revere Avenue;
6. changing from an R4A District to an R6A District property bounded by a line 175 feet northwesterly of Bruckner Boulevard, Edison Avenue, a line 150 feet northwesterly of Bruckner Boulevard, a line 160 feet southwesterly of Crosby Avenue, a line 250 feet northwesterly of Bruckner Boulevard, Crosby Avenue, Bruckner Expressway, and East Tremont Avenue;
7. establishing within the proposed R5B District a C2-4 District bounded by a line 100 feet southerly of Gifford Avenue, the northwesterly centerline prolongation of Brinsmade Avenue, Bruckner Expressway, and a line 100 feet easterly of Balcom Avenue and its southerly prolongation; and
8. establishing within the proposed R6A District a C2-4 District bounded by a southerly boundary line of St. Raymonds Cemetery and its easterly prolongation, East Tremont Avenue, a line 175 feet northwesterly of Bruckner Boulevard, Edison Avenue, a line 150 feet northwesterly of Bruckner Boulevard, a line 160 feet southwesterly of Crosby Avenue, a line 250 feet northwesterly of Bruckner Boulevard, Crosby Avenue, Bruckner Expressway, and Revere Avenue;

as shown on a diagram (for illustrative purposes only) dated March 28, 2022, and subject to the conditions of CEQR Declaration E-669.

N 220008 ZRX (Pre. L.U. No. 103)

City Planning Commission decision approving an application submitted by Throggs Neck Associates, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the

City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing Area.

INTENT

To approve the amendment to rezone the project area from an R4A/C1-2, R4A, R4-1/C2-4 and R4-1 zoning districts to R6A/C2-4, R6A and R5B/C2-4 zoning districts; and amend zoning text to designate a Mandatory Inclusionary Housing (MIH) area to facilitate the development of four mixed-use buildings, ranging between three and eight stories in height, containing a total of approximately 324,000 square feet, including approximately 349 residential units, 99 of which would be permanently affordable, as well as approximately 53,00 square feet of commercial and community facility floor area, in the Schuylerville neighborhood of the Bronx, Community District 10.

PUBLIC HEARING

DATE: September 7, 2022

Witnesses in Favor: Forty-two

Witnesses Against: Thirty-five

SUBCOMMITTEE RECOMMENDATION

DATE: October 6, 2022

The Subcommittee recommends that the Land Use Committee approve the decisions of the City Planning Commission on Pre. L.U. Nos. 102 and 103.

In Favor:

Riley
Moya
Louis
Abreu
Bottcher
Hanks
Schulman
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: October 6, 2022

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Moya
Louis
Riley
Bottcher
Hanks
Kagan
Krishnan
Mealy
Sanchez
Borelli

Against:

None

Abstain:

None

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

Res. No. 347

Resolution approving the decision of the City Planning Commission on ULURP No. C 220007 ZMX, a Zoning Map amendment (Preconsidered L.U. No. 102).

By Council Members Salamanca and Riley.

WHEREAS, Throggs Neck Associates, LLC, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 4b, by eliminating from within an existing R4-1 District a C1-2 District, eliminating from within an existing R4A District a C1-2 District, eliminating from within an existing R4A District, a C2-2 District, changing from an R4-1 District to an R5B District, changing from an R4-1 District to an R6A District, changing from an R4A District to an R6A District, establishing within the proposed R5B District a C2-4 District, and establishing within the proposed R6A District a C2-4 District, which in conjunction with the related action would facilitate the development of four mixed-use buildings, in the Schuylerville neighborhood of the Bronx, Community District 10 (ULURP No. C 220007 ZMX) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on August 26, 2022 its decision dated August 24, 2022 (the "Decision") on the Application;

WHEREAS, the Application is related to application N 220008 ZRX (Preconsidered L.U. No. 103), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 7, 2022;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Revised Negative Declaration issued August 22nd, 2022, which supersedes the Negative Declaration issued March 28th, 2022, and Revised Environmental Assessment Statement issued August 19th, 2022 (CEQR No. 22DCP015X) which includes information related to water and sewer infrastructure analysis and concludes that the additional

information would not alter the conclusions of the EAS issued March 25, 2022; and which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-669) (the “Revised 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-669) and Revised 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 220007 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. 4b:

1. eliminating from within an existing R4-1 District a C1-2 District bounded by a southerly boundary line of St. Raymonds Cemetery and its easterly prolongation, East Tremont Avenue, Bruckner Expressway, and a line 100 feet easterly of Revere Avenue;
2. eliminating from within an existing R4A District a C1-2 District bounded by Meyers Street, Edison Avenue, a line 150 feet northwesterly of Bruckner Boulevard, Crosby Avenue, Bruckner Expressway, and East Tremont Avenue;
3. eliminating from within an existing R4A District, a C2-2 District bounded by a line 175 feet northwesterly of Bruckner Boulevard, a line 100 feet northeasterly of East Tremont Avenue, Meyers Street, and East Tremont Avenue;
4. changing from an R4-1 District to an R5B District property bounded by a line 100 feet southerly of Gifford Avenue, the northwesterly centerline prolongation of Brinsmade Avenue, Bruckner Boulevard (southeasterly portion), and a line 100 feet easterly of Balcom Avenue and its southerly prolongation;
5. changing from an R4-1 District to an R6A District property bounded by a southerly boundary line of St. Raymonds Cemetery and its easterly prolongation, East Tremont Avenue, Bruckner Expressway, and Revere Avenue;
6. changing from an R4A District to an R6A District property bounded by a line 175 feet northwesterly of Bruckner Boulevard, Edison Avenue, a line 150 feet northwesterly of Bruckner Boulevard, a line 160 feet southwesterly of Crosby Avenue, a line 250 feet northwesterly of Bruckner Boulevard, Crosby Avenue, Bruckner Expressway, and East Tremont Avenue;
7. establishing within the proposed R5B District a C2-4 District bounded by a line 100 feet southerly of Gifford Avenue, the northwesterly centerline prolongation of Brinsmade Avenue, Bruckner Expressway, and a line 100 feet easterly of Balcom Avenue and its southerly prolongation; and
8. establishing within the proposed R6A District a C2-4 District bounded by a southerly boundary line of St. Raymonds Cemetery and its easterly prolongation, East Tremont Avenue, a line 175 feet northwesterly of Bruckner Boulevard, Edison Avenue, a line 150 feet northwesterly of Bruckner Boulevard, a line 160 feet southwesterly of Crosby Avenue, a line 250 feet northwesterly of Bruckner Boulevard, Crosby Avenue, Bruckner Expressway, and Revere Avenue;

as shown on a diagram (for illustrative purposes only) dated March 28, 2022, and subject to the conditions of CEQR Declaration E-669, Borough of the Bronx, Community District 10.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 11-0-0; *Absent*: Selvena N. Brooks-Powers and Carlina Rivera; Committee on Land Use, October 6, 2022.

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

Report for L.U. No. 103

Report of the Committee on Land Use in favor of approving Application number N 220008 ZRX (Bruckner Sites Rezoning) submitted by Throggs Neck Associates, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of the Bronx, Community District 10, Council District 13.

The Committee on Land Use, to which the annexed Land Use item was referred on September 14, 2022 (Minutes, page 2195) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 102 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 348

Resolution approving the decision of the City Planning Commission on Application No. N 220008 ZRX, for an amendment of the text of the Zoning Resolution (Preconsidered L.U. No. 103).

By Council Members Salamanca and Riley.

WHEREAS, Throggs Neck Associates, LLC, filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing Area, which in conjunction with the related action would facilitate the development of four mixed-use buildings, in the Schuylerville neighborhood of the Bronx, Community District 10 (ULURP No. N 220008 ZRX) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on August 26, 2022, its decision dated August 24, 2022 (the “Decision”), on the Application;

WHEREAS, the Application is related to application C 220007 ZMX (Preconsidered L.U. No. 102), a zoning map amendment to change R4A/C1-2, R4A, R4-1/C2-4 and R4-1 zoning districts to R6A/C2-4, R6A and R5B/C2-4 zoning districts;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 7, 2022;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Revised Negative Declaration issued August 22nd, 2022, which supersedes the Negative Declaration issued March 28th, 2022, and Revised Environmental Assessment Statement issued August 19th, 2022 (CEQR No. 22DCP015X) which includes information related to water and sewer infrastructure analysis and concludes that the additional information would not alter the conclusions of the EAS issued March 25, 2022; and which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-669) (the “Revised 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-669) and Revised 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 220008 ZRX, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

Matter underlined is new, to be added;

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

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

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

APPENDIX F

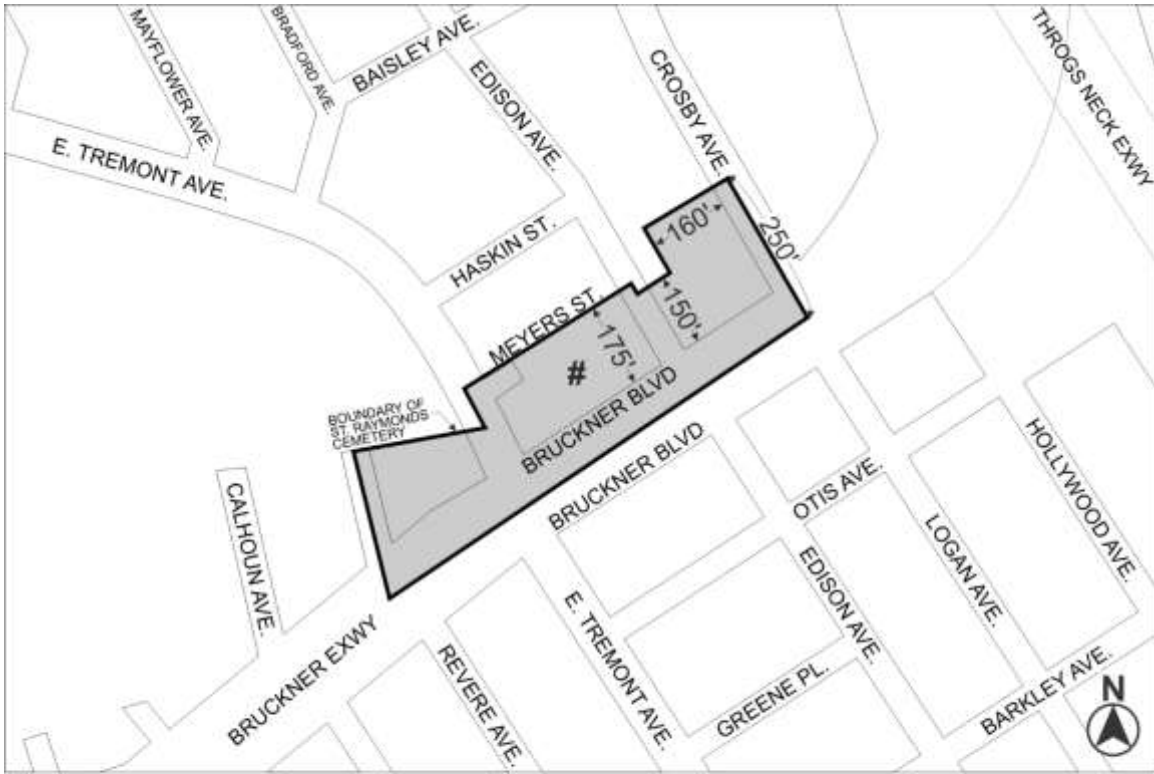
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BRONX

Bronx Community District 10

* * *



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

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

Portion of Community District 10, Bronx

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 11-0-0; *Absent*: Selvena N. Brooks-Powers and Carlina Rivera; Committee on Land Use, October 6, 2022.

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

Report for L.U. No. 104

Report of the Committee on Land Use in favor of approving Application number C 220337 ZSM (705 10th Avenue-DEP Site) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution to allow that portion of a railroad or transit right right-of-way which will be completely covered over by a permanent platform to be included in the lot area, in connection with a proposed 8-story mixed-use building, on property located at 705 10th Avenue (Block 1077, Lot 29), in R8 and R8/C2-5 Districts, partially within the Preservation and partially within the Other Areas (C2), within the Special Clinton District, Borough of Manhattan, Community District 4, Council District 3.

The Committee on Land Use, to which the annexed Land Use item was referred on September 14, 2022 (Minutes, page 2195) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:**SUBJECT**

**MANHATTAN CB-4 – FOUR APPLICATIONS RELATED TO 705 TENTH AVENUE
(DEP SITE)**

C 220337 ZSM (L.U. No. 104)

City Planning Commission decision approving an application submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution to allow that portion of a railroad or transit right right-of-way which will be completely covered over by a permanent platform to be included in the lot area, in connection with a proposed 8-story mixed-use building, on property located at 705 10th Avenue (Block 1077, Lot 29), in R8 and R8/C2-5 Districts, within the Special Clinton District (Preservation Area and Western Subarea C2).

C 220338 ZSM (L.U. No. 105)

City Planning Commission decision approving an application submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 96-104 of the Zoning Resolution to modify the height and setback requirements of Section 96-104 (Height and setback regulations) and the rear yard regulations of Section 23-532 (Required rear yard equivalents), on a zoning lot that has an area of greater than 40,000 square feet, occupies a frontage of a wide street, and contains existing public infrastructure, in connection with a proposed mixed-use development on property located at 705 10th Avenue (Block 1077, Lot 29), in R8 and R8/C2-5 Districts, within the Special Clinton District (Preservation Area and Western Subarea C2).

C 220340 HAM (L.U. No. 106)

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

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a. the designation of property located at 705 10th Avenue (Block 1077, Lot 29) as an Urban Development Action Area; and
 - b. an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate the development of an eight-story building containing approximately 157 affordable housing units and an open space area.

G 220017 XAM (L.U. No. 107)

Application submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a new real property tax exemption, for property located at Block 1077, p/o Lot 29 (Tentative New Lot 29), Borough of Manhattan, Community District 4, Council District 3.

INTENT

To grant an approval of the special permit to allow development over a railroad-right-of-way; pursuant to ZR Section 96-104 to allow for modifications to Article IX, Chapter 6 (Special Clinton District) regulations; approve an Urban Development Action Area Project (UDAAP) designation, project approval and disposition of City-owned property; and a real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law to facilitate the construction of an eight-story mixed-use development containing approximately 157 permanently affordable dwelling units along with approximately 6,128 square feet of community facility space and approximately 0.58 acres of publicly accessible open space to be operated by the New York City Department of Parks and Recreation (DPR) at 705 Tenth Avenue in the Clinton/Hell's Kitchen neighborhood of Manhattan Community District 4.

PUBLIC HEARING

DATE: September 20, 2022

Witnesses in Favor: Nine

Witnesses Against: Four

SUBCOMMITTEE RECOMMENDATION**DATE:** October 6, 2022

The Subcommittee recommends that the Land Use Committee approve the decisions of the City Planning Commission on L.U. Nos. 104 through 107.

In Favor:

Louis
De la Rosa
Marte
Nurse
Ung

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** October 6, 2022

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Moya
Louis
Riley
Bottcher
Hanks
Kagan
Krishnan
Mealy
Sanchez
Borelli

Against:

None

Abstain:

None

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

Res. No. 349

Resolution approving the decision of the City Planning Commission on ULURP No. C 220337 ZSM, for the grant of a special permit (L.U. No. 104).

By Council Members Salamanca and Louis.

WHEREAS, the New York City Department of Housing Preservation and Development (HPD), filed an application pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution to allow that portion of a railroad or transit right right-of-way which will be completely covered over by a permanent platform to be included in the lot area, in connection with a proposed 8-story mixed-use building, on property located at 705 10th Avenue (Block 1077, Lot 29), in

R8 and R8/C2-5 Districts, within the Special Clinton District (Preservation Area and Western Subarea C2), which in conjunction with the related items would facilitate the construction of an eight-story mixed-use development containing approximately 157 permanently affordable dwelling units along with approximately 6,128 square feet of community facility space and approximately 0.58 acres of publicly accessible open space to be operated by the New York City Department of Parks and Recreation (DPR) at 705 Tenth Avenue in the Clinton/Hell’s Kitchen neighborhood of Manhattan, Community District 4, (ULURP No. C C220337 ZSM) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on September 2, 2022, its decision dated August 24, 2022 (the “Decision”) on the Application;

WHEREAS, the Application is related to applications C 220338 ZSM (L.U. No. 105), a Special permit pursuant to Zoning Resolution Section 96-104 to allow for modifications to Article IX, Chapter 6 (Special Clinton District) regulations; C 220340 HAM (L.U. No. 106), an Urban Development Action Area Program (UDAAP) designation, project approval and disposition of City-owned property; and G 220017 XAM (L.U. 107), a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law;

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

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-681 of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 20, 2022;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued March 23rd, 2021 (CEQR No. 21HPD031M) (the “Negative Declaration”).

RESOLVED:

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 220337 ZSM, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

- 1) The property that is the subject of this application (C 220337 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by S9 Architecture, filed with this application and incorporated in this resolution:

| <u>Dwg. No</u> | <u>Title</u> | <u>Last Date Revised</u> |
|-----------------------|----------------------------------|---------------------------------|
| U-002.00 | ZONING SITE PLAN | 08/22/2022 |
| U-003.00 | ZONING ANALYSIS, ZONING DIAGRAMS | 08/22/2022 |
| U-004.00 | ZONING WAIVER PLAN | 08/22/2022 |
| U-006.00 | ZONING WAIVER SECTIONS | 08/22/2022 |

- 2) Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
- 3) Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
- 4) All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.
- 5) Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution and the attached restrictive declaration whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted or of the attached restrictive declaration.
- 6) Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 11-0-0; *Absent*: Selvena N. Brooks-Powers and Carlina Rivera; Committee on Land Use, October 6, 2022.

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

Report for L.U. No. 105

Report of the Committee on Land Use in favor of approving Application number C 220338 ZSM (705 10th Avenue-DEP Site) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 96-112* of the Zoning Resolution to modify the height and setback requirements of Section 96-104* (Height and setback regulations) and the rear yard regulations of Section 23-532 (Required rear yard equivalents), on a zoning lot that has an area of greater than 40,000 square feet, occupies a frontage of a wide street, and contains existing public infrastructure, in connection with a proposed 8-story mixed-use building, on property located at 705 10th Avenue (Block 1077, Lot 29), in R8 and R8/C2-5 Districts, partially within the Preservation and partially within the Other Areas (C2), within the Special Clinton District, Borough of Manhattan, Community District 4, Council District 3.

The Committee on Land Use, to which the annexed Land Use item was referred on September 14, 2022 (Minutes, page 2196) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 104 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 350

Resolution approving the decision of the City Planning Commission on ULURP No. C 220338 ZSM, for the grant of a special permit (L.U. No. 105).

By Council Members Salamanca and Louis.

WHEREAS, the New York City Department of Housing Preservation and Development (HPD), filed an application pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 96-104 of the Zoning Resolution to modify the height and setback requirements of Section 96-104 (Height and setback regulations) and the rear yard regulations of Section 23-532 (Required rear yard equivalents), on a zoning lot that has an area of at least 40,000 square feet, occupies a frontage of a wide street, and contains a mass transit or water supply support facility, in connection with a proposed mixed-use development on property located at 705 10th Avenue (Block 1077, Lot 29), in R8 and R8/C2-5 Districts, within the Special Clinton District (Preservation Area and Western Subarea C2), which in conjunction with the related items would facilitate the construction of an eight-story mixed-use development containing approximately 157 permanently affordable dwelling units along with approximately 6,128 square feet of community facility space and approximately 0.58 acres of publicly accessible open space to be operated by the New York City Department of Parks and Recreation (DPR) at 705 Tenth Avenue in the Clinton/Hell's Kitchen neighborhood of Manhattan Community District 4, (ULURP No. C 220338 ZSM) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on September 2, 2022, its decision dated August 24, 2022 (the "Decision") on the Application;

WHEREAS, the Application is related to applications C 220337 ZSM (L.U. No. 104), a special permit to allow development over a railroad-right-of-way; C 220340 HAM (L.U. No. 106), an Urban Development Action Area Program (UDAAP) designation, project approval and disposition of City-owned property; and G 220017 XAM (L.U. 107), a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law;

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

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 96-104 of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 20, 2022;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued March 23rd, 2022 (CEQR No. 21HPD031M) (the “Negative Declaration”).

RESOLVED:

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 220338 ZSM, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

- (a) The property that is the subject of this application (C 220338 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by S9 Architecture filed with this application and incorporated in this resolution:

| <u>Dwg. No.</u> | <u>Title</u> | <u>Last Date Revised</u> |
|------------------------|----------------------------------|---------------------------------|
| U-002.00 | ZONING SITE PLAN | 08/22/2022 |
| U-003.00 | ZONING ANALYSIS, ZONING DIAGRAMS | 08/22/2022 |
| U-004.00 | ZONING WAIVER PLAN | 08/22/2022 |
| U-006.00 | ZONING WAIVER SECTIONS | 08/22/2022 |

- (b) Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
- (c) Such development shall conform to all applicable laws and regulations relating to its construction, operation, and maintenance.
- (d) In the event the property that is the subject of the application is developed, sold as, or converted to condominium units, a homeowners’ association, or cooperative ownership, a copy of this resolution and restrictive declaration described below and any subsequent modifications to either document shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners’ or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.
- (e) All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.
- (f) Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as

stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.

- (g) Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the City's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 11-0-0; *Absent*: Selvena N. Brooks-Powers and Carlina Rivera; Committee on Land Use, October 6, 2022.

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

Report for L.U. No. 106

Report of the Committee on Land Use in favor of approving Application number C 220340 HAM (705 10th Avenue-DEP Site) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Article 16 of the General Municipal Law of New York State for the designation of an Urban Development Action Area and an Urban Development Action Area Project, and pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD, for property located at 705 10th Avenue (Block 1077, Lot 29), Borough of Manhattan, Community District 4, Council District 3.

The Committee on Land Use, to which the annexed Land Use item was referred on September 14, 2022 (Minutes, page 2196) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 104 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 351

Resolution approving the application submitted by the New York City Department of Housing Preservation and Development ("HPD") and the decision of the City Planning Commission, ULURP No. C 220340 HAM, approving the designation of an Urban Development Action Area, an Urban Development Action Area Project, and the disposition of city-owned property located at 705 10th Avenue (Block 1077, Lot 29), Borough of Manhattan, Community District 4, to a developer selected by HPD (L.U. No. 106; C 220340 HAM).

By Council Members Salamanca and Louis.

WHEREAS, the City Planning Commission filed with the Council on September 2, 2022 its decision dated August 24, 2022 (the “Decision”), on the application submitted by the New York City Department of Housing Preservation and Development (“HPD”) regarding city-owned property located at 705 10th Avenue (Block 1077, Lot 29), (the “Disposition Area”), approving:

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

which in conjunction with the related actions would facilitate the construction of an eight-story mixed-use development containing approximately 157 permanently affordable dwelling units along with approximately 6,128 square feet of community facility space and approximately 0.58 acres of publicly accessible open space to be operated by the New York City Department of Parks and Recreation (DPR) at 705 Tenth Avenue in the Clinton/Hell’s Kitchen neighborhood of Manhattan, Community District 4 (ULURP No. C 220340 HAM) (the “Application”);

WHEREAS, the Application is related to applications C 220337 ZSM (L.U. No. 104), a special permit to allow development over a railroad-right-of-way; C 220338 ZSM (L.U. No. 105), a special permit pursuant to Zoning Resolution Section 96-104 to allow for modifications to Article IX, Chapter 6 (Special Clinton District) regulations; and G 220017 XAM (L.U. 107), a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law;

WHEREAS, the request made by HPD is related to a previously approved City Council Resolution No. 2324 (L.U. No. 1261) dated December 21, 2009 (the “Original Resolution”);

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

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

WHEREAS, by letter dated September 1, 2022 and submitted to the Council on September 1, 2022, HPD submitted its requests (the “HPD Requests”) respecting the Application including the submission of the project summary for the Project (the “Project Summary”);

WHEREAS, upon due notice, the Council held a public hearing on the Application and Decision and the HPD Requests on September 20, 2022;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued March 23rd, 2022 (CEQR No. 21HPD031M) (the “Negative Declaration”).

RESOLVED:

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

Pursuant to Section 197-d of the New York City Charter, based on the environmental determination and the consideration described in the report C 220340 HAM and incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission and the HPD Requests.

Pursuant to Article 16 of the General Municipal Law of New York State, based on the environmental determination and the consideration described in the report C 220340 HAM and incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission and the HPD Requests.

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

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

The Council approves the Project as an urban development action area project pursuant to Section 694 of the General Municipal Law and subject to the terms and conditions of the Project Summary.

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

ATTACHMENT:**PROJECT SUMMARY**

- | | |
|-------------------------------|---|
| 1. PROGRAM: | MIXED INCOME PROGRAM: MIX & MATCH |
| 2. PROJECT: | Rialto West – 705 Tenth Avenue (DEP Site) |
| 3. LOCATION: | |
| a. BOROUGH: | Manhattan |
| b. COMMUNITY DISTRICT: | 4 |
| c. COUNCIL DISTRICT: | 3 |

| | | | |
|-----------------------------|--------------|-------------------------------------|---|
| d. DISPOSITION AREA: | <u>BLOCK</u> | <u>LOTS</u> | <u>ADDRESS</u> |
| | 1077 | p/o 29 (Tentative New Lot 29) | 719 Tenth Avenue (Tentative 509 West 48 th Street) |

| | | | |
|--------------------------|--------------|-------------------------------------|--|
| e. EASEMENT AREA: | <u>BLOCK</u> | <u>LOTS</u> | <u>ADDRESS</u> |
| | 1077 | p/o 29 (Tentative New Lot 35) | 719 Tenth Avenue (Tentative 707-719 10 th Avenue) |

| | | | |
|-------------------------|--------------|--|--|
| f. PROJECT AREA: | <u>BLOCK</u> | <u>LOTS</u> | <u>ADDRESS</u> |
| | 1077 | 29 (Tentative New Lots 29 and 35) | 719 Tenth Avenue (Tentative 509 West 48 th Street and 707-719 10 th Avenue) |

4. BASIS OF DISPOSITION PRICE: Nominal. Sponsor will pay one dollar per lot and deliver enforcement note(s) and mortgage(s) for the remainder of the appraised value of the land and development rights (“Land Debt”). For a period of at least thirty (30) years following completion of construction, the Land Debt or City’s capital subsidy may be repayable out of resale or refinancing profits. The remaining balance, if any, may be forgiven at the end of the term.

5. TYPE OF PROJECT: New Construction

6. APPROXIMATE NUMBER OF BUILDINGS: 1

7. APPROXIMATE NUMBER OF UNITS: 157 dwelling units (plus one superintendent unit)

8 HOUSING TYPE: Rental

9. ESTIMATE OF INITIAL RENTS Rents will be affordable to families with incomes between 47% and 120% of AMI. Formerly homeless tenants referred by DHS and other City agencies will pay up to 30% of their income as rent. All units will be subject to rent stabilization.

10. INCOME TARGETS Between 30% and 140% of AMI.

- 11. PROPOSED FACILITIES:** Approximately 6,377 square feet of community facility space, and approximately 25,265 square feet of open space and potential DEP structure(s).
- 12. PROPOSED CODES/ORDINANCES:** None
- 13. ENVIRONMENTAL STATUS:** Negative Declaration
- 14. PROPOSED TIME SCHEDULE:** Approximately 30 months from closing to completion of construction

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 11-0-0; *Absent*: Selvena N. Brooks-Powers and Carlina Rivera; Committee on Land Use, October 6, 2022.

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

Report for L.U. No. 107

Report of the Committee on Land Use in favor of approving Application No. G 220017 XAM (705 10th Avenue-DEP Site/Rialto West-UDAAP/Article XI) submitted by the New York City Department of Housing Preservation and Development, pursuant to Article 16 of the General Municipal Law and Section 577 of Article XI of the Private Housing Finance Law for an amendment of a previously approved portion of the Disposition Area located at Block 1077, p/o Lot 29 for approval of a real property tax exemption, Borough of Manhattan, Community District 4, Council District 3.

The Committee on Land Use, to which the annexed Land Use item was referred on September 14, 2022 (Minutes, page 2196) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 104 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 352

Resolution approving a tax exemption pursuant to Article XI of the Private Housing Finance Law (L.U. No. 107; Non-ULURP No. G 220017 XAM).

By Council Members Salamanca and Louis.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council on September 1, 2022 its request dated September 1, 2022 that the Council approve a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law (the “Tax Exemption Request”) for property located at Block 1077, p/o Lot 29 (Tentative New Lot 29), Borough of Manhattan, Community District 4, Council District 3 (the “Exemption Area”);

WHEREAS, the Application is related to applications C 220337 ZSM (L.U. No. 104), a special permit to allow development over a railroad-right-of-way; C 220338 ZSM (L.U. No. 105), a special permit pursuant to Zoning Resolution Section 96-104 to allow for modifications to Article IX, Chapter 6 (Special Clinton District) regulations; and C 220340 HAM (L.U. No. 106), an Urban Development Action Area Program (UDAAP) designation, project approval and disposition of City-owned property;

WHEREAS, upon due notice, the Council held a public hearing on the Tax Exemption Request on September 20, 2022; and

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

RESOLVED:

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

- a. For the purposes hereof, the following terms shall have the following meanings:
 - (1) “Community Facility Space” shall mean those portions of the Exemption Area which the Regulatory Agreement requires to be devoted solely to community facility uses.
 - (2) “Company” shall mean 705 HK Owner LLC or any other entities that acquire all or a portion of the beneficial interests in the Exemption Area with the prior written consent of HPD.
 - (3) “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that either (A) HPD and the Owner, or (B) HPD, HDC and the Owner, enter into the Regulatory Agreement.
 - (4) “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - (5) “Exemption Area” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 1077, p/o Lot 29 (Tentative New Lot 29) on the Tax Map of the City of New York.
 - (6) “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.
 - (7) “HDC” shall mean the New York City Housing Development Corporation.”

- (8) “HDFC” shall mean Actors HK Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - (9) “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - (10) “Owner” shall mean, collectively, the HDFC and the Company.
 - (11) “Regulatory Agreement” shall mean the regulatory agreement between either (i) HPD and the Owner, or (ii) HPD, HDC and the Owner, that establishes certain controls upon the operation of the Exemption Area during the term of the Exemption.
- b. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business or commercial use other than the Community Facility Space), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
- c. Notwithstanding any provision hereof to the contrary:
- (1) 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 60 days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
 - (2) The Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that has a permanent certificate of occupancy or a temporary certificate of occupancy for all of the residential areas on or before five years from the Effective Date.
 - (3) 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. 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.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 11-0-0; *Absent*: Selvena N. Brooks-Powers and Carlina Rivera; Committee on Land Use, October 6, 2022.

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

Report for L.U. No. 108

Report of the Committee on Land Use in favor of approving Application number N 230007 HKQ (DL-527/LP-2655) (Cambria Heights-222nd Street Historic District) submitted by the Landmarks Preservation Commission, pursuant to Section 3020 of the New York City Charter, for the historic district designation of the Cambria Heights-222nd Street Historic District, consisting of 46 houses located in southeastern Queens adjoining the Nassau County border, Borough of Queens, Community District 13, Council District 27.

The Committee on Land Use, to which the annexed Land Use item was referred on September 14, 2022 (Minutes, page 2197) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

QUEENS CB - 13

N 230007 HKQ

Designation by the Landmarks Preservation Commission [DL-527/LP-2655] pursuant to Section 3020 of the New York City Charter and Chapter 3 of Title 25 of the Administrative Code of the City of New York of the Cambria Heights-222nd Street Historic District.

PUBLIC HEARING

DATE: September 20, 2022

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: October 6, 2022

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

| In Favor: | Against: | Abstain: |
|------------------|-----------------|-----------------|
| Louis | None | None |
| De la Rosa | | |
| Marte | | |
| Nurse | | |
| Ung | | |

COMMITTEE ACTION

DATE: October 6, 2022

The Committee recommends that the Council approve the attached resolution.

| In Favor: | Against: | Abstain: |
|------------------|-----------------|-----------------|
| Salamanca | None | None |
| Moya | | |
| Louis | | |
| Riley | | |
| Bottcher | | |
| Hanks | | |
| Kagan | | |
| Krishnan | | |
| Mealy | | |
| Sanchez | | |
| Borelli | | |

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

Res. No. 353

Resolution affirming the designation by the Landmarks Preservation Commission of the Cambria Heights-222nd Street Historic District, Borough of Queens, Designation List No. 527, LP-2655 (L.U. No. 108; N 230007 HKQ).

By Council Members Salamanca and Louis.

WHEREAS, the Landmarks Preservation Commission filed with the Council on July 8, 2022 a copy of its designation report dated June 28, 2022 (the “Designation Report”), including the designation pursuant to Section 3020 of the City Charter and Chapter 3 of Title 25 of the Administrative Code of the City of New York of the Cambria Heights-222nd Street Historic District Landmark, Community District 13, Borough of Queens, with the following district boundaries (the “Designation”):

The Proposed Cambria Heights-222nd Street Historic District consists of the properties bounded by a line beginning on the southern curblineline of 115th Road at a point on a line extending northerly from the northwestern property line of 115-60 222nd Street, extending easterly along the southern curblineline of 115th Road and across 222nd Street to a point on a line extending northerly from the northeastern property line of 115-59 222nd Street,

southerly along said line and the eastern property lines of 115-59 through 115-103 222nd Street, westerly along the southern property line of 115-103 222nd Street, continuing westerly across 222nd Street and the southern property line of 115-104 222nd Street, and northerly along the western property lines of 115-104 through 115-60 222nd Street to the point of beginning.

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

WHEREAS, the New York City Planning Commission submitted to the Council on August 26, 2022 its report on the Designation dated August 24, 2022 (the “City Planning Commission Report”);

WHEREAS, upon due notice, the Council held a public hearing on the Designation on September 20, 2022; and

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

RESOLVED:

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

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 11-0-0; *Absent*: Selvena N. Brooks-Powers and Carlina Rivera; Committee on Land Use, October 6, 2022.

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

Report for L.U. No. 109

Report of the Committee on Land Use in favor of approving Application number N 230008 HKQ (DL-527/LP-2656) (Cambria Heights-227th Street Historic District) submitted by the Landmarks Preservation Commission, pursuant to Section 3020 of the New York City Charter, for the historic district designation of the Cambria Heights-227th Street Historic District, consisting of 50 houses located in southeastern Queens adjoining the Nassau County border, Borough of Queens, Community District 13, Council District 27.

The Committee on Land Use, to which the annexed Land Use item was referred on September 14, 2022 (Minutes, page 2197) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

QUEENS CB - 13

N 230008 HKQ

Designation by the Landmarks Preservation Commission [DL-527/LP-2656] pursuant to Section 3020 of the New York City Charter and Chapter 3 of Title 25 of the Administrative Code of the City of New York of the Cambria Heights-227th Street Historic District.

PUBLIC HEARING

DATE: September 20, 2022

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: October 6, 2022

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

In Favor:

Louis
De la Rosa
Marte
Nurse
Ung

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: October 6, 2022

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca
Moya
Louis
Riley
Bottcher
Hanks
Kagan
Krishnan
Mealy
Sanchez
Borelli

Against:

None

Abstain:

None

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

Res. No. 354

Resolution affirming the designation by the Landmarks Preservation Commission of the Cambria Heights-227th Street Historic District, Borough of Queens, Designation List No. 527, LP-2656 (L.U. No. 109; N 230008 HKQ).

By Council Members Salamanca and Louis.

WHEREAS, the Landmarks Preservation Commission filed with the Council on July 8, 2022 a copy of its designation report dated June 28, 2022 (the “Designation Report”), including the designation pursuant to Section 3020 of the City Charter and Chapter 3 of Title 25 of the Administrative Code of the City of New York of the Cambria Heights-227th Street Historic District Landmark, Community District 13, Borough of Queens, with the following district boundaries (the “Designation”):

The Proposed Cambria Heights-227th Street Historic District consists of the properties bounded by a line beginning on the southern curblineline of 116th Avenue at a point on a line extending northerly from the northwestern property line of 116-02 227th Street, extending easterly along the southern curblineline of 116th Avenue and across 227th Street to a point on a line extending northerly from the northeastern property line of 116-01 227th Street, southerly along said line and the eastern property lines of 116-01 through 116-49 227th Street, westerly along the southern property line of 116-49 227th Street, continuing westerly across 227th Street and the southern property line of 116-50 227th Street, and northerly along the western property lines of 116-50 through 116-02 227th Street to the point of beginning.

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

WHEREAS, the New York City Planning Commission submitted to the Council on August 26, 2022 its report on the Designation dated August 24, 2022 (the “City Planning Commission Report”);

WHEREAS, upon due notice, the Council held a public hearing on the Designation on September 20, 2022; and

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

RESOLVED:

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

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 11-0-0; *Absent*: Selvena N. Brooks-Powers and Carlina Rivera; Committee on Land Use, October 6, 2022.

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

Report for L.U. No. 115

Report of the Committee on Land Use in favor of approving Application number C 220133 ZMQ (78-46 Metropolitan Avenue Rezoning) submitted by Robert Thomas, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 13d, changing from an R5 District to an R5D and establishing within the proposed R5D District a C2-3 District, Borough of Queens, Community District 5, Council District 30.

The Committee on Land Use, to which the annexed Land Use item was referred on September 29, 2022 (Minutes, page 2338) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:**SUBJECT****QUEENS CB - 5****C 220133 ZMQ**

City Planning Commission decision approving an application submitted by Robert Thomas, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 13d:

1. changing from an R5 District to an R5D District property bounded by Metropolitan Avenue, 79th Street, a line midway between Metropolitan Avenue and 67th Road, and a line 50 feet westerly of 79th Street; and
2. establishing within the proposed R5D District a C2-3 District bounded by Metropolitan Avenue, 79th Street, a line midway between Metropolitan Avenue and 67th Road, and a line 50 feet westerly of 79th Street;

as shown on a diagram (for illustrative purposes only) dated April 25, 2022, and subject to the conditions of CEQR Declaration E-664.

INTENT

To approve the amendment to rezone the project area from an R5 District to an R5D District and establish within the proposed R5D District a C2-3 District to facilitate a two-story enlargement of an existing one-story building located at 78-46 Metropolitan Avenue in the Middle Village neighborhood of Queens, Community District 5.

PUBLIC HEARING**DATE:** September 22, 2022**Witnesses in Favor:** Two**Witnesses Against:** None

SUBCOMMITTEE RECOMMENDATION**DATE:** October 6, 2022

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

| In Favor: | Against: | Abstain: |
|------------------|-----------------|-----------------|
| Riley | None | None |
| Moya | | |
| Louis | | |
| Abreu | | |
| Bottcher | | |
| Hanks | | |
| Schulman | | |
| Carr | | |

COMMITTEE ACTION**DATE:** October 6, 2022

The Committee recommends that the Council approve the attached resolution.

| In Favor: | Against: | Abstain: |
|------------------|-----------------|-----------------|
| Salamanca | None | None |
| Moya | | |
| Louis | | |
| Riley | | |
| Bottcher | | |
| Hanks | | |
| Kagan | | |
| Krishnan | | |
| Mealy | | |
| Sanchez | | |
| Borelli | | |

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

Res. No. 355

Resolution approving the decision of the City Planning Commission on ULURP No. C 220133 ZMQ, a Zoning Map amendment (Preconsidered L.U. No. 115).

By Council Members Salamanca and Riley.

WHEREAS, Robert Thomas, 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. 13d, changing from an R5 District to an R5D District and establishing within the proposed R5D District a C2-3 District, in the Middle Village neighborhood of Queens, Community District 5 (ULURP No. C 220133 ZMQ) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on September 21, 2022 its decision dated September 21, 2022 (the "Decision") on the Application;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 22, 2022;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued April 25th, 2022 (CEQR No. 22DCP092Q), which includes an (E) designation to avoid the potential for significant adverse impacts related to air quality and noise (E-664) (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-664) 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 220133 ZMQ incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 13d:

1. changing from an R5 District to an R5D District property bounded by Metropolitan Avenue, 79th Street, a line midway between Metropolitan Avenue and 67th Road, and a line 50 feet westerly of 79th Street; and
2. establishing within the proposed R5D District a C2-3 District bounded by Metropolitan Avenue, 79th Street, a line midway between Metropolitan Avenue and 67th Road, and a line 50 feet westerly of 79th Street;

as shown on a diagram (for illustrative purposes only) dated April 25, 2022, and subject to the conditions of CEQR Declaration E-664, Borough of Queens, Community District 5.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 11-0-0; *Absent*: Selvena N. Brooks-Powers and Carlina Rivera; Committee on Land Use, October 6, 2022.

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

Report for L.U. No. 116

Report of the Committee on Land Use in favor of approving Application number C 220414 ZMQ (79-18 164th Street Rezoning) submitted by Mikhail Kantius, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 14c, eliminating from within an existing R4 District a C1-3 District, eliminating from within an existing R5D District a C1-3 District, establishing within an existing R4 District a C2-3 District and establishing within an existing R5D District a C2-3 District, Borough of Queens, Community District 8, Council District 24.

The Committee on Land Use, to which the annexed Land Use item was referred on September 29, 2022 (Minutes, page 2339) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:**SUBJECT****QUEENS CB - 8****C 220414 ZMQ**

City Planning Commission decision approving an application submitted by Mikhail Kantius, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 14c:

1. eliminating from within an existing R4 District a C1-3 District bounded by a line 100 feet southerly of Union Turnpike, 164th Street, the westerly centerline prolongation of 81st Avenue, and a line midway between 162nd Street and 164th Street;
2. eliminating from within an existing R5D District a C1-3 District bounded by Union Turnpike, 164th Street, a line 100 feet southerly of Union Turnpike, and 162nd Street;
3. establishing within an existing R4 District a C2-3 District bounded by a line 100 feet southerly of Union Turnpike, 164th Street, the westerly centerline prolongation of 81st Avenue, and a line midway between 162nd Street and 164th Street; and
4. establishing within an existing R5D District a C2-3 District bounded by Union Turnpike, 164th Street, a line 100 feet southerly of Union Turnpike, and 162nd Street;

as shown on a diagram (for illustrative purposes only) dated May 9, 2022, and subject to the conditions of CEQR Declaration E-678.

INTENT

To approve the amendment to rezone the project area eliminating from within an existing R4 District a C1-3 District; eliminating from within an existing R5D District a C1-3 District; establishing within an existing R4 District a C2-3 District; and establishing within an existing R5D District a C2-3 District to facilitate the legalization of an existing medical research laboratory located on the second story of a two-story building at 79-18 164th Street (Block 6857, Lot 62) in the Hillcrest neighborhood of Queens, Community District 8.

PUBLIC HEARING**DATE:** September 22, 2022**Witnesses in Favor:** Three**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** October 6, 2022

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

In Favor:

Riley
Moya
Louis
Abreu
Bottcher
Hanks
Schulman
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** October 6, 2022

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca
Moya
Louis
Riley
Bottcher
Hanks
Kagan
Krishnan
Mealy
Sanchez
Borelli

Against:

None

Abstain:

None

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

Res. No. 356

Resolution approving the decision of the City Planning Commission on ULURP No. C 220414 ZMQ, a Zoning Map amendment (Preconsidered L.U. No. 116).

By Council Members Salamanca and Riley.

WHEREAS, Mikhail Kantius, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 14c, eliminating from within an existing R4 District a C1-3 District, eliminating from within an existing R5D District a C1-3 District, establishing within an existing R4 District a C2-3 District, and establishing within an existing R5D District a C2-3 District, in the Hillcrest neighborhood of Queens, Community District 8 (ULURP No. C 220414 ZMQ) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on September 21, 2022 its decision dated September 21, 2022 (the "Decision") on the Application;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 22, 2022;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued May 6th, 2022 (CEQR No. 22DCP130Q), which includes an (E) designation to avoid the potential for significant adverse impacts related to noise (E-678) (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-678) 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 220414 ZMQ incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 14c:

1. eliminating from within an existing R4 District a C1-3 District bounded by a line 100 feet southerly of Union Turnpike, 164th Street, the westerly centerline prolongation of 81st Avenue, and a line midway between 162nd Street and 164th Street;
2. eliminating from within an existing R5D District a C1-3 District bounded by Union Turnpike, 164th Street, a line 100 feet southerly of Union Turnpike, and 162nd Street;
3. establishing within an existing R4 District a C2-3 District bounded by a line 100 feet southerly of Union Turnpike, 164th Street, the westerly centerline prolongation of 81st Avenue, and a line midway between 162nd Street and 164th Street; and

4. establishing within an existing R5D District a C2-3 District bounded by Union Turnpike, 164th Street, a line 100 feet southerly of Union Turnpike, and 162nd Street;

as shown on a diagram (for illustrative purposes only) dated May 9, 2022, and subject to the conditions of CEQR Declaration E-678, Borough of Queens, Community District 8.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 11-0-0; *Absent*: Selvena N. Brooks-Powers and Carlina Rivera; Committee on Land Use, October 6, 2022.

Recommitted to the Committee on Land Use (for the vote on Council Member Gennaro's Motion to Recommit L.U. No. 116 & Res. No. 356, please refer to the section following the listing of the Commissioner of Deeds and immediately before the Roll Call on General Orders for the Day printed in these Minutes)

Report for L.U. No. 117

Report of the Committee on Land Use in favor of approving, as modified, Application number C 220169 ZMQ (40-25 Crescent Street Rezoning) submitted by Crescent Street Associates, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9b, changing from an M1-2/R5B District to an M1-2/R6A District and changing from an M1-2/R5D District to an M1-2/R6A District, Borough of Queens, Community District 1, Council Districts 26.

The Committee on Land Use, to which the annexed Land Use item was referred on September 29, 2022 (Minutes, page 2339), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 117 & Res. No. 359 printed in the General Orders Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 11-0-0; *Absent*: Selvena N. Brooks-Powers and Carlina Rivera; Committee on Land Use, October 6, 2022.

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

Report for L.U. No. 118

Report of the Committee on Land Use in favor of approving, as modified, Application number N 220170 ZRQ (40-25 Crescent Street Rezoning) submitted by Crescent Street Associates, LLC, pursuant to Section 201 of the New York City Charter for an amendment to the Zoning Resolution of the City of New York, modifying provisions of Article XI, Chapter 7 (Special Long Island City Mixed Use District) and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Community District 1, Council Districts 26.

The Committee on Land Use, to which the annexed Land Use item was referred on September 29, 2022 (Minutes, page 2339), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 118 & Res. No. 360 printed in the General Orders Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 11-0-0; *Absent*: Selvena N. Brooks-Powers and Carlina Rivera; Committee on Land Use, October 6, 2022.

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

Report of the Committee on Women and Gender Equity

Report for Int. No. 242-A

Report of the Committee on Women and Gender Equity in favor of approving and adopting, as amended, a Local Law in relation to the establishment of a Marshall plan for moms task force to develop and issue recommendations on how to support working mothers, other parents, and caregivers.

The Committee on Women and Gender Equity, to which the annexed proposed amended local law was referred on April 28, 2022 (Minutes, page 783), respectfully

REPORTS:**I. INTRODUCTION**

On October 12, 2022, the Committee on Women and Gender Equity, chaired by Council Member Tiffany Cabán, held a vote on the following pieces of legislation: Introduction Number (Int. No.) 242, sponsored by Council Member Jennifer Gutiérrez, in relation to the establishment of a Marshall plan for moms task force to develop and issue recommendations on how to support working mothers, other parents, and caregivers; and Int.

No. 477, sponsored by Council Member Crystal Hudson, in relation to a child care task force. The Committee will also hold a vote on the following pieces of legislation sponsored by Council Member Julie Menin: Resolution No. (Res. No.) 69, a Resolution calling on the New York State Legislature to pass, and the Governor to sign, S. 7595/ A. 8623, S. 6706B/ A. 7582A, and S. 7615/ A. 8625, legislation supporting the provision of financial assistance to families and child care providers in order to make child care more accessible and affordable; Int. No. 485-A, a Local Law to amend the administrative code of the city of New York, in relation to an electronic child care directory; Int. No. 486-A, a Local Law to amend the New York city charter, in relation to establishing a child care advisory board; Int. No. 487-A, a Local Law to amend the administrative code of the city of New York, in relation to establishing a child care subsidy information portal; Int. No. 488-A, a Local Law to amend the administrative code of the city of New York, in relation to establishing a child care grant pilot program; and Int. No. 489, a Local Law to amend the administrative code of the city of New York, in relation to guidance to an owner of real property regarding facility requirements for a child care program. This legislation was originally heard at a hearing of this Committee on June 29, 2022, at which the Committees heard testimony from the NYC Department of Health and Mental Hygiene (DOHMH), the NYC Commission on Gender Equity (CGE), as well as unions, think tanks, advocacy groups and organizations, and other interested stakeholders.

UPDATE

On October 12, 2022, the Committee on Women and Gender Equity passed this legislation by a vote of four in the affirmative, zero in the negative and zero abstentions.

II. BACKGROUND

The Importance of Childcare

Studies have shown that the early years of a child’s life are critical for healthy brain development and lay the groundwork for future educational achievement, economic productivity, and lifelong health.¹ High-quality childcare² and early learning programs have a high return on investment for both children and parents.³ With affordable childcare options, parents can stay in the workforce and grow their incomes, while children can gain foundational skills to succeed in school and life, and benefit from their parents’ and teachers’ economic stability.⁴

Issues with Childcare in the City

While access to affordable childcare was limited well before NYC became the national epicenter of the 2019 novel coronavirus (“COVID-19”) in 2020,⁵ the COVID-19 pandemic brought to light an existing problem with childcare in the City:⁶ that childcare providers do not have the funds to adequately pay workers, the supply of

¹ Julie Kashen, Loris Toribio, Emma Vadehra, Chansi Powell, Jaylen Hackett, Halley Potter, Nancy Park and Ayana Batholomew, “Building a High-Quality Child Care and Early Learning Infrastructure for New York City,” The Century Foundation (Jul. 22, 2021), available at: <https://tcf.org/content/report/building-high-quality-child-care-early-learning-infrastructure-new-york-city/?session=1&session=1&session=1&session=1>.

² This Committee Report uses the terms “childcare,” except where “child care” is used in legislation. In that case, the terms “child care” and “childcare” are used interchangeably.

³ *Supra* note 1.

⁴ “Return on Investment in Birth-to-Three Early Childhood Development Programs,” The Heckman Equation (Sep. 6, 2018).

⁵ Centers for Disease Control and Prevention, “COVID-19 Outbreak — New York City, February 29–June 1, 2020” Morbidity and Mortality Weekly Report (MMWR) (Nov. 20, 2020), available at <https://www.cdc.gov/mmwr/volumes/69/wr/mm6946a2.htm>.

⁶ Julie Kashen, Loris Toribio, Emma Vadehra, Chansi Powell, Jaylen Hackett, Halley Potter, Nancy Park and Ayana Batholomew, “Building a High-Quality Child Care and Early Learning Infrastructure for New York City,” The Century Foundation (Jul. 22, 2021), available at: <https://tcf.org/content/report/building-high-quality-child-care-early-learning-infrastructure-new-york-city/?session=1&session=1&session=1&session=1>.

childcare programs has long been insufficient to meet the demand, and that many families are unable to afford the services available to them.⁷ While the City has invested in universal pre-kindergarten programs for three- and four-year-olds,⁸ many low- and moderate-income caregivers still struggle with the high cost of childcare for infants and toddlers, and for after school care for children of all ages.⁹ Enrollment in childcare programs can cost more than \$2,600 per month, or \$21,000 per year, which is too high for most low-income and middle-income families.¹⁰ According to a 2019 report by the NYC Comptroller on care for children under three (“Comptroller’s 2019 Report”), the best available data on childcare costs at the local level come from a survey of childcare providers conducted by the New York State Office of Children and Family Services (OCFS), which sets childcare subsidy market rates at the 69th percentile of the prices reported by providers.¹¹ As of 2018, when the market-rate survey was last conducted, the annual cost of center-based care at the 69th percentile in NYC was \$21,112 for infants and \$16,380 for toddlers, or \$18,746 on average for children under three.¹² The annual cost of family day care provided in a residence averaged \$10,331 for children under three, with the difference in costs likely reflecting the added overhead to run center-based programs, which are often large commercial properties that serve more children, and generally require more staffing.¹³ Center-based care for an infant would consume more than two-thirds (68 percent) of the income of a single parent working full-time at the minimum wage,¹⁴ and family day care provided in a residence would comprise one-third of such a family’s income.¹⁵

Additionally, childcare providers, whose workforce is mostly made up of women of color, have been underpaid for their work.¹⁶ Childcare providers are unable to pay sufficient wages to their workers, which leads to high turnover and challenges with recruitment, which can impact the availability and quality of care.¹⁷ Childcare providers in the City only have capacity for 22% of children under the age of two, and nearly half of all community districts are considered an infant care desert, where the ratio of childcare capacity to children is less than 20%.¹⁸

Despite the City’s efforts to meet the needs of NYC families, challenges remain for those in need of childcare, and the COVID-19 pandemic has further exposed and exacerbated that need.

⁶ NYC Mayor Bill de Blasio, “Mayor de Blasio and Chancellor Carranza Announce Over 9,500 Families Receiving 3-K for All Offers,” Press Office (May 30, 2019), available at <https://www1.nyc.gov/office-of-the-mayor/news/270-19/mayor-de-blasio-chancellor-carranza-over-9-500-families-receiving-3-k-all-offers#:~:text=As%20part%20of%20the%202019,up%20from%20six%20originally%20planned.>

⁷ Julie Kashen, Loris Toribio, Emma Vadehra, Chansi Powell, Jaylen Hackett, Halley Potter, Nancy Park and Ayana Batholomew, “Building a High-Quality Child Care and Early Learning Infrastructure for New York City,” The Century Foundation (Jul. 22, 2021), available at: <https://tcf.org/content/report/building-high-quality-child-care-early-learning-infrastructure-new-york-city/?session=1&session=1&session=1&session=1>.

⁸ NYC Mayor Bill de Blasio, “Mayor de Blasio and Chancellor Carranza Announce Over 9,500 Families Receiving 3-K for All Offers,” Press Office (May 30, 2019), available at <https://www1.nyc.gov/office-of-the-mayor/news/270-19/mayor-de-blasio-chancellor-carranza-over-9-500-families-receiving-3-k-all-offers#:~:text=As%20part%20of%20the%202019,up%20from%20six%20originally%20planned.>

⁹ *Supra* note 1.

¹⁰ The Child Care Crisis in New York State, Office of Senator Jabari Brisport and the Alliance for Quality Education (Dec. 2021), available at: <https://www.nysenate.gov/sites/default/files/childcarefourreport.pdf>.

¹¹ NYC Comptroller Scott M. Stringer, “NYC Under 3: A Plan to Make Child Care Affordable for New York City Families,” May 2019, accessed at <https://comptroller.nyc.gov/wp-content/uploads/documents/Child-Care-Report.pdf>.

¹² *Id.*

¹³ *Id.*

¹⁴ See New York State Department of Labor, Minimum Wage (n.d.), available at <https://labor.ny.gov/workerprotection/laborstandards/workprot/minwage.shtm>.

¹⁵ *Supra* note 1...

¹⁶ Julie Kashen, Loris Toribio, Emma Vadehra, Chansi Powell, Jaylen Hackett, Halley Potter, Nancy Park and Ayana Batholomew, “Building a High-Quality Child Care and Early Learning Infrastructure for New York City,” The Century Foundation (Jul. 22, 2021), available at: <https://tcf.org/content/report/building-high-quality-child-care-early-learning-infrastructure-new-york-city/?session=1&session=1&session=1&session=1>.

¹⁷ *Id.*

¹⁸ “NYC Under Three: A Plan to Make Child Care Affordable for New York City Families,” Office of the New York City Comptroller (May 17, 2019), available at: <https://comptroller.nyc.gov/reports/nyc-under-three-a-plan-to-make-child-care-affordable-for-new-york-city-families/>.

Childcare Funding and Regulation

Childcare programs in the City are funded at the federal, state and local level, and are administered and regulated by both state and local entities, including the New York State Office of Children and Family Services (OCFS), New York City Department of Education (DOE) and New York City Department of Health and Mental Hygiene (DOHMH).¹⁹ OCFS and DOHMH have created safety regulations and requirements for childcare services in the City, and provide information on childcare for providers and families, including guidance for childcare programs to navigate through the COVID-19 pandemic, and how to apply for childcare grants and subsidies.²⁰

While there is some public funding available to help both parents and providers offset the cost of childcare, it is not sufficient to meet the need; only about one in seven infants and toddlers in families income-eligible for assistance actually receive a subsidy.²¹ As a result, according to NYC Administration for Children’s Services childcare data from February 2019, only seven percent of all infants and toddlers were in publicly-funded childcare, compared to an estimated 45 percent of three- and four-year-olds.²²

Types of Childcare in the City

There are several different types of childcare services in the City:

1. Family day care and group family day care programs, regulated by the State, which are home-based services located in residences that provide childcare on a regular basis for more than three hours per day per child;
2. School-age childcare programs, regulated by the State, which provide care for a group of seven or more school-age children in a non-residential setting;
3. Group childcare programs, regulated by the City, which are center-based services located primarily in non-residential spaces that provide childcare to three or more children under 6 years old, and operate for five or more hours per week, for more than 30 days in a 12-month period;
4. School-based programs, regulated by the City, which provide instruction for children ages 3 through 5 and are located within a school or are part of a school;
5. Summer camps, regulated by the City, which provide childcare for children younger than 16, or younger than 18 for overnight camps, and operate during the summer months primarily for the purpose of organized group activity; and
6. Informal or legally exempt childcare programs, which must be approved, enrolled and monitored by the nonprofit organization Women’s Housing and Economic Development Corporation.²³ *Informal child care* “refers to child care provided in a residence, which is not required to be licensed or registered pursuant to section 390 of the Social Services Law. Informal child care means In-Home Child Care and Family Child Care.”²⁴ *Legally exempt group child care* “means a program in a facility, other than a residence, in which child care is provided on a regular basis and is not required to be licensed by or registered with the Office or licensed by the City of New York but which meets all applicable State or

¹⁹ Julie Kashen, Loris Toribio, Emma Vadehra, Chansi Powell, Jaylen Hackett, Halley Potter, Nancy Park and Ayana Batholomew, “Building a High-Quality Child Care and Early Learning Infrastructure for New York City,” The Century Foundation (Jul. 22, 2021), available at: <https://tcf.org/content/report/building-high-quality-child-care-early-learning-infrastructure-new-york-city/?session=1&session=1&session=1&session=1>.

²⁰ See Child Care, New York City Department of Health and Mental Hygiene, last visited May 6, 2022, available at: <https://www1.nyc.gov/site/doh/business/permits-and-licenses/children-and-adolescents-childcare.page>; Division of Child Care Services, New York State Office of Children and Family Services, last visited May 6, 2022, available at: <https://ocfs.ny.gov/programs/childcare/>.

²¹ *Id.*

²² *Id.*

²³ See New York City Department of Health and Mental Hygiene, Child Care (last visited May 6, 2022), available at: <https://www1.nyc.gov/site/doh/business/permits-and-licenses/children-and-adolescents-childcare.page>; see also Voucher Providers and Other Programs, New York City Administration for Children’s Services, last visited May 6, 2022, available at: <https://www1.nyc.gov/site/acs/early-care/voucher-providers-other-programs.page#five>.

²⁴ 18 NYCRR 415.1(h)

local requirements for such child care programs. Legally exempt group child care includes, but is not limited to:

1. pre-kindergarten and nursery school programs for children three years of age or older, and programs for school-age children conducted during non-school hours, operated by public school districts or by private schools or academies which provide elementary or secondary education or both in accordance with the compulsory education requirements of the Education Law, provided that such pre-kindergarten, nursery school or school-age programs are located on the premises or campus where the elementary or secondary education is provided;
2. nursery schools and programs for pre-school-aged children operated by non-profit agencies or organizations or private proprietary agencies which provide services for three or less hours per day;
3. summer day camps operated by non-profit agencies or organizations or private proprietary agencies in accordance with Subpart 7-2 of the State Sanitary Code;
4. Center-based child care programs located on Federal property which are not certified to operate by the United States Department of Defense when such programs are operated in compliance with the applicable Federal laws and regulations for such child care programs;
5. Center-based child care programs located on tribal property which are legally operating under the auspices of a tribal authority that is not a Child Care and Development Fund grantee, and are in compliance with the applicable tribal laws and regulations for such child care programs; and
6. child care programs caring for not more than six school-age children during non- school hours.”²⁵

III. BILL ANALYSIS

INT. NO. 242-A

This bill would require the creation of a Marshall Plan for Moms task force to study and develop recommendations regarding how to support working mothers, other parents, and caregivers, based on a consideration of data from the previous five years. Such task force would be required to convene its first meeting within 30 days after the last member has been appointed, meet at least once each quarter, and hold at least one public hearing. The task force would be required to submit a report with its recommendations within one year of the task force’s first meeting, including a summary of information the task force considered in formulating its recommendations, which would be posted to the Commission on Gender Equity (CGE)’s website within 10 days of submission. The task force would be comprised of the heads of the following agencies and offices, or their designees: CGE, the Office for Economic Opportunity, the Office of Labor Relations, the Department of Social Services, the Department of Education, the Department of Health and Mental Hygiene, and the Comptroller. The task force would additionally include a principal, teacher, parents, owners and employees of child care programs in the city, and advocates with expertise in child care advocacy.

Since introduction, this bill was amended to clarify the membership and duties of the task force, and to expedite the posting of the report after its submission.

This bill would take effect immediately and would be deemed repealed 180 days after the date on which the task force submits the report required by this local law.

INT. NO. 477-A

This bill would establish a child care task force to examine how to make child care more affordable and accessible for families in the City, and how the City could provide additional support and funding to child care providers and workers. The task force would be required to submit a report that includes recommendations for establishing child care for all children in the City ages five and under.

²⁵ 18 NYCRR 415.1(i)

Since introduction, this bill was amended to clarify both the membership and duties of the task force. This bill would take effect immediately after it becomes law.

INT. NO. 485

This bill would require the Department of Health and Mental Hygiene to coordinate with the Department of Information Technology and Telecommunications to create a website that provides a list of every child care provider that operates in the City. The website would include, for each child care provider, the provider's name, address, telephone number, program type, status of any permit or license required to operate the program, and whether the program is regulated by New York State or New York City. The website would also be required to include a search function, where users could search by key words for a child care provider by name and location.

Since introduction, this bill was amended to include definitions for child care programs and child day care and to better reflect the different types of child care reflected in the city, to better inform parents of their options and connect them to resources related to care. The bill was also amended to include designated citywide languages, and to clarify what information would be included in such portal.

This bill would take effect 30 days after it becomes law.

INT. NO. 486

This bill would establish a Child Care Advisory Board, which would be responsible for submitting an annual report that includes an assessment of the needs of child care providers and recipients across the City. The Board would be required to make recommendations on how to improve child care and make it more affordable, including reviewing and assessing universal child care and subsidies to families whose income equals up to 300% and 400% of the federal poverty guidelines

Since introduction, this bill was amended to add a definition for child care, and clarify the composition and jurisdiction of the Board.

This bill would take effect immediately after it becomes law.

INT. NO. 487

This bill would require the Administration for Children's Services to coordinate with the Department of Health and Mental Hygiene and the Department of Information Technology and Telecommunications to create an online portal that provides information on child care subsidies. The portal would include information on each subsidy provided by local, state and federal agencies, the eligibility for each subsidy, and instructions on how to apply for each subsidy. The portal would also include the forms needed to apply for each subsidy, including any electronic forms available which may be submitted online through the portal.

Since introduction, this bill was amended to clarify the types of subsidies included and that the subsidies would be listed in a portal, available in all citywide languages, and created and maintained by an agency or office designated by the mayor, in collaboration with the department of information technology and telecommunications and any other relevant agency or office,.

This bill would take effect 30 days after it becomes law.

INT. NO. 488

This bill would require the Administration for Children's Services (ACS) to establish a child care program fund to award grants to child care programs in the City. To be eligible for a grant, a child care program would have to be experiencing a significant risk of closure or displacement, in addition to meeting other requirements as determined by ACS. ACS would be permitted to award grants of \$1,000 per full-time employee of a child

care program, up to a maximum of 20 employees. This bill would also require ACS to submit an annual report to the Mayor and the Speaker of the Council on grants awarded to child care programs in the preceding fiscal year, and would require ACS to publish on its website information on child care grants, including eligibility, instructions for the application process, and required documentation.

Since introduction, this bill was amended to reflect that the program would be a pilot program with grant amounts and the number of grants determined by the administering agency, clarifying the information included in the annual report, and clarifying that the pilot program would last three years.

This bill would take effect immediately after it becomes law and would be deemed repealed upon submission of the third annual report required by this local law.

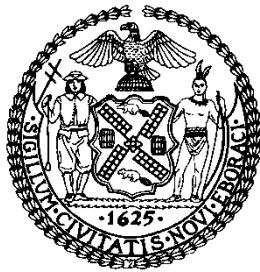
INT. NO. 489

This bill would require the Department of Health and Mental Hygiene to develop guidance for owners of real property regarding the facility requirements for a child care program and make such guidance available on its website. The guidance would also be required to indicate that property owners may be eligible for a tax abatement if they meet certain requirements pursuant to state law.

Since introduction, this bill was amended to shift from a child care certification program to a resource that provides guidance to owners of real property regarding facility requirements for a child care program and also provide information about tax abatements.

This bill would take effect 180 days after it becomes law.

(The following is the text of the Fiscal Impact Statement for Int. No. 242-A:)



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
TANISHA S. EDWARDS, ESQ., CHIEF FINANCIAL
OFFICER, AND DEPUTY CHIEF OF STAFF TO THE
SPEAKER
FISCAL IMPACT STATEMENT**

PROPOSED INTRO. NO: 242-A

COMMITTEE: Women and Gender Equity

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the establishment of a Marshall plan for moms task force to develop and issue recommendations on how to support working mothers, other parents, and caregivers.

SPONSOR(S): By Council Members Gutiérrez, Won, Sanchez, Hanif, Joseph, Brewer, Brooks-Powers, Stevens, Menin, Schulman, Riley, Narcisse, Barron, Ossé, Ayala, Restler, Cabán, Abreu, Krishnan, Richardson Jordan, Nurse, Ung, Williams, De La Rosa, Avilés, Hudson, Louis, Gennaro, Farias and Public Advocate (Mr. Williams).

SUMMARY OF LEGISLATION: The proposed legislation would require the creation of a Marshall Plan for Moms task force to study, develop and issue proposals and recommendations on how to support working mothers and caregivers, particularly in light of the issues that have become more acute due to the COVID-19 pandemic. The task force would be composed of the Executive Directors of the City’s Commission on Gender and the Office for Economic Opportunity, the Commissioners of Citywide Administrative Services, the Office of Labor Relations and the Department of Social Services, as well as three members appointed by the Mayor and one member appointed by the Speaker of the Council. The task force would be required to submit a report within one year of the taskforce convening including recommendations for legislation, policy and best practices relating to supporting working mothers and a summary of information the task force considered in formulating its recommendations.

EFFECTIVE DATE: This local law takes effect immediately and is deemed repealed 180 days after the date on which the task force submits the report required by subdivision e of section 1 of this local law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024

FISCAL IMPACT STATEMENT:

| | Effective FY23 | FY Succeeding Effective FY24 | Full Fiscal Impact FY24 |
|---------------------|-----------------------|-------------------------------------|--------------------------------|
| Revenues | \$0 | \$0 | \$0 |
| Expenditures | \$0 | \$0 | \$0 |
| Net | \$0 | \$0 | \$0 |

IMPACT ON REVENUES: It is anticipated that this legislation would not affect revenues.

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of Proposed Intro. 242-A because the City would utilize existing resources to fulfill the requirements.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Crielhien R. Francisco, Assistant Director, NYC Council Finance Division

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

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on April 28, 2022, as Intro. 242 and referred to the Committee on Women and Gender Equity. The legislation was considered by the Committee on Women and Gender Equity at a hearing held on June 29, 2022, and was subsequently amended, and the amended version Proposed Intro. 242-A will be considered by the Committee on Women and Gender Equity on October 12, 2022. Upon successful vote by the Committee on Women and Gender Equity, Proposed Intro. No. 242-A will be submitted to the full Council for a vote on October 12, 2022.

DATE PREPARED: October 4, 2022.

(For text of Int. Nos. 477-A, 485-A, 486-A, 487-A, 488-A, and 489-A and their Fiscal Impact Statements, please see the Report of the Committee on Women and Gender Equity for Int. Nos. 477-A, 485-A, 486-A, 487-A, 488-A, and 489-A, respectively, printed in these Minutes; for text of Res. No. 69, please see the voice-vote Resolutions section printed in these Minutes; for text of Int. No. 242-A, please see below:)

Accordingly, this Committee recommends the adoption of Int. Nos. 242-A, 477-A, 485-A, 486-A, 487-A, 488-A, 489-A, and Res. No. 69.

(The following is the text of Int. No. 242-A:)

Int. No. 242-A

By Council Members Gutiérrez, Won, Sanchez, Hanif, Joseph, Brewer, Brooks-Powers, Stevens, Menin, Schulman, Riley, Narcisse, Barron, Ossé, Ayala, Restler, Cabán, Abreu, Krishnan, Richardson Jordan, Nurse, Ung, Williams, De La Rosa, Avilés, Hudson, Louis, Gennaro, Farías, Velázquez and the Public Advocate (Mr. Williams).

A Local Law in relation to the establishment of a Marshall plan for moms task force to develop and issue recommendations on how to support working mothers, other parents, and caregivers

Be it enacted by the Council as follows:

Section 1. Marshall plan for moms task force. a. Definitions. For purposes of this local law, the following terms have the following meanings:

Caregiver. The term “caregiver” means a person who provides direct and ongoing care for a minor child.

Child care program. The term “child care program” means any program that meets the definition provided in subdivision d of section 47.01 of the New York city health code.

City. The term “city” means the city of New York.

Task force. The term “task force” means the Marshall plan for moms task force established by this local law.

b. Task force established. There shall be established a Marshall plan for moms task force. Based on a consideration of data from the previous five years, such task force shall study, and develop recommendations regarding, how to support working mothers, other parents, and caregivers, with a focus that shall include, but not be limited to:

1. The impact of providing recurring direct cash payments to working mothers, other parents, and caregivers;
2. The impact on working mothers, other parents, and caregivers of providing a comprehensive paid family leave policy for all employees in the city;
3. Recommendations on how to best support working mothers, other parents, and caregivers in the workforce;
4. Recommendations for workplaces regarding policies and best practices for supporting employees who are mothers, other parents, and caregivers;
5. Access to rent relief, public assistance, and financial support, and any barriers to such relief and assistance;
6. The role of the child care industry, including both infrastructure needs and support for individuals working in the child care industry; and
7. Access to culturally sensitive, affordable, and quality healthcare, including, but not limited to mental health services.

c. Membership. 1. The task force shall be composed of the following members:

- (a) The executive director of the commission on gender equity, or such executive director’s designee, who shall serve as chair;
- (b) The executive director of the office for economic opportunity, or such executive director’s designee;
- (c) The commissioner of the office of labor relations, or such commissioner’s designee;
- (d) The commissioner of social services, or such commissioner’s designee;
- (e) The chancellor of the city school district, or such chancellor’s designee;
- (f) The commissioner of health and mental hygiene, or such commissioner’s designee;
- (g) The comptroller, or the comptroller’s designee;
- (h) One school principal employed by the department of education, to be appointed by the speaker of the council;

(i) One teacher employed by the department of education, working at a public school, to be appointed by the speaker of the council;

(j) One parent of a child enrolled in a public school run by the department of education, to be appointed by the mayor;

(k) Two natural persons who own or manage a child care program located in the city, at least one of whom offers services in a language other than English, to be appointed by the speaker of the council;

(l) One employee of a child care program located in the city, to be appointed by the speaker of the council;

(m) One parent of a child under the age of three who is enrolled in a child care program located in the city, to be appointed by the speaker of the council;

(n) One member to be appointed by the mayor, one member to be appointed by the public advocate, and one member to be appointed by the speaker of the council, who shall be individuals who currently work in the field of child care advocacy, including but not limited to one individual with expertise in issues faced by documented and undocumented immigrants.

2. Each member of the task force shall serve at the pleasure of the officer who appointed the member. In the event of a vacancy on the task force, a successor shall be selected in the same manner as the original appointment for the remainder of the unexpired term. The members of the task force shall serve without compensation.

d. Meetings. 1. The chair shall convene the first meeting of the task force not later than 30 days after the last member has been appointed.

2. The task force may invite relevant experts and stakeholders to attend its meetings and to otherwise provide testimony and information relevant to the issue areas identified in subdivision b of section 1 of this local law.

3. The task force shall meet no less than once each quarter to carry out its duties.

4. The task force shall hold at least one public hearing before submitting the report required by subdivision e of section 1 this local law.

e. Report. 1. Not later than one year after the first meeting of the task force, the task force shall submit a report to the mayor and the speaker of the council setting forth its recommendations. Such report shall include a summary of information the task force considered in formulating such recommendations.

2. The commission on gender equity shall publish the task force's report electronically on its website no later than 10 days after its submission to the mayor and the speaker of the council.

f. Agency support. Each agency affected by this local law shall provide appropriate staff and resources to support the work of such agency related to the task force.

g. Termination. The task force shall dissolve 180 days after the date on which it submits the report required by subdivision e of section 1 of this local law.

§ 2. This local law takes effect immediately and is deemed repealed 180 days after the date on which the task force submits the report required by subdivision e of section 1 of this local law.

TIFFANY CABÁN, *Chairperson*; KEVIN C. RILEY, JENNIFER GUTIÉRREZ, ALTHEA V. STEVENS; 4-0-0; Absent: James F. Gennaro and Kristin Richardson Jordan; Committee on Women and Gender Equity, October 12, 2022. *Other Council Members Attending: Council Member Menin.*

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

Report for Int. No. 477-A

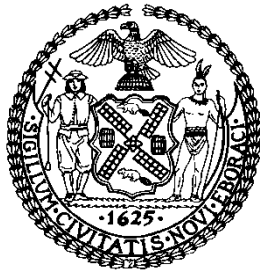
Report of the Committee on Women and Gender Equity in favor of approving and adopting, as amended, a Local Law in relation to establishing a child care task force.

The Committee on Women and Gender Equity, to which the annexed proposed amended local law was re-assigned on June 10, 2022 from the Committee on General Welfare where it was originally introduced on June 2, 2022 (Minutes, page 1317), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Women and Gender Equity for Int. No. 242-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 477-A:



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

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

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 477-A

COMMITTEE: Women and Gender Equity

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to establishing a child care task force.

SPONSOR(S): By Council Members Hudson, Menin, Brooks-Powers, Joseph, Nurse, Abreu, Louis, Restler, Avilés, Cabán, Gennaro, De La Rosa, Hanif, Sanchez, Farías, The Speaker (Council Member Adams) and the Public Advocate (Mr. Williams).

SUMMARY OF LEGISLATION: This bill would establish a child care task force (“task force”) to study how to make child care more affordable through free or low-cost child care, how to make child care more accessible for families in the city, and how to provide support and funding to child care programs and workers at such programs, taking into account: the number of children ages five and under in the city, the capacity of child care providers, the average incomes of families with children in the city, the projected costs of implementing any recommended programs, and any other considerations the task force deems relevant. The task force would be required to submit a report setting forth its findings and recommendations no later than one year after its first meeting. The task force would be comprised of the heads of the following agencies and offices, or their designees: the Department of Health and Mental Hygiene, the Department of Buildings, the Administration for Children’s Services, and the Commission on Gender Equity. The task force would also include two members appointed by the Mayor and three members appointed by the Speaker of the Council, and would have the ability to invite other officers and representatives of relevant federal, state, and local agencies and authorities to participate in the work of the task force. The task force would be required to convene its first meeting no later than 30 days after being informed

of the last task force member’s appointment, meet no less than once every three months, and the task force would dissolve 180 days after the date on which the task force submits its report.

EFFECTIVE DATE: Immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024

FISCAL IMPACT STATEMENT:

| | Effective FY23 | FY Succeeding Effective FY24 | Full Fiscal Impact FY24 |
|---------------------|-----------------------|-------------------------------------|--------------------------------|
| Revenues | \$0 | \$0 | \$0 |
| Expenditures | \$0 | \$0 | \$0 |
| Net | \$0 | \$0 | \$0 |

IMPACT ON REVENUES: It is anticipated that this legislation would not affect revenues.

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Crielhien R. Francisco, Assistant Director, NYC Council Finance Division

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

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on May 26, 2022, as Intro. 477 and referred to the Committee on Women and Gender Equity. The legislation was considered by the Committee on Women and Gender Equity at a hearing held on June 29, 2022, and was subsequently amended, and the amended version Proposed Intro. 477-A will be considered by the Committee on Women and Gender Equity on October 12, 2022. Upon successful vote by the Committee on Women and Gender Equity, Proposed Intro. No. 477-A will be submitted to the full Council for a vote on October 12, 2022.

DATE PREPARED: October 7, 2022.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 477-A:)

Int. No. 477-A

By Council Members Hudson, Menin, Brooks-Powers, Joseph, Nurse, Abreu, Louis, Restler, Avilés, Cabán, Gennaro, De La Rosa, Hanif, Sanchez, Fariás, Velázquez, Rivera, Mealy, The Speaker (Council Member Adams) and the Public Advocate (Mr. Williams).

A Local Law in relation to establishing a child care task force

Be it enacted by the Council as follows:

Section 1. Definitions. For purposes of this local law, the following terms have the following meanings:

Child care program. The term “child care program” means any program that meets the definition provided in subdivision d of section 47.01 of the New York city health code.

City. The term “city” means the city of New York.

Task force. The term “task force” means the child care task force established by this local law.

§ 2. Task force established. There is hereby established a task force to be known as the child care task force.

§ 3. Duties. The task force shall study how to make child care more affordable through free or low-cost child care, how to make child care more accessible for families in the city, and how to provide support and funding to child care programs and workers at such programs. The task force shall take into account the number of children ages five and under in the city, the capacity of child care providers, the average incomes of families with children in the city, the projected costs of implementing any recommended programs, and any other considerations the task force deems relevant.

§ 4. Membership. a. The task force shall be composed of the following members, one of whom the mayor shall designate to serve as chair:

1. The commissioner of health and mental hygiene, or such commissioner’s designee;
2. The commissioner of buildings, or such commissioner’s designee;
3. The commissioner of the administration for children’s services, or such commissioner’s designee;
4. The executive director of the commission on gender equity, or such executive director’s designee;
5. Two members appointed by the mayor; and
6. Three members appointed by the speaker of the council.

b. Members appointed pursuant to paragraphs 5 and 6 of subdivision a of this section shall have experience or expertise in child care advocacy or reform, child care programs in New York city, or the public education system run by the department of education.

c. The chair may invite other officers and representatives of relevant federal, state, and local agencies and authorities, including the chancellor of the city school district or such chancellor’s designee, to participate in the work of the task force.

d. Each member of the task force shall serve at the pleasure of the officer who appointed the member. In the event of a vacancy on the task force, a successor shall be appointed in the same manner as the original appointment. All members of the task force shall serve without compensation.

§ 5. Meetings. a. The chair shall convene the first meeting of the task force no later than 30 days after being informed that the last member has been appointed.

b. The chair may invite experts and stakeholders to attend meetings of the task force and to provide testimony and information relevant to the task force’s duties.

c. The task force shall meet no less than once every three months.

d. The meeting requirement described in subdivision c of this section shall be suspended after the task force submits the report required by section six of this local law.

§ 6. Report. a. No later than one year after the first meeting of the task force, the task force shall submit a report to the mayor, the speaker of the council, and the public advocate setting forth its findings and recommendations, which shall include, but need not be limited to, the following:

1. Any challenges associated with implementing affordable child care programs;
2. The projected costs associated with implementing affordable child care programs;
3. Recommendations for policies and programs to make the costs of child care programs in the city more affordable for caregivers and families;
4. Recommendations for increasing support and funding to child care programs and workers at such programs, such as providing training or other free, low-cost or low-barrier resources;
5. Recommendations for increasing the number of child care programs in the city, including ways to increase the number of applications for licensed child care programs; and
6. A summary of information the task force considered in formulating its recommendations.

b. The mayor shall post the report required by section six of this local law in a conspicuous location on the city’s website no later than 10 days after its submission to the mayor, the speaker of the council, and the public advocate.

§ 7. Agency support. Each agency named by section four of this local law shall provide appropriate staff and resources to support the work of such agency related to the task force.

§ 8. Termination. The task force shall dissolve 180 days after the date on which it submits the report required by section six of this local law.

§ 9. This local law takes effect immediately.

TIFFANY CABÁN, *Chairperson*; KEVIN C. RILEY, JENNIFER GUTIÉRREZ, ALTHEA V. STEVENS; 4-0-0; Absent: James F. Gennaro and Kristin Richardson Jordan; Committee on Women and Gender Equity, October 12, 2022. *Other Council Members Attending: Council Member Menin.*

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

Report for Int. No. 485-A

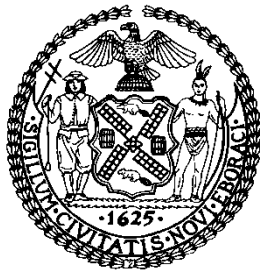
Report of the Committee on Women and Gender Equity in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to an electronic child care directory.

The Committee on Women and Gender Equity, to which the annexed proposed amended local law was re-assigned on June 10, 2022 from the Committee on General Welfare where it was originally introduced on June 2, 2022 (Minutes, page 1337), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Women and Gender Equity for Int. No. 242-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 485-A:



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

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

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 485-A

COMMITTEE: Women and Gender Equity

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to an electronic child care directory.

SPONSOR(S): By Council Members Menin, Ayala, Schulman, Riley, Won, Narcisse, Hudson, Joseph, De La Rosa, Stevens, Gutiérrez, Cabán, Louis, Lee, The Speaker (Council Member Adams), Hanif, Brooks-Powers, Krishnan, Brewer, Dinowitz, Sanchez, Nurse, Marte, Ung, Abreu, Velázquez, Williams, Ossé, Restler, Gennaro, Feliz, Farías, Avilés, Mealy, Rivera, Hanks, Richardson Jordan, Moya, Powers, Vernikov and the Public Advocate (Mr. Williams).

SUMMARY OF LEGISLATION: This bill would require the Department of Health and Mental Hygiene (DOHMH) to coordinate with the Department of Information Technology and Telecommunications (DOITT), and any other relevant agency or office, to create and maintain an online website or portal with a directory of child care programs in the city. Such directory would be available in the designated citywide languages and would include, for each child care program: the program’s name, address and telephone number; ages served by such program; and the status of any permit or license required to operate the program. The directory would also include a search function that would allow users to search for child care programs by keywords, name, or location, including by borough and zip code. It would not include, however, the address or telephone number of any child care program located in a domestic violence shelter. In addition to information on child care programs, such website or portal would also include a clear and conspicuous link to a webpage that provides information on child day cares that are run by the state, but which are located within the city, and a description of the types of such child day cares.

EFFECTIVE DATE: Local law takes effect 30 days after it becomes law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024

FISCAL IMPACT STATEMENT:

| | Effective FY23 | FY Succeeding Effective FY24 | Full Fiscal Impact FY24 |
|---------------------|-----------------------|-------------------------------------|--------------------------------|
| Revenues | \$0 | \$0 | \$0 |
| Expenditures | \$0 | \$0 | \$0 |
| Net | \$0 | \$0 | \$0 |

IMPACT ON REVENUES: It is anticipated that this legislation would not affect revenues.

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Crilhien R. Francisco, Assistant Director, NYC Council Finance Division

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

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on June 2, 2022, as Intro. 485 and referred to the Committee on Women and Gender Equity. The legislation was considered by the Committee on Women and Gender Equity at a hearing held on June 29, 2022, and was subsequently amended, and the amended version Proposed Intro. 485-A will be considered by the Committee on Women and Gender Equity on October 12, 2022. Upon successful vote by the Committee on Women and Gender Equity, Proposed Intro. No. 485-A will be submitted to the full Council for a vote on October 12, 2022.

DATE PREPARED: October 7, 2022.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 485-A:)

Int. No. 485-A

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

A Local Law to amend the administrative code of the city of New York, in relation to an electronic child care directory

Be it enacted by the Council as follows:

Section 1. Chapter 13 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-1309 to read as follows:

§ 17-1309 *Child care directory. a. Definitions. As used in this section, the following terms have the following meanings:*

Child care program. The term “child care program” means any program that meets the definition provided in subdivision d of section 47.01 of the health code.

Child day care. The term “child day care” means any program that meets the definition provided in paragraph (a), (d), (e) or (f) of subdivision 1 of section 390 of the social services law.

Designated citywide language. The term “designated citywide language” has the same meaning ascribed to such term in subdivision a of section 23-1101.

b. Directory requirements. 1. By July 1, 2023, the department shall coordinate, as necessary, with the department of information technology and telecommunications and any other relevant agency or office to create and maintain a directory of all child care programs located within the city. Such directory shall be publicly accessible on a website or online portal. The directory shall be available in the designated citywide languages and include, but not be limited to, the following features:

(a) For each child care program:

(i) The name, address, telephone number and program type;

(ii) The age groups served by such child care program; and

(iii) The status of any permit or license required to operate such child care program;

(b) A search function that allows a search of child care programs by key words, name or location, including by borough and zip code; and

(c) A clear and conspicuous link to a webpage that provides information on the child day cares located within the city, and a description of the types of child day cares.

2. Notwithstanding the requirements of this section, the directory shall not include the address or telephone number of a child care program located in a domestic violence shelter as designated by the department of social services.

§ 2. This local law takes effect 30 days after it becomes law.

TIFFANY CABÁN, *Chairperson*; KEVIN C. RILEY, JENNIFER GUTIÉRREZ, ALTHEA V. STEVENS; 4-0-0; Absent: James F. Gennaro and Kristin Richardson Jordan; Committee on Women and Gender Equity, October 12, 2022. *Other Council Members Attending: Council Member Menin.*

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

Report for Int. No. 486-A

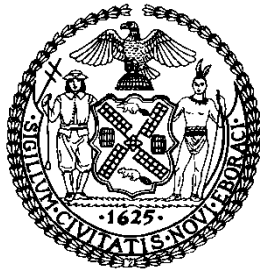
Report of the Committee on Women and Gender Equity in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to establishing a child care advisory board.

The Committee on Women and Gender Equity, to which the annexed proposed amended local law was re-assigned on June 10, 2022 from the Committee on General Welfare where it was originally introduced on June 2, 2022 (Minutes, page 1338), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Women and Gender Equity for Int. No. 242-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 486-A:



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
TANISHA S. EDWARDS, ESQ., CHIEF FINANCIAL
OFFICER, AND DEPUTY CHIEF OF STAFF TO THE
SPEAKER
FISCAL IMPACT STATEMENT**

PROPOSED INTRO. NO: 486-A

COMMITTEE: Women and Gender Equity

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to establishing a child care advisory board.

SPONSOR(S): By Council Members Menin, Ayala, Schulman, Riley, Won, Narcisse, Hudson, Joseph, De La Rosa, Stevens, Gutiérrez, Cabán, Louis, Lee, The Speaker (Council Member Adams), Brooks-Powers, Krishnan, Brewer, Dinowitz, Sanchez, Nurse, Marte, Ung, Bottcher, Powers, Velázquez, Williams, Ossé, Hanif, Gennaro, Abreu, Feliz, Farías, Avilés, Mealy, Rivera, Hanks, Moya and the Public Advocate (Mr. Williams).

SUMMARY OF LEGISLATION: This bill would establish a Child Care Advisory Board (“board”), which would be responsible for conducting studies on and issuing reports related to child care in the city, including, but not limited to, providing an annual assessment of the needs of child care programs in the city and the City’s progress towards providing universal child care. The board would also make recommendations to the Mayor and the Speaker of the Council on legislation, regulation, policies, procedures and initiatives to help to make child care more affordable based on such assessments. The board would submit an annual report that includes its assessment of the needs of child care programs across the city and recommendations on how to improve child care and make it more affordable, including, but not limited to, any challenges child care programs face in providing quality child care; the City’s advancement towards universal child care, including any actions taken by City agencies or legislation or policies introduced; the projected annual costs for the next five years associated with implementing universal child care; and costs associated with expanding child care subsidies to families whose income equals up to 300% and 400% of the federal poverty guidelines. The board would be required to

meet quarterly, and its meetings would be open to the public. The board would be comprised of the heads of the following agencies and offices, or their designees: the Department of Health and Mental Hygiene, the Administration for Children’s Services, and the Department of Education. The board would additionally include, but not be limited to, one member appointed by the Mayor, one member appointed by the Speaker, one member appointed by the Comptroller, and one member appointed by the Public Advocate. The Mayor would designate one member to serve as chair of the board.

EFFECTIVE DATE: Immediately

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024

FISCAL IMPACT STATEMENT:

| | Effective FY23 | FY Succeeding Effective FY24 | Full Fiscal Impact FY24 |
|---------------------|-----------------------|-------------------------------------|--------------------------------|
| Revenues | \$0 | \$0 | \$0 |
| Expenditures | \$0 | \$0 | \$0 |
| Net | \$0 | \$0 | \$0 |

IMPACT ON REVENUES: It is anticipated that this legislation would not affect revenues.

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Crilhien R. Francisco, Assistant Director, NYC Council Finance Division

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

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on June 2, 2022, as Intro. 486 and referred to the Committee on Women and Gender Equity. The legislation was considered by the Committee on Women and Gender Equity at a hearing held on June 29, 2022, and was subsequently amended, and the amended version Proposed Intro. 486-A will be considered by the Committee on Women and Gender Equity on October 12, 2022. Upon successful vote by the Committee on Women and Gender Equity, Proposed Intro. No. 486-A will be submitted to the full Council for a vote on October 12, 2022.

DATE PREPARED: October 7, 2022.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 486-A:)

Int. No. 486-A

By Council Members Menin, Ayala, Schulman, Riley, Won, Narcisse, Hudson, Joseph, De La Rosa, Stevens, Gutiérrez, Cabán, Louis, Lee, The Speaker (Council Member Adams), Brooks-Powers, Krishnan, Brewer, Dinowitz, Sanchez, Nurse, Marte, Ung, Bottcher, Powers, Velázquez, Williams, Ossé, Hanif, Gennaro, Abreu, Feliz, Farías, Avilés, Mealy, Rivera, Hanks, Moya and the Public Advocate (Mr. Williams).

A Local Law to amend the New York city charter, in relation to establishing a child care advisory board

Be it enacted by the Council as follows:

Section 1. Chapter 24-b of the New York city charter is amended by adding a new section 620 to read as follows:

§ 620 *Child care advisory board. a. Definitions. As used in this section, the following terms have the following meanings:*

Board. The term “board” means the child care advisory board established by this section.

Child care program. The term “child care program” means any program that meets the definition provided in subdivision d of section 47.01 of the health code.

City. The term “city” means the city of New York.

b. Board established. There is hereby established a child care advisory board.

1. The board shall be comprised of the following members:

(a) The commissioner of health and mental hygiene, or such commissioner’s designee;

(b) The commissioner of the administration for children’s services, or such commissioner’s designee;

(c) The chancellor of the city school district, or such chancellor’s designee;

(d) One member to be appointed by the mayor;

(e) One member to be appointed by the speaker of the council;

(f) One member to be appointed by the comptroller;

(g) One member to be appointed by the public advocate; and

(h) Such other members as deemed necessary by the mayor, who shall also be appointed by such mayor.

2. The mayor shall designate one of the members appointed by such mayor to serve as chair.

3. All appointed members shall serve for a term of two years and shall serve without compensation.

c. Duties. The board shall have the power and duty to conduct studies on and issue reports related to child care in the city, including, but not limited to, providing an annual assessment of the needs of the city’s child care programs and the city’s progress towards providing universal child care. The board shall also have the power and duty to make recommendations to the mayor and the speaker of the council on legislation, regulation, policies, procedures and initiatives to help to make child care more affordable based on the board’s assessments.

d. Meetings. The board shall keep a record of its deliberations and determine its own rules of procedure, which shall include a procedure or mechanism by which members of the public may make submissions to the board. The first meeting of the advisory board shall be convened within 120 days after the effective date of the local law that added this section. The board shall meet quarterly, and such meetings shall be open to the public.

e. Report. No later than one year after the first meeting of the board, and annually thereafter, the board shall submit a report to the mayor and the speaker of the council setting forth its assessment of child care programs in the city and recommendations for making child care more affordable, which shall include, but need not be limited to, the following for the preceding year:

1. Any challenges child care programs faced in providing quality child care;

2. The city’s advancement towards universal child care, including any actions taken by city agencies or legislation or policies introduced;

3. The projected annual costs for the next five years associated with implementing universal child care;

4. The recommended costs associated with expanding child care subsidies to families in the city whose income equals up to 300% and 400% of the federal poverty guidelines; and

5. A summary of information the board considered in formulating its recommendations to make child care more affordable.

§ 2. The title of section 619 of the New York city charter, as added by local law number 61 for the year 2010, is amended to read as follows:

[Advisory] *Juvenile justice advisory board.*

§ 3. This local law takes effect immediately.

TIFFANY CABÁN, *Chairperson*; KEVIN C. RILEY, JENNIFER GUTIÉRREZ, ALTHEA STEVENS; 4-0-0; Absent: James F. Gennaro and Kristin Richardson Jordan; Committee on Women and Gender Equity, October 12, 2022. *Other Council Members Attending: Council Member Menin.*

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

Report for Int. No. 487-A

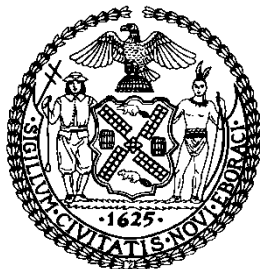
Report of the Committee on Women and Gender Equity in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to establishing a child care subsidy information portal.

The Committee on Women and Gender Equity, to which the annexed proposed amended local law was re-assigned on June 10, 2022 from the Committee on General Welfare where it was originally introduced on June 2, 2022 (Minutes, page 1339), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Women and Gender Equity for Int. No. 242-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 487-A:



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

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

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 487-A

COMMITTEE: Women and Gender Equity

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to establishing a child care subsidy information portal.

SPONSOR(S): By Council Members Menin, Ayala, Schulman, Riley, Won, Narcisse, Hudson, Joseph, De La Rosa, Stevens, Gutiérrez, Cabán, Louis, Lee, Hanif, Brooks-Powers, Krishnan, Brewer, Dinowitz, Sanchez, Nurse, Marte, Ung, Bottcher, Abreu, Velázquez, Williams, Ossé, Restler, Gennaro, Feliz, and Farías, Avilés, Mealy, Rivera, Hanks, Moya, Powers and the Public Advocate (Mr. Williams).

SUMMARY OF LEGISLATION: This bill would require an agency or office designated by the Mayor, in collaboration with the Department of Information Technology and Telecommunications and any other relevant agency or office, to create and maintain a publicly accessible online portal regarding child care subsidies, by February 1, 2023. The portal would be available in the designated citywide languages and would include, but not be limited to, the following information for each user of the portal, based on information provided by the user: the name of each subsidy for which such user is eligible, the eligibility requirements for each such subsidy, and instructions on how to apply for each such subsidy. The portal would also include the forms needed to apply for each subsidy, including any electronic forms available which may be submitted online through the portal.

EFFECTIVE DATE: Local law takes effect 30 days after it becomes law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024

FISCAL IMPACT STATEMENT:

| | Effective FY23 | FY Succeeding Effective FY24 | Full Fiscal Impact FY24 |
|---------------------|-----------------------|-------------------------------------|--------------------------------|
| Revenues | \$0 | \$0 | \$0 |
| Expenditures | \$0 | \$0 | \$0 |
| Net | \$0 | \$0 | \$0 |

IMPACT ON REVENUES: It is anticipated that this legislation would not affect revenues.

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division
ESTIMATE PREPARED BY: Crielhien R. Francisco, Assistant Director, NYC Council Finance Division
ESTIMATE REVIEWED BY: Jonathan Rosenberg, Managing Deputy Director, NYC Council Finance Division

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on June 2, 2022, as Intro. 487 and referred to the Committee on Women and Gender Equity. The legislation was considered by the Committee on Women and Gender Equity at a hearing held on June 29, 2022, and was subsequently amended, and the amended version Proposed Intro. 487-A will be considered by the Committee on Women and Gender Equity on October 12, 2022. Upon successful vote by the Committee on Women and Gender Equity, Proposed Intro. No. 487-A will be submitted to the full Council for a vote on October 12, 2022.

DATE PREPARED: October 7, 2022.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 487-A:)

Int. No. 487-A

By Council Members Menin, Ayala, Schulman, Riley, Won, Narcisse, Hudson, Joseph, De La Rosa, Stevens, Gutiérrez, Cabán, Louis, Lee, The Speaker (Council Member Adams), Hanif, Brooks-Powers, Krishnan, Brewer, Dinowitz, Sanchez, Nurse, Marte, Ung, Bottcher, Abreu, Velázquez, Williams, Ossé, Restler, Gennaro, Feliz, Farías, Avilés, Mealy, Rivera, Hanks, Moya, Powers and the Public Advocate (Mr. Williams).

A Local Law to amend the administrative code of the city of New York, in relation to establishing a child care subsidy information portal

Be it enacted by the Council as follows:

Section 1. Section 3-119.6 of the administrative code of the city of New York, as amended by local law number 79 for the year 2022, is renumbered as section 3-119.7.

§ 2. 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 3-119.8 to read as follows:

§ 3-119.8 *Child care subsidy information portal. a. Definitions. As used in this section, the following terms have the following meanings:*

Child care subsidy. The term “child care subsidy” means any subsidy subject to title 5-C of article 6 of the social services law.

Designated citywide languages. The term “designated citywide languages” has the same meaning ascribed to such term in subdivision a of section 23-1101.

b. Information provided by the portal. By February 1, 2023, an agency or office designated by the mayor, in collaboration with the department of information technology and telecommunications and any other relevant agency or office, shall create and maintain a publicly accessible online portal regarding child care subsidies. The portal shall be available in the designated citywide languages and shall include, but need not be limited to, the following information for each user of the portal, based on information provided by the user:

- 1. The name of each child care subsidy for which such user is eligible;*
- 2. Eligibility requirements for each such subsidy;*
- 3. Instructions on how to apply for each such subsidy; and*
- 4. All of the forms needed to apply for each such subsidy, including electronic forms that may be submitted for application through the portal, as practicable.*

c. Privacy. The agency or office designated by the mayor pursuant to subdivision b shall maintain the privacy of users who use the online portal to obtain information or apply for child care subsidies.

§ 3. This local law takes effect 30 days after it becomes law.

TIFFANY CABÁN, *Chairperson*; KEVIN C. RILEY, JENNIFER GUTIÉRREZ, ALTHEA STEVENS; 4-0-0; Absent: James F. Gennaro and Kristin Richardson Jordan; Committee on Women and Gender Equity, October 12, 2022. *Other Council Members Attending: Council Member Menin.*

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

Report for Int. No. 488-A

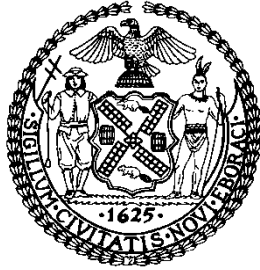
Report of the Committee on Women and Gender Equity in favor of approving and adopting, as amended, a Local Law in relation to establishing a child care grant pilot program.

The Committee on Women and Gender Equity, to which the annexed proposed amended local law was re-assigned on June 10, 2022 from the Committee on General Welfare where it was originally introduced on June 2, 2022 (Minutes, page 1339), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Women and Gender Equity for Int. No. 242-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 488-A:



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

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

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 488-A

COMMITTEE: Women and Gender Equity

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to establishing a child care grant pilot program.

SPONSOR(S): By Council Members Menin, Ayala, Schulman, Riley, Won, Narcisse, Hudson, Joseph, De La Rosa, Stevens, Gutiérrez, Cabán, Louis, Lee, Hanif, Brooks-Powers, Krishnan, Dinowitz, Sanchez, Nurse, Marte, Ung, Bottcher, Abreu, Velázquez, Williams, Ossé, Restler, Gennaro, Feliz, Farías, Avilés, Mealy, Rivera, Moya, Powers and the Public Advocate (Mr. Williams).

SUMMARY OF LEGISLATION: This bill would require an administering agency designated by the Mayor to establish a three-year child care grant pilot program by July 1, 2023, from which grants may be awarded to child care programs that establish a need for assistance, in an amount that the administering agency determines appropriate to assist with maintaining such child care program's operations. To be eligible for a grant, a child care program would need to be at significant risk of closure or displacement, file an application on a form prepared by the administering agency, certify the number of employees employed by such child care program, and meet any other requirements as determined by the administering agency. The administering agency would be required to post information about the pilot program online within one year after the commencement of the program, to be updated as appropriate. This bill would also require the administering agency to submit a report to the Mayor and the Speaker of the Council no later than one year after the commencement of the program, and annually thereafter, on the grants awarded to each child care program, including, but not limited to, the name of each grant recipient, the type of child care program such grant recipient operates, and the amount of the grant received. The report would also include an overview of any challenges associated with implementing the pilot program and recommendations for whether and how such pilot program may be continued or expanded.

EFFECTIVE DATE: Local law takes effect immediately and is deemed repealed upon submission of the third annual report required by subdivision d of section one of this local law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024

FISCAL IMPACT STATEMENT:

| | Effective FY23 | FY Succeeding Effective FY24 | Full Fiscal Impact FY24 |
|---------------------|-----------------------|---|------------------------------------|
| Revenues | \$0 | \$0 | \$0 |
| Expenditures | \$0 | \$1 - 2 million | \$1 - 2 million |
| Net | \$0 | \$0 | \$0 |

IMPACT ON REVENUES: It is anticipated that this legislation would not affect revenues.

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the fulfilment of the reporting requirements because the City would utilize existing resources. However, we do anticipate that there may be costs associated with a pilot grant program ranging from \$1 to 2 million, depending on needs and grant amounts.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund.

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Crilhien R. Francisco, Assistant Director, NYC Council Finance Division

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

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on June 2, 2022, as Intro. 488 and referred to the Committee on Women and Gender Equity. The legislation was considered by the Committee on Women and Gender Equity at a hearing held on June 29, 2022, and was subsequently amended, and the amended version Proposed Intro. 488-A will be considered by the Committee on Women and Gender Equity on October 12, 2022. Upon successful vote by the Committee on Women and Gender Equity, Proposed Intro. No. 488-A will be submitted to the full Council for a vote on October 12, 2022.

DATE PREPARED: October 7, 2022.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 488-A:)

Int. No. 488-A

By Council Members Menin, Ayala, Schulman, Riley, Won, Narcisse, Hudson, Joseph, De La Rosa, Stevens, Gutiérrez, Cabán, Louis, Lee, The Speaker (Council Member Adams), Hanif, Brooks-Powers, Krishnan, Dinowitz, Sanchez, Nurse, Marte, Ung, Bottcher, Abreu, Velázquez, Williams, Ossé, Restler, Gennaro, Feliz, Fariás, Avilés, Mealy, Rivera, Moya, Powers and the Public Advocate (Mr. Williams).

A Local Law in relation to establishing a child care grant pilot program

Be it enacted by the Council as follows:

Section 1. Child care grant pilot program. a. Definitions. As used in this section, the following terms have the following meanings:

Administering agency. The term “administering agency” means the agency, office or individual designated by the mayor to administer the child care grant pilot program established by this section.

Child care program. The term “child care program” means any child care program serving children whose families are receiving child care assistance subject to title 5-C of article 6 of the social services law.

Pilot program. The term “pilot program” means the child care grant pilot program established by this local law.

b. **Child care grant pilot program.** 1. No later than July 1, 2023, the administering agency shall establish, subject to appropriation, a three-year pilot program from which grants may be awarded to child care programs, in accordance with the requirements of this section.

2. The administering agency may award to a child care program that establishes a need for assistance in accordance with rules of the administering agency a grant in an amount that the administering agency determines appropriate to assist with maintaining the operations of the child care program, except that the total combined grants paid to all child care programs in a fiscal year shall not exceed the appropriations for the pilot program for such fiscal year. The administering agency may award a grant to a child care program pursuant to this section only if the administering agency determines that there is a significant risk of closure or displacement of the child care program, and the child care program:

(a) Files an application for the pilot program on a form prepared by the administering agency;

(b) Certifies the number of employees employed by the child care program; and

(c) Meets any other requirements for the pilot program established by rules promulgated by the administering agency in accordance with this section.

c. **Rules.** No later than May 1, 2023, the administering agency shall promulgate rules to carry out the provisions of this section, including determining eligibility criteria for such grants and how grant awards from the pilot program may be allocated to child care programs each year in an equitable manner.

d. **Report.** No later than one year after the commencement of the pilot program, and annually thereafter, the administering agency shall submit to the mayor and the speaker of the council a report that includes, but need not be limited to, the following information:

1. For each grant recipient:

(a) The name of such grant recipient;

(b) The amount of the grant; and

(c) The type of child care program operated by such grant recipient;

2. An overview of any challenges associated with implementing the pilot program; and

3. Recommendations for whether and how such pilot program may be continued or expanded.

e. **Website.** No later than one year after the commencement of the pilot program, the administering agency shall post online, and update as appropriate, information on the pilot program, including, but not limited to, eligibility for such program, application instructions and required documentation.

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

TIFFANY CABÁN, *Chairperson*; KEVIN C. RILEY, JENNIFER GUTIÉRREZ, ALTHEA STEVENS; 4-0-0; Absent: James F. Gennaro and Kristin Richardson Jordan; Committee on Women and Gender Equity, October 12, 2022. *Other Council Members Attending: Council Member Menin.*

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

Report for Int. No. 489-A

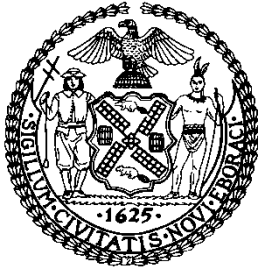
Report of the Committee on Women and Gender Equity in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to guidance to an owner of real property regarding facility requirements for a child care program.

The Committee on Women and Gender Equity, to which the annexed proposed amended local law was re-assigned on June 10, 2022 from the Committee on General Welfare where it was originally introduced on June 2, 2022 (Minutes, page 1340), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Women and Gender Equity for Int. No. 242-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 489-A:



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

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

PROPOSED INTRO. NO: 489-A

COMMITTEE: Women and Gender Equity

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to guidance to an owner of real property regarding facility requirements for a child care program.

SPONSOR(S): By Council Members Menin, Louis, Krishnan, Brewer, Dinowitz, Sanchez, Nurse, Marte, Ung, Schulman, Bottcher, Abreu, Velázquez, Williams, Ossé, Hanif, Feliz, Farías, Avilés, Mealy, Rivera, Cabán, Moya, Gennaro, De La Rosa, Powers and the Public Advocate (Mr. Williams).

SUMMARY OF LEGISLATION: This bill would require the Department of Health and Mental Hygiene (DOHMH) to develop guidance for owners of real property regarding the facility requirements for a child care program and make such guidance available on its website. The guidance would also be required to indicate that property owners may be eligible for a tax abatement if they meet certain requirements pursuant to state law.

EFFECTIVE DATE: This local law takes effect 180 days after it becomes law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024

FISCAL IMPACT STATEMENT:

| | Effective FY23 | FY Succeeding Effective FY24 | Full Fiscal Impact FY24 |
|---------------------|-----------------------|-------------------------------------|--------------------------------|
| Revenues | \$0 | \$0 | \$0 |
| Expenditures | \$0 | \$0 | \$0 |
| Net | \$0 | \$0 | \$0 |

IMPACT ON REVENUES: It is anticipated that this legislation would not affect revenues.

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Crilhien R. Francisco, Assistant Director, NYC Council Finance Division

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

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on June 2, 2022, as Intro. 489 and referred to the Committee on Women and Gender Equity. The legislation was considered by the Committee on Women and Gender Equity at a hearing held on June 29, 2022, and was subsequently amended, and the amended version Proposed Intro. 489-A will be considered by the Committee on Women and Gender Equity on October 12, 2022. Upon successful vote by the Committee on Women and Gender Equity, Proposed Intro. No. 489-A will be submitted to the full Council for a vote on October 12, 2022.

DATE PREPARED: October 7, 2022.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 489-A:)

Int. No. 489-A

By Council Members Menin, Louis, The Speaker (Council Member Adams), Krishnan, Brewer, Dinowitz, Sanchez, Nurse, Marte, Ung, Schulman, Bottcher, Abreu, Velázquez, Williams, Ossé, Hanif, Feliz, Farías, Avilés, Mealy, Rivera, Cabán, Moya, Gennaro, De La Rosa, Powers and the Public Advocate (Mr. Williams).

A Local Law to amend the administrative code of the city of New York, in relation to guidance to an owner of real property regarding facility requirements for a child care program

Be it enacted by the Council as follows:

Section 1. Chapter 13 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-1308 to read as follows:

§ 17-1308 Guidance for owners of real property to create space for child care programs.

a. Definition. As used in this section, the term “child care program” means any program that meets the definition provided in subdivision d of section 47.01 of the health code.

b. The department shall develop guidance for owners of real property regarding facility requirements for a child care program. Such guidance shall describe the facility requirements that must be satisfied in order to obtain a permit from the department as set forth in article 47 of the health code. Such guidance shall include, but not be limited to, requirements regarding (i) minimum area, (ii) egress, (iii) plumbing installation, (iv) ventilation and lighting and (v) fire safety. Such guidance shall assist owners of real property in determining the extent to which such property complies with applicable requirements described in such guidance. Such guidance shall indicate that such real property may be eligible for a tax abatement, provided that the requirements set forth in section 499-bbbbb of the real property tax law, and in all applicable rules, have been satisfied.

c. Nothing in the guidance or in the owner's determination of the extent to which its property complies with applicable requirements shall provide any assurance that a child care program will receive a permit from the department.

d. The department shall maintain, and update as necessary, such guidance on the department's website.

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

TIFFANY CABÁN, *Chairperson*; KEVIN C. RILEY, JENNIFER GUTIÉRREZ, ALTHEA STEVENS; 4-0-0; Absent: James F. Gennaro and Kristin Richardson Jordan; Committee on Women and Gender Equity, October 12, 2022. *Other Council Members Attending: Council Member Menin.*

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

GENERAL ORDERS CALENDAR

Report for Int. No. 179-A

Report of the Committee on Women and Gender Equity in favor of approving and adopting, as amended, a Local Law in relation to a report on the role of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers.

The Committee on Women and Gender Equity, to which the annexed proposed amended local law was referred on April 14, 2022 (Minutes, page 592) and laid over by the Council since June 2, 2022 (Minutes, page 1260), respectfully

REPORTS:

I. INTRODUCTION

On June 1, 2022, the Committee on Women and Gender Equity, chaired by Council Member Tiffany Cabán, will hold a vote on Proposed Int. No. 179-A, sponsored by Council Member Francisco Moya, in relation to a report on the role of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers. This bill was originally heard at a joint oversight hearing of this Committee, the Committee on Civil Service and Labor, chaired by Council Member Carmen De La Rosa, and the Committee on Economic Development, chaired by Council Member Amanda Farías, on April 19, 2022, regarding *Gender Diversity in the Trades*, at which the Committees heard testimony from the New York City (“NYC” or “City”) Commission on Gender Equity, the Mayor’s Office of Workforce Development (“WKDEV”), the NYC Economic Development Corporation (“NYCEDC”), the NYC Department of Small Business Services (“NYCSBS”), and the NYC Building & Construction Trades Council, as well as advocacy groups and organizations, organized labor, other interested stakeholders and members of the public.

II. BACKGROUND

The Trades in New York City

Skilled trade occupations (“trades”), which are typically hands-on jobs that require a particular skillset, knowledge, or ability, provide structured career pathways with high pay and good benefits.¹ Many job titles in the trades do not require a college degree and, instead, require apprenticeship training or moderate to long-term on-the-job training, during which apprentices are paid while learning specialized skills.² In NYC, the trades industry encompasses about 130 different construction and non-construction occupations.³ Among the most common occupations are laborers, carpenters, construction managers, electricians, and pipe-layers and plumbers.⁴

¹ New York State Department of Labor, *The Skilled Trades in New York State*, Division of Research and Statistics 1, 5 (Jun. 2016), available at <https://dol.ny.gov/system/files/documents/2021/03/the-skilled-trades-in-new-york-state.pdf#:~:text=As%20noted%20above%2C%20many%20skilled,and%20refrigeration%20mechanics%20and%20installers>.

² New York State Department of Labor, *The Skilled Trades in New York State*, Division of Research and Statistics 1, 5 (June 2016), available at <https://dol.ny.gov/system/files/documents/2021/03/the-skilled-trades-in-new-york-state.pdf#:~:text=As%20noted%20above%2C%20many%20skilled,and%20refrigeration%20mechanics%20and%20installers>.

³ New York State Comptroller Tom DiNapoli, *The Construction Industry in New York City: Recent Trends and Impact of COVID-19* (Jun. 2021), available at <https://www.osc.state.ny.us/reports/osdc/construction-industry-new-york-city-recent-trends-and-impact-covid-19>.

⁴ *Id.*

Although the COVID-19 pandemic halted the growth of the United States (U.S.) construction industry in 2020, the industry had been experiencing strong growth.⁵ In the nine years prior to the pandemic, the New York State (“New York” or “State”) construction industry added 99,800 jobs at an average annual rate of 3.2 percent.⁶ Following a record addition of 406,600 jobs in 2019, the industry lost 44,000 jobs (10.9 percent), falling to 362,200 jobs in 2020.⁷ While this was the worst annual decline in more than 25 years, the change was 0.7 percent less severe than the decline seen in the State’s overall total private employment performance.⁸ More recently, in October 2021, the New York Building Congress reported an expected resurgence in spending and job creation, projecting the City’s building industry will spend \$174.1 billion over the next three years.⁹

From 2010 to 2019, the average salary in the construction industry increased by 20.5 percent, one percent faster than in the overall private sector.¹⁰ By 2020, construction was the fourth highest-paying employment sector in NYC, with an average salary of \$87,200, which was 11.5 percent higher than the statewide average.¹¹ It was also the highest-paid sector among the State’s metropolitan areas.¹² While total wages in construction declined in 2020, for the first time since 2010, the average salary increased by four percent.¹³

In 2019, there was a total of 284,400 workers, of which 73 percent lived in NYC, in the City’s construction industry.¹⁴ Of that total, 53 percent of those jobs were held by immigrants, which is a much higher share than the rest of the State and country.¹⁵ According to the 2020 U.S. Census Bureau’s one-year American Community Survey (“Census Survey”), 66 percent of the construction industry workforce identified as U.S. citizens in 2019.¹⁶ Workers that identified as Hispanic comprised 39 percent of the industry, white workers comprised 37 percent of the industry, Black or African American workers comprised 14 percent, and Asians comprised nine percent.¹⁷ Additionally, over 56 percent of workers had no college experience, which is higher than in any other sector.¹⁸ Lastly, according to the Building and Construction Trades Council of Greater New York (“BCTC”), there are 124,100 unionized construction workers in NYC, representing more than half the workers in the trades.¹⁹

With regard to gender, women represent a small but growing share of the workers in the construction industry.¹⁹ Between 2009 and 2019, the number of women in the industry in the City increased by 63 percent,²⁰ but the percentage decreased from 9.5 percent in 2019 to 8.7 percent in 2020.²¹ However, data show that the gender pay gap in the industry is much narrower than the national average; 61 percent of women in the industry earn over \$50,000 compared to 49 percent of men.²²

Barriers to Recruitment and Retention of Women in the Trades

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

¹⁴ New York State Comptroller Tom DiNapoli, *The Construction Industry in New York City: Recent Trends and Impact of COVID-19* (June 2021), available at <https://www.osc.state.ny.us/reports/osdc/construction-industry-new-york-city-recent-trends-and-impact-covid-19>.

¹⁵ *Id.*

¹⁶ New York Building Congress, *COU: Workforce Snapshot 2022* (Mar. 2022), available at <https://www.buildingcongress.com/advocacy-and-reports/reports-and-analysis/construction-outlook-update/COU-Workforce-Snapshot-2022.html>.

¹⁷ *Id.*

¹⁸ New York State Comptroller Tom DiNapoli, *The Construction Industry in New York City: Recent Trends and Impact of COVID-19* (June 2021), available at <https://www.osc.state.ny.us/reports/osdc/construction-industry-new-york-city-recent-trends-and-impact-covid-19>.

¹⁹ *Id.*

Historically, racial and gender discrimination has been prevalent in the construction trades nationally and, in particular, in NYC.²⁰ Following decades of demonstrations and pressure, including litigation brought under Title VII of the Civil Rights Act by civil rights and community groups, a combination of government monitoring and court and regulatory rulings resulted in some changes to increase diversity in the City's construction industry.²¹ In 2009, a memorandum of understanding was entered into by the BCTC to "promote diversity" in 24 union apprenticeship programs.²² As a result, by 2012, two-thirds of the City's 5,743 registered apprentices were people of color and almost 11 percent were women.²³

Nationally, results from the Institute for Women's Policy Research's (IWPR) 2021 Tradeswomen's Retention and Advancement Survey ("IWPR Survey") show that the challenge for improving gender diversity in construction apprenticeships is retention as much as recruitment.²⁴

While many women who work in the trades have reported feeling respected and enjoying their work and the support and comradery among co-workers, many others face isolation, are held to a different standard than their male co-workers, and must contend with an unsupportive or even hostile work environment.²⁵ A 2019 NBC News profile of eight women in the City's construction trades exposed the reality of being a woman in a male-dominated industry, which included issues related to (1) being the only woman on the job, (2) sexual harassment, (3) a lack of separate changing rooms or restrooms at the job site, (4) being passed over for promotions due to concerns that they will miss work to care for their children, and (5) being "berated for working in the industry as a woman."²⁶

Male-dominated workplaces are a risk factor for workplace sexual harassment and assault, and being isolated at work can be alienating and dangerous for women working in the trades.²⁷ Nationally, the IWPR Survey found that 26.5 percent of respondents reported that they always or frequently experience gender-based harassment, 23.6 percent always or frequently experience sexual harassment, and 21.7 percent of respondents of color reported always or frequently experiencing racial harassment.²⁸ Relatedly, 19 percent of LGBTQ+ respondents reported that they suffer harassment based on sexual orientation.²⁹ Overall, 25.2 percent of survey respondents reported that they are always or frequently told that they are on the job solely to fill a quota.³⁰

Another result of being a woman in a male-dominated workplace is the feeling of not being treated equally to men.³¹ According to the IWPR Survey, 84.4 percent of respondents reported feeling they received unequal treatment to men in at least one aspect of work and learning experiences, such as being held to a different standard, regarding promotions and leadership roles, and in hiring and layoffs.³² Among women of color in the industry, 47.7 percent reported that they are "rarely or never" held to the same standard as men, and only 18.9 percent felt that they could "frequently or always" rely on basic equality standards and expectations.³³ Black respondents were more likely than others to report rarely or never being treated equally in the allocation of

²⁰ Lawrence Mishel, *Diversity in the New York City Union and Nonunion Construction Sectors*, Economic Policy Institute (Mar. 2, 2017), available at <https://www.epi.org/publication/diversity-in-the-nyc-construction-union-and-nonunion-sectors/>.

²¹ *Id.*

²² *Id.*

²³ *Id.*

²⁴ Ariane Hegewisch and Eve Mefferd, *A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry*, Institute for Women's Policy Research (2021), available at https://iwpr.org/wp-content/uploads/2022/02/A-Future-Worth-Building-What-Tradeswomen-Say_FINAL.pdf.

²⁵ Ariane Hegewisch and Eve Mefferd, *A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry*, Institute for Women's Policy Research (2021), available at https://iwpr.org/wp-content/uploads/2022/02/A-Future-Worth-Building-What-Tradeswomen-Say_FINAL.pdf.

²⁶ Sarah Jackson, 'Not the boy' club anymore': Eight women take a swing at the construction industry, NBC News (Nov. 29, 2019), available at <https://www.nbcnews.com/news/us-news/not-boys-club-anymore-eight-women-take-swing-construction-industry-n1091376>.

²⁷ Ariane Hegewisch and Eve Mefferd, *A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry*, Institute for Women's Policy Research (2021), available at https://iwpr.org/wp-content/uploads/2022/02/A-Future-Worth-Building-What-Tradeswomen-Say_FINAL.pdf.

²⁸ *Id.*

²⁹ *Id.*

³⁰ *Id.*

³¹ *Id.*

³² *Id.*

³³ *Id.*

overtime (21.1 percent) and also reported comparatively high inequality when it came to layoffs (31.6 percent) and promotions (36 percent).³⁴

Overall, 44.4 percent of the IWPR Survey respondents reported that they have left or seriously considered leaving the trades due to workplace hostility and harassment.³⁵ The share is particularly high among LGBTQ+ respondents, 54.3 percent of whom have left or seriously considered leaving the industry due to workplace hostility and harassment.³⁶ The most commonly cited reasons for deciding to leave, by 47.2 percent of respondents, was a lack of respect/harassment, which was ranked as the most important issue by Black and white non-Hispanic respondents, and the second most common reason for Latina respondents.³⁷ Meanwhile, 32.9 percent of respondents reported that they were tired of the “yelling culture” and disrespect experienced on the job.³⁸

While the most frequently cited reasons for women leaving the trades are linked to poor workplace environments,³⁹ another major contributing factor to women leaving is the difficulty many women face in finding childcare.⁴⁰ Though the majority of IWPR Survey respondents were parents thriving in the trades, pregnancy, maternity, and child and eldercare responsibilities presented problems for many tradespeople and lead some to consider leaving the trades.⁴¹ Difficulties surrounding parental leave and childcare costs are amplified for women working in the trades because many jobs are demanding when it comes to the early hours and physical nature of the work.⁴² Data also suggest that women have concerns about the availability of accommodations for pregnancies, such as whether paid time off is possible if temporary light duty is not available, and related to being able to find accessible childcare during construction hours.⁴³ According to the IWPR Survey, 69.1 percent of respondents with children reported that difficulty with finding childcare is a “very or somewhat” important reason for considering leaving.⁴⁴ Of those women, 67.7 percent reported they want to spend more time with their kids, 63.4 percent reported that a lack of pregnancy accommodations is/was very or somewhat important for thinking about leaving, and 58.7 percent noted a lack of breastfeeding support.⁴⁵

The Importance of Unionized Construction Jobs for Women

According to the IWPR Survey, over 60 percent of women enter the trades because of the pay and benefits that are available in construction jobs.⁴⁶ However, when disaggregating union and non-union respondents, 70.3 percent of union respondents identified earnings as a “very important” reason for entering the trades, versus 53.4 percent of non-union respondents.⁴⁷ This difference likely reflects the fact that pay and benefits are substantially higher in construction jobs that are covered by collective bargaining agreements compared to those construction jobs that are not.⁴⁸ A national analysis of the full-time earnings of construction workers from 2016 to 2018 found that women not covered by a union contract earned 40.1 percent less than women who were covered by such a contract.⁴⁹ Meanwhile, the corresponding gap for men was slightly smaller, at 34 percent.⁵⁰

The differences between union and non-union respondents were even greater when it came to benefits: 73.8 percent of union respondents described benefits as being very important, compared to 41.8 percent of non-union

³⁴ *Id.*

³⁵ *Id.*

³⁶ *Id.*

³⁷ *Id.*

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² *Id.*

⁴³ *Id.*

⁴⁴ *Id.*

⁴⁵ *Id.*

⁴⁶ *Id.*

⁴⁷ *Id.*

⁴⁸ Ariane Hegewisch and Eve Mefferd, *A Future Worth Building: What Tradeswoman Say about the Change They Need in the Construction Industry*, Institute for Women’s Policy Research (2021), available at https://iwpr.org/wp-content/uploads/2022/02/A-Future-Worth-Building-What-Tradeswomen-Say_FINAL.pdf.

⁴⁹ *Id.*

⁵⁰ *Id.*

respondents.⁵¹ Similar to the earnings issue, these responses likely reflect the fact that “good benefits” are much more common in the union sector.⁵² According to the Center for Construction Research and Training, data show that 72.2 percent of union construction workers, compared to 38.8 percent of non-union workers, received health insurance.⁵³ Moreover, union construction workers are also more likely to have access to and participate in retirement plans.⁵⁴

Finally, outreach is another issue. Despite the opportunities for earnings and benefits, most women learn about jobs in the trades through family and friends.⁵⁵ Data suggests that job training programs, high school counselors, and American Job Centers generally fail to alert women to industry opportunities.⁵⁶ This, in turn, speaks to the outdated notion that construction is men’s work, which is a mindset that continues to negatively affect women in the industry today.⁵⁷

The Apprenticeship Pipeline in New York City

Trade unions assist in recruiting, training, and educating skilled workers. As many jobs in the trades require apprenticeship- or moderate- to long-term on-the-job training, the training offered by unions can be vital to finding an entry into the industry.⁵⁸ Further, union apprenticeships offer opportunities to work while developing skills and earning apprenticeship certificates – which can be “tantamount to a \$40,000 - \$50,000 technical education program”⁵⁹ and can lead to comparatively higher wages.⁶⁰ In New York, many of the city’s apprenticeship training programs are supported through the City’s construction industry’s Joint Apprenticeship and Training Committee (JATC), which was developed via collective bargaining between the unions and the city’s developers.⁶¹ The JATC provides apprenticeships, continuing education, training programs, and other types of training for all union members.⁶² The lifelong qualifications offered by apprenticeships can act as a pathway to future work in unionized construction anywhere in the country.⁶³

While union work can provide a springboard into the middle class, entry into union construction jobs can be challenging for persons unfamiliar with the process.⁶⁴ Individuals typically need to apply via apprenticeships which are regulated by the New York State Department of Labor (NYSDOL). NYSDOL sets the standards for “recruitment, education, safety and welfare of apprentices” and issues Certificates of Completion.⁶⁵ Applicants can apply either through general recruitment – which is publicized by the union every two or three years – and includes a specific number of spots available in an apprenticeship program; or via so-called “direct-entry”

⁵¹ *Id.*

⁵² *Id.*

⁵³ *Id.*

⁵⁴ *Id.*

⁵⁵ *Id.*

⁵⁶ *Id.*

⁵⁷ *Id.*

⁵⁸ Lawrence Mishel, *Diversity in the New York City union and nonunion construction sectors*, Economic Policy Institute (Mar. 2, 2017), available at <https://www.epi.org/publication/diversity-in-the-nyc-construction-union-and-nonunion-sectors/>; See Kim Slowey, *NYC Unions Recruiting More Women* (Mar. 27, 2019), available at <https://www.constructiondive.com/news/nyc-unions-recruiting-more-women/551326/> (noting that [prior to the pandemic] the recruitment of women into New York City union apprenticeship programs was up 50 percent); Kathleen Culhane and Gary Labarbera, *Construction Unions Making Commitment to Recruit Women* (Mar. 20, 2019), available at <https://commercialobserver.com/2019/03/construction-unions-making-commitment-to-recruit-women/>.

⁵⁹ Columbia University School of International and Public Affairs, *Construction Skills Report*, 1, 10 (2014) available at https://sipa.columbia.edu/sites/default/files/Columbia_SIPA_Construction_Skills_Report_Final_March_2014_0.pdf.

⁶⁰ Just as the cost of construction in NYC greatly outpaces the same costs in comparable American cities – so too do union wages for labor. As of 2014 a union carpenter in NYC earned \$74.81 per hour, compared to \$61.97 and \$61.45 in Boston and Philadelphia, respectively. See Ester Fuchs, Dorian Warren & Kimberly Bayer, *Expanding Opportunity For Middle Class Jobs in New York City*, Columbia University School of International and Public Affairs, at 10 (Mar 2014), available at https://sipa.columbia.edu/sites/default/files/Columbia_SIPA_Construction_Skills_Report_Final_March_2014_0.pdf.

⁶¹ See JATC, *About* (last visited Apr. 14, 2022), available at <http://www.jeojatc.com/about.html>.

⁶² *Id.*

⁶³ *Id.*

⁶⁴ *Id.* at 12.

⁶⁵ *Id.*

applications, which come via qualified graduates of pre-apprenticeship or veterans programs.⁶⁶ Approved pre-apprenticeship and veterans programs include:

1. Construction Skills – for NYC public school students
2. Helmets to Hardhats – for veterans of the U.S. armed forces
3. Non-traditional Employment for Women – for adult women
4. Building Works – for low-income unemployed individuals.⁶⁷

While direct-entry applicants via NYSDOL are also required to have all the requisite skills required for apprenticeships,⁶⁸ these approved direct-entry pre-apprenticeship programs ensure people interested in obtaining union jobs can enter the workforce during the interim period between general recruitments.⁶⁹

III. CITY-SPONSORED INITIATIVES TO INCREASE EQUITY AND DIVERSITY IN THE CONSTRUCTION INDUSTRY

2020 Project Labor Agreements

In August 2020, former NYC Mayor Bill de Blasio announced an agreement between the City and BCTC on a series of new Project Labor Agreements (“PLA”).⁷⁰ A PLA is a comprehensive contract between building trade unions, the City, and site contractors that governs terms and conditions of employment for all craft labor on a designated construction project.⁷¹ In addition, as a pre-hire agreement for various trades working on a project, the PLA establishes uniform terms and conditions such as wages, hours, and work rules, as well as grievance, dispute, and arbitration procedures.⁷² The purpose of the agreement is to allow project owners, contractors, and unions to anticipate and avoid problems that increase the costs or slow down a project.⁷³

The Citywide Renovation PLA covers renovation construction on City-owned buildings led by a dedicated set of City of agencies and the New Construction PLA covers new construction on selected future projects.⁷⁴ Both of these PLAs are valid on active construction projects through 2024. Each PLA also includes an apprenticeship Memorandum of Understanding (“MOU”) requiring that 70 percent of new apprenticeship positions be filled by graduates of certain following pre-apprenticeship programs.⁷⁵ These are: (1) public high school students from the Edward J. Malloy Initiative for Construction Skills, (2) veterans referred by New York City Helmets to Hardhats, (3) women of Nontraditional Employment for Women (“NEW”), (4) NYCHA and Section 8 residents, and (5) employees of certain certified Minority and Women-owned Business Enterprises (M/WBEs).⁷⁶ Specifically, 15 percent of annual apprenticeship slots are reserved for female graduates of NEW’s pre-apprenticeship program.⁷⁷ According to the MOU, the BCTC and the Building Trades Employers

⁶⁶ *Id.*

⁶⁷ *Id.*; see also Building and Construction Trades Council of Greater New York, *Apprenticeship Readiness Collective* (last visited Apr. 12, 2022), available at <http://www.nycbuildingtrades.org/arc.aspx>.

⁶⁸ *Id.*

⁶⁹ *Id.*

⁷⁰ New York City Mayor’s Office, *Mayor’s Office Announces Community Hiring Economic Justice Plan* (Aug. 13, 2020), available at <https://www1.nyc.gov/office-of-the-mayor/news/588-20/mayor-de-blasio-community-hiring-economic-justice-plan>.

⁷¹ *Id.*

⁷² *Id.*

⁷³ *Id.*

⁷⁴ Esther Fuchs, Dorian Warren, Kimberly Bayer, *Expanding Opportunity for Middle Class Jobs in New York City*, Columbia University (March 2014), available at https://sipa.columbia.edu/sites/default/files/Columbia_SIPA_Construction_Skills_Report_Final_March_2014_0.pdf.

⁷⁵ Mayor’s Office of Contract Services, *Project Labor Agreement Covering Specified New Construction of Identified City Owned Buildings and Structures 2020-2024* (Aug. 12, 2020) available at https://www1.nyc.gov/assets/mocs/downloads/pdf/pla/2020_New_Construction_PLA_Agency_Solicitation_Version.PDF

⁷⁶ Mayor’s Office of Contract Services, *Project Labor Agreement Covering Specified New Construction of Identified City Owned Buildings and Structures 2020-2024* (Aug. 12, 2020) available at https://www1.nyc.gov/assets/mocs/downloads/pdf/pla/2020_New_Construction_PLA_Agency_Solicitation_Version.PDF.

⁷⁷ *Id.*

Association (“BTEA”) are required to pursue funds to support these goals; namely through pledged support of pre-apprenticeship positions, in order to reach scheduled annual targets for the apprenticeships.⁷⁸

Upon the announcement of the agreement, some expressed skepticism about the deal, charging that the Mayor’s Office did not address whether contractors or the BCTC would be penalized if they failed to meet their targets.⁷⁹ The Minority and Women Contractors Developers Association also remained skeptical and emphasized the importance of how the stated goals might interact with other minority and women-owned business targets on publicly-funded projects.⁸⁰ However, the de Blasio Administration and the BCTC touted that the PLA would connect low-income New Yorkers and those from marginalized communities with apprenticeship opportunities that will lead to well-paid unionized jobs in the construction industry.⁸¹

HireNYC: NYCEDC Development

In October 2015, Mayor de Blasio announced a new citywide initiative called *HireNYC*, a public-private partnership designed to create new jobs and training opportunities for New Yorkers.⁸² According to the de Blasio Administration, *HireNYC* would leverage the City’s purchasing power and public investment in construction and real estate,⁸³ and ensure that large contracts, which make up over 90 percent of the City’s non-emergency spending, as well as construction and development investments, would help provide New Yorkers with access to thousands of jobs.⁸⁴ The citywide initiative was also designed to expand upon targeted hiring programs, while also establishing new guidelines to require employers receiving City contracts – or working on development projects receiving City subsidies – to work with the City’s public workforce.⁸⁵ Further, *HireNYC* includes five different programs, applying to different aspects of city business, and each program has differing requirements⁸⁶ and requires qualifying developers, general contractors, and sub-contractors to enroll with the *HireNYC portal*⁸⁷ and interview qualified candidates who meet the requirements of the entry and mid-level positions associated with the contract.⁸⁸

Under the *HireNYC* initiative, solicitations for NYC Economic Development Corporation (“NYCEDC”) projects valued above \$1 million, and NYC Housing Preservation and Development (“HPD”) projects valued above \$2 million, also contain new language requiring HireNYC obligations.⁸⁹ For example, solicitations for NYCEDC projects above \$1 million require qualifying employers hiring for construction-related positions to:

1. Enroll with the *HireNYC* portal within 30 days of the full execution of the contract, in order to attest to upcoming hiring needs;
2. Share information about the new entry and mid-level open positions associated with the contract;
3. Interview the qualified candidates referred by the City; and
4. Report on the individuals interviewed and hired.⁹⁰

Further, while the *HireNYC* stipulations would not require an employer to hire the specific candidates that the City referred, it does require that employers comply with NYCEDC’s process of engagement, including

⁷⁸ *Id.*

⁷⁹ Kathryn Brenzel, *City Construction Unions Strike Deal to Hire Low-Income Workers*, *The Real Deal* (August 13, 2020), available at <https://therealdeal.com/2020/08/13/city-construction-unions-strike-deal-to-hire-low-income-workers/>

⁸⁰ *Id.*

⁸¹ *Id.* at 1.

⁸² New York City Press Office, *De Blasio Administration Launches HireNYC to Help New Yorkers Access Jobs Through the City’s Purchases and Investments* (Press Release) (Oct. 27, 2015), available at <https://www1.nyc.gov/office-of-the-mayor/news/760-15/de-blasio-administration-launches-hirenc-help-new-yorkers-access-jobs-the-city-s>.

⁸³ *Id.*

⁸⁴ *Id.*

⁸⁵ *Id.*

⁸⁶ *Id.*

⁸⁷ HireNYC Portal (last visited Apr 15, 2022), available at <https://a801-worksource1.nyc.gov/emp>.

⁸⁸ *Id.*

⁸⁹ *Id.*

⁹⁰ The City of New York, *HireNYC – Career Paths*, available at <https://www1.nyc.gov/site/careerpathways/strategy/hireNYC.page> (last visited 4/18/2022).

providing an explanation as to why it did not hire the candidates referred by the City and it creates accountability for breach.⁹¹ Namely, pursuant to the program’s guidelines, “liquidated damages of up to \$2,500 per breach” will be assessed for not registering with the *HireNYC* Portal in a timely manner, withholding relevant job openings from the City, or failing to interview qualified candidates;⁹² while other breaches could lead to an assessment of \$500 in liquidated damages and “continued failure may lead to the City holding the Contractor in default of the contract.”⁹³ Additionally, pursuant to the program, HPD’s affordable housing projects receiving \$2 million or more in City subsidy require developers, contractors and sub-contractors to post open construction positions and to consider qualified Workforce1 candidates.⁹⁴ Since March 2016, 34 projects have been included in this program.⁹⁵

While the *HireNYC* initiative is considered a local- or low-income hiring program, the program is devoid of geographical or income requirements.⁹⁶ Instead, many of *HireNYC*’s programs encourage employers to consider referrals made by the City through the NYCSBS Workforce1 Career Centers.⁹⁷ There are an estimated 22 Workforce1 Career Centers spread throughout the city, which serve primarily low-income residents.⁹⁸ The City also conducts outreach in neighborhoods near city-supported housing or economic development projects and works with local community-based organizations to help residents get referrals to the *HireNYC* projects through their Workforce1 center.⁹⁹ To date, there has been little to no information or data publicly released from which to assess the outcomes *HireNYC Development* program.

III. PROPOSED INT. NO 179-A

Proposed Int. No. 179-A would require an office designated by the Mayor to submit to the Council and publish online a report containing information about the role of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers no later than July 1, 2023. This report would review the role of women and gender non-binary, non-confirming and intersex workers in nontraditional careers, which would encompass industries that have traditionally hired a higher proportion of male employees, including the construction, utility, maintenance, green and transportation industries. The report would be developed in consultation with various city agencies, individuals who are currently employed in a nontraditional workplace, who work at unions or organizations conducting relevant work or research and at least one representative from a university or similar academic institution with academic experience and expertise in the study and analysis of labor markets and policy.

Since introduction, this bill was amended from requiring the city to create a task force to evaluate the role of women in nontraditional workplaces, such as women in the construction, utilities, maintenance, green, or transportation industries, to requiring a report; and on role of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers. The bill was also amended to clarify that the mayor may choose the office that would create the report, but to also provide more comprehensive guidance on what the city would study, who the city would consult in creating the report the timeline for the report, and to clarify that the information in the report would be included to the possible without revealing personally identifiable information.

⁹¹The City of New York, *HireNYC: NYCEDC Development for Construction Positions*, 1-2, available at https://www1.nyc.gov/assets/careerpathways/downloads/pdf/edc_construction.pdf (last visited 4/18/2022).

⁹² *Id.* at 2.

⁹³ *Id.*

⁹⁴ *HireNYC, What is HireNYC and How Will It Apply to HPD-Financed Development*, available at https://www1.nyc.gov/assets/careerpathways/downloads/pdf/hpd_construction.pdf (last visited 4/18/2022).

⁹⁵ Mayor’s Office of Operations, *New York City Mayor’s Management Report*, at 8 (Sept. 2016), available at https://www1.nyc.gov/assets/operations/downloads/pdf/mmr2016/2016_mmr.pdf.

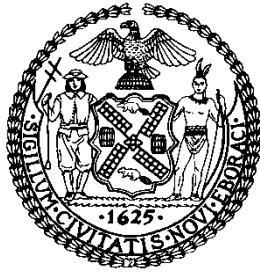
⁹⁶ Abigail Savitch-Lew, *The Data on HireNYC*, City Limits (Nov. 21, 2017), available at <https://citylimits.org/2017/11/21/the-data-on-hirenyc/>.

⁹⁷ Abigail Savitch-Lew, *The Data on HireNYC*, City Limits (Nov. 21, 2017), available at <https://citylimits.org/2017/11/21/the-data-on-hirenyc/>.

⁹⁸ *Id.*

⁹⁹ *Id.*

(The following is the text of the Fiscal Impact Statement for Int. No. 179-A:)



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

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

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 179-A

COMMITTEE: Women and Gender Equity

TITLE: A local law, in relation to a report on the role of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers.

SPONSOR(S): Council Members Moya, Cabán, Stevens, Fariás, Richardson-Jordan, Menin, Won, De La Rosa, Nurse, Bottcher and Williams.

SUMMARY OF LEGISLATION: The proposed legislation would require that no later than July 1, 2023, a City office to be designated by the mayor, shall submit to the Council and publish online a report that is a comprehensive review on the role of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers, that includes, but not limited to – (a) Issues related to recruitment and retention of such individuals; (b) Issues related to sustained negative work environments for such individuals; (c) How these environments value diversity, equity, and inclusion; and (d) Other significant barriers to success for such individuals, where success is indicated by factors including, but not limited to, promotions, raises, continued employment, and reasonable accommodations.

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2022

FISCAL IMPACT STATEMENT:

| | Effective FY22 | FY Succeeding Effective FY23 | Full Fiscal Impact FY23 |
|---------------------|-----------------------|-------------------------------------|--------------------------------|
| Revenues | \$0 | \$0 | \$0 |
| Expenditures | \$0 | \$0 | \$0 |
| Net | \$0 | \$0 | \$0 |

IMPACT ON REVENUES: It is anticipated that this legislation would not affect revenues.

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of Proposed Intro. 179-A because the relevant City agencies would utilize existing resources to fulfill the reporting requirements.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

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

ESTIMATE REVIEWED BY: Dohini Sompura, Assistant Director, NYC Council Finance Division
Eisha Wright, Deputy Director, NYC Council Finance Division
Jonathan Rosenberg, Managing Deputy Director, NYC Council Finance Division

LEGISLATIVE HISTORY: This legislation was considered as a preconsidered introduction by the Committee on Women and Gender Equity, the Committee on Economic Development and the Committee on Civil Service and Labor at a joint hearing held on April 19, 2022. The legislation was introduced to the full Council on April 14, 2022 as Intro. 179 and referred to the Committee on Women and Gender Equity. The legislation was subsequently amended, and the amended version Proposed Intro. 179-A will be considered by the Committee on Women and Gender Equity on June 1, 2022. Upon successful vote by the Committee on Women and Gender Equity, Proposed Intro. No. 179-A will be submitted to the full Council for a vote on June 2, 2022.

DATE PREPARED: May 31, 2022.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 179-A:)

Int. No. 179-A

By Council Members Moya, Cabán, Stevens, Farías, Richardson Jordan, Menin, Won, De La Rosa, Nurse, Bottcher, Williams, Hudson, Narcisse and Krishnan.

A Local Law in relation to a report on the role of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers

Be it enacted by the Council as follows:

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

Nontraditional careers. The term “nontraditional careers” means industries that have traditionally hired a higher proportion of male employees, including, but not limited to, fields such as the construction, utilities, maintenance, green, and transportation industries.

Sustained negative work environment. The term “sustained negative work environment” means a negative, toxic, or hostile work environment or culture due to harassment, assault, or discrimination on the basis of sexual orientation or gender.

b. No later than July 1, 2023, a city office to be designated by the mayor shall submit to the council and publish online a report containing the following information about the role of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers:

1. A comprehensive review of the role of such individuals, including, but not limited to:

- i. Issues related to recruitment and retention of such individuals;
- ii. Issues related to sustained negative work environments for such individuals;
- iii. How these environments value diversity, equity, and inclusion; and
- iv. Other significant barriers to success for such individuals, where success is indicated by factors including,

but not limited to, promotions, raises, continued employment, and reasonable accommodations;

2. Where feasible and to the extent possible without revealing personally identifiable information, demographic data related to the status of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers, including, but not limited to, the following information:

- i. The total number of individuals working in nontraditional careers in the city and the number of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers, for the past ten years, disaggregated by year, gender, sexuality, race, ethnicity, zip code, and age;
 - ii. The total number of individuals in management positions who identify as women or gender non-binary, non-conforming, and intersex workers in nontraditional careers, for the past ten years, disaggregated by year;
 - iii. The average salary of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers, for the past ten years, disaggregated by year, gender, sexuality, race, ethnicity, zip code, and age; and
 - iv. Current actions being taken to promote the inclusion of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers, in each industry;
3. An overview of city resources and information available to such individuals, and an overview of any actions and efforts underway to support such individuals in pursuing, obtaining, succeeding in, and staying in nontraditional careers; and
 4. Recommendations for potential mechanisms, resources, and avenues to build upon existing resources, strengthen support, and to empower women and gender non-binary, non-conforming, and intersex workers to pursue and succeed in nontraditional careers, including, but not limited to, recommendations for policy and legislation.
- c. Such report shall be created in consultation with the commission on gender equity, the city commission on human rights, the economic development corporation, the department of small business services, the department of consumer and worker protection, at least three individuals who are currently employed in a nontraditional career, at least two individuals who work at unions or organizations conducting work or research related to women and gender non-binary, non-conforming, and intersex workers in nontraditional careers, and at least one representative from a university or similar academic institution with academic experience and expertise in the study and analysis of labor markets and policy.
- § 2. This local law takes effect immediately.

TIFFANY CABÁN, *Chairperson*; KEVIN C. RILEY, JAMES F. GENNARO, JENNIFER GUTIÉRREZ, KRISTIN RICHARDSON JORDAN, ALTHEA V. STEVENS; 6-0-0; Committee on Women and Gender Equity, June 1, 2022 (Remote Hearing).

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

Report for L.U. No. 100 & Res. No. 357

Report of the Committee on Land Use in favor of approving, as modified, Application number C 210174 ZMK (2080 McDonald Avenue) submitted by Jackson Ex 2 Avenue S, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 28c, changing from an R5B District to a C4-4L District and changing from an M1-1 District to a C4-4L District, Borough of Brooklyn, Community District 11, Council District 44.

The Committee on Land Use, to which the annexed Land Use item was referred on September 14, 2022 (Minutes, page 2194) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

SUBJECT**BROOKLYN CB-11 – TWO APPLICATIONS RELATED TO 2080 MCDONALD AVENUE****C 210174 ZMK (Pre. L.U. No. 100)**

City Planning Commission decision approving an application submitted by Jackson Ex 2 Avenue S, LLC, application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 28c:

1. changing from an R5B District to a C4-4L District property bounded by a line 170 feet northerly of Avenue S, a line midway between Lake Street and McDonald Avenue, a line 160 feet southerly of Avenue S, and Lake Street; and
2. changing from an M1-1 District to a C4-4L District property bounded by a line 170 feet northerly of Avenue S, McDonald Avenue, a line 160 feet southerly of Avenue S and a line midway between Lake Street and McDonald Avenue;

as shown on a diagram (for illustrative purposes only) dated April 11, 2022, and subject to the conditions of CEQR Declaration E-662.

N 210175 ZRK (Pre. L.U. No. 101)

City Planning Commission decision approving an application submitted by Jackson Ex 2 Avenue S, LLC, 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.

INTENT

To approve the amendment to rezone the project area from M1-1 and R5-B zoning districts to a C4-4L zoning district and amend zoning text to designate a Mandatory Inclusionary Housing (MIH) area to facilitate the development of an eight-story, mixed-use building containing a total of 120,625 square feet of space, including 66 dwelling units as well as 18,783 square feet of retail space and 3,953 square feet of community facility space, in the Gravesend neighborhood of Brooklyn, Community District 11.

PUBLIC HEARING

DATE: September 7, 2022

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION**DATE:** October 6, 2022

The Subcommittee recommends that the Land Use Committee approve with modifications the decisions of the City Planning Commission on Pre. L.U. Nos. 100 and 101.

| In Favor: | Against: | Abstain: |
|------------------|-----------------|-----------------|
| Riley | None | None |
| Moya | | |
| Louis | | |
| Abreu | | |
| Bottcher | | |
| Hanks | | |
| Schulman | | |
| Carr | | |

COMMITTEE ACTION**DATE:** October 6, 2022

The Committee recommends that the Council approve the attached resolutions.

| In Favor: | Against: | Abstain: |
|------------------|-----------------|-----------------|
| Salamanca | None | None |
| Moya | | |
| Louis | | |
| Riley | | |
| Bottcher | | |
| Hanks | | |
| Kagan | | |
| Krishnan | | |
| Mealy | | |
| Sanchez | | |
| Borelli | | |

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The City Planning Commission filed a letter dated _____, 2022, with the Council on _____, 2022, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 357

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 210174 ZMK, a Zoning Map amendment (Preconsidered L.U. No. 100).

By Council Members Salamanca and Riley.

WHEREAS, Jackson Ex 2 Avenue S, LLC, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 28c, changing from an R5B District to a C4-4L District and changing from an M1-1 District to a C4-4L District, which in conjunction with the related action would facilitate the development of an eight-story, mixed-use building containing a total of 120,625 square feet of space, including 66 dwelling units as well as 18,783 square feet of retail space and 3,953 square feet of community facility space, in the Gravesend neighborhood of Brooklyn, Community District 11 (ULURP No. C 210174 ZMK) (the "Application");

WHEREAS the City Planning Commission filed with the Council on September 2, 2022 its decision dated August 10, 2022 (the "Decision") on the Application;

WHEREAS, the Application is related to application N 210175 ZRK (Pre. L.U. No. 101), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 7, 2022;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued April 11th, 2022 (CEQR No. 21DCP132K), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-662) (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-662) 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 210174 ZMK, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission, with the following modifications.

Matter ~~double struck out~~ is old, deleted by the City Council;
Matter double-underlined is new, added by the City Council

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 28c:

3. changing from an R5B District to a C4-4L District property bounded by a line 170 feet northerly of

Avenue S, a line midway between Lake Street and McDonald Avenue, ~~a line 160 feet southerly of~~ Avenue S, and Lake Street; and

4. changing from an M1-1 District to a C4-4L District property bounded by a line 170 feet northerly of Avenue S, McDonald Avenue, ~~a line 160 feet southerly of~~ Avenue S and a line midway between Lake Street and McDonald Avenue;

as shown on a diagram (for illustrative purposes only) dated April 11, 2022, and subject to the conditions of CEQR Declaration E-662, Borough of Brooklyn, Community District 11.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 11-0-0; *Absent*: Selvena N. Brooks-Powers and Carlina Rivera; Committee on Land Use, October 6, 2022.

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

Report for L.U. No. 101 & Res. No. 358

Report of the Committee on Land Use in favor of approving, as modified, Application number N 210175 ZRK (2080 McDonald Avenue) submitted by Jackson Ex 2 Avenue S, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 11, Council District 44.

The Committee on Land Use, to which the annexed Land Use item was referred on September 14, 2022 (Minutes, page 2194) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 100 & Res. No. 357 printed above in the General Orders Calendars section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 358

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 210175 ZRK, for an amendment of the text of the Zoning Resolution (Preconsidered L.U. No. 101).

By Council Members Salamanca and Riley.

WHEREAS, Jackson Ex 2 Avenue S, LLC, filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, which in conjunction with

the related action would facilitate the development of an eight-story, mixed-use building containing a total of 120,625 square feet of space, including 66 dwelling units as well as 18,783 square feet of retail space and 3,953 square feet of community facility space, in the Gravesend neighborhood of Brooklyn, Community District 11 (ULURP No. N 210175 ZRK) (the "Application");

WHEREAS the City Planning Commission filed with the Council on September 2, 2022 its decision dated August 10, 2022 (the "Decision") on the Application;

WHEREAS, the Application is related to application C 210174 ZMK (Pre. L.U. No. 100), a zoning map amendment to change M1-1 and R5-B zoning districts to a C4-4L zoning district;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 7, 2022;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued April 11th, 2022 (CEQR No. 21DCP132K), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-662) (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-662) 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 210175 ZRK, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission, with the following modifications.

- Matter ~~double struck out~~ is old, deleted by the City Council;
- Matter double-underlined is new, added by the City Council;
- Matter underlined is new, to be added;
- Matter ~~struck out~~ is to be deleted;
- Matter within # # is defined in Section 12-10;
- * * * indicates where unchanged text appears in the Zoning Resolution

* * *

**APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

* * *

BROOKLYN

Brooklyn Community District 11

* * *

[Council-modified map below (modified boundaries)]



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

Portion of Community District 11, Brooklyn

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 11-0-0; *Absent*: Selvena N. Brooks-Powers and Carlina Rivera; Committee on Land Use, October 6, 2022.

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

Report for L.U. No. 117 & Res. No. 359

Report of the Committee on Land Use in favor of approving, as modified, Application number C 220169 ZMQ (40-25 Crescent Street Rezoning) submitted by Crescent Street Associates, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9b, changing from an M1-2/R5B District to an M1-2/R6A District and changing from an M1-2/R5D District to an M1-2/R6A District, Borough of Queens, Community District 1, Council Districts 26.

The Committee on Land Use, to which the annexed Land Use item was referred on September 29, 2022 (Minutes, page 2339) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:**SUBJECT****QUEENS CB-1 – TWO APPLICATIONS RELATED TO 40-25 CRESCENT STREET REZONING****C 220169 ZMQ (Pre. L.U. No. 117)**

City Planning Commission decision approving an application submitted by Crescent Street Associates, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9b:

1. changing from an M1-2/R5B District to an M1-2/R6A District property bounded by a line midway between Crescent Street and 27th Street, a line 100 feet southwesterly of 40th Avenue, 27th Street, and a line 100 feet northeasterly of 41st Avenue; and
2. changing from an M1-2/R5D District to an M1-2/R6A District property bounded by Crescent Street, a line 80 feet southwesterly of 40th Avenue, 27th Street, a line 100 feet southwesterly of 40th Avenue, a line midway between Crescent Street and 27th Street, and a line 100 feet northeasterly of 41st Avenue;

as shown on a diagram (for illustrative purposes only) dated May 9, 2022, and subject to the conditions of CEQR Declaration E-677.

N 220170 ZRQ (Pre. L.U. No. 118)

City Planning Commission decision approving an application submitted by Crescent Street Associates, LLC, pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, modifying provisions of Article XI, Chapter 7 (Special Long Island City Mixed Use District) and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

INTENT

To approve the amendment to rezone the project area from an M1-2/R5B and M1-2/R5D zoning districts to an M1-2/R6A zoning district; and amend zoning text to enable Mandatory Inclusionary Housing (MIH) provisions within the Special Long Island City Mixed Use District (LIC) (ZR 117-00) and the Dutch Kills Subdistrict (ZR 117-60) and modify Appendix F to establish an MIH area to facilitate the development of a seven-story mixed-use building with residential, commercial, and light industrial uses located at 40-25 Crescent Street in the Dutch Kills neighborhood of Queens, Community District 1.

PUBLIC HEARING

DATE: September 22, 2022

Witnesses in Favor: Four

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: October 6, 2022

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission on Pre. L.U. No. 117 and approve with modifications the decision of the City Planning Commission on Pre. L.U. No. 118.

In Favor:

Riley
Moya
Louis
Abreu
Bottcher
Hanks
Schulman
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: October 6, 2022

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Moya
Louis

Against:

None

Abstain:

None

Riley
 Bottcher
 Hanks
 Kagan
 Krishnan
 Mealy
 Sanchez
 Borelli

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The City Planning Commission filed a letter dated _____, 2022, with the Council on _____, 2022, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 359

Resolution approving the decision of the City Planning Commission on ULURP No. C 220169 ZMQ, a Zoning Map amendment (Preconsidered L.U. No. 117).

By Council Members Salamanca and Riley.

WHEREAS, Crescent Street Associates, LLC, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9b, changing from an M1-2/R5B District to an M1-2/R6A District and changing from an M1-2/R5D District to an M1-2/R6A District, which in conjunction with the related action would facilitate the development of a seven-story mixed-use building with residential, commercial, and light industrial uses located at 40-25 Crescent Street in the Dutch Kills neighborhood of Queens, Community District 1 (ULURP No. C 220169 ZMQ) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on September 21, 2022 its decision dated September 21, 2022 (the "Decision") on the Application;

WHEREAS, the Application is related to application N 220170 ZRQ (Pre. L.U. No. 118), a zoning text amendment to enable Mandatory Inclusionary Housing (MIH) provisions within the Special Long Island City Mixed Use District (LIC) (ZR 117-00) and the Dutch Kills Subdistrict (ZR 117-60) and modify Appendix F to establish an MIH area;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 22, 2022;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued May 6th, 2022 (CEQR No. 22DCP065Q), which includes an (E) designation to avoid the

potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-677) (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-677) 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 220169 ZMQ incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

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

1. changing from an M1-2/R5B District to an M1-2/R6A District property bounded by a line midway between Crescent Street and 27th Street, a line 100 feet southwesterly of 40th Avenue, 27th Street, and a line 100 feet northeasterly of 41st Avenue; and
2. changing from an M1-2/R5D District to an M1-2/R6A District property bounded by Crescent Street, a line 80 feet southwesterly of 40th Avenue, 27th Street, a line 100 feet southwesterly of 40th Avenue, a line midway between Crescent Street and 27th Street, and a line 100 feet northeasterly of 41st Avenue;

as shown on a diagram (for illustrative purposes only) dated May 9, 2022, and subject to the conditions of CEQR Declaration E-677, Borough of Queens, Community District 1.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 11-0-0; *Absent*: Selvena N. Brooks-Powers and Carlina Rivera; Committee on Land Use, October 6, 2022.

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

Report for L.U. No. 118 & Res. No. 360

Report of the Committee on Land Use in favor of approving, as modified, Application number N 220170 ZRQ (40-25 Crescent Street Rezoning) submitted by Crescent Street Associates, LLC, pursuant to Section 201 of the New York City Charter for an amendment to the Zoning Resolution of the City of New York, modifying provisions of Article XI, Chapter 7 (Special Long Island City Mixed Use District) and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Community District 1, Council Districts 26.

The Committee on Land Use, to which the annexed Land Use item was referred on September 29, 2022 (Minutes, page 2339) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 117 & Res. No. 359 printed above in the General Orders Calendars section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 360

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 220170 ZRQ, for an amendment of the text of the Zoning Resolution (Preconsidered L.U. No. 118).

By Council Members Salamanca and Riley.

WHEREAS, Crescent Street Associates, LLC, filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying provisions of Article XI, Chapter 7 (Special Long Island City Mixed Use District) and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, which in conjunction with the related action would facilitate the development of a seven-story mixed-use building with residential, commercial, and light industrial uses at 40-25 Crescent Street in the Dutch Kills neighborhood of Queens, Community District 1 (ULURP No. N 220170 ZRQ) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on September 21, 2022, its decision dated September 21, 2022 (the “Decision”), on the Application;

WHEREAS, the Application is related to application C 220169 ZMQ (Pre. L.U. No. 117), a zoning map amendment from an M1-2/R5B and M1-2/R5D zoning districts to an M1-2/R6A zoning district;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 22, 2022;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued May 6th, 2022 (CEQR No. 22DCP065Q), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-677) (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-677) 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 220170 ZRQ, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission with the following modifications:

Matter underlined is new, to be added;
 Matter ~~struck out~~ is to be deleted;
 Matter within # # is defined in Section 12-10;
 Matter ~~double struck out~~ is old, deleted by the City Council;
 Matter double-underlined is new, added by the City Council
 * * * indicates where unchanged text appears in the Zoning Resolution.

**ARTICLE XI
 SPECIAL PURPOSE DISTRICTS**

**Chapter 7
 Special Long Island City Mixed Use District**

**117-00
 GENERAL PURPOSES**

* * *

**117-06
 Applicability of the Inclusionary Housing Program**

For the purposes of applying the Inclusionary Housing Program provisions set forth in Sections 23-154 and 23-90, inclusive, #Inclusionary Housing designated areas# and #Mandatory Inclusionary Housing areas# within the #Special Long Island City Mixed Use District# are shown on the maps in APPENDIX F of this Resolution.

**117-60
 DUTCH KILLS SUBDISTRICT**

* * *

**APPENDIX F
 Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

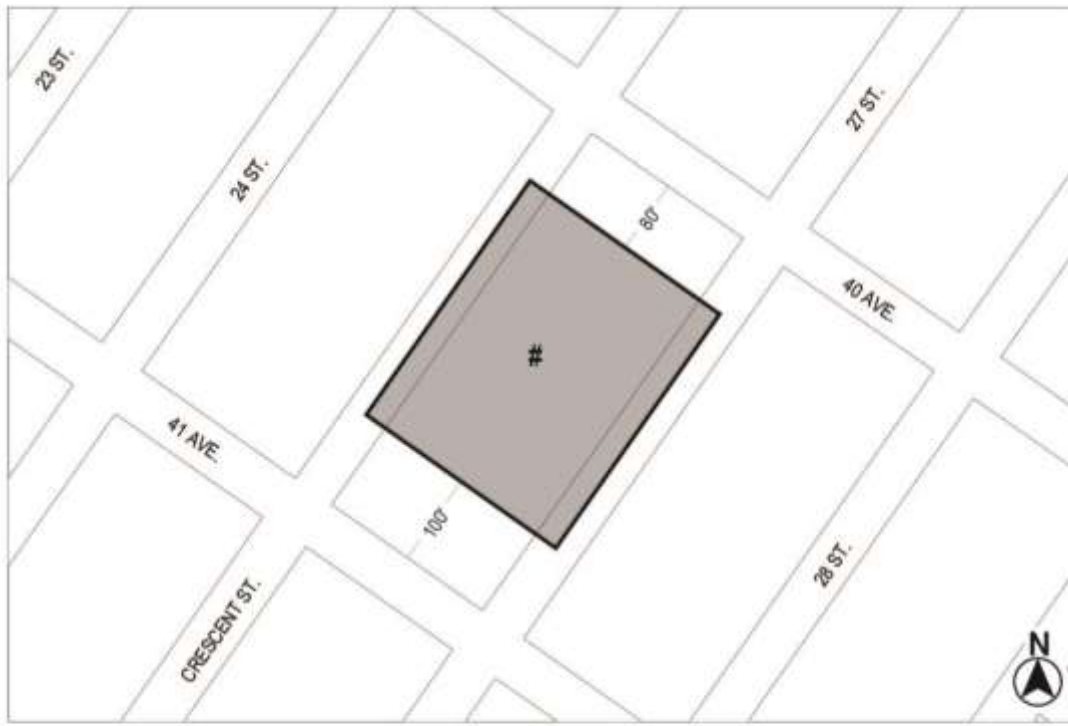
QUEENS

Queens Community District 1

* * *

Map 10 - [date of adoption]

MAP
 [modified by Council]



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

Portion of Community District 1, Queens

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 11-0-0; *Absent*: Selvena N. Brooks-Powers and Carlina Rivera; Committee on Land Use, October 6, 2022.

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

Resolution approving various persons Commissioners of Deeds.

By the Presiding Officer –

Resolved, that the following named persons be and hereby are appointed Commissioners of Deeds for a term of two years:

| <i>Approved New Applicants</i> | | |
|--------------------------------|--|-------------------|
| <i>Name</i> | <i>Address</i> | <i>District #</i> |
| DORIS WILLIAMS | 50 Columbia Street, Apt 11C New York, New York 10002 | 2 |
| KIMBERLY LINKER | 50 East 102nd St, Apt 8D New York, New York 10029 | 8 |
| NIGEL ROBERTS | 3940 Bronx Blvd, Apt 1G Bronx, New York 10466 | 12 |
| AGNES ANITA PEMBERTON | 2829 Dewey Ave, Apt 2A Bronx, New York 10465 | 13 |
| MILAGROS AYALA | 645 Barretto Street, 1J Bronx, New York 10474 | 17 |
| MARGARET FANG | 42-26 Corporal Kennedy Street Queens, New York 11361 | 19 |
| JYOTI CHANKARSINGH | 111-33 127th Street Queens, New York 11420 | 28 |
| CARMEN FUENTES | 170 Onderdonk Ave, 2L Queens, New York 11385 | 34 |
| CHRISTINE PEREZ | 68 Bay 13th Street Brooklyn, New York 11214 | 43 |
| LORIE ULYSSE | 2200 Ocean Ave, 5D Brooklyn, New York 11229 | 48 |
| DENISA KAMENICA | 246 North Rail Road Ave, #2 Staten Island, New York 10304 | 50 |
| JOEL COLON | 226 Princeton Ave Staten Island, New York 10306 | 50 |

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

Council Member Gennaro's Motion to Recommit L.U. No. 116 & Res. No. 356

Shortly before the Roll Call on General Orders, Council Member Gennaro **moved to recommit L.U. No. 116 & Res. No. 356 (78-18 164th Street Rezoning)** to the Committee on Land Use.

The Majority Leader and Acting President Pro Tempore (Council Member Powers) put the question whether the Council would agree with and adopt this Motion to Recommit which was decided in the **affirmative** by the following vote:

Affirmative on the Motion to Recommit – Abreu, Ariola, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Rivera, Sanchez, Schulman, Ung, Williams, Won, Yeger, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **44**.

Present, Not Voting – Riley, Salamanca, Stevens, and Velázquez.

The vote on Council Member Gennaro's Motion to Recommit was recorded as 44-0-0 as shown above.

The Motion was declared passed and the coupled item L.U. No. 116 & Res. No. 356 was recommitted to the Committee on Land Use.

(For text of the report and coupled resolution, please see the Report of the Committee on Land Use for L.U. No. 116 & Res. No. 356 printed in the Reports of the Standing Committees section of these Minutes).

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

- | | |
|--------------------------------------|--|
| (1) Int 179-A - | Report on the role of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers. |
| (2) Int 242-A - | Marshall Plan for moms task force to develop and issue recommendations on how to support working mothers, other parents, and caregivers. |
| (3) Int 477-A - | Establishing a child care task force. |
| (4) Int 485-A - | Electronic child care directory. |
| (5) Int 486-A - | Establishing a child care advisory board. |
| (6) Int 487-A - | Establishing a child care subsidy information portal. |
| (7) Int 488-A - | Establishing a child care grant pilot program. |
| (8) Int 489-A - | Guidance to an owner of real property regarding facility requirements for a child care program. |
| (9) Int 655-A - | Authorizing an increase in the amount to be expended annually in three business improvement districts. |
| (10) L.U. 100 & Res 357 - | App. C 210174 ZMK (2080 McDonald Avenue) Borough of Brooklyn, Community District 11, Council District 44. |
| (11) L.U. 101 & Res 358 - | App. N 210175 ZRK (2080 McDonald Avenue) Borough of Brooklyn, Community District 11, Council District 44. |
| (12) L.U. 102 & Res 347 - | App. C 220007 ZMX (Bruckner Sites Rezoning) Borough of the Bronx, Community District 10, Council District 13. |

- (13) **L.U. 103 & Res 348 -** **App. N 220008 ZRX (Bruckner Sites Rezoning)** Borough of the Bronx, Community District 10, Council District 13.
- (14) **L.U. 104 & Res 349 -** **App. C 220337 ZSM (705 10th Avenue-DEP Site)** Borough of Manhattan, Community District 4, Council District 3.
- (15) **L.U. 105 & Res 350 -** **App. C 220338 ZSM (705 10th Avenue-DEP Site)** Borough of Manhattan, Community District 4, Council District 3.
- (16) **L.U. 106 & Res 351 -** **App. C 220340 HAM (705 10th Avenue-DEP Site)** Borough of Manhattan, Community District 4, Council District 3.
- (17) **L.U. 107 & Res 352 -** **App. G 220017 XAM (705 10th Avenue-DEP Site/Rialto West-UDAAP/Article XI)** Borough of Manhattan, Community District 4, Council District 3.
- (18) **L.U. 108 & Res 353 -** **App. N 230007 HKQ (DL-527/LP-2655) (Cambria Heights-222nd Street Historic District)** Borough of Queens, Community District 13, Council District 27.
- (19) **L.U. 109 & Res 354 -** **App. N 230008 HKQ (DL-527/LP-2656) (Cambria Heights-227th Street Historic District)** Borough of Queens, Community District 13, Council District 27.
- (20) **L.U. 115 & Res 355 -** **App. C 220133 ZMQ (78-46 Metropolitan Avenue Rezoning)** Borough of Queens, Community District 5, Council District 30.
- (21) **L.U. 117 & Res 359 -** **App. C 220169 ZMQ (40-25 Crescent Street Rezoning)** Borough of Queens, Community District 1, Council Districts 26.
- (22) **L.U. 118 & Res 360 -** **App. N 220170 ZRQ (40-25 Crescent Street Rezoning)** Borough of Queens, Community District 1, Council Districts 26.

(23) Resolution approving various persons Commissioners of Deeds.

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

Affirmative – Abreu, Ariola, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Williams, Won, Yeger, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **48**.

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

The following was the vote recorded for **Int. No. 485-A**:

Affirmative – Abreu, Ariola, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Williams, Won, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **47**.

Negative – Yeger - **1**.

The following was the vote recorded for **Int. No. 655-A**:

Affirmative – Abreu, Ariola, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Williams, Won, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **47**.

Negative – Yeger - **1**.

The following was the vote recorded for **L.U. No. 100 & Res. No. 357 and L.U. No. 101 & Res. No. 358**:

Affirmative – Abreu, Ariola, Avilés, Ayala, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Williams, Won, Yeger, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **47**.

Negative – Barron - **1**.

The following was the vote recorded for **L.U. No. 117 & Res. No. 359 and L.U. No. 118 & Res. No. 360**:

Affirmative – Abreu, Ariola, Avilés, Ayala, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Williams, Won, Yeger, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **47**.

Negative – Barron - **1**.

*The following Introductions were sent to the Mayor for his consideration and approval:
Int. Nos. 179-A, 242-A, 477-A, 485-A, 486-A, 487-A, 488-A, 489-A and 655-A.*

RESOLUTIONS

Presented for voice-vote

The following are the respective Committee Reports for each of the Resolutions referred to the Council for a voice-vote pursuant to Rule 8.50 of the Council:

Report for voice-vote item Res. No. 69

Report of the Committee on Women and Gender Equity in favor of approving a Resolution calling on the New York State Legislature to pass, and the Governor to sign, S. 7595/ A. 8623, S. 6706B/ A. 7582A, and S. 7615/ A. 8625, legislation supporting the provision of financial assistance to families and child care providers in order to make child care more accessible and affordable.

The Committee on Women and Gender Equity, to which the annexed resolution was referred on March 10, 2022 (Minutes, page 358), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Women and Gender Equity for Int. No. 242-A printed in the Reports of the Standing Committees section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 69:)

Res. No. 69

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S. 7595/ A. 8623, S. 6706B/ A. 7582A, and S. 7615/ A. 8625, legislation supporting the provision of financial assistance to families and child care providers in order to make child care more accessible and affordable.

By Council Member Menin, the Public Advocate (Mr. Williams) and Council Members Cabán, Restler, Ossé, Stevens, Won, Brannan, Hanif, Joseph, Richardson Jordan, Brewer, Velázquez, Avilés, Krishnan, Ung, Barron, Gutiérrez, Williams, Hanks, Gennaro, Farías, Brooks-Powers, Sanchez, Hudson, Schulman, Lee, Narcisse, Ayala, Bottcher, De La Rosa, Riley, Rivera, Louis, Mealy and Dinowitz.

Whereas, The early years in a child's life are critical for healthy brain development and lay the groundwork for future educational achievement, economic productivity, and lifelong health; and

Whereas, A study conducted by The Heckman Equation found that high-quality child care and early learning programs benefit both children and parents, by permitting parents to grow their income while children gain foundational skills to succeed in school and life; and

Whereas, Enrollment in child care programs in New York State can cost more than \$2,600 per month or \$21,000 per year, which is too high for most low-income and middle-income families, according to a report prepared by the Office of Senator Jabari Brisport and the Alliance for Quality Education; and

Whereas, The lack of government spending on child care in New York has meant that many parents are unable to meet eligibility requirements for needed child care subsidies and early childhood education is one of the lowest paid professions; and

Whereas, According to the report prepared by Senator Brisport's office and the Alliance for Quality Education, child care providers are not able to pay sufficient wages to child care workers, which can result in child care facilities operating at less than full capacity; and

Whereas, The New York City Comptroller reported that child care centers and family day care providers in New York City only have capacity for 22% of children under the age of two, and nearly half of all community districts are considered an infant care desert, where the ratio of child care capacity to children is less than 20%; and

Whereas, According to a survey conducted by the NY Early Childhood Professional Development Institute and the Bank Street College of Education's Straus Center for Young Children and Families, approximately 32% of early childhood educators and providers in New York report that they have reduced staff hours, furloughed, or laid off staff as a result of restrictions caused by the COVID-19 pandemic, and nearly one in four of the respondents stated they were uncertain if their program would reopen once such restrictions would be lifted; and

Whereas, The Universal Child Care Act, S. 7595, introduced by Senator Brisport and pending in the New York State Senate, and companion bill A. 8623, introduced by Assembly Member Andrew Hevesi and pending in the New York State Assembly, would provide for the establishment and funding of universal child care in the state of New York; and

Whereas, S. 6706B, introduced by Senator Brisport and pending in the New York State Senate, and companion bill A. 7582A, introduced by Assembly Member Andrew Hevesi and pending in the New York State Assembly, would expand existing child care assistance eligibility to families that make up to 85% of the state median income; and

Whereas, The Early Learning Child Care Act, S. 7615, introduced by Senator Jessica Ramos and pending in the New York State Senate, and companion bill A. 8625, introduced by Assembly Member Sarah Clark and pending in the New York State Assembly, would establish the Early Learning Child Care Program to provide subsidies to covered children to attend early learning child care programs, establish the New York State Child Care Board, and impose a payroll tax on certain employers for the purposes of addressing child care affordability, accessibility, and quality for families with children under five years of age; and

Whereas, Each of these bills would work to expand and fortify New York's child care infrastructure, including by ensuring child care is affordable for parents and that child care workers are paid just wages; now, therefore, be it

Resolved, That the Council of the city of New York calls on the New York State Legislature to pass, and the Governor to sign, S. 7595/ A. 8623, S. 6706B/ A. 7582A, and S. 7615/ A. 8625, legislation supporting the provision of financial assistance to families and child care providers in order to make child care more accessible and affordable.

TIFFANY CABÁN, *Chairperson*; KEVIN C. RILEY, JENNIFER GUTIÉRREZ, ALTHEA STEVENS; 4-0-0; Absent: James F. Gennaro and Kristin Richardson Jordan; Committee on Women and Gender Equity, October 12, 2022. *Other Council Members Attending: Council Member Menin.*

Pursuant to Rule 8.50 of the Council, the Majority Leader and Acting President Pro Tempore (Council Member Powers) called for a voice vote. Hearing those in favor, the Majority Leader and Acting President Pro Tempore (Council Member Powers) declared the Resolution to be adopted.

The following 5 Council Members formally noted their intention to vote negative on this item: Council Members Ariola, Carr, Holden, Paladino, and Yeger.

Adopted by the Council by voice-vote.

INTRODUCTION AND READING OF BILLS

Int. No. 749

By Council Members Avilés, Restler, Joseph, Farías and Hanif.

A Local Law to amend the administrative code of the city of New York, in relation to providing food delivery workers with information on safety measures that mitigate the fire risks posed by powered mobility devices

Be it enacted by the Council as follows:

Section 1. Section 20-1501 of title 20 of the administrative code of the city of New York is amended by adding a definition of “powered mobility devices” in alphabetical order to read as follows:

Powered mobility devices. *The term “powered mobility devices” means motorized bicycles, motorized scooters and other personal mobility devices powered by a lithium-ion or other storage battery. The term does not include motor vehicles or motorcycles or other mobility devices that must be registered with the New York State Department of Motor Vehicles.*

§2. Subchapter 2 of chapter 5 of title 20 of the administrative code of the city of New York is amended by adding a section 20-1525 to read as follows:

§ 20-1525. Fire safety of powered mobility devices. *a. The department, in consultation with the fire department, shall establish materials that provide guidance on safe use and storage of powered mobility devices. Such guidance shall include, but not be limited to: (i) purchasing mobility devices and battery equipment that meet established fire safety standards; (ii) maintenance and care information for powered mobility devices and lithium-ion batteries; and (iii) storage and charging precautions for powered mobility devices and lithium-ion batteries. Any written materials disseminated by the department pursuant to this section shall be made available in the top ten languages most commonly spoken within the city as determined by the department of city planning.*

b. Any food service establishment, third-party food delivery service, or third-party courier service that hires, retains or engages as an independent contractor a worker who delivers food and beverage items as part of their employment shall provide such worker with material established by the department pursuant to subdivision a of this section.

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

Referred to the Committee on Fire and Emergency Management.

Int. No. 750

By Council Members Ayala, Sanchez, Restler, Joseph, Williams, Hudson, Avilés, Gennaro, Hanif and Brewer.

A Local Law to amend the administrative code of the city of New York, in relation to the proactive identification and inspection of dwellings where children are at risk of lead poisoning

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of Chapter 2 of title 27 of the administrative code of the city of New York, is amended by adding a new section 27-2056.19 to read as follows:

§ 27-2056.19 Inspections to determine the presence of lead based paint hazards. *a. The department, in coordination with the department of health and mental hygiene, shall establish a program to identify and inspect*

at least 200 multiple dwellings each fiscal year where children reside and where there is a risk of exposure to lead-based paint hazards.

b. Any inspection of a multiple dwelling unit required pursuant to this section shall be conducted notwithstanding any other lead inspection requirements pursuant to title 17 or title 27 of the code or of any rule that addresses lead-based paint hazards or unsafe lead paint in multiple dwellings, unless such dwelling unit was inspected for lead-based paint hazards within the preceding 5 years and any such hazards were abated.

c. Any inspection required pursuant to this section shall include an inspection of the dwelling unit for lead-based paint hazards or unsafe lead paint, as applicable, including analysis by an x-ray fluorescence analyzer, in accordance with subdivision (7) of section 27-2056.2, of all friction surfaces, chewable surfaces, peeling paint, deteriorated subsurfaces and impact surfaces as such terms are defined in section 27-2056.2.

d. In determining the multiple dwelling units that shall be inspected pursuant to this section the department shall consider, but not be limited to, the following factors:

1. A multiple dwelling's history of orders of abatement issued pursuant to subsection d of section 173.13 of the health code or a successor rule that addresses the abatement of lead hazards;

2. The relative prevalence of lead poisoning within the community district where a multiple dwelling is located; and

3. The prevalence and frequency of violations of title 27 of the code, in such multiple dwelling that could cause exposure to lead-based paint or lead dust through the deterioration of lead-based painted surfaces.

e. In the event an inspection by the department, pursuant to this section, finds any lead-based paint hazards or unsafe lead paint on any surfaces, the department shall order the correction of such conditions pursuant to the requirements of the New York city health code.

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

Referred to the Committee on Housing and Buildings.

Int. No. 751

By Council Member Bottcher.

A Local Law to amend the administrative code of the city of New York, in relation to newsrack requirements and to repeal and replace subdivision a of section 19-128.1 of the administrative code of the city of New York.

Withdrawn by the first-name prime sponsor (originally meant to be referred to the Committee on Transportation and Infrastructure).

Int. No. 752

By Council Members Brewer, Mealy and Williams.

A Local Law to amend the administrative code of the city of New York and the New York City fire code, in relation to prohibiting the sale and assembly of second-use lithium-ion batteries

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 2 to read as follows:

SUBCHAPTER 2
SECOND-USE LITHIUM-ION BATTERIES

§ 20-609 *Definitions.* For purposes of this subchapter, the following terms have the following meanings:

Lithium-ion battery. The term “lithium-ion battery” means a storage battery in which an electrical current is generated by lithium ions embedded in a carbon graphite or nickel metal-oxide substrate placed in a high-viscosity carbonate mixture or gelled polymer electrolyte.

Second-use lithium-ion battery. The term “second-use lithium-ion battery” means a lithium-ion battery that has been assembled or reconditioned using cells removed from used batteries.

§ 20-610 *Sale of second-use lithium-ion batteries.* a. No person shall distribute, sell or offer for sale a second-use lithium-ion battery.

b. *Penalty.* A person who violates subdivision a of this section or any rule promulgated thereunder is liable for a civil penalty as follows:

1. For the first violation, a civil penalty of \$200; and

2. For each subsequent violation issued for the same offense within two years of the date of a first violation, a civil penalty of not more than \$1,000.

c. Each failure to comply with subdivision a of this section with respect to each separate second-use lithium-ion battery constitutes a separate violation.

§ 2. Section FC 309 of the New York city fire code is amended by adding a new section 309.3.5 to read as follows:

309.3.5 *Second-use batteries.* It shall be unlawful to assemble or recondition a lithium-ion battery using cells removed from used storage batteries.

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

Referred to the Committee on Fire and Emergency Management.

Int. No. 753

By Council Members Dinowitz, Bottcher, Mealy, Joseph, Hudson, Farias, Schulman and Hanif.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the 311 customer service center to conduct customer satisfaction surveys after each 311 call intake is closed and to publish agency report cards

Be it enacted by the Council as follows:

Section 1. Section 23-306 of the administrative code of the city of New York, as added by local law number 26 for the year 2021, is amended to read as follows:

§ 23-306 Customer satisfaction survey.

a. *Definitions.* As used in this section, the following terms have the following meanings:

Customer satisfaction survey. The term “customer satisfaction survey” means a survey used to evaluate the experiences of individuals who contact the 311 customer service center and to determine their overall level of satisfaction with 311 call intake.

Designated citywide languages. The term “designated citywide languages” has the same meaning as such term is defined in section 23-1101.

b. [The 311 customer service center shall annually conduct at least five campaigns in which customer satisfaction surveys are sent to individuals who have contacted the 311 customer service center in the previous six months.] *The 311 customer service center shall conduct customer satisfaction surveys, sent to the individual who contacted the 311 customer service center, once each complaint is designated “closed.” The survey shall, at minimum, provide the customer (i) the opportunity to indicate whether the complaint has been prematurely closed and (ii) the option to provide written feedback. When a customer indicates that a complaint has been*

prematurely closed, the 311 customer service center shall automatically resubmit the complaint for review by the relevant city agency.

c. Every customer satisfaction survey administered by the 311 customer service center or by an entity contracting with the city to conduct such customer satisfaction survey shall be made available in all designated citywide languages.

d. The 311 customer service center shall maintain on the 311 website and app agency report cards, to be updated quarterly. The agency report card shall indicate the satisfaction and resolution rates, number of cases, and complaint type of each city agency that addresses 311 complaints.

[d] e. No later than July 1 of each year, the department of information technology and telecommunications shall issue a report to the speaker of the council and the mayor [including] *summarizing the aggregate results of [each survey] the surveys* required by subdivision b of this section, disaggregated by the language in which such survey was conducted, *and the most recent agency report cards.*

§ 2. This local law shall take effect immediately.

Referred to the Committee on Governmental Operations.

Int. No. 754

By Council Members Gennaro, Restler, Joseph, Farías and Hanif.

A Local Law to amend the administrative code of the city of New York, in relation to requiring individuals registering as lobbyists to complete an annual anti-sexual harassment interactive training and to provide the certification of completion as part of registration

Be it enacted by the Council as follows:

Section 1. Subdivision (c) of section 3-213 of the administrative code of the city of New York, as amended by local law number 129 for the year 2013, is amended to read as follows:

(c) Such statement of registration shall contain:

(1) [the] *The name, home and business addresses and business telephone number of the lobbyist and the name and home and business addresses of the spouse or domestic partner of the lobbyist, and if the lobbyist is an organization the name, home and business addresses and business telephone number of any officer or employee of such lobbyist who engages in any lobbying activities or who is employed in an organization's division that engages in lobbying activities of the organization and the name and home and business addresses of the spouse or domestic partner of such officers or employees, provided that, notwithstanding any provision of this subchapter to the contrary, the home address of the lobbyist, including, if the lobbyist is an organization, the home address of any officer or employee of such lobbyist who engages in any lobbying activities or who is employed in an organization's division that engages in lobbying activities of the organization, and the names and home and business addresses of spouses and domestic partners of such lobbyists, officers and employees, whether contained in an original or amended statement of registration, shall not be made available to the public, but may be accessed by the campaign finance board for the sole purpose of determining whether a campaign contribution is matchable pursuant to section 3-702 of the New York City campaign finance act; provided, however, that notwithstanding any other provision of law, in making information on campaign contributions publicly available, the campaign finance board shall not disclose that any specific contributor is the spouse, domestic partner or unemancipated child of such a lobbyist, officer or employee;*

(2) [the] *The name, address and telephone number of the client by whom or on whose behalf the lobbyist is retained, employed or designated;*

(3) [if] *If such lobbyist is retained or employed pursuant to a written agreement of retainer or employment, a copy of such shall also be attached and if such retainer or employment is oral, a statement of the substance thereof;*

(4) [a] A written authorization from the client by whom the lobbyist is authorized to lobby, unless such lobbyist has filed a written agreement of retainer or employment pursuant to paragraph three of this subdivision;

(5) [a] A description of the subject or subjects on which the lobbyist is lobbying or expects to lobby, including information sufficient to identify the local law or resolution, procurement, real property, rule, rate making proceeding, determination of a board or commission, or other matter on which the lobbyist is lobbying or expects to lobby;

(6) [the] *The* names of the persons and agencies before which the lobbyist has lobbied or expects to lobby;

(7) [if] *If* the lobbyist has a financial interest in the client, direct or indirect, information as to the extent of such interest and the date on which it was acquired; [and]

(8) [if] *If* the lobbyist is retained, employed or designated by more than one client, a separate statement of registration shall be required for each such client; *and*

(9) *A certification showing that the lobbyist has completed within the previous year an anti-sexual harassment interactive training that meets the requirements of subdivision 30 of section 8-107.*

§ 2. Subdivision 30 of section 8-107 of the administrative code of the city of New York is amended by adding a new paragraph (h) to read as follows:

(h) Any individual required to register as a lobbyist pursuant to section 3-213 shall annually complete a training that meets the requirements of this subdivision regardless of whether the individual's employer is required to provide such training pursuant to this subdivision.

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

Referred to the Committee on Governmental Operations.

Int. No. 755

By Council Members Hanks, Williams and Hudson.

A Local Law to amend the administrative code of the city of New York, in relation to training first responders to prevent the unlawful dissemination of sensitive images

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 14 of the administrative code of the city of New York is amended by adding a new section 14-193 to read as follows:

14-193 Sensitive image training. a. Definitions. For the purposes of this section, the term "sensitive image" means a still or video image depicting the commission of a crime against a victim or the physical injury suffered by a victim of a crime or accident, in which the victim is identifiable from the still or video image or from information displayed in connection with the still or video image.

b. No later than April 30, 2023 the department shall ensure all department employees receive training on how to handle sensitive images to prevent unlawful dissemination. The department shall ensure all department employees receive annual training on how to handle sensitive images to prevent unlawful dissemination. The department shall develop such training in consultation with the chief privacy officer.

§ 2. Chapter 1 title 15 of the administrative code of the city of New York is amended by adding a new section 15-142 to read as follows:

15-142 Sensitive image training. a. Definitions. For the purposes of this section, the term "sensitive image" means a still or video image depicting the commission of a crime against a victim or the physical injury suffered by a victim of a crime or accident, in which the victim is identifiable from the still or video image or from information displayed in connection with the still or video image.

b. No later than April 30, 2023 the department shall ensure all department employees receive training on how to handle sensitive images to prevent unlawful dissemination. The department shall ensure all department employees receive annual training on how to handle sensitive images to prevent unlawful dissemination. The department shall develop such training in consultation with the chief privacy officer.

§ 3. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Int. No. 756

By Council Members Hanks, Louis, Ayala, Restler, Williams, Hudson and Hanif.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the mayor's office of criminal justice to provide training and operational support to not-for-profit service providers participating in the city's crisis management system

Be it enacted by the Council as follows:

Section 1. Chapter 3 of Title 9 of the administrative code of the city of New York is amended by adding a new section 9-310 to read as follows:

§ 9-310. *Training and operational support for the crisis management system. a. Definitions. For the purpose of this section, "service providers" means a not-for-profit organization that contracts with the city to deliver services as part of the city's crisis management system.*

b. The office shall offer training and operational support for service providers to promote the functioning of the city's crisis management system. Such efforts shall include, but not be limited to: (i) providing training on skills relevant to the delivery of services within the crisis management system and not-for-profit administration; (ii) providing technical support tailored to service provider organizational needs, including but not limited to, businesses services, legal assistance, grant writing assistance, and human resource assistance; (iii) facilitating collaboration and information sharing between service providers, city agencies, legal service providers and other relevant stakeholders; and (iv) offering voluntary certifications for service provider staff to obtain following completion of designating trainings.

c. No later than January 30, 2023, and within 30 days after the beginning each subsequent calendar year, the office shall submit to the council and post publicly on its website a report detailing efforts undertaken pursuant to this section, and a summary of the office's ongoing efforts to support the operation of the city's crisis management system.

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Int. No. 757

By Council Member Holden.

A Local Law to amend the administrative code of the city of New York, in relation to establishing a system to obtain employment and income information from a third-party for the city's use in making determinations for benefits and services eligibility

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-151 to read as follows:

§ 21-151 *Third-party verification to determine benefits and services eligibility. Notwithstanding the provisions of any law or regulations to the contrary, and in consultation with the mayor's office of operations*

and any other agency the commissioner deems appropriate, the commissioner shall establish, no later than March 31, 2023, a system to obtain employment and income information from a third-party commercial consumer reporting agency, in accordance with 15 U.S.C. s. 1681 et seq., for the purpose of determining eligibility for benefits and services administered by the department.

§ 2. This local law takes effect immediately.

Referred to the Committee on General Welfare.

Int. No. 758

By Council Members Holden, Vernikov, Yeger, Fariás, Riley and Ariola.

A Local Law to amend the administrative code of the city of New York, in relation to requiring that every bicycle with electric assist, electric scooter and other legal motorized vehicle be licensed and registered

Be it enacted by the Council as follows:

Section 1. Subchapter 3 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-176.4 to read as follows:

§ 19-176.4 *Licensing and registration of bicycles with electric assist, electric scooters and other legal motorized vehicles. a. For the purposes of this section, the following terms have the following meanings:*

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

Electric scooter. The term “electric scooter” means any electric scooter as defined in section 114-e of the vehicle and traffic law.

Other legal motorized vehicle. The term “other legal motorized vehicle” means any wheeled device powered by an electric motor or by a gasoline motor that may be legally operated in the city, is not capable of being registered with the New York state department of motor vehicles and is not a bicycle with electric assist or electric scooter.

b. Every bicycle with electric assist, electric scooter and other legal motorized vehicle shall be registered with the commissioner and provided a distinctive identification number and a license plate corresponding to that distinctive identification number.

c. The license plate issued pursuant to subdivision b of this section shall be of such material, form, design and dimensions and contain such distinguishing number as the commissioner shall prescribe, provided, however, that there shall be at all times a marked contrast between the color of the plate and that of the numerals or letters thereon. Each such plate shall identify whether the bicycle with electric assist, electric scooter or other legal motorized vehicle is personal or commercial in nature. The fee for such plate shall be determined by the commissioner.

d. The license plate issued pursuant to subdivision b of this section shall be conspicuously displayed on the rear of the bicycle with electric assist, electric scooter or other legal motorized vehicle, and securely fastened so as to prevent the same from swinging. No bicycle with electric assist, electric scooter or other legal motorized vehicle shall display any plate other than that issued by the commissioner.

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

Referred to the Committee on Transportation and Infrastructure.

Int. No. 759

By Council Members Lee, Holden, Hanks, Brooks-Powers, Velázquez, Mealy, Restler, Farías, Schulman, Won, Hanif, Riley and Ariola.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a program to distribute catalytic converter etching kits

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 10 of the administrative code of the city of New York is amended by adding a new section 10-185 to read as follows:

§ 10-185 *Catalytic converter etching kit program. a. Definitions. For purposes of this section, the term “etching kit” means a kit used to etch a unique, identifying number into a catalytic converter of a motor vehicle.*

b. The police department, in collaboration with the department of transportation and any other appropriate agency, shall establish a program to:

- 1. Distribute etching kits to dealers of new and used motor vehicles for the purpose of etching the catalytic converters of motor vehicles offered for sale;*
- 2. Provide etching kits to the public and assistance in using such kits to etch catalytic converters; and*
- 3. Engage in an outreach campaign to inform the public of the efforts required pursuant to paragraphs 1 and 2 of this subdivision.*

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

Referred to the Committee on Public Safety.

Int. No. 760

By Council Members Menin, Krishnan, Mealy, Joseph, Hudson, Farías, Avilés and Hanif (in conjunction with the Manhattan Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to providing children 13 and younger with swimming lessons at no cost

Be it enacted by the Council as follows:

Section 1. Section 18-149 of the administrative code of the city of New York, as added by local law number 18 for the year 2016 and renumbered by local law number 133 for the year 2017, is amended to read as follows:

§ 18-149 *Discounted recreation center fees; swimming lessons provided at no cost. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Child. The term “child” means a person between the ages of one and one-half to 13 years.

Course of instruction. The term “course of instruction” means a series of lessons designed for students of a particular age group or skill level.

Swimming lessons. The term “swimming lessons” means a program administered by the department to teach swimming and includes Learn to Swim and any similar or succeeding program.

b. Annual membership fees for each recreation center under the jurisdiction of the department shall be reduced for persons 62 years of age or older, persons between 18 and 24 years of age, veterans and persons with disabilities. Such reduced fees shall be no greater than 25 percent of the highest annual membership fee charged at such recreation center.

c. The department shall provide swimming lessons at no cost to a child within one year of the submission of an application for such lessons on behalf of such child, except that this provision only entitles such child to a particular course of instruction once at no cost. No child shall be denied swimming lessons because such child’s parent or guardian has not paid recreation center membership fees.

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

Referred to the Committee on Parks and Recreation.

Res. No. 340

Resolution calling on the federal government to invest at least \$100 million in gun violence research through the United States Centers for Disease Control and Prevention.

By Council Members Menin, Hanks, Schulman, the Public Advocate (Mr. Williams), Mealy, Restler, Joseph, Hudson, Farías and Hanif.

Whereas, The Centers for Disease Control and Prevention (CDC) was founded in 1942 as agency for malaria control in war areas; and

Whereas, The CDC protects the nation's health by preventing and controlling disease, injury, and disability; and

Whereas, The National Center for Injury Prevention and Control (NCIPC) of the CDC was created in 1992 after a series of government reports identified injury as one of the most important public health problems facing the nation; and

Whereas, In 1996 the federal government omnibus spending bill was passed and included a rider provision, named the Dickey Amendment after Congress Member Jay Dickey, which at the behest of the National Rifle Association (NRA) mandated that none of the funds made available for injury prevention and control at CDC be used to advocate or promote gun control; and

Whereas, As a result of the Dickey Amendment, virtually no funding for government research of gun control was appropriated to CDC for more than two decades; and

Whereas, According to The Science of Gun Policy: A Critical Synthesis of Research Evidence on the effects of Gun Policies in the United States and The Dickey Amendment on Federal Funding for Research on Gun Violence: A Legal Dissection, CDC funding of gun violence research declined by 96 percent and academic publications addressing gun violence declined 64 percent between 1998 and 2012; and

Whereas, According to CDC mortality statistics from 2004-2014, gun violence killed approximately as many individuals as sepsis, however, funding for gun violence research was about 0.7 percent of that for sepsis; and

Whereas, According to Journal of the American Medical Association, gun violence research was the least researched cause of death and the second least funded cause of death after falls; and

Whereas, According to the New England Journal of Medicine, years of research and the application of effective policies, car related deaths went from the leading cause of death for children to being replaced by guns as recent as 2020; and

Whereas, According to CDC Wonder Online Database from 2018-2020, Black children in the United States are three times more likely to die from gun violence than the overall U.S. population, while according to reports, homicide rates from firearms from 2019 predominantly Black countries such as Senegal, Ghana, and Nigeria have significantly lower overall gun homicides than the U.S.; and

Whereas, Reports indicate in 2018 Congress clarified the law to allow for gun violence research and subsequently the Fiscal Year 2020 budget earmarked \$25 million in funding for CDC and the National Health Institute (NIH) for such research; and

Whereas, According to CDC Fast Facts, 2020, there were 45,222 firearm related deaths in the United States, approximately 124 deaths a day; and

Whereas, 40,000 non gun related death causes received between 25 to 50 million dollars in funding; and

Whereas, Funding for gun violence research should be in the hundreds of millions based on dollars spent per death and considering 20 years of little to no funding; and

Whereas, Funding the CDC's research into gun violence will allow them to provide data to inform action, conduct research and apply scientific principles to identify effective solutions, and promote collaboration across

multiple sectors to address the problem of firearm violence and keep people safe and healthy; now, therefore, be it

Resolved, That the Council of the City of New York calls on the federal government to invest at least \$100 million in gun violence research through the United States Centers for Disease Control and Prevention.

Referred to the Committee on Health.

Int. No. 761

By Council Member Moya.

A Local Law to amend the administrative code of the city of New York, in relation to maximum fines for illegal postings.

Be it enacted by the Council as follows:

Section 1. Section 10-121 of chapter 1 of title 10 of the administrative code of the city of New York is amended to read as follows:

§ Section 10-121. Violation. a. Any person convicted of a violation of any of the provisions of section 10-119 [or 10-120] of the code shall be punished by a fine of not less than seventy-five dollars nor more than one hundred fifty dollars, for the first offense and not less than one hundred fifty dollars nor more than [two hundred fifty] \$1,000 dollars for the second and each subsequent offense within a twelve month period, plus the cost of the removal of the unauthorized signs, imprisonment for not more than ten days, or both; provided, however, that subdivision b of section 10-119 of the code shall not apply with respect to criminal prosecutions brought pursuant to this subdivision.

b. In the instance where the notice of violation, appearance ticket or summons is issued for breach of the provisions of section 10-119 [or 10-120] of the code and sets forth thereon civil penalties only, such process shall be returnable to the environmental control board, which shall have the power to impose the civil penalties of not less than [seventy five dollars]\$75 nor more than [one hundred fifty dollars]\$150 for the first offense and not less than [one hundred fifty dollars]\$150 nor more than [two hundred fifty] \$1,000 for the second and each subsequent offense within a twelve month period. Anyone found to have violated the provisions of [S]section 10-119 [or 10-120], in addition to any penalty imposed, shall be responsible for the cost of the removal of the unauthorized signs. Anyone found to have violated section 10-119 of this chapter by affixing any handbill, poster, notice, sign or advertisement to a tree by means of nailing or piercing the tree by any method shall have an additional penalty imposed equal to the amount of the original penalty.

c. Any person convicted of a violating section 10-120 of the code shall be punished by a fine of not less than \$75 nor more than one hundred fifty dollars, for the first offense and not less than \$150 nor more than \$250 for the second and each subsequent offense within a 12 month period, plus the cost of the removal of the unauthorized signs, imprisonment for not more than ten days, or both.

d. In the instance where the notice of violation, appearance ticket or summons is issued for breach of section 10-120 of the code and sets forth thereon civil penalties only, such process shall be returnable to the environmental control board, which shall have the power to impose the civil penalties of not less than \$75 nor more than \$150 dollars for the first offense and not less than \$150 nor more than \$250 for the second and each subsequent offense within a 12 month period. Anyone found to have violated the provisions of section 10-120, in addition to any penalty imposed, shall be responsible for the cost of the removal of the unauthorized signs.

[c]e. In the event that a violator fails to answer such notice of violation, appearance ticket or summons within the time provided therefor by the rules and regulations of the environmental control board, he or she shall become liable for additional penalties. The additional penalties shall not exceed fifty dollars for each violation.

[d]f. Any person found in violation of any of the provisions of section 10-119 or 10-120 of the code shall be liable for a civil penalty as provided for in subdivision b of this section.

[e]g. Liability and responsibility for any civil penalty imposed pursuant to this section for any violation of section 10-119 or 10-120 of the code shall be joint and severable on the part of any corporation found to be liable and responsible and its officers, principals, and stockholders owning more than ten percent of its outstanding voting stock.

[g]h. For the purposes of imposing a criminal fine or civil penalty pursuant to this section, every handbill, poster, notice, sign or advertisement pasted, posted, painted, printed or nailed in violation of section 10-119 of the code or torn down, defaced or destroyed in violation of section 10-120 of the code, shall be deemed to be the subject of a separate violation for which a separate criminal fine or civil penalty shall be imposed.

§ 2. This local law takes effect immediately.

Referred to the Committee on Consumer and Worker Protection.

Int. No. 762

By Council Member Moya.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting food vending under bridges, overpasses and elevated train structures and requiring the posting of signs near subway entrances and exits indicating that vending is prohibited within 10 feet

Be it enacted by the Council as follows:

Section 1. Subdivision e of section 17-315 of the administrative code of the city of New York, as amended by local law number 19 for the year 2013, is amended to read as follows:

e. No food vendor shall vend within any bus stop, within the portion of the sidewalk abutting any no standing zone adjacent to a hospital as defined in subdivision one of section 2801 of the New York state public health law, *under any bridge, overpass or elevated train structure, or* within ten feet of any driveway, any subway entrance or exit, or any crosswalk at any intersection.

§ 2. Section 17-315 of the administrative code of the city of New York is amended by adding a new subdivision n to read as follows:

n. *The department, or any such other agency designated by the mayor, shall place signs near each subway entrance and exit indicating that vending is prohibited within 10 feet of such entrance or exit.*

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

Referred to the Committee on Consumer and Worker Protection.

Int. No. 763

By Council Members Moya and Williams.

A Local Law to amend the administrative code of the city of New York, in relation to increasing oversight of certified asbestos investigators

Be it enacted by the Council as follows:

Section 1. Subdivision e of section 24-136 of the administrative code of the city of New York, as amended by local law number 55 for the year 1991, is amended to read as follows:

(e) (1) The commissioner shall promulgate rules establishing criteria for certifying individuals as eligible to receive an asbestos handling certificate. The commissioner may restrict the asbestos handling certificate as to certain supervisory and nonsupervisory functions and responsibilities.

(2) The commissioner shall promulgate rules establishing criteria for certifying individuals as asbestos investigators. *Such criteria shall include a background check of each new applicant and all certificate holders who seek to renew their license. Applicants must also demonstrate that they have experience in investigating buildings for asbestos.*

(3) Any certificate issued under this subdivision shall be valid for a period of two years unless sooner suspended or revoked and may be renewed for a period of two years upon submission of proof satisfactory to the commissioner that the individual continues to meet the criteria established pursuant to this subdivision.

(4) The commissioner may suspend or revoke any certificate issued under this subdivision where the holder has violated this section or any rules promulgated thereunder. Determinations made by the environmental control board as to notices of violation issued by the department shall be considered proof of violation for purposes of this section. The certificate holder shall be notified of the suspension or revocation by certified mail sent to the holder's address on file with the department, and shall be given an opportunity to be heard within fifteen calendar days. The hearing shall be conducted in accordance with the rules of the department. The holder's certificate shall be suspended from the date of the notice until the hearing is held and the commissioner makes a final determination. *The commissioner shall audit no less than 25 percent of certificate holders for compliance with this section and the rules promulgated hereunder on an annual basis.*

(5) The commissioner shall charge a fee not to exceed two hundred dollars to process the application to issue or renew an asbestos handling certificate and a fee not to exceed five hundred dollars to process the application of an individual as an asbestos investigator.

(6) The commissioner may suspend the processing of applications for certification of individuals as asbestos handlers or investigators when the commissioner determines that regulations promulgated pursuant to article thirty of the labor law for the certification of such individuals are essentially equivalent to rules promulgated by the commissioner, and that such certifications are in fact being issued.

(7) No certificate issued under this subdivision shall be renewed if the holder has failed to pay in full any civil penalty imposed by the board for violations of this section or any rules promulgated thereunder.

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

Referred to the Committee on Environmental Protection.

Int. No. 764

By Council Member Moya.

A Local Law to amend the administrative code of the city of New York, in relation to media in electronic emergency notifications

Be it enacted by the Council as follows:

Section 1. Section 30-115 of the administrative code of the city of New York is amended by adding a new subdivision c to read as follows:

c. Any emergency notification system operated and controlled by the city for the purposes of aggregating information obtained from other offices or agencies to inform the public about emergencies or disruptive events through e-mail, text, phone, social media platform, or internet-based feed shall include in each notification relevant media including, but not limited to, any image, map, video, or hyperlink related to such notification, provided that this requirement shall not delay or prohibit the immediate issuance of notifications without such media.

§ 2. This local law takes effect 30 days after it becomes law.

Referred to the Committee on Fire and Emergency Management.

Int. No. 765

By Council Members Moya, Mealy and Williams.

A Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to requiring that certain contact information be posted at work sites

Be it enacted by the Council as follows:

Section 1. Article 105 of chapter 1 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-105.8.3 to read as follows:

§ 28-105.8.3 Contact information on permit. Every permit issued by the commissioner shall list a telephone number for the permit holder.

§ 2. Section 3301.9.1.1 of the New York city building code, as added by local law number 47 for the year 2013, is amended to read as follows:

3301.9.1.1 Project information panel content. Project information panels shall contain the following information:

1. A rendering, elevation drawing, or zoning diagram of the building exterior that does not contain logos or commercially recognizable symbols;
2. A title line stating "Work in Progress:" and specifying the intended type(s) of zoning use(s) (e.g. Residential, Commercial, Manufacturing, Retail, Office, Hospital, School);
3. Anticipated project completion date;
4. The corporate name, address, and telephone number of the owner of the property, and the name of an individual to contact at the place of business of the owner;
5. Website address or phone number to contact for project information;
6. The corporate name and telephone number of the general contractor, or for a demolition site, the demolition contractor, and the name of an individual to contact at the place of business of the general contractor or demolition contractor;
7. The statement, in both English and Spanish, "TO ANONYMOUSLY REPORT UNSAFE CONDITIONS AT THIS WORK SITE, CALL 311."; and
8. A copy of the primary project permit, with accompanying text "To see other permits issued on this property, visit: www.nyc.gov/buildings." The permit shall be laminated or encased in a plastic covering to protect it from the elements or shall be printed directly onto the project information panel.

Exception: A rendering, elevation drawing, or zoning diagram of the building exterior is not required for demolition projects.

§ 3. Section 3301.9.2.1.1 of the New York city building code, as added by local law number 47 for the year 2013, is amended to read as follows:

3301.9.2.1.1 Sidewalk Shed parapet panel content for sites not included in a best construction site management program. Sidewalk shed parapet panels not included in a best construction site management program shall contain the following information and be arranged in accordance with Figure 3301.9.2.1(1):

1. The street, address of the site;
2. Name (which may incorporate a logo) of the contractor responsible for the site or where there is no contractor, the name (which may incorporate a logo) of the owner of the site, the name of an individual to contact at the place of business of the contractor or owner, and a phone number for such individual; and
3. The statement "For more information, visit www.nyc.gov/buildings."

§ 4. Section 3301.9.3.1 of the New York city building code, as added by local law number 47 for the year 2013, is amended to read as follows:

3301.9.3.1 Sign content and posting. One or more signs needed to accommodate the following information shall be posted on the fence on each perimeter fronting a public thoroughfare at a height of no more than 12 feet (3658 mm) above the ground, with such distance measured from the ground to the top of the sign:

1. The name, address, and telephone number of the owner of the property;
2. The name, address, and telephone number of the general contractor, or for a demolition site, the demolition contractor, and the name of an individual to contact at the place of business of the general contractor or demolition contractor; and
3. The statement, in both English and Spanish, "TO ANONYMOUSLY REPORT UNSAFE CONDITIONS AT THIS WORK SITE THAT ENDANGER WORKERS, CALL 311."

§ 5. Section 3301.9.4 of the New York city building code, as added by local law number 47 for the year 2013, is amended to read as follows:

3301.9.4 Existing sidewalk shed signs and signs at construction or demolition sites for one, two- or three-family dwellings. Where a sidewalk shed is installed, and a sidewalk shed parapet panel is not required in accordance with Section 3301.9.2, a sign readily visible from the street shall be posted on the parapet that runs along the long axis of the sidewalk shed. Such sidewalk shed sign shall be in place throughout the duration that the sidewalk shed remains at the site. Such sidewalk shed sign shall include:

1. The corporate name, address, and telephone number of the sidewalk shed permit holder, and the name of an individual to contact at the place of business of the sidewalk shed permit holder;
2. The sidewalk shed permit number; and

3. The expiration date of the sidewalk shed permit.

§ 6. The commissioner of buildings shall create updated versions of the following figures in the New York city building code to reflect the amendments made by this local law, and shall post such revised figures on the website of the department of buildings for the convenience of legal publishers and the public:

- a. Figure 3301.9.1.4(1), displaying a fence project information panel text detail;
- b. Figure 3301.9.1.4(2), displaying a fence project information panel layout;
- c. Figure 3301.9.1.4(3) displaying a fence project information panel layout for small lots;
- d. Figure 3301.9.2.1(1), displaying the sidewalk shed parapet panel layout; and
- e. Figure 3301.9.2.1(2), displaying the sidewalk shed parapet panel layout for accepted site management programs.

§ 7. This local law takes effect 90 days after it becomes law, except that section six of this local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 766

By Council Member Moya.

A Local Law to amend the administrative code of the city of New York, in relation to requiring certain insurance filings with the department of buildings

Be it enacted by the Council as follows:

Section 1. Article 104 of chapter 1 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-104.1.2 to read as follows:

§ 28-104.1.2 Construction contractor insurance submission to the department. Upon submission of an application for approval of construction documents, the department shall collect the following insurance information:

1. The name of the insurance provider;
2. The address of the insurance provider;
3. The insurance policy number; and
4. A description of the coverage provided.

§ 28-104.1.2.1 Construction contractor insurance database. The department shall also establish and maintain an online, interactive, electronic submission system available on its website in order to collect and maintain insurance information in accordance with section 28-104.1.2. Such database shall be made publicly available and conspicuously posted on the website of the department.

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

Referred to the Committee on Housing and Buildings.

Int. No. 767

By Council Members Moya and Mealy.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department's property clerk to look for a claimant's identification in seized property upon request

Be it enacted by the Council as follows:

Section 1. Section 14-140 of the administrative code of the city of New York is amended by adding a new subdivision 1 to read as follows:

1. Identification. Where a claimant attempts to claim property that is in the custody of the property clerk but fails to present valid identification as required by rules of the department, the property clerk shall search the property to be claimed for the owner's identification, provided that the claimant first:

- 1. Presents a voucher for such property issued by the department at the time of seizure; and*
- 2. Asserts that the requisite means of identification is among the property to be claimed and requests that the property clerk search such property for the owner's identification.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Int. No. 768

By Council Member Moya.

A Local Law to amend the administrative code of the city of New York, in relation to a street cleanliness grading system

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-143 to read as follows:

§ 16-143 Street cleanliness grading system. a. Definitions. As used in this section, the following terms have the following meanings:

Blockface. The term "blockface" means one side of a city block, corner to corner, including both the street and its sidewalk.

Cleanliness grade. The term "cleanliness grade" means a letter grade assigned by the department that accounts for the following factors: (i) the amount of litter on and adjacent to the street; (ii) the presence of weeds; (iii) the presence of discarded bulky items; (iii) any prohibited dumping, as set forth in section 16-119; and (iv) any other factors as determined by the department.

b. The department shall establish and implement a system for assigning each blockface in the city a cleanliness grade.

c. The department shall inspect each blockface no less than two times per year and post on the department's website each such blockface's cleanliness grade and a description of the reasons such blockface received such grade. The department shall use such information to determine which blockfaces require additional resources and redirect such resources to such blockfaces.

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

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 769

By Council Members Moya, Mealy and Williams.

A Local Law in relation to resources for cleanup and enforcement of dumping

Be it enacted by the Council as follows:

Section 1. Dumping enforcement program study. a. Definitions. For purposes of this local law the following terms have the following meanings:

Department. The term “department” means the department of sanitation.

Dumping. The term “dumping” has the same meaning as in section 16-119 of the administrative code of the city of New York.

Litter. The term “litter” has the same meaning as in section 16-118 of the administrative code of the city of New York.

b. No later than April 1, 2023, the department shall post on its website and submit to the mayor and speaker of the council a report that details the resources the department needs for a dumping enforcement program and the resources the department uses to pick-up litter and prevent dumping. The report shall include, at minimum:

1. The number of employees the department has dedicated for a dumping enforcement program and the number of employees the department needs dedicated for a dumping enforcement program, if such numbers are different, and the proportion of such persons’ time dedicated to such program;

2. The type of equipment the department has and additional equipment the department would need for a dumping enforcement program;

3. What resources the department needs to install and maintain surveillance cameras in locations where dumping is most prevalent, as determined by the department;

4. Locations where surveillance cameras are currently installed; and

5. A description of the coordination with the department of transportation or other agencies or offices that would be necessary to install surveillance cameras on utility poles or locations not within the department’s jurisdiction.

c. The report required pursuant to subdivision b of this section shall also include a description of how much funding the department’s budget allocated for a dumping enforcement program and the amount of funding actually spent to address dumping during the previous fiscal year. Such report shall include the total amount of discretionary funding provided by members of the city council, disaggregated by council district, and analyze the total amount of funding each council district would need to address dumping. Such report shall detail whether the total amount of funding by the department and the total amount of discretionary funding by members of the city council is sufficient to address dumping, and if such funding is not sufficient, what additional resources would be necessary to address such dumping.

§ 2. This local law takes effect immediately, and expires and is deemed repealed upon final submission of the report as required by section one of this local law.

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 770

By Council Members Moya, Williams and Farías.

A Local Law to amend the administrative code of the city of New York, in relation to increasing fines for the depositing of residential or commercial refuse into public litter baskets.

Be it enacted by the Council as follows:

Section 1. Subdivision f of section 16-120 of the administrative code of the city of New York is amended to read as follows:

f. Any person violating the provisions of this section, except subdivision e, shall be liable for a civil penalty of not less than twenty-five nor more than one hundred dollars for the first violation, not less than one hundred dollars nor more than two hundred dollars for a second violation within any twelve-month period, and not less than two hundred dollars nor more than three hundred dollars for a third or subsequent violation with any twelve-month period. Any person violating the provisions of subdivision e of this section shall be liable for a civil penalty of [not less than one hundred dollars nor more than three hundred] *two hundred* dollars for the first violation, [not less than two hundred fifty dollars nor more than three hundred fifty] *five hundred* dollars for a second violation within any twelve-month period, and [not less than three hundred fifty dollars nor more than four hundred] *six hundred* dollars for a third or subsequent violation within any twelve month period. *A third or subsequent violation shall be a class a misdemeanor.*

§2. This local law shall take effect ninety days after its enactment.

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 771

By Council Member Moya.

A Local Law to amend the administrative code of the city of New York, in relation to establishing maximum rates for the leasing, rental, lease-to-own and conditional purchase of for-hire vehicles

Be it enacted by the Council as follows:

Section 1. Section 19-553 of the administrative code of the city of New York, as added by local law number 43 for the year 2019, is amended to read as follows:

§ 19-553 Leasing, rental and conditional purchase of for-hire vehicles. a. The commission shall promulgate consumer protection and disclosure rules regarding leasing, rental, lease-to-own, and conditional purchase arrangements to obtain a for-hire vehicle for use with a license issued by the commission. Such rules may differ for different types of financial arrangements and different lengths of time of such arrangements. In promulgating such rules, the commission shall at a minimum consider the following:

1. A requirement that financial arrangements be in writing and signed by the lessor and lessee, with a copy provided to the lessee upon execution and upon lessee request;
2. Requiring that all terms must be written in clear and unambiguous language;
3. A requirement that the terms of the arrangement include:
 - (a) The beginning and end date of the arrangement;
 - (b) All costs and fees that may be charged under the arrangement, with costs for additional services such as insurance and licensing clearly indicated; and
 - (c) An explanation of the conditions that will result in the imposition of any cost or fee;
4. A requirement that if the arrangement includes charges for licensing the vehicle with the commission, the arrangement must provide an itemized explanation of the costs associated with such licensing, to include the amount of any fee imposed by the commission; and
5. Requiring that arrangements provide notice of appropriate mechanisms for reporting complaints regarding overcharges.

b. The commission shall establish maximum rates for the leasing, rental, lease-to-own and conditional purchase of vehicles that are licensed as for-hire vehicles.

[b.] c. The commission may deny an application for a license for a vehicle subject to a leasing, rental, lease-to-own or conditional purchase arrangement if such leasing, rental, lease-to-own or conditional purchase arrangement does not comply with the rules of the commission.

[c.] d. Requirements imposed by the rules promulgated pursuant to this section shall apply only to leasing, rental, lease-to-own and conditional purchase arrangements executed after the effective date of the local law that added this section.

§ 2. This local law takes effect 120 days after it becomes law, except that the commission shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 772

By Council Members Paladino, Ariola and Carr.

A Local Law to amend the administrative code of the city of New York, in relation to reporting on criteria for mask mandates in schools within the city school district upon the implementation of such a mandate and monthly thereafter for the duration of such a mandate

Be it enacted by the Council as follows:

Section 1. Chapter 8 of title 21-A of the administrative code of the city of New York is amended by adding a new section 21-970 to read as follows:

§ 21-970 Reports on masking criteria for students in New York City public schools.

a. Upon implementing a mask mandate in schools and monthly thereafter for the duration of such a mandate, the chancellor shall submit to the speaker of the council and shall post conspicuously on the department's website a report regarding the criteria the department uses in deciding whether to implement or maintain mask mandates in schools within the city school district.

b. The report shall include but not be limited to the following information, as well as any additional information the chancellor deems appropriate:

1. A list of the criteria the department uses to determine whether to implement or maintain a mask mandate in schools within the city district, noting whether mental health repercussions for students are on the list of criteria;

2. A justification for each of the criteria used, and if mental health repercussions for students are not used, a justification for its omission from the list of criteria;

3. A list of experts the department relied on to formulate its list of criteria; and

4. A description of the department's decision making process for implementing its criteria in imposing or maintaining a mask mandate in public schools.

c. The report required by subdivision b of this section shall include a data dictionary.

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

e. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of student information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If a category contains between one and five students, or contains an amount that would allow another category that contains between one and five students to be deduced, the number shall be replaced with a symbol. A category that contains zero shall be reported as zero, unless such reporting would violate any applicable provision of federal, state or local law relating to the privacy of student information.

§ 2. This local law takes effect immediately.

Referred to the Committee on Education.

Res. No. 341

Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation that would prohibit the alteration of terms and conditions of employment for all employees during a state disaster emergency.

By Council Members Paladino, Mealy, Ariola and Carr.

Whereas, Terms and conditions of employment refer to the matters that define the essential aspects of the employment relationship between an employer and an employee; and

Whereas, These terms and conditions, generally through a written contract or agreement, may include work hours, termination policy, job responsibilities, benefits, salary and employer policies; and

Whereas, The United States Department of Labor (DOL) administers and enforces more than 180 federal laws to ensure minimum standards for terms and conditions of employment are upheld, including rules regarding the minimum wage, overtime pay, the standard workweek, mandated break times, worker safety and discrimination issues; and

Whereas, In addition to the DOL's standards, New York State and New York City laws establish additional rights and responsibilities of New York employers and employees; and

Whereas, New York State law grants the Governor authority to declare a state disaster emergency to respond to a disaster for which local governments are unable to respond adequately, including events that may cause widespread or severe damage, injury or loss of life; and

Whereas, The declaration of a state disaster emergency allows the Governor to direct local officials and state agencies, and to suspend state and local laws and regulations to facilitate disaster response efforts; and

Whereas, In addition, the Mayor has the authority to declare a state of emergency within New York City, of which generally directs agencies to preserve public safety and the health of their employees, while also protecting the security, well-being and health of the residents of the City; and

Whereas, Notably, as a result of the COVID-19 pandemic, and the related state disaster emergency declared by the Governor and the local state of emergency declared by the Mayor, New York City established COVID-19 vaccination requirements for public and private employees; and

Whereas, As a result of the COVID-19 vaccination requirements, many public and private employees have lost their jobs due to refusal to comply with the requirement, citing violations of religious and medical rights; and

Whereas, In an effort to ensure that all employees in New York City and New York State are provided fair and constant terms and conditions of employment throughout their employment, the alteration of terms and conditions of employment should be prohibited during a declared state disaster emergency; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, legislation that would prohibit the alteration of terms and conditions of employment for all employees during a state disaster emergency.

Referred to the Committee on Contracts.

Res. No. 342

Resolution calling upon the Mayor and the New York City Department of Education to establish rigorous scientific criteria, including an emphasis on mental health repercussions, that must be met before masking is mandated upon schoolchildren.

By Council Members Paladino, Ariola and Carr.

Whereas, The first cases of COVID-19, the disease caused by the severe acute respiratory syndrome coronavirus2, were reported in December 2019, according to the World Health Organization (WHO), which declared the COVID-19 outbreak a global pandemic on March 11, 2020; and

Whereas, In response to the global COVID-19 pandemic, schools across the United States (U.S.) and many other countries were closed in an effort to limit the spread of the virus; and

Whereas, In New York City (NYC), public schools were closed effective Monday, March 16, 2020, with the closure subsequently extended through the end of the school year; and

Whereas, As a result, the NYC Department of Education (DOE) transitioned to remote learning for all students, providing online instruction to students at home for the remainder of the school year; and

Whereas, For the 2020-21 school year, in order to minimize potential exposure to COVID-19, the DOE offered students either a hybrid model, consisting of a combination of in-school instruction and remote learning for students, or a fully remote option; and

Whereas, Starting in September 2020, DOE implemented a number of COVID prevention protocols, including requiring the use of face masks by students who chose to return to in-person learning several days a week, as well as by all staff and visitors; and

Whereas, In May 2021, then-Mayor de Blasio announced a full return to in-person learning for all students in September 2021, with no remote option; and

Whereas, COVID protocols for the September 2021 school reopening continued to require universal masking inside school buildings for all staff, visitors and students regardless of vaccination status unless students had a medical exemption.; and

Whereas, From the time that schools first reopened in September 2020, DOE based its mask mandate on requirements issued by the New York State (NYS) Education Department and Department of Health in July 2020, which were based on guidance from the Centers for Disease Control and Prevention (CDC); and

Whereas, Early CDC guidance on school masking recommended “universal indoor masking by all students (age 2 and older), staff, teachers, and visitors to K–12 schools, regardless of vaccination status”; and

Whereas, The CDC relaxed mask recommendations in February 2022, recommending universal indoor masking in communities with high rates of COVID-19 transmission, with mask-wearing optional in low or medium transmission areas; and

Whereas, Subsequently, NYS Governor Kathy Hochul ended the state mask requirement in schools effective March 2, 2022; and

Whereas, NYC Mayor Eric Adams lifted the mask mandate for students in kindergarten through 12th grade beginning March 7, but did not end the mandate for children under 5 in preschool and daycare programs until June 13, 2022; and

Whereas, Neither the CDC, NYS or NYC ever issued specific scientific criteria to determine when masking was required or recommended; and

Whereas, The lack of rigorous scientific criteria, as well as the fact that the World Health Organization (WHO) did not recommend mask mandates for school children and few other countries imposed such mandates, have fueled controversy and concerns over mask mandates for children; and

Whereas, Not only has there been very little systemic research on the effectiveness of mask mandates for school children in reducing COVID transmission, the short-term and long-term consequences of this practice are also not well understood; and

Whereas, According to a January 26, 2022 article in *The Atlantic*, recent studies have found evidence that masking is a barrier to speech recognition, hearing, and communication, and may also hinder language and speech development, which is especially concerning for young children and those who do not speak English; and

Whereas, Masks impede children’s ability to decode facial expressions and may impede emotion recognition, even in adults, but particularly in children, according to *The Atlantic* article; and

Whereas, Further, a significant percentage of parents whose children wore masks in school during the pandemic believe it harmed their education, social interactions and mental health, according to a *POLITICO*-Harvard survey, as reported on March 25, 2022; and

Whereas, The survey found that 46% of parents said mask-wearing hurt their child’s social learning and interactions, and 39% told pollsters it affected their child’s mental and emotional health; and

Whereas, Parents voiced concerns that wearing masks in school every day increased anxiety and depression in students, especially for those who also suffered trauma from the loss of family members to COVID; and

Whereas, For those reasons, masks should not be mandated for children in schools in the future unless there are clear and compelling science-based criteria that also take into account potential mental health consequences to justify such action; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Mayor and the New York City Department of Education to establish rigorous scientific criteria, including an emphasis on mental health repercussions, that must be met before masking is mandated upon schoolchildren.

Referred to the Committee on Education.

Res. No. 343

Resolution calling upon the New York State Legislature to pass, and Governor to sign, S.7545 /A.9342, to make the extension of certain local emergency orders subject to the approval of the local governing.

By Council Members Paladino, Ariola and Carr.

Whereas, The state of emergency to address the threat and impact of COVID-19 in the City of New York was first declared in Emergency Executive Order No. 98, issued on March 12, 2020; and

Whereas, On July 5, 2022, Mayor Adams issued Emergency Executive Order No. 135, further extending the state of emergency for five additional days; and

Whereas, New York City has therefore been in a state of emergency related to the spread of COVID-19 for over two years; and

Whereas, Pursuant to New York State (NYS) law, chief elected officials are authorized to declare and extend a local disaster emergency; and

Whereas, This unilateral power circumvents the legislative process, limiting the input of elected representatives; and

Whereas, NYS Senate Bill S.7545, introduced by Senator Patrick Gallivan, and Assembly Bill A.9342, introduced by Assembly Member Stephen Hawley, would empower local legislative bodies to approve any renewal of a local state of emergency; and

Whereas, Under the proposed legislation, orders issued by a local health agency would also be limited to five days in duration, with extension permitted only upon approval of the relevant local legislative body; and

Whereas, As New York City seeks to emerge from the worst phases of the COVID-19 pandemic, NYS should implement stronger good governance laws to create more accountability to executive power; now, therefore, be it

Resolved, That the Council of the City of New York calls upon New York State Legislature to pass the Governor to sign, S.7545/A.9342, to make the extension of certain local emergency orders subject to the approval of the local governing body

Referred to the Committee on Governmental Operations.

Int. No. 773

By Council Members Powers, Restler, Joseph, Holden, Schulman, Brewer, Farías, Avilés and Bottcher.

A Local Law to amend the administrative code of the city of New York, in relation to reducing noise caused by chartered helicopters

Be it enacted by the Council as follows:

Section 1. Subchapter 6 of chapter 2 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-244.1 to read as follows:

§ 24-244.1 Chartered helicopters. a. Definitions. For purposes of this section:

Chartered helicopter. The term “chartered helicopter” means a helicopter that is leased in its entirety for exclusive and temporary use, and not for the purpose of conducting regular sightseeing tours along flight routes approved by the federal aviation administration. The term “chartered helicopter” shall not include military helicopters, media helicopters or helicopters used by the fire department, police department, coast guard or emergency services.

Stage 1 noise level. The term “stage 1 noise level” means stage 1 noise level as such term is defined by subsection (h) of section 36.1 of title 14 of the code of federal regulations.

Stage 2 noise level. The term “stage 2 noise level” means stage 2 noise level as such term is defined by subsection (h) of section 36.1 of title 14 of the code of federal regulations.

b. No person shall use or permit the use of any chartered helicopter that meets stage 1 noise levels or stage 2 noise levels to take off or land from any property owned or managed by the city of New York, except in emergency situations or as otherwise directed by an aviation control tower or air traffic control center.

§ 2. Table I following paragraph (5) of subdivision (b) of section 24-257 of the administrative code of the city of New York as amended by local law number 153 for the year 2013 is amended by adding a new row immediately following row 24-244(b) to read as follows:

| | | | | | | |
|----------|-------|-----|-------|-------|-------|-------|
| 24-244.1 | 1,500 | 500 | 3,000 | 1,000 | 4,500 | 1,500 |
|----------|-------|-----|-------|-------|-------|-------|

§ 3. This local law takes effect September 1, 2025.

Referred to the Committee on Economic Development.

Int. No. 774

By Council Members Powers, Mealy, Restler, Menin, Yeger, Joseph, Holden, Schulman, Brewer, Hudson, Bottcher, Hanks and Riley.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of environmental protection to measure construction-related sound levels inside dwelling units upon request

Be it enacted by the Council as follows:

Section 1. Subdivision 11 of section 24-203 of the administrative code of the city of New York, as amended by local law 113 for the year 2005, is amended to read as follows:

(11) Building means a building as defined in section [27-232] 28-101.5 [of the administrative code].

§ 2. Subchapter 4 of chapter 2 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-224.1 to read as follows:

§ 24-224.1 Measuring sound levels in dwelling units upon request. a. Upon the request of an owner, lessor or occupant of a residential receiving property dwelling unit within a building located within a half-mile radius of a construction site, in relation to department inspections pursuant to sections 24-223, 24-228 and 24-229, the department shall measure the sound level at any point within such dwelling unit with windows and doors that may affect the measurement closed.

b. The department may set forth the process of requesting measurement of sound levels within such dwelling units by rule.

§ 3. This local law takes effect 120 days after it becomes law, except that the department of environmental protection shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Environmental Protection.

Int. No. 775

By Council Members Powers, Restler, Menin, Yeger, Joseph, Holden, Schulman, Brewer, Hudson, Bottcher, Hanks and Riley.

A Local Law to amend the administrative code of the city of New York, in relation to results of noise inspections

Be it enacted by the Council as follows:

Section 1. Section 24-207 of the administrative code of the city of New York, as amended by local law number 53 for the year 2018, is amended to read as follows:

(f) The commissioner shall publish on the city's website:

(i) the manner by which noise levels shall be measured during inspections conducted pursuant to this section and in accordance with section 24-217.1 which shall be available online[.] *and*

(ii) *the results of each inspection, which shall be available online within 24 hours after such inspection has been completed.*

~~(f)~~(g) By no later than January 31 of each year, the department shall submit to the mayor and the council, and publicly post on its website, a report, containing, at a minimum, for the previous calendar year:

(i) the number of inspectors employed by the department;

(ii) the number of complaints regarding noise received by the department, disaggregated by the type of noise;

(iii) the number of after hours noise complaints responded to within the amount of time prescribed by rule as well as the number of duplicative after hours noise complaints;

(iv) the number of non-violation resolutions to complaints;

(v) the number of noise related violations issued;

(vi) the number of such violations which were dismissed;

(vii) the amount of civil penalties which were paid pursuant to such violations;

(viii) the number of alternative noise mitigation plans approved pursuant to section 24-221 of this code; and

(ix) the number of written stop work orders issued pursuant to section 24-223.1 of this code.

§ 2. This local law takes effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 776

By Council Members Powers, Restler, Menin, Yeger, Joseph, Holden, Schulman, Brewer, Hudson, Bottcher, Hanks and Riley.

A Local Law to amend the administrative code of the city of New York, in relation to providing noise inspection reports

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 2 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-217.2 to read as follows:

§ 24-217.2 Noise inspection reports. a. Where the department generates a noise inspection report pursuant to a complaint submitted through 311, any person may request a copy of such report by providing the 311 tracking number on a form and in a manner to be specified by the department subject to subdivision d of this section.

b. Where the police department generates a noise inspection report pursuant to a complaint submitted through 311, any person may request a copy of such report by providing the 311 tracking number to the police department on a form and in a manner to be specified by such department subject to subdivision d of this section.

c. The department or police department shall provide a copy of a report requested under this section within 14 days of receiving such a request.

d. The department or police department shall not deny or decline to act on a request under this section on the ground that it fails to take the form of a freedom of information law request made pursuant to section 87 of the public officers law.

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

Referred to the Committee on Environmental Protection.

Int. No. 777

By Council Members Powers, Restler, Menin, Holden, Schulman, Brewer, Hudson, Bottcher, Hanks and Riley.

A Local Law to amend the administrative code of the city of New York, in relation to requiring an after hours variance for the removal of construction debris

Be it enacted by the Council as follows:

Section 1. Section 24-222 of the administrative code of the city of New York, as added by local law number 113 for the year 2005, is amended to read as follows:

§ 24-222 After hours and weekend limits on construction work. Except as otherwise provided in this subchapter, it shall be unlawful to engage in or to cause or permit any person to engage in construction work other than on weekdays between the hours of 7 a.m. and 6 p.m. A person may however perform construction work in connection with the alteration or repair of an existing [one] 1- or [two family] 2-family owner-occupied dwelling classified in occupancy group J-3 or a convent or rectory on Saturdays and Sundays between the hours of 10 a.m. and 4 p.m. provided that such dwelling is located more than 300 feet from a house of worship. *For the purposes of this section, the term construction work includes the removal of construction debris including rubbish, waste, discarded material, or the remains of something broken down, demolished, or destroyed.*

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

Referred to the Committee on Environmental Protection.

Int. No. 778

By Council Members Power, Yeger, Holden, Restler, Menin, Joseph, Schulman, Brewer, Hudson, Bottcher and Hanks.

A Local Law to amend the administrative code of the city of New York, in relation to establishing a photo noise violation monitoring device program for motor vehicles

Be it enacted by the Council as follows:

Section 1. Subchapter 6 of chapter 2 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-236.1 to read as follows:

§ 24-236.1 *Owner liability for failure to comply with motor vehicle sound limits. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Lessee. The term "lessee" has the meaning provided in section 239 of the vehicle and traffic law.

Lessor. The term "lessor" has the meaning provided in section 239 of the vehicle and traffic law.

Owner. The term "owner" has the meaning provided in section 239 of the vehicle and traffic law.

Photo noise violation monitoring device. The term "photo noise violation monitoring device" means one or more mobile or fixed vehicle sensors installed to work in conjunction with one or more noise measuring apparatuses such as a decibel reader which automatically produces two or more photographs, two or more microphotographs, a videotape or other recorded images of each motor vehicle at the time it is used or operated in violation of the motor vehicle noise limits prescribed in section 24-236 of this subchapter.

b. Photo noise violation monitoring device program established. 1. The department, in consultation with the police department and the department of transportation, shall establish a demonstration program of photo noise violation monitoring devices to monitor compliance with motor vehicle noise limits provided in section 24-236. Any motor vehicle found to be violating such provisions shall be issued a notice of violation and subject to the civil penalty prescribed in table I of paragraph 5 of subdivision b of section 24-257.

2. No photo noise violation monitoring device shall be used unless it has undergone an annual calibration check performed pursuant to paragraph 3 of this subdivision.

3. Each photo noise violation monitoring device shall undergo an annual calibration check performed by an independent calibration laboratory which shall issue a signed certificate of calibration. The department shall keep each such annual certificate of calibration on file until the final resolution of all cases involving a notice of violation issued during such year which were based on photographs, microphotographs, videotape or other recorded images produced by such photo noise violation monitoring device.

4. It shall be a defense to any prosecution for a violation issued pursuant to this section that such photo noise violation monitoring device was malfunctioning at the time of the alleged violation.

5. Such demonstration program shall utilize necessary technologies to ensure, to the extent practicable, that photographs, microphotographs, videotape or other recorded images produced by such photo noise violation monitoring devices shall not include images that identify the driver, the passengers, or the contents of the motor vehicle. Provided, however, that no notice of violation issued pursuant to this section shall be dismissed solely because such photograph, microphotograph, videotape or other recorded image allows for the identification of the driver, the passengers, or the contents of motor vehicles where the department shows that it made reasonable efforts to comply with the provisions of this paragraph in such case.

6. Any photograph, microphotograph, videotape or other recorded image from a photo noise violation monitoring device shall be for the exclusive use of the city for the purpose of the adjudication of liability imposed pursuant to subchapter 8 of this chapter and of the motor vehicle owner receiving a notice of violation, and shall be destroyed by the department upon the final resolution of the notice of violation to which such photograph, microphotograph, videotape or other recorded image relates, or one year following the date of issuance of such notice of violation, whichever is later. Notwithstanding the provisions of any other law, rule or regulation to the contrary, a photograph, microphotograph, videotape or other recorded image from a photo noise violation monitoring device shall not be available to the public, nor subject to civil or criminal process or discovery, nor used by any court or administrative or adjudicatory body in any action or proceeding therein except that which is necessary for the adjudication of a notice of violation, and no public entity or employee, officer or agent thereof shall disclose such information, except that a photograph, microphotograph, videotape or other recorded image from such devices:

(a) Shall be available for inspection and copying and use by the motor vehicle owner for so long as such photograph, microphotograph, videotape or other recorded image is required to be maintained or is maintained by such public entity, employee, officer or agent;

(b) Shall be furnished for use in a criminal action or proceeding when described in a search warrant issued by a court authorized to issue such a search warrant pursuant to article 690 of the criminal procedure law or a federal court authorized to issue such a search warrant under federal law, where such search warrant states that there is reasonable cause to believe such information constitutes evidence of, or tends to demonstrate that, a misdemeanor or felony offense was committed in this state or another state, or that a particular person participated in the commission of a misdemeanor or felony offense in this state or another state, provided,

however, that if such offense was against the laws of another state, the court shall only issue a warrant if the conduct comprising such offense would, if occurring in this state, constitute a misdemeanor or felony against the laws of this state; and

(c) Shall be furnished for use in a criminal action or proceeding in response to a subpoena duces tecum signed by a judge of competent jurisdiction and issued pursuant to article 610 of the criminal procedure law or a judge or magistrate of a federal court authorized to issue such a subpoena duces tecum under federal law, where the judge finds and the subpoena states that there is reasonable cause to believe such information is relevant and material to the prosecution, or the defense, or the investigation by an authorized law enforcement official, of the alleged commission of a misdemeanor or felony in this state or another state, provided, however, that if such offense was against the laws of another state, such judge or magistrate shall only issue such subpoena if the conduct comprising such offense would, if occurring in this state, constitute a misdemeanor or felony in this state.

7. A certificate, sworn to or affirmed by a technician employed by the city, or a facsimile thereof, based upon inspection of photographs, microphotographs, videotapes or other recorded images produced by a photo noise violation monitoring device, shall be prima facie evidence of the facts contained therein. Any photographs, microphotographs, videotapes or other recorded images evidencing such a violation shall include at least two date and time stamped images of the rear of the motor vehicle that include the same stationary object near the motor vehicle and shall be available for inspection reasonably in advance of and at any proceeding to adjudicate the liability for such violation pursuant to subchapter 8 of this chapter.

8. A notice of violation shall be sent by first class mail to each person alleged to be liable as a motor vehicle owner for a violation of section 24-236, within 14 business days if such owner is a resident of this state and within 45 business days if such owner is a non-resident. Personal delivery on the owner shall not be required. A manual or automatic record of mailing prepared in the ordinary course of business shall be prima facie evidence of the facts contained therein.

9. A notice of violation shall contain the name and address of the person alleged to be liable as a motor vehicle owner for a violation of section 24-236, as documented by a photo noise violation monitoring device, the registration number of the motor vehicle involved in such violation, the location where such violation took place, the date and time of such violation, the identification number of the camera which recorded the violation or other document locator number, at least two date and time stamped images of the rear of the motor vehicle that include the same stationary object near the motor vehicle, and the certificate charging the violation, which shall be a statement within the notice of violation that an owner violated section 24-236 and is liable for penalties in accordance with this section.

10. The notice of violation shall contain information advising the person charged of the manner and the time in which the alleged violation may be contested in a hearing pursuant to section 24-263.

11. If a motor vehicle owner receives a notice of violation pursuant to this section for any time period during which the motor vehicle or the number plate or plates of such motor vehicle was reported to the police department as having been stolen, it shall be a valid defense to an allegation of liability for a violation of section 24-236 that the motor vehicle or the number plate or plates of such motor vehicle had been reported to the police as stolen prior to the time the violation occurred and had not been recovered by such time. For purposes of asserting the defense provided by this paragraph, it shall be sufficient that a certified copy of the police report on the stolen motor vehicle or number plate or plates of such motor vehicle be sent by first class mail to the body adjudicating the proceeding.

12. A motor vehicle owner who is a lessor of a motor vehicle to which a notice of violation is issued shall not be liable for a violation of section 24-236, provided that:

(a) Prior to the violation, the lessor has filed in accordance with the provisions of section 239 of the vehicle and traffic law; and

(b) Within 37 days after receiving notice of the date and time of the violation, together with the other information contained in the notice of violation, the lessor submits to the body adjudicating the proceeding the correct name and address of the lessee of the motor vehicle identified in the notice of violation at the time of such violation, together with such additional information contained in the rental, lease, or other contract document, as may be reasonably required by such adjudicating body pursuant to regulations promulgated for such purpose.

13. Failure to comply with the provisions of paragraph 12 of this subdivision shall render the motor vehicle owner liable for the penalty prescribed in table I of paragraph 5 of subdivision b of section 24-257.

14. Where the lessor complies with the provisions of paragraph 12 of this subdivision, the lessee of such vehicle on the date of such violation shall be deemed to be the owner of such vehicle for purposes of this section, shall be subject to liability for such violation pursuant to this section and shall be sent a notice of violation pursuant to paragraph 10 of this section.

15. If the motor vehicle owner liable for a violation of section 24-236 pursuant to this section was not the operator of the motor vehicle at the time of the violation, the owner may maintain an action for indemnification against the operator.

16. Notwithstanding any other provision of this section, no owner of a motor vehicle shall be subject to a monetary fine imposed pursuant to table I of paragraph 5 of subdivision b of section 24-257 if the operator of such motor vehicle was operating such motor vehicle without the consent of the owner at the time of the violation. For purposes of this paragraph there shall be a presumption that the operator of such motor vehicle was operating the motor vehicle with the consent of the owner at the time of such violation.

c. Placement of devices. The department shall select the locations for each photo noise violation monitoring device based on motor vehicle noise complaint data reported by the 311 customer service center within 30 days of the effective date of this law. To the extent practicable, the department shall take into consideration requests made by elected officials or community boards for placement of photo noise violation monitoring devices. Upon receipt of a request by an elected official or a community board for installation of a photo noise violation monitoring device at a particular location, the department shall assess the request and respond within 30 days with a determination as to whether the location requested is appropriate for inclusion in the program.

d. Warning signs. The department shall install signs giving notice to approaching motor vehicle operators where a photo noise violation monitoring device is in use, provided that the department shall not use dynamic display signs to display real time decibel readings of motor vehicles unless it determines that the use of such signs will be beneficial at specific locations.

e. Multiple technologies. The department shall trial different sound detection technologies within the photo noise violation monitoring devices as part of this program, including but not limited to:

1. Acoustic monitoring;
2. Beamforming devices; and
3. Artificial intelligence.

f. Reporting. No later than December 1, 2021, and annually on December 1 thereafter in each succeeding year in which the demonstration program is operable, the commissioner shall submit to the mayor and the speaker of the council, and post on the department's website, a report on the use of photo noise violation monitoring devices. Such report shall include:

1. The locations where and dates when photo noise violation monitoring devices were used;
 2. The total number of violations recorded by photo noise violation monitoring devices on a daily, weekly and monthly basis;
 3. The total number of notices of violation issued for violations recorded by such devices;
 4. The number of fines and total amount of fines paid after the first notice of violation issued for violations recorded by such devices;
 5. The number of violations adjudicated in accordance with subchapter 8 of this chapter and the results of such adjudications disaggregated by dispositions made for violations recorded by such devices;
 6. The total amount of revenue realized by the city in connection with the program;
 7. Any expenses incurred by the city in connection with the program;
 8. A cost-benefit analysis of the different types of technology trialed pursuant to subdivision e of this section;
- and
9. A description of the quality of the adjudication process and its results.

§ 2. This local law takes effect 60 days after it becomes law, except that the administering agency shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Environmental Protection.

Int. No. 779

By the Public Advocate (Mr. Williams) and Council Members Restler, Mealy, Williams, Hudson and Farías

A Local Law in relation to the creation of a taskforce to study improving safety in homeless shelters

Be it enacted by the Council as follows:

Section 1. a. There is hereby established a task force to study, develop, and recommend changes to the laws, rules, regulations, and policies related to the department of homeless services, specifically in regard to the safety in department of homeless services shelters.

b. Such task force shall consist of nine members. Five members shall be appointed by the mayor, including the commissioner of the department of homeless services or their designee, who shall be the chairperson of such task force, and four members shall be appointed by the speaker of the council, provided that all appointees of such task force shall have backgrounds in homeless services or law enforcement. One of the appointees of the speaker shall be a current homeless shelter resident.

c. Each member shall serve for a term of one year to commence after the final member of the task force is appointed. Any vacancies in the membership of the task force shall be filled in the same manner as the original appointment. A person filling such vacancy shall serve the unexpired portion of the term of the succeeded member. All members shall be appointed to the task force within 60 days of the enactment of this local law.

d. No member shall be removed from the task force except for cause.

e. Members of the task force shall serve without compensation and shall meet no less often than on a quarterly basis.

f. Within one year of the formation of the task force, such task force shall submit a report of recommendations to improve safety in department of homeless services shelters to the mayor and the speaker of the council and post such report the department's website.

g. The task force shall terminate upon issuance of the report.

§ 2. This local law takes effect immediately.

Referred to the Committee on General Welfare.

Int. No. 780

By the Public Advocate (Mr. Williams) and Council Members Restler, Williams, Hudson and Farías.

A Local Law to amend the administrative code of the city of New York, in relation to establishing a commission to develop a citywide shelter siting plan for implementation by the department of homeless services and social services

Be it enacted by the Council as follows:

Section 1. Paragraph c of subdivision 1 of section 21-308 of title 21 of the administrative code of the city of New York, as amended by local law 19 for the year 1999, is amended to read as follows:

c. Projected number of facilities to be constructed or rehabilitated to accommodate homeless individuals and families *consistent with the shelter siting plan established pursuant to section 21-323.*

§ 2. Chapter 3 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-328 to read as follows:

§ 21-328 *Commission on shelter siting. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

HRA domestic violence shelter. The term "HRA domestic violence shelter" means any residential care facility providing emergency shelter and services to victims of domestic violence and their minor children and

operated by the department of social services/human resources administration or a provider under contract or similar agreement with the department of social services/ human resources administration.

Shelter. The term “shelter” means an HRA domestic violence shelter or temporary emergency housing provided to homeless adults, adult families and families with children by the department or by a provider under contract or similar agreement with the department.

b. Commission duties. There shall be a commission on shelter siting to study the locations of shelters across the city; analyze the relationship between shelter locations and homeless persons’ access to their communities of origin, public transit and essential services; determine the need for shelters in specific locations, finances required to provide them and any essential, alternative or emergency services required for such shelters; solicit input from community boards and the public regarding the placement and distribution of shelters across the city; and site such shelters.

c. Shelter siting plan. 1. No later than December 1, 2022, the commission on shelter siting shall develop and submit to the mayor, speaker of the city council, commissioner and commissioner of social services a Five-Year plan prescribing the siting of shelters across the city, including regarding the placement, location or relocation of shelters. The commissioner and commissioner of social services shall implement such plan.

2. The commission shall review and update the shelter siting plan developed pursuant to subdivision b of this section each year and shall submit the updated version thereof to the mayor, speaker of the city council, commissioner and commissioner of social services not later than December first of each year.

3. In the fifth year covered by each Five-Year shelter siting plan, the commission shall submit a Five-Year shelter siting plan for the next succeeding five-year period not later than six months before the last day of such fifth year to the mayor, speaker of the city council, the commissioner and commissioner of social services.

d. Commission membership. The commission shall consist of 15 members to be appointed for two-year terms as follows: one member from each borough appointed by the speaker of the city council as recommended by each borough’s council delegation, one member appointed by each borough president, and five members appointed by the mayor. The mayor shall designate one member to serve as chair of the commission and may also designate a member to serve as co-chair. Members shall serve at the pleasure of the appointing authority. In the event of the death or resignation of any member, a successor shall be appointed by the official who appointed such member. The commissioner and the commissioner of social services shall provide appropriate personnel to assist the commission in the performance of its functions.

e. Commission activities. The commission shall:

1. Hold at least one meeting every four months, including at least one annual meeting open to the public;

2. Keep a record of its activities;

3. Determine its own rules of procedure; and

4. Perform such advisory duties and functions as may be necessary to achieve its purposes as described in subdivision a of this section.

f. No later than December 1, 2022 and annually by December 1 thereafter, the commission shall submit to the mayor, the speaker of the council, the commissioner and the commissioner of social services a report concerning its activities during the previous 12 months and goals for the following year.

§ 3. This local law takes effect immediately after it is submitted for the approval of the qualified electors of the city at the next general election held after its enactment and approved by a majority of such electors voting thereon.

Referred to the Committee on General Welfare.

Int. No. 781

By the Public Advocate (Mr. Williams) and Council Members Restler and Farías.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to submit reports related to motor vehicle stops

Be it enacted by the Council as follows:

Section 1. Chapter one of title 14 of the administrative code of the city of New York is amended to add a new section 14-193, to read as follows:

§14-193 Motor vehicle stop report. a. Definitions. For the purposes of this section "motor vehicle stop" means:

1. Any instance in which a police officer directs the operator of a motor vehicle traveling on any highway or road to stop and in which the operator or passenger is detained for any period of time; or

2. Any instance in which a police officer detains a person or persons in a motor vehicle, for any reason and for any period of time, regardless of whether the vehicle was stopped at the direction of a police officer.

b. Reporting requirement. No later than January 30, 2023, and quarterly thereafter, the commissioner shall submit to the mayor and the speaker of the council and shall post conspicuously on the department's website a quarterly report regarding motor vehicles stops. The report must include a table in which each separate row references a unique occurrence of a motor vehicle stop. Each such row shall include the following information, as well as any additional information the commissioner deems appropriate, set forth in separate columns:

1. The date and time at which the motor vehicle stop occurred;

2. The precinct, housing police service area or highway division of the officer conducting the motor vehicle stop;

3. The age of the operator of the motor vehicle;

4. The race of the operator of the motor vehicle;

5. The gender of the operator of the motor vehicle;

6. The reason for the motor vehicle stop;

7. Whether the motor vehicle stop resulted in an arrest of the operator of the motor vehicle;

8. Whether the motor vehicle stop resulted in a criminal summons of the operator of the motor vehicle; and

9. Whether the motor vehicle stop resulted in a civil summons of the operator of the motor vehicle.

c. The report required by subdivision b of this section shall include a data dictionary.

d. The report required by subdivision b of this section must not contain personally identifiable information.

§2. This local law takes effect 30 days after it becomes law.

Referred to the Committee on Public Safety.

Res. No. 344

Resolution calling on the New York State Legislature to pass, and the Governor to sign, A.3701B/S.2804B, in relation to establishing a housing access voucher program.

By the Public Advocate (Mr. Williams) and Council Members Sanchez, Stevens, Mealy, Restler, Joseph, Hudson and Farías.

Whereas, According to the Coalition for the Homeless, a tenant advocacy organization, homelessness in New York City has reached the highest levels since the Great Depression of the 1930s; and

Whereas, In March 2022 there were 48,524 homeless people, including 15,087 homeless children; and

Whereas, Coalition for the Homeless has stated that the primary reason for homelessness, particularly among families, is the lack of affordable housing; and

Whereas, The Center on Budget and Policy Priorities has determined that housing access voucher programs provide households access to safer neighborhoods and lead to better outcomes for families and children; and

Whereas, New Yorkers should not be denied access to safe long-term housing because of a lack of financial resources; and

Whereas, Whereas, A.3701B, sponsored by Assembly Member Steven Cymbrowitz in the New York State Assembly, and companion bill, S.2804B, introduced by State Senator Brian Kavanagh in the New York State

Senate, would require the New York State Division of Housing and Community Renewal to implement a rental assistance program in the form of housing vouchers, known as the Housing Access Voucher Program, for eligible individuals and families who are homeless or are on the verge of losing their home; and

Whereas, A.3701B/S.2804B, would create a pathway for people who are homeless and reduce the number of people without housing in New York State; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, A.3701B/S.2804B, in relation to establishing a housing access voucher program

Referred to the Committee on Housing and Buildings.

Int. No. 782

By Council Members Sanchez, Mealy, Restler, Joseph, Hudson and Avilés.

A Local Law to amend the administrative code of the city of New York, in relation to distributing information about after school programs

Be it enacted by the Council as follows:

Section 1. Chapter 8 of Title 21-A of the administrative code of the city of New York is amended by adding a new section 21-970 to read as follows:

§ 21-970 *Distribution of information about after school program materials. (a) Definitions. As used in this section, the following terms have the following meanings:*

Department. The term “department” means the department of education.

Middle and high school. The term “middle and high school” means any school of the city school district that contains any combination of grades from grade 6 through grade 12.

b. The department shall, in consultation with the department of youth and community development, develop materials regarding after school programs, including but not limited to those funded by the department of youth and community development. At a minimum, such materials shall include the following:

1. A list of after school programs at such school;

2. Information on eligibility requirements for such program, where applicable; and

3. Information on the application process for such programs, including but not limited to a list of documents accepted to prove identity and residency.

c. Such materials shall be distributed by the department to each middle and high school for distribution to every student of such schools at the start of each school year, and shall be made available in English and in additional languages as determined by the department.

d. The department shall ensure that materials developed pursuant to subdivision b of this section are provided to all schools in sufficient quantity to satisfy the requirements of subdivision c of this section.

e. The department shall ensure that such written materials are available in the main or central office in each school and that such materials are available on the department's website for students and parents who wish to obtain such materials.

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

Referred to the Committee on Education.

Int. No. 783

By Council Members Sanchez, Powers, Farias, Stevens, Riley, Salamanca, Dinowitz, Ayala, Velázquez, Feliz and Hudson (in conjunction with the Bronx Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to building water system maintenance and inspection.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of Title 17 of the administrative code of the city of New York is amended by adding a new section 17-194.2 to read as follows:

§ 17-194.2 Building water systems; maintenance and inspection.

a. Definitions. For purposes of this section, the following terms have the following meanings:

Building. The term “building” has the same meaning as in section 28-101.5 of this code but shall not include healthcare facilities otherwise governed by the New York State department of health for purposes of legionella prevention.

Building water system. The term “building water system” means all potable and nonpotable water systems in a building or on the site of a building, including, but not limited to, hot and cold plumbing systems, hot tubs or spas, decorative fountains, misters, atomizers, air washers, humidifiers, ice machines and water tanks, pumps, heaters and piping of a redundant water distribution system and other water systems and devices that release water aerosols, but does not include open and closed-circuit cooling towers as governed by section 17-194.1 of this chapter.

Cleaning. The term “cleaning” means physical, mechanical, or other removal of biofilm, scale, debris, rust, other corrosion products, sludge, algae and other potential sources of contamination.

Cluster. The term “cluster” means two or more cases of legionnaires’ disease or pontiac fever that appear to be linked by space and which occur within a twelve-month period of each other to warrant further investigation.

Covered building. The term “covered building” means a large building, a building with a water device, a building which primarily houses people older than 65 or a building that has multiple housing units and a centralized hot water system.

Large building. The term “large building” means a building with ten or more floors.

Owner. The term “owner” has the same meaning as in section 28-101.5 of this code.

Water device. The term “water device” means a device that releases water aerosols, including, but not limited to, a hot tub or spa that is not drained between each use, a decorative fountain or a centrally installed mister, atomizer, air washer or humidifier.

b. Registration. Every owner of a covered building shall register with the department.

c. Management program and plan. An owner of a large building, or a building which primarily houses people older than 65, or a building that has multiple housing units and a centralized hot water system shall develop and implement a building water system management program and plan for such building, and the owner of a building that has a water device shall develop and implement a management program and plan for such water device, to minimize the growth and transmission of Legionella bacteria in the building’s water system, consistent with the American society of heating, refrigeration, and air conditioning engineers standard 188 for the year 2018 (ASHRAE 188-2018), or subsequent publication, or comparable standards adopted by a nationally-recognized, accepted, and appropriate organization, and the requirements of this section, and with the manufacturer’s instructions. Such program shall be developed by a program team, which shall include the building owner or designee, a qualified person, employees, suppliers, consultants, or other individuals that the building owner recognizes to have authority and responsibility for the actions required by the program. The plan must be updated and amended by a responsible person or persons as needed to reflect any changes in the management team, system design, operation or system control requirements for the building water system or water device. The plan must be kept in the building where the building water system or water device is located

and must be made available to the department for inspection upon and at the time of a request. At a minimum, the plan must include and describe:

1. Names and contact information and description of the function of each person on the management team, including the owner of the building, any manager or other person designated by the owner with the requirements of this section, and a list of the consultants, service companies, and qualified persons who clean, disinfect, deliver chemicals or services to the building water system or water device;

2. Identification, specifications, and a description of each building water device or water system and all components that release water aerosols;

3. A risk management assessment, identifying risk factors for legionella proliferation, and anticipated conditions and specific risk management procedures for the building water device or all parts of the building water system;

4. Control measures, corrective actions, documentation, including a written checklist for routine monitoring, and reporting to comply with this section and any routine maintenance activities recommended by the manufacturer's instructions, including performance measures, which may sufficiently demonstrate adequate implementation of the operation requirements described in the management program and plan;

5. Specific, detailed seasonal and temporary shutdown and start-up procedures; and

6. Notification and communication strategies among management team members regarding the required corrective actions in response to process control activities, monitoring, sampling results, and other actions taken to maintain the building water system or water device.

d. *System maintenance.* Building water systems and water devices in covered buildings must be maintained and operated in accordance with the management program and plan. Such program shall include routine maintenance to address all components and operations, including but not limited to, general system cleanliness, overall distribution operation, and flushing areas of stagnation. At least annually, covered building owners shall flush their entire building water systems in accordance with rules promulgated by the department. The owner is required to notify tenants of the building 72 hours prior to a building water system flush. In addition, the building water system or water device must be cleaned, flushed, and purged whenever routine monitoring indicates a need for cleaning in accordance with the management program and plan. Cleaning protocol indicated by the manufacturer's instructions or industry standards and worker protective measures must be specified in the management program and plan. Any replacement part or equipment used in a building water system or water device must comply with the manufacturer's design and performance specifications.

e. *Minimum requirements for inspection and testing.* At a minimum, building water systems or water devices shall be inspected and tested at least as frequently as every six months. Each inspection shall include an evaluation of the general condition of the components of the building water system or water device, the quality of the water connections and control, and proper functioning of the equipment.

f. *Inspections, cleaning, and disinfection.* All inspections, cleaning and disinfection required by this section shall be performed by or under the supervision of a qualified person. For any inspection that includes tests conducted pursuant to this section, such qualified person shall, within five days of such inspection, report to the department the date on which such inspection occurred. The building owner shall ensure that such report is submitted to the department by the qualified person within five days of the inspection. When the department inspects a property pursuant to this section, it shall check the accuracy of the dates reported pursuant to this subdivision against the dates of inspection in the records of the building owner.

g. *Monitor sampling.* Building owners subject to the provisions of this section shall retain the services of a qualified third-party water sampler to sample the building water at least once every six months. The qualified third-party water sampler shall send the water sample to a laboratory to be tested for the presence of legionella bacteria. Building owners are required to take any corrective actions as specified in the management program if the legionella sample yields a positive result as indicated by TABLE A and must notify tenants and visitors immediately if a legionella sample results in level 3 through 4 as described in TABLE A.

TABLE A

| Level | Legionella Culture Result | Process Triggered by Legionella Culture Results |
|-------|----------------------------|---|
| 1 | <10 CFU/ml | Maintain water chemistry. |
| 2 | ≥10 CFU/ml to <50 CFU/ml | Monitor conditions for 30 days, retest after 30 days. If CFU/ML increases, complete steps as indicated for level 3 until level 1 is reached. |
| 3 | ≥ 50 CFU/ml to <100 CFU/ml | Initiate immediate disinfection within 24 hours, reviewing treatment program, performing visual inspection to evaluate need to perform cleaning and further disinfection. Retest water within 3-7 days. Subsequent test results must be interpreted in accordance with this Table until level 1 is reached. |
| 4 | ≥ 100 CFU/ml | Initiate immediate disinfection within 24 hours. Within 48 hours perform full remediation of the potable water system by hyperhalogenating, draining, cleaning, and flushing. Review treatment program, retest water within 3-7 days. Subsequent test results must be interpreted in accordance with this Table until level 1 is reached. For Legionella results at this level, notify Department within 24 hours of receiving test result. |

h. Recordkeeping. An owner of a covered building shall keep and maintain records of all inspections and tests performed pursuant to this section for at least three years. Such owner shall maintain a copy of the management program and plan required by this section on the premises of the covered building. Such records and plan shall be made available to the department immediately upon request.

i. Reporting. An owner shall submit a report containing all information required by this section in a manner and format determined by the department on an annual basis which shall be submitted no later than January 31 of the year following the year subject to the report. The department may require any submission required by section 17-194.2 be submitted electronically.

j. Enforcement. 1. Department investigation. The department is authorized to investigate any covered building subject to section 17-194.2 whether it is based on a complaint or through random audit. The department may enter the premise of such building subject to investigation without prior notice to the building owner to enforce the provisions of section 17-194.2, and review and obtain a copy of any records or plan required to be kept under this section, for compliance with the requirements of this section or any rules promulgated thereunder.

2. Civil penalties. Any owner subject to the provisions of section 17-194.2 found in violation shall be fined in an amount determined by the department but shall not be less than \$500 for the first violation and \$1,000 for the second violation and \$5,000 for each subsequent violation.

3. Environmental control board. A notice of violation served for civil penalties pursuant to this section shall be returnable at the environmental control board or any tribunal established within the office of administrative trials and hearings.

k. Transparency. 1. Department transparency. The department shall post conspicuously on its website in a clear, detailed manner the procedure which the department follows when investigating a legionella cluster, which shall include, but not be limited to, the threshold and criteria that triggers such investigation, the steps taken by the department to investigate and identify the cluster, the public outreach conducted by the department, the results of such investigation, and the steps taken by the department to rectify the outbreak. The department shall post conspicuously on its website the detailed information regarding the cluster identified, including, but not limited to, the geographical area identified as well as the potential source and potential health effects of legionnaires' disease and pontiac fever to at-risk populations. If a source has been identified, the department shall post the estimated length of time that the level of legionella bacteria may remain elevated in or could be an infection risk from that source.

l. New construction. For any covered building subject to the provisions of section 17-194.2 for which construction begins on or after the effective date of this law, a building owner shall ensure prior to issuance of occupancy certificate that such building water system has been thoroughly cleaned, sanitized and flushed.

m. Extended building water system shutdown and start up. If a covered building water system or water device has been shut down for an extended period of time not less than 30 days, in order for the building to start up, the building owner is required to: i. either fully clean and disinfect, drain to waste and disinfect, or sufficiently hyperhalogenate or hyperchlorinate, where applicable, the recirculated water before startup; and ii. collect samples for legionella culture under subdivision g of this section and take any necessary corrective actions as required under this section.

n. Waiver or modification. The commissioner or designee may grant a waiver or modification when strict application of any provision of section 17-194.2 presents practical difficulties or unusual hardships. The commissioner in a specific instance may modify the application of such provision consistent with the general purpose of section 17-194.2 and upon such conditions as, in his or her opinion, are necessary to protect the health or safety of the public.

o. Guidance. The department, in consultation with the department of buildings, shall hold information sessions, at least twice annually, for interested building owners and other stakeholders, regarding the requirements for maintaining, cleaning, and inspecting building water systems and water devices in accordance with section 17-194.2. The information provided in such information sessions shall also be posted on the website of the department in simple and understandable terms.

l. Department report. The commissioner, in consultation with the department of buildings, shall submit a report to the mayor and the speaker of the city council on or before May 15 each year until May 15, 2031, reporting at minimum on the following information for the prior year:

1. The number of annual certifications that a covered building water system or water device was inspected, tested, cleaned and disinfected;

2. The number of reports of tests for the presence of microbes that reveal levels that present a serious health threat received by the department as indicated by levels 2, 3, or 4 in TABLE A of this section;

3. The number of inspections of covered building water systems and devices conducted pursuant to this section and the rules of the department, the number and types of any violations cited during such inspections, and the number of buildings that were not inspected;

4. The number of cleanings, disinfections, or other actions performed by or on behalf of the department; and

5. The number of persons diagnosed with legionnaires' disease in the city in each of the previous 10 years, to the extent known or reasonably discoverable by the department.

§ 2. This local law takes effect 180 days after it becomes law, except that the department shall take measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Health.

Int. No. 784

By Council Members Sanchez and Restler (by request of the Queens Borough President).

A Local Law in relation to requiring the department of buildings to report on the efficacy of fuel oil catalyst reformers

Be it enacted by the Council as follows:

Section 1. As used in this local law, the term “fuel oil catalyst reformer” means accessory equipment that reforms fuel oil in the supply line at or near the burner.

§ 2. By no later than December 31, 2022, the department of buildings shall prepare and file with the mayor and the council, and post on its website, a report analyzing whether fuel oil catalyst reformers enhance the efficiency of heating oil and, if so, the fuel savings which would result from such enhancement, the environmental impact of such enhancement and the cost of such reformers.

§ 3. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 785

By Council Members Sanchez, Restler and Avilés (by request of the Brooklyn Borough President).

A Local Law to amend the New York city charter, in relation to tracking mitigation strategies in final environmental impact statements as part of the uniform land use review process

Be it enacted by the Council as follows:

Section 1. Section 206 of the New York city charter, as added by local law number 175 for the year 2016, is amended to read as follows:

§ 206. Tracking of commitments *and mitigation measures and conditions identified under the city environmental quality review process.*

a. For the purposes of this section, *the following terms have the following meanings:*

Block. The term "block" has the meaning given to that term in section 12-10 of the zoning resolution.

Commitment. The term "commitment" means:

1. any commitment made by letter by the mayor or a representative designated by the mayor to the council or a council member that relates to a covered land use application on which the city or a not-for-profit corporation of which a majority of its members are appointed by the mayor is either the applicant or co-applicant; or

2. any commitment made by letter by the mayor or a representative designated by the mayor to the council or a council member for which a funding amount of one \$1,000,000 or more is set forth in the letter establishing such commitment in relation to a covered land use application on which neither the city nor a not-for-profit corporation of which a majority of its members are appointed by the mayor is either the applicant or co-applicant.

Covered land use application. The term "covered land use application" means any land use application:

1. that the city planning commission has approved or approved with modifications for a matter described in paragraphs 1, 3, 4, 5, 6, 8, 10, or 11 of subdivision a of section 197-c or a change in the text of the zoning resolution pursuant to section 200 or 201;

2. for which a decision by the city planning commission has been approved or approved with modifications by the council pursuant to section 197-d and is not subject to further action pursuant to subdivisions e or f of such section; and

3. that involves at least four adjacent blocks of real property.

Condition. The term "condition" means any condition identified in a conditional negative declaration, issued in connection with a covered land use application.

Mitigation measure. The term "mitigation measure" means any mitigation measure that would eliminate or otherwise reduce a potential significant adverse impact identified in a final environmental impact statement, issued in connection with a covered land use application.

b. Such agency as the mayor shall designate shall establish and maintain:

1. a publicly accessible online searchable list of all commitments [described in this section] that relate to [an application that:

(1) the city planning commission has approved or approved with modifications for a matter described in paragraph one, three, four, five, six, eight, ten, or eleven of subdivision a of section one hundred ninety-seven-c or a change in the text of the zoning resolution pursuant to section two hundred or two hundred one;

(2) the commission decision has been approved or approved with modifications by the council pursuant to section one hundred ninety-seven-d and is not subject to further action pursuant to subdivision e or f of such section; and

(3) involves at least four adjacent blocks of real property.

c. Such list shall include all commitments made by letter by the mayor or a representative designated by the mayor to the council or a council member that relate to an application described in subdivision b of this section on which the city or a not-for-profit corporation of which a majority of its members are appointed by the mayor is either the applicant or co-applicant.

d. Such list shall include any commitment made by letter by the mayor or a representative designated by the mayor to the council or a council member for which a funding amount of one million dollars or more is set forth in the letter establishing such commitment in relation to an application described in subdivision b of this section on which neither the city nor a not-for-profit corporation of which a majority of its members are appointed by the mayor is either the applicant or co-applicant.

e.] *covered land use applications; and*

2. *a publicly accessible online searchable list of all mitigation measures and conditions that relate to covered land use applications.*

c. 1. Within [thirty] 120 days of final council approval of a [commission decision described in this section] *covered land use application*, the designated agency shall submit to the *speaker of the council* and record on [such list] the *list of commitments described in paragraph 1 of subdivision b of this section any commitment related to such covered land use application*, including a description of each *such* commitment, the target commencement and completion dates, the application number, the agency [or agencies] responsible for implementation of such commitment, and any funding amount set forth in the letter establishing the commitment. The designated agency may include other information that it deems relevant.

[f. Beginning June 30, 2017, and annually thereafter] 2. *Within 120 days of final council approval of a covered land use application, the designated agency shall submit to the speaker of the council and record on the list of mitigation measures and conditions described in paragraph 2 of subdivision b of this section any mitigation measures or conditions, including a description of each mitigation measure or condition, the target commencement and completion dates, the application number, and the agency responsible for implementation of such mitigation measure or condition. The designated agency may include other information that the agency deems relevant.*

d. 1. *On or before June 30 of each year, the designated agency shall report to the mayor and the speaker of the council information relating to commitments that have been recorded pursuant to this section, including any changes to [information] the list of commitments described in paragraph 1 of subdivision [e] b that indicate progress toward the fulfillment of each such commitment and whether the commitment has been completed within the preceding year.*

2. *Beginning June 30, 2021, and annually thereafter, the designated agency shall report to the mayor and the speaker of the council information relating to mitigation measures and conditions that have been recorded pursuant to this section, including any changes to the list of mitigation measures and conditions described in paragraph 2 of subdivision b that indicate progress toward the fulfillment of each such mitigation measure or condition and whether the mitigation measure or condition has been completed or fulfilled within the preceding year.*

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

Referred to the Committee on Land Use.

Res. No. 345

Resolution calling upon the New York State Legislature to pass and the Governor to sign A.7570C/S.6678C, in relation to establishing a New York state office of civil representation to provide access to legal services in eviction proceedings.

By Council Members Sanchez, Stevens, Restler, Joseph and Williams.

Whereas, The New York City Right to Counsel law was passed by the City Council and went into effect in 2017 and it has been effective in keeping tenants in their homes; and

Whereas, The Community Service Society, a charitable organization, stated that only 1 percent of tenants were previously represented with an attorney in housing court but when the law was implemented 74 percent of the tenants facing eviction had an attorney; and

Whereas, In New York City, the Right to Counsel law does not cover everyone, excluding, for example, households who are above the 200 percent of the federal poverty line and public housing residents; and

Whereas, Tenants throughout the rest of the state do not have a right to counsel; and

Whereas, Research from the Right to Counsel NYC Coalition, a tenant advocacy group, documented that there were 146,539 eviction cases pending in New York State on March 15, 2020, at the start of the COVID-19 pandemic, and as of June 26, 2022 there were over 240,000 active eviction cases; and

Whereas, Providing legal assistance to households who are at risk of housing instability not only adds a layer of protection but it saves public funds that could otherwise be spent on shelters or services for people who are experiencing homelessness; and

Whereas, A. 7570C, introduced by Assembly Member Joyner and pending in the New York State Assembly, and companion bill S.6678C, introduced by State Senator May and pending in the New York State Senate would create a New York State office of civil representation that would provide access to legal services in eviction proceedings and require eligible individuals to be given notice of their ability to obtain legal representation or consultation; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass and the Governor to sign, A.7570C/S.6678C, in relation to establishing a New York state office of civil representation to provide access to legal services in eviction proceedings.

Referred to the Committee on Housing and Buildings.

Res. No. 346

Resolution recognizing the contributions of Hip Hop to arts and culture by designating August 2023 as Hip Hop Recognition and History Month and August 11, 2023 as Hip Hop Celebration Day in the City of New York.

By Council Members Williams, Riley, Stevens, Restler, Joseph and Farías.

Whereas, DJ Kool Herc introduced his innovative DJing skills on two turntables in the Bronx on August 11, 1973, officially giving birth to the music of Hip Hop culture; and

Whereas, Rappers added their poetry to the DJs' beats, giving the crowd a look into the often hard realities of their lives and their hopes for the future; and

Whereas, masters of ceremonies (MCs) commanded the mics to reach out to the audience to keep the parties going, before adding their own freestyle talents to the mix; and

Whereas, break-boys (b-boys) and break-girls (b-girls) created a new style of dancing and brought it to the streets, making breaking an integral part of the culture; and

Whereas, Graffiti writers decorated urban spaces in their own unique styles, sometimes risking their own safety and the wrath of law enforcement and property owners; and

Whereas, Hip Hop culture produced artists who honed their talents in theater and literature, telling their stories of race, class, gender, activism, and empowerment; and

Whereas, Hip Hop preaches, through some of its greatest voices, the values of community, freedom, justice, peace, self-respect, and respect for others; and

Whereas, Hip Hop began with performers and supporters in the Black and Caribbean communities in New York City (NYC), including especially NYC's Puerto Rican community, but expanded rapidly to embrace people of many races, ethnicities, religions, and socioeconomic statuses; and

Whereas, Hip Hop performers have built a multi-billion dollar industry, which contributes to the health of NYC's economy; and

Whereas, Hip Hop performers are well known for giving back to the NYC communities they come from, often providing charitable contributions and words of support to NYC residents in need, including to NYC's schoolchildren; and

Whereas, In 2021, the United States (U.S.) Senate passed Resolution 331, designating August 11, 2021 as Hip Hop Celebration Day; the month of August 2021 as Hip Hop Recognition Month; and the month of November 2021 as Hip Hop History Month; and

Whereas, Hip Hop culture, as it now reaches its official 50th anniversary in 2023, continues to thrive today throughout NYC, across the U.S., and around the world; and

Whereas, The designation of a holiday to commemorate the early days of Hip Hop culture in NYC celebrates the positive impact that Hip Hop has had and continues to have on NYC communities and commerce; now, therefore, be it

Resolved, That the Council of the City of New York recognize the contributions of Hip Hop to arts and culture by designating August 2023 as Hip Hop Recognition and History Month and August 11, 2023 as Hip Hop Celebration Day in the City of New York.

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

L.U. No. 125

By Council Member Salamanca:

Application No. G 220023 NUK (Gateway) submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for an amendment of a previously approved Resolution No. 1907 of April 2, 2009, relating to property including Block 4444, p/o Lot 1, Block 4445, p/o Lot 1, Block 4446, p/o Lot 1, Block 4448, Lot 1, and Block 4452, p/o Lot 170, Borough of Brooklyn, Community District 5, Council District 42.

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

L.U. No. 126

By Council Member Salamanca:

Application number C 220364 ZMQ (Innovation Queens Rezoning and LSGD) submitted by Kaufman Astoria Bedrock I, LLC and Silverstein Astoria Member, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9b, changing from a C4-2A District to an M1-4/R9 District, changing from an M1-1 District to an M1-4/R7-3 District, changing from an M1-1 District to an M1-4/R7X District, changing from an M1-1 District to an M1-4/R9 District, changing from an M1-1 District to an M1-5/R9-1 District, and establishing a Special Mixed Use District (MX-24), Borough of Queens, Community District 1, Council District 26.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 127

By Council Member Salamanca:

Application number N 220367 ZRQ (Innovation Queens Rezoning and LSGD) submitted by Kaufman Astoria Bedrock I, LLC and Silverstein Astoria Member, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article VII, Chapter 4 large-scale general development loading regulations, Article XII, Chapter 3 (Special Mixed Use District) for the purpose of establishing a new Special Mixed Use District and APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Community District 1, Council District 26.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 128

By Council Member Salamanca:

Application number C 220365 ZSQ (Innovation Queens Rezoning and LSGD) submitted by Kaufman Astoria Bedrock I, LLC, and Silverstein Astoria Member, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-745(a) of the Zoning Resolution to allow required or permitted accessory off-street parking spaces to be located anywhere within a large-scale general development without regard for zoning lot lines, in connection with a proposed mixed-use development, within a Large-Scale General Development generally bounded by 35th Avenue, Steinway Street, a line 100 feet southwesterly of 35th Avenue, a line midway between Steinway Street and 41st Street, 35th Avenue, a line 90 feet southeasterly of 42nd Street, a line 100 feet southwesterly of 35th Avenue, 43rd Street, Northern Boulevard, 42nd Street, a line 295 feet southwesterly of 35th Avenue, a line midway between 41st Street and 42nd Street, 36th Avenue, 41st Street, a line 150 feet northeasterly of 36th Avenue, a line midway between Steinway Street and 41st Street, a line 288 feet northeasterly of 36th Avenue, Steinway Street, a line 175 feet northeasterly of 36th Avenue, 38th Street, 36th Avenue, and 37th Street (Block 641, Lots 1, 4, 9, 51, 52 and 56; Block 668, Lot 5; Block 669, Lots 13, 16, and 36; Block 670, Lots 4, 8, 20, 27, 30, and 47; and Block 671, Lots 1, 8, 12, 20 and 23), in M1-4/R7-3, M1-4/R7X, M1-4/R9 and M1-5/R9-1 Districts, within a Special Mixed Use District (MX-24), Borough of Queens, Community District 1, Council District 26.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 129

By Council Member Salamanca:

Application number C 220366 ZSQ (Innovation Queens Rezoning and LSGD) submitted by Kaufman Astoria Bedrock I, LLC and Silverstein Astoria Member, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permits pursuant to the following Sections of the Zoning Resolution, Section 74-743(a)(1) - to allow the distribution of total allowable floor area without regard for the zoning lot lines or district boundaries; and Section 74-743(a)(2) - to modify the rear yard regulations of Sections 23-40 (Yard Regulations), 43-40 (Yard Regulations) and 123-65 (Special Yard Regulations), the height and setback requirements of Sections 23-66 (Height and Setback Requirements for Quality Housing Buildings) and 123-66 (Height and Setback Regulations), and the minimum distance between buildings regulations of Section 23-711 (Standard Minimum Distance Between Buildings); in connection with a proposed mixed-use development, within a Large-Scale General Development generally bounded by 35th Avenue, Steinway Street, a line 100 feet southwesterly of 35th Avenue, a line midway between Steinway Street and 41st Street, 35th Avenue, a line 90 feet southeasterly of 42nd Street, a line 100 feet southwesterly of 35th Avenue, 43rd Street, Northern Boulevard, 42nd Street, a line 295 feet southwesterly of 35th Avenue, a line midway between 41st Street and 42nd Street, 36th Avenue, 41st Street, a line 150 feet northeasterly of 36th Avenue, a line midway between Steinway Street and 41st Street, a line 288 feet northeasterly of 36th Avenue, Steinway Street, a line 175 feet northeasterly of 36th Avenue, 38th Street, 36th Avenue, and 37th Street (Block 641, Lots 1, 4, 9, 51, 52 and 56; Block 668, Lot 5; Block 669, Lots 13, 16, and 36; Block 670, Lots 4, 8, 20, 27, 30, and 47; and Block 671, Lot 1, 8, 12, 20 and 23), in M1-4/R7-3, M1-4/R7X, M1-4/R9 and M1-5/R9-1 Districts, within a Special Mixed Use District (MX-24), Borough of Queens, Community District 1, Council District 26.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 130

By Council Member Salamanca:

Application number C 220368 ZSQ (Innovation Queens Rezoning and LSGD) submitted by Kaufman Astoria Bedrock I, LLC and Silverstein Astoria Member, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-744(c) of the Zoning Resolution, and subject to the provisions of paragraphs (a)(1), (a)(2) or (a)(3) of Section 74-743 (Special provisions for bulk modification), to modify the signage regulations of Section 32-60 (Sign Regulations) and Section 123-40 (Sign Regulations), in connection with a proposed mixed-use development, within a Large-Scale General Development generally bounded by 35th Avenue, Steinway Street, a line 100 feet southwesterly of 35th Avenue, a line midway between Steinway Street and 41st Street, 35th Avenue, a line 90 feet southeasterly of 42nd Street, a line 100 feet southwesterly of 35th Avenue, 43rd Street, Northern Boulevard, 42nd Street, a line 295 feet southwesterly of 35th Avenue, a line midway between 41st Street and 42nd Street, 36th Avenue, 41st Street, a line 150 feet northeasterly of 36th Avenue, a line midway between Steinway Street and 41st Street, a line 288 feet northeasterly of 36th Avenue, Steinway Street, a line 175 feet northeasterly of 36th Avenue, 38th Street, 36th Avenue, and 37th Street (Block 641, Lots 1, 4, 9, 51, 52 and 56; Block 668, Lot 5; Block 669, Lots 13, 16, and 36; Block 670, Lots 4, 8, 20, 27, 30, and 47; and Block 671, Lot 1, 8, 12, 20 and 23), in M1-4/R7-3, M1-4/R7X, M1-4/R9 and M1-5/R9-1 Districts, within a Special Mixed Use District (MX-24), Borough of Queens, Community District 1, Council District 26.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 131

By Council Member Salamanca:

Application number C 220369 ZSQ (Innovation Queens Rezoning and LSGD) submitted by Kaufman Astoria Bedrock I, LLC and Silverstein Astoria Member, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-745(b) of the Zoning Resolution to allow a reduction of loading berth requirements of Sections 44-52 (Required Accessory Off-Street Loading Berths) and 123-70 (Parking and Loading), within a Large-Scale General Development generally bounded by 35th Avenue, Steinway Street, a line 100 feet southwesterly of 35th Avenue, a line midway between Steinway Street and 41st Street, 35th Avenue, a line 90 feet southeasterly of 42nd Street, a line 100 feet southwesterly of 35th Avenue, 43rd Street, Northern Boulevard, 42nd Street, a line 295 feet southwesterly of 35th Avenue, a line midway between 41st Street and 42nd Street, 36th Avenue, 41st Street, a line 150 feet northeasterly of 36th Avenue, a line midway between Steinway Street and 41st Street, a line 288 feet northeasterly of 36th Avenue, Steinway Street, a line 175 feet northeasterly of 36th Avenue, 38th Street, 36th Avenue, and 37th Street (Block 641, Lots 1, 4, 9, 51, 52 and 56; Block 668, Lot 5; Block 669, Lots 13, 16, and 36; Block 670, Lots 4, 8, 20, 27, 30, and 47; and Block 671, Lot 1, 8, 12, 20 and 23), in M1-4/R7-3, M1-4/R7X, M1-4/R9 and M1-5/R9-1 Districts, within a Special Mixed Use District (MX-24), Borough of Queens, Community District 1, Council District 26.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 132

By Council Member Salamanca:

Application number C 220371 ZSQ (Innovation Queens Rezoning and LSGD) submitted by Kaufman Astoria Bedrock I, LLC and Silverstein Astoria Member, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow certain large retail establishments (Use Group 6 and/or Use Group 10A uses) with no limitation on floor area per establishment, in connection with a proposed mixed-use development, on property bounded by 35th Avenue, Steinway Street, a line 180 feet northeasterly of 36th Avenue, and 38th Street (Block 668, Lot 5), in M1-4/R7-3 and M1-4/R9 Districts, within a Special Mixed Use District (MX-24), Borough of Queens, Community District 1, Council District 26.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 133

By Council Member Salamanca:

Application number C 220373 ZSQ ((Innovation Queens Rezoning and LSGD) submitted by Kaufman Astoria Bedrock I, LLC and Silverstein Astoria Member, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow certain large retail establishments (Use Group 6 and/or Use Group 10A uses) with no limitation on floor area per establishment, in connection with a proposed mixed-use development, on property generally bounded by 35th Avenue, 42nd Street, a line 295 feet southwesterly of 35th Avenue, a line midway between 41st Street and 42nd Street, 36th Avenue, and 41st Street (Block 670, Lots 4, 8, 20, 27, 30 & 47), in M1-4/R7-3, M1-4/R7X and M1-5/R9-1 Districts, within a Special Mixed Use District (MX-24), Borough of Queens, Community District 1, Council District 26.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 134

By Council Member Salamanca:

Application number C 220374 ZSQ (Innovation Queens Rezoning and LSGD) submitted by Kaufman Astoria Bedrock I, LLC and Silverstein Astoria Member, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow certain large retail establishments (Use Group 6 and/or Use Group 10A uses) with no limitation on floor area per establishment, in connection with a proposed mixed-use development, on property generally bounded by 35th Avenue, a line 90 feet southeasterly of 42nd Street, a line 100 feet southwesterly of 35th Avenue, 43rd Street, Northern Boulevard, and 42nd Street (Block 671, Lots 1, 8, 12, 20 & 23), in M1-4/R7X and M1-5/R9-1 Districts, within a Special Mixed Use District (MX-24), Borough of Queens, Community District 1, Council District 26.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

NEW YORK CITY COUNCIL

A N N O U N C E M E N T S

Thursday, October 13, 2022

Committee on General Welfare

Diana I. Ayala, Chairperson

Oversight - Examining the Screening Process and Eligibility Requirements for Foster Parents.

Int 436 - By Council Members Stevens, Williams, Riley, Louis, Nurse, Restler, Bottcher and Sanchez - **A Local Law** to amend the New York city charter, in relation to creating a juvenile detention advisory board.

Int 554 - By Council Members Rivera, Cabán, Gutiérrez, Restler and Sanchez - **A Local Law** to amend the administrative code of the city of New York, in relation to child protective caseloads and workloads action plan.

Int 642 - By Council Members Williams, Restler, Hanif, Won, Nurse, Gutiérrez, Sanchez and Louis - **A Local Law** to amend the administrative code of the city of New York, in relation to quarterly reporting by the administration for children’s services on the amount of time children spend in the children’s center or temporary placement facilities

Committee Room – City Hall.....10:00 a.m.

Committee on Transportation and Infrastructure

Selvena N. Brooks-Powers, Chairperson

Proposed Int 258-A - By Council Members Joseph, Hanif, Hudson, Sanchez, Stevens, Ung, Restler, Nurse, The Speaker (Council Member Adams), Narcisse, Ossé, Menin, Brewer, Abreu, Dinowitz, Cabán, Krishnan, Ayala, Louis, Riley, Gutiérrez, Williams, De La Rosa, Won, Barron, Richardson Jordan, Schulman, Avilés, Farías, Brooks-Powers, Kagan, Powers and Bottcher (by request of the Manhattan Borough President) - **A Local Law** in relation to a report on suitable locations for installing public bathrooms.

Proposed Int 291-A - By Council Members Rivera, Brooks-Powers, Hudson, Sanchez, Stevens, Williams, Ung, Ayala, Restler, Abreu, Krishnan, Nurse, Won, Joseph, Menin, De La Rosa, Narcisse, Brannan, Avilés, Powers, Velázquez, Farías, Schulman, Richardson Jordan, Hanif, Riley, Cabán, Gutiérrez, Dinowitz, Lee and Paladino (in conjunction with the Brooklyn Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to a citywide greenway plan.

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

★ Note Topic Addition

Committee on Transportation and Infrastructure

Selvena N. Brooks-Powers, Chairperson

Oversight - The State of TLC’s Regulated Industries.

★Res 2 - By Council Members Ayala, Brannan, Menin, Louis, Hanif, Hudson, Bottcher, Farías and Brooks-Powers - **Resolution** calling upon the New York State Legislature to pass, and the Governor to sign, S.4037/A.5896, legislation to extend and expand the scope of the MTA On-Demand E-Hail Paratransit Pilot Program.

Res 292 - By Council Member Brooks-Powers, the Public Advocate (Mr. Williams) and Council Members Restler and Won - **Resolution** calling on the New York State Legislature to pass, and the New York State Governor to sign, S.5320, which would amend the administrative code of the city of New York to allow commuter vans to accept hails from prospective passengers in the street, and would repeal certain provisions of law relating thereto.

Council Chambers – City Hall.....10:15 a.m.

Committee on Environmental Protection

James F. Gennaro, Chairperson

Oversight - Renewable Energy and New York City’s Climate Adaptation.

Int. 315 - By Council Members Brannan, Louis, Hanif, Yeger, Ayala, Dinowitz, Restler, Abreu, Sanchez, Schulman, Nurse, Cabán and Farías - **A Local Law** to amend the administrative code of the city of New York, in relation to identifying all vacant and underutilized municipally-owned sites that would be suitable for the development of renewable energy and assessing the renewable-energy generation potential and feasibility of such sites

Int 330 - By Council Members Gennaro, Restler, Abreu, Won, Sanchez, Schulman, Nurse and Cabán (by request of the Queens Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the creation of a database of subsurface conditions to support better engineering of geothermal heat pumps.

Res 169 - By Council Members Restler, Hanif, De La Rosa, Gutiérrez, Riley, Gennaro, Hudson, Joseph, Avilés, Brewer, Louis, Dinowitz, Won, Krishnan, Nurse, Schulman, Menin, Williams, Ossé, Brannan, Cabán, Rivera, Powers, Bottcher, Marte, Hanks, Abreu, Sanchez, Velázquez, Narcisse, Farías, Brooks-Powers, Salamanca, Ung, Ayala, Moya and Lee (by request of the Queens Borough President) - **Resolution** calling for the Climate Action Council to draft, and the Governor to implement, a final Climate Action Council Scoping Plan that commits to meeting CLCPA targets and bold climate & environmental justice action in New York.

Res 189 - By Council Members Avilés, Louis, Hudson, Brannan, Hanif, Joseph, Nurse, Abreu, Restler, Won, Gutiérrez, Cabán, Schulman, Menin, Marte, Bottcher, Dinowitz, De La Rosa, Sanchez, Narcisse, Velázquez, Farias, Richardson Jordan, Ossé, Williams, Brewer and Krishnan (in conjunction with the Brooklyn Borough President) - **Resolution** calling upon the New York State Legislature to pass, and Governor to sign, Senate Bill S.6453 and Assembly Bill A.1466C, the “NYS Build Public Renewables Act” enabling the New York Power Authority to own and build new renewable generation, storage, and transmission.

Proposed Res 258-A - By Council Members Gennaro, Cabán, Louis, Hanif, Nurse, Joseph, Restler and Sanchez - **Resolution** supporting the Clean Water, Clean Air, and Green Jobs Environmental Bond Act of 2022, provided that funding is allocated to the city in a manner that is commensurate with the city’s contribution to statewide tax revenue.

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

[Committee on Veterans](#) jointly with the
[Committee on Small Business](#)

Robert F. Holden, Chairperson
Julie Menin, Chairperson

Oversight - Veteran Entrepreneurship and Public Contract Opportunities.

Int 476 - By Council Members Holden, Nurse and Sanchez - **A Local Law** to amend the administrative code of the city of New York, in relation to procurement opportunities for veteran owned business enterprises.

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

Wednesday, October 19, 2022

[Committee on Governmental Operations](#) jointly with the
[Committee on Small Business](#) and the
[Committee on Immigration](#)

Sandra Ung, Chairperson
Julie Menin, Chairperson
Shahana K. Hanif, Chairperson

Oversight - Supporting Immigrant Small Businesses and Promoting Language Access.

Int 137 - By Council Members Won, Hanif, Hudson, Brewer, Ung, Krishnan, Stevens, Joseph, Ossé, Velázquez, Gennaro, Cabán, Nurse, Schulman, Williams, Menin, Avilés, Narcisse, Dinowitz, Louis, Farías, De La Rosa, Restler, Brannan, Ayala, Bottcher, Riley, Marte, Rivera, Sanchez and Vernikov - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring agencies to translate and distribute to community-based organizations emergency information in the designated citywide languages.

Int 382 - By Council Members Brewer, Yeger, Hanif, Louis, Ung, Nurse, Krishnan, Abreu, Restler, Sanchez and Menin - **A Local Law** to amend the New York city charter and the administrative code of the city of New York, in relation to requiring written communications regarding the results of inspections from the department of consumer and worker protection and the department of health and mental hygiene to be in the receiving business owner’s language of choice.

Int 570 - By Council Members Hanif, De La Rosa, Marte, Brannan, Narcisse, Brewer, Ung, Gutiérrez, Cabán, Louis, Brooks-Powers, Joseph, Avilés, Nurse, Hudson, Sanchez and Menin - **A Local Law** to amend the New York city charter, in relation to establishing an office of translation and interpretation within the office of immigrant affairs.

Int 685 - By Council Members Menin, Gutiérrez, Stevens, Schulman, Marte, Feliz, Hanks, Salamanca, Lee, Ossé, Ung, Dinowitz, the Public Advocate (Mr. Williams), Louis, Riley, Restler, Hudson, Brewer, Sanchez, Won, Velázquez, Cabán, Hanif, Ayala and Mealy - **A Local Law** to amend the New York city charter, in relation to establishing an office of small business digitalization and technical amendments in relation thereto.

Int 697 - By Council Members Ung, Hanif, Hudson, Sanchez, Louis and Won - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring translations into languages that are not included in the language access law.

Int 699 - By Council Members Ung, Menin, Brooks-Powers, Krishnan, Hanif, Hudson, Joseph, Brewer, Sanchez, Louis and Won - **A Local Law** to amend the New York city charter and administrative code of the city of New York, in relation to enhancing language access for small business owners.

Int 700 - By Council Members Won, Restler, Hanif, Hudson, Sanchez and Louis - **A Local Law** to amend the administrative code of the city of New York, in relation to translation services for compliance materials.

Committee Room – City Hall.....10:00 a.m.

Subcommittee on Landmarks, Public Sitings and Dispositions

Farah N. Louis, Chairperson

See Land Use Calendar

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

Committee on Sanitation and Solid Waste Management

Sandy Nurse, Chairperson

Int 32 - By Council Members Yeger, Menin, Louis, Marte and Holden - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring a searchable dashboard for notices of violation issued by the department of sanitation.

Int 33 - By Council Members Yeger and Marte - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring that notices of violation issued by the department of sanitation be accompanied by a photograph of the alleged violation.

Int 110 - By Council Members Holden, Hanif, Yeger, Stevens, Avilés, Dinowitz, Gutiérrez, Riley and Paladino - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring that all public waste receptacles be emptied by the department of sanitation at least once per day.

Int 145 - By Council Members Brannan, Yeger, Hanif, Nurse, Abreu, Bottcher, Williams, Sanchez and Borelli - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of sanitation to remove fallen tree limbs, branches and vegetation that obstruct streets and sidewalks as a result of inclement weather.

Int 238 - By Council Members Gennaro, Stevens, Yeger, Bottcher and Nurse - **A Local Law** to amend the administrative code of the city of New York, in relation to collection of recyclable materials after a holiday.

Int 630 - By Council Members Nurse, Bottcher, Gutiérrez, Brewer, Brooks-Powers, Restler, Hanif, Ung, Krishnan, Farías, Yeger, Joseph, Hudson and Sanchez - **A Local Law** to amend the administrative code of the city of New York, in relation to the tracking of street cleaning operations online.

Int 693 - By the Public Advocate (Mr. Williams) and Council Members Nurse, Louis, Restler, Hanif, Hudson, Brewer and Won - **A Local Law** to amend the administrative code of the city of New York, in relation to the provision of sufficient receptacles for the storage of solid waste.

Committee Room – 250 Broadway, 16th Floor..... 11:00 a.m.

Subcommittee on Zoning & Franchises

Kevin C. Riley, Chairperson

See Land Use Calendar

Council Chambers – City Hall.....11:00 a.m.

Committee on Education

Rita Joseph, Chairperson

Oversight - Early Childhood Programs in New York City.

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

[Committee on Public Housing](#)

Alexa Avilés, Chairperson

Oversight - Resident Engagement and Outreach.

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

Thursday, October 20, 2022

★ **Note Committee and Topic Addition**

[Committee on Consumer and Worker Protection](#) jointly with the

Marjorie Velázquez, Chairperson

★ [Committee on Public Safety](#)

Kamillah Hanks, Chairperson

Oversight - Secondhand Auto Dealers and Theft Prevention.

Proposed Int 525-A - By Council Members Brewer, Brannan, Yeger, Restler, Holden, Dinowitz, De La Rosa, Williams, Nurse, Sanchez, Velázquez, Kagan, Menin, Farías, Schulman, Riley, Louis, Joseph, Ayala, Hanif, Moya, Krishnan, Gennaro, Narcisse and Hanks - **A Local Law** to amend the administrative code of the city of New York, in relation to the purchase of catalytic converters.

[Committee on Consumer and Worker Protection](#) jointly with the

Marjorie Velázquez, Chairperson

★ [Committee on Public Safety](#) (Cont.)

★ **Int 759** - By Council Members Lee, Holden, Hanks and Brooks-Powers - **A Local Law** to amend the administrative code of the city of New York, in relation to the creation of a program to distribute catalytic converter etching kits.

Committee Room – 250 Broadway, 16th Floor..... 10:00 a.m.

[Committee on Resiliency and Waterfronts](#) jointly with the

Ari Kagan, Chairperson

[Committee on Transportation and Infrastructure](#)

Selvena N. Brooks-Powers, Chairperson

Oversight - The 10th Anniversary of Superstorm Sandy.

Res 81 - By Council Members Brannan, Brewer, Restler, Nurse, Yeger, Sanchez and Ayala - **Resolution** calling on Congress to pass, and the President to sign, legislation amending the Stafford Act to proactively fund the planning and construction of FEMA and HUD coastal resiliency projects.

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

[Committee on Higher Education](#) jointly with the

Eric Dinowitz, Chairperson

[Committee on Economic Development](#)

Amanda Farías, Chairperson

Oversight - Workforce Development Opportunities at CUNY.

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

Tuesday, October 25, 2022

[Committee on Contracts](#) jointly with the

Julie Won, Chairperson

[Committee on Oversight and Investigations](#)

Gale A. Brewer, Chairperson

Oversight - Maintaining Vendor Integrity Through the Pandemic.

Int 300 - By Council Members Won, Stevens, Williams, Yeger, Farías, Nurse and Velázquez - **A Local Law** in relation to establishing a special inspector within the department of investigation to review contracts that were entered into in response to the 2019 novel coronavirus, and providing for the repeal of such provision upon the expiration thereof.

Int 301 - By Council Members Won, Stevens, Williams, Yeger, Ayala, Farías, Restler, Nurse and Velázquez - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the establishment of standards and procedures to determine the existence of conflicts of interest and other misconduct concerning city contracts.

Int 453 - By Council Members Powers, Louis, Joseph, Hanif, Restler and Velázquez - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring officers and employees of city contractors to report corruption and to cooperate with the department of investigation.

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

★ **Addition**

Subcommittee on Zoning & Franchises

Kevin C. Riley, Chairperson

See Land Use Calendar

Committee Room – 250 Broadway, 16th Floor..... 10:00 a.m.

Committee on Criminal Justice

Carlina Rivera, Chairperson

Oversight - Examining Drugs in City Jails.

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

★ **Addition**

Committee on Land Use

Rafael Salamanca, Jr., Chairperson

All items reported out of the Subcommittees

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – 250 Broadway, 14th Floor..... 1:00 p.m.

Committee on Youth Services

Althea V. Stevens, Chairperson

Oversight - Summer Rising 2022 / Summer Youth Employment Program (SYEP) 2022.

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

Committee on Public Safety

Kamillah Hanks, Chairperson

Oversight - Supporting Providers Serving the City’s Crisis Management System (CMS).

Int 439 - By Council Members Williams, Narcisse, Kagan, Hanks, Riley, Stevens, Hudson, Abreu, Restler, Sanchez, Louis and Ayala - **A Local Law** to amend the New York city charter, in relation to requiring the mayor’s office of criminal justice to evaluate the effectiveness of criminal justice programs that receive funding from the city.

Int 756 - By Council Member Hanks - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the mayor’s office of criminal justice to provide training and operational support to not-for-profit service providers participating in the city’s crisis management system.

Committee Room – 250 Broadway, 16th Floor..... 2:00 p.m.

Wednesday, October 26, 2022

Committee on Cultural Affairs, Libraries & International Intergroup Relations

Chi A. Ossé, Chairperson

Oversight - CreateNYC: The NYC Comprehensive Cultural Plan.

Int 590 - By Council Members Rivera, Ossé, Cabán, Louis, Hanif, Joseph, Hudson, Nurse, Gutiérrez, Won and Sanchez - **A Local Law** to amend the New York city charter, in relation to the open culture program for art and cultural institutions.

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

Committee on Civil & Human Rights

Nantasha Williams, Chairperson

Oversight – Racial Justice Commission and related ballot measures.

Committee Room – 250 Broadway, 14th Floor..... 11:00 a.m.

Committee on Consumer and Worker Protection jointly with the
Committee on State and Federal Legislation

Marjorie Velázquez, Chairperson
Shaun Abreu, Chairperson

Oversight – Student Debt as a Barriers to Generational Wealth.

Int 366 - By Council Members Velázquez, Louis, De La Rosa, Abreu and Sanchez - **A Local Law** to amend the administrative code, in relation to requiring the department of consumer and worker protection to report on public use of the department’s financial empowerment centers and student debt distress in the city.

Int 621 - By Council Members Kagan, Brooks-Powers, Restler, Hanif, Nurse, Yeger, Joseph and Sanchez - **A Local Law** to amend the administrative code of the city of New York, in relation to banning companies that charge a fee for “student debt relief” already provided by the federal government and creating a private cause of action for borrowers who fall victim to these scams

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

Committee on Civil Service and Labor jointly with the
Committee on Governmental Operations

Carmen De La Rosa, Chairperson
Sandra Ung, Chairperson

Oversight - Optimizing the City Civil Service Exam System.

Int 645 - By The Speaker (Council Member Adams) and Council Members Louis, Brewer, Sanchez, Restler and Won - **A Local Law** to amend the administrative code of the city of New York, in relation to civil service exams in department of correction facilities.

Int 658 - By Council Members De La Rosa, Louis, Restler, Joseph, Ung and Sanchez - **A Local Law** in relation to requiring the department of citywide administrative services to develop a civil service ambassador program.

Int 698 - By Council Members Ung, Stevens, Restler and Joseph - **A Local Law** to amend the administrative code of the city of New York, in relation to establishing a public service corps program.

Res 310 - By Council Members De La Rosa, Restler, Hanif, Hudson, Joseph, Brewer, Sanchez and Won - **Resolution** calling on the State Legislature to pass, and the Governor to sign S.3062C/A.7503, raising the minimum wage annually by a percentage based on the rate of inflation.

Res 311 - By Council Members De La Rosa, Louis, Restler, Hudson, Joseph, Brewer and Sanchez - **Resolution** calling on New York State to offer civil service exams, training materials, and assistance, at all Department of Corrections and Community Supervision (DOCCS) facilities.

Committee Room – 250 Broadway, 16th Floor.....1:30 p.m.

Thursday, October 27, 2022

Stated Council Meeting

Council Chambers – City Hall.....Agenda – 1:30 p.m.

The following comments were among the remarks made by the Speaker (Council Member Adams) during the Communication from the Speaker segment of this meeting:

The Speaker (Council Member Adams) acknowledged the celebration of *Sukkot* during the week by many Jewish New Yorkers. She noted that she had the honor to visit a *Sukkah* that morning which had been built outside City Hall by the Chabad Lubavitch Youth Organization. She added that community leaders Rabbi Bob Kaplan and Shimmy Pelman were honored with proclamations for their many years of strengthening community relations. The Speaker (Council Member Adams) wished a *chag sameach* to all who were celebrating.

The Speaker (Council Member Adams) acknowledged that October 11, 2022 marked National Coming Out Day. She noted that National Coming Out Day was first observed in 1988 and was held in support of LGBTQIA+ individuals who had openly shared their sexual orientation and gender identity. She further noted that this day celebrated the coming out to family, friends, and colleagues as an act of liberation and was meant to confront an atmosphere of silence and ignorance in order to combat homophobia. The Speaker (Council Member Adams) emphasized the importance of visibility in this ongoing movement for equality.

The Speaker (Council Member Adams) acknowledged that Spirit Day would be observed the following week. She noted that Spirit Day aimed to spread awareness about bullying and harassment of LGBTQIA+ youth. She further noted that the wearing of purple honored the commitment to support the young people of the LGBTQIA+ community.

The Speaker (Council Member Adams) acknowledged that Hindu, Jain, and Sikh New Yorkers would be celebrating *Diwali*, the Festival of Lights, on October 24, 2022. She noted that *Diwali* symbolized the triumph of light over darkness and good over evil. She wished a safe and happy *Diwali* to everyone celebrating the five day festival.

The Speaker (Council Member Adams) pointed out to her Council colleagues that the pink ribbon and purple ribbon placed on their desks that day were meant to commemorate, respectively, Breast Cancer Awareness Month and Domestic Violence Awareness Month. She noted that by wearing these ribbons, the Council would be shining a light on these important issues which impacted all communities.

Whereupon on motion of the Speaker (Council Member Adams), the Majority Leader and Acting President Pro Tempore (Council Member Powers) adjourned these proceedings to meet again for the Stated Meeting of Thursday, October 27, 2022.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor's Local Law Note: Int. Nos. 518-A and 602-A, both adopted by the Council at the September 14, 2022 Stated Meeting, were signed into law by the Mayor on October 11, 2022 as, respectively, Local Law Nos. 90 and 91 of 2022.

Int. No. 56-A, adopted by the Council at the September 14, 2022 Stated Meeting, was signed into law by the Mayor on October 12, 2022 as Local Law No. 92 of 2022.

