

THE COUNCIL

Minutes of the Proceedings for the

STATED MEETING

of

Thursday, June 16, 2022, 2:38 p.m.

(held in a hybrid meeting format)

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

Council Members

Adrienne E. Adams, Speaker

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

The Majority Leader (Council Member Powers) assumed the chair as the Acting President Pro Tempore and Presiding Officer for these hybrid 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 Acting City Clerk and the Acting Clerk of the Council (Ms. Fuentes).

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

There were 51 Council Members marked present at this Stated Meeting held in the Council Chambers at City Hall, New York, N.Y.

INVOCATION

The Invocation was delivered by Pastor Tiffany Triplett Henkel, Executive Director, Metro Baptist Church/Rauschenbusch Metro Ministries, located at 410 West 40th Street, New York, N.Y. 10018.

Divine Light and Weaver of justice:

We give thanks for this day, for this session,
and for the gift of serving and advocating for others.
Remind us all of our kinship with one another,
and with all of nature, so that we might live,
work, govern, and engage
in a spirit of abundance rather than scarcity,
so that all may have enough
and know that they are enough.
I give thanks for these Council members and staff,
and for the unique and important skills,
and perspectives that they bring
to this body, and thus to our city.
Renew them in mind, body and spirit.
Give them boldness to perform their duties with integrity.
Grant them discernment when righteousness is ambiguous,
and decisions are complex.
Grant them courage when virtue is risky,
and truth is unpopular.
And finally, may they find joy, and fulfillment
in uplifting the most vulnerable in our myths,
remind each of us of the ways we hold power in systems.
And let us engage that power to reverse the tide of oppression.
We recognize in this great city
that there is a great divide and disparity
between the haves and the have nots.
And remind us how much that grieves you,
and remind us that it does not have to be.
Let us remember that none of us are whole
unless all of us are whole.
And let us get to the work of wholeness.
And during this month of pride may we give thanks
for the beautiful diversity of humanity and all creation.
Let us rejoice that we live in a city
that celebrates individuality and uniqueness of identity.
Knowing that with each unique expression,
we are granted a more holistic view of the Divine.
And may we continue to work
for equality, dignity, and access for all.
Spirit of Wisdom guide these coming moments in this chamber.
May compassion, truth and justice ever be our guide.
Amen.

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

During the Communication from the Speaker segment of this Stated Meeting, the Speaker (Council Member Adams) acknowledged that the city had lost a fellow New Yorker to recent workplace and traffic violence: livery driver Robert Godwin, 45, was killed when a speeding hit and run driver slammed into his vehicle. The incident took place on June 5, 2022 in Council Member Steven's district in the Bronx. On behalf of the Council, the Speaker (Council Member Adams) offered prayers for Mr. Godwin's friends and family. She reiterated the Council's stand with workers and advocates for safer streets and working conditions.

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ADOPTION OF MINUTES

The Minority Leader (Council Member Borelli) moved that the Minutes of the Stated Meeting of May 19, 2022 be adopted as printed.

MESSAGES & PAPERS FROM THE MAYOR

M-75

Communication from the Mayor - Submitting the name of David Gold for appointment as a member of the New York City Planning Commission pursuant to §192 of the New York City Charter.

June 13, 2022

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

Dear Speaker Adams:

Pursuant to Section 192 of the New York City Charter, I am pleased to present the name of David Gold to the City Council for advice and consent regarding his appointment as a member of the City Planning Commission. If appointed, Mr. Gold will serve the remainder of a five-year term that will expire on June 30, 2026.

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

Sincerely,

Eric Adams
Mayor

EA: kw

cc: David Gold
Maria Tones-Springer, Deputy Mayor for Economic and Workforce Development
Dan Garodnick, Chair, New York City Planning Commission
Jessica Carrano, Director, Mayor's Office of City Legislative Affairs

Referred to the Committee on Rules, Privileges and Elections.

M-76

Communication from the Mayor - Submitting the name of Rasmia Kirmani-Frye for appointment as a member of the New York City Planning Commission pursuant to §192 of the New York City Charter.

June 13, 2022

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

Dear Speaker Adams:

Pursuant to Section 192 of the New York City Charter, I am pleased to present the name of Rasmia Kirmani-Frye to the City Council for advice and consent regarding her appointment as a member of the City Planning Commission. If appointed, Ms. Kirmani-Frye will serve the remainder of a five-year term that will expire on June 30, 2024.

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

Sincerely,

Eric Adams
Mayor

EA: kw

cc: Rasmia Kirmani-Frye
Maria Tones-Springer, Deputy Mayor for Economic and Workforce Development
Dan Garodnick, Chair, New York City Planning Commission
Jessica Carrano, Director, Mayor's Office of City Legislative Affairs

Referred to the Committee on Rules, Privileges and Elections.

M-77

Communication from the Mayor - Submitting the name of Christine Yoon for appointment as a member of the New York City Board of Standards and Appeals pursuant to §§ 31 and 659 of the New York City Charter.

June 13, 2022

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

Dear Speaker Adams:

Pursuant to Sections 31 and 659 of the New York City Charter, I am pleased to present the name of Christine Yoon to the City Council for advice and consent in anticipation of her appointment to the New York City Board of Standards and Appeals.

When appointed, Ms. Yoon will serve for the remainder of a six-year term expiring on September 1, 2027.

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

Sincerely,

Eric Adams
Mayor

EA: kw

cc: Christine Yoon
Maria Torres-Springer, Deputy Mayor for Economic and Workforce Development
Jessica Carrano, Director, Mayor's Office of City Legislative Affairs
Carlo Costanza, Executive Director, New York City Board of Standards and Appeals

Referred to the Committee on Rules, Privileges and Elections.

LAND USE CALL-UPS

M-78

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 220221(A) ZSM, C 220222 PPM, and C 220223 PQM (The Lirio – 806 9th Avenue) shall be subject to Council review. These items are related to Application Nos. C 220220 ZMM and N 220219 ZRM.

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, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Vernikov, Williams, Won, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **51**.

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 M-63

Report of the Committee on Finance in favor of approving a Communication from the New York City Banking Commission in regard to transmitting recommendations of the interest rate to be charged for Fiscal Year 2023 for non-payment of taxes on real estate and for the discount rate to be allowed for early payment of real estate taxes for Fiscal Year 2023, pursuant to the City Charter.

The Committee on Finance, to which the annexed communication was referred on May 19, 2022 (Minutes, page 965), respectfully

REPORTS:

(For related resolutions, please see the Reports of the Committee on Finance for Res. Nos. 192, 193, and 194, respectively, printed below in these Minutes)

Accordingly, this Committee recommends its adoption.

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 FARIAS, KAMILLAH HARRIS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, JULIE WON; 17-0-0; Committee on Finance, June 16, 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 Res. No. 192

Report of the Committee on Finance in favor of approving a Resolution to establish that the interest rate be four percent per annum for Fiscal Year 2023 for non-payment of taxes on properties with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments.

The Committee on Finance, to which the annexed resolution was referred on June 2, 2022 (Minutes, page 1294), respectfully

REPORTS:

Late Payment of Property Taxes

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

In making such recommendation, the Banking Commission shall consider the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the “Prime Rate”). The Commissioner noted that as of May 12, 2022, the prime rates stands at four percent, as published by the Board of Governors of the Federal Reserve System. As required by Local Law 30 of 2015, the Banking Commission included with its recommendation a report detailing the factors considered when determining the recommendation. For the Fiscal Year 2023 recommendation, the Banking Commission considered the penalty rates used by other property tax collectors, and the interest rates charged for mortgages and home equity lines of credit.

Recommendation for Properties Assessed No More Than \$250,000

For real property with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments, the Banking Commission shall propose an interest rate at least equal to the prime rate pursuant to section 11-224.1 of the Administrative Code of the City of New York.

By letter dated May 13, 2022, the Banking Commission recommended to the Council an interest rate of six percent per annum for Fiscal Year 2023 to be charged for non-payment of taxes of real property where the assessed value is not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments.

Recommendation for Properties Assessed More Than \$250,000 but Less Than \$450,000

For real property with an assessed value of more than \$250,000, but less than or equal to \$450,000, or more than \$250,000 but less than or equal to \$450,000 per residential unit for cooperative apartments, pursuant to Local Law 24 of 2021, the Banking Commission shall propose an interest rate at least four percentage points per annum greater than the prime rate.

By letter dated May 13, 2022, the Banking Commission recommended to the Council an interest rate of 12 percent per annum for Fiscal Year 2023 to be charged for non-payment of taxes of real property where the assessed value is more than \$250,000, but less than or equal to \$450,000, or more than \$250,000 but less than or equal to \$450,000 per residential unit for cooperative apartments.

Recommendation for Properties Assessed More Than \$450,000

For real property with an assessed value of more of more than \$450,000, or more than \$450,000 per residential unit for cooperative apartments, pursuant to section 11-224.1 of the Administrative Code of the City of New York, the Banking Commission shall propose an interest rate at least six percentage points per annum greater than the prime rate.

By letter dated May 13, 2022, the Banking Commission recommended to the Council an interest rate of 18 percent per annum for Fiscal Year 2023 to be charged for non-payment of taxes of real property where the assessed value is more than \$450,000, or more than \$450,000 per residential unit for cooperative apartments.

CONCLUSION

Pursuant to section 1519-a(7)(b) of the New York City Charter and section 11-224.1 of the Administrative Code, the Council adopts lower rates for non-payment than the Banking Commission’s recommendations as follows:

- For non-payment of property taxes
 - Properties with an assessed value of no more than \$250,000, or no more than \$250,000 per unit for cooperative apartments – 4%
 - Properties with an assessed value of more than \$250,000 but less than \$450,000, or more than \$250,000 but less than \$450,000 per unit for cooperative apartments – 7%
 - Properties with an assess value of more than \$450,000, or more than \$450,000 per unit for cooperative apartments – 14 %

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 192:)

Res. No. 192

Resolution to establish that the interest rate be four percent per annum for Fiscal Year 2023 for non-payment of taxes on properties with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments.

By Council Members Ayala and Abreu.

Whereas, Pursuant to Section 11-224.1 of the Administrative Code of the City of New York the Banking Commission is required to recommend to the City Council, not later than the 13th day of May of each year, the proposed interest rate to be charged for non-payment of taxes on properties with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments; and

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

Whereas, The Banking Commission notes that as of May 12, 2021, the Prime Rate stands at four percent as published by the Board of Governors of the Federal Reserve System; and

Whereas, the Federal Reserve plans to raise interest rates multiple times this year, and has acted to scale back other pandemic-era economic supports, in order to strengthen its efforts to fight the highest inflation in 40 years. The Federal Reserve is expecting that a steady series of rate hikes will slash inflation and stabilize the economy, at a time when there is uncertainty in the global economy; and

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

Whereas, The Banking Commission forwarded its recommendation to the Council, by letter dated May 13, 2022, that the interest rate to be charged for the non-payment of taxes on properties where the assessed value is not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments, be six percent per annum for Fiscal Year 2023; now, therefore, be it

Resolved, That the Council of the City of New York establishes that the interest rate be four percent per annum for Fiscal Year 2023 for non-payment of taxes on properties with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, GALE A. BREWER, AMANDA FARIAS, KAMILLAH HARRIS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, JULIE WON; 16-1-0; *Negative*: Charles Barron; Committee on Finance, June 16, 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 Res. No. 193

Report of the Committee on Finance in favor of approving a Resolution to establish that the interest rate be seven percent per annum for Fiscal Year 2023 for non-payment of taxes on properties with an assessed value of more than \$250,000 but less than or equal to \$450,000, or more than \$250,000 but less than or equal to \$450,000 per residential unit for cooperative apartments.

The Committee on Finance, to which the annexed resolution was referred on June 2, 2022 (Minutes, page 1295), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Finance for Res. No. 192 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 193:)

Res. No. 193

Resolution to establish that the interest rate be seven percent per annum for Fiscal Year 2023 for non-payment of taxes on properties with an assessed value of more than \$250,000 but less than or equal to \$450,000, or more than \$250,000 but less than or equal to \$450,000 per residential unit for cooperative apartments.

By Council Members Ayala and Abreu.

Whereas, Pursuant to Section 11-224.1 of the Administrative Code of the City of New York, the Banking Commission is required to recommend to the City Council, not later than the 13th day of May of each year, the proposed interest rate to be charged for non-payment of taxes on properties with an assessed value of more than \$250,000 but less than or equal to \$450,000, or more than \$250,000 but less than or equal to \$450,000 per residential unit for cooperative apartments; and

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

Whereas, The Banking Commission notes that as of May 12, 2022, the Prime Rate stands at four percent as published by the Board of Governors of the Federal Reserve System; and

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

Whereas, The Banking Commission forwarded its recommendation to the Council, by letter dated May 13, 2022, that the interest rate to be charged for non-payment of taxes on properties where the assessed value on a parcel is more than \$250,000 but less than or equal to \$450,000, or more than \$250,000 but less than or equal to \$450,000 per residential unit for cooperative apartments, be 12 percent per annum for Fiscal Year 2023; now, therefore, be it

Resolved, That the Council of the City of New York establishes that the interest rate be seven percent per annum for Fiscal Year 2023 for non-payment of taxes on properties with an assessed value of over 250,000 but less than or equal to \$450,000, or more than \$250,000 but less than or equal to \$450,000 per residential unit for cooperative apartments.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, GALE A. BREWER, AMANDA FARIAS, KAMILLAH HARRIS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, JULIE WON; 15-1-1; *Negative*: Charles Barron; *Abstain*: Farah N. Louis; Committee on Finance, June 16, 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 Res. No. 194

Report of the Committee on Finance in favor of approving a Resolution to establish that the interest rate be 14 percent per annum for Fiscal Year 2023 for non-payment of taxes on properties with an assessed value of more than \$450,000, or more than \$450,000 per residential unit for cooperative apartments.

The Committee on Finance, to which the annexed resolution was referred on June 2, 2022 (Minutes, page 1296), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Finance for Res. No. 192 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 194:)

Res. No. 194

Resolution to establish that the interest rate be 14 percent per annum for Fiscal Year 2023 for non-payment of taxes on properties with an assessed value of more than \$450,000, or more than \$450,000 per residential unit for cooperative apartments.

By Council Members Ayala and Abreu.

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

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

Whereas, The Banking Commission notes that as of May 12, 2022, the Prime Rate stands at four percent as published by the Board of Governors of the Federal Reserve System; and

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

Whereas, The Banking Commission forwarded its recommendation to the Council, by letter dated May 13, 2022, that the interest rate to be charged for the non-payment of taxes on properties where the assessed value of more than \$450,000, or more than \$450,000 per residential unit for cooperative apartments, be 18 percent per annum for Fiscal Year 2023; now, therefore, be it

Resolved, That the Council of the City of New York establishes that the interest rate be 14 percent per annum for Fiscal Year 2023 for non-payment of taxes on properties with an assessed value of more than \$450,000, or more than \$450,000 per residential unit for cooperative apartments.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, GALE A. BREWER, AMANDA FARIAS, KAMILLAH HARRIS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, JULIE WON; 16-1-0; *Negative*: Charles Barron; Committee on Finance, June 16, 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).

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

Report for L.U. No. 72

Report of the Committee on Land Use in favor of approving SEBCO IV; Block 2697, Lot 18 and 19; and Block 2732, Lot 31, Bronx, Council District No. 17.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on June 16, 2022 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

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

June 16, 2022

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

FROM: Malcom Butehorn, Interim Counsel, Finance Division

RE: Finance Committee Agenda of June 16, 2022 – Resolution approving a tax exemption for one Land Use item (Council District 17)

SEBCO IV

Project Description Narrative

SEBCO IV is a tax exemption-only project of a HUD-assisted rental housing portfolio in the Bronx. The project will refinance its existing debt and acquire a new first mortgage loan through a Fannie Mae execution. As part of the refinancing, the project is requesting HPD provide a new 40-year partial Article XI tax exemption. Specifically, the project is requesting an annual 1% Gross Rent Tax (GRT) until December 31, 2033, and starting from January 1, 2034, and until the expiration date, a 1% GRT base with 25% of future increases of contract rents, subject to a 17% contract rents cap. The owner will use the refinance proceeds to rehabilitate the portfolio, addressing critical needs including joist repairs, upgrade and replacement of deteriorated mechanical systems/equipment, and structural repairs as required within each building. None of the buildings in the portfolio have undergone significant capital repairs since their HUD-funded rehabilitations in 1982.

Owned by The South East Bronx Community Organization (SEBCO) through a single purpose entity, SEBCO IV Associates L.P., the project has an existing 20-year renewal Mark-to-Market HAP Contract, which was effective September 1, 2004, and continues through August 31, 2024. All units except the superintendent's unit are currently covered under a project-based Section 8 HAP Contract. Prior to this closing, the SEBCO IV project will renew the existing Section 8 HAP Contracts (Option 3 HAP Contract) with HUD.

The program will place an HPD Regulatory Agreement on the project that will cover all properties. The agreement will run for 40 years, coterminous with the project's expected partial Article XI tax exemption. The project will also be subject to HPD's homeless requirement, which stipulates that during the restriction period, upon vacancy and unit turnover every other unit will be subject to a homeless preference in rental to new tenants as governed by a HUD approved Tenant Selection Plan, until 20% of the total units in the project are occupied by households that were formerly designated as homeless at the time of their initial occupancy.

History of the property, prior exemptions, and prior Council action

The SEBCO IV project consists of two buildings, a conjoined 6-story apartment building and another 5-story apartment building with a total of 71 dwelling units. The combined portfolio is 68,715 SF in size and all buildings are located in the Longwood neighborhood of the Bronx. 862-864 Southern Boulevard, is situated at the corner of Southern Boulevard and Tiffany Street. The development contains six (6) one-bedroom, fifty-one (51) two-bedroom, and thirteen (13) three-bedroom units. There is also one (1) two-bedroom as the super's unit. The project currently has 2 vacant units.

The buildings were built between 1915 and 1922. The City of New York deeded the properties to SEBCO IV Associates L.P. on May 10, 1982, for \$35,500 (\$500/DU). At the time, the L.P. took out a \$4,077,600 mortgage for a gut renovation of the properties with the New York City Housing Development Corporation (HDC). The buildings were rehabilitated through HUD's Mark-Down-to-Market program and were converted to Section 8 buildings upon completion. At the time of financing, the L.P. entered into a HUD Regulatory Agreement and a Land Disposition Agreement with the City of New York. The buildings were subsequently renovated between 1982 and 1984. After construction, the project also entered into a Regulatory Agreement with HDC and received a 40-year partial Article V tax exemption (Board of Estimate Cal No. 10 dated April 16, 1982).

Twenty years later, the project underwent a Mark-to-Market (M2M) mortgage restructuring in September 2004. At the time of the M2M restructuring, the HDC mortgage was satisfied and the project was released from its original HUD and HDC Regulatory Agreements before entering into a new HUD Regulatory Agreement and a HUD Use Agreement. As part of the new Agreements, the project also entered into 20-year renewable HAP Contracts effective September 1, 2004. The HAP contracts continue until August 31, 2024.

Summary

- Borough – Bronx
- Block 2697, Lots 18 and 19; and Block 2732, Lot 31
- Council District – 17
- Council Member – Salamanca
- Council Member approval – Yes
- Number of buildings – 2
- Number of units – 70 (excludes one super’s unit)
- Type of exemption – Article XI, partial 40-years
- Population – affordable rental housing
- Sponsor – South East Bronx Community Organization
- Purpose – preservation
- Cost to the City – \$4,373,783
- AMI target – 50% AMI rent; 60% AMI income limit

Accordingly, this Committee recommends its adoption.

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

Res. No. 248

Resolution approving an exemption from real property taxes for property located at (Block 2697, Lot 18 and 19; and Block 2732, Lot 31) Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 72).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated May 31, 2022 that the Council take the following action regarding a housing project located at (Block 2697, Lot 18 and 19; and Block 2732, Lot 31) Bronx (“Exemption Area”):

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

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

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

RESOLVED, HPD respectfully requests that the Council approve, pursuant to Section 577 of the Private Housing Finance Law, an exemption from real property taxation as follows:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Contract Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Contract Rent Differential Tax for the applicable tax year.

- b. “Contract Rent Differential” shall mean the amount by which the total contract rents applicable to the Exemption Area on the Contract Rent Differential Commencement Date and for each year thereafter until the Expiration Date (as adjusted and established pursuant to Section 8 of the United States Housing Act of 1937, as amended) exceed the total contract rents which are authorized and in effect as of the Contract Rent Differential Commencement Date.
- c. “Contract Rent Differential Commencement Date” shall mean January 1, 2034.
- d. “Contract Rent Differential Tax” shall mean the sum of (i) one percent (1%) of the Gross Rent as of the Contract Rent Differential Commencement Date, plus (ii) twenty-five percent (25%) of the Contract Rent Differential; provided, however that the total annual real property tax payment by the New Owner shall not at any time exceed the lesser of either (A) seventeen percent (17%) of the contract rents in the applicable tax year, or (B) the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, if the New Owner fails to provide the contract rents on or before the Contract Rent Deadline, Contract Rent Differential Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
- e. “Current Owner” shall mean SEBCO IV Associates L.P.
- f. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the New Owner enter into the Regulatory Agreement.
- g. “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 2697, Lots 18 and 19 and Block 2732, Lot 31 on the Tax Map of the City of New York.
- h. “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.
- i. “Gross Rent” shall mean the gross potential rents from all residential, commercial, and community facility units on the Exemption Area without regard to whether such units are occupied or vacant, including, but not limited to, Section 8, rent supplements, rental assistance, or any other subsidy.
- j. “Gross Rent Deadline” shall mean three hundred and sixty-five days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
- k. “Gross Rent Tax” shall mean an amount equal to one percent (1%) of the Gross Rent in such tax year; provided, however, that if the New Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.

- l. “HDFC” shall mean SEBCO Four Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - m. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - n. “New Exemption” shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
 - o. “New Owner” shall mean, collectively, the HDFC and the Partnership.
 - p. “Partnership” shall mean SEBCO IV Associates L.P. or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
 - q. “PHFL” shall mean the Private Housing Finance Law.
 - r. “Prior Exemption” shall mean the exemption from real property taxation for the Exemption Area approved by the Board of Estimate on April 16, 1982 (Cal. No. 10).
 - s. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the New Owner establishing certain controls upon the operation of the Exemption Area during the term of the New Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
3. Commencing upon the Effective Date, and during each year thereafter until December 31, 2033, the New Owner shall make real property tax payments in the sum of the Gross Rent Tax. Commencing on the Contract Rent Differential Commencement Date, and during each year thereafter until the Expiration Date, the New Owner shall make real property tax payments in the sum of the Contract Rent Differential Tax.
4. Notwithstanding any provision hereof to the contrary:
 - a. The New Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to the New Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the New Exemption shall prospectively terminate.

- b. The New Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that exist on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the New Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
5. In consideration of the New Exemption, the owner of the Exemption Area shall, for so long as the New Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities.
 6. Approve, pursuant to Section 125 of the PHFL, the termination of the Prior Exemption, which termination shall become effective one day preceding the conveyance of the Exemption Area from the Current Owner to the New Owner.
 7. Consent, pursuant to Section 123(4) of the PHFL, to the voluntary dissolution of the Current Owner.
 8. If the conveyance of the Exemption Area from the Current Owner to the New Owner does not occur either (i) within one day following the termination of the Prior Exemption, or (ii) on the same day as the voluntary dissolution of the Current Owner, then all of the approvals and consents set forth above shall be null and void, the dissolution of the Current Owner shall be rescinded, and both the obligations of the Current Owner to remain an Article V redevelopment company and the Prior Exemption shall be reinstated as though they had never been terminated or interrupted.

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 FARIAS, KAMILLAH HARRIS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, JULIE WON; Committee on Finance, June 16, 2022 (Hybrid 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 the Committee on General Welfare

Report for Int. No. 303-A

Report of the Committee on General Welfare in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring the department of homeless services and the human resources administration to track and report certain data regarding rental assistance programs.

The Committee on General Welfare, to which the annexed proposed amended local law was referred on May 5, 2022 (Minutes, page 877), respectfully

REPORTS:**Introduction**

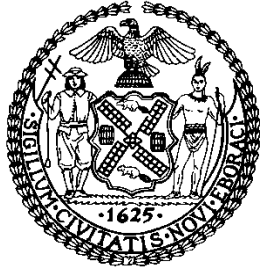
On June 15, 2022, the Committee on General Welfare, chaired by Deputy Speaker Diana Ayala, heard Proposed Int. 303-A, sponsored by Council Member Avilés. The Committee previously held a hearing on Int. 303 on May 3, 2022. At the hearing on May 3, 2022, those who testified included representatives from the New York City Department of Social Services, impacted individuals who have formerly experienced or are currently experiencing homelessness, community-based organizations, service providers, and members of the public. At the hearing on June 15, 2022, the Committee voted nine in favor, zero opposed and zero abstentions on Proposed Int. 303-A.

I. Bill Analysis

Int. 303-A – A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of homeless services and the human resources administration to track and report certain data regarding rental assistance programs

This bill would require that the Department of Homeless Services (DHS) and the Human Resources Administration (HRA) track and report certain data regarding outcomes of the City Fighting Homelessness & Eviction Prevention Supplement (CityFHEPS). If passed, the bill would take effect immediately. Since introduction, this bill has been amended to refer to the CityFHEPS rental assistance program instead of city-subsidized rental assistance programs at large. The bill was also amended to require annual reporting instead of quarterly reporting. The bill was also amended to include information about how long a household is enrolled in the CityFHEPS program before utilizing a CityFHEPS rental assistance voucher.

(The following is the text of the Fiscal Impact Statement for Int. No. 303-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. 303-A

COMMITTEE: General Welfare

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring the Department of Homeless Services and the Human Resources Administration to track and report certain data regarding rental assistance programs.

Sponsors: Council Members Avilés, Ayala, Holden, Bottcher, Stevens, Ung, Marte, Restler, Abreu, Won, Hudson, Louis, Hanif, De La Rosa, Schulman, Farías, Dinowitz, Williams, Cabán, Gutiérrez, and Brewer.

SUMMARY OF LEGISLATION: Proposed Int. No. 303-A would require the Human Resources Administration (HRA) to post on its website annual reporting on the city fighting homelessness and eviction prevention supplement (CityFHEPS) program starting on March 31, 2024, and annually thereafter each year by the end of March. The reports will include the number of households that exited in the Department of Homeless Services (DHS) shelter in the prior calendar year using CityFHEPS and the number of households previously enrolled in the program two calendar years prior, including the number that have returned to shelter within 12 months. Additionally, the reports will include information regarding CityFHEPS participants, including the number of households broken out by placement source and the number enrolled without utilizing the subsidy.

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

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Julia K. Haramis, Senior Financial Analyst

ESTIMATE REVIEWED BY: Malcom M. Butehorn, Interim Finance Counsel
 Aliya Ali, Unit Head
 Jonathan Rosenberg, Managing Deputy Director
 Tanisha S. Edwards, Esq., Chief Financial Officer
 and Deputy Chief of Staff to the Speaker

LEGISLATIVE HISTORY: A hearing was held by the Committee on General Welfare (the Committee) on May 3, 2022, where the legislation was heard pre-considered and laid over. The pre-considered legislation was introduced on May 5, 2022 as Int. No. 303 and was referred back to the Committee. The legislation was subsequently amended and the amended version, Proposed Int. No. 303-A, will be voted on by the Committee at a hearing on June 15, 2022. Upon a successful vote by the Committee, Proposed Intro. No. 303-A will be submitted to the full Council for a vote on June 16, 2022.

DATE PREPARED: June 8, 2022.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 303-A:)

Int. No. 303-A

By Council Members Avilés, Ayala, Holden, Bottcher, Stevens, Ung, Marte, Restler, Abreu, Won, Hudson, Louis, Hanif, De La Rosa, Schulman, Fariás, Dinowitz, Williams, Cabán, Gutiérrez, Brewer, Narcisse, Sanchez and Richardson Jordan.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of homeless services and the human resources administration to track and report certain data regarding rental assistance programs

Be it enacted by the Council as follows:

Section 1. 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 *Reporting requirements regarding the city fighting homelessness & eviction prevention supplement. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

City fighting homelessness & eviction prevention supplement (CityFHEPS). The term city fighting homelessness & eviction prevention supplement (CityFHEPS) means the housing subsidy provided to eligible families who are experiencing homelessness or facing eviction and at risk of homelessness for non-payment of rent, established in chapter 10 of title 68 of the rules of the city of New York.

Household. The term household means a single individual or family, including couples without dependent children who are eligible to receive transitional housing or services from the department of homeless services or the human resources administration pursuant to federal, state and local laws and such rules and regulations as may be promulgated pursuant thereto.

b. Yearly reports regarding CityFHEPS. Beginning no later than March 31, 2024, and no later than the last day of March following each calendar year thereafter, the commissioner, in consultation with the commissioner of the human resources administration/department of social services, shall submit to the speaker of the city council, and shall make available on its website, a report that includes, at a minimum, the following information, if known:

1. The number of households that exited DHS shelter in the prior calendar year using CityFHEPS, disaggregated by:

(a) household type, which includes families with children, adult families, and single adults, and the borough they exited to;

(b) household type, which includes families with children, adult families, and single adults, and primary language spoken by the family, further disaggregated by speakers of English, the designated citywide languages as determined pursuant to section 23-1101, and a category of all other languages; and

(c) household type, which includes families with children, adult families, and single adults, and the reason for CityFHEPS subsidy eligibility.

2. The number of households that were previously enrolled in the program two calendar years prior, including the number that have returned to shelter within 12 months, disaggregated by:

(a) household type, which includes families with children, adult families, and single adults and borough; and

(b) household type, which includes families with children, adult families, and single adults and primary language spoken.

3. Information regarding the CityFHEPS program, including the following:

(a) number of households currently enrolled in the program, disaggregated by placements from a DHS shelter, HRA domestic violence shelter, any DHS street outreach program, DYCD runaway and homeless youth program, ACS program and households living in community;

(b) number of households previously enrolled in the program, including the number that no longer receive the subsidy, the number that no longer receive the subsidy and received the subsidy for the maximum period of time allowed under such program, the number that have applied for shelter, the number that have returned to shelter after having been enrolled for any length of time, and the number that have returned to shelter after having been enrolled in the program for the maximum period of time allowed under such program;

(c) the number of newly placed households since the prior report was published; and

(d) the number of households enrolled without utilizing the subsidy, disaggregated by greater than six months, greater than one year, greater than two years and greater than three years.

c. No reporting shall be required for any disaggregated data with cohorts smaller than 10 households.

§ 3. This local law takes effect immediately.

DIANA I. AYALA, *Chairperson*; KEVIN C. RILEY, TIFFANY CABÁN, CRYSTAL HUDSON, CHI A. OSSÉ, LINCOLN RESTLER, ALTHEA V. STEVENS, SANDRA UNG, NANTASHA M. WILLIAMS; 9-0-0; *Maternity Leave*: Linda Lee: Committee on General Welfare, June 15, 2022 (Hybrid 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 of the Committee on Housing and Buildings

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

Report for Int. No. 558-A

Report of the Committee on Housing and Buildings 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 extending the rent stabilization laws.

The Committee on Housing and Buildings, to which the annexed proposed preconsidered as amended local law was referred on June 16, 2022, respectfully

REPORTS:

INTRODUCTION

On June 15, 2022, the Committee on Housing and Buildings, chaired by Council Member Pierina Sanchez, will hold a hearing to vote on Preconsidered Int. No. -A, in relation to extending the rent stabilization laws, and Preconsidered Res. No. 247, determining that a public emergency requiring rent control in the city of New York continues to exist and will continue to exist on and after July 1, 2022. The items were first heard on June 7, 2022. More information about these items, along with the materials for that hearing, can be found at <https://on.nyc.gov/3O98fGw>.

BACKGROUND

RENT REGULATION

There are two forms of rent regulation in New York City: rent control and rent stabilization. The term “rent regulation” is generally used to refer to laws that set limits on the amount by which landlords can increase rent. Rent control is the older of the two systems and dates back to the federal Emergency Price Control Act of 1942.¹ Rent control primarily applies to dwellings within residential buildings completed before February 1, 1947² and in which a tenant or lawful successor has been living continuously since before July 1, 1971.³ Rent stabilization generally applies to buildings with six or more units built between February 1, 1947 and January 1, 1974⁴ and tenants in buildings built before February 1, 1947 who moved in after June 30, 1971.⁵ Both rent regulation systems restrict rent increases and limit evictions.⁶

¹ See New York State Homes and Community Renewal, *Fact Sheet # 1: Rent Stabilization and Rent Control* (Jan. 9, 2020) available at <https://hcr.ny.gov/system/files/documents/2020/11/fact-sheet-01-09-2020.pdf>

² See: Emergency Housing Rent Control Law § 2(2).

³ *Id.*

⁴ See Emergency Tenant Protection Act of 1974 § 5.

⁵ *Id.*

⁶ See generally: Emergency Tenant Protection Act of 1974; Emergency Housing Rent Control Law; Local Emergency Housing Rent Control Law; New York City Administrative Code Chapter 3; New York City Administrative Code Chapter 4.

THE HOUSING AND VACANCY SURVEY

In order for rent regulation to continue in New York City, the local legislative body (*i.e.*, the City Council) must make a determination as to whether there is an ongoing public emergency.⁷ In New York City, this public emergency is based on a finding that there is a housing shortage, defined as a vacancy rate of less than 5% of the City's rental housing stock.⁸ The City Council is required to make this determination at least once every three years, and must do so following a survey of the City's housing stock. The survey, known as the New York City Housing and Vacancy Survey ("HVS"), is sponsored by HPD and conducted in collaboration with the United States Census Bureau ("Census Bureau").⁹ Following the HVS, the City Council must evaluate its findings and, if the City Council determines that the public emergency is ongoing, pass a resolution finding that, because there is still a housing shortage, there continues to be a need for rent regulation.¹⁰ Under New York State law, absent such a determination, the current rent regulation system is set to expire on July 1, 2022.¹¹

Following the 2017 HVS, the next mandated survey was scheduled for 2020, the same year the Census Bureau conducts the decennial census. These two events coincide once every 30 years. Recognizing that the Census Bureau may not have the capacity to assist HPD in the same year as the decennial census, the State amended the Local Emergency Housing Rent Control Act in April 2020 so that, on the occasion the decennial census and the HVS coincide, the due date of the required survey and local determination of a public emergency are to be postponed by one year.¹² The due date for the next determination was thus moved from April 1, 2021 to April 1, 2022. In accordance with that amendment, the New York City Council passed Local Law Number 113 for the year 2020, amending the expiration date of the New York City Rent Stabilization Law to reflect the extension of the deadline for the Council's determination by one year, from April 1, 2021 to April 1, 2022.¹³

Accordingly, the 2021 HVS was completed between February and July of 2021, with a new module to capture the effects of the Covid-19 pandemic.¹⁴ Recognizing that the COVID-19 pandemic caused additional delays to the 2021 HVS and local determination of an emergency, the State legislature passed, and Governor Kathy Hochul signed, legislation to permit the further extension of the deadline by three months.¹⁵ The stated purpose of this additional extension was to ensure sufficient time to complete the survey, given the context of the COVID-19 pandemic. Pursuant to this, the City Council passed Local Law Number 55 for the year 2022, amending the expiration date of the New York City Rent Stabilization Law to reflect the extension of the deadline for the City Council's determination by an additional three months, from April 1, 2022 to July 1, 2022.¹⁶

The Selected Initial Findings from the 2021 HVS indicate a citywide rental vacancy rate of 4.54%.¹⁷ According to the 2021 HVS, there were 103,200 available rental units in New York City as of the survey period, out of a total stock of 2,274,000 units,¹⁸ compared with 79,190 out of 2,183,064 units for a net vacancy rate of 3.63% in 2017.¹⁹ In 2021, the median monthly rent for all renter-occupied units was \$1,500, with rent levels

⁷ N.Y. Unconsolidated Law § 8603.

⁸ *See*: Local Emergency Housing Rent Control Act § 1(3); Emergency Tenant Protection Act of 1974 § 3.

⁹ U.S. Census Bureau, *New York City Housing and Vacancy Survey (NYCHVS): About this Survey*, <https://www.census.gov/programs-surveys/nychvs/about.html> (last visited June 13, 2022).

¹⁰ *Id.*

¹¹ *See*: Local Emergency Housing Rent Control Act § 1(3); Emergency Tenant Protection Act of 1974 § 3.

¹² 2020 Sess. Law News of N.Y. Ch. 56 (S. 7506-B) (McKinney's).

¹³ N.Y.C. Council Local Law No. 113/2020, *available at* <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=4642204&GUID=4E7BAF52-4D04-4BE3-8DC3-C0ADB1927AB4&Options=ID|Text|&Search=2093>

¹⁴ N.Y.C. Dep't of Housing Preservation and Development, *About: Research*, *available at* <https://www1.nyc.gov/site/hpd/about/research.page> (last visited Feb. 18, 2022).

¹⁵ N.Y. S.B. 6916/A.B. 7918, <https://www.nysenate.gov/legislation/bills/2021/s6916>.

¹⁶ N.Y.C. Council Local Law No. 55/2022, *available at* <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=5461028&GUID=2869C64A-12BA-4C41-A573-01727080DC6B&Options=ID|Text|&Search=%2226-520%22>.

¹⁷ *See* N.Y.C. Department of Housing Preservation & Development, *2021 New York City Housing and Vacancy Survey Selected Initial Findings*, 9, 26 (May 16, 2022) <https://www1.nyc.gov/assets/hpd/downloads/pdfs/services/2021-nychvs-selected-initial-findings.pdf>.

¹⁸ *Id.*

¹⁹ *See* N.Y.C. Department of Housing Preservation & Development, *Selected Initial Findings of the 2017 New York City Housing and Vacancy Survey* (Feb. 9, 2018) <https://www1.nyc.gov/assets/hpd/downloads/pdfs/about/2017-hvs-initial-findings.pdf>.

varying based on location, segment of the rental stock, and building and unit characteristics.²⁰ The median asking rent for all units that were vacant and available for rent was \$2,750.²¹

LEGISLATION

Below are brief summaries of the legislation being heard by the Committee at this hearing. These summaries are intended for informational purposes only and do not substitute for legal counsel. For more detailed information, you should review the full text of the bills, which are attached below.

Preconsidered Int. No. 558-A, A Local Law to amend the administrative code of the city of New York, in relation to continuation of the New York city rent stabilization law of nineteen hundred sixty-nine

This bill would declare a continued need for rent regulation and control, and would extend the expiration date of the New York City Rent Stabilization Law of 1969 from July 1, 2022 to April 1, 2024.

This legislation would take effect immediately.

Preconsidered Res. No. 247, Resolution determining that a public emergency requiring rent control in the city of New York continues to exist and will continue to exist after July 1, 2022

As a result of the 2021 HVS finding that the citywide vacancy rate is less than 5%, the City can declare that there is still a need for rent regulation. This resolution states that the New York City Council has determined that the continuation of the regulation and control of residential rents and evictions on and after July 1, 2022 is necessary to protect the public health, safety and general welfare and that such regulation and control should be continued.

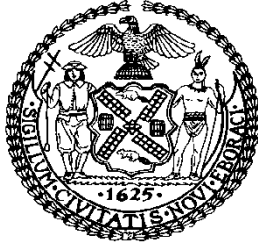
Update

On Wednesday, June 15, 2022, the Committee adopted Preconsidered Int. No. 558-A by a vote of eight in the affirmative, one in the negative, and zero abstentions; and Preconsidered Res. No. 247 by a vote of eight in the affirmative, zero in the negative, and zero abstentions.

(The following is the text of the Fiscal Impact Statement for Int. No. 558-A:)

²⁰ *Supra* note 17 at 18.

²¹ *Id.* At 30.



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

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

FISCAL IMPACT STATEMENT

PRECONSIDERED INT. NO. 558-A

COMMITTEE: Housing and Buildings

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to extending the rent stabilization laws.

SPONSOR: Council Members Sanchez and Farías.

SUMMARY OF LEGISLATION: Preconsidered Intro. No. 558-A would extend the existing Rent Stabilization Law from July 1, 2022 to April 1, 2024 on the basis of the finding that a serious public emergency continues to exist in the rental housing market of New York City and that this emergency will continue after July 1, 2022. Under New York state law, whether such an emergency exists is determined by whether the citywide rental vacancy rate is less than five percent.

According to findings from the U.S. Census Bureau’s 2021 New York City Housing and Vacancy Survey, which were submitted to the City Council by the New York City Department of Housing Preservation and Development (HPD) in May 2022, the citywide rental vacancy rate for the period between February and July 2021 was 4.54 percent. This figure was calculated by dividing the number of vacant, non-dilapidated units available for rent (103,200 units) by the number of renter-occupied, dilapidated and non-dilapidated units available for rent (2,274,000 units).

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023

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 estimated that there would be no impact on revenues resulting from the enactment of this legislation. According to the 2021 New York City Housing and Vacancy Survey, rent-stabilized units numbered 1,006,000 and rent-controlled units numbered 16,400 out of a total of 2,274,000 rental units. If this legislation is not passed and wholesale deregulation occurred, the City could see some increase in property tax revenue once property assessments were fully increased to reflect higher rents. However, since this legislation would not alter current property assessments, no estimate of such revenue is provided here.

IMPACT ON EXPENDITURES: It is anticipated that this legislation would have no impact on expenditures. Since this legislation is a straight extension of existing rent regulations, its passage should not have any new impact on residential displacement due to affordability issues.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Daniel Kroop, Senior Financial Analyst

ESTIMATED REVIEWED BY: Chima Obichere, Unit Head
Malcom Butehorn, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as a Preconsidered Int. and was referred to the Committee on Housing and Buildings (Committee). The legislation was heard by the Committee on June 7, 2022 and subsequently amended. The amended version, Preconsidered Int. 558-A will be voted on by the Committee at a hearing on June 15, 2022. Upon successful vote by the Committee, the bill will be submitted to the full Council for a vote on June 16, 2022.

DATE PREPARED: June 14, 2022.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 558-A:)

Int. No. 558-A

By Council Members Sanchez, Farías, Barron, Hudson, Kagan, Avilés, Richardson Jordan, Cabán, Hanif and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to extending the rent stabilization laws

Be it enacted by the Council as follows:

Section 1. Section 26-502 of the administrative code of the city of New York, as amended by local law number 85 for the year 2018, is amended to read as follows:

§ 26-502 Additional findings and declaration of emergency. The council hereby finds that a serious public emergency continues to exist in the housing of a considerable number of persons with the city of New York and will continue to exist on and after [April] *July* 1, [2018] *2022* and hereby reaffirms and repromulgates the findings and declaration set forth in section 26-501 of this title.

§ 2. Section 26-520 of the administrative code of the city of New York, as amended by local law number 55 for the year 2022, is amended to read as follows:

§ 26-520 Expiration date. This chapter shall expire on [July] *April* 1, [2022] *2024* unless rent control shall sooner terminate as provided in subdivision three of section one of the local emergency housing rent control law.

§ 3. This local law takes effect immediately.

PIERINA ANA SANCHEZ, *Chairperson*; ALEXA AVILÉS, CHARLES BARRON, TIFFANY CABÁN, ERIC DINOWITZ, OSWALD FELIZ, CRYSTAL HUDSON, ARI KAGAN; 8-0-0; *Abstain*: David M. Carr; Committee on Housing and Buildings, June 15, 2022 (Hybrid 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 of the Committee on Land Use

Report for L.U. No. 52

Report of the Committee on Land Use in favor of approving Application number C 220159 HAK (Sutter Place NCP) submitted by the 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 for such area, 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, to facilitate the development of four buildings containing an approximate total of 46 affordable housing units and a commercial space on property located at 492-496 Glenmore Avenue (Block 3725, Lots 12 and 13), 2358-2363 Pitkin Avenue (Block 4015, Lots 22, 23, and 24), 943 Dumont Avenue (Block 4063, Lot 52), and 743 Blake Avenue (Block 3775, Lot 150), Borough of Brooklyn, Community District 5, Council Districts 37 and 42.

The Committee on Land Use, to which the annexed Land Use item was referred on May 5, 2022 (Minutes, page 946) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 5

C 220159 HAK

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

1. pursuant to Article 16 of the General Municipal Law of New York State for:
 - a. the designation of property located at 492-496 Glenmore Avenue (Block 3725, Lots 12 and 13), 2358-2362 Pitkin Avenue (Block 4015, Lots 22, 23, and 24), 943 Dumont Avenue (Block 4063, Lot 52), and 743 Blake Avenue (Block 3775, Lot 150) 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 four buildings containing an approximate total of 46 affordable housing units and a commercial space.

INTENT

To approve the urban development action area designation, project approval, and disposition of city-owned property to facilitate the development of three new residential buildings and one mixed-use building with residential use and ground floor commercial use containing approximately 46 dwelling units and approximately 1,800 square feet of commercial space on four sites in the East New York neighborhood of Brooklyn Community District 5.

PUBLIC HEARING**DATE:** May 11, 2022**Witnesses in Favor:** Eight**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** June 7, 2022

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

In Favor:

Louis
Feliz
De La Rosa
Marte
Nurse
Ung
Vernikov

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** June 14, 2022

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca
Moya
Rivera
Louis
Riley
Brooks-Powers
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. 249

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 220159 HAK, approving the designation of an Urban Development Action Area, an Urban Development Action Area Project, and the disposition of city-owned property located at 492-496 Glenmore Avenue (Block 3725, Lots 12 and 13), 2358-2362 Pitkin Avenue (Block 4015, Lots 22, 23, and 24), 943 Dumont Avenue (Block 4063, Lot 52), and 743 Blake Avenue (Block 3775, Lot 150), Borough of Brooklyn, Community District 5, to a developer selected by HPD (L.U. No. 52; C 220159 HAK).

By Council Members Salamanca and Louis.

WHEREAS, the City Planning Commission filed with the Council on April 29, 2022 its decision dated April 27, 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 492-496 Glenmore Avenue (Block 3725, Lots 12 and 13), 2358-2362 Pitkin Avenue (Block 4015, Lots 22, 23, and 24), 943 Dumont Avenue (Block 4063, Lot 52), and 743 Blake Avenue (Block 3775, Lot 150), (the “Disposition Area”), approving:

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

to facilitate the development of three new residential buildings and one mixed-use building with residential use and ground floor commercial use containing approximately 46 rental dwelling units and approximately 1,800 square feet of commercial space on four sites in the East New York neighborhood of Brooklyn, Community District 5 (ULURP No. C 220159 HAK) (the “Application”);

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

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

WHEREAS, by letter dated April 14, 2022 and submitted to the Council on April 14, 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 May 11, 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 December 10th, 2021 (CEQR No. 19HPD062K) (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 220159 HAK and incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission and the HPD Requests.

Pursuant to Article 16 of the General Municipal Law of the New York State, based on the environmental determination, and the consideration described in the report C 220159 HAK and incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission and the HPD Requests.

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

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

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

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

ATTACHMENT:

Project Summary

- 1. **PROGRAM:** NEIGHBORHOOD CONSTRUCTION PROGRAM
- 2. **PROJECT:** Sutter Place NCP
- 3. **LOCATION:**
 - a. **BOROUGH:** Brooklyn
 - b. **COMMUNITY DISTRICT:** 5
 - c. **COUNCIL DISTRICT:** 37 and 42
 - d. **DISPOSITION AREA:**

<u>BLOCK</u>	<u>LOT(S)</u>	<u>ADDRESS(ES)</u>
3725	12, 13	492-496 Glenmore Ave
4015	22, 23, 24	2358-2362 Pitkin Ave
4063	52	943 Dumont Ave
3775	150	743 Blake Ave

- 4. BASIS OF DISPOSITION PRICE:** Nominal. Sponsor will pay one dollar per lot and deliver a note and mortgage for the remainder of the appraised value (“Land Debt”). For a period of at least thirty (30) years following completion of construction, the Land Debt or the City’s capital subsidy may be repayable out of resale or refinancing profits. The remaining balance, if any, may be forgiven at the end of the term.
- 5. TYPE OF PROJECT:** New Construction
- 6. APPROXIMATE NUMBER OF BUILDINGS:** 4
- 7. APPROXIMATE NUMBER OF UNITS:** 46 dwelling units
- 8. HOUSING TYPE:** Rental
- 9. ESTIMATE OF INITIAL RENTS** Rents will be affordable to families with incomes between 30% and 80% of area median income (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** Up to 80 % of AMI.
- 11. PROPOSED FACILITIES:** Approximately 1,984 square feet of commercial space
- 12. PROPOSED CODES/ORDINANCES:** None
- 13. ENVIRONMENTAL STATUS:** Negative Declaration
- 14. PROPOSED TIME SCHEDULE:** Approximately 24 months from closing to completion of construction

RAFAEL SALAMANCA, *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; June 14, 2022 (Remote Hearing) ; *Other Council Members Attending: Council Member Barron.*

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. 61

Report of the Committee on Land Use in favor of approving Application number C 210293 PSX (EMS Station 17 New Facility) submitted by the New York City Fire Department (NYFD) and the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the site selection of property located at 1257 Morris Avenue (Block 2450, Lot 42) for use as an ambulance station EMS facility, Borough of the Bronx, Community District 4, Council District 16.

The Committee on Land Use, to which the annexed Land Use item was referred on May 19, 2022 (Minutes, page 1145) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:**SUBJECT****BRONX CB-4 – TWO APPLICATIONS RELATED TO EMS STATION 17 NEW FACILITY****C 210293 PSX (L.U. No. 61)**

City Planning Commission decision approving an application submitted by the New York City Fire Department (NYFD) and the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the site selection of property located at 1257 Morris Avenue (Block 2450, Lot 42) for use as an ambulance station EMS facility.

C 210294 ZSX (L.U. No. 62)

City Planning Commission decision approving an application submitted by the New York City Fire Department (FDNY) and the Department of Citywide Administrative Services (DCAS) pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-67 of the Zoning Resolution to allow a FDNY Emergency Medical Service (EMS) Station use to be located in a residence district, in connection with a proposed 2-story EMS station building, on property located at 1257 Morris Avenue (Block 2450, Lot 42), in an R7-1 District.

INTENT

To approve the site selection of property located at 1257 Morris Avenue (Block 2450, Lot 42) for as an ambulance station EMS facility and grant an approval of the special permit pursuant to ZR Section 74-67 to allow an ambulance station in a residential zoning district to facilitate the relocation of an FDNY ambulance station, known as Emergency Medical Service (EMS) 17, to a new facility that will accommodate ambulances, equipment and personnel and be located at 1257 Morris Avenue Block 2450, Lot 42) in the Concourse neighborhood of Bronx, Community District 4.

PUBLIC HEARING**DATE:** June 7, 2022**Witnesses in Favor:** Two**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** June 14, 2022

The Subcommittee recommends that the Land Use Committee approve the decisions of the City Planning Commission on L.U. Nos. 61 and 62.

In Favor:

Louis
De La Rosa
Feliz
Marte
Nurse
Ung
Vernikov

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** June 14, 2022

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Moya
Rivera
Louis
Riley
Brooks-Powers
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. 250

Resolution approving the decision of the City Planning Commission on ULURP No. C 210293 PSX (L.U. No. 61), for the site selection of property located at 1257 Morris Avenue (Block 2450, Lot 42) for use as an ambulance station EMS facility, Borough of the Bronx, Community District 4.

By Council Members Salamanca and Louis.

WHEREAS, the New York City Fire Department (NYFD) and the Department of Citywide Administrative Services (DCAS), filed an application pursuant to Section 197-c of the New York City Charter for the site selection of property located at 1257 Morris Avenue (Block 2450, Lot 42) for use as an ambulance station EMS facility, which in conjunction with the related action would facilitate the relocation of an FDNY ambulance station, known as Emergency Medical Service (EMS) 17, to a new facility that will accommodate ambulances, equipment and personnel and be located at 1257 Morris Avenue Block 2450, Lot 42) in the Concourse neighborhood of Bronx, Community District 4 (ULURP No. C 210293 PSX) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on May 13, 2022 its decision dated April 27, 2022 (the "Decision") on the Application;

WHEREAS, the Application is related to application C 210294 ZSX (L.U. No. 62), a special permit pursuant to Zoning Resolution (ZR) Section 74-67 to allow an ambulance station in a residential 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 June 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 March 20th, 2021 (CEQR No. 20FDO001X) (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 City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 210293 PSX, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission, approving the application by the New York City Fire Department and the Department of Citywide Administrative Services for the site selection of property located at 1257 Morris Avenue between East 167th and East 169th Streets (Block 2450, Lot 42), Borough of the Bronx, for use as an EMS facility.

RAFAEL SALAMANCA, *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, June 14, 2022 (Remote Hearing). *Other Council Members Attending: Council Member Barron.*

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. 62

Report of the Committee on Land Use in favor of approving Application number C 210294 ZSX (EMS Station 17 New Facility) submitted by the New York City Fire Department (FDNY) and the Department of Citywide Administrative Services (DCAS), pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-67 of the Zoning Resolution to allow a FDNY Emergency Medical Service (EMS) Station use to be located in a residence district, in connection with a proposed 2-story EMS station building, on property located at 1257 Morris Avenue (Block 2450, Lot 42), in an R7-1 District, Borough of the Bronx, Community District 4, Council District 16.

The Committee on Land Use, to which the annexed Land Use item was referred on May 19, 2022 (Minutes, page 1145) 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. 61 printed in these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 251

Resolution approving the decision of the City Planning Commission on ULURP No. C 210294 ZSX, for the grant of a special permit (L.U. No. 62).

By Council Members Salamanca and Louis.

WHEREAS, the New York City Fire Department (FDNY) and the Department of Citywide Administrative Services (DCAS), 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 74-67 of the Zoning Resolution to allow a FDNY Emergency Medical Service (EMS) Station use to be located in a residence district, in connection with a proposed 2-story EMS station building, on property located at 1257 Morris Avenue (Block 2450, Lot 42), in an R7-1 District, which in conjunction with the related action would facilitate development of a new Emergency Medical Service (EMS) station in the concourse neighborhood of the Bronx, Community District 4 (ULURP No. C 210294 ZSX) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on May 13, 2022, its decision dated April 27, 2022 (the “Decision”) on the Application;

WHEREAS, the Application is related to application C 210293 PSX (L.U. No. 61), a site selection of property for use as an EMS facility;

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 74-67 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 June 7, 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 20th, 2021 (CEQR No. 20FDO001X) (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 210294 ZSX, 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 210294 ZSX) shall be developed in size and arrangement in accordance with the dimensions, specifications, and zoning computations indicated on the following plans, prepared by Allied Works Architecture, Inc., filed with this application, and incorporated into this resolution:

<u>Drawing No.</u>	<u>Title</u>	<u>Last Date Revised</u>
Z-001.02	Zoning Lot Site Plan	12/6/2021
Z-002.02	Zoning Analysis	12/6/2021
Z-005.02	Zoning Section 1	12/6/2021
Z-006.02	Zoning Section 2	12/6/2021

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 restrictions, agreements, terms, or conditions of this resolution whose provision 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 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 to disapprove any application for modification, cancellation, or amendment of the special permit.

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 employees or agents' failure to act in accordance with the provisions of this special permit.

RAFAEL SALAMANCA, *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI;; 13-0-0; Committee on Land Use, June 14, 2022 (Remote Hearing). *Other Council Members Attending: Council Member Barron.*

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

Report for L.U. No. 63

Report of the Committee on Land Use in favor of approving, as modified, Application number C 200228 ZMX (4541 Furman Avenue Rezoning) submitted by Markland 4551, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 2a, changing from an M1-1 District to an R7D District and establishing within the proposed R7D District a C2-4 District, Borough of the Bronx, Community District 12, Council District 11.

The Committee on Land Use, to which the annexed Land Use item was referred on May 19, 2022 (Minutes, page 1145), respectfully

REPORTS:

SUBJECT

**BRONX CB-12 - TWO APPLICATIONS RELATED TO 4541 FURMAN AVENUE
REZONING**

C 200228 ZMX (L.U. No. 63)

City Planning Commission decision approving an application submitted by Markland 4551, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 2a:

1. changing from an M1-1 District to an R7D District property bounded by White Plains Road, East 240th Street, Furman Avenue and a line 300 feet northeasterly of East 239th Street; and

- 2. establishing within the proposed R7D District a C2-4 District bounded by White Plains Road, East 240th Street, a line midway between White Plains Road and Furman Avenue, and a line 300 feet northeasterly of East 239th Street

as shown on a diagram (for illustrative purposes only) dated January 3, 2022, and subject to the conditions of CEQR Declaration E-656.

N 200229 ZRX (L.U. No. 64)

City Planning Commission decision approving an application submitted by Markland 4551, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area and Appendix I for the purpose of modifying the existing Transit Zone.

INTENT

To approve the amendment to rezone the project area from an M1-1 zoning district to an R7D/C2-4 zoning district; and amend the zoning text to establish the project area as a Mandatory Inclusionary Housing (MIH) area and to Appendix I to extend the boundary of Transit Zone 1 to facilitate a mixed-use development with approximately 148 units of affordable housing, approximately 7,150 square feet of retail use on the ground floor and approximately 11,100 square feet of community facility space located at 4541 Furman Avenue in the Wakefield neighborhood of the Bronx, Community District 12.

PUBLIC HEARING

DATE: May 31, 2022

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: June 14, 2022

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission on L.U. No. 63 and approve with modifications the decision of the City Planning Commission on L.U. No. 64.

In Favor:
 Riley
 Moya
 Louis
 Abreu
 Bottcher

Against:
 None

Abstain:
 None

Hanks
Schulman
Carr

COMMITTEE ACTION

DATE: June 14, 2022

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Moya
Rivera
Louis
Riley
Brooks-Powers
Bottcher
Hanks
Kagan
Krishnan
Mealy
Borelli

Against:

Abstain:

Sanchez

RAFAEL SALAMANCA, *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, , JOSEPH C. BORELLI; 12-1-0; *Abstain:* Pierina Ana Sanchez; Committee on Land Use, June 14, 2022 (Remote Hearing). *Other Council Members Attending: Council Member Barron.*

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

Report for L.U. No. 64

Report of the Committee on Land Use in favor of approving, as modified, Application number N 200229 ZRX (4541 Furman Avenue Rezoning) submitted by Markland 4551, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area and Appendix I for the purpose of modifying the existing Transit Zone, Borough of the Bronx, Community District 12, Council District 11.

The Committee on Land Use, to which the annexed Land Use item was referred on May 19, 2022 (Minutes, page 1145), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 63 printed in these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, , JOSEPH C. BORELLI; 12-1-0; *Abstain*: Pierina Ana Sanchez; Committee on Land Use, June 14, 2022 (Remote Hearing). *Other Council Members Attending: Council Member Barron.*

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. 65

Report of the Committee on Land Use in favor of approving Application number C 200335 ZMK (98 Third Avenue) submitted by 98 Third Avenue Realty, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c, changing from an M1-2 District to an R6B District, changing from an M1-2 District to an R7D District, and establishing within the proposed R7D District a C2-4 District, Borough of Brooklyn, Community District 2, Council District 33.

The Committee on Land Use, to which the annexed Land Use item was referred on May 19, 2022 (Minutes, page 1146) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BROOKLYN CB-2 - TWO APPLICATIONS RELATED TO 98 THIRD AVENUE

C 200335 ZMK (L.U. No. 65)

City Planning Commission decision approving an application submitted by 98 Third Avenue Realty, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c:

1. changing from an M1-2 District to an R6B District property bounded by a line midway between Bergen Street and Wyckoff Street, a line 100 feet northwesterly of 3rd Avenue, Wyckoff Street, and a line 120 feet northwesterly of 3rd Avenue;
2. changing from an M1-2 District to an R7D District property bounded by Bergen Street, 3rd Avenue, Wyckoff Street, and a line 100 feet northwesterly of 3rd Avenue; and
3. establishing within the proposed R7D District a C2-4 District bounded by Bergen Street, 3rd Avenue, Wyckoff Street, and a line 100 feet northwesterly of 3rd Avenue;

as shown on a diagram (for illustrative purposes only) dated December 13, 2021, and subject to the conditions of CEQR Declaration E-647.

N 200336 ZRK (L.U. No. 66)

City Planning Commission decision approving an application submitted by 98 Third Avenue Realty, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

INTENT

To approve the amendment to rezone the project area from an M1-2 zoning district to an R7D/C2-4 zoning district and an R6B zoning district, and amend the zoning text to designate a Mandatory Inclusionary Housing (MIH) area to facilitate the construction of a new mixed-use development containing approximately 24 dwelling units, approximately eight of which would be affordable under the Mandatory Inclusionary Housing (MIH) Program, as well as approximately 3,500 square feet of commercial floor area on the ground floor of the building, located at 98 Third Avenue (Block 388, Lot 31) in the Boerum Hill neighborhood of Community District 2, Brooklyn.

PUBLIC HEARING

DATE: May 31, 2022

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: June 14, 2022

The Subcommittee recommends that the Land Use Committee approve the decisions of the City Planning Commission on L.U. Nos. 65 and 66.

In Favor:

Riley
Moya
Louis
Abreu
Bottcher
Hanks
Schulman
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** June 14, 2022

The Committee recommends that the Council approve the attached resolutions.

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

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

Res. No. 252

Resolution approving the decision of the City Planning Commission on ULURP No. C 200335 ZMK, a Zoning Map amendment (L.U. No. 65).

By Council Members Salamanca and Riley.

WHEREAS, 98 Third Avenue Realty, LLC, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c, changing from an M1-2 District to an R6B District, changing from an M1-2 District to an R7D District, and establishing within the proposed R7D District a C2-4 District, which in conjunction with the related action would facilitate the construction of a new mixed-use development containing approximately 24 dwelling units, approximately eight of which would be affordable under the Mandatory Inclusionary Housing (MIH) Program, as well as approximately 3,500 square feet of commercial floor area on the ground floor of the building, located at 98 Third Avenue (Block 388, Lot 31) in the Boerum Hill neighborhood of Community District 2, Brooklyn (ULURP No. C 200335 ZMK) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on May 13, 2022 its decision dated May 11, 2022 (the "Decision") on the Application;

WHEREAS, the Application is related to application N 200336 ZRK (L.U. No. 66), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on May 31, 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 December 13th, 2021 (CEQR No. 21DCP096K) which includes an (E) designation on the development site to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise impacts (E-647) (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-647) 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 200335 ZMK incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section 16c:

1. changing from an M1-2 District to an R6B District property bounded by a line midway between Bergen Street and Wyckoff Street, a line 100 feet northwesterly of 3rd Avenue, Wyckoff Street, and a line 120 feet northwesterly of 3rd Avenue;
2. changing from an M1-2 District to an R7D District property bounded by Bergen Street, 3rd Avenue, Wyckoff Street, and a line 100 feet northwesterly of 3rd Avenue; and
3. establishing within the proposed R7D District a C2-4 District bounded by Bergen Street, 3rd Avenue, Wyckoff Street, and a line 100 feet northwesterly of 3rd Avenue;

as shown on a diagram (for illustrative purposes only) dated December 13, 2021, and subject to the conditions of CEQR Declaration E-647, Borough of Brooklyn, Community District 2.

RAFAEL SALAMANCA, *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, June 14, 2022 (Remote Hearing). *Other Council Members Attending: Council Member Barron.*

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

Report for L.U. No. 66

Report of the Committee on Land Use in favor of approving Application number N 200336 ZRK (98 Third Avenue) submitted by 98 Third Avenue Realty, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 2, Council District 33.

The Committee on Land Use, to which the annexed Land Use item was referred on May 19, 2022 (Minutes, page 1146) 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. 65 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 253

Resolution approving the decision of the City Planning Commission on Application No. N 200336 ZRK, for an amendment of the text of the Zoning Resolution (L.U. No. 66).

By Council Members Salamanca and Riley.

WHEREAS, 98 Third Avenue Realty, LLC, filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, which in conjunction with the related action would facilitate the construction of a new mixed-use development containing approximately 24 dwelling units, approximately eight of which would be affordable under the Mandatory Inclusionary Housing (MIH) Program, as well as approximately 3,500 square feet of commercial floor area on the ground floor of the building, located at 98 Third Avenue (Block 388, Lot 31) in the Boerum Hill neighborhood of Brooklyn, Community District 2 (ULURP No. N 200336 ZRK) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on May 13, 2022, its decision dated May 11, 2022 (the “Decision”), on the Application;

WHEREAS, the Application is related to application C 200335 ZMK (L.U. No. 65), a zoning map amendment to change an M1-2 zoning district to an R7D/C2-4 zoning district and an R6B zoning district;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on May 31, 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 December 13th, 2021 (CEQR No. 21DCP096K) which includes an (E) designation on the development site to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise impacts (E-647) (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-647) 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 200336 ZRK, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

Matter underlined is new, to be added;

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

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

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

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

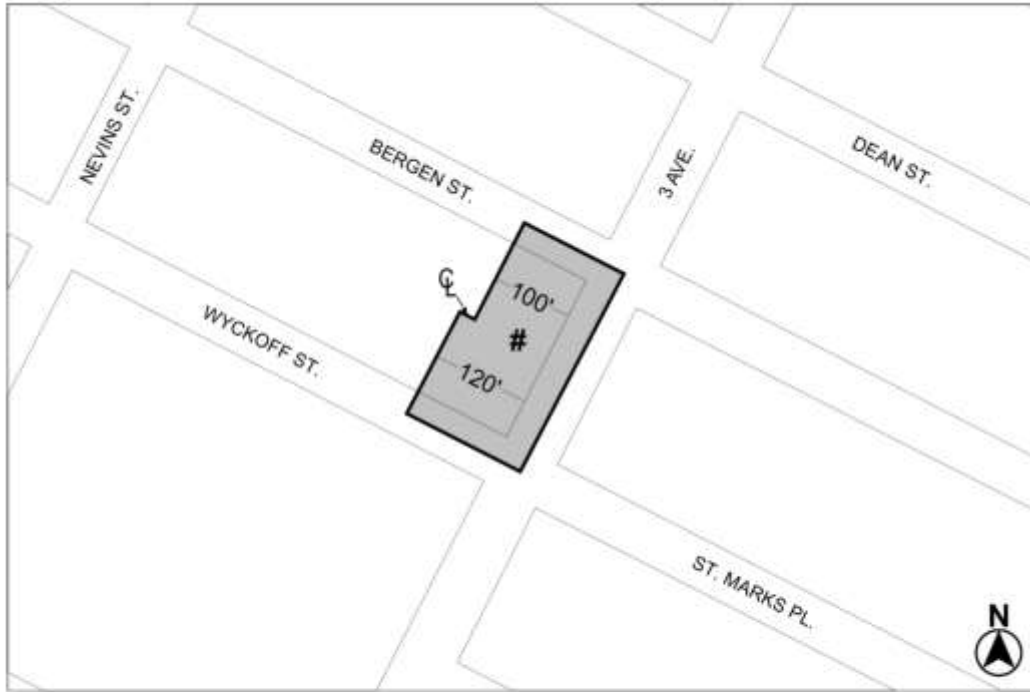
BROOKLYN

* * *

Brooklyn Community District 2

* * *

Map 10 – [date of adoption]



 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 2, Brooklyn

* * *

RAFAEL SALAMANCA, *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, June 14, 2022 (Remote Hearing). *Other Council Members Attending: Council Member Barron.*

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 Rules, Privileges and Elections

Report for M-69

Report of the Committee on Rules, Privileges and Elections in favor of approving the appointment of Leila Bozorg as a member of the New York City Planning Commission.

The Committee on Rules, Privileges and Elections, to which the annexed communication was referred on June 2, 2022 (Minutes, page 1217) and which same Council communication was coupled with the resolution shown below, respectfully

REPORTS:

New York City Planning Commission – (Candidate for appointment by the Manhattan Borough President upon the advice and consent of the Council)

- **Leila Bozorg [M-69]**

Pursuant to the *New York City Charter* (“*Charter*”) §192, there shall be a thirteen-member City Planning Commission, with seven appointments made by the Mayor (including the Chair), one by the Public Advocate, and one by each Borough President. [*Charter* §192(a)] All members, except the Chair, are subject to the advice and consent of the Council. [*Charter* §192(a)] Further, the *Charter* states that members are to be chosen for their independence, integrity, and civic commitment. [*Charter* §192(a)]

The *Charter* provides that CPC members shall serve for staggered five-year terms, except for the Chair, who as Director of the Department of City Planning (*Charter* §191), serves at the pleasure of the Mayor. [*Charter* §192(a)] For purposes of Chapter 68 of the *Charter* (Conflicts of Interest), CPC members, other than the Chair, shall not be considered regular employees of the City. [*Charter* §192(b)] There is no limitation on the number of terms a CPC member may serve. [*Charter* §192(a)] CPC members are prohibited from holding any other City office while they serve on the CPC. [*Charter* §192(b)] The Chair receives an annual salary of \$222,326.00. The member who is designated as Vice-Chair receives an annual salary of \$73,855.00. The other members receive an annual salary of \$64,224.00.

CPC is responsible for the following:

- CPC must engage in planning focused on the City’s orderly growth, improvement, and future development, which includes consideration of appropriate resources for housing, business, industry, recreation, and culture. [*Charter* §192(d)];
- CPC assists the Mayor and other officials in developing the ten-year capital strategy, the four-year capital program, as well as the annual *Statement of Needs*. [*Charter* §192(f)];
- CPC oversees and coordinates environmental reviews under the *City Environmental Quality Review* (“CEQR”), as mandated by state law (*Environmental Conservation Law* – Article 8). [*Charter* §192(e)]; and
- CPC must review, and either approve or deny, any City proposal involving the City’s request to make acquisitions for office space and any requests for existing buildings for office use. [*Charter* §195]

CPC is also responsible for promulgating various rules, some of which consists of the following:

- It is CPC’s responsibility to establish minimum standards for certifying the *Uniform Land Use and Review Procedure* (“*ULURP*”) applications, which includes providing specific time periods for pre-certification review. [*Charter* §197-c (i)];
- The criteria associated with the selection of sites for capital projects is also established by CPC. [*Charter* §218 (a)];
- CPC establishes the minimum standards for the form and content of plans for the development of the City and boroughs. [*Charter* §197-a (b)]; and
- CPC also adopts rules that either list major concessions or establishes a procedure for determining whether a concession is defined as a *major concession*, as it relates to the act of City Agencies granting concessions. [*Charter* §374 (b)].

If appointed to the CPC, Ms. Bozorg, a resident of Manhattan, will succeed Anna Hayes Levin and serve the remainder of a five-year term that expires on June 30, 2024. A copy of the candidate’s résumé as well as the related associated message is attached to this briefing paper.

(After interviewing the candidate and reviewing the submitted material, the Committee decided to approve the appointment of the nominee LEILA BOZORG [M-69]:)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to § 192 of the *New York City Charter*, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Manhattan Borough President of Leila Bozorg as a member of the New York City Planning Commission to serve for the remainder a five-year term that will expire on June 30, 2024.

This matter was be referred to the Committee on June 2, 2022

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

Res. No. 254

RESOLUTION APPROVING THE APPOINTMENT BY THE MANHATTAN BOROUGH PRESIDENT OF LEILA BOZORG AS A MEMBER OF THE NEW YORK CITY PLANNING COMMISSION.

By Council Member Powers.

RESOLVED, that pursuant to § 192 of the *New York City Charter*, the Council does hereby approve the appointment by the Manhattan Borough President of Leila Bozorg as a member of the New York City Planning Commission to serve for the remainder of a five-year term that will expire on June 30, 2024.

KEITH POWERS, *Chairperson*; RAFAEL SALAMANCA, Jr.; SELVENA N. BROOKS-POWERS, JUSTIN L. BRANNAN, GALE BREWER, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI, THE SPEAKER (COUNCIL MEMBER ADRIENNE E. ADAMS); 8-0-0; *Absent*: Rafael Salamanca, Jr.; Committee on Rules, Privileges and Elections, June 16, 2022 (Hybrid 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).

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:

(For text of the report and Fiscal Impact Statement, please see the Minutes of the Stated Meeting of June 2, 2022, page 1260)

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).

Laid Over by the Council.

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

- (1) **M-63 -** Transmitting recommendations of the interest rate to be charged for Fiscal Year 2023 for non-payment of taxes on real estate and for the discount rate to be allowed for early payment of real estate taxes for Fiscal Year 2023.
- (2) **M-69 & Res 254 -** Submitting the name of **Ms. Leila Bozorg**, to the Council for its advice and consent regarding her appointment to the City Planning Commission.
- (3) **Int 303-A -** Department of Homeless Services and the Human Resources Administration to track and report certain data regarding rental assistance programs.
- (4) **Preconsidered Int 558-A -** Extending the Rent Stabilization Laws.
- (5) **Res 192 -** Interest rate be four percent per annum for Fiscal Year 2023 for non-payment of taxes on properties with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments.
- (6) **Res 193 -** Interest rate be seven percent per annum for Fiscal Year 2023 for non-payment of taxes on properties with an assessed value of more than \$250,000 but less than or equal to \$450,000, or more than \$250,000 but less than or equal to \$450,000 per residential unit for cooperative apartments.
- (7) **Res 194 -** Interest rate be 14 percent per annum for Fiscal Year 2023 for non-payment of taxes on properties with an assessed value of more than \$450,000, or more than \$450,000 per residential unit for cooperative apartments.

- | | |
|--|--|
| (8) L.U. 52 & Res 249 - | App. C 220159 HAK (Sutter Place NCP) Borough of Brooklyn, Community District 5, Council Districts 37 and 42. |
| (9) L.U. 61 & Res 250 - | Appl. C 210293 PSX (EMS Station 17 New Facility) Borough of the Bronx, Community District 4, Council District 16. |
| (10) L.U. 62 & Res 251 - | App. C 210294 ZSX (EMS Station 17 New Facility) Borough of the Bronx, Community District 4, Council District 16. |
| (11) L.U. 65 & Res 252 - | App. C 200335 ZMK (98 Third Avenue) Borough of Brooklyn, Community District 2, Council District 33. |
| (12) L.U. 66 & Res 253 - | App. N 200336 ZRK (98 Third Avenue) Borough of Brooklyn, Community District 2, Council District 33. |
| (13) Preconsidered
L.U. 72 & Res 248 - | SEBCO IV; Bronx, Council District No. 17. |

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, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Vernikov, Williams, Won, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **51**.

The General Order vote recorded for this Stated Meeting was 51-0-0 as shown above with the exception of the votes for the following legislative items:

The following was the vote recorded for **M-63**:

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, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Vernikov, Williams, Won, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **49**.

Negative – Yeger - **1**

Abstention – Barron – **1**.

The following was the vote recorded for **M-69 & Res. No. 254**:

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, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Vernikov, Williams, Won, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **50**.

Abstention – Barron – **1**.

The following was the vote recorded for **Preconsidered Int. No. 558-A**:

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

Negative – Carr, Paladino, and the Minority Leader (Council Member Borelli) - **3**.

The following was the vote recorded for **Res. No. 192**:

Affirmative – Abreu, Ariola, 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, Vernikov, Williams, Won, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **47**.

Negative – Avilés, Barron, Richardson Jordan, and Yeger - **4**.

The following was the vote recorded for **Res. No. 193 and Res. No. 194**:

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, Vernikov, Williams, Won, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **48**.

Negative – Barron, Richardson Jordan, and Yeger - **3**.

The following was the vote recorded for **L.U. No. 65 & Res. No. 252** and **L.U. No. 66 & Res. No. 253**:

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, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Vernikov, Williams, Won, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **50**.

Negative – Barron - **1**.

*The following Introductions were sent to the Mayor for his consideration and approval:
Int. Nos. 303-A and Preconsidered Int. No. 558-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:

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

Report for voice-vote item Res. No. 247

Report of the Committee on Housing and Buildings in favor of approving a Resolution determining that a public emergency requiring rent control in the City of New York continues to exist and will continue to exist on and after July 1, 2022.

The Committee on Housing and Buildings, to which the annexed preconsidered resolution was referred on June 16, 2022, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Housing and Buildings for Int. No. 558-A printed in these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 247:)

Preconsidered Res. No. 247

Resolution determining that a public emergency requiring rent control in the City of New York continues to exist and will continue to exist on and after July 1, 2022.

By Council Members Sanchez, Barron, Hudson, Kagan, Avilés, Cabán, Hanif and Abreu.

Whereas, The City, acting by the Mayor, has caused a survey to be made of the supply of housing accommodations and the need for continuing the regulation and control of residential rents and evictions within the City, and such survey has been submitted to the Council in accordance with the law; now, therefore, be it

Resolved, That the Council hereby determines that the public emergency requiring the regulation and control of residential rents and evictions within the City continues to exist and will continue to exist on and after July 1, 2022, and that an acute shortage of dwellings continues to exist and will continue to exist on and after July 1, 2022, that such shortage constitutes a threat to the citizens of New York City and creates a special hardship to persons and families of limited and moderate means; that unless residential rents and evictions continue to be regulated and controlled, there will be excessive rent increases and evictions for failing to pay such increases, which will produce serious threats to the public health, safety and general welfare, that to prevent such perils to the public health, safety and general welfare, preventive action through local legislation of the City continues to be imperative; that such action, as a temporary measure to be effective until it is determined by the Council that such emergency no longer exists, is necessary in order to prevent threats to the public health, safety and general welfare; that the transition from regulation to a normal market of free bargaining between landlord and tenant, while still the object of State and City policy, must be administered with due regard for such emergency; and be it further

Resolved, That the Council of the City of New York, for the reasons hereinabove set forth, hereby determines, pursuant to subdivision 3 of section 1 of Chapter 21 of the Laws of 1962, as amended, that the continuation of the regulation and control of residential rents and evictions on and after July 1, 2022 is necessary to protect the public health, safety and general welfare and that such regulation and control should be continued as now or hereafter provided pursuant to the provisions of Chapter 3 of Title 26 of the Administrative Code of the City of New York, subject to such amendment as may be enacted into law.

PIERINA ANA SANCHEZ, *Chairperson*; ALEXA AVILÉS, CHARLES BARRON, TIFFANY CABÁN, ERIC DINOWITZ, OSWALD FELIZ, CRYSTAL HUDSON, ARI KAGAN; 8-0-0; *Abstain*: David M. Carr; Committee on Housing and Buildings, June 15, 2022 (Hybrid Hearing).

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 3 Council Members formally noted their intent to vote negative against this item: Council Members Carr, Paladino, and the Minority Leader (Council Member Borelli).

Adopted by the Council by voice-vote.

INTRODUCTION AND READING OF BILLS

Int. No. 515

By The Speaker (Council Member Adams) and Council Members Cabán, Hanif, Abreu, Brewer, Louis, Ung, Gutiérrez and Hudson.

A Local Law to amend the New York city charter, in relation to agency diversity plans, salary data and comparable worth analyses

Be it enacted by the Council as follows:

Section 1. Paragraph 19 of subdivision a of section 815 of the New York city charter, as amended by local law number 12 for the year 2019, is amended to read as follows:

(19) To establish measures and programs to ensure a fair and effective affirmative employment plan to provide equal employment opportunity for minority group members and women who are employed by, or who see employment with, the agency and, in accordance with the uniform procedures and standards established by the department of citywide administrative services for this purpose, to adopt and implement an annual plan to accomplish this objective. *Such plan shall include an analysis of the agency's compensation data and measures to address pay disparity and occupational segregation, diversity and inclusion training, schedule and workplace accommodations and access to facilities, including access for individuals with disabilities, gender appropriate bathrooms and lactation rooms.* Copies of such plans shall be filed with the mayor, council, department of citywide administrative services, equal employment practices commission, and city civil service commission and shall be made available for reasonable public inspection. In carrying out duties related to this paragraph, the heads of city agencies shall cooperate fully with the department of citywide administrative services' office of diversity and inclusion in accordance with section 814.1; and

§ 2. Section 815 of the New York city charter is amended by adding new subdivision l to read as follows:

l. No later than September 30, 2022 and each September 30 annually thereafter, the head of each city agency shall publish and submit to the mayor, speaker of the council, department of citywide administrative services and the equal employment practices commission a report on the number of new full-time and part-time employees retained by each agency, the number of employees promoted at each agency, their level of promotion, old and new titles and their change in pay, the number of employees terminated by the agency and their pay at the time of termination, the number of employees that left the agency and the pay received by such employees. The required report shall include aggregated data from each agency showing the frequency of full-time, part-time and seasonal employees retained by agency, EEO-4 job group, pay band, racial group, ethnicity, gender, exit interview information disclosing the reason for leaving an agency, and the factors that affected an employee's pay including parental leave, family and medical leave, schedule accommodations or other relevant information. Such report shall include aggregated data from each agency showing in a format that prevents the disclosure of the racial group, ethnicity and gender of any employee, while maximizing the level of detail at which such data is reported

§ 3. Subdivision d of section 831 of the New York city charter is amended by adding a new paragraph 11 to read as follows:

11. To send to the mayor and the speaker of the council a comparable worth analysis no later than February 15, 2023 and each February 15 annually thereafter. The comparable worth analysis shall consider the nature of the work required by each role, the demands of the role, and the skills a worker utilizes in the role. Such report shall include the methodology used to produce the report and information on the metrics utilized in the comparison, the agencies and roles compared, and the following:

(a) a comparable worth analysis, within each agency, of positions held primarily by agency employees who have identified as non-male and non-white and the compensation for these roles, as compared with positions held primarily by agency employees who have identified as male and white and the compensation for these roles; and

(b) a comparable worth analysis, across different agencies, of similar positions held primarily by employees who have identified as non-male and non-white and the compensation for these roles, as compared with similar positions held primarily by employees who have identified as male and white and the compensation for these roles.

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

Referred to the Committee on Civil and Human Rights.

Int. No. 516

By The Speaker (Council Member Adams) and Council Members Abreu, Ung and Avilés.

A Local Law to amend the administrative code of the city of New York, in relation to demographic diversity within the fire department

Be it enacted by the Council as follows:

Section 1. Title 15 of the administrative code of the city of New York is amended by adding a new section 15-141 to read as follows:

15-141 Firefighter demographic diversity. a. The department, in consultation with the department of citywide administrative services, shall develop and implement a plan for ensuring that the racial, ethnic, and gender demographics of the department's firefighters reflect that of the city's population as a whole. Such plan shall address the targeted recruitment and retention of diverse firefighters and shall include, but need not be limited to:

1. Identifying and remediating obstacles faced in the recruitment, examination, training, hiring, and retention of female firefighters and firefighters of diverse racial and ethnic backgrounds, including through surveying current and candidate firefighters regarding personal experiences within the department;

2. Implementing recruitment campaigns, including the use of online, print and billboard advertisements, that target the hiring of female firefighters and firefighters of diverse racial and ethnic backgrounds; and

3. Maintaining a full-time staff of outreach coordinators to support the recruitment and retention of female firefighters and firefighters of diverse racial and ethnic backgrounds, such unit shall attend career events, provide assistance and support for female firefighter candidates and firefighter candidates of diverse racial and ethnic backgrounds, and coordinate mentorship programs for female firefighters and firefighters of diverse ethnic and racial backgrounds.

b. Reporting. The department shall post a report on its website by March 1st of each year regarding the department's efforts to implement provisions contained within subdivision a of this section during the preceding year. Such report shall include but need not be limited to:

1. An overview of the department's efforts to recruit and retain female firefighters and firefighters of diverse racial and ethnic backgrounds, including reference to all related budgetary expenditures for such efforts;

2. The projected increases in the percentage of female firefighters and firefighters of diverse racial and ethnic backgrounds within the department following each of the upcoming three testing cycles;

3. The number of recruitment events that department representatives attended or held, disaggregated by type of such event;

4. The number of distinct recruitment contacts made with prospective firefighters who are female or of diverse ethnic or racial background, disaggregated by gender and race;

5. The number of individuals who participated in department programming offered to support individuals in preparing for the fire academy and the candidate physical ability test, disaggregated by program offered and further disaggregated by gender and race; and

6. The percentage of candidates within the fire academy who participated in offered mentorship programming, disaggregated by gender and race.

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

Referred to the Committee on Fire and Emergency Management.

Int. No. 517

By The Speaker (Council Member Adams) and Council Members Farías, Won, Cabán, Hanif, Abreu, Brewer, Ung, Gutiérrez, Williams, Avilés, Joseph and Hudson.

A Local Law to amend the administrative code of the city of New York, in relation to creating a good food purchasing program

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 6 of the administrative code of the city of New York is amended by adding a new section 6-130.1 to read as follows:

§ 6-130.1. *Good Food Purchasing Program. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Animal welfare. The term “animal welfare” means the value category that represents sourcing from vendors that provide humane care for farm animals by implementing high-welfare rearing practices and/or sourcing fewer animal products overall.

Environmental sustainability. The term “environmental sustainability” means the value category that represents sourcing from producers that: (i) employ sustainable production systems that reduce or eliminate synthetic pesticides and fertilizers; (ii) avoid the use of hormones, non-therapeutic antibiotics, and genetic engineering; (iii) conserve soil and water; (iv) protect and enhance wildlife habitat and biodiversity; and (v) reduce on-farm energy consumption and greenhouse gas emissions and/or source fewer food items that have a high carbon and water footprint.

Health. The term “health” means a value category that represents promoting the well-being of city residents served by agencies that prepare and/or distribute food to the public by offering essential fats, whole grains, whole plant-based and lean proteins, vegetables and fresh fruits; reducing sodium, added sugars and saturated fats; and eliminating artificial additives, trans and hydrogenated fats, ultra-processed foods and sugar-sweetened beverages.

Local economies. The term “local economies” means the value category that represents, to the extent permitted under subdivision 8-a of section 103 of the general municipal law, sourcing from and supporting diverse, family- and cooperatively-owned, small- and mid-sized agricultural and food processing operations within the local area and/or region.

Good food purchasing program. The term “good food purchasing program” means a program that sets standards and goals for food procurement by city agencies and provides a comprehensive set of tools, technical support and a verification system to assist city agencies in meeting those goals over time.

Value categories. The term “value categories” means the five values that are the basis for the food procurement standards and goals included in the good food purchasing program, which are environmental sustainability, local economies, health, valued workforce and animal welfare.

Valued workforce. The term “valued workforce” means the value category that represents sourcing from vendors that guarantee the rights of workers to freedom of association and collective bargaining, free from any interference, coercion, or reprisal, to better ensure safe and healthy working conditions and fair compensation; and ensure farmers have the opportunity to obtain a fair price for their products that covers the cost of production and fair remuneration for their management and labor.

b. Standards. The mayor’s office of food policy shall establish a good food purchasing program that shall be based on value categories. For procurements during a declared citywide, statewide or national emergency, such standards shall remain in place, where feasible. The mayor’s office of food policy shall reevaluate the standards and goals of such program at least every three years.

c. Good food purchasing advisory board. The implementation of the good food purchasing program established pursuant to subdivision b shall be overseen by a good food purchasing advisory board. The mayor’s office of food policy shall convene such advisory board. Agencies shall provide the advisory board with

necessary materials, including applicable contracts and bids for contracts, in a timely fashion to allow it to complete the work required by this section. Such advisory board shall include the following members:

1. The commissioner of each agency that executes food procurement contracts or such commissioner's designee;

2. Seven members appointed by the mayor, including an individual with knowledge regarding all five value categories, an environmental sustainability advocate, an expert in nutrition, an individual representing food system workers, an advocate with expertise in animal welfare, an individual representing local farm owners and an individual representing local farm workers; and

3. Seven members appointed by the speaker of the council, including an individual with knowledge regarding all five value categories, an environmental sustainability advocate, an expert in nutrition, an individual representing food system workers, an advocate with expertise in animal welfare, an individual representing local farm owners and an individual representing local farm workers.

d. *Baseline assessment and report.* On or before July 1, 2023, and annually thereafter, the advisory board shall conduct a baseline assessment of the food procurement process for each agency that executes food procurement contracts and publish a report with its findings. Such baseline assessment shall evaluate the food procurement contracts of each agency and how such contracts meet the goals of the good food purchasing program. The reports required pursuant to this subdivision shall be posted on the website of the mayor's office of food policy.

e. *Agency procurement goals and plans.* Within six months of completing the initial baseline assessment required by subdivision d, the advisory board shall consult with the mayor's office of food policy and any other relevant entities with expertise in value categories and procurement in the city, as necessary, to develop and submit to each agency a three-year plan that includes one-year, three-year and five-year benchmarks to measure each agency's progress toward achieving the good food purchasing program goals. Such plan shall include a process for each agency to consult with the advisory board regarding incorporating good food purchasing program standards into the agency's requests for proposals, at the agency's discretion. Such plans shall be reevaluated and revised by the advisory board every three years thereafter based on the progress of each agency in achieving the good food purchasing standards.

f. *Bid assessment.* The advisory board shall evaluate food procurement contract bids in excess of the small purchase limits that are submitted in response to the requests for proposal of each agency that solicits food procurement contracts. Each bid shall be evaluated and scored under the good food purchasing standards. The board shall complete such evaluation and score and submit it to the relevant agency for consideration within 30 days of receipt of the complete bid. Each agency may consider the advisory board's assessment and score as part of its evaluation of the food procurement bids it receives. Such evaluations and scores shall also be posted on the website of the mayor's office of food policy.

g. *Progress Report.* On or before December 31, 2023, and annually thereafter, the advisory board shall submit a report and recommendations to each agency that solicits food procurement contracts regarding its progress toward achieving the good food purchasing standards and hold a public hearing regarding the results of the progress report. Such report shall also be submitted to the mayor and the speaker of the council and posted to the website of the mayor's office of food policy.

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

Referred to the Committee on Economic Development.

Int. No. 518

By Council Members Abreu, Hanks, Ayala, Powers, Brooks-Powers, Feliz, Salamanca, Riley, Williams, Velázquez, Brewer, Louis, Schulman, Marte, Ung, Joseph and Hudson.

A Local Law to amend the administrative code of the city of New York, in relation to a report on the trafficking of illegal firearms

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 10 of the administrative code of the city of New York is amended by adding a new section 10-315 to read as follows:

§ 10-315 Firearm trafficking report. a. Definitions. As used in this local law, the term “firearm” has the same meaning ascribed to such term in subdivision 1 of section 10-301.

b. Report. The office to prevent gun violence shall coordinate with the police department to conduct a study on reducing the flow of firearms into the city and shall submit a report to the mayor and the speaker of the council no later than December 1, 2022, and annually thereafter. Such study and report shall include:

- 1. For each firearm that is seized or surrendered in the city and obtained by the police department:*
 - (a) Whether the firearm was connected to a crime;*
 - (b) Where the firearm originated, including where it was first sold, manufactured, imported or assembled;*
 - (c) The date such firearm was last sold;*
 - (d) The location where such firearm entered the city, and the method of transportation into the city, including whether the firearm entered through a roadway or a sea port;*
 - (e) The location where the firearm was seized or surrendered and obtained by the police department;*
 - (f) The type of such firearm;*
 - (g) The manufacturer or importer of such firearm;*
 - (h) Whether the firearm is a ghost gun or a firearm created using a three-dimensional printer, and if so the entities that produced such firearm or parts thereof;*
 - (i) The dealer of such firearm and whether such dealer is licensed; and*
 - (j) Whether the firearm is registered in any registry, including the national firearms registration and transfer record;*

2. A review of the ways firearms are illegally transported into the city, including through roadways on and connected to interstate 95 and sea ports or bodies of water;

3. A review of the ways states and municipalities collaborate to prevent illegal transportation of firearms, and recommendations to strengthen such collaboration, including:

(a) Recommendations for strengthening the collaboration between the office to prevent gun violence, the police department and the bureau of alcohol, tobacco, firearms and explosives and other relevant state and federal agencies;

(b) Recommendations for strengthening law enforcement’s ability to trace firearms, including whether increased microstamping would be feasible and effective;

(c) Recommendations for implementing a shared electronic tracking system to identify dealers who have sold a particular firearm; and

(d) Examining the value of establishing a firearm dealer code of conduct, including recommendations for provisions that should be included in such dealer code of conduct;

4. Recommendations for policies to prevent access to firearms by individuals who are likely to harm themselves or others;

5. Recommendations for youth programming to discourage the use of firearms by minors; and

6. Recommendations for crime prevention through environmental design improvements, including additional lighting in public spaces.

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Int. No. 519

By Council Members Ariola, Hanif, Brewer, Avilés and Hudson.

A Local Law to amend the administrative code of the city of New York, in relation to requiring permanent firehouse facility upgrades to ensure a safe working environment for a mixed gender workforce

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 15 of the administrative code of the city of New York is amended by adding a new section 15-141 to read as follows:

§ 15-141 Permanent firehouse facility upgrades. a. The department shall survey each firehouse to determine the permanent facility upgrades necessary to establish a safe working environment for a mixed gender workforce. In conducting such survey, the department shall consider the current location, layout and level of privacy of bathrooms, bunkrooms, locker rooms, changing areas and any other relevant facility areas.

b. No later than six months after completion of the survey required by subdivision a of this section, the department shall submit to the mayor and the speaker of the council a report on the findings of the survey detailing the permanent facility upgrades necessary at each firehouse to establish a safe working environment for a mixed gender workforce, as well as a plan to implement such permanent facility upgrades at each firehouse.

c. No later than five years after submission of the report required by subdivision b of this section, the department shall complete implementation of the permanent facility upgrades identified in such report at each firehouse.

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

Referred to the Committee on Fire and Emergency Management.

Int. No. 520

By Council Members Avilés, Cabán, Hanif, Louis, Gutiérrez and Hudson (by request of the Brooklyn Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to the marketing of affordable housing units

Be it enacted by the Council as follows:

Section 1. Title 26 of the administrative code of the city of New York is amended by adding a new chapter 34 to read as follows:

**CHAPTER 34
MARKETING AFFORDABLE UNITS**

§ 26-3401 Definitions.

§ 26-3402 Pre-marking seminars.

§ 26-3403 Marketing requirements.

§ 26-3404 Violations and penalties.

§ 26-3401 Definitions. For the purposes of this chapter:

City financial assistance. The term “city financial assistance” includes any loans, grants, tax credits, tax exemptions, tax abatements, subsidies, mortgages, debt forgiveness, land conveyances for less than appraised value, land value, or other thing of value allocated, conveyed or expended by the city.

Department. The term “department” means the department of housing preservation and development.

Developer. The term “developer” means an individual, sole proprietorship, partnership, joint venture, corporation or other entity that receives city financial assistance for a housing development project.

Housing development project. The term “housing development project” means construction, rehabilitation or alteration of a multiple dwelling which is (1) funded in whole or in part by city financial assistance and (2) is subject to a regulatory agreement mandating the creation of a certain number of affordable units.

§ 26-3402 *Pre-marketing seminars.* The department shall be rule prescribe requirements for pre-marketing seminars. Such seminars shall include, but not be limited to, financial consultations, paper applications, and assistance with filling out such applications.

§ 26-3403 *Marketing requirements.* Developers of housing development projects shall:

a. Perform two pre-marketing seminars at least six months prior to the earlier of the commencement of the open housing lottery or the anticipated occupancy date of the first unit;

b. Notify the community board in which the affordable units are located by certified or registered mail, return receipt requested, and by email, of the marketing of affordable units at least six months prior to the earlier of either the commencement of the open housing lottery or the anticipated occupancy date of the first unit;

c. Make applications for units within the housing development available to print online;

d. Place advertisements for applicants for affordable units in newspapers written in the two most common non-English languages spoken in the community district in which the affordable units are located, as calculated using demographic information available from the United States Bureau of the Census; and

e. Publish all required advertisements for at least sixty days prior to the earlier of either the commencement of the open housing lottery or the anticipated occupancy date of the first unit;

§ 26-3404 *Violations and penalties.* Any developer who violates the provisions of section 26-3402 of this chapter shall be liable for a civil penalty of one thousand dollars.

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

Referred to the Committee on Housing and Buildings.

Int. No. 521

By Council Members Ayala, Hanif, Abreu, Gutiérrez and Joseph.

A Local Law to amend the administrative code of the city of New York, in relation to protections for restaurant, food service and airport workers displaced due to the COVID-19 disaster emergency

Be it enacted by the Council as follows:

Section 1. Title 20 of the administrative code of the city of New York is amended by adding a new chapter 16 to read as follows:

**CHAPTER 16
DISPLACED RESTAURANT, FOOD SERVICE AND AIRPORT WORKERS**

§ 20-1601 *Short title.* This chapter shall be known and may be cited as the “Displaced Food Service and Airport Worker Right to Recall Law.”

§ 20-1602 *Definitions.* As used in this chapter, the following terms have the following meanings:

Airport. The term “airport” means John F. Kennedy International Airport and LaGuardia Airport.

Airport hospitality operation. The term “airport hospitality operation” means a business that provides food or beverage service, passenger lounge service, retail or other consumer goods or services to members of the public at an airport.

Airport service provider. The term “airport service provider” means any person that performs, under contract with a certificated passenger air carrier: (i) food service, including for in-flight food or beverage service; or (ii) functions on the property of an airport that are directly related to the air transportation of persons, property or mail, including the loading or unloading of property on aircraft, assistance to passengers under part 382 of title 14 of the code of federal regulations, security, airport ticketing or check-in functions, ground-handling of aircraft or aircraft cleaning, sanitization functions or waste removal.

Covered employer. The term “covered employer” means an airport hospitality operation, airport service provider, food service contractor, or a private entity whose employees or contractors are regularly scheduled

to work at an event center, that meets the definition of “employer” set forth in section 20-912. The term “covered employer” does not include the port authority of New York and New Jersey and air carriers certificated by the federal aviation administration.

Department. The term “department” means the department of consumer and worker protection.

Employee. The term “employee” means a person who meets or met the definition of “employee” set forth in section 20-912 and is or was employed by a covered employer.

Event center. The term “event center” means a publicly or privately owned structure with a seating capacity of 10,000 or more, or 50,000 or more square feet of meeting or exhibition space, that is used for public performances, sporting events, business meetings or similar events, including a concert hall, stadium, sports arena, racetrack, coliseum or convention center. The term “event center” includes any contracted, leased or sublet premises connected to or operated in conjunction with the purpose of such a structure, including food preparation facilities, concessions, retail stores, restaurants, bars and structured parking facilities.

Food service. The term “food service” means the on-site preparation, service or cleanup of food or beverages.

Food service contract. The term “food service contract” means a contract for the provision of food service, for a term of at least one year, that requires the food service contractor to provide all food service workers providing such food service.

Food service contractor. The term “food service contractor” means any person who, directly or through subcontracting, enters into a food service contract to provide food service to or on behalf of another person.

Laid-off employee. The term “laid-off employee” means any employee who was employed by a covered employer for six months or more between January 31, 2019 and January 31, 2020, and whose most recent separation from employment (i) was initiated by such covered employer, (ii) occurred after January 31, 2020 and before January 1, 2022 and (iii) was due to a government order, layoff, lack of business, reduction in force or other economic, non-disciplinary reason.

Seniority. The term “seniority” means a ranking of employees based on length of service, computed from the first date of work, including any probationary period, unless such service has been interrupted by more than six months, in which case length of service shall be computed from the date that service resumed. An absence shall not be deemed an interruption of service if such absence was the result of military service, illness, educational leave, leave protected or afforded by law or any discharge due to a government order, layoff, lack of business, reduction in force or other economic, non-disciplinary reason, or that is in violation of any local, state or federal law, including this chapter.

§ 20-1603 Right to recall. a. 1. Until and including December 31, 2024, before hiring a new employee, a covered employer shall, pursuant to this section, offer any positions that become available after the effective date of the local law that added this chapter to its laid-off employees who are qualified for such position.

2. A covered employer’s obligation to offer such positions to a laid-off employee shall be extinguished if (i) the covered employer has offered such a position to the laid-off employee pursuant to this section, and the laid-off employee has accepted such offer; (ii) the covered employer has made three or more comparable offers to the laid-off employee pursuant to this section; or (iii) the laid-off employee has informed the covered employer in writing that such employee does not intend to return to work for such covered employer. For purposes of this paragraph, a comparable offer means an offer of a position for which the laid-off employee is qualified pursuant to paragraph 4 of this subdivision, at a work schedule totaling at least 85 percent of the hours that the laid-off employee worked for the covered employer pursuant to the laid-off employee’s regular work schedule or weekly work schedule when the laid-off employee was laid off.

3. Covered employers shall make such offers in writing by registered mail, by email or by text message to the laid-off employee’s last known contact information, except that for any layoff occurring after the effective date of the local law that added this chapter, the covered employer shall use the method and contact information chosen and provided by the laid-off employee when such employee is laid off.

4. A laid-off employee is qualified for a position, without regard to title, if the laid-off employee (i) was employed in the same or a similar position by the covered employer when the laid-off employee was laid off or (ii) can perform the requirements of the position or would be able to perform the requirements of the position with the same training that would be provided to a new employee hired for the position.

5. A covered employer shall offer such positions to laid-off employees in the order of priority corresponding to items (i) and (ii) of paragraph 4 of this subdivision. If multiple laid-off employees in the same priority category are qualified for such a position, the covered employer shall offer the position to the laid-off employee with the greatest seniority for the covered employer.

b. A laid-off employee offered a position pursuant to this section shall be given no fewer than ten days from the date of receipt of the written offer to accept or decline the offer. A covered employer may make simultaneous conditional offers of employment to laid-off employees, with a final offer of employment conditioned on application of the priority system set forth in paragraph 5 of subdivision a of this section.

c. A covered employer that does not offer such a position to a laid-off employee on the grounds of lack of qualifications, and instead recalls another laid-off employee with less priority or hires someone other than a laid-off employee, shall provide the laid-off employee determined to be unqualified a written notice of non-qualification within thirty days identifying all reasons for such determination.

d. The requirements of this chapter also apply if:

1. The ownership of the covered employer changed after a laid-off employee's separation from employment, and the covered employer is conducting the same or similar operations as were conducted before January 31, 2020;

2. The form of organization of the covered employer changed after January 31, 2020, and the covered employer is conducting the same or similar operations as before such change;

3. Substantially all of the covered employer's assets were acquired by another person that conducts the same or similar operations using substantially the same assets; or

4. The covered employer relocated the operations at which a laid-off employee was employed before January 31, 2020 to a different location within the city.

§ 20-1604 Layoff procedures and requirements. a. Written notice of layoff. A covered employer shall provide a laid-off employee with written notice of the layoff, either in person or in writing to the employee's last-known address, or to the employee's phone number or email address if authorized by the employee. Such notice shall be provided at the time of layoff or within 60 days of the effective date of the local law that added this chapter if the layoff took place before such date. A covered employer shall provide notice to each laid-off employee in a language understood by such employee. The written notice shall include:

1. A notice of the layoff and the layoff's effective date;

2. The laid off-employee's seniority at the time of layoff; and

3. A summary of the rights provided by this chapter, including the right to recall and to receive and accept job offers made based on seniority, the right to be free from retaliation and the right to enforce one's rights in court.

b. The department shall make publicly available on its website, in a downloadable format in each designated citywide language as defined in section 23-1101, a notice containing the information that a covered employer must provide to a laid-off employee pursuant to paragraph 3 of subdivision a of this section.

c. When laying off an employee, a covered employer shall request the employee's preferred mailing address, phone number or email address for purposes of receiving offers of open positions pursuant to section 20-1603.

d. Recordkeeping. Covered employers shall retain the following records for each laid-off employee, for at least two years from the date the written notice of layoff was required to be provided to such laid-off employee pursuant to subdivision a of this section: name; job classification at the time of separation from employment; date of hire; last known address; last known email address and phone number, if applicable; a copy of the written notice of layoff provided to the laid-off employee; proof of any offers of available positions to the laid-off employee; and proof of any notices of non-qualification provided to the laid-off employee.

§ 20-1605 Retaliatory action prohibited. No person shall refuse to employ, terminate, reduce in compensation or otherwise take any adverse action against any employee for seeking information or to enforce their rights under this chapter, for participating in any proceeding related to this chapter, for opposing or reporting any practice proscribed by this chapter or for otherwise asserting any right under this chapter. This section shall apply to any employee who mistakenly, but in good faith, alleges a violation of this chapter.

§ 20-1606 Enforcement. a. This chapter may be enforced in a civil action in any court of competent jurisdiction brought by one or more employees on their own behalf or on behalf of themselves and other similarly situated employees. An employee may designate an agent or representative to maintain such an action.

b. If a court finds that a covered employer violated this chapter, it may enjoin the covered employer from engaging in such violation and may award any other appropriate affirmative relief, including compensatory damages, back pay and reinstatement or hiring of employees with or without back pay including fringe benefits. Interim earnings or amounts earnable with reasonable diligence by employees prevailing in such action shall operate to reduce any back pay otherwise allowable. Before such interim earnings are deducted from such back pay, the court shall deduct from such interim earnings any reasonable amounts expended by such employees in searching for, obtaining or relocating to new employment. A court may also order punitive damages if it finds that a covered employer violated this chapter with malice or with reckless indifference to the requirements of this chapter. If a court finds that a covered employer terminated an employee in violation of section 20-1605, the court may award, in addition to reinstatement, three times the amount of back pay and compensatory damages awarded.

c. If a covered employer takes an adverse action against an employee within 60 days of such employee's exercise of rights pursuant to, or any other activity protected by, this chapter, there shall be a rebuttable presumption that such adverse action was taken in violation of section 20-1605.

d. If an employee prevails in a civil action brought under this section, the court shall award reasonable attorney's fees and costs and expert witness fees incurred in bringing such action.

§ 20-1607 Expiration. This chapter expires on December 31, 2031.

§ 2. This local law takes effect immediately and remains in effect until December 31, 2031, when it is deemed repealed, provided that all actions and proceedings arising from events that occurred prior to such date may be prosecuted and defended to final effect in the same manner as they might if this local law were not so repealed.

Referred to the Committee on Civil Service and Labor.

Res. No. 234

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.723A/A.3821, which allows the presence of epinephrine auto-injector devices on pre-school premises.

By Council Members Ayala, Cabán, Hanif, Joseph and Restler.

Whereas, According to the American College of Allergy, Asthma, and Immunology, more than 50 million Americans have an allergy of some kind; and

Whereas, According to Food Allergy Research & Education (FARE), researchers have estimated that 5.6 million children under the age of 18 have food allergies; and

Whereas, This amounts to about one in 13 children, or roughly two children in every classroom; and

Whereas, According to the Asthma and Allergy Foundation of America, anaphylaxis, a life-threatening allergic reaction, occurs in about one in 50 Americans; and

Whereas, Many believe the rate is higher and is probably closer to one in 20; and

Whereas, Anaphylaxis can be caused by ingesting food or medication to which an individual is allergic; and

Whereas, According to the American College of Allergy, Asthma, and Immunology, anaphylaxis can come on within minutes of exposure to food, it can be fatal, and it must be treated promptly with an injection of epinephrine; and

Whereas, According to the New York City Department of Health and Mental Hygiene (DOHMH), between 2006 and 2010, 1,259 people were hospitalized for anaphylaxis in New York City; and

Whereas, According to a 2020 study published in the Journal of Public Health Management and Practice, there were a total of 3,049 hospitalizations and 4,014 Emergency Department visits in New York City for food-related anaphylaxis between 2000 and 2014; and

Whereas, Food allergies are increasing and posing a larger threat; and

Whereas, According to FARE, the portion of health care claims submitted to health insurance companies with food allergy and anaphylactic diagnoses rose 125 percent from 2009 to 2016 in New York; and

Whereas, According to New York State public health law, an "epinephrine auto-injector device" is a single-use device used for the automatic injection of a premeasured dose of epinephrine into the human body for the purpose of emergency treatment of a person appearing to experience anaphylactic symptoms approved by the United States Food and Drug Administration; and

Whereas, Under current State law, particular persons or entities may purchase, acquire, possess and use epinephrine auto-injector devices for emergency treatment of a person appearing to experience anaphylactic symptoms; and

Whereas, Under State law, entities that can choose to keep epinephrine auto-injectors include certain camps for children, school districts, charter schools, and non-public elementary and secondary schools or any person employed by any such entity, yet does not specifically include pre-schools; and

Whereas, According a 2017 study in the Journal of Pediatrics, diagnoses of pediatric food allergy in New York City increased approximately threefold from school years 2007-2008 to 2012-2013; and

Whereas, According to the study from the Journal of Pediatrics, between schools years 2007-2008 and 2012-2013, 337 epinephrine auto-injectors were administered in schools; and

Whereas, Of those incidents, more than one-half used epinephrine auto-injectors supplied by the school's personal stock instead of epinephrine auto-injectors supplied by the students themselves, and three-quarters were for students without a personal prescription for an epinephrine auto-injector preceding the incident; and

Whereas, As the majority of administrations in the study used epinephrine auto-injectors supplied by the school and not the individual student, availability of epinephrine auto-injectors appears vital to management of anaphylaxis in schools and elsewhere, and, therefore, access should be expanded; and

Whereas, S.723A, sponsored by Senator Brad Hoylman, and A.3821, sponsored by Assembly Member Linda Rosenthal, authorizes the presence of epinephrine auto-injector devices on pre-school premises; and

Whereas, All pre-schools in New York City should be supplied with the only available life-saving devices on the market for those experiencing anaphylaxis; now, therefore, be it

Resolved, The Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, S.723A/A.3821, which allows the presence of epinephrine auto-injector devices on pre-school premises.

Referred to the Committee on Health.

Int. No. 522

By Council Members Bottcher, Ayala, Rivera, Ossé, Hanif, Abreu, Brewer, Louis, Ung, Gutiérrez, Won, Brooks-Powers, Hudson, Nurse, Joseph, Williams, Krishnan, Holden, Schulman, Velázquez, Gennaro and Narcisse.

A Local Law to amend the administrative code of the city of New York, in relation to requiring mental health professionals in families with children shelters

Be it enacted by the Council as follows:

Section 1. 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 Mental health professionals in families with children shelters. a. Definitions. For purposes of this section, the following terms have the following meanings:

Adult. The term "adult" means any person who is 18 years of age or older.

Child. The term "child" means a person under 21 years of age.

Families with children shelter. The term “families with children shelter” means temporary emergency housing provided to homeless families with children by the department or by a provider under contract or similar agreement with the department.

Family with children. The term “family with children” means a family with at least one adult and one child, a couple including at least one pregnant individual, a single pregnant individual or a parent or grandparent with a pregnant individual.

Mental health professional. The term “mental health professional” includes, but is not limited to, the following types of mental health professionals licensed to practice in New York state: a licensed clinical social worker, a psychiatric nurse practitioner, a psychiatrist or a psychologist.

Mental health services. The term “mental health services” includes, but is not limited to, (i) providing psychotherapy services, (ii) providing psychiatric assessments to diagnose mental illness, conduct diagnosis follow-up or coordinate clinical treatment plans, (iii) liaising with or providing referrals to emergency medical or psychiatric care providers or (iv) providing medication management.

Operator. The term “operator” means an entity that enters into a contract with the department to provide families with children shelter.

b. Provision of mental health professionals. Subject to appropriation, mental health professionals shall be available in each families with children shelter to provide on-site mental health services. The department shall maintain a ratio of at least one full-time mental health professional for up to every 50 families with children. The department shall consult with operators in determining the types of mental health professionals providing mental health services to families with children.

c. Report. No later than one year after the effective date of the local law that added this section, and annually thereafter, the department shall submit to the mayor and the speaker of the council and post on its website a report regarding mental health professionals in families with children shelters as required by subdivision b of this section. Such report shall include, but not be limited to, the following information for the preceding calendar year for each families with children shelter:

- 1. The number of families with children served by such shelter;*
- 2. The number of families with children served by such shelter receiving mental health services;*
- 3. The number of mental health professionals providing mental health services to families with children;*
- 4. A description of the types of mental health professionals providing mental health services to families with children;*
- 5. A description of the mental health services provided to families with children, including, but not limited to, the types of mental health services; and*
- 6. The average caseload of mental health professionals providing mental health services to families with children.*

d. No information that is required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of information respecting individuals in shelter.

§ 2. This local law takes effect 180 days after it becomes law, except that the commissioner of homeless services 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 General Welfare.

Int. No. 523

By Council Members Brannan, Ung, Dinowitz, Powers, Salamanca and Brewer.

A Local Law in relation to requiring the department of education to create a plan for a pilot after school SHSAT preparation program

Be it enacted by the Council as follows:

Section 1. SHSAT after school pilot program. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Department. The term “department” means the department of education.

School. The term “school” means a school of the city school district of the city of New York.

Student. The term “student” means a pupil attending a school.

b. No later than 180 days after the effective date of this local law, the department shall submit to the speaker of the council, and post conspicuously on the department’s website, a plan to implement an after school specialized high schools admissions test preparation program for middle school students in areas of greatest need. Such report shall include, but not be limited to, the following information:

1. A description of the steps the department will take to create an after school program to prepare seventh grade students to take the specialized high schools admissions test in the eighth grade;

2. A description of the steps the department will take to coordinate with the department of youth and community development to ensure all department of youth and community development after school programs have test preparation programs to prepare seventh grade students to take the specialized high schools admissions test;

3. A cost estimate for implementing such preparation program; and

4. Any barriers to the department’s ability to implement an after school high schools admissions test preparation pilot program.

§ 2. This local law takes effect immediately and is deemed repealed upon submission of the report required pursuant to section one of this local law.

Referred to the Committee on Education.

Int. No. 524

By Council Members Carr, Brannan, Yeger, Farías, Hanif and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to interest rates applicable to installment agreements for the payment of property tax arrears

Be it enacted by the Council as follows:

Section 1. Subdivision e of section 11-224.1 of the administrative code of the city of New York, as amended by local law number 30 for the year 2015, is amended to read as follows:

(e) Council adopted rates. By May thirteenth of each year, the banking commission shall send a written recommendation to the council of a proposed interest rate to be charged for nonpayment of taxes on real property.

(i) The commission shall consider the prevailing interest rates charged for commercial loans extended to prime borrowers by commercial banks operating in the city and:

[(i)] (1) for real property with an assessed value of two hundred fifty thousand dollars or less *that is not subject to an executed installment agreement or that is in default of an executed installment agreement pursuant to section 11-322 or 11-322.1*, shall propose a rate at least equal to such prevailing prime rate;

[(ii)] (2) for real property with an assessed value of over two hundred fifty thousand dollars, shall propose a rate of at least six percent per annum greater than such prevailing prime rate.

(ii) *For real property with an assessed value of two hundred fifty thousand dollars or less that is subject to an executed installment agreement that is not default pursuant to section 11-322 or 11-322.1, the commission shall consider the most recently determined federal short-term rate, as determined pursuant to sections 1247(d) and 6621(b) of the internal revenue code, and shall propose a rate at least equal to such rate.*

The council may by resolution adopt interest rates to be applicable to the aforementioned properties and may specify in such resolution the date that such rates will take effect.

§2. Subdivision c of section 11-312 of the administrative code of the city of New York is REPEALED.

§3. Subdivision e of section 11-313 of the administrative code of the city of New York is REPEALED.

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

Referred to the Committee on Finance.

Int. No. 525

By Council Members Brewer and Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to the sale and processing of catalytic converters

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 15 to read as follows:

**SUBCHAPTER 15
CATALYTIC CONVERTERS**

§ 20-699.12 *Sale and processing of catalytic converters. a. Definitions. As used in this section, the following terms have the following meanings:*

Processor. The term “processor” means a person who removes metals or other materials from a catalytic converter.

Purchaser. The term “purchaser” means a person who purchases or would purchase a catalytic converter from a seller.

Seller. The term “seller” means a person who sells or attempts to sell a catalytic converter that has been removed from a vehicle or who presents a catalytic converter to a processor for removal of materials from the catalytic converter.

b. Before any sale of a catalytic converter or any removal of materials from a catalytic converter by a processor, the seller must provide to the purchaser or processor the following information:

1. The year, make, model and vehicle identification number for the vehicle from which the catalytic converter was removed; and

2. A copy of the certificate of title or other documentation indicating that the seller has an ownership interest in the vehicle described in paragraph 1, or where the seller is the owner of a garage or repair shop and the catalytic converter was removed in connection with a repair of the vehicle, the name and address of the vehicle’s owner and copies of all related invoices.

c. A purchaser may not purchase a catalytic converter from a seller and a processor may not remove materials from a catalytic converter presented by a seller unless the seller has complied with subdivision b and the purchaser or processor has determined that the catalytic converter is consistent with the manufacturer’s specifications for a catalytic converter from the vehicle for which the seller provided information pursuant to paragraph 1 of subdivision b.

d. Purchasers and processors shall maintain a written or electronic record of the information provided pursuant to subdivision b for a minimum of five years from the date the information was provided. Such records shall be open to the inspection of any police officer or any departmental inspector.

e. A purchaser or processor that violates this section shall be liable for a civil penalty in the amount of \$500 for the first offense, \$1,000 for a second offense within a 12-month period and \$2,000 dollars for a third or subsequent offense within a 12-month period. A seller who knowingly provides false information to a purchaser or processor shall be liable for a civil penalty in the amount of \$500 for the first offense, \$1,000 for a second offense within a 12-month period and \$2,000 dollars for a third or subsequent offense within a 12-month period.

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

Referred to the Committee on Consumer and Worker Protection.

Res. No. 235

Resolution calling upon the Metropolitan Transportation Authority to remediate any transportation structure, primarily elevated train lines, with extremely high levels of lead.

By Council Members Brooks-Powers, Nurse, Cabán, Hanif, Abreu, Louis, Holden, Gutiérrez, Joseph and Won.

Whereas, The New York State Metropolitan Transportation Authority's (MTA) New York City Transit is the agency responsible for managing, maintaining, and running subway and bus service in New York City; and

Whereas, As one the largest public transportation agencies in the world with an annual ridership of approximately 640 million, New York City Transit has 472 subway stations, 665 miles of track, 5,927 buses, 234 local bus routes, 20 Select Bus Service routes, and 73 express routes; and

Whereas, Some of the subway stations and elevated tracks belonging to the New York City Transit system are more than one-hundred years old; and

Whereas, A study conducted by the International Union of Painters and Allied Trades in 2017 found that chips falling from the Number 7 elevated train trestle in Jackson Heights, Queens contained 224,000 parts per million of lead in the paint, which was more than forty times what is considered safe; and

Whereas, Recent locally published newspaper accounts indicate that an independent lab test taken of fallen paint chips from portions of the J, M, and Z elevated subway line structure in Bushwick, Brooklyn found that the samples contained levels of lead in the range of 15,800 to 63,000 parts per million, more than twelve times the legal limit; and

Whereas, According to the Centers for Disease Control and Prevention (CDC), exposure to high levels of lead may cause anemia, weakness, and kidney and brain damage, and can even cause death at very high levels of exposure; and

Whereas, The CDC's National Center for Environmental Health warns that exposure to lead can seriously harm a child's health, including: causing damage to the brain and nervous system; slowing growth and development; setting off learning and behavior problems; and bringing about hearing and speech problems; and

Whereas, Due to the potentially deleterious effects of exposure to lead-based paint, the Federal Government banned consumer and residential uses of paint containing lead in 1978, however, the paint can still be found on older structures, such as the elevated structures of the New York City Transit system; and

Whereas, Over the past sixty years, New York City has undertaken numerous efforts to combat exposure to lead including banning the use of lead-based paint in residential buildings in 1960, and enacting Local Law 1 of 2004 which requires, in part, that building owners investigate units and common areas in which lead-based paint may be present, with special attention paid to units where a child under age six resides, and address any lead-based paint hazards or violations using safe work practices to prevent additional exposure to lead; and

Whereas, Since New York City Transit is a division of the MTA, a state-run entity, even though the structures potentially causing exposures are located within the City, the decisions related to operations, maintenance and lead remediation and abatement efforts are made by that authority; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Metropolitan Transportation Authority to remediate any transportation structure, primarily elevated train lines, with extremely high levels of lead.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 526

By Council Members Cabán, Hanif, Louis, Menin, Ung, Gutiérrez, Avilés, Hudson and Gennaro.

A Local Law to amend the New York city charter, in relation to childcare services at public meetings

Be it enacted by the Council as follows:

Section 1. Chapter 47 of the New York city charter is amended to add a new section 1069.2 to read as follows:

§ 1069.2 *Childcare at public meetings.* a. *For the purposes of this section, the following terms have the following meanings:*

Administering agency. The term “administering agency” means the administration for children’s services.

Child. The term “child” means a natural person under the age of thirteen years or a natural person with a disability under the age of nineteen years.

Childcare Services. The term “childcare services” means care for a child at a location in proximity to a covered meeting by a provider licensed and registered pursuant to section 390 of the New York state social services law or by a legally exempt childcare provider who meets the requirements set forth in section 415.13 of subchapter c of the New York state regulations of the department of social services.

Covered Meeting. The term “covered meeting” means any public meeting held by a mayoral agency at which testimony from the public is accepted, but does not include any event or activity for which the primary purpose is entertainment or recreation.

b. *The administering agency shall, upon request in a form and manner to be determined by such agency, provide childcare services at all covered meetings. Such request shall be submitted no less than five business days prior to the covered meeting by a parent, step-parent or guardian that will be attending the covered meeting.*

c. *Any invitation, advertisement, poster or public notice for a covered meeting, whether in print or via electronic means, shall contain information on how a request for childcare services may be submitted and the deadline for when such a request must be received.*

d. *For any meeting, other than a covered meeting or an event or activity for which the primary purpose is entertainment or recreation, that is open to the public and held by a city governmental entity other than a mayoral agency, such city governmental entity may request that childcare services be provided for such meeting pursuant to subdivision b of this section, provided that a request from a parent, step-parent or guardian that will be attending the meeting has been received and that the administering agency is informed no less than five business days prior to the meeting.*

e. *The requirements of this section shall be limited by the appropriation of funds available for such purpose.*

§ 2. This local law takes effect 1 year after it becomes law.

Referred to the Committee on Women and Gender Equity.

Res. No. 236

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, S.5102/A.1475, which would allow municipalities and localities that have a senior citizen rent increase exemption program to establish an automatic enrollment program for eligible seniors to be automatically enrolled or automatically re-enrolled in the program.

By Council Members Cabán, Hudson, Hanif, Brewer, Louis, Ung, Gutiérrez, Richardson Jordan, Restler, Riley and Won.

Whereas, New York City (“NYC” or “City”) is home to an estimated 1.26 million residents aged 65 and older (“older adults”), about 14.9 percent of the City’s total population, per the United States (U.S.) Census Bureau’s Population Estimates Program; and

Whereas, Over the next decade, according to the NYC Department of City Planning, the older adult population is expected to grow by 15.9 percent, which is three times faster than the under 18 population and five times faster than the City overall; and

Whereas, Additionally, there is increasing longevity in the projection period, meaning more people are expected to survive into older age; and

Whereas, As such, the number of older adults living in NYC is expected to surpass 1.4 million over the next two decades; and

Whereas, In 2021, according to the Economist Intelligence Unit, NYC was ranked as the sixth most expensive city in the world and the most expensive city in the U.S.; and

Whereas, Rental prices are a significant driver of the high cost of living in NYC, where renters make up two-thirds of all households; and

Whereas, The price of rent in NYC increased 33 percent between January 2021 and January 2022, according to the online listing site Apartment List, almost double the national rate and the highest increase among the 100 largest American cities tracked by the group; and

Whereas, In January 2020, before the pandemic, the median price of rent citywide was \$2,900, according to the real estate website StreetEasy; and

Whereas, The price of rent decreased about 14 percent the over the following year, before increasing to \$2,895 in January 2022, with more dramatic declines and increases in wealthier neighborhoods, such as the Upper West Side in Manhattan and Williamsburg in Brooklyn, where median asking rents are now higher than they were before the pandemic; and

Whereas, More than one-third of older adult New Yorkers live on a fixed income of less than \$25,000 a year, per the U.S. Census Bureau’s American Community Survey; and

Whereas, Older adult New Yorkers are among the least likely in the country to move into a nursing home, which costs almost \$6,000 a month, or an assisted living facility, which costs almost \$13,000 a month, preferring to age in place, per the Kaiser Family Foundation; and

Whereas, Accordingly, older adult New Yorkers, especially those with limited incomes, confront an array of hurdles when it comes to housing, including a lack of affordable housing, a shortage of safe and accessible apartments, low supply of home health care aides, and long waiting lists at many programs; and

Whereas, Without major policy changes, older adult New Yorkers will face greater difficulties aging in their homes and getting the support they need; and

Whereas, The Senior Citizen Rent Increase Exemption (“SCRIE”) program provides a subsidy to cover most rent/maintenance increases for seniors who reside in a rent-regulated or Mitchell-Lama apartment, a Redevelopment Company development, a Housing Development Fund Corporation cooperative (“co-op”) or a federally-assisted 213 co-op; and

Whereas, In order to be eligible for SCRIE, the head of household must be 62 years or older at the time of the increase and the tenant/shareholder of record; said tenant must be living in the apartment at the time of increase; the total household income cannot exceed the income maximum of \$50,000 annually; the monthly basic rent/carrying charge must be more than or equal to one-third of the tenant/shareholders total annual household income; and tenants must not be enrolled in any other rent/carrying charge subsidy program; and

Whereas, The most recently available data show that, in 2016, less than 60,000 New Yorkers were enrolled in SCRIE, although it was estimated that there were over 12,000 potentially eligible SCRIE recipients; and

Whereas, Many eligible seniors do not know about SCRIE, or may not remember to re-enroll in the program; and

Whereas, S.5102/A.1475, sponsored by State Senator John Liu and State Assembly Member Karines Reyes, respectively, would implement automatic enrollment in the SCRIE program for eligible older adults; and

Whereas, S.5102/A.1475 would also provide for a check box for a taxpayer to opt-out of data sharing and automatic enrollment on their tax return; and

Whereas, Older adult New Yorkers have a right to live and age with dignity, and ensuring that they receive the benefits that they are entitled to is one important piece of addressing the current housing crisis in NYC; now, therefore be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, S.5102/A.1475, which would allow municipalities and localities that have a senior citizen rent increase exemption program to establish an automatic enrollment program for eligible seniors to be automatically enrolled or automatically re-enrolled in the program.

Referred to the Committee on Aging.

Int. No. 527

By Council Members De La Rosa, Louis, Hanif, Abreu, Gutiérrez and Hudson.

A Local Law to amend the New York city charter, in relation to the evaluation and expansion of diverse recruitment and retention within the municipal government

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 12 of the administrative code of the city of New York is amended by adding a new section 12-212 to read as follows:

§ 12-212 Data on applicants for civil service examinations and admission and graduation statistics from agency training programs. a. Each executive agency and department that requires applicants to take a civil service examination shall collect, in a non-personally identifiable manner, and submit to the department of citywide administrative services, on or before June 1 of each year, a report containing the following information for the prior calendar year:

1. The total number of applicants for the department's open-competitive civil service examination, any promotion civil service examinations and any qualified incumbent examinations, and the number of applicants who:

- (a) Took the computer-based portion of such examination;*
- (b) Achieved a passing score on the computer-based portion of such examination;*
- (c) Failed to achieve a passing score on the computer-based portion of such examination;*
- (d) Were invited to take the physical portion of such examination, if applicable;*
- (e) Took or began to take the physical portion of such examination, if applicable;*
- (f) Passed the physical portion of such examination, if applicable;*
- (g) Failed the physical portion of such examination, if applicable;*
- (h) Were offered appointment to a position;*
- (i) Accepted any appointment to a position that was offered; and*
- (j) The number of people on the department's existing eligible candidate list.*

2. The total number of candidates in any city agency or department training program, including the name of the training program and the number of applicants who:

- (a) Completed the program;*
- (b) Did not complete the program;*
- (c) Passed and graduated from the program;*
- (d) Passed and did not graduate from the program;*
- (e) Did not pass or graduate from the program;*
- (f) Were offered appointment based on graduation from the program; and*
- (g) Accepted any appointment offered based on graduation from the program.*

3. All data provided pursuant to this subdivision shall be aggregated citywide and by borough and disaggregated by gender and by race or ethnicity.

4. *The information received by the department of citywide administrative services pursuant to this subdivision shall be reported to the speaker of the council by September 1, and annually thereafter. Such report shall also contain the following elements in narrative format:*

- (a) *Executive summary;*
- (b) *Overview of findings; and*
- (c) *Conclusion.*

b. In addition to the reporting requirement pursuant so subdivision a of this section, each city agency/department shall collect and submit to the department of citywide administrative services by June 1, and annually thereafter, the following information for the prior calendar year:

1. Each department's expenditures on recruiting candidates for the open-competitive civil service examination and any promotion civil service examination. Such expenditures shall be aggregated citywide and disaggregated by borough;

2. A list of the recruiting events, including location, in which the department has participated for the open-competitive civil service examination; and

3. A list of the preparatory materials for applicants the department has prepared to help candidates for the open-competitive civil service examination and any promotion civil service examination.

The information received by the department of citywide administrative services pursuant to this subdivision, shall be included in its report due to the speaker of the council pursuant to subdivision a of this section.

§ 2. Subdivision b of section 21-991 of the administrative code of the city of New York, as added by local law 173 for the year 2018, is amended to read as follows:

b. No later than November 1, 2019, and annually thereafter no later than November 1 of each year, the department of citywide administrative services shall provide and the department shall distribute to each high school, to be shared with every student of such school who will be graduating from high school in the current *or following* school year, the following information in writing, in hard copy or electronically if availability of similar documents occurs electronically, using plain and simple language:

1. General information about the city's civil service process, including the related application process, hiring system, descriptions of what such tests will include and the scoring process for such examinations;

[2. The title of each upcoming civil service examination that is open to high school graduates, along with the relevant job descriptions and the relevant salaries;

3. The testing period for each such civil service examination and the related application and scheduling period, with a note that exact dates and times for both periods are usually released online each month;

4. Applicable fees for each such civil service examination, including information on fee waivers;

5. A link to the online application system for civil service examinations;

6] 2. A link to the civil service examination information page of the department of citywide administrative services website, with a note that this online page contains additional and up-to-date information about examination locations and timing and job eligibility requirements *and a link to the exam schedules*; and

[7] 3. Any other information that the department deems relevant.

§ 3. Paragraph 9 of subdivision c of Section 814.1 of chapter 35 of the New York city charter is renumbered as paragraph 10 and a new paragraph 9 is added to such subdivision to read as follows:

(9) Review job postings and recruitment materials for municipal jobs to evaluate whether such postings and materials display unconscious bias that discourages diverse applicants who might otherwise apply, and amend the postings and materials accordingly, if applicable.

[(9)](10) No later than September 30, 2020, and no later than September 30 annually thereafter, publish and submit to the mayor, council and the commission on equal employment practices a report on the activities of the department of citywide administrative services and city agencies to provide fair and effective affirmative employment practices to ensure equal employment opportunity for minority group members and women who are employed by, or who seek employment with, city agencies. Such report shall include, but not be limited to, an analysis of the city government workforce and applicants for such employment by agency, title and classification except where a civil service exam was the basis of appointment; statistics relating to hiring, salary and promotion for all city agencies disaggregated by race, gender, and civil service classification and other categories as appropriate; a description of each agency's employment practices, policies and programs; an analysis of the effectiveness of the city's efforts to provide fair and effective affirmative employment practices

to ensure equal employment opportunity for minority group members and women who are employed by, or who seek employment with, city agencies; an analysis of employee response rates to efforts to collect demographic information over time, and whether changes in the racial and ethnic classification categories used to collect demographic information have had an impact on employee response rates; a review of racial and ethnic classification categories used to collect demographic information and recommendations for how to improve the use of such categories to reflect the city government workforce; and such legislative, programmatic and budgetary recommendations for the development, implementation or improvement of such activities as the commissioner deems appropriate.

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

Referred to the Committee on Civil Service and Labor.

Res. No. 237

Resolution calling on the State Legislature to pass, and the Governor to sign, the Fair College Admissions Act (A.9505/S.8498), which would prohibit legacy preference and early admissions policies at undergraduate institutions.

By Council Members Dinowitz, Hanif and Joseph.

Whereas, “Legacy preference” refers to a preference given by a higher education institution for certain applicants on the basis of their familial relationship to alumni of that institution; and

Whereas, Journalist Daniel Golden, in his 2006 book, *The Price of Admission*, found that 10 to 15 percent of students at the most selective institutions have a parent who also attended, often despite lesser academic credentials; and

Whereas, “Early admission,” or “early decision,” is a college admission plan in which students apply early and receive a decision well in advance of the institution’s regular response date in exchange for a commitment to attend if accepted; and

Whereas, A 2016 study of elite colleges by *The Washington Post* found that over 40 percent and, in some cases, over 50 percent, of incoming classes are admitted early decision; and

Whereas, Since early admission prohibits students from applying to other schools in search of the best financial aid package possible, per a 2010 issue brief by *The Century Foundation (TCF)*, early decision students are less likely to be low-income; and

Whereas, Moreover, according to a 2017 *Jack Kent Cooke Foundation* study, only three percent of students at the top colleges in the United States (U.S.) come from the 25 percent of families with the lowest incomes, while 72 percent of students at these institutions come from the 25 percent of families with the highest incomes; and

Whereas, As a result, there are 24 wealthy students for each low-income student at elite schools; and

Whereas, A 2010 issue brief published by *TCF* found that the early admission applicant pool is more than three times as white as the regular decision pool; and

Whereas, As a result, many selective universities enroll more children of alumni than either Black or Latinx students; and

Whereas, Standardized tests used for college admissions, such as the *Scholastic Aptitude Test (SAT)* and *American College Testing (ACT)* test, have been shown to correlate strongly with applicants’ household income; and

Whereas, Even so, data from the 2007 *National Longitudinal Survey of Freshmen* show that legacy students have SAT scores lower than the institutional mean and tend to earn lower grades once in college compared to their counterparts; and

Whereas, A 2004 study published in *Social Science Quarterly* found that applying early is worth the equivalent of a 100 added bonus points on the SAT, while applying as a legacy student is the equivalent of an added 160 points; and

Whereas, A primary justification often cited in favor of granting legacy preferences is that such policies have a positive impact on the amount of alumni giving; and

Whereas, Similarly, colleges that institute early admissions policies claim they attract students with a strong desire to attend, making it less likely the students will turn down offers of admissions and allowing them to fill out a class with students needing little to no financial aid; and

Whereas, Eliminating such policies, these assertions follow, would restrict an essential source of funding for higher education; and

Whereas, However, an 2010 empirical analysis published in Affirmative Action for the Rich, a TCF book, found that there is no statistically significant evidence of a causal relationship between legacy preference policies and total alumni giving among top universities; and

Whereas, Critics of these college admissions practices claim they are unfair, that they undermine diversity and fail to reward merit, and data show that they systematically and structurally benefit students that are overwhelmingly white and upper income; and

Whereas, The Fair College Admissions Act (A.9505/S.8498), sponsored by State Assembly Member Latrice Walker and State Senator Andrew Gounardes, respectively, would amend the education law in relation to prohibiting legacy preference and early decision admission policies at higher education institutions in New York State; and

Whereas, If passed, schools that violate the law would be fined 10 percent of the tuition and fee revenue paid by enrolled freshmen the prior year, and funds collected from the fines would go to low-income students in the form of financial aid and scholarships; and

Whereas, In May 2021, Colorado became the first state to ban legacy college admissions when it passed a law prohibiting higher education institutions from considering legacy preferences in the admissions process; and

Whereas, Education Reform Now has estimated that more than 50 colleges across the state of New York consider legacy status and offer early admission in their admissions processes, including Columbia University and New York University, two top U.S. universities located in New York City; and

Whereas, Enacting the Fair College Admissions Act would declare legacy preferences and early admission policies to be discriminatory and inequitable; now, therefore be it

Resolved, That the Council of the City of New York calls on the State Legislature to pass, and the Governor to sign, the Fair College Admissions Act (A.9505/S.8498), which would prohibit legacy preference and early admissions policies at undergraduate institutions.

Referred to the Committee on Higher Education.

Res. No. 238

Resolution calling upon the City University of New York to compile data on bias incidents and hate crimes reported in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act into a single report, which should include greater specificity on bias classification, and to institute a campaign or initiative to educate students, faculty and staff about the rise of such incidents and how to report them.

By Council Members Dinowitz and Brewer.

Whereas, The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act requires postsecondary institutions to report hate crime incidents, which the National Center for Education Statistics (NCES) defines as “criminal offense[s] which [are] motivated, in whole or in part, by an offender’s bias(es) against a race, religion, disability, sexual orientation, ethnicity, gender, or gender identity”; and

Whereas, Hate does not always manifest as strictly criminal behavior and, as such, hate crimes statistics cannot fully capture the pervasiveness of hateful ideology on college campuses across the United States (U.S.); and

Whereas, A bias incident, per the U.S. Department of Justice, is “any hostile expression that may be motivated by another person’s race, color, disability, religion, national origin, sexual orientation, or gender identity”; and

Whereas, In 2019, according to the latest available NCES data, there were 757 reported criminal incidents classified as hate crimes that occurred on the campuses of postsecondary institutions, which translates to an average of 5.1 hate crime incidents occurring per 100,000 full-time-equivalent students enrolled; and

Whereas, However, the Federal Bureau of Investigation’s 2020 hate crime report cautions that the actual number is likely higher due to victims’ reluctance to report such incidents or ignorance of how to do so; and

Whereas, Over the past several years, bias incidents and hate crimes have been on the rise nationally, emanating from groups and individuals engaged in an array of activities, including threatening local officials, funding terrorism, conducting cyber-attacks, organizing rallies, engaging in propaganda distributions and committing violence; and

Whereas, In 2021, the Anti-Defamation League (ADL) reported a total of 4,851 bias incidents of racist, antisemitic and other hateful messages, which is the second-highest level of incidents since they began tracking such data, and which is nearly double the 2,724 cases that were reported in 2019; and

Whereas, According to ADL, throughout 2021, white supremacist propaganda was reported in every state except Hawaii, and the state of New York (“New York” or “State”) ranked seventh among states with the highest level of such activity; and

Whereas, New York leads the nation in antisemitic incidents; per ADL’s annual Audit of Antisemitic Incidents, the number of reported incidents increased 24 percent from 336 in 2020 to 416 in 2021, which includes 51 assaults motivated by anti-Jewish bias, the highest number ever recorded by ADL in the State; and

Whereas, In New York City (“NYC” or “City”), hate crimes have more than doubled since 2020; according to NYC Police Department (NYPD) data on confirmed incidents, hate crimes increased 196 percent, from 266 incidents in 2020 to 522 in 2021; and

Whereas, In both 2020 and 2021, per NYPD data, the four communities most targeted in hate crimes were the Jewish community, the Asian community, the LGBTQ+ community and the Black community; and

Whereas, NYPD data show that in 2020 and 2021, Jews were the most targeted group, with a total of 317 incidents against the Jewish community, accounting for 40 percent of the hate crimes reported in NYC during that period; and

Whereas, According to NYPD statistics, hate crimes against Asian New Yorkers have also been on the rise in the City over the past two years, having more than quadrupled from 28 incidents in 2020 to 131 in 2021, compared to just one in 2019; and

Whereas, Similarly, per NYPD statistics, reported incidents targeting the male LGBTQ+ community increased 154 percent from 28 in 2020 to 71 in 2021, while reported incidents targeting the Black community increased 2.7 percent from 37 in 2020 to 38 in 2021; and

Whereas, The high incidence of antisemitic propaganda has continued in 2022; to-date, ADL’s Tracker of Antisemitic Incidents (“Tracker”) has counted 42 cases of anti-Jewish vandalism, harassment and assault in NYC; and

Whereas, For 2022, ADL’s Tracker includes a swastika found drawn onto the scaffolding outside of the New York University Tisch School of the Arts building, as well as two instances of assault and antisemitic harassment by Yeshiva University’s Zysman Hall building, that left one student with minor injuries; and

Whereas, Not included in ADL’s Tracker, is a swastika and the words “KKK LIVES” that were found carved onto a public bulletin board in January of 2022 at Queens College at the City University of New York (“CUNY” or “University”); and

Whereas, CUNY is the largest urban public university in the U.S., serving more than 261,000 degree and non-degree seeking students, and offering adult and continuing education with over 185,000 course registrations at 25 colleges across the City’s five boroughs; and

Whereas, While only 61 years old, the University’s history dates back to 1847, when the Free Academy, which was renamed the City College of New York (“City College”) in 1866, was founded by the president of the Board of Education, Townsend Harris, as the first publicly-financed institution of higher education in NYC; and

Whereas, In March of 1847, Harris shared his vision for free public college in a letter published in two NYC newspapers: "... open the doors to all – let the children of the rich and the poor take their seats together and know of no distinction save that of industry, good conduct and intellect"; and

Whereas, A couple months later, the Free Academy received its charter from the State Legislature, with the mission to provide children of immigrants and the poor access to free higher education based on academic merit alone; and

Whereas, While William Hallett Greene, who went on to become the country's first Black meteorologist, became the first Black graduate of City College 35 years after the Free Academy's inaugural class in 1884, and women were not admitted until 1930, the Free Academy showed greater tolerance for diversity at the time in comparison to the private universities in NYC; and

Whereas, For example, in the early 1900s the then-City College president instituted a more secular orientation by abolishing mandatory chapel attendance at a time when an increasing number of Jewish students were enrolling; and

Whereas, Founded on the principles on which the Free Academy was established, CUNY's mission today remains the same: to be "of vital importance as a vehicle for the upward mobility of the disadvantaged in the [City]... [to] remain responsive to the needs of its urban setting... [while ensuring] equal access and opportunity" to students, faculty and staff "from all ethnic and racial groups" and without regard to gender; and

Whereas, As such, it is imperative that the University uphold its commitment to equity and diversity by thoroughly addressing incidents of bias and hate that occur on CUNY campuses; and

Whereas, This should include promoting and engaging in a University-wide dialogue with campus and community partners around the rise of bias incidents and hate crimes on campuses, with an aim to cultivate a culture that is intolerant to such behavior; and

Whereas, In order to develop appropriate responses and ensure greater accuracy in reporting, this should also include educating students, faculty and staff on how bias incidents and hate crimes are defined and how to report them, as well as reporting greater specificity on bias motivation for each incident, whether it be antisemitic or biphobic, for example; and

Whereas, A commitment to fostering a welcoming community for all students, faculty and staff includes an informed awareness of the climate on campuses, which is essential to create a supportive academic environment for CUNY's diverse population; now, therefore be it

Resolved, That the Council of the City of New York calls upon the City University of New York to compile data on bias incidents and hate crimes reported in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act into a single report, which should include greater specificity on bias classification, and to institute a campaign or initiative to educate students, faculty and staff about the rise of such incidents and how to report them.

Referred to the Committee on Higher Education.

Int. No. 528

By Council Members Feliz, Brannan, Ung, Dinowitz, Powers, Salamanca, Abreu, Brewer and Louis.

A Local Law in relation to requiring the department of education to create a plan to provide specialized high schools exam preparation to all middle school students

Be it enacted by the Council as follows:

Section 1. Universal specialized high schools admissions test preparation plan. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Department. The term “department” means the department of education.

Dream program. The term “dream program” means the department of education Saturday and summer academic program that prepares eligible seventh grade New York City public school students to take the specialized high schools admissions test in the eighth grade.

School. The term “school” means a school of the city school district of the city of New York.

Student. The term “student” means a pupil attending a school.

b. No later than 180 days after the effective date of this local law, the department shall submit to the speaker of the council, and post conspicuously on the department’s website, a report regarding its efforts to implement a universal specialized high schools admissions test preparation plan for all middle school students in the next two years. Such report shall include, but not be limited to, the following information:

1. For each middle school, whether the school: (i) offers the dream program; (ii) does not offer the dream program; (ii) the total number of students that participated in the dream program, disaggregated by race or ethnicity, gender, special education status, and English language status; and (iii) the average scores for the state of New York English language arts and mathematics tests, disaggregated by grades 7 and 8 for the prior academic year;

2. A description of the steps the department will take to expand the dream program to provide automatic access to all seventh grade students that wish to partake in such program;

3. For each school, a list of specialized high schools admissions test preparation programs that are offered in schools, disaggregated by: (i) those that are free of charge; (ii) those that have a cost associated with such program; and (iii) what time of year such program is offered. The department shall also include, to the extent such information is available, how many students participated in such programs and which school such students attend;

5. A description of steps the department will take to ensure that all students have access to test preparation programs that are free of charge;

6. A description of the steps the department will take to ensure that every seventh and eighth grade student will have the necessary preparation materials to take the specialized high schools admissions test, including making such preparation materials available in the designated citywide languages as defined in section 23-1101 of the administrative code of the city of New York and shall include an opt-out to enable a student to not have to take the specialized high schools admissions test;

7. A cost estimate for implementing such preparation plan; and

8. Barriers, if any, to the department’s ability to implement a universal specialized high schools admissions test preparation plan.

c. No later than December 1, 2023, the department shall develop a student survey to assess the general awareness and preparedness of students to take the specialized high schools admissions test. The department shall make such survey available to all students taking the specialized high schools admissions test. The department shall ensure that each such student is advised that such survey is not mandatory or required as part of such student’s academic career. In addition, such survey shall include questions, that may be completed in full or in part, at the discretion of the student respondent, including race, ethnicity, gender, first language and family income. The department shall make the results of such survey available to the speaker of the council and posted on its website no later than 60 days following the administration of such survey. The department shall use such survey to assess students regarding the following:

1. Whether such student attended a public school, private school or charter school prior to admittance to a specialized high school;

2. Whether such student took test preparation in advance of taking the specialized high schools admissions test, whether such preparation was administered by the department of education and if such preparation was not administered by the department, then how such student prepared;

3. Whether such student took practice exams and how many;

4. How such student was made aware of the specialized high schools admissions test;

5. How prepared such student felt in taking the specialized high schools admissions test; and

6. Any other such questions the department may designate.

§ 2. This local law takes effect immediately and is deemed repealed upon submission of the report required pursuant to section one of this local law.

Referred to the Committee on Education.

Int. No. 529

By Council Members Gennaro and Brewer.

A Local Law to amend the administrative code of the city of New York, in relation to renewable natural gas

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 24-163.1 of the administrative code of the city of New York, as amended by local law number 38 for the year 2015, is amended to read as follows:

a. Definitions. When used in this section or in section 24-163.2 [of this chapter]:

["Alternative fuel"] *Alternative fuel. The term "alternative fuel" means natural gas, biomethane or renewable natural gas, liquefied petroleum gas, hydrogen, electricity, and any other fuel which is at least [eighty-five] 85 percent, singly or in combination, methanol, ethanol, any other alcohol or ether.*

["Alternative fuel motor vehicle"] *Alternative fuel motor vehicle. The term "alternative fuel motor vehicle" means a motor vehicle that is operated using solely an alternative fuel or is operated using solely an alternative fuel in combination with gasoline or diesel fuel, and shall not include bi-fuel motor vehicles.*

["Average fuel economy"] *Average fuel economy. The term "average fuel economy" means the sum of the fuel economies of all motor vehicles in a defined group divided by the number of motor vehicles in such group.*

Biomethane or renewable natural gas. The term "biomethane or renewable natural gas" means methane derived from biogas after carbon dioxide and other impurities present in the biogas are chemically or physically separated from the gaseous mixture.

["Bi-fuel motor vehicle"] *Bi-fuel motor vehicle. The term "bi-fuel motor vehicle" means a motor vehicle that is capable of being operated by both an alternative fuel and gasoline or diesel fuel, but may be operated exclusively by any one of such fuels.*

["Equivalent carbon dioxide"] *Equivalent carbon dioxide. The term "equivalent carbon dioxide" means the metric measure used to compare the emissions from various greenhouse gases emitted by motor vehicles based upon their global warming potential according to the California air resources board or the United States environmental protection agency.*

["Fuel economy"] *Fuel economy. The term "fuel economy" means the United States environmental protection agency city mileage published label value for a particular motor vehicle, pursuant to subdivision (b) of section [32908(b)] 32908 of title 49 of the United States code.*

["Gross vehicle weight rating"] *Gross vehicle weight rating. The term "gross vehicle weight rating" means the value specified by the manufacturer of a motor vehicle model as the maximum design loaded weight of a single vehicle of that model.*

["Light-duty vehicle"] *Light-duty vehicle. The term "light-duty vehicle" means any motor vehicle having a gross vehicle weight rating of 8,500 pounds or less.*

["Medium-duty vehicle"] *Medium-duty vehicle. The term "medium-duty vehicle" means any motor vehicle having a gross vehicle weight rating of more than 8,500 pounds but not more than 14,000 pounds.*

["Motor vehicle"] *Motor vehicle. The term "motor vehicle" means a vehicle operated or driven upon a public highway which is propelled by any power other than muscular power, except electrically-driven mobility assistance devices operated or driven by a person with a disability, provided, however, that this term shall not include vehicles that are specially equipped for emergency response by the department, office of emergency management, sheriff's office of the department of finance, police department, fire department, department of correction, or office of the chief medical examiner.*

[“Purchase”] *Purchase*. The term “purchase” means purchase, lease, borrow, obtain by gift or otherwise acquire.

[“Use-based fuel economy”] *Use-based fuel economy*. The term “use-based fuel economy” means the total number of miles driven by all light-duty and medium-duty vehicles in the city fleet during the previous fiscal year divided by the total amount of fuel used by such vehicles during the previous fiscal year.

§ 2. This local law takes effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 530

By Council Members Gennaro, Hanif and Gutiérrez.

A Local Law to amend the administrative code of the city of New York, in relation to notification of discolored water or reduction of water pressure

Be it enacted by the Council as follows:

Section 1. Subchapter 4 of chapter 3 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-370 to read as follows:

§ 24-370 *Notification of discolored water or reduction of water pressure*. a. *Except as provided herein, the department shall notify via electronic mail all relevant community boards and all district offices of relevant council members at least 48 hours prior to the undertaking of any work by the department or at the request of the department which the department reasonably knows could lead to discolored water, or the reduction or loss of water pressure at water faucets within such district.*

b. *The notice requirements of subdivision a of this section shall not apply in situations where such work must proceed due to an imminent risk to public health or public safety. In such cases, where such 48-hour notice is not given, the department shall within five days of the conclusion of such work inform via electronic mail all such relevant community boards and district offices of relevant council members of the reason that the notice was not provided.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 531

By Council Members Gennaro, Brewer and Gutiérrez.

A Local Law to amend the administrative code of the city of New York, in relation to an annual report on drainage infrastructure

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-532 to read as follows:

§ 24-532 *Annual report on drainage infrastructure*. a. *No later than February 1 of each year, the commissioner of environmental protection shall submit to the mayor and the speaker of the council a report on the condition of municipal drainage infrastructure.*

b. *The report required by subdivision a of this section shall include, but need not be limited to, the following*

information:

1. A description of the current operational condition of all treatment locations, wastewater pump stations, sewer regulators and other critical drainage infrastructure; and
 2. For every instance in the previous year where infrastructure was either out of service or operating at a reduced capacity;
 - (a) A description of the affected infrastructure;
 - (b) The length of the disruption;
 - (c) Whether such disruption was partial or full;
 - (d) The cause of the disruption; and
 - (e) A description of any actions, whether conducted or planned, in response.
- § 2. This local law takes effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 532

By Council Member Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to installing pumpout facilities to establish the city's coastal waters as no-discharge zones

Be it enacted by the Council as follows:

Section 1. Section 22-112 of the administrative code of the city of New York is amended by adding a new subdivision f to read as follows:

f. 1. Definitions. For purposes of this subdivision, the term "pumpout facility" has the meaning ascribed to such term in the environmental conservation law.

2. Plan to establish no-discharge zones. (a) No later than March 1, 2023, the department of environmental protection shall create a written plan to establish all of the city's coastal waters as no-discharge zones.

(b) The plan shall consider the existing number and locations of pumpout facilities in or adjacent to the city's coastal waters, and determine the number of additional pumpout facilities required to establish a no-discharge zone in each coastal body of water in the city, and the necessary locations of such additional pumpout facilities.

3. Every calendar year until all of the city's coastal waters are designated as no-discharge zones, the department of environmental protection shall install at least three public pumpout facilities. The department of environmental protection shall prioritize installing pumpout facilities in or around the bodies of water with the lowest number of necessary additional pumpout facilities required to establish them as no-discharge zones, as identified pursuant to subparagraph (b) of paragraph 2 of this subdivision.

4. By March 1 of every year until all of the city's coastal waters are designated as no-discharge zones, the department of environmental protection shall update the plan created pursuant to paragraph 2 of this subdivision and report to the mayor and the council on the pumpout facilities installed in the 12 months preceding the report, the pumpout facilities to be installed in the 12 months following the report, an assessment of priorities pursuant to paragraph 3 of this subdivision and an assessment of progress toward establishing all of the city's coastal waters as no-discharge zones.

5. The department of environmental protection shall ensure that all no-discharge zones continue to meet federal eligibility criteria for no-discharge zones promulgated pursuant to the clean water act.

§ 2. This local law takes effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 533

By Council Members Gennaro, Nurse, Cabán, Hanif, Brewer, Ung and Gutiérrez.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of environmental protection to report on its progress toward decreasing the presence of sewage and stormwater contaminants in the city waterways and various strategies to achieve those goals, and providing for the expiration and repeal of such requirement

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-532 to read as follows:

§ 24-532 *Studies of city sewage pollution. a. The commissioner of environmental protection shall annually complete a study on sewage and stormwater contaminants in the city's waterways, and shall prepare and file with the mayor and the council and post on the department's website a report disclosing the results of each such study, including but not necessarily limited to:*

1. The current condition of the waterways of the city with respect to the presence of contaminants from combined sewage overflows, frequencies and volumes of discharges from each combined sewage overflow during the preceding year, and the proportional impact of discharges on environmental justice communities;

2. The progress made by the department of environmental protection toward reaching the milestones, projected reductions in combined sewage overflow volume and frequency, projected pollutant load reductions, and projected water quality improvements included in each combined sewer overflow long term control plan required under state or federal permits or enforcement orders; and

3. For each waterway that is the subject of a combined sewage overflow long term control plan, the five sewage contaminants discharged from city outfalls that are the most frequent cause or contributor during the preceding year to violations of the water quality standards set forth in part 703 of title 6 of the New York codes, rules and regulations or the United States environmental protection agency's 2012 recreational water quality standards.

b. The commissioner shall complete each study and submit the report required by subdivision a by July 1 of each year.

c. The commissioner shall develop and file with the mayor and the council and post on the department's website, for each waterway that is the subject of a combined sewer overflow long term control plan, an integrated watershed management plan, following the guidelines in the United States environmental protection agency's 2008 Handbook for Developing Watershed Plans to Restore and Protect Our Waters. The objectives of each plan shall include, but need not be limited to, year-round compliance throughout each water body, including at all locations where people may come into contact with the water through recreational activities, with water quality standards no less stringent than the United States environmental protection agency's 2012 recreational water quality criteria, or the most recent update to such criteria. The department shall publish one integrated watershed plan for a waterway that is subject to a combined sewer overflow long term control plan but lacks an integrated watershed plan, on July 1 of each year, beginning July 1, 2023, until such plans are completed for each such waterway.

d. For the development of each plan required under subdivision c of this section, the commissioner shall convene an advisory group quarterly to receive an update on substantive findings and analysis and to provide advice. The advisory group shall be composed of no fewer than five members, including:

1. A representative appointed by the borough president of each respective borough adjoining the waterway that is the subject of the respective plan;

2. One member representing a New York city-based organization with at least five years of experience researching and advocating to address the differential effects of environmental degradation on economically disadvantaged communities;

3. Two members representing environmental organizations with at least five years of experience researching and advocating to address urban sewage pollution issues; and

4. One representative affiliated at a college or university with experience in water quality or hydrology.

d. The commissioner shall develop and file with the mayor and the council and post on its website, for each waterway that is the subject of a combined sewage overflow long term control plan, a report identifying all technically feasible opportunities to develop green infrastructure on public and private lands and structures within the sewersheds draining to each respective waterway, including projects that rely on public funding, private funding, or a combination thereof, and the potential for green infrastructure assets to maximize health, quality of life, and economic benefits to environmental justice communities. For the purposes of this paragraph, the term "green infrastructure" refers to methods to divert stormwater away from the sewer system and direct it to areas where it can be infiltrated, evapotranspired, reused, or detained, including, but not limited to, green roofs, trees and tree boxes, blue roofs, permeable pavement, rain barrels and cisterns, rain gardens, vegetated swales, wetlands, infiltration planters, and vegetated sidewalk swales and median strips. The department shall publish a report for a waterway that is subject to a combined sewage overflow long term control plan but lacks a report on such technically feasible opportunities for green infrastructure, on July 1 of each year, beginning July 1, 2023, until such reports are completed for each such waterway.

f. The commissioner shall complete a study evaluating the effectiveness of its current regulations for reducing the volume and rate of stormwater discharge from developed land and establishing a method to be used by the department to track the combined sewage overflow and stormwater pollution reductions achieved by implementing such standards. The commissioner shall submit such study to the mayor and the council and shall post on the department's website a report and recommendations for adopting on-site stormwater retention standards for new development and redevelopment projects in the combined sewage areas and separate sewage areas of the city and for tracking the combined sewage overflow and stormwater pollution reductions that would be achieved by implementing such new standards. The commissioner shall complete the study and submit the report and recommendations by July 1, 2024.

g. The commissioner shall complete a study on chlorination treatments for raw sewage and develop and submit to the mayor and the council and post on the department's website a report evaluating, for each location in the city where a combined sewage overflow long term control plan includes chlorination:

1. Anticipated designs for chlorination methods and types and levels of chemicals;

2. The effectiveness of such designs at treating or neutralizing pathogens and other pollutants; and

3. Potential adverse impacts of the use and discharges of chlorination chemicals and chlorination chemical byproducts and the extent to which anticipated designs will be able to avoid adverse impacts.

h. The report required by subdivision g shall consider the experiences of other wastewater treatment utilities with chlorination treatments for combined sewer overflows. The commissioner shall complete the study and submit the report by July 1, 2023.

i. The commissioner shall:

1. Publish a draft of each report, plan or set of recommendations required by subdivisions a, c, d, e, f and g, on the department's website 90 days before finalization;

2. Hold a public meeting to present the draft report and answer questions from the public; and

3. Allow the public to submit comments on such draft report for 45 days.

j. As part of each report, plan or set of recommendations required by subdivisions a, c, d, e, f and g, the commissioner shall:

1. Include an assessment of public comments, including a copy of all such comments and summary of any unwritten comments offered at the meetings of any relevant advisory group or any relevant public meeting;

2. A summary and an analysis of the issues raised in such comments;

3. Responses to any questions included in such comments;

4. A statement of the reasons why any significant modifications recommended in such comments were not incorporated into the report; and

5. A description of any changes made to the report as a result of such comments.

§ 2. This local law takes effect immediately and remains in effect until 2 years after the completion of the department of environmental protection's combined sewer overflow long term control plan projects or February 1, 2053, whichever is later, at which time it shall expire and be deemed repealed.

Referred to the Committee on Environmental Protection.

Res. No. 239

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, S.1075A/A.6319A, which would amend the penal law to remove the penetration requirement from the rape statutes as well as to define rape as sexual intercourse, oral sexual conduct, or anal sexual conduct, and to explicitly recognize rape with an object.

By Council Members Gennaro, Hanif, Gutiérrez, Hudson and Restler.

Whereas, The Federal Bureau of Investigation’s (FBI) Uniform Crime Report (UCR) Summary Reporting System (SRS), also known as the national “report card” on serious crime, is a trusted source of statistics for use in law enforcement; and

Whereas, The UCR SRS utilized an outdated and narrow definition of “forcible rape” that had been unchanged since 1927 until 2012, when the United States (U.S.) Attorney General revised the definition of rape to ensure rape is more accurately reported nationwide; and

Whereas, For the first time, the new definition of rape, “[t]he penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim,” includes any gender of victim and perpetrator, as well as recognizes rape with an object; and

Whereas, This revised definition sends an important message to all victims that what happens to them matters, and to perpetrators that they will be held accountable; and

Whereas, A U.S. Department of Justice study indicates that 60 percent of sexual assault crimes are not reported to the police, while a U.S. Centers for Disease Control survey on intimate partner and sexual violence found that over 18 percent of women reported being raped in their lifetime; and

Whereas, In New York City (“NYC” or “City”), the NYC Alliance Against Sexual Assault estimates that nearly 50,000 women are raped annually; and

Whereas, Currently, New York State (“State”) rape statutes include a penetration requirement and refers to oral and anal sexual conduct as “criminal sexual acts”; and

Whereas, Not only is this definition more restrictive than the federal definition of rape, it is archaic; distinguishing different types of nonconsensual contact of a sexual organ reduces the perceived severity of the crime as well as contributes to the underreporting of rape; and

Whereas, Moreover, the current State legal definition of rape would not recognize an instance where one man rapes another man anally, as rape; and

Whereas, S.1705A/A.6319A, also referred to as the “Rape is Rape” bill, sponsored by State Senator Brad Hoylman and State Assembly Member Catalina Cruz, respectively, would broaden the legal definition of rape beyond vaginal penetration; and

Whereas, In redefining rape, S.1705A/A.6319A should also include an explicit recognition of rape with an object, which is currently classified as aggravated sexual abuse in different degrees; and

Whereas, Survivors of rape and their advocates have been pushing for the passage of this bill since it was first introduced in 2011; and

Whereas, Rape, in any form, is traumatic and victims of rape deserve justice; now, therefore be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, S.1075A/A.6319A, which would amend the penal law to remove the penetration requirement from the rape statutes as well as to define rape as sexual intercourse, oral sexual conduct, or anal sexual conduct, and to explicitly recognize rape with an object.

Referred to the Committee on Public Safety.

Int. No. 534

By Council Members Hanif, Cabán, Narcisse, Farías, Louis, Riley, Abreu, Williams, Velázquez, Schulman, Krishnan, Ung, Ossé, Brooks-Powers, Gutiérrez, Joseph, Avilés and Hudson

A Local Law in relation to establishing a pilot program to assist with changing door locks on the dwelling units of survivors of domestic violence

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:

Area median income. The term “area median income” means the income limits as defined annually by the United States department of housing and urban development (HUD) for the New York, NY HUD Metro FMR Area (HMFA).

Community-based organization. The term “community-based organization” means a community-based organization located in a pilot zip code that provides services to a survivor of domestic violence who is an English language learner, is homeless, is an immigrant, has a criminal history, has a disability, is a member of the LGBTQ community or is a member of a community of color.

Designated organizations. The term “designated organizations” means at least 10 community-based organizations, which the director designates to assist with the pilot program.

Director. The term “director” means the director of the office.

Dwelling unit. The term “dwelling unit” means a dwelling unit in a building that is either rented, leased, let or hired out to be occupied as the residence or home of 2 or more occupants living independently of each other.

Eligible household. The term “eligible household” means a household that (i) has an annual gross income between 51 and 80 percent of the area median income, adjusted for the size of the household, (ii) resides in a dwelling unit located in a pilot zip code and (iii) includes a survivor of domestic violence.

Office. The term “office” means the office to end domestic and gender-based violence.

Owner. The term “owner” means the owner of a dwelling unit.

Pilot program participant. The term “pilot program participant” means an eligible household that a designated organization selects to participate in the pilot program.

Pilot zip code. The term “pilot zip code” means 1 of 10 zip codes in the city of New York with the highest rates of domestic violence, as determined by the office.

Relevant agencies. The term “relevant agencies” means the center for innovation through data intelligence, the department of housing preservation and development, the department of social services, the mayor’s office of data analytics, the police department, any successor of an agency specified in this definition, and any other agency that the director deems relevant.

Stipend. The term “stipend” means a grant of financial assistance provided to a pilot program participant to pay for changing the entrance door locks of a dwelling unit and any fees associated with such change.

Support service. The term “support service” means a social service that a survivor advocate helps a pilot program participant access during the pilot program, including, but not limited to, counseling services, housing services, safety planning and legal services.

Survivor advocate. The term “survivor advocate” means a non-attorney advocate who provides information and support to a pilot program participant in connection with changing a dwelling unit’s entrance door locks and accessing any support services associated with such change.

Survivor of domestic violence. The term “survivor of domestic violence” means an individual who has experienced domestic violence, pursuant to documentation from an agency, a community-based organization or an order of a court of competent jurisdiction.

b. Feasibility study and report. Subject to appropriation, not later than 90 days after the effective date of this local law, the director, in consultation with the relevant agencies and the designated organizations, shall conduct a feasibility study to determine the design of the pilot program as described in subdivision d of this section. Not later than 270 days after the effective date of this local law, the director shall submit a report on such study to

the mayor and speaker of the council and post such report on the office's website. Such report shall include, but need not be limited to:

1. The design of the pilot program, including, but not limited to, the design of the baseline survey as described in subdivision c of this section, the metrics to evaluate such program and the rationale for such design components;
2. The staffing needs of the pilot program, including, but not limited to, the survivor advocates and an external entity to evaluate such program;
3. The process by which the designated organizations select the pilot program participants;
4. The plan to protect the privacy of the pilot program participants, including, but not limited to, any information that such participants provide during the pilot program;
5. The amount of a stipend and the process for providing it to such participants;
6. The process for selecting and supervising the survivor advocates; and
7. Documentation and procedures for changing a dwelling unit's entrance door locks, including, but not limited to, special documentation and procedures for when the perpetrator of domestic violence is the owner or resides with such participant.

c. Baseline survey and report. 1. The director, in consultation with the relevant agencies and the designated organizations, shall require the survivor advocates to administer baseline surveys to the pilot program participants to assess the impact of the pilot program, established pursuant to subdivision d of this section, on such participants' quality of life. The quality of life metrics that such survey assesses shall include, but are not limited to, child wellbeing, health, housing, income, level of trauma, and safety.

2. The first baseline survey shall be administered not later than 180 days after submission of the feasibility report required by subdivision b of this section. The second baseline survey shall be administered not later than 1 year after the commencement of the pilot program. The third baseline survey shall be administered not later than 180 days after the conclusion of such program. The director shall submit a report on the findings of these baseline surveys to the mayor and speaker of the council and post such reports on the office's website.

d. Pilot program. Subject to appropriation, beginning no later than 180 days after the submission of the feasibility report required by subdivision b of this section, the director, in consultation with the relevant agencies and the designated organizations, shall establish a 2-year trauma-informed pilot program, based on the findings of the feasibility study required by subdivision b of this section, to change the entrance door locks of the dwelling units of survivors of domestic violence and provide related support services. Such program shall provide 1,000 pilot program participants with a stipend and the assistance of a survivor advocate, at a ratio of at least 1 survivor advocate to 50 pilot program participants. The pilot program shall terminate two years after its commencement. The director, in consultation with the relevant agencies and the designated organizations, shall do the following:

1. Administer such program, including, but not limited to, the provision of the stipend and the supervision of the survivor advocates; and
2. Engage an external entity to evaluate the pilot program. Such entity shall submit written findings to the director on the pilot program's effectiveness and suitability for expansion into a permanent program and any recommended modifications in connection with such expansion.

e. Progress report. Not later than 1 year after the commencement of the pilot program established pursuant to subdivision d of this section, the director, in consultation with the relevant agencies and the designated organizations, shall submit a progress report on such program to the mayor and speaker of the council and post such report on the office's website. The information in such report shall be anonymized and include, but need not be limited to, the following:

1. The number of households participating in such pilot program and the following information about each such household:
 - (a) Zip code;
 - (b) The number of persons in the household;
 - (c) Whether or not the household includes children under the age of 18;
 - (d) The primary language spoken in the household;
 - (e) The rent charged for the dwelling unit; and
 - (f) The household's annual gross income;

2. A description of the impact, if any, that the survivor advocates, stipend and support services had on the pilot program participants, as indicated by the results of the baseline surveys and any interviews with such participants and such advocates; and

3. A description of the challenges implementing the pilot program and the efforts to address such challenges, if any.

f. Final report. Not later than 1 year after the conclusion of the pilot program established pursuant to subdivision d of this section, the director, in consultation with the relevant agencies and the designated organizations, shall submit a final report on such program to the mayor and speaker of the council and post it on the office's website. The information in such report shall be anonymized and include, but need not be limited to, the following:

1. The information in the progress report required by subdivision e of this section, updated for the final report;

2. The budget of the pilot program; and

3. Any recommendations to improve the pilot program for implementation as a permanent program, including, but not limited to, a tax abatement to incentivize owners to change the dwelling unit's entrance door locks of survivors of domestic violence.

g. Data sharing. For the duration of the pilot program, the relevant agencies shall share relevant data regarding the pilot program participants with the office.

h. Owner liability. An owner shall not be liable to the tenants, occupants, guests or invitees of a dwelling unit for any reasonable and good faith actions that such owner takes pursuant to this section.

i. Perpetrator liability. This section shall not be construed to relieve a perpetrator of domestic violence from any obligation arising from an owner's reasonable and good faith actions to comply with this section.

§ 2. This local law takes effect immediately.

Referred to the Committee on Women and Gender Equity.

Res. No. 240

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, S.2584A/A.6616, which would require comprehensive sexuality instruction for students in grades K-12 which addresses age and developmentally appropriate physical, mental, emotional and social dimensions of human sexuality and reflects the national sexuality education standards.

By Council Members Hanif, Cabán, Abreu, Williams, Schulman, Krishnan, Ossé, Gutiérrez, Richardson Jordan, Avilés, Hudson, Restler and Marte (at the request of the Bronx Borough President).

Whereas, According to the Centers for Disease Control and Prevention's Youth Risk Behavior Survey (YRBS), in 2019, 25.5 percent of New York City (NYC) high school students reported previously engaging in sexual intercourse, and 45.3 percent of students who reported being sexually active reported not using a condom during their last sexual intercourse; and

Whereas, Failure to use condoms during sexual intercourse puts sexually active students' health at risk; and

Whereas, According to the New York State Department of Health (NYSDOH), in 2019, there were over 16,100 chlamydia diagnoses and nearly 3,400 gonorrhea diagnoses of individuals aged 10-19 in New York City; and

Whereas, Data also shows that many NYC students' physical, mental, emotional and social wellbeing are at risk due to dating violence, and according to the 2019 YRBS, 8.2 percent of all high school students experienced sexual dating violence, including 6.3 percent of high school students in New York City; and

Whereas, The National Sexuality Education Standards reports that comprehensive and age-appropriate sex education, beginning in primary school, can have many benefits for students, including lowering rates of unplanned pregnancies, maternal deaths, unsafe abortions, and sexually transmitted infections (STIs); and

Whereas, Despite the benefits of sexual health education, New York State (NYS) does not require students to take sexual health education and only requires students to receive HIV/AIDS education each year beginning in Kindergarten; and

Whereas, NYS does, however, mandate that kindergarten through fifth grade students receive sequential health education each year, and requires 54 hours of health education for middle and high school students to be taught by a certified instructor; and

Whereas, While health education is beneficial for students, advocates claim that given the mental, physical, and sexual health risks many NYS students are taking, the State should also require all students to take sexuality health education; and

Whereas, Unlike the State, NYC's Department of Education (DOE) requires sixth to twelfth grade students to take sexual health education, but data shows that many DOE students are not fulfilling this requirement; and

Whereas, During a January 2019 NYC Council Education Committee oversight hearing, DOE testified that only 37.2 percent of eighth graders received the complete 54-hour sex education course during the 2017-18 school year, and according to a 2016 poll conducted by the Sexual Education Alliance of New York City, only 65 percent of middle and high school students reported that their school health classes included sexuality education; and

Whereas, Pursuant to Local Law 90 of 2017, which created a Sexual Health Education Task Force (Task Force), in 2018, the Task Force released a report detailing the state of sexual health education in NYC schools and included eleven recommendations on how the DOE can improve on its offering and of implementation of sex health education; and

Whereas, The Task Force found an "urgent need for policy and practice reform" regarding sexual health education in NYC, and recommended that DOE increase the mandated amount of sexual health education across all grade levels and create district-level and school-level accountability for sexual health education; and

Whereas, While the DOE has made recent efforts to address the lack of sexual health education in its school, including the adoption of Health Ed Works, which is a four-year health education initiative, it still does not require sexual health education to be taught in all grades and advocates are concerned that many middle and high school students are still missing out on valuable sex education instruction; and

Whereas, A state law that mandates comprehensive sexuality instruction for students in grades K-12 would help ensure that students across the City and State have the knowledge to help them make the best decisions in relationships and during sexual activity; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, S.2584A/A.6616, which would require comprehensive sexuality instruction for students in grades K-12 which addresses age and developmentally appropriate physical, mental, emotional and social dimensions of human sexuality and reflects the national sexuality education standards.

Referred to the Committee on Education.

Int. No. 535

By Council Members Hanks, Brannan and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to increasing transparency and accountability in the real property tax assessment process

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 11-207 of the administrative code of the city of New York, as amended by local law number 55 for the year 1993, is amended to read as follows:

a. 1. In performing their assessment duties, the assessors shall personally examine each parcel of taxable real estate during at least every third assessment cycle, and shall personally examine each parcel of real estate that is not taxable during at least every fifth assessment cycle, as measured from the last preceding assessment cycle during which such parcel was personally examined. Notwithstanding anything in the preceding sentence

to the contrary, the assessors shall revalue, reassess or update the assessment of each parcel of taxable or nontaxable real estate during each assessment cycle, irrespective of whether such parcel was personally examined during each assessment cycle. *No later than the day on which the annual record of the assessed valuation of real estate is opened to the public for inspection as provided in section 1510 of the charter, the department shall publish on its website a list of each parcel of real estate personally examined during the preceding assessment cycle in accordance with this paragraph, including (a) the borough, block and lot and street address of each parcel examined, (b) the date on which it was examined, (c) whether such parcel is taxable or not taxable, and (d) the method by which the parcel was examined.*

2. *For each parcel assessed, the assessor shall document the valuation method used for such assessment and the reason such valuation method was chosen. For each parcel assessed in accordance the provisions of section 581 of the real property tax law, the assessor shall document the comparable property or properties used for such assessment, where applicable, and the reason such comparable property or properties were chosen. The department shall maintain the documentation required by this paragraph for a period of at least seven years.*

3. *No later than January 5 of each year, the department shall publish on its website the guides, manuals, protocols, policies or procedures used by the assessors to assess and value property during the preceding assessment cycle.*

§2. Subdivision b of section 11-207.1 of the administrative code of the city of New York, as added by local law number 52 for the year 2013, is amended to read as follows:

b. (1) *The notice of property value sent by the department to an owner of real property shall inform such owner how to access additional information on the website of the department regarding valuation of the subject real property, including the factors used by the department to determine the market value of such real property. The notice of property value shall include the address of such website. Such information shall be made available at least thirty days prior to the final date for filing any appeal.*

(2) *The notice of property value sent by the department to an owner of real property owned or leased by a cooperative corporation or on a condominium basis assessed in accordance the provisions of section 581 of the real property tax law shall inform such owner of the comparable property or properties used to determine the assessed value of such property, where applicable, identified by borough, block, and lot and street address. Where the comparable property or properties used is different than the comparable property or properties used in the tax year immediately prior to the applicable tax year, the fact of such change shall be indicated on the notice of property value and shall include the reason for such change.*

§3. This local law takes effect July 1, 2023.

Referred to the Committee on Finance.

Int. No. 536

By Council Members Hanks, Menin and Velázquez.

A Local Law to amend the New York city charter, in relation to establishing an office of the waterfront

Be it enacted by the Council as follows:

Section 1. Chapter one of the New York city charter is amended by adding a new section 20-o to read as follows:

§ 20-o. *Office of the Waterfront. a. Definitions. As used in this section, the following terms have the following meanings:*

Applicant. The term “applicant” means a person seeking to engage in a waterfront use that requires a permit from any federal, state or local agency.

Body of water. The term “body of water” means any ocean, estuary, harbor, river, tidal strait, bay, basin, cove, stream, pond or lake sharing a boundary with any part of the city of New York.

Director. The term “director” means the director of the office of the waterfront.

Waterfront. The term “waterfront” means the geographical area adjacent to a body of water at least 800 feet landward from the shoreline.

Waterfront use. The term “waterfront use” means an activity on the waterfront that requires direct access or proximity to the water in order to function; or an activity with a primarily recreational, cultural or retail function whose location on the waterfront would add to public use and enjoyment of the water’s edge.

b. The mayor shall establish an office of the waterfront. Such office may be established as a separate office or within any other office of the mayor or within any department the head of which is appointed by the mayor. Such office shall be headed by a director who shall be appointed by the mayor or by the head of such office or department.

c. Powers and duties. The director shall have the power and duty to:

1. Coordinate and collaborate with city agencies responsible for matters related to waterfront use, including, but not limited to, issuing permits and disseminating information about the waterfront to the public;
2. Liaise with state and federal agencies involved in the waterfront permitting process and provide applicants with information on federal and state permitting requirements;
3. Serve as the primary point of contact for all applicants regarding waterfront use and assist applicants in filing applications;
4. Serve as an advocate for the waterfront within city government;
5. Manage and implement the New York city comprehensive waterfront plan published pursuant to section 205;
6. Assist the waterfront management advisory board established pursuant to section 1303 in the implementation of the duties and responsibilities of such advisory board; and
7. Perform other relevant duties as the mayor may assign.

d. Report. Within 18 months of the effective date of the local law that added this section, and annually thereafter, the director shall prepare and post on the city’s website and submit to the mayor and the speaker of the council a report that shall include, but not be limited to, the activities undertaken in fulfillment of the duties specified in subdivision c of this section, issues affecting commercial, recreational or other use of the waterfronts and recommendations for addressing such issues.

§ 2. This local law takes effect 60 days after it becomes law, except that the mayor may take any steps as are necessary for the implementation of this local law before such date.

Referred to the Committee on Governmental Operations.

Int. No. 537

By Council Member Holden.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a centralized mobile application for accessing city services

Be it enacted by the Council as follows:

Section 1. Title 23 of the administrative code of the city of New York is amended by adding a new chapter 13 to read as follows:

**CHAPTER 13
ACCESS TO CITY SERVICES WITH MOBILE TECHNOLOGY**

§23-1301 Definitions. For the purposes of this chapter, the following terms have the following meanings:

Commissioner. The term “commissioner” means the commissioner of information technology and telecommunications.

Department. The term “department” means the department of information technology and telecommunications.

§23-1302 *Mobile application; creation.* a. The department, in collaboration with the chief privacy officer, shall create a mobile application capable of allowing members of the public to access services provided by a city agency. Such mobile application shall include, where relevant:

1. The ability for users to schedule appointments for city services;
2. The ability to remind users about scheduled appointments with a city agency; and
3. The ability to send and receive messages to and from the user with the applicable city agency.

b. The department, in collaboration with other agencies, shall provide public access through such application to all city services except services whose nature makes them incapable of access using mobile application technology.

§23-1303 *Accessibility.* The department shall adopt an accessibility protocol for the mobile application required by this chapter to ensure the application is accessible for persons with disabilities.

§23-1304 *Encryption.* The mobile application maintained by the department on behalf of the city or on behalf of any city agency shall encrypt all exchanges and transfers between a web server, maintained by or on behalf of the city or a city agency, and the mobile application shall require web browsers to request such encrypted exchange or transfer at all times, provided that such encryption shall not be required if such exchanges or transfers are conducted in a manner that provides at least an equivalent level of confidentiality, data integrity and authentication.

§23-1305 *Open source software.* Any custom software, web development service or mobile application created by the department in furtherance of this chapter shall be open source and publicly accessible, except as otherwise provided by the rules of the department.

§23-1306 *Alternative methods.* The mobile application shall not be the only method to access services provided by a city agency. Each agency shall continue providing access to services provided by such agency without the use of this mobile application.

§23-1307 *Information.* a. No vendor if used in the creation, maintenance, or operation of such mobile application, shall use or have access to identifying information, as defined in section 23-1201, beyond the scope necessary for the service provided.

b. The user shall have the right to review and delete information- collected from or stored by the mobile application related to such user, provided that such information would not be retained by such agency in the ordinary course of providing access to the service through a different method. Such request shall be satisfied within 10 days of the request.

§23-1308 *Biometric identifier information.* No biometric identifier information, as defined in section 22-1201, shall be collected by this mobile application.

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

Referred to the Committee on Technology.

Int. No. 538

By Council Members Hudson, Hanif, Won, Avilés, Louis, Williams and Gutiérrez (by request of the Brooklyn Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to requiring the New York police department to report on instances in which an individual denied an officer consent to a search

Be it enacted by the Council as follows:

Section 1. Paragraph 2 of subdivision b of section 14-173 of the administrative code of the city of New York, as added by local law number 56 for the year 2018, is amended to read as follows:

2. Document the time, location, and date of any such attempt to obtain consent to search[.]; whether consent was sought to search a person, vehicle, home, property, or to collect a forensic sample to be used to test a person's DNA; whether the officer attempted to obtain consent to search from a person with limited English

proficiency, and whether the officer utilized interpretation services and, if so, the type of interpretation services utilized, including but not limited to the use of language line services, a certified interpreter pursuant to the language initiative program, or other interpretation service authorized pursuant to the department's language access plan; and the apparent race/ethnicity, gender, and age of the person [who was the subject of such search] from whom consent was sought, and such officer's name, precinct, and shield number.

§ 2. Subdivision e of section 14-173 of the administrative code of the city of New York, as added by local law number 56 for the year 2018, is amended to read as follows:

e. Commencing within 30 days of the end of the quarter beginning on October 1, 2018, and within 30 days of the end of every quarter thereafter, the department shall post on its website a report of data *from the preceding quarter* collected pursuant to paragraph 2 of subdivision b, [specifically the] *including, but not limited to:*

1. *The total number of consent searches conducted [during the preceding quarter] disaggregated by: [the:*

1. Apparent] *(a) The apparent race/ethnicity, gender, and age of the person searched; and*

[2. Precinct] *(b) The precinct where each search occurred, and further disaggregated by:*

(i) the apparent race/ethnicity, gender, and age of the person searched[.];

(ii) whether consent was given to search a person, vehicle, home, or to collect a forensic sample to be used to test a person's DNA;

(iii) whether the person searched was a person with limited English proficiency; and

(iv) whether the officer utilized interpretation services to obtain consent, further disaggregated by the type of interpretation service utilized.

2. *The total number of instances where an officer sought to obtain consent to search but did not obtain such consent disaggregated by:*

(a) The apparent race/ethnicity, gender, and age of the person from whom such consent was sought; and

(b) The precinct where each such attempt to obtain consent to search occurred, and further disaggregated by:

(i) the apparent race/ethnicity, gender, and age of the person from whom such consent was sought;

(ii) whether consent was sought to search a person, vehicle, home, or to collect a forensic sample to be used to test a person's DNA;

(iii) whether the person from whom consent was sought was a person with limited English proficiency; and

(iv) whether the officer utilized interpretation services in seeking to obtain consent, further disaggregated by the type of interpretation service utilized, including but not limited to the use of language line services, a certified interpreter pursuant to the language initiative program, or other interpretation service authorized pursuant to the department's language access plan.

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

Referred to the Committee on Public Safety.

Int. No. 539

By Council Members Hudson, De La Rosa, Gutiérrez, Cabán, Abreu, Louis, Won, Avilés, Williams, Ung, Schulman, Richardson Jordan and Vernikov.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of housing preservation and development to conduct periodic studies of rent stabilized housing accommodations and to develop a program to incentivize owners to keep such accommodations rent stabilized for an extended period of time

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 26 of the administrative code of the city of New York is amended by adding a new section 26-520.1 to read as follows:

§ 26-520.1 *Periodic study and plan to incentivize owners of rent stabilized housing accommodations to keep such accommodations stabilized for an extended period of time.* a. As used in this section, the term “rent stabilized housing accommodations” means housing accommodations that are subject to the rent stabilization law of 1969.

b. The department of housing preservation and development shall conduct periodic studies of rent stabilized housing accommodations as required by this section. Each such study shall evaluate the stock of rent stabilized housing accommodations located within the city, including, but not limited to, the number of housing accommodations that ceased to be rent stabilized housing accommodations within the five years preceding the date on which submission of the findings of such study is due under subdivision c of this section, disaggregated by the reasons for which such accommodations ceased to be subject to the rent stabilization law of 1969 and the number of housing accommodations that have become rent stabilized housing accommodations within the five years preceding the date on which submission of the findings of such study is due under subdivision c of this section, and shall include a plan to encourage, through the use of financial incentives or otherwise, owners of rent stabilized housing accommodations that have ceased to be subject to the rent stabilization law of 1969 to keep such accommodations affordable for an extended period of time. In addition, the study may include recommendations for legislation, policy, budget initiatives and other measures the city can take, either acting alone or in collaboration with other organizations or governmental entities, to prevent or lessen the loss of rent stabilized housing accommodations.

c. By no later than March 1, 2023, the department of housing preservation and development shall submit the findings of the first such study to the mayor and the council. For each subsequent study, such department shall submit the findings thereof to the mayor and the council in the sixth month preceding the expiration date of the rent stabilization law of 1969 as set forth in section 26-520.

§ 2. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 540

By Council Members Hudson, Ossé, Louis, Won, Avilés, Ung, Gutiérrez, Schulman and Joseph.

A Local Law to amend the administrative code of the city of New York, in relation to affordable housing lottery processes

Be it enacted by the Council as follows:

Section 1. Title 26 of the administrative code of the city of New York is amended by adding a new chapter 32 to read as follows:

**CHAPTER 32
AFFORDABLE HOUSING LOTTERIES**

§ 26-3201 *Definitions.*

§ 26-3202 *Affordable housing lotteries.*

§ 26-3201 *Definitions.* For the purposes of this chapter, the following terms have the following meanings:

Affordable housing lottery. The term “affordable housing lottery” means any lottery for affordable housing units that is administered by or on behalf of the department.

Affordable housing unit. The term “affordable housing unit” means “affordable housing unit” as defined in section 26-2201.

Applicant. The term “applicant” means an applicant for an affordable housing unit.

Application. The term “application” means an application for occupancy of an affordable housing unit.

Appeal. The term “appeal” means an appeal of a marketing agent’s determination not to select an applicant to occupy an affordable housing unit.

Department. The term “department” means the department of housing preservation and development.

Marketing agent. The term “marketing agent” means any individual or entity responsible for the advertising of and resident selection for affordable housing units.

§ 26-3202 Affordable housing lotteries. a. The department shall promulgate rules governing affordable housing lotteries consistent with, but not limited to, the provisions of this subdivision.

1. The department shall provide every applicant a written notification, online or by electronic mail, and by regular mail, stating whether such applicant was selected in an affordable housing lottery.

2. The department shall maintain a compliance hotline for the purpose of providing information and guidance to marketing agents.

3. Every marketing agent shall attend at least one in-person or online training regarding resident selection for affordable housing units. Such training shall be developed by the department.

4. Every applicant shall be permitted a reasonable amount of time, but not less than five business days after receiving notice from a marketing agent of any deficiencies identified in an application, to cure any such deficiencies before such marketing agent may reject the application. Marketing agents shall accept an applicant’s revised application online or by electronic mail, and by regular mail.

5. Every applicant shall be permitted a reasonable amount of time, but not less than five business days, to respond to a marketing agent’s request for information before such marketing agent may reject the application. Marketing agents shall accept an applicant’s responses to requests for information online or by electronic mail, and by regular mail.

6. Marketing agents shall provide every applicant a written notification stating whether such applicant is selected to occupy an affordable housing unit. If any applicant is not selected to occupy an affordable housing unit such written notification shall provide specific and detailed reasoning why an applicant cannot be approved, information explaining how the applicant may appeal and information about community-based service providers that may assist the applicant. All written notifications sent pursuant to this paragraph shall be delivered online or by electronic mail, and by regular mail. Marketing agents shall send the department or the New York city housing development corporation, as applicable, a copy of every written notification sent pursuant to this paragraph.

7. Marketing agents shall not use the following information and criteria to determine if an applicant is selected to occupy an affordable housing unit:

(a) Home visits, photographs, videos, or other representations of an applicant’s current living situation;

(b) Report cards or other school records relating to minor children residing with an applicant; or

(c) Such other information and criteria as the department may specify by rule.

8. Marketing agents shall not reject any applicant based solely on an applicant’s credit score. Marketing agents may consider an applicant’s credit score only as an indicator of such applicant’s financial stability, consistent with rules promulgated by the department.

9. Marketing agents shall review and evaluate all sources of an applicant’s income, including, but not limited to, wages, self-employment income, unemployment income and income from other sources consistent with rules promulgated by the department.

10. Any applicant not selected to occupy an affordable housing unit shall be permitted a reasonable amount of time, but not less than 30 business days, to appeal such determination. Marketing agents shall accept an applicant’s appeal online or by electronic mail, and by regular mail. Marketing agents shall send the department or the New York city housing development corporation, as applicable, a copy of every appeal.

11. Marketing agents shall provide every applicant who submits an appeal a written notification stating whether such applicant is selected to occupy an affordable housing unit. If any applicant is not selected to occupy an affordable housing unit such written notification shall provide specific and detailed reasoning why an applicant cannot be approved, information explaining how to file a complaint with the department or the New York city housing development corporation, as applicable, and information about community-based service providers that may assist the applicant. All written notifications sent pursuant to this paragraph shall be delivered online or by electronic mail, and by regular mail. Marketing agents shall send the department or the New York city housing development corporation, as applicable, a copy of every written notification sent pursuant to this paragraph.

12. Any applicant whose appeal is rejected shall be permitted a reasonable amount of time, but not less than five business days, to file a complaint with the department or the New York city housing development

corporation, as applicable. Such complaint shall include a written explanation of why the applicant believes the appeal was rejected in error and documentation to support the explanation. The department or the New York city housing development corporation, as applicable, shall accept such complaints online or by electronic mail, and by regular mail. During the pendency of its review of such complaint, provided no other affordable housing units are available, the department or the New York city housing development corporation, as applicable, may prohibit a marketing agent from selecting another applicant to occupy an affordable housing unit at issue in the complaint. The department or the New York city housing development corporation, as applicable, shall provide every applicant who submits a complaint a written notification stating whether such applicant is selected to occupy an affordable housing unit. All written notifications sent pursuant to this paragraph shall be delivered online or by electronic mail, and by regular mail.

§ 2. This local law takes effect 120 after it becomes law, except that the commissioner of housing preservation and development shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Housing and Buildings.

Res. No. 241

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, Fair and Timely Parole Act (S7514/A4231A) and Elderly Parole Act (S15A/A8855).

By Council Member Hudson, the Public Advocate (Mr. Williams) and Council Members Hanif, Brewer, Won, Avilés, Louis, Gutiérrez, Restler, Riley and Rivera.

Whereas, New York State's Parole Board (the Board) oversee approximately 12,000 parole hearings per year, according various sources; and

Whereas, The Board is required to consider whether parole-eligible people in custody are likely to commit future crimes upon release and whether their release will deprecate the seriousness of their crime when deciding whether to approve or deny release; and

Whereas, According to a recent report from the *Correctional Association of New York* (CANY), the Board has been criticized for not releasing enough incarcerated people who are up for parole; and

Whereas, CANY's analysis of the DOCCS Under Custody dataset in October 2020 found that 69% of incarcerated people were denied parole after their first hearing; and

Whereas, According to CANY's report, fifty-eight per cent of respondents to their study reported filing an appeal, with only 11% successfully appealing and being granted a de novo interview; and

Whereas, According to CANY, low parole release rates along with longer minimum sentence are reasons people are aging in New York prisons; and

Whereas, New York's aging prison population requires more expensive medical care because the aging population have many health problems and longer and more frequent hospitalizations related to their age, according to report from the Office of the New York State Comptroller; and

Whereas, The long-term incarceration of aging people does not promote public safety as research shows people age 50 and older in New York prisons are least likely to re-offend; and

Whereas, New York parole system disparately affects Black and Latinx communities; and

Whereas, For example, between 2018 and 2020, 34 percent of Black and 33 percent Latinx parole-eligible person were approved for parole compared to 41 percent of white parole-eligible person who were approved during that same period, according to *New Yorkers United for Justice*; and

Whereas, S7514, introduced by State Senator Julia Salazar, and companion bill A4231A, introduced by State Assembly member David Weprin, would create a presumption of release for parole-eligible incarcerated persons unless there is a reasonable public safety reason to keep them in prison; and

Whereas, S7514/A4231A would ensure that the parole release process in New York is based on rehabilitation and current risk to public safety; and

Whereas, S7514/A4231A would also save the state roughly \$60,000 per year for every parole-eligible incarcerated individual released from prison, according to state’s estimates; and

Whereas, S15A, introduced by State Senator Brad Hoylman, and companion bill A8855, introduced by State Assembly Member Maritza Davila, would establish parole consideration for people at least 55 years old who have served 15 consecutive years in prison; and

Whereas, Parole advocates, such as Release Aging People in Prison (RAPP) indicate there are more than 10,000 elderly people in the New York Prison system; and

Whereas, should S15A/A8855 become law, it could help thousands of elderly people in the New York prison system; and, 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, Fair and Timely Parole Act (S7514/A4231A) and Elderly Parole Act (S15A/ A8855).

Referred to the Committee on Criminal Justice.

Int. No. 541

By Council Members Louis, Gutiérrez and Hudson.

A Local Law to amend the administrative code of the city of New York, in relation to amending the reporting of pay and employment equity data

Be it enacted by the Council as follows:

§ 2. Subchapter 7 of Chapter 1 of title 3 of the administrative code of the city of New York is amended to read as follows:

SUBCHAPTER 7
OFFICE OF DATA ANALYTICS

§ 3-170 General. a. As used in this subchapter, the following terms have the following meanings:

Agency. The term “agency” means any agency, *department, division, bureau, board or commission* the head of which holds office upon appointment of the mayor; [and] those units within the executive office of the mayor designated by the mayor to be covered by the provisions of chapter 16 of the charter[. Such term does not include]; *pedagogues of the New York city department of education*; agencies headed by boards, commissions, or other multi-member bodies, whether appointed by the mayor or otherwise[, nor to elected officials, nor to]; *and other agencies, departments, divisions, bureaus, boards or commissions* the heads of which are appointed by officials other than the mayor or by multi-member bodies.

Director. The term “director” means the director of the office of data analytics.

Machine-readable format. The term “machine-readable format” means a non-proprietary format that permits automated processing.

Office. The term “office” means the office of data analytics.

Censored data. The term “censored data” means any data which is subject to redaction or withholding due to concerns that it may reveal personally identifying information, or any other legal concerns that may prohibit its distribution.

Sanitized data. The term “sanitized data” means any data generated with or without the use of censored data that does not reveal personally identifying information and is not legally prohibited from publication for any other reason.

Open source analytics library. The term “open source analytics library” means the website where the source code for data analytics projects are shared and maintained by the mayor’s office of data analytics.

b. All agencies shall cooperate with the office as may be necessary and proper to ensure compliance with this subchapter. The office may request information from any agency it deems necessary to enable it to properly carry out its functions.

c. The director may promulgate such rules as are necessary to carry out the provisions of this subchapter.

§ 3-171 Pay and employment equity data. a. Within 60 days following receipt of the data from the department of citywide administrative services pursuant to section 12-208, the office, in consultation with the department of information technology and telecommunications, shall permanently make such data available to the council [for 90 days] through an application programming interface (API) in a machine-readable format as either comma separated value (CSV) or JavaScript Object Notation (json) for which the office shall provide a key to the council.

b. 1. The office, in consultation with the department of information technology and telecommunications, shall:

(a) Extract from the API any sanitized data requested by the council and make such data available to the council in a machine-readable format within three business days of such request. ;

(b) Provide an account with API access to the data for each individual identified by the council.;

(c) Enable data sharing capabilities between all API access accounts granted to the council;

(d) Deliver any external data prepared by the council to all of the accounts requested by the council in the format that the data was prepared in, within three business days of such request; and

(e) Install any software requested by the council within three business days of such request.

If a request for data in subparagraphs (a), (d) and (e) cannot be made available to the council within three business days then the office shall provide a detailed explanation to the council and shall provide a timeframe when said data will be made available.

2. Code written and stored by the council within the API is to be saved indefinitely for retrieval and usage by the council in its discretion.

[b]c. 1. The office shall issue a report to the mayor and speaker of the council no later than May 31, 2020, and no later than May 31 annually thereafter, and shall post such report on the open source analytics library. Such report shall include aggregated data from each agency showing the frequency of full-time, part-time and seasonal employees by agency, EEO-4 job group, pay band, racial group, ethnicity and gender in a format that prevents the disclosure of the racial group, ethnicity and gender of any employee, while maximizing the level of detail at which such data is reported.

2. Pay bands for such report as required by paragraph 1 of this subdivision shall be for \$2,500, \$5,000 and \$10,000; however, the department of citywide administrative services, in conjunction with the office, may determine by rule other appropriate pay bands, if any, that will maximize the level of detail at which data is reported.

[c]d. Ninety days after the second annual report is issued pursuant to subdivision [b]c of this section, the office, in conjunction with the department of citywide administrative services, shall conduct an annual analysis of the data collected pursuant to section 12-208, including comparisons with data from previous years, in order to identify potential disparities based on gender, race or other protected classes as identified in section 8-101, in the following areas:

1. Pay;

2. Employment rates; and

3. Retention rates.

[d]e. The office shall conduct further analysis with relevant agencies where instances of disparities exist. Such analysis shall be included in the annual report as required pursuant to subdivision [b]c of this section.

[e]f. The department of citywide administrative services shall be required to make recommendations on the development and implementation of pay, employment and retention equity action plans to the mayor and speaker of the council based on disparities identified in subdivision [d]e of this section. Such recommendations shall be included in the annual report as required pursuant to subdivision [b]c of this section.

§ 3. Section 12-208 of chapter 2 of title 12 of the administrative code of the city of New York is amended to read as follows:

§ 12-208 Pay and employment equity data. a. Definitions. Agency. The term “agency” means any agency, department, division, bureau, board or commission the head of which holds office upon appointment of the

mayor; [and] those units within the executive e office of the mayor designated by the mayor to be covered by the provisions of chapter 16 of the charter[. Such term does not include]; *pedagogues of the New York city department of education*; agencies headed by boards, commissions, or other multi-member bodies, whether appointed by the mayor or otherwise[, nor to elected officials, nor to]; *and* other agencies, *departments, divisions, bureaus, boards or commissions* the heads of which are appointed by officials other than the mayor or by multi-member bodies.

b. No later than November 30, 2019, and on or before November 30 annually thereafter, each agency, to the extent the department of citywide administrative services does not already have such information, shall provide to the department of citywide administrative services information relevant to pay and employment equity. Such information for each current and former employee within such agency shall be as of the date of hire and shall, to the extent such information is available, include:

1. *A unique identifier for each employee (identical for each employee across all data sets, starting with the first data set provided to the council in 2022);*

[1]2. Agency;

[2]3. Start date;

4. *Start date in current civil service title;*

[3]5. Civil service title;

6. *Whether the civil service title is a promotional title;*

7. *Union status per civil service title, including, where applicable, name of the union and job or title category of the unit that is bargaining;*

8. *Whether the civil service title is for a uniformed position;*

9. *Minimum educational requirements for the civil service title;*

[4]10. Salary range for such title;

[5]11. Business title;

[6]12. Title classification (title description);

[7]13. Job category;

[8]14. Career level;

[9]15. Base salary;

[10]16. The department of citywide administrative services occupational group code and group name;

[11]17. Whether such employee is a managerial or supervisory employee;

[12]18. Minimum number of years of work experience required for such position;

[13]19. Number of years of work experience of such employee;

[14]20. Highest level of education attained by such employee;

[15]21. Gender;

[16]22. Racial group;

[17]23. Ethnicity;

[18]24. Date of birth;

[19]25. Whether such employee is a provisional employee;

[20]26. Whether such employee is full-time, part-time or seasonal;

[21]27. Change in personnel status, including but not limited to, appointed, deceased, decrease, demoted, dismissed, increase, promoted, resigned, retired, terminated and transfer;[and]

[22]28. Whether such employee was previously employed by the city of New York[.];

29. *Full leave status history, including the date, amount of leave taken and cause of leave;*

30. *Total amount of overtime pay per employee, where applicable;*

31. *Estimated amount of employee benefits paid per civil service title, including a breakout of how many employees are enrolled in the deferred compensation plan and how many employees are enrolled in a city of New York pension plan. The pension plans shall be broken out by tiers; and*

32. *All data sets made available in all prior years, pursuant to this section.*

c. No later than 90 days following receipt of the data collected pursuant to subdivision b of this section, the department of citywide administrative services shall provide such data to the office of data analytics.

d. All agencies shall cooperate with the department as may be necessary and proper to ensure compliance with this subdivision. The department may request from any agency, including the office of payroll

administration and financial information services agency, information it deems necessary to enable it to properly carry out its functions.

§ 4. This local law takes effect immediately.

Referred to the Committee on Civil Service and Labor.

Res. No. 242

Resolution calling upon the State Legislature to pass and the Governor to sign S.1268, proposing an amendment to Article 1 of the New York State Constitution, in relation to equality of rights and protection against discrimination.

By Council Members Menin, Bottcher, Hanif and Williams.

Whereas, The New York State Constitution (the Constitution) does not currently include an equal rights provision; and

Whereas, An amendment to the Constitution is necessary in order to ensure legal equality for all New Yorkers;

Whereas, On January 8, 2021, Senator Liz Krueger introduced S.1268, a bill proposing an amendment (“the amendment”) to Article 1 of the Constitution; and

Whereas, In its current state, Article 1, Section 11 states that, “No person shall, because of race, color, creed or religion be subjected to any discrimination in his or her civil rights by any other person or by any firm, corporation or institution, or by the state or any agency or subdivision of the state”, and

Whereas, This list of protected classes is limited and does not offer protection to all New Yorkers; and

Whereas, If passed, the amendment would add an equal rights provision to the Constitution that would expand the list of protected classes recognized in Article 1, Section 11 to include ethnicity, national origin, disability or sex including pregnancy and pregnancy outcomes, sexual orientation, gender identity, and gender expression; and

Whereas, The amendment would prohibit discriminatory impacts that result from the actions of government, employers, and places of public accommodation; and

Whereas, The Constitution was last amended to address the topic of equal rights in 1938, before major movements toward equality, including the LGBTQ movement, the movement for gender equality, and the civil rights movement and therefore does not address the protection of equal rights with respect to individuals who belong to these, and other, historically marginalized groups; and

Whereas, On June 1, 2022, New York Senate Majority Leader Andrea Stewart-Cousins held a press conference at which she stated religious concerns have caused negotiations on the amendment to reach an impasse; and

Whereas, The current status of the amendment is stricken; and

Whereas, The Council of the City of New York urges state lawmakers to revisit negotiations on the amendment as soon as possible; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the State Legislature to reintroduce and pass and the Governor to sign S.1268, proposing an amendment to Article 1 of the New York State Constitution, in relation to equality of rights and protection against discrimination.

Referred to the Committee on Civil and Human Rights.

Res. No. 243

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, S.2632/A.2443, to prohibit the use of a confession of judgment in business loans.

By Council Member Menin, the Public Advocate (Mr. Williams) and Council Member Abreu.

Whereas, Many taxi medallions owners in New York City (NYC) have taken out business loans to finance the purchase of their vehicles; and

Whereas, Some of the business loans that medallion owners take out include a document known as a “confession of judgment,” where the borrower waives the right to due process if the debt is unpaid and there is a dispute; and

Whereas, Once signed, a confession of judgment can be used by the lender to obtain a judgment against the borrower without any further notification; and

Whereas, Confessions of judgement enable creditors to legally seize assets of borrowers without a court proceeding, by enabling lenders to claim a debtor failed to meet their payment obligations; and

Whereas, The Federal government currently has prohibitions on the use of confessions of judgment in consumer loans, but not for business loans; and

Whereas, The United States Federal Trade Commission has called for the elimination of confessions of judgment in small business lending contracts; and

Whereas, Many states have also banned confessions of judgment practices for business loans, but New York State (NYS) does not prohibit them; and

Whereas, On August 30, 2019, then-Governor Cuomo signed S.6395/A.7500A, relating to judgements by confession; and

Whereas, The State bills prohibit out-of-state lenders from entering into confessions of judgement in New York counties against debtors; and

Whereas, Confessions signed by parties that are New York residents at the time of signing remained enforceable; and

Whereas, A confession of judgment can be used by banks and other lending institutions as a document in predatory lending practices, a loophole that should be closed; and

Whereas, A.2443, introduced by NYS Assembly Member Yuh-Line Niou, and S.2632, introduced by NYS Senator James Sanders Jr., would prohibit the inclusion of a confession of judgement in a contract or agreement for a financial product or service; and

Whereas, The legislation would apply to lenders and debtors that reside in NYS; and

Whereas, The legislation will protect small businesses from predatory lenders that offer loans and cash advances on the pre-condition the business signs a confession of judgment; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, S.2632/A.2443, to prohibit the use of a confession of judgment in business loans.

Referred to the Committee on Small Business.

Int. No. 542

By Council Members Narcisse, Hanks, Williams, Cabán, Abreu, Louis, Ung and Gutiérrez.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education, the administration for children’s services and the department of correction to report on educational programming for juvenile delinquents, juvenile offenders and adolescent offenders

Be it enacted by the Council as follows:

Section 1. Chapter 9 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-922 to read as follows:

§ 21-922 *Education report for juvenile delinquents, juvenile offenders and adolescent offenders. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

ACS division. The term “ACS division” means the ACS division of youth and family justice.

Adolescent offender. The term “adolescent offender” means any individual who is charged pursuant to the criminal procedure law as an adolescent offender, as such term is defined in subdivision 44 of section 1.20 of the criminal procedure law, and who is in custody.

Assault. The term “assault” means any action taken with intent to cause physical injury to another person.

Compulsory educational programming. The term “compulsory educational programming” means educational programming required pursuant to part 1 of article 65 of title 4 of the education law.

Custody. The term “custody” means the holding of an individual by the ACS division or the department of correction through detention, placement or sentencing.

Department of education site. The term “department of education site” means any site (i) that is operated by the department of education that offers educational programming to individuals aged 21 years or younger who are in custody pursuant to a court order on a juvenile delinquency, juvenile offender or adolescent offender matter and (ii) that is located on property that is either under the control of the department of education, ACS or the department of correction or that is subcontracted by the department of education, ACS or the department of correction.

Department of education staff. The term “department of education staff” means any employee of the department of education assigned to work at a department of education site.

Detainment. The term “detainment” means the remand of a juvenile delinquent in the custody of the ACS division, the remand or holding on bail of a juvenile offender in the custody of the ACS division or the remand or holding on bail of an adolescent offender in the custody of the ACS division or the department of correction.

Educational programming. The term “educational programming” means any educational services that the department of education offers to juvenile delinquents, juvenile offenders and adolescent offenders in custody.

High school equivalency diploma test. The term “high school equivalency diplomacy test” means any test that the New York state education department offers for the purpose of establishing the equivalent of a high school diploma, including but not limited to a general education development test or the test assessing secondary completion.

Individualized education program. The term “individualized education program” has the same meaning as is set forth in paragraph (1) of subsection (d) of section 1414 of title 20 of the United States code and any regulations promulgated thereto.

Juvenile delinquent. The term “juvenile delinquent” means any individual in the custody of the ACS division who is charged pursuant to the family court act as a juvenile delinquent, as such term is defined in subdivision 1 of section 301.2 of the family court act.

Juvenile offender. The term “juvenile offender” means any individual in the custody of the ACS division who is charged pursuant to the criminal procedure law as a juvenile offender, as such term is defined in subdivision 42 of section 1.20 of the criminal procedure law.

Placement. The term “placement” means the court ordering of any juvenile delinquent to a placement pursuant to section 353.3 of the family court act.

Sentencing. The term “sentencing” means the conviction of any adolescent offender resulting in a period of incarceration not greater than one year, pursuant to section 70.20 of the penal law.

b. The department of education, ACS and the department of correction shall each produce an annual report on educational programming for juvenile delinquents, juvenile offenders and adolescent offenders in ACS division or department of correction facilities who have been detained, placed or sentenced. No later than 90 days after the final day of the 2018-2019 school year and no later than 90 days after each subsequent school year, the department of education, ACS and the department of correction shall post the reports on their respective websites and provide links in each such report to the reports of the other two agencies.

c. The department of education report shall include, but need not be limited to, the following information, provided that no information shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of information respecting juvenile delinquents, juvenile offenders or adolescent offenders or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If a category contains between 1 and 5 such delinquents or offenders, or allows another category to be narrowed to between 1 and 5 such delinquents or offenders, the number shall be replaced with a symbol. The report shall include data about juvenile delinquents, juvenile offenders and adolescent offenders, in total and disaggregated by category.

1. The number and percentage of juvenile delinquents, juvenile offenders and adolescent offenders enrolled in educational programming at department of education sites. Such number and percentage shall be reported for each month. Such percentage shall be calculated on the final day of each month by dividing the number of juvenile delinquents, juvenile offenders and adolescent offenders enrolled in educational programming by the respective number of juvenile delinquents, juvenile offenders and adolescent offenders in custody on such date.

2. The number of hours of compulsory educational programming offered to juvenile delinquents, juvenile offenders and adolescent offenders on each school day and the curriculum subject areas included in educational programming.

3. The number of juvenile delinquents, juvenile offenders and adolescent offenders whose educational programming is designed for the regents diploma and the number of juvenile delinquents, juvenile offenders and adolescent offenders whose educational programming is designed for a high school equivalency diploma test.

4. The number of juvenile delinquents, juvenile offenders and adolescent offenders who completed elementary school program requirements for matriculation to middle school while in custody.

5. The number of juvenile delinquents, juvenile offenders and adolescent offenders who completed middle school program requirements for matriculation to high school while in custody.

6. The number of juvenile delinquents, juvenile offenders and adolescent offenders who graduated from high school while in custody.

7. The number of juvenile delinquents, juvenile offenders and adolescent offenders to whom a high school equivalency diploma test was administered while in custody.

8. The number of juvenile delinquents, juvenile offenders and adolescent offenders who passed a high school equivalency diploma test while in custody.

9. The average functional level of juvenile delinquents, juvenile offenders and adolescent offenders on tests such as the STAR assessment, the test of basic adult education or similar testing. The average functional level may be calculated by adding the percentage results achieved by juvenile delinquents, juvenile offenders and adolescent offenders on the last such test administered each school year and dividing this sum by the respective number of juvenile delinquents, juvenile offenders and adolescent offenders to whom such last test was administered. This data about juvenile delinquents, juvenile offenders and adolescent offenders shall be disaggregated by category and not reported in total.

10. The number and percentage of juvenile delinquents, juvenile offenders and adolescent offenders who are enrolled in educational programming and have individualized education programs. Such number and percentage shall be reported for each month. Such percentage shall be calculated by dividing the number of juvenile delinquents, juvenile offenders and adolescent offenders so enrolled on the final day of each month by the respective number of juvenile delinquents, juvenile offenders and adolescent offenders in custody on such date.

11. The number of juvenile delinquents, juvenile offenders and adolescent offenders who have individualized education programs and are receiving the full range of special education services indicated in their individualized education programs. This information shall be further disaggregated by whether such juvenile delinquents, juvenile offenders and adolescent offenders have been detained, placed or sentenced.

12. The number and percentage of juvenile delinquents, juvenile offenders and adolescent offenders enrolled in educational programming whom the department of education identifies as having an English language learner status. Such number and percentage shall be reported for each month. Such percentage shall be calculated by dividing the number of juvenile delinquents, juvenile offenders and adolescent offenders so enrolled on the final day of each month by the respective number of juvenile delinquents, juvenile offenders and adolescent offenders in custody on such date.

13. *The number of full-time equivalent teachers working at department of education sites, in total and disaggregated by general education teachers and special education teachers assigned to teach juvenile delinquents, juvenile offenders and adolescent offenders.*

14. *The number of department of education staff other than teachers assigned to work at department of education sites, in total and disaggregated by staff role and by those working with juvenile delinquents, juvenile offenders and adolescent offenders.*

15. *The average class size for educational programming that the department of education provides to juvenile delinquents, juvenile offenders and adolescent offenders. This information shall be further disaggregated by facility location.*

16. *The number of juvenile delinquents, juvenile offenders and adolescent offenders participating in department of education vocational training, the nature of such training, including whether it constitutes career and technical education, and the number of juvenile delinquents, juvenile offenders and adolescent offenders who complete such training.*

17. *The average and median number of credits that juvenile delinquents, juvenile offenders and adolescent offenders enrolled in high school educational programming accumulate while in custody. This paragraph only applies to those juvenile delinquents, juvenile offenders and adolescent offenders who are in custody for a sufficient period during the reporting period to have earned credits.*

18. *The number of juvenile delinquents, juvenile offenders and adolescent offenders enrolled in physical education.*

19. *The average and median rate of attendance in a department of education school for juvenile delinquents, juvenile offenders and adolescent offenders upon six months after their release from custody and upon one year post-release.*

20. *The plans, if any, of the department of education to ensure the educational progress of juvenile delinquents, juvenile offenders and adolescent offenders released from custody.*

d. *The ACS and department of correction reports shall include, but need not be limited to, the following information, provided that no information shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of information respecting juvenile delinquents, juvenile offenders or adolescent offenders or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If a category contains between 1 and 5 such delinquents or offenders, or allows another category to be narrowed to between 1 and 5 such delinquents or offenders, the number shall be replaced with a symbol. The reports shall provide data about juvenile delinquents, juvenile offenders and adolescent offenders, in total and disaggregated by category.*

1. *The number of juvenile delinquents, juvenile offenders and adolescent offenders that ACS or the department of correction prevented from attending educational programming because of a behavioral issue or assault.*

2. *The number of incidents of use of physical restraints at a department of education site, in total and disaggregated by whether such physical restraints were used on a juvenile delinquent, juvenile offender or adolescent offender.*

3. *The number of incidents of use of mechanical restraints at a department of education site, in total and disaggregated by whether such mechanical restraints were used on a juvenile delinquent, juvenile offender or adolescent offender.*

4. *The number of incidents of use of chemical restraints, including pepper spray and other chemical agents, at a department of education site, in total and disaggregated by whether such chemical restraints were used on a juvenile delinquent, juvenile offender or adolescent offender.*

5. *The number of juvenile delinquents, juvenile offenders and adolescent offenders who participate in educational programming while placed in mechanical restraints, including but not limited to restraint desks or shackles, and the number of days each such juvenile delinquent, juvenile offender or adolescent offender is so restrained.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Education.

Int. No. 543

By Council Members Narcisse, Avilés, Abreu, Louis, Gutiérrez, Joseph and Hudson.

A Local Law to amend the administrative code of the city of New York, in relation to establishing protocols for responding to students experiencing mental health crises

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.19 to read as follows:

§ 17-199.19 *Student mental health crises protocols. a. The department, in consultation with the department of education, the administration for children's services and any other relevant agency, shall develop protocols for responding to students experiencing mental health crises. Such protocols shall establish guidelines for:*

1. *Immediate response to incidents;*
2. *Procedures for return of a student to school after a mental health crisis;*
3. *Training requirements for school staff and plans for provision of training; and*
4. *Protecting the safety and well-being of the student body.*

b. The protocols required by subdivision a of this section shall be posted on the department's website no later than six months following the effective date of the local law that added this section. Any changes to such protocols shall be posted on the department's website no later than 30 days after such protocols are updated.

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Int. No. 544

By Council Members Ossé, Nurse, Louis, De La Rosa, Krishnan, Marte, Gennaro, Ung, Avilés, Gutiérrez, Schulman, Richardson Jordan and Vernikov.

A Local Law to amend the administrative code of the city of New York, in relation to penalties for failure to store waste in a satisfactory manner in required receptacles and for placing waste at the curb or on the street or sidewalk prior to the specified time for collection

Be it enacted by the Council as follows:

Section 1. Subdivisions b and c of section 16-120 of the administrative code of the city of New York, as amended by local law number 6 for the year 2006, is amended to read as follows:

b. [Ashes and incinerators] *Incinerator residue and ashes, refuse and liquid wastes shall be separated and placed into separate receptacles. No receptacle when filled shall weigh more than one hundred pounds.*

c. [Incinerator, residue, ashes, refuse and liquid waste] *(1) Refuse, incinerator residue and ashes, and liquid waste shall be stored in the building or dwelling or at the rear of the building or dwelling as may be required by the department of health and mental hygiene or the department of housing preservation and development until time for removal and kept in tightly covered metal receptacles or containers made of other materials of a type and grade acceptable to the department of sanitation, department of health and mental hygiene, and the department of housing preservation and development. The receptacles shall at all times be kept covered or closed and kept in a manner satisfactory to the department of sanitation, the department of health and mental hygiene, and in the case of residential premises, the department of housing preservation and development. No receptacles may be placed at the curb or on the street or sidewalk for collection, nor may bags containing solid waste or recyclables or any refuse, incinerator residue or ashes, or liquid waste be removed from such receptacles and placed at the curb or on the street or sidewalk for collection, prior to the time specified in section 1-02.1 of title 16 of the rules of the city of New York or any successor provision.*

(2) After the contents have been removed by the department of sanitation or other collection agency any receptacles remaining shall be removed from the front of the building or dwelling before 9:00 p.m. on the day of collection, or if such collection occurs after 4:00 p.m., then before 9:00 a.m. on the day following collection. [The receptacles shall at all times be kept covered or closed and kept in a manner satisfactory to the department of sanitation, the department of health, and in the case of residential premises, the department of housing preservation and development.]

(3) No receptacles, refuse, incinerator residue or ashes, or liquid waste shall be kept so as to create a nuisance.

(4) Yard sweepings, hedge cuttings, grass, leaves, earth, stone or bricks shall not be mixed with household wastes.

§ 2. Subdivision f of section 16-120 of the administrative code of the city of New York, as amended by local law number 80 for the year 2021, is amended to read as follows:

f. Any person violating the provisions of this section, except subdivision e and paragraph (1) of subdivision c, shall be liable for a civil penalty of \$50 for the first violation, \$100 for a second violation within any twelve-month period, and \$200 for a third or subsequent violation within any twelve-month period. Any person violating the provisions of paragraph (1) of subdivision e of this section shall be liable for a civil penalty of \$100 for the first violation, \$250 for a second violation within any twelve-month period, and \$350 for a third or subsequent violation within any twelve-month period. Any person violating the provisions of paragraph (2) of subdivision e of this section shall be liable for a civil penalty \$75 for the first violation, \$300 for a second violation within any twelve-month period, and \$400 for a third or subsequent violation within any twelve-month period. Any person violating the provisions of paragraph (1) of subdivision c shall be liable for the penalties based on the number of units in the building or dwelling in the amounts set forth in the following table:

Number of units	Number of violations within a twelve-month period			
	1-5	6-10	11-15	16 or more
5 units or less	\$100	\$150	\$200	\$250
6-15	\$500	\$550	\$600	\$650
16-20	\$1,000	\$1,500	\$2,000	\$2,500
21-50	\$1,500	\$2,000	\$2,500	\$3,000
51 or more	\$2,000	\$2,500	\$3,000	\$3,500

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

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 545

By Council Members Powers, Joseph, Brannan, Ung, Dinowitz, Salamanca, Abreu, Brewer and Louis

A Local Law in relation to requiring the department of education to create a plan to administer specialized high schools admission tests on a school day

Be it enacted by the Council as follows:

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

Department. The term “department” means the department of education.

School. The term “school” means a school of the city school district of the city of New York.

b. No later than 180 days after the effective date of this local law, the department shall submit to the speaker of the council, and post conspicuously on the department’s website, a report regarding efforts to administer specialized high schools admissions tests on a school day. Such report shall include, but not be limited to, the following information:

1. For each middle school, whether the school administered the specialized high schools admissions test on a school day during the prior school year and the following information disaggregated by race or ethnicity, gender, special education status, and English language status: (i) the total number of students that registered for the specialized high schools admissions test in the prior school year; (ii) the total number of students that took the specialized high schools admissions test in the prior school year; and (iii) the number of students accepted to each specialized high school for the prior school year;

2. A description of the steps the department will take to have the specialized high schools admissions test administered in every middle school during the school day annually, including any steps the department will take to increase the number of students who register to take such test;

3. A description of the plan to recruit underrepresented students to take the specialized high schools admissions test; and

4. A description of any barriers the department has identified to administering the test on a school day during the school year.

§ 2. This local law takes effect immediately and is deemed repealed upon submission of the report required pursuant to section one of this local law.

Referred to the Committee on Education.

Int. No. 546

By the Public Advocate (Mr. Williams).

A Local Law to amend the New York city charter, in relation to the democratic election of the New York City police commissioner

Be it enacted by the Council as follows:

Section 1. Section 431 of the New York city charter is amended to read as follows:

§ 431. Department; commissioner. a. There shall be a police department the head of which shall be the police commissioner who shall be [appointed by the mayor and shall, unless sooner removed, hold office for a term of five years] *elected by the electors of the city at the same time and for the same terms as in this charter prescribed for the mayor. A police commissioner who resigns or is removed from office prior to the completion of a full term shall be deemed to have held that office for a full term for purposes of section 1138 of the charter. The salary of the police commissioner shall be one hundred seventy-five thousand dollars a year.*

b. [Whenever in the judgment of the mayor or the governor the public interests shall so require, the commissioner may be removed from office by either, and shall be ineligible for reappointment thereto] *The police commissioner may be removed or suspended in the same manner as provided in this charter with respect to the mayor.*

c. [Whenever a vacancy shall occur in the office of police commissioner, a police commissioner shall be appointed by the mayor within ten days thereafter] *Any vacancy in the office of police commissioner shall be filled by popular election in the same manner as provided in this charter with respect to the mayor.*

§ 2. Subdivision a of section 1138 of the New York city charter, as added by a vote of the electors on November 2, 2010, is amended to read as follows:

a. Notwithstanding any provision to the contrary contained in this charter, no person shall be eligible to be elected to or serve in the office of mayor, public advocate, comptroller, *police commissioner*, borough president or council member if that person had previously held such office for two or more consecutive full terms, unless one full term or more has elapsed since that person last held such office.

§ 3. This local law shall become effective 90 days 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 Governmental Operations.

Int. No. 547

By the Public Advocate (Mr. Williams) and Council Members Cabán, Hanif, Joseph and Hudson.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting unauthorized surveillance by a global positioning system or similar technology

Be it enacted by the Council as follows:

Section 1. Chapter one of title ten of the administrative code of the city of New York is amended by adding a new section 10-184 to read as follows:

§ 10-184 *Unauthorized surveillance by global positioning system or similar technology. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Motor vehicle. The term "motor vehicle" has the same meaning ascribed in section one hundred twenty-five of the vehicle and traffic law.

Tracking device. The term "tracking device" means a global positioning system or similar technology that utilizes electronic frequencies or other signal to determine the location of an object.

b. Except as otherwise provided in the provisions of this section, it shall be unlawful for any person to intentionally utilize a tracking device to monitor or determine the location of a motor vehicle without the knowledge or consent of the authorized operator of such motor vehicle or intentionally place in or on a motor vehicle a tracking device and thereby monitor or determine the location of such motor vehicle under circumstances where such authorized operator has a reasonable expectation of the privacy of such information. Such unlawful action shall be a misdemeanor punishable by a fine of not more than \$250, or imprisonment for not more than 30 days or both such fine and imprisonment. In addition to or as an alternative to such penalty, such driver shall also be subject to a civil penalty of not more than \$250 recoverable before the environmental control board. For purposes of this section, a "reasonable expectation of privacy" is not extinguished by the mere presence of a motor vehicle in a public place.

c. This section shall not apply to conduct by a law enforcement official pursuant to a warrant issued by an authorized court or that is authorized by lawful exception to the warrant requirement or to a person who is an owner of the vehicle in or on which the device was placed, when the operator of such vehicle is a minor.

d. It shall be an affirmative defense to subdivision b of this section that, under the circumstances, a person engaged in such conduct for a legitimate purpose and such authorized operator's reasonable expectation of privacy was minimal.

e. Nothing in this section shall be construed to diminish or enlarge any power of the courts, or any authority of law enforcement personnel engaged in the conduct of their authorized duties, with respect to the conduct described in this section.

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

Referred to the Committee on Public Safety.

Int. No. 548

By the Public Advocate (Mr. Williams) and Council Members Cabán, Hanif, Brewer, Gutiérrez and Hudson.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of correction to assist incarcerated individuals in obtaining school transcripts, social security cards and driver licenses

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 9-128 of the administrative code of the city of New York, as added by local law 64 of 2007, is amended to read as follows:

c. Notwithstanding any other provision of law, any person *in custody of the department* born in the city of New York [and sentenced to ninety days or more in a New York city correctional facility who will serve, after sentencing, thirty days or more in a New York city correctional facility,] shall be provided by the department before or at release, or within two weeks thereafter if extenuating circumstances exist, at no cost to such person, a certified copy of [his or her] *their* birth certificate to be used for any lawful purpose; provided that such person has requested a copy of [his or her] *their* birth certificate from the department at least two weeks prior to release. Upon such request, the department shall request such certificate from the department of health and mental hygiene in a form and manner approved by the commissioner of the department of health and mental hygiene. The department shall inform such person of [his or her] *their* ability to receive such certificate pursuant to the provisions of this subdivision within three days of [his or her] *their* admission to a sentencing facility. No person shall receive more than one birth certificate *pursuant to this subdivision* without charge [*pursuant to this subdivision*].

§ 2. Section 9-128 of the administrative code of the city of New York is amended by adding a new subdivision d to read as follows:

d. The department shall, upon request, assist all incarcerated individuals in acquiring their social security card, driver license and transcripts from elementary school, middle school, high school, college or any other school. If such documents are available to obtain through online or mail application, the department shall ensure that incarcerated individuals can obtain such documents at no cost.

§ 3. Section 9-129 of the administrative code of the city of New York, as amended by chapter 322 of the laws of 2021, is amended to read as follows:

§ 9-129 Reporting. [The commissioner of correction shall submit a report to the mayor and the council, by October first of each year regarding implementation of sections 9-127 and 9-128 of this title and other discharge planning efforts, and, beginning October first, two thousand eight and annually thereafter,] *No later than October 1, 2008, and annually thereafter, the commissioner of correction shall submit to the mayor, the public advocate and the speaker of the council and shall post conspicuously on the department's website an annual report regarding recidivism among incarcerated individuals receiving discharge planning services from the department of correction or any social services organization under contract with the department of correction. Such report shall include the following:*

1. The number of birth certificates requested, disaggregated by whether such birth certificates were received;

2. The number of school transcripts requested, disaggregated by whether the transcripts were for elementary school, middle school, high school, college, or another school and further disaggregated by whether or not such transcripts were received;

3. The number of driver licenses requested, disaggregated by whether or not they were received; and

4. The number of social security cards requested, disaggregated by whether or not they were received.

§ 4. Subdivision a of section 9-139 of the administrative code of the city of New York, as amended by local law 194 for the year 2019, is amended to read as follows:

a. The department shall inform every incarcerated individual upon admission to the custody of the department, in writing, using plain and simple language, of their rights under department policy, which shall be consistent with federal, state[,], and local laws, and board of correction minimum standards, on the following

topics: non-discriminatory treatment, personal hygiene, recreation, religion, attorney visits, access to legal reference materials, *the ability to request documents pursuant to subdivisions c and d of section 9-128*, visitation, telephone calls and other correspondence, media access, due process in any disciplinary proceedings, health services, safety from violence[,] and the grievance system.

§ 5. Subdivisions g and h of section 9-139 of the administrative code of the city of New York, as added by local law 194 for the year 2019 are redesignated subdivisions i and j of such section.

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

Referred to the Committee on Criminal Justice.

Int. No. 549

By the Public Advocate (Mr. Williams) and Council Members Rivera, Cabán, Hudson, Won, Restler, Hanif, Avilés, Nurse, Sanchez, Narcisse, Krishnan, Abreu, Louis, Farías, De La Rosa, Ung, Ossé, Gutiérrez, Richardson Jordan, Joseph and Brannan (by request of the Brooklyn Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to banning solitary confinement in city jails

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 9 of the administrative code is amended by adding a new section 9-163 to read as follows:

§ 9-163 *Solitary confinement. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Cell. The term “cell” means any room, area or space that is not a shared space conducive to meaningful, regular and congregate social interaction among many people in a group setting, where an individual is held for any purpose.

Emergency lock-in. The term “emergency lock-in” means a department-wide emergency lock-in, a facility emergency lock-in, a housing area emergency lock-in or a partial facility emergency lock-in as defined in section 9-155.

Out-of-cell. The term “out-of-cell” means being in a space outside of, and in an area away from, a cell, in a group setting with other people all in the same shared space without physical barriers that is conducive to meaningful and regular social interaction and activity or being in any space during medical treatment or court appearances.

Restrictive housing. The term “restrictive housing” means any housing area that separates incarcerated individuals from the general jail population or that poses restrictions on programs, services, interactions with other incarcerated individuals or other conditions of confinement.

b. Ban on solitary confinement. The department shall not place an incarcerated individual in a cell, other than at night for sleep for a period not to exceed eight hours in any 24-hour period or during the day for count not to exceed two hours in any 24-hour period, unless such confinement is necessary to de-escalate immediate conflict that has caused injury or poses a specific, serious and imminent danger to a person’s safety. In such circumstances, an incarcerated individual may be confined in a cell for no longer than necessary to de-escalate the conflict, not to exceed four hours immediately following such conflict. During this period, department staff must meet with the individual at least once an hour to attempt de-escalation, work toward their release from such confinement and determine whether it is necessary to continue to hold the individual in such confinement. While an incarcerated individual is in such confinement, medical staff shall conduct meaningful rounding every 15 minutes to engage with the individual in confinement and evaluate and treat any immediate health needs. Mental health staff must meet with the individual at least once an hour to conduct an assessment of their mental health and attempt de-escalation. Medical and mental health staff have the authority to determine if any individual should be removed from such confinement if at any time remaining in such confinement is medically

contraindicated. If medical or mental health staff make such a determination, the department shall remove the individual from such confinement to the appropriate setting. The department shall not place an individual in such confinement for more than four hours total in any 24-hour period, nor more than 12 hours in any seven-day period. The provisions of this subdivision do not apply to an emergency lock-in.

c. Reporting on confinement. For each instance an incarcerated individual is placed in the type of confinement described in subdivision b of this section, the department shall prepare an incident report that includes a detailed description of why isolation was necessary to de-escalate immediate conflict and the length of time the incarcerated individual was placed in such confinement. Within 15 days of the end of each quarter of the calendar year, the department shall provide the speaker of the council and the board of correction all such reports and post all such reports on the department's website. The department shall redact all personally identifying information prior to posting the reports on the department's website. Within 30 days of the end of each quarter of the calendar year, the department shall provide to the speaker of the council and the board of correction, and post on the department's website, a report with data on the total number of people placed in such confinement during the reporting period, disaggregated by race, age, gender identity and mental health treatment level, as well as the total number of people held in such confinement disaggregated by whether confinement lasted less than one hour, between one and two hours, between two and three hours, and between three and four hours.

d. Restrictive housing. 1. The department shall not place an incarcerated individual in restrictive housing until a hearing on such placement is held pursuant to the rules of the board of correction and the individual is found to have committed a violent grade I offense as defined by the rules of the department of correction. Incarcerated individuals have the right to be represented by their legal counsel or legal advocate for such hearings and have the right to present evidence and cross-examine witnesses. The department shall provide the incarcerated individual and their legal counsel or legal advocate written notice of the reason for proposed placement in restrictive housing and the supporting evidence no later than 48 hours prior to the restrictive housing placement hearing. The department shall not place the incarcerated individual in restrictive housing prior to the hearing. The department shall provide the legal counsel or legal advocate with adequate time to prepare for such hearings and shall grant reasonable requests for adjournments. Any refusal by an incarcerated individual to attend such hearings must be videotaped and made part of the record. A failure to provide the notice or evidence described herein or to enter into the record videotaped evidence of an alleged refusal to attend by the incarcerated individual constitutes a due process violation warranting dismissal.

2. The department shall not place an incarcerated individual in restrictive housing for longer than necessary and for no more than a total of 60 days in any 12 month period.

3. Within 15 days of placement of an incarcerated individual in restrictive housing, the department shall meaningfully review such placement with a multi-disciplinary team that includes program and health staff to determine whether the incarcerated individual continues to present a specific, significant and imminent threat to the safety and security of other persons if housed outside restrictive housing. If an individual is not discharged from restrictive housing after review, the department shall provide in writing to the incarcerated individual: (i) the reasons for the determination and (ii) any recommended program, treatment, service or corrective action. The department shall provide the incarcerated individual access to the programs, treatment and services specified.

4. The department shall discharge an incarcerated individual from restrictive housing if the individual has not engaged in behavior that presents a specific, significant, and imminent threat to the safety and security of other persons during the previous 15 days. In all circumstances, the department shall discharge an incarcerated individual from restrictive housing within 30 days after their initial placement in such housing.

5. Individuals placed in restrictive housing must have comparable interaction with other individuals and have access to comparable congregate programming and comparable amenities to those housed outside restrictive housing, including access to at least seven hours per day of out-of-cell congregate programming or activities with groups of people in a group setting all in the same shared space without physical barriers that is conducive to meaningful and regular social interaction.

6. The department shall utilize programming that addresses the unique needs of those in restrictive housing. Staff that routinely interact with incarcerated individuals must be trained in de-escalation techniques, conflict

resolution, the use of force policy and related topics to address the unique needs of those in restrictive housing units.

7. The department shall use positive incentives to encourage good behavior in restrictive housing units and may use disciplinary sanctions only as a last resort in response to behavior presenting a serious and evident danger after other measures have not alleviated such behavior.

8. Reporting on restrictive housing. For each instance a disciplinary charge that could result in restrictive housing is dismissed or an incarcerated individual is found not guilty of the disciplinary charge, the department shall prepare an incident report that includes a description of the disciplinary charge and the reasons for the dismissal or not guilty determination. For each instance an incarcerated individual is placed in restrictive housing, the department shall prepare an incident report that includes a detailed description of the behavior that resulted in restrictive housing and why restrictive housing was necessary to address the behavior. For each instance in which confinement in restrictive housing is continued after a 15-day review of an incarcerated individual's placement in restrictive housing, the department shall prepare an incident report as to why the individual was not discharged, including a detailed description of how the individual continued to present a specific, significant and imminent threat to the safety and security of the facility if housed outside restrictive housing and what program, treatment, service, and/or corrective action was required before discharge. Within 15 days of the end of each quarter of the calendar year, the department shall provide the speaker of the council and the board of correction all such reports and post all such reports on the department's website along with data on the total number of people placed in restrictive housing during that time period, broken down by race, age, gender identity, mental health treatment level and length of time in restrictive housing, as well as data on all dispositions on all charges during that time period, broken down by charge, race, age, gender identity and mental health treatment level. The department shall redact all personally identifying information prior to posting the reports on the department's website.

e. Out-of-cell time. 1. All incarcerated individuals must have access to at least 14 out-of-cell hours every day except for incarcerated individuals placed in confinement for de-escalation pursuant to subdivision b of this section and for emergency lock-in.

2. The department shall not place an incarcerated individual in restraints during out-of-cell time unless an individualized determination is made that restraints are necessary to prevent an immediate risk of self-injury or injury to other persons. In such instances, only the least restrictive form of restraints may be used and for no longer than necessary to abate such imminent harm. Restraints shall not be used on an incarcerated individual under the age of 22.

3. The department shall not place an incarcerated individual in restraints beyond the initial occasion described in paragraph 2 of this subdivision until a hearing is held to determine if the continued use of restraints is necessary for the safety of others. Incarcerated individuals have the right to be represented by their legal counsel or legal advocate for such hearings and have the right to present evidence and cross-examine witnesses. The department shall provide the incarcerated individual and their legal counsel or legal advocate written notice of the reason for proposed continued placement in restraints and any supporting evidence no later than 48 hours prior to the hearing. The department shall provide the legal counsel or legal advocate with adequate time to prepare for such hearings and shall grant reasonable requests for adjournments. Any refusal by an incarcerated individual to attend such hearings shall be videotaped and made part of the record. A failure to provide the notice or evidence described herein or to enter into the record videotaped evidence of an alleged refusal to attend by the incarcerated individual constitutes a due process violation warranting dismissal. Any continued use of restraints shall be reviewed daily and discontinued once there is no longer an immediate risk of injury. Continued use of restraints may only be authorized for a seven-day period.

4. Incarcerated individuals may congregate with others and move about their housing area freely during out-of-cell time and have access to education and programming pursuant to section 9-110.

f. Emergency lock-ins. 1. Emergency lock-ins may only be used when the chief of department determines such lock-ins are necessary to de-escalate an emergency that poses a threat of specific, significant and imminent harm to incarcerated individuals or staff. Emergency lock-ins may only be used when there are no less restrictive means to address an emergency and only as a last resort after exhausting less restrictive measures. Emergency lock-ins must be confined to as narrow an area as possible and to as limited number of people as possible. The

department shall lift emergency lock-ins as quickly as possible. The chief of department shall review such lock-ins at least every hour. Such lock-ins may not last more than four hours.

2. Throughout an emergency lock-in, medical staff must conduct meaningful rounding every 15 minutes to engage with each individual locked in, evaluating and treating any immediate health needs. Mental health staff must meet with each individual at least once an hour to conduct an assessment of their health. Medical and mental health staff have the authority to determine if any individual should be removed from such confinement if at any time remaining in such confinement is medically contraindicated. If medical or mental health staff make such a determination, the department shall remove the individual from such confinement to the appropriate setting.

3. The department shall immediately provide notice to the public on its website of an emergency lock-in, including information on any restrictions on visits, phone calls, counsel visits or court appearances.

4. For each instance an emergency lock-in is imposed, the department shall prepare an incident report that includes:

(a) A description of why the lock-in was necessary to investigate or de-escalate an emergency, including the ways in which it posed a threat of specific, significant and imminent harm;

(b) A description of how other less restrictive measures were exhausted;

(c) The number of people held in lock-in;

(d) The length of lock-in;

(e) The areas affected and why;

(f) The medical and mental health services affected;

(g) Whether visits, counsel visits or court appearances were affected,

(h) What programs, if any were affected;

(i) All actions taken during the lock-in to resolve and address the lock-in; and

(j) The number of staff diverted for the lock-in.

Within 15 days of the end of each quarter of the calendar year, the department shall provide the speaker of the council and the board of correction all such reports and post all such reports on the department's website with any identifying information redacted. Within 15 days of the end of each quarter of the calendar year, the department shall provide to the speaker of the council and the board of correction a report on the total number of lock-ins, the areas affected by each lock-in, the length of each lock-in and number of people locked-in, disaggregated by race, age, gender identity, mental health treatment level and length of time in cell confinement.

g. Incarcerated individuals under the age of 22 shall receive access to trauma-informed, age-appropriate programming and services on a consistent, regular basis.

§ 2. This local law takes effect 60 days after it becomes law. The board of correction shall take any actions necessary for the implementation of this local law, including the promulgation of rules relating to procedures and penalties necessary to effectuate this section, before such date.

Referred to the Committee on Criminal Justice.

Int. No. 550

By the Public Advocate (Mr. Williams) and Council Members Avilés, Cabán, Louis and Gutiérrez.

A Local Law in relation to the creation of a task force to study, report on, and make recommendations to improve New York city housing authority's engagement with tenants and to address tenant concerns about safety and quality of life

Be it enacted by the Council as follows:

Section 1. a. For purposes of this local law, the term "housing authority" means the New York city housing authority.

b. There is hereby established a task force that shall study, identify issues with and recommend changes to the housing authority's policies regarding tenant engagement and addressing tenants' concerns about building safety and quality of life.

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

1. Two members who shall be appointed by the mayor;
2. Two members who shall be appointed by the speaker of the council; and
3. Two members who shall be appointed by the public advocate.

d. One member shall be designated as chairperson by the public advocate from among his or her appointees. In addition, the mayor shall invite the housing authority's chief executive officer, the executive vice president for community engagement and partnerships, and the federal monitor's community advisory committee each to appoint a representative to the task force.

e. All members shall be appointed to the task force within 60 days of the effective date of this local law. The task force shall hold its first meeting no later than 30 days after a majority of its members have been designated or appointed pursuant to subdivision c and shall meet at least quarterly thereafter. Members of the task force shall serve without compensation.

f. No member of the task force shall be removed except for cause and upon notice and hearing by the official who appointed that member. In the event of a vacancy, a successor shall be appointed in the same manner as the original appointment to serve the remainder of the unexpired term.

g. Within one year after the first meeting of the task force, and annually thereafter, the task force shall submit a report to the mayor, the speaker of the council, the public advocate, and the federal monitor established pursuant to the January 31, 2019 agreement with the housing authority, identifying key tenant concerns regarding building safety and quality of life, the housing authority's progress in addressing the identified issues, and recommendations for addressing tenant concerns.

h. The task force shall hold at least two public meetings before submitting the report required pursuant to subdivision g of this section.

i. The task force shall continue for as long as the January 31, 2019 agreement establishing a federal monitor is in effect. If such agreement ceases to have effect, the task force shall submit a final report pursuant to subdivision g following such cessation and shall dissolve one year after submitting such final report.

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Housing.

Res. No. 244

Resolution calling on the Centers for Disease Control and Prevention to provide expanded funding for the Healthy Start Brooklyn doula program known as By My Side in order to make doulas available to all low-income birthing people in New York City.

By the Public Advocate (Mr. Williams) and Council Members Cabán, Hanif, Louis, Gutiérrez, Narcisse, Avilés, Joseph, Hudson, Ayala, Won and Rivera.

Whereas, The New York City Department of Health and Mental Hygiene (DOHMH) describes doulas as trained birth assistants who provide non-medical support to birthing parents and their partners before, during and after a child's birth; and

Whereas, The By My Side (BMS) birth support program is administered through Healthy Start Brooklyn, a federally-funded program based in the City's DOHMH Center for Health Equity, that provides free doula services to low-income birthing parents in Brooklyn who disproportionately face the risks of infant mortality, low birthweight, preterm birth and other challenges; and

Whereas, The BMS program's mission is also to encourage breastfeeding among low-income and immigrant parents, and educate through the use of doula services, thereby promoting the nutrients necessary for a healthy baby's brain growth and nervous system development; and

Whereas, According to the Cochrane Collaboration Review, a compilation of data from multiple peer-reviewed and evidenced-based studies, continuous labor supports provided by birth doulas has been scientifically proven to shorten labor by 41 minutes on average, reduce the risk of cesarean section delivery by 25 percent and has increased the likelihood of spontaneous vaginal births by eight percent; and

Whereas, DOHMH has reported doula services lead to improved birthing outcomes, with instrumental vaginal births or induced labor less likely and a reduced need for pain medications; and

Whereas; Additionally, doula services lead to experiencing a more successful initiation of breastfeeding and self-reported positive experience in giving birth which facilitates better parent-baby bonding; and

Whereas, The DOHMH State of Doula Care in NYC 2021 Report clearly stated that while doulas alone cannot solve the inequities in birth outcomes that are the result of centuries of structural and medical racism nationwide, doulas do provide a positive health benefit in facilitating improved birth outcomes, particularly while working to eliminate racial inequities and decrease maternal deaths while reducing life-threatening complications related to childbirth; and

Whereas, Additional funding from the Centers for Disease Control and Prevention (CDC) would allow the expansion of the DOHMH's BMS birth support program to serve low-income birthing parents in all five boroughs who are also part of a demographic that disproportionately face the risks of infant mortality, preterm birth, low birthweight and other challenges; now, therefore, be it,

Resolved, The Council of the City of New York calls on Centers for Disease Control and Prevention to provide expanded funding for the Healthy Start Brooklyn doula program known as By My Side in order to make doulas available to all low-income birthing people in New York City.

Referred to the Committee on Health.

Res. No. 245

Resolution calling on the United States Senate to pass and the President to sign the Women's Health Protection Act.

By the Public Advocate (Mr. Williams) and Council Members Cabán, Hanif, Louis, Narcisse, Avilés, Joseph, Fariás, Ossé, De La Rosa, Dinowitz, Marte, Krishnan, Ayala, Sanchez, Lee, Won, Powers, Richardson Jordan and The Speaker (Council Member Adams).

Whereas, A citizen's rights to make decisions about their own bodies, their families, and their lives are basic human rights; and

Whereas, Reproductive rights and abortion services are essential health care and the cornerstone of a sound public health system; and

Whereas, Ensuring access to abortion care is central to the pursuit of reproductive justice; and

Whereas, According to the Guttmacher Institute, nearly 1 in 4 women in America will have an abortion by age 45; and

Whereas, The 1973 U.S. Supreme Court case Roe v. Wade was a landmark decision in which the Court ruled that a person may choose to have an abortion until a fetus becomes viable (usually between 24 and 28 weeks after conception), based on the right to privacy contained in the Due Process Clause of the Fourteenth Amendment; and

Whereas, Nonetheless, access to abortion services has been obstructed across the United States in various ways, including blockades of health care facilities, restrictions on insurance coverage, medically unnecessary regulations and many more that neither confer any health benefit nor further the safety of abortion services; and

Whereas, According to the Center for Reproductive Rights, nearly 500 state laws restricting abortion have been enacted since 2011, nearly 90 percent of American counties are without a single abortion provider and five states are down to their last abortion clinic; and

Whereas, The harms of abortion restrictions fall especially heavily on people with low-income, immigrants, women of color, those in the LGBTQ+ community, people with disabilities, and other marginalized or multi-marginalized groups; and

Whereas, According to a study by Advancing New Standards in Reproductive Health (ANSIRH), individuals who are forced to carry an unwanted pregnancy are more likely to experience intimate partner violence, health problems, poverty, and ongoing financial distress and eviction than those who are able to access wanted abortion care; and

Whereas, With a leaked draft opinion from the Supreme Court suggesting that *Roe v. Wade* is on the brink of being overturned in the highest court in the land, it is essential to enshrine the right to abortion access into federal law; and

Whereas, S.1975, sponsored by U.S. Senator Richard Blumenthal, and H.R. 3755, sponsored by Representative Judy Chu, also known as the Women Health Protection Act (WHPA), would protect the federal right to abortion and would block the barrage of state bans and restrictions on abortion intended to impede or outright deny access; and

Whereas, The House of Representatives passed WHPA on September 24, 2021, yet the Senate has failed to move forward with the bill; and

Whereas, WHPA would protect a person’s freedom to make decisions about their own reproductive health care and a health care provider’s ability to provide the full range of reproductive health services, including abortion; and

Whereas, Reproductive justice is a human right that can and will be achieved when all people regardless of race, color, national origin, immigration status, sexual orientation, age, or disability status, have the economic, social, and political power and resources to define and make decisions about their bodies, health, sexuality, families, and communities; now, therefore, be it

Resolved That the Council of the City of New York calls upon the United States Senate to pass and the President to sign the Women’s Health Protection Act.

Referred to the Committee on Women and Gender Equity.

Int. No. 551

By Council Members Restler, Farías, Brewer, Hanif, Avilés, Hudson, Gutiérrez, Marte, Rivera, Krishnan, Abreu, Joseph, Schulman, Nurse and Ossé.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting non-essential helicopters from operating at heliports owned or operated by the city

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 8 of title 22 of the administrative code of the city of New York is amended by adding a new section 22-827 to read as follows:

§ 22-827. *Helicopter operations. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Covered helicopters. The term “covered helicopter” means a rotary-wing aircraft capable of vertical takeoff and landing. Such term does not include helicopters operated by or on behalf of (i) the United States armed forces, (ii) the fire department, (iii) emergency services, including any air ambulance, (iv) the police department or other law enforcement entity, or (v) a newsgathering organization.

Heliport. The term “heliport” means a designated land area used for helicopter operations and any appurtenant areas, including fueling facilities, terminal buildings and maintenance and repair facilities.

Newsgathering organization. The term “newsgathering organization” means an organization or entity that gathers and reports the news by publishing, broadcasting, or cablecasting articles, commentaries, books, photographs, video, film, or audio by electronic, print, or digital media such as radio, television, newspapers, magazines, wire, books, and the Internet.

b. The commissioner shall require any contracted entity operating, managing or otherwise responsible for a heliport on any property owned by the city of New York to prohibit any covered helicopter from taking off or landing at such heliport, except in an emergency.

§ 3. This local law takes effect 180 days after enactment.

Referred to the Committee on Economic Development.

Int. No. 552

By Council Members Riley, Cabán, Marte and Hudson (by request of the Bronx Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to reporting demographic information of members of the fire department at firehouses

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 15 of the administrative code of the city of New York is amended by adding a new section 15-141 to read as follows:

§ 15-141 Annual report on demographic information of members of the department at firehouses. a. No later than January 15, 2023, and annually thereafter, the department shall submit to the mayor and the speaker of the council, and post on its website, a report containing the following information:

1. The number of officers and members of the uniformed force of the department assigned to each firehouse, disaggregated by gender and race or ethnicity; and

2. The number of individuals who reside within the geographic area that each firehouse covers, disaggregated by gender and race or ethnicity.

b. For purposes of the public report required pursuant to subdivision a of this section, if a category contains between one and five members of the uniformed force, the number shall be replaced with a symbol. A category that contains zero shall be reported as zero.

§ 2. This law takes effect immediately.

Referred to the Committee on Fire and Emergency Management.

Int. No. 553

By Council Members Riley, Cabán, Abreu, Marte, Avilés and Hudson (by request of the Bronx Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to requiring the fire department to implement training on diversity, inclusion, and harassment

Be it enacted by the Council as follows:

Section 1. Title 15 of the administrative code of the city of New York is amended by adding a new section 15-141 to read as follows:

15-141 Diversity, inclusion, and harassment training. a. The department, in consultation with the department of citywide administrative services and commission on human rights, shall develop and implement

a plan for providing ongoing training and education to all members and staff regarding harassment, diversity and inclusion. Such plan shall include, but not be limited to:

1. Providing annual in-person training for all department staff and members regarding the department's harassment policies;

2. Providing annual in-person training for all department staff and members regarding diversity and inclusion, which shall include but not be limited to instruction on: (a) cultural sensitivity, (b) conscious and unconscious biases in relation to race ethnicity, gender and sexual identity, and (c) fostering positive attitudes regarding departmental diversity and inclusion;

3. Providing members and staff in supervisory roles with training on promoting inclusion within the workplace, and identifying and remedying workplace discrimination and harassment, including through mediation and restorative practices;

4. Providing advanced training on diversity, inclusion and the department's harassment policies to dedicated staff and members responsible for visiting firehouses on a rotating basis to provide counseling, training and mediation sessions on issues related to diversity, inclusion and harassment; and

5. Engaging with department staff and members, including affinity group leaders, on a quarterly basis regarding efforts the department should take to improve workplace culture for firefighters of diverse backgrounds.

b. Reporting. The department shall post a report on its website by March 1st of each year regarding efforts taken to implement the diversity, inclusion and harassment training plan as required by subdivision a of this section. Such report shall include but not be limited to details on specific department actions and budgetary commitments made to implementing each provision contained within subdivision a of this section.

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

Referred to the Committee on Fire and Emergency Management.

Int. No. 554

By Council Members Rivera, Cabán and Gutiérrez.

A Local Law to amend the administrative code of the city of New York, in relation to child protective caseloads and workloads action plan

Be it enacted by the Council as follows:

Section 1. Section 21-902.2 of the administrative code of the city of New York, as added by local law number 18 for the year 2018, is amended to read as follows:

§ 21-902.2 Child Protective Caseload and Workload Study. a. By March 31, 2019, ACS shall complete a study regarding child protective caseloads and workloads. Such study shall include, but need not be limited to:

1. Examination of the key milestones and tasks required in a child protective investigation and time spent on each milestone or task;

2. Analysis of how case factors impact case complexity, including but not limited to type of allegation, number of children, and prior ACS involvement;

3. Examination of the relationship between the data described in paragraphs 1 and 2 of subdivision a of this section and child safety outcomes;

4. Assessment of best practices in caseload and workload standards that improve child safety and wellbeing outcomes; and

5. Recommendations for how ACS will implement best practices to structure business processes to assign and balance caseloads and workloads.

b. By September 30, 2019, ACS shall report its findings and recommendations to the speaker of the council.

c. By September 30, 2023, ACS, in consultation with the department of investigations and experts in child safety and child welfare, shall create an action plan to implement its recommendations pursuant to this section.

Such action plan shall include information on how ACS will implement best practices related to the maximum number of cases a child protective specialist can manage to improve child safety and wellbeing outcomes. By September 30, 2023, ACS shall publish such action plan on its website and submit to the speaker of the council. No later than September 30, 2024, and no later than September 30 every two years thereafter, ACS shall report to the speaker of the council on efforts it has undertaken to implement the action plan. Such reports shall be made publically available online.

§ 2. This local law takes effect immediately.

Referred to the Committee on General Welfare.

Int. No. 555

By Council Members Rivera, Cabán, Hanif, Abreu, Louis, Ung, Gutiérrez and Joseph

A Local Law to amend the administrative code of the city of New York, in relation to installing safety signs near schools

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 19-189.2 to read as follows:

§ 19-189.2 *Installation of school safety signs. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Overhead school safety sign. The term “overhead school safety sign” means a sign supported on posts over a part of the street that allows vehicles to pass underneath and that alerts vehicle traffic to the presence of pedestrians and school-aged children.

Painted school safety sign. The term “painted school safety sign” means a sign that is painted on a street to alert vehicle traffic to the presence of pedestrians and school-aged children.

School. The term “school” has the same meaning as such term is defined in section 19-189.

b. The department shall install a painted school safety sign on each street where a school is present. Such painted school safety sign shall be located no greater than 50 feet from the school entrance, unless the department determines another distance is appropriate. Such painted school safety sign shall be inspected every 5 years, and repainted if necessary.

c. The department shall install one or more overhead school safety signs on each street where a school entrance is present.

§ 2. This local law takes effect one year after it becomes law.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 556

By Council Members Rivera, Brewer and Gutiérrez.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to creating an office of sustainable delivery systems and requiring large generator of truck traffic buildings to produce and implement a delivery and servicing plan

Be it enacted by the Council as follows:

Section 1. Chapter 26 of the New York city charter is amended by adding a new section 652 to read as follows:

§ 652. *Office of sustainable delivery systems. a. There shall be in the department an office of sustainable delivery systems. The office shall be headed by a director who shall be appointed by and shall report to the commissioner. The duties of the office shall include, but not be limited to:*

1. *overseeing implementation of sustainable freight and delivery systems laws and policies for existing buildings, new construction, and major renovations;*
2. *establishing and administering protocols for producing and implementing a delivery and servicing plan;*
3. *making recommendations about sustainable freight and delivery solutions in building development and management;*
4. *creating a step-by-step guide for owners on how to develop, amend, and assess the efficacy of a delivery and servicing plan;*
5. *providing technical assistance to owners as they develop, amend, implement, and evaluate a delivery and servicing plan including, but not limited to, creating step-by-step guide on how to produce and submit a delivery and servicing plan for owners;*
6. *creating an online portal for the submission of delivery and servicing plans by owners and that hosts informational materials including the step-by-step guide created pursuant to this section;*
7. *receiving, evaluating, and approving delivery and servicing plans;*
8. *inspecting large generator of truck traffic buildings annually to ensure proper reporting and implementation of delivery and servicing plans;*
9. *determining recommended penalties, including minimum penalties, for failure to timely submit complete delivery and servicing plans, failure to make available and utilize on-site loading docks and storage rooms, and failure to timely implement a reservation system for deliveries or institute off-peak or weekend delivery service for at least 50 percent of servicing trips and deliveries;*
10. *monitoring compliance with the requirements of article 323 of title 28 of the administrative code of the city of New York; and*
11. *developing recommendations, in coordination with the department of transportation, to improve sustainability outcomes and expand the number and types of buildings subject to delivery and servicing plan requirements.*

§ 2. Chapter 3 of title 28 of the administrative code of the city of New York is amended by adding a new article 326 to read as follows:

ARTICLE 326
SUSTAINABLE DELIVERY AND SERVICING PLANS

§ 28-326.1 General. Plans to manage freight and servicing vehicle movements to and from a large generator of truck traffic building shall be developed, evaluated, implemented, and enforced in accordance with this article.

§ 28-326.2 Definitions. As used in this article, the following terms shall have the following meanings:

CONSOLIDATION CENTER. The term “consolidation center” means a site used to receive multiple deliveries for a single recipient and consolidate such deliveries so the goods may be delivered to the recipient in a single trip.

DELIVERY AND SERVICING PLAN. The term “delivery and servicing plan” means a document describing how freight and servicing vehicle movements to and from a site are managed.

DEPARTMENT. The term “department” means the department of buildings.

DIRECTOR. The term “director” means the director of the office of sustainable delivery systems.

LARGE GENERATOR OF TRUCK TRAFFIC BUILDING. The term “large generator of truck traffic building” means a commercial building that is over 500,000 gross square feet in size.

OFFICE. The term “office” means the office of sustainable delivery systems.

OWNER. The term “owner” means the owner of a large generator of truck traffic building.

§ 28-326.3 Department Rules. The department shall promulgate such rules as are necessary to carry out the provisions of this article in a timely manner, including establishing fees and penalties for violation of the provisions of this article.

§ 28-326.4 Notice of requirements, deadlines, and penalties. No later than the effective date of this local law, the department shall notify owners of existing or permitted large generator of truck traffic buildings of their requirement to submit a delivery and servicing plan developed pursuant to section 28-326.7.1 within 90 days from the effective date of this law, and annually thereafter. Such notice shall describe all requirements established pursuant to this article, pertinent deadlines, penalties for non-compliance, and technical assistance available to owners, provided that the failure of the department to notify any such owner shall not affect the obligation of such owner to comply with the requirements set forth in this article. Such notice shall also provide information about the technical assistance resources made available to owners by the department.

§ 28-326.5 Technical Assistance. The department shall provide technical assistance to owners of a large generator of truck traffic building with respect to fulfilling the requirements of this article. Such assistance may include, but need not be limited to, trainings, the provision of reference guides and templates, and a publicized telephone number and email address to receive direct questions. At a minimum, the department shall:

1. Notify owners of large generator of truck traffic buildings annually of their obligations pursuant to this article and the technical assistance resources made available to owners by the department including but not limited to, the step-by-step guide created pursuant to this section.
2. Establish an online portal to accept electronic submissions of delivery and servicing plans and that hosts department resources including, but not limited to, the step-by-step guide created pursuant to this section; and
3. Produce and make available to the public a step-by-step guide for producing delivery and servicing plans, which shall include, but not be limited to:

3.1. A checklist for gathering key data about deliveries, collections, and servicing trips, including trips relating to maintenance, cleaning and waste removal, and catering and vending. Such checklist shall include, but not be limited to, gathering information about: (i) delivery dates and times; (ii) delivery classifications such as delivery, collection, or servicing trip; (iii) type and size of goods, as applicable; (iv) time sensitive nature of deliveries disaggregated by delivery classification; (v) building tenant, department, or team generating the trip; (vi) delivery, collection, and servicing company names and modes of transportation; (vii) current on- and off-street loading and unloading practices; and (viii) access routes.

3.2. Guidance on how to identify the vehicle movements causing the greatest impact on traffic congestion and emissions and on how to assess where efficiencies might be made;

3.3. A list of suggested stakeholder interviews;

3.4. Recommendations and best practices for delivery and servicing plan actions and objectives including, but not limited to, the implementation of: (i) consolidation centers; (ii) ensuring access to safe and lawful loading and unloading locations on-site, including loading docks and storage rooms; (iii) delivery scheduling; (iv) joint tenant procurement and a centralized ordering system; (v) ways to reduce ad-hoc deliveries; (vi) ways to reduce waste collection trips; (vii) overnight and weekend deliveries; (viii) a centralized booking system for courier deliveries; (ix) procurement of vendors and

suppliers that use low or no emission vehicles or modes of transportation; and (x) conducting periodic performance reviews.

§ 28-326.6.1 Minimum requirements for truck traffic mitigation. An owner of a large generator of truck traffic building shall implement the following truck traffic mitigation interventions, as described in the delivery and servicing plan approved by the department, within 90 days of such approval:

1. Provide suppliers, vendors, and couriers access to loading and unloading locations on-site including on-site loading docks, as well as storage rooms, to reduce the use of on-street parking for delivery and servicing trips and package loading and unloading; and
2. Implement at least one of the following interventions:
 - 2.1. Establish a delivery and servicing trip reservation system and require suppliers and vendors to utilize such system; or
 - 2.2. Retime deliveries so that, at a minimum, 50 percent of delivery and servicing trips to and from the site occur during off-peak traffic hours and weekends. For purposes of implementing this intervention, an owner shall not be required to ensure that building or tenant personnel are present to receive deliveries and may instead permit suppliers, vendors, and couriers to deposit deliveries on-site in a designated and secure area such as a storage room or other access-controlled area.

§ 28-326.6.2 Civil penalty for failure to implement minimum requirements for truck traffic mitigation. It shall be unlawful for the owner of a large generator of truck traffic building to fail to implement the interventions required pursuant to section 28-326.6.1. An owner subject to a violation for failure to comply shall be liable for a monetary penalty, as determined by the department.

§ 28-326.7.1 Delivery and servicing plan requirement. An owner of an existing or new large generator of truck traffic building shall produce and electronically submit a delivery and servicing plan to the department for approval as follows:

1. Existing buildings with a certificate of occupancy as of the effective date of this law shall submit a delivery and servicing plan to the department within 180 days of the effective date of this law, and annually thereafter.
2. Applicants for approval of construction documents filed on, or after, the effective date of this law shall file a complete delivery and servicing plan with the department within 180 days of receiving a certificate of occupancy, and annually thereafter.

§ 28-326.7.2 Contents of delivery and servicing plan. A delivery and servicing plan submitted pursuant to section 28-326.7.1 shall describe in detail all aspects of the proposed freight and servicing operations for the building with a focus on sustainability efforts including, but not limited to:

1. Reducing the number of delivery and servicing trips to and from the site, including through the consolidation of deliveries through streamlined tenant procurement and the use of consolidation centers;
2. Re-timing deliveries to promote deliveries during off-peak traffic hours and weekends;
3. Establishing a reservation system to facilitate efficient deliveries, and reduce traffic congestion and idling;
4. Providing access to safe and lawful loading and unloading locations including on-site loading docks and storage rooms; and

5. Prioritizing vendors and couriers that use low or no emissions modes of transportation for delivery and servicing trips to and from the site to reduce emissions produced by deliveries.

§ 28-326.7.3 Department determination and resubmission of a delivery and servicing plan. The department shall provide owners of large generator of truck traffic buildings a written determination indicating whether the submitted complete delivery and servicing plan is approved, or whether the department requires the owner to amend and resubmit the delivery and servicing plan with amendments. Where the department requires amendments, the owner shall resubmit an amended delivery and servicing plan within 60 days of receiving the department determination notice. The manner and timing issuing determinations to owners shall be established by the department by rule.

§ 28-326.7.4 Civil penalty for failure to submit a complete delivery and servicing plan. It shall be unlawful for the owner of a large generator of truck traffic building to fail to timely submit a complete delivery and servicing plan as required by section 28-326.7.1 on or before the applicable due date. A delivery and servicing plan shall not be considered complete unless the owner has included specific plans to comply with the requirements of section 28-326.7.2 An owner subject to a violation pursuant to this section shall be liable for a monetary penalty, as determined by the department.

§ 28-326.7.5 Delivery and servicing plan implementation deadline. An owner of a large generator of truck traffic building shall implement the complete delivery and servicing plan within 90 days from the date such plan was approved by the department.

§ 28-326.8 Inspection. The commissioner shall by rule establish staggered inspection cycles for buildings required to comply with this article. The department shall inspect each building required to comply with this article at least once every twelve months.

§ 28-326.9 Department report. No later than June 1, 2023 the department shall post on its website and submit to the mayor and the speaker of the council, a report that includes, but is not limited to, the following:

1. An itemized list of large generator of truck traffic buildings, including a description of building occupants;
2. A summary of the findings of building inspections, including statistics relating to violations disaggregated by violation type and borough;
3. A description of challenges relating to the implementation, administration, and enforcement of the provisions of this article;
4. Recommendations for:

4.1. The frequency in which delivery and servicing plans should be updated by owners and resubmitted to the department;

4.2. The frequency with which the department conducts inspections;

4.3. The feasibility to create penalties for an owner's failure to reduce the frequency of delivery and service trips to and from the building, as well as for failure to reduce or consolidate the number of suppliers, vendors, and couriers.

4.4. The feasibility of expanding the delivery and servicing plan requirements established pursuant to this article to commercial buildings smaller than 500,000 gross square feet in size and to residential buildings; and

4.5. Recommendations and best practices for how commercial buildings that are not a large generator of truck traffic and business improvement districts that wish to create delivery and servicing plans voluntarily can analyze key data about deliveries to develop and adopt a delivery and servicing plan of their own. Additionally, recommendations for how the department can make the online portal and technical assistance resources available to entities that participate voluntarily.

4.6. Ways in which to improve the step-by-step guide for producing delivery and servicing plans, including, but not limited to, the feasibility of creating a step-by-step guide for commercial buildings smaller than 500,000 gross square feet and residential buildings.

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

Referred to the Committee on Transportation and Infrastructure.

Int. No. 557

By Council Members Rivera, Holden, Gutiérrez and Hudson.

A Local Law in relation to information about health care services

Be it enacted by the Council as follows:

Section 1. a. Definitions. For the purposes of this section, the term “acute care facilities” means any facility that provides emergency care services or urgent care services, as defined under section 405.400 of title 42 of the United States code of federal regulations.

b. The department of health and mental hygiene shall conduct an outreach campaign to inform city residents about the types of acute care facilities in the city, and the differences between such acute care facilities. Such outreach campaign shall include, but not be limited to, schools and senior centers.

§ 2. This local law takes effect 120 days after it becomes law, and is deemed repealed two years after it becomes law.

Referred to the Committee on Hospitals.

Res. No. 246

Resolution calling for Congress to pass, and the President to sign, legislation increasing reimbursements in Medicaid’s Federal Medical Assistance Percentage program for Puerto Rico and the other territories of the United States

By Council Members Rivera and Restler.

Whereas, Under the Medicaid program, the federal government matches state spending with federal funds to help people with limited income and resources pay for medical costs; and

Whereas, Puerto Rico and the other U.S. territories are not eligible to receive the maximum amount of matching funds available to the 50 U.S. states under the Federal Medical Assistance Percentage (FMAP); and

Whereas, According to the U.S. Census Bureau, the median household incomes of the five inhabited U.S. territories, which include Puerto Rico, Guam, the U.S. Virgin Islands, American Samoa, and the Commonwealth of the Northern Mariana Islands, are often the lowest in the country, and residents of these territories often experience greater exposure to health risks and decreased access to health services; and

Whereas, In 2020, the U.S. Census Bureau’s American Community Survey reported Puerto Rico was one of the poorest parts of the United States, with a median house-hold income of \$21,058, lower than any other U.S. state, and representing the highest amount of income inequality in the nation; and

Whereas, Reimbursement for Medicaid spending under the FMAP is based on the average per capita income; and

Whereas, Under the FMAP, U.S. states receive 83 percent reimbursement for every dollar spent on medical assistance and U.S. territories, including Puerto Rico, only receive a set rate of 55 percent in reimbursement for every dollar the territories spend on Medicaid; and

Whereas, In 2019, the Senate’s Natural Resources Committee held a hearing entitled “The Insular Areas Medicaid Cliff,” which indicated that the disparate treatment under Medicaid, in comparison to the other U.S. states, has created a shortage of available service providers, medical coverage, eligibility, benefits, and reimbursement rates in the U.S. territories; and

Whereas, According to the Center on Budget and Policy Priorities, 44 percent of residents in Puerto Rico live below the poverty line, with inadequate Medicaid funding adding further economic pressure to the Island; and

Whereas, Most of the federal funding programs in Puerto Rico are set to expire in 2019, causing Puerto Rico’s governor to testify before the Senate Energy and Natural Resources Committee that a congressional failure to act would threaten health care for hundreds of thousands of children, seniors, people with disabilities, and pregnant women; and

Whereas, According to the City University of New York’s Center for Puerto Rican Studies based at Hunter College, natural disasters in the Caribbean have further diminished access to medical care on the Island, causing individuals from Puerto Rico to migrate to the U.S. mainland with New York being one of the largest arrival destinations of Puerto Rican evacuees; and

Whereas, According to the Center on Budget and Policy Priorities, Congressional funding for disaster relief has not included critical Medicaid funds for the Pacific island territories of Guam, American Samoa, and the Northern Mariana Islands to provide health care for their residents; and

Whereas, The Territories Health Care Improvement Act, H.R.3631, aims to extend full Medicaid coverage to all U.S. territories by amending the Social Security Act in order to provide a temporary increase to the limit on Medicaid payments and the FMAP for U.S. territories between the fiscal years of 2020 and 2025; and

Whereas, The Puerto Rico Health Care Fairness, Accountability, and Beneficiary Access Act of 2021, H.R.1722, which was introduced to the House of Representatives by New York’s Congressional Representative Nydia M. Velazquez, would amend the current law so the Island would receive an 85 percent reimbursement rate, providing Puerto Rico with an additional \$15.1 billion in federal funding; and

Whereas, Rep. Velazquez’s bill would also institute a 10-year transition period to stabilize the Medicaid program in Puerto Rico, after which the Island would receive the same financial treatment as state Medicaid programs; and

Whereas, There are no justifications for the Medicaid reimbursement rate and federal funding share to be lower in U.S. territories compared to the 50 states, and this disparate treatment amongst U.S. citizens is causing the territorial islands’ economy, healthcare, and people to suffer; now, therefore, be it

Resolved, That the Council of the City of New York calls upon Congress to pass, and the President to sign, legislation increasing reimbursements in Medicaid’s Federal Medical Assistance Percentage program for Puerto Rico and the other territories of the United States.

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

Preconsidered Int. No. 558-A

By Council Members Sanchez, Farías, Barron, Hudson, Kagan, Avilés, Richardson Jordan, Cabán, Hanif and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to extending the rent stabilization laws

Be it enacted by the Council as follows:

Section 1. Section 26-502 of the administrative code of the city of New York, as amended by local law number 85 for the year 2018, is amended to read as follows:

§ 26-502 Additional findings and declaration of emergency. The council hereby finds that a serious public emergency continues to exist in the housing of a considerable number of persons with the city of New York and will continue to exist on and after [April] *July* 1, [2018] *2022* and hereby reaffirms and repromulgates the findings and declaration set forth in section 26-501 of this title.

§ 2. Section 26-520 of the administrative code of the city of New York, as amended by local law number 55 for the year 2022, is amended to read as follows:

§ 26-520 Expiration date. This chapter shall expire on [July] *April* 1, [2022] *2024* unless rent control shall sooner terminate as provided in subdivision three of section one of the local emergency housing rent control law.

§ 3. This local law takes effect immediately.

Adopted by the Council (preconsidered as amended and approved by the Committee on Housing and Buildings).

Preconsidered Res. No. 247

Resolution determining that a public emergency requiring rent control in the City of New York continues to exist and will continue to exist on and after July 1, 2022.

By Council Members Sanchez, Barron, Hudson, Kagan, Avilés, Cabán, Hanif and Abreu.

Whereas, The City, acting by the Mayor, has caused a survey to be made of the supply of housing accommodations and the need for continuing the regulation and control of residential rents and evictions within the City, and such survey has been submitted to the Council in accordance with the law; now, therefore, be it

Resolved, That the Council hereby determines that the public emergency requiring the regulation and control of residential rents and evictions within the City continues to exist and will continue to exist on and after July 1, 2022, and that an acute shortage of dwellings continues to exist and will continue to exist on and after July 1, 2022, that such shortage constitutes a threat to the citizens of New York City and creates a special hardship to persons and families of limited and moderate means; that unless residential rents and evictions continue to be regulated and controlled, there will be excessive rent increases and evictions for failing to pay such increases, which will produce serious threats to the public health, safety and general welfare, that to prevent such perils to the public health, safety and general welfare, preventive action through local legislation of the City continues to be imperative; that such action, as a temporary measure to be effective until it is determined by the Council that such emergency no longer exists, is necessary in order to prevent threats to the public health, safety and general welfare; that the transition from regulation to a normal market of free bargaining between landlord and tenant, while still the object of State and City policy, must be administered with due regard for such emergency; and be it further

Resolved, That the Council of the City of New York, for the reasons hereinabove set forth, hereby determines, pursuant to subdivision 3 of section 1 of Chapter 21 of the Laws of 1962, as amended, that the continuation of the regulation and control of residential rents and evictions on and after July 1, 2022 is necessary to protect the public health, safety and general welfare and that such regulation and control should be continued as now or hereafter provided pursuant to the provisions of Chapter 3 of Title 26 of the Administrative Code of the City of New York, subject to such amendment as may be enacted into law.

Adopted by voice-vote by the Council (preconsidered and approved by the Committee on Housing and Buildings).

Int. No. 559

By Council Members Velázquez, Bottcher, Brannan, Cabán, Abreu, Brewer, Joseph and Hudson.

A Local Law to amend the administrative code of the city of New York, in relation to restricting eating utensils and extra eating containers, and clarifying the definition of third-party courier service

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-402 to read as follows:

§ 16-402 *Restrictions on providing eating utensils and extra eating containers. a. Definitions. For purposes of this section:*

Condiment packet. The term "condiment packet" means an individual single-service container, sealed by the manufacturer, containing a sauce or other substance used to enhance the flavor of food, which may include, but need not be limited to, mustard, ketchup, mayonnaise, soy sauce, hot sauce and salad dressing.

Eating container. The term "eating container" means a tool used for holding food or beverage, including but not limited to, a plate, bowl, cup, or lid, but does not include a beverage splash stick as defined in section 16-401.

Eating utensil. The term "eating utensil" means a tool used for eating and drinking, including, but not limited to, a knife, fork, spoon, or chopsticks, but does not include a beverage stirrer or beverage straw as defined in section 16-401.

Extra eating container. The term "extra eating container" means an empty eating container that is not used to hold a customer's food or beverage.

Food service establishment. The term "food service establishment" has the same meaning as set forth in section 16-401.

Napkin. The term "napkin" means a piece of cloth or paper used to wipe a person's hands or face or protect garments while eating.

Take-away. The term "take-away" means food or beverage provided by a food service establishment to be consumed off the premises of such food service establishment.

Third-party courier service. The term "third-party courier service" means a service that: (i) facilitates the same-day delivery or same-day pickup of food, beverages, or other goods from a food service establishment on behalf of such food service establishment or a third-party food delivery service; (ii) is owned and operated by a person other than the person who owns such food service establishment, and (iii) is not a third-party food delivery service.

Third-party food delivery service. The term "third-party food delivery service" means any website, mobile application or other internet service that: (i) offers or arranges for the sale of food and beverages prepared by, and the same-day delivery or same-day pickup of food and beverages from, a food service establishment; and (ii) that is owned and operated by a person other than the person who owns such food service establishment.

b. No food service establishment shall provide eating utensils, condiment packets, napkins, or extra eating containers to a take-away customer, whether directly to such customer or through a third-party courier service or third-party food delivery service, unless such customer requests eating utensils, condiment packets, napkins, or extra eating containers.

c. 1. Third-party food delivery services shall provide options to allow a customer to request eating utensils, condiment packets, napkins, and extra eating containers upon submission of an order. Such options shall be available for all methods of ordering, including but not limited to phone, internet, or mobile phone application orders. The default selected option shall be that no eating utensils, condiment packets, napkins, or extra eating containers are requested.

2. No third-party courier service or third-party food delivery service shall provide eating utensils, condiment packets, napkins, or extra eating containers to a customer, unless such eating utensils, condiment packets, napkins, or extra eating containers are requested by such customer, or such eating utensils, condiment packets, napkins or extra eating containers are in the food or beverage packaged by the food service establishment for

delivery when such third-party courier service or third-party food delivery service picks up such food or beverage.

3. If a food service establishment fills an order placed through a third-party food delivery service, such food service establishment may rely on the information provided by such third-party food delivery service regarding whether the customer has requested eating utensils, condiment packets, napkins, or extra eating containers pursuant to paragraph 1 of this subdivision. In a proceeding to collect a civil penalty pursuant to subdivision f of this section, it shall be a complete defense for a respondent food service establishment to establish that such food service establishment relied on the information provided to it by the third-party food delivery service regarding the customer's choice pursuant to paragraph 1 of this subdivision. A copy or screenshot of a communication by the third-party food delivery service to the food service establishment regarding the customer's choice pursuant to paragraph 1 of this subdivision shall constitute prima facie evidence that the food service establishment relied on the information provided to it by the third-party food delivery service. Each third-party food delivery service shall provide such communication in writing to a food service establishment within 72 hours of such food service establishment's request for such communication.

d. The department, the department of health and mental hygiene and the department of consumer and worker protection shall have the authority to enforce the provisions of this section.

e. In consultation with other city agencies, the department shall conduct outreach and education about the requirements of this section.

f. Any person who violates this section or any rule promulgated pursuant thereto shall be liable for a civil penalty recoverable in a civil action brought in the name of the commissioner, the commissioner of health and mental hygiene or the commissioner of consumer and worker protection, or in a proceeding before the office of administrative trials and hearings pursuant to section 1049-a of the charter, or in the case of a food service establishment within the jurisdiction of the commissioner of health and mental hygiene or the commissioner of consumer and worker protection, in a proceeding before the office of administrative trials and hearings pursuant to section 1048 of the charter. Such penalties shall be in the amount of \$100 for the first violation, \$200 for the second violation committed on a different day within a period of 12 months, and \$300 for the third and each subsequent violation committed on different days within a period of 12 months, except that any agency enforcing the provisions of this section shall not issue a notice of violation, but shall issue a warning and provide information on the provisions of this section, for any violation that occurs before July 1, 2023.

g. The department, as part of the waste characterization study required pursuant to subdivision b of section 16-316.1, shall, where practicable, assess the amount of single-use items in the waste stream and the change in such amount from any previous studies. The department shall include such information in such study submitted to the council and the mayor.

§ 2. Section 20-1501 of the administrative code of the city of New York, as added by local law number 114 for the year 2021, is amended to read as follows:

Third-party courier service. The term "third-party courier service" means a service that (i) facilitates the same-day delivery or same-day pickup of food, beverages, or other goods from a food service establishment on behalf of *such food service establishment or a third-party food delivery service*; [and] (ii) that is owned and operated by a person other than the person who owns such food service establishment; *and (iii) and is not a third-party food delivery service.*

§ 3. This local law takes effect 180 days after it becomes law, except that section two of this local law takes effect immediately.

Referred to the Committee on Consumer and Worker Protection.

Int. No. 560

Council Members Williams, Cabán, Abreu and Avilés.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the fire department to annually report on equal employment opportunity complaints

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 15 of the administrative code of the city of New York is amended by adding a new section 15-141 to read as follows:

§ 15-141 Annual report on equal employment opportunity complaints. a. Definitions. For purposes of this section, the following terms have the following meanings:

EEO complaint. The term “EEO complaint” means a complaint filed with the equal employment opportunity office of the department regarding a potential violation of the city’s equal employment opportunity policy.

b. No later than 30 days after the end of each fiscal year, the department shall submit to the mayor and the speaker of the council, and post on the department’s website, a report containing the following information:

- 1. The number of EEO complaints filed during the previous fiscal year;*
- 2. The number of EEO complaints resolved during the previous fiscal year;*
- 3. Of the EEO complaints in paragraph 2 of this subdivision, the number of EEO complaints not substantiated, and further disaggregated by reason the complaint was not substantiated, including but not limited to a determination that the alleged conduct subject to complaint did not occur, determination that the conduct subject to the complaint occurred but did not violate the city’s equal employment opportunity policy, or a determination that conduct subject to complaint occurred and violated the city’s equal employment opportunity policy but the identity of the offending party was unable to be ascertained;*

4. Of the EEO complaints in paragraph 2 of this subdivision, the number of EEO complaints substantiated; and

5. Of the EEO complaints in paragraph 4 of this subdivision, the number of EEO complaints withdrawn prior to a final determination;

6. Of the EEO complaints in paragraph 4 of this subdivision, the number of EEO complaints resolved through mediation; and

7. Of the EEO complaints in paragraph 4 of this subdivision, the number of EEO complaints that resulted in corrective action taken by the department, and further disaggregated by the form of correction action, including but not limited to formal reprimand, fine, loss of pay or benefits, transfer, suspension, demotion and termination.

c. No report required pursuant to subdivision b of this section shall contain personally identifiable information.

§ 2. This law takes effect immediately.

Referred to the Committee on Fire and Emergency Management.

Preconsidered L.U. No. 72

By Council Member Brannan:

SEBCO IV; Block 2697, Lot 18 and 19; and Block 2732, Lot 31, Bronx, Council District No. 17.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered L.U. No. 73

By Council Member Salamanca:

Application number N 220219 ZRM (The Lirio – 806 9th Avenue) submitted by the Department of Housing Preservation and Development (HPD), pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying a special permit provision of Article IX, Chapter 6 (Special Clinton District), Borough of Manhattan, Community District 4, Council District 3.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions (preconsidered but laid over by the Subcommittee on Landmarks, Public Sitings and Dispositions).

Preconsidered L.U. No. 74

By Council Member Salamanca:

Application number C 220220 ZMM (The Lirio – 806 9th Avenue) submitted by the Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8c, eliminating from within an existing R8 District a C1-5 District and changing from an R8 District to a C6-2 District, Borough of Manhattan, Community District 4, Council District 3.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions (preconsidered but laid over by the Subcommittee on Landmarks, Public Sitings and Dispositions).

L.U. No. 75

By Council Member Salamanca:

Application number C 220221 (A) ZSM (The Lirio – 806 9th Avenue) submitted by the Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c and 201 of the New York City Charter and proposed for modification pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure for the grant of a special permit pursuant to Section 96-112 of the Zoning Resolution to modify the lot coverage and usable landscaped open area requirements of Section 96-102 (Lot Coverage Regulations) and the height and setback requirements of Section 96-104 (Height and setback regulations), in connection with a proposed mixed-use development on property located at 806 Ninth Avenue (Block 1044, Lot 3), in a C6-2 District, within the Special Clinton District (Preservation Area), Borough of Manhattan, Community District 4, Council District 3.

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

L.U. No. 76

By Council Member Salamanca:

Application number C 220222 PPM (The Lirio – 806 9th Avenue) submitted by the Department of Housing Preservation and Development (HPD), pursuant to Section 197-c of the New York City Charter, for the disposition of city owned property located at 806 9th Avenue (Block 1044, Lot 3), to facilitate a building containing approximately 111 affordable and supportive housing units, and community facility and retail space, Borough of Manhattan, Community District 4, Council District 3.

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

L.U. No. 77

By Council Member Salamanca:

Application number C 220223 PQM (The Lirio – 806 9th Avenue) the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 806 9th Avenue (Block 1044, Lot 3) to facilitate the expansion of Metropolitan Transportation Authority's New York City Transit operations, Borough of Manhattan, Community District 4, Council District 3.

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

Preconsidered L.U. No. 78

By Council Member Salamanca:

Application number C 200317 ZMK (41 Summit Street Rezoning) submitted by 41 Summit Street, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment to the Zoning Map, Section No. 16a, changing from an M1-1 District to an R6B District, Borough of Brooklyn, Community District 6, Council District 39.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises (preconsidered but laid over by the Subcommittee on Zoning and Franchises).

Preconsidered L.U. No. 79

By Council Member Salamanca:

Application number C 210128 ZMQ (77 – 39 Vleigh Place Rezoning) submitted by VP Capital Holdings, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 14c, eliminating from within an existing R3-2 District a C1-2 District, changing from an R3-2 District to an R6A District, and establish within the proposed R6A District a C2-3 District, Borough of Queens, Community District 8, Council District 24.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises (preconsidered but laid over by the Subcommittee on Zoning and Franchises).

Preconsidered L.U. No. 80

By Council Member Salamanca:

Application number N 210129 ZRQ (77 – 39 Vleigh Place Rezoning) submitted by VP Capital Holdings, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Community District 8, Council District 24.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises (preconsidered but laid over by the Subcommittee on Zoning and Franchises).

Preconsidered L.U. No. 81

By Council Member Salamanca:

Application number C 210234 ZMQ (11th Street & 34th Avenue Rezoning) submitted by JPP 33rd Street, LLC and Lily & John Realty Inc., pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 9a, changing from an R5 District to an M1-5/R6A District and establishing a Special Mixed Use District (MX-23), Borough of Queens, Community District 1, Council District 26.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises (preconsidered but laid over by the Subcommittee on Zoning and Franchises).

Preconsidered L.U. No. 82

By Council Member Salamanca:

Application number N 210235 ZRQ (11th Street & 34th Avenue Rezoning) submitted by JPP 33rd Street, LLC and Lily & John Realty Inc., pursuant to Section 201 of the New York City Charter for an amendment to the Zoning City of New York, modifying provisions of Article XII, Chapter 3 (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 (preconsidered but laid over by the Subcommittee on Zoning and Franchises).

Preconsidered L.U. No. 83

By Council Member Salamanca:

Application number C 210375 ZMQ (Wetherole Street and 67th Avenue Rezoning) submitted by Novel Medicine, P.C., pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 14a, changing from an R4B District to an R6A District, Borough of Queens, Community District 6, Council District 29.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises (preconsidered but laid over by the Subcommittee on Zoning and Franchises).

Preconsidered L.U. No. 84

By Council Member Salamanca:

Application number N 210376 ZRQ (Wetherole Street and 67th Avenue Rezoning) submitted by Novel Medicine, P.C., pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Community District 6, Council District 29.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises (preconsidered but laid over by the Subcommittee on Zoning and Franchises).

NEW YORK CITY COUNCIL

A N N O U N C E M E N T S

Friday, June 17, 2022

Committee on Veterans

Robert F. Holden, Chairperson

Oversight - How New York City's Veterans Access Healthcare.

Res 130 - By Council Members Brewer, Holden, Yeger, Hanif, Sanchez, Stevens, Schulman, Kagan, Ung, Barron, Joseph, Ayala, Restler, Nurse, Paladino, Carr, Ariola, Borelli and Vernikov - **Resolution** calling on the Federal Government to halt the planned closure of Manhattan and Brooklyn’s Veteran Affairs Medical Centers.

Int 394 - By Council Members Holden and Vernikov - **A Local Law** to amend the New York city charter, in relation to requiring each community board to establish a veterans committee.

Hybrid - Committee Room – City Hall.....10:00 a.m.

Tuesday, June 21, 2022

Committee on Aging jointly with the

Crystal Hudson, Chairperson

Committee on Women and Gender Equity

Tiffany Cabán, Chairperson

Oversight - Challenges Facing LGBTQIA+ Older Adults.

Preconsidered Int ____ - By Council Members Cabán and Hudson - **A Local Law** in relation to establishing a commission on LGTBQIA+ older adults within the department for the aging.

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

Committee on Consumer and Worker Protection

Marjorie Velázquez, Chairperson

Int 506 - By Council Members Rivera, Louis, Hudson, Hanif, Brooks-Powers and Nurse (by request of the Bronx Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of consumer and worker protection to report information on pregnancy services centers in the city and implement an information campaign on such centers.

Hybrid - Committee Room – 250 Broadway, 16th Floor.....10:00 a.m.

★ Note Topic Addition

Committee on Public Housing jointly with the

Alexa Avilés, Chairperson

Committee on Sanitation and Solid Waste Management

Sandy Nurse, Chairperson

Oversight - Sanitation at NYCHA

★Int 414 - By Council Members Ossé, Nurse, Bottcher, Menin, Farías, Williams, Richardson Jordan, Avilés, Hanif, Brewer, Cabán, Hudson, Gutiérrez, Dinowitz, Louis, Brooks-Powers, Schulman, Ung, Barron, Riley, Krishnan, Narcisse, Lee, Brannan, Sanchez, Moya, Ayala and Vernikov (by request of the Brooklyn Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to rat mitigation progress in rat mitigation zones.

★Int 442 - By Council Members Bottcher, Nurse, Ossé, Louis, Marte, Williams, Krishnan, Hanif, Narcisse, Brooks-Powers, Cabán, Gutiérrez, Avilés, Brannan, Schulman, Hudson, Richardson Jordan, Barron, Sanchez, Joseph and Farías (by request of the Manhattan Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to abating rodents as a requirement for the issuance of certain construction permits

Hybrid - Committee Room – City Hall.....10:00 a.m.

Committee on Youth Services

Althea V. Stevens, Chairperson

Oversight - Runaway and Homeless Youth.

Hybrid - Committee Room – 250 Broadway, 16th Floor.....1:00 p.m.

Wednesday, June 22, 2022

[Committee on Cultural Affairs, Libraries & International Intergroup Relations](#) Chi A. Ossé, Chairperson
Oversight - Cultural Institutions and Access for Individuals with Disabilities.
 Hybrid - Council Chambers – City Hall.....10:00 a.m.

[Committee on Civil & Human Rights](#) Nantasha Williams, Chairperson
Oversight - CCHR and EEPC: Challenges Related to Post-Pandemic Return to Work.
 Hybrid - Committee Room – City Hall.....1:00 p.m.

[Committee on Housing and Buildings](#) jointly with the Pierina Ana Sanchez, Chairperson
[Committee on General Welfare](#) Diana I. Ayala, Chairperson
Oversight - The City’s Housing Voucher Programs.
 Hybrid - Council Chambers – City Hall.....1:00 p.m.

Thursday, June 23, 2022

[Committee on Economic Development](#) jointly with the Amanda Farías, Chairperson
[Committee on Contracts](#) and the Julie Won, Chairperson
[Committee on Oversight and Investigations](#) Gale A. Brewer, Chairperson
Oversight – A Good Food Purchasing Program for Citywide Food Procurement & Developing Preferred Vendor Lists for Community-Based Translation Services.
Int 136-A - By Council Members Won, Hudson, Brewer, Ung, Lee, Joseph, Ossé, Velázquez, Gennaro, Nurse, Schulman, Menin, Krishnan, Avilés, Narcisse, Dinowitz, Louis, Farías, De La Rosa, Restler, Brannan, Ayala, Bottcher, Riley, Rivera, Hanif and Vernikov - A Local Law to amend the administrative code of the city of New York, in relation to requiring agencies to develop and utilize a preferred vendor list to provide community-integrated translation and interpretation services and reporting in relation thereto.
Int 517 - By The Speaker (Council Member Adams) and Council Members Farías and Won - **A Local Law** to amend the administrative code of the city of New York, in relation to creating a good food purchasing program.
 Hybrid - Council Chambers – City Hall.....1:00 p.m.

[Committee on Immigration](#) jointly with Shahana K. Hanif, Chairperson
[Committee on Youth Services](#) Althea V. Stevens, Chairperson
Oversight - Adult Literacy Programming and Resource
 Hybrid - Committee Room – 250 Broadway, 16th Floor.....1:00 p.m.

[Committee on Parks and Recreation](#) Shekar Krishnan, Chairperson
Oversight – Improving the City’s Tree Canopy.
 Hybrid - Committee Room – City Hall.....1:30 p.m.

Friday, June 24, 2022

[Committee on Public Safety](#) jointly with the Kamillah Hanks, Chairperson
[Committee on State and Federal Legislation](#) Shaun Abreu, Chairperson
Oversight - Access to Firearms: City and State Efforts to Curb Gun Violence.
Int 518 - By Council Members Abreu, Hanks, Ayala, Powers, Brooks-Powers, Feliz, Salamanca and Riley - **A Local Law** to amend the administrative code of the city of New York, in relation to a report on the trafficking of illegal firearms.
 Hybrid - Council Chambers – City Hall.....10:00 a.m.

Monday, June 27, 2022

[Committee on Civil Service and Labor](#) jointly with the
[Committee on Housing and Buildings](#) and the
[Committee on Environmental Protection](#)

Carmen De La Rosa, Chairperson
Pierina Ana Sanchez, Chairperson
James F. Gennaro, Chairperson

Oversight - Local Law 97 Green Workforce Pipeline
Hybrid - Council Chambers – City Hall.....10:00 a.m.

[Committee on Hospitals](#) jointly with the
[Subcommittee on Covid Recovery and Resiliency](#)

Mercedes Narcisse, Chairperson
Francisco P. Moya, Chairperson

Oversight - Long-Term COVID Treatment in New York City Hospitals.
Hybrid - Committee Room – 250 Broadway, 16th Floor.....10:00 a.m.

[Committee on Women and Gender Equity](#)

Tiffany Cabán, Chairperson

Oversight - Reproductive Rights.

Int 458 - By The Speaker (Council Member Adams) and Council Members Louis, Hudson, Brannan, Hanif, Brooks-Powers, Brewer, Joseph, Nurse, Ung and Gutiérrez - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to maintain language access services for abortion providers.

Int 465 - By Council Members Cabán, Louis, Hudson, Brewer, Joseph, Nurse, Ung, Gutiérrez and The Speaker (Council Member Adams) - **A Local Law** to amend the administrative code of the city of New York, in relation to a report on the provision of medical services related to reproductive health care.

Int 466 - By Council Member Cabán, the Public Advocate (Mr. Williams) and Council Members Hanif, Hudson, Joseph, Nurse, Gutiérrez and The Speaker (Council Member Adams) - **A Local Law** to amend the administrative code of the city of New York, in relation to prohibiting the use of city resources to enforce abortion restrictions and create a private right of action related to detention

Int 475 - By Council Members Hanif, Cabán, the Public Advocate (Mr. Williams) and Council Members Louis, Rivera, Hudson, Farías, Avilés, Powers, Krishnan, Brannan, Joseph, Dinowitz, Ung, Menin, Schulman and The Speaker (Council Member Adams) - **A Local Law** to amend the administrative code of the city of New York, in relation to creating a private right of action related to interference with medical care

Int 507 - By Council Members Rivera, Gutiérrez, Joseph, Louis, Hudson, Hanif and Nurse - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to make mifepristone and misoprostol available free of charge at its health centers, health stations, health clinics and other health facilities

Res 195 - By Council Members Brewer, Menin, Louis, Hudson, Brannan, Hanif, Joseph, Nurse and The Speaker (Council Member Adams) - **Resolution** calling upon the New York State Legislature to pass, and the Governor to sign, The Reproductive Freedom and Equity Program (S.9078/A.10148A), which would establish a grant program to provide funding to New York abortion providers and non-profit organizations to increase access to abortion care.

Res 196 - By Council Members Brooks-Powers, Louis, Hudson, Hanif, Joseph, Nurse, Ung and The Speaker (Council Member Adams) - **Resolution** calling upon the New York State Legislature to pass, and the Governor to sign, S.9137/A.10357, which would allow out-of-state physicians to provide reproductive health services in this state while awaiting full licensure.

Res 197 - By Council Members Cabán, Velázquez, the Public Advocate (Mr. Williams) and Council Members Hudson, Brannan, Hanif, Brewer, Joseph, Nurse, Ung and The Speaker (Council Member Adams) - **Resolution** declaring New York City a safe city for all those in need of abortion-related care

Res 200 - By Council Members Menin, Hanif, Brooks-Powers, Nurse, Ung and The Speaker (Council Member Adams) - **Resolution** declaring January 22, 2023 as *Roe v. Wade* Day in the City of New York to commemorate the 50th anniversary of the landmark United States Supreme Court decision.

Hybrid - Committee Room – City Hall.....10:00 a.m.

Tuesday, June 28, 2022

[Committee on Economic Development](#) jointly with the
[Committee on Consumer and Worker Protection](#) and the
[Committee on State and Federal Legislation](#)

Amanda Farías, Chairperson
Marjorie Velázquez, Chairperson
Shaun Abreu, Chairperson

Oversight - Recreational Cannabis Regulatory and Licensing Processes.

Int 285 - By Council Members Riley, Williams, Stevens, Farías, Nurse, Hanif, Hudson, Menin, Velázquez, Ayala, Restler, Abreu, Krishnan, Avilés, Rivera, Moya, Louis, Gutiérrez, Richardson Jordan and Schulman - **A Local Law** to amend the New York city charter, in relation to the establishment of an office of cannabis business services.

[Committee on Economic Development](#) jointly with the
[Committee on Consumer and Worker Protection](#) and the
[Committee on State and Federal Legislation](#) (Cont.)

Int 504 - By Council Members Rivera, Hudson, Joseph, Nurse and Gutiérrez - **A Local Law** to amend the New York city charter, in relation to a cannabis business directory.

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

Wednesday, June 29, 2022

[Committee on Fire and Emergency Management](#)

Joann Ariola, Chairperson

Oversight - Evaluating Diversity and Inclusion in the FDNY.

Int 516 - By The Speaker (Council Member Adams) - **A Local Law** to amend the administrative code of the city of New York, in relation to demographic diversity within the fire department.

Int 519 - By Council Member Ariola - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring permanent firehouse facility upgrades to ensure a safe working environment for a mixed gender workforce.

Int 552 - By Council Member Riley (by request of the Bronx Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to reporting demographic information of members of the fire department at firehouses.

Int 553 - By Council Member Riley (by request of the Bronx Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the fire department to implement training on diversity, inclusion, and harassment.

Int 560 - By Council Member Williams - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the fire department to annually report on equal employment opportunity complaints.

Hybrid - Committee Room – City Hall.....10:00 a.m.

[Committee on Health](#) jointly with the
[Committee on Hospitals](#)

Lynn C. Schulman, Chairperson
Mercedes Narcisse, Chairperson

Oversight - Maternal Health, Mortality, and Morbidity.

Int 409 - By Council Members Louis, Hanif, Joseph, Ung, Nurse and Krishnan - **A Local Law** to amend the administrative code of the city of New York, in relation to increasing access to data and maternal mortality and morbidity.

Int 472 - By Council Members Gutiérrez, Louis, Hudson, Hanif, Brooks-Powers, Brewer, Nurse, Ung, Mealy, Velázquez, De La Rosa, Stevens, Menin, Williams, Schulman, Dinowitz, Farías, Sanchez, Richardson Jordan, Cabán, Riley and The Speaker (Council Member Adams) (in conjunction with the Brooklyn Borough President) - **A Local Law** in relation to establishing a pilot program in the department of health and mental hygiene to train doula and provide doula services to residents in all five boroughs.

Int 478 - By Council Members Hudson, Gutiérrez, Louis, Hanif, Brooks-Powers, Nurse, Mealy, Velázquez, De La Rosa, Stevens, Menin, Williams, Schulman, Dinowitz, Farías, Sanchez, Richardson Jordan, Cabán, Riley and The Speaker (Council Member Adams) (in conjunction with the Brooklyn Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to an outreach and education campaign on the benefits and services provided by doulas and midwives.

Int 482 - By Council Members Louis and Nurse - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to report on polycystic ovary syndrome and endometriosis.

Int 490 - By Council Members Menin, Louis, Hudson, Hanif, Nurse and The Speaker (Council Member Adams) - **A Local Law** to amend the administrative code of the city of New York, in relation to the establishment of an office of sexual and reproductive health within the New York city department of health and mental hygiene.

Int 508 - By Council Members Schulman, Hanif, Brewer and Nurse - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring family building benefits for city employees.

Int 509 - By Council Members Stevens, Louis, Hanif, Brooks-Powers and Nurse - **A Local Law** to amend the administrative code of the city of New York, in relation to a public education and outreach campaign on the risks of caesarean sections.

Res 95 - By Council Members Rivera, Hanif, Riley, Stevens, Won and Nurse - **Resolution** calling on the New York State Legislature to pass, and the Governor to sign, A217/S2736, relating to informing maternity patients about the risks associated with cesarean section.

Res 201 - By Council Members Narcisse, Louis, Hanif, Brooks-Powers, Joseph, Nurse and Gutiérrez - **Resolution** calling upon New York State Legislature to establish full insurance coverage for fertility treatments.

Res 205 - By Council Members Rivera, Louis, Hudson, Hanif, Brooks-Powers, Joseph, Nurse and The Speaker (Council Member Adams) - **Resolution** calling on the New York State Legislature to pass, and the Governor to sign, legislation making doulas more accessible to individuals with Medicaid and those without health insurance.

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

Subcommittee on Landmarks, Public Sitings and Dispositions

Farah N. Louis, Chairperson

See Land Use Calendar

Remote Hearing (Virtual Room 2).....10:00 a.m.

Subcommittee on Zoning & Franchises

Kevin C. Riley, Chairperson

See Land Use Calendar

Remote Hearing (Virtual Room 2).....11:00 a.m.

Committee on Land Use

Rafael Salamanca, Jr., Chairperson

All items reported out of the Subcommittees

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Remote Hearing (Virtual Room 2).....12:00 p.m.

Committee on Women and Gender Equity

Tiffany Cabán, Chairperson

Oversight - Child Care in New York City.

Int 242 - 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 and Hudson - **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 and caregivers, particularly in light of the issues that have become more acute due to the COVID-19 pandemic.

Int 477 - By Council Members Hudson, Menin, Brooks-Powers, Joseph, Nurse and The Speaker (Council Member Adams) - **A Local Law** in relation to establishing a child care task force.

Int 485 - 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 and Ung - **A Local Law** to amend the administrative code of the city of New York, in relation to an electronic child care directory.

Int. 486 - By Council Members Menin, Ayala, Schulman, Riley, Won, Narcisse, Hudson, Joseph, De La Rosa, Stevens, Gutiérrez, Cabán, Louis, Lee, Brooks-Powers, Krishnan, Brewer, Dinowitz, Sanchez, Nurse, Marte and Ung - **A Local Law** to amend the New York city charter, in relation to establishing a child care advisory board.

Int 487 - 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 and Ung - **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 488 - 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 and Ung - **A Local Law** to amend the administrative code of the city of New York, in relation to establishing a child care program fund.

Int 489 - By Council Members Menin, Louis, Krishnan, Brewer, Dinowitz, Sanchez, Nurse, Marte, Ung and Schulman - **A Local Law** to amend the administrative code of the city of New York, in relation to a child care certification program.

Int 526 - By Council Member Cabán - A Local Law to amend the New York city charter, in relation to childcare services at public meetings.

Res 69 – 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 and Rivera - **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.

Hybrid - Council Chambers – City Hall.....1:00 p.m.

Thursday, June 30, 2022

Committee on Civil & Human Rights

Nantasha Williams, Chairperson

Oversight - Enforcement of the City's Access to Reproductive Health Care Facilities Law

Int 474 - By Council Member Hanif, the Public Advocate (Mr. Williams) and Council Members Williams, Hudson, Cabán, Avilés, Powers, Krishnan, Brannan, Joseph, Nurse, Dinowitz, Ung, Menin, Brooks-Powers, Schulman, Gutiérrez and The Speaker (Council Member Adams) - **A Local Law** to amend the administrative code of the city of New York, in relation to a public information and outreach campaign regarding safe access to reproductive health care

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

Committee on Higher Education

Eric Dinowitz, Chairperson

Oversight - Oversight: Examining Antisemitism on College Campuses.

Res 237 - By Council Member Dinowitz - **Resolution** calling on the State Legislature to pass, and the Governor to sign, the Fair College Admissions Act (A.9505/S.8498), which would prohibit legacy preference and early admissions policies at undergraduate institutions.

Res 238 - By Council Member Dinowitz - **Resolution** calling upon the City University of New York to compile data on bias incidents and hate crimes reported in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act into a single report, which should include greater specificity on bias classification, and to institute a campaign or initiative to educate students, faculty and staff about the rise of such incidents and how to report them.

Hybrid - Committee Room – 250 Broadway, 16th Floor.....10:00 a.m.

Committee on Mental Health, Disabilities & Addiction

Linda Lee, Chairperson

Oversight – Tracking the Opioid Settlement Fund and its Related Programs.

Int 404 - By Council Members Lee, Ayala, Brewer, Louis, Nurse, Krishnan, Kagan, Menin, Marte, Farías, Williams, Holden, Schulman, Dinowitz, Ossé and Ariola - **A Local Law** in relation to a report tracking the opioid settlement fund.

Hybrid - Committee Room – City Hall.....10:00 a.m.

Committee on Consumer and Worker Protection

Marjorie Velázquez, Chairperson

Oversight - Con Edison Price Increases

Int 372 - By The Speaker (Council Member Adams) and Council Members Yeger, Louis, Nurse, Krishnan and Narcisse (by request of the Manhattan Borough President) - **A Local Law** to amend the New York city charter, in relation to the creation of an office of the utility advocate within the department of consumer and worker protection.

Res 162 - By Council Members Lee, Louis, Nurse, Yeger, Kagan, Menin, Marte, Farías, Williams, Holden, Brooks-Powers, Schulman, Dinowitz, Ossé, Narcisse, Richardson Jordan and Ariola - Resolution calling on the New York State Legislature to pass, and the Governor to sign, amendments to article 4 of the Public Service Law to prevent a utility’s rate case from exceeding a certain percentage each year.

Res 172 - By Council Members Salamanca, Yeger, Nurse and Narcisse - **Resolution** calling on New York State to increase the number of Commissioners on the Public Service Commission and permit New York City to appoint two of its Commissioners.

Res 173 - By Council Members Ung, Yeger, Louis, Nurse and Narcisse - **Resolution** calling upon the Governor and New York State Legislature to expand financial relief programs to assist City residents struggling to pay their utility bills.

Res 174 - By Council Members Velázquez, Yeger, Ung, Nurse and Narcisse - **Resolution** calling upon Consolidated Edison to improve communication with City residents about increases in utility costs.

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

Committee on Governmental Operations jointly with the
Committee on Technology and the
Committee on Public Housing

Sandra Ung, Chairperson
Jennifer Gutiérrez, Chairperson
Alexa Avilés, Chairperson

Oversight - Ensuring Equal Access to 311 – Reviewing the Experience of Limited-English Proficient New Yorkers and NYCHA Residents.

Int 55 - By Council Members Menin, Hanif, Cabán, Gutiérrez, Holden, Dinowitz, Farías, Marte, Yeger, Ung, Schulman, Narcisse, Sanchez, Lee, Krishnan, Avilés, Won, Ossé, Louis, Ayala, Gennaro, Bottcher and Carr - **A Local Law** to amend the administrative code of the city of New York, in relation to the creation of a separate 311 category for COVID-19 testing site complaints.

Int 167 - By Council Members Holden, Won, Yeger and Bottcher - **A Local Law** to amend the administrative code of the city of New York, in relation to the number of steps to submit service requests or complaints on the 311 website and mobile application.

Int 206 - By Council Members Ung, Joseph, Cabán, Stevens, Hanif, Brewer, Dinowitz, Won, Marte Abreu and Williams - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the commissioner of information technology and telecommunications to report on wait times for the 311 customer service center to connect callers to an interpreter.

Int 240 - By Council Members Gutiérrez, Joseph, Brooks-Powers, Stevens, Yeger, Menin, Williams, Schulman, Riley, Narcisse, Barron, Ossé, Ayala, Restler, Cabán, Abreu, Richardson Jordan, Nurse and Ariola - **A Local Law** to amend the administrative code of the city of New York, in relation to the department of information technology and telecommunications updating 311 complaint types and reporting on such updates.

Int 296 - By Council Members Ung, Hanif, Brewer, Stevens, Velázquez, Williams, Yeger, Farías, Restler, Abreu, Krishnan and Nurse - **A Local Law** to amend the administrative code of the city of New York, in relation to the identification of languages spoken by callers to the 311 customer service center.

Res 68 – By Council Members Kagan, Farias, Ossé, Louis, Stevens, Hanif, Cabán, Brewer, Won, Restler, Hanks and Avilés - **Resolution** calling upon the New York State Legislature and U.S. Department of Housing & Urban Development to take strong action and increase NYCHA accountability by auditing the responsiveness of NYCHA managers to tenants.

Hybrid - Council Chambers – City Hall.....1:00 p.m.

Thursday, July 14, 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 that the Council’s parliamentarian Lance Polivy would be departing the Council. She noted that Mr. Polivy was with his wife and child and was hopefully watching this segment of the proceedings virtually. She offered her appreciation for all of the work that he produced during his years with the Council. The Speaker (Council Member Adams) wished him the very best on his future endeavors as those assembled in the Chambers responded with applause.

The Speaker (Council Member Adams) acknowledged that Faiza Ali had been appointed as the new First Deputy Chief of Staff. She thanked Ms. Ali for her many years with the Council and welcomed her to the senior staff as those assembled in the Chambers responded with applause.

The Speaker (Council Member Adams) acknowledged that this year’s Juneteenth celebration would be observed for the first time as an official city holiday. She noted that Juneteenth commemorated the end of slavery in America and served as a time to reflect on the continued path towards liberation, equity, and justice for black communities. She expressed the hope that everyone would attend a local Juneteenth celebration in their respective communities.

The Speaker (Council Member Adams) acknowledged that the month of June marks African American Music Appreciation Month. She noted that the honored guests of the related 2022 Black, Latino and Asian Caucus celebration included Patti La Belle, Ralph McDaniels, Doug E. Fresh, Busta Rhymes, and Fat Joe. The Speaker (Council Member Adams) asked everyone to continue to uplift the legacy of artists, talent, and brilliant creators during African American Music Appreciation Month.

The Speaker (Council Member Adams) acknowledged that the upcoming Sunday would mark Father’s Day. The Speaker (Council Member Adams) thanked and saluted all of the fathers who had shaped everyone’s lives for the better including her husband Jay and her late father Ervin James Eadie. She wished a Happy Father’s Day to everyone assembled online and in the Chambers.

Whereupon on motion of the Speaker (Council Member Adams), the Majority Leader and Acting President Pro Tempore (Council Member Powers) adjourned these hybrid proceedings to meet again for the Stated Meeting on Thursday, July 14, 2022.

ALISA FUENTES, Acting City Clerk
Acting Clerk of the Council