

THE COUNCIL

Minutes of the Proceedings for the
STATED MEETING
of
Thursday, April 27, 2023, 2:53 p.m.

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

Council Members

Adrienne E. Adams, *The Speaker*

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

Absent: Council Members Cabán, Gennaro, Ossé, and Won.

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

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

There were 47 Council Members marked present at this Stated Meeting held in the Council Chambers at City Hall, New York, N.Y. (including Council Members Feliz, Moya, and Rivera who participated remotely).

INVOCATION

The Invocation was delivered by Rabbi Yaakov Lehrfield, Young Israel of Staten Island located at 835 Forest Hill Road, Staten Island, N.Y. 10314.

To the Oh Mighty, Master of The Universe,
we involve Thy blessings
upon this august assemblage of people,
the City Council of New York.

We gather this afternoon,
dignitaries, elected officials,
citizens of our great country,
and our beloved city of New York.
Imbue with wisdom and understanding,
with a warm spirit of harmony,
inspire us to labor zealously
for fulfillment of economic and political democracy.
Please grant us Thy guidance for all who live under our flag,
the stars and stripes of America,
regardless of race, color, religion, or creed.
The Oh Mighty sustains living with unending kindness,
He supports all who stumble and fall,
He heals the sick.
We pay tribute to all our elected officials,
our country state, and beloved city
need wise, sagacious, and bold leadership.
This room is filled with the people
who have the capacity to lead and effect change.
We have put our trust in you,
it is a privilege to stand before you today.
May God grant the citizens of this great country,
all of our serviceman in uniform,
especially those serving in harm's way, health and happiness.
May we be blessed with peace, prosperity,
generosity of spirit, for many years to come.
And let us all say,
Amen.

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

The Speaker (Council Member Adams) asked for a moment to remember the lives of two New Yorkers who had recently died during the course of their employment while on the job:

Willis Moore, 59, longtime manager of a parking garage in lower Manhattan, died during the collapse of this Ann Street garage on April 19, 2023; and a 36-year old NYS Department of Transportation contractor was killed on April 25, 2023 after being hit by a car while working on a wall inspection in Queens. On behalf of the Council, the Speaker (Council Member Adams) offered her thoughts and condolences to the loved ones and the communities of the deceased.

The Speaker (Council Member Adams) noted that these tragedies had taken place with the approach of Worker's Memorial Month on April 28th and Building Safety Month which is observed in May. She reiterated that these deaths were a reminder of the need for stronger protections to be enacted concerning worker safety.

* * *

ADOPTION OF MINUTES

Council Member Schulman moved that the Minutes of the Stated Meeting of March 16, 2023 be adopted as printed.

REPORTS OF THE STANDING COMMITTEES

Report of the Committee on Consumer and Worker Protection

Report for Int. No. 891-A

Report of the Committee on Consumer and Worker Protection 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 allowing charitable organizations to conduct games of chance at professional sporting venues, and to repeal subdivision 8 of section 20-435 of such code, which defines the term “Prize.”

The Committee on Consumer and Worker Protection, to which the annexed proposed amended local law was referred on January 19, 2023 (Minutes, page 281), respectfully

REPORTS:

I. INTRODUCTION

On April 27, 2023, the Committee on Consumer and Worker Protection, chaired by Council Member Marjorie Velázquez, will hold a hearing and vote on Introduction Number 891-A (“Int. No. 891-A”), related to allowing charitable organizations to conduct games of chance at professional sporting venues and to repeal subdivision 8 of section 20-435 of the Administrative Code, which defines the term “Prize.” On March 29, 2023, the Committee held a hearing on a previous version of this bill and heard from the Department of Consumer and Worker Protection (DCWP), sports venue operators, chambers of commerce, and charitable and community-based organizations. Their feedback has been incorporated into the latest version of the bill. Int. No. 891-A was approved by the Committee by a vote of 7 in the affirmative and 0 in the negative.

II. BACKGROUND

Charitable gaming—which authorizes bingo, bell jar sales, Las Vegas nights, and raffles—is overseen by the New York State Gaming Commission. For years, statewide charitable gaming laws limited the operation of such games by prohibiting conduct outside of the organization’s premises, limiting potential earnings, and requiring the exclusive use of cash payments.¹ Criticism over these restrictions date back to 1976 when the former director of the City Consumer Affairs Department, Elinor Guggenheimer, expressed concerns about the cap on winnings and the limits to venues that could host such games.²

In 1976, upon modification to the New York State Constitution, the New York City Council passed a bill that would permit controlled operations of games of chance as a means to fundraise for charitable organizations.³ The “Las Vegas Nights” bill was intended to legalize games of chance conducted by religious or charitable organizations to raise funds for their operation. The legislation licensed operators of such games and set financial limitations on individual bets and potential winnings.⁴ The aim was to decriminalize gaming for the exclusive financial benefit of organizations that require fundraising for their operation.

¹ Robert Lyons, “NY Charities Win Big in Charitable Gaming Act of 2017”, CBIZ Marks Paneth, March 2, 2018, available at: [NY Charities Win Big in Charitable Gaming Act of 2017 - Marks Paneth](#).

² Farnsworth Fowle, “New York Sets Rules of House In Legal Games”, *New York Times*, December 31, 1976, available at: [New York Sets Rules of House In Legal Games - The New York Times \(nytimes.com\)](#).

³ Edward Ranzal, “Council Unit Debates ‘Las Vegas Nights’”, *New York Times*, August 27, 1976, available at: [Council Unit Debates ‘Las Vegas Nights’ - The New York Times \(nytimes.com\)](#).

⁴ William Claiborne, “N.Y. Legalizes Casinos – But Tamely”, *The Washington Post*, February 7, 1977, available at: [N.Y. Legalizes Casinos - But Tamely - The Washington Post](#).

In 2017, New York State enacted the Charitable Gaming Act, which authorized internet and mobile purchases of raffle tickets.⁵ The legislature's intent to modernize the charitable gaming industry led the New York State Gaming Commission to adopt new regulations that loosened restrictions on charitable gaming and expanded opportunities for raising funds.

The regulations adopted by the New York State Gaming Commission opened the door for professional sports organizations to conduct games of chance for charitable purposes at a professional sports venue or online.⁶ The new regulations paved the way for sports venues, like the UBS Arena, which is home to the New York Islanders, to conduct 50/50 raffles.⁷ Such raffles donate 50 percent of the proceeds to one ticket holder, and the other 50 percent of the proceeds benefit local charities in the community. The City has not amended its local law related to charitable games of chance for decades, which prevents sports venues like Yankee Stadium from participating in such games.

At the Committee's March 29, 2023 hearing on Int. 891, the New York Yankees and Mets organizations testified that they piloted organizing 50/50 raffles at away games and spring training with success. Nonprofit organizations testified that the funds raised through 50/50 raffles will provide a valuable new fundraising stream amid economic uncertainty.⁸

III. BILL ANALYSIS

Int. No. 891-A — A Local Law to amend the administrative code of the city of New York, in relation to allowing charitable organizations to conduct games of chance at professional sporting venues, and to repeal subdivision 8 of section 20-435 of such code, which defines the term "Prize."

This bill would allow licensed, authorized organizations to conduct games of chance known as raffles during collegiate and professional sporting competitions at sports venues from two hours before the beginning of play until the end of play. The net proceeds of such raffles would be used for the lawful, charitable purposes of the authorized organization. Since introduction, the bill has been amended in accordance with the restrictions in Article 9-A of the General Municipal Law related to the conduct of games of chance by certain organizations.

The local law would take effect immediately.

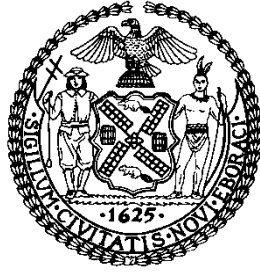
(The following is the text of the Fiscal Impact Statement for Int. No. 891-A:)

⁵ New York State Senate Bill S4329A.

⁶ Mike Mazzeo, "NY Online Gambling To Include Charitable Gaming Raffles, Opening Door to 50-50 Raffles At Professional Sports Events", Play NY, June 30, 2022, available at: [Commission Adopts Regulations To Allow For NY Online Gaming Charity Raffles \(playny.com\)](https://www.playny.com/news/commission-adopts-regulations-to-allow-for-ny-online-gaming-charity-raffles).

⁷ The Official Site of the New York Islanders, available at: [NYI - 50/50 Raffle | New York Islanders \(nhl.com\)](https://www.nhl.com/islanders/news/yki-50-50-raffle).

⁸ New York City Council hearing on March 29, 2023, available at <https://legistar.council.nyc.gov/MeetingDetail.aspx?ID=1099658&GUID=FB40B15A-C74C-4ACE-9A2B-77CA55C475A6&Options=info&Search=>



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

PROPOSED INTRO NO. 891-A

COMMITTEE: Consumer and Worker Protection

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to allowing charitable organizations to conduct games of chance at professional sporting venues, and to repeal subdivision 8 of section 20-435 of such code, which defines the term “Prize.”

SPONSORS: Council Members Salamanca, Velazquez, Abreu and Schulman.

SUMMARY OF LEGISLATION: This bill would allow sports venues throughout New York City to conduct raffles for charitable purposes during professional or collegiate sporting competitions by providing certain exemptions regarding advertising, the value of prizes, the sale of alcohol on the premises, the cost of admission to the premises, the number of raffles that may occur within one calendar year, and the length of a license period. Raffles may be conducted from two hours before the beginning of play until the end of play.

EFFECTIVE DATE: This bill would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024

FISCAL IMPACT STATEMENT:

	Effective FY23	FY Succeeding Effective FY24	Full Fiscal Impact FY24
Revenues (-)	\$0	\$0	\$0
Expenditures (+)	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because the relevant City agency would utilize existing resources to fulfill its requirements.

SOURCES OF INFORMATION: New York City Council Finance Division
 Department of Consumer and Worker Protection

ESTIMATE PREPARED BY: Glenn P. Martelloni, Financial Analyst

ESTIMATE REVIEWED BY: Aliya Ali, Unit Head
 Jonathan Rosenberg, Managing Deputy Director
 Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council on January 19, 2023 as Int. 891 and referred to the Committee on Consumer and Worker Protection (Committee). The Committee held a hearing on March 29, 2023 and the bill was laid over. The legislation was then amended and the amended version, Int. 891-A will be considered by the Committee at a hearing on April 27, 2023. Upon a successful vote by the Committee, Proposed Int. 891-A will be submitted to the full Council for a vote on April 27, 2023.

DATE PREPARED: April 25, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 891-A:)

Int. No. 891-A

By Council Members Salamanca, Velázquez, Abreu, Schulman and Mealy.

A Local Law to amend the administrative code of the city of New York, in relation to allowing charitable organizations to conduct games of chance at professional sporting venues, and to repeal subdivision 8 of section 20-435 of such code, which defines the term “Prize.”

Be it enacted by the Council as follows:

Section 1. Subdivision 2 of section 20-435 of the administrative code of the city of New York is amended to read as follows:

2. "Games of chance" shall mean and include [specific games of chance] *only the games known as “merchandise wheels,” “coin boards,” “merchandise boards,” “seal cards,” “event games,” “raffles,” and “bell jars” and such other specific games as may be authorized by the board,* in which prizes are awarded on the basis of a designated winning number or numbers, color or colors, symbol or symbols determined by chance, but not including games commonly known as "bingo or lotto" which are controlled under article 14-H of the general municipal law and also not including "slot machines", "bookmaking", "lottery," and "policy or numbers games" as defined in section 225.00 of the penal law. No game of chance shall involve wagering of money by one player against another player.

§ 2. Subdivision 4 of section 20-435 of the administrative code of the city of New York is amended to read as follows:

4. “Lawful purposes” shall mean one or more of the following causes, deeds or activities:

(a) Those which shall benefit needy or deserving persons indefinite in number by enhancing their opportunity for religious or educational advancement, by relieving them from disease, suffering or distress, or by contributing to their physical well-being, by assisting them in establishing themselves in life as worthy and useful citizens, or by increasing their comprehension of a devotion to the principles upon which this nation was founded and enhancing their loyalty to their governments.

(b) Those which shall initiate, perform or foster worthy public works or shall enable or further the erection or maintenance of public structures;

(c) Those which shall otherwise lessen the burdens borne by government or which are voluntarily undertaken by an authorized organization to augment or supplement services which government would normally render to the people, *including, in the case of volunteer firefighters or voluntary emergency medical service activities, the purchase, erection or maintenance of a building for a firehouse or a volunteer ambulance corps building, activities open to the public for the enhancement of membership and the purchase of equipment that can reasonably be expected to increase the efficiency of response to fires, accidents, medical emergencies, public calamities and other emergencies.*

(d) *Those which shall initiate, perform or foster the provisions of services to veterans by encouraging the gathering of such veterans and shall enable or further the erection or maintenance of facilities for use by such veterans which shall be used primarily for charitable or patriotic purposes, or those purposes which shall be authorized by a bona fide organization of veterans, provided however that such proceeds are disbursed pursuant to section 189 of the general municipal law.*

§ 3. Subdivision 5 of section 20-435 of the administrative code of the city of New York is amended to read as follows:

5. "Net proceeds" shall mean (a) in relation to the gross receipts from one or more [occasions] *license periods* of games of chance, the amount that shall remain after deducting the reasonable sums necessarily and actually expended for supplies and equipment, prizes, *security-personnel*, stated rental if any, bookkeeping or accounting services according to a schedule of compensation prescribed by the board, janitorial services and utility supplies if any, license fees, and the cost of bus transportation, if authorized by the [board] *department* and (b) in relation to the gross rent received by an [organization licensed to conduct such games for the use of its premises by another licensee] *authorized games of chance lessor for the use of its premises by a game of chance licensee*, the amount that shall remain after deducting the reasonable sums necessarily and actually expended for janitorial services and utility supplies directly attributable thereto if any.

§ 4. Subdivision 6 of section 20-435 of the administrative code of the city of New York is amended to read as follows:

6. "Net lease" shall mean a written agreement between a lessor and lessee under the terms of which the lessee is entitled to the possession, use or occupancy of the whole or part of any premises from any non-commercial or non-profit [organization] *authorized games of chance lessor* for which the lessee pays rent to the lessor and likewise undertakes to pay substantially all of the regularly recurring expenses incident to the operation and maintenance of such leased premises.

§ 5. Subdivision 8 of section 20-435 of the administrative code of the city of New York is REPEALED.

§ 6. Subdivision 10 of section 20-435 of the administrative code of the city of New York is amended to read as follows:

10. "One occasion" shall mean the conducting of any one type of game of chance during any one license period. [No] *Except for raffles conducted during professional and collegiate sporting competitions, no* series of prizes on any one occasion shall aggregate more than one thousand dollars. *For purposes of raffles conducted during professional and collegiate sporting competitions, "one occasion" shall mean the successive operations of any one such raffle for which the limit on a series of prizes provided by subdivision 6 of section 189 of the general municipal law shall apply.*

§ 7. Subdivision 11 of section 20-435 of the administrative code of the city of New York is amended to read as follows:

11. "Licensed period" shall mean a period of time not to exceed [fourteen] *14* consecutive hours *and, for* purposes of the game of chance known as a raffle, "license period" shall mean a period of time running from January first to December thirty-first of each year.

§ 8. Section 20-435 of the administrative code of the city of New York is amended by adding a new subdivision 12 to read as follows:

12. *"Sports venue" shall mean a building, structure, or place with a permanent seating capacity of more than five thousand in which professional sporting competitions are held.*

§ 9. Section 20-435 of the administrative code of the city of New York is amended by adding a new subdivision 13 to read as follows:

13. *"Raffle" shall mean and include those games of chance in which a participant pays money in return for a ticket or other receipt and in which a prize is awarded on the basis of a winning number or numbers, color or colors, or symbol or symbols designated on the ticket or receipt, determined by chance as a result of: (a) a drawing from among those tickets or receipts previously sold; or (b) a random event, the results of which correspond with tickets or receipts previously sold.*

§ 10. Section 20-435 of the administrative code of the city of New York is amended by adding a new subdivision 14 to read as follows:

14. *"Single type of game" shall mean the games of chance known as merchandise wheels, coin boards, merchandise boards, event games, raffles and bell jars and each other specific game of chance authorized by the board.*

§ 11. Section 20-435 of the administrative code of the city of New York is amended by adding a new subdivision 15 to read as follows:

15. *"Operation" shall mean the play of a single type of game of chance necessary to determine the outcome or winners each time wagers are made. A single drawing of a winning ticket or other receipt in a raffle shall be deemed one operation.*

§ 12. Section 20-435 of the administrative code of the city of New York is amended by adding a new subdivision 16 to read as follows:

16. *“Single prize” shall mean the sum of money or fair market value of merchandise or coins awarded to a participant by a games of chance licensee in any one operation of a single type of game of chance in excess of their wager.*

§ 13. Section 20-435 of the administrative code of the city of New York is amended by adding a new subdivision 17 to read as follows:

17. *“Series of prizes” shall mean the total amount of single prizes minus the total amount of wagers lost during the successive operations of a single type of game of chance, except that for merchandize wheels and raffles, “series of prizes” shall mean the sum of cash and the fair market value of merchandise awarded as single prizes during the successive operations of any single merchandise wheel or raffle. In the game of raffle, a series of prizes may include a percentage of the sum of cash received from the sale of raffle tickets.*

§ 14. Section 20-436 of the administrative code of the city of New York is amended to read as follows:

§ 20-436 Conduct of games of chance. 1. No person, firm, association, corporation or organization, other than a licensee under the provisions of this subchapter, shall conduct such game or shall lease or otherwise make available for conducting games of chance a hall or other premises for any consideration whatsoever, direct or indirect, except as provided in section 20-437 of this subchapter.

2. No game of chance shall be held, operated or conducted on or within any leased premises if rental under such lease is to be paid, wholly or partly, on the basis of a percentage of the receipts or net profits derived from the operation of such game.

3. No authorized organization licensed under the provisions of this subchapter shall purchase, lease, or receive any supplies or equipment specifically designed or adapted for use in the conduct of games of chance from other than a supplier licensed by the board or from another authorized organization.

4. The entire net proceeds of any game of chance and of any rental shall be exclusively devoted to the lawful purposes of the organization permitted to conduct the same.

5. No prize shall exceed the sum or value of one hundred dollars in any operation or conducting of a single game of chance as defined in section 20-435 of this subchapter, *except for raffles conducted during professional and collegiate sporting competitions at sports venues which shall be subject to the limitations set forth in subdivision 5 of section 189 of the general municipal law. No single wager shall exceed [ten] six dollars, provided, however, that such limitation shall not apply to the amount of money or value paid by the participant in a raffle in return for a ticket or other receipt.*

6. No series of prizes on any one occasion of games of chance shall aggregate more than one thousand dollars as defined in section 20-435 of this subchapter, *except for raffles conducted during professional and collegiate sporting competitions at sports venues, which shall be subject to the limitations set forth in subdivision 6 of section 189 of the general municipal law.*

7. No person except a bona fide member of [any such organization, its auxiliary or affiliated organization,] *the licensed authorized organization* shall participate in the management [or operation of such game,] *of such games; no person except a bona fide member of the licensed authorized organization, its auxiliary or affiliated organization, shall participate in the operation of such games, as* set forth in section 20-444 of this subchapter.

8. No person shall receive any remuneration for participating in the management or operation of any such game.

9. The unauthorized conduct of a game of chance shall constitute and be punishable as a misdemeanor.

§ 15. Subdivision 1 of section 20-438 of the administrative code of the city of New York is amended to read as follows:

1. The department shall make an investigation of the qualifications of each applicant and the merits of each application, with due expedition after the filing of the application.

(a) Issuance of licenses to conduct games of chance. If such department shall determine that the applicant is duly qualified to be licensed to conduct games of chance under this subchapter; that the members of the applicant designated in the application to conduct games of chance are bona fide active members of the applicant and are persons of good moral character and have never been convicted of a crime, or, if convicted, have received a pardon or a certificate of good conduct; that such games are to be conducted in accordance with the provisions of this subchapter and in accordance with the rules and regulations of the board and that the proceeds thereof are to be disposed of as provided by this subchapter; and if such department is satisfied that no commission, salary,

compensation, reward or recompense whatever will be paid or given to any person holding, operating or conducting or assisting in the holding, operation and conduct of any such games except as in this subchapter otherwise provided; and that *except for raffles conducted during professional and collegiate sporting competitions at sports venues, which shall be subject to the limitations set forth in section 189 of the general municipal law*, no prize will be given in excess of the sum or value of one hundred dollars in any single game and that the aggregate of all prizes given on one occasion, under said license shall not exceed the sum or value of one thousand dollars, the department shall issue a license to the applicant for the conduct of games of chance upon payment of a license fee of twenty-five dollars for each license period.

(b) Issuance of licenses to authorized games of chance lessors. If such department shall determine that the applicant seeking to lease a hall or premises for the conduct of games of chance to an authorized organization is duly qualified to be licensed under this subchapter; that the applicant satisfies the requirements for an authorized games of chance lessor as defined in section 20-435 of this subchapter that such department shall find and determine that there is a public need and that public advantage will be served by the issuance of such license; that the applicant has filed its proposed rent for each game of chance occasion; that there is no diversion of the funds of the proposed lessee from the lawful purposes as defined in this subchapter; and that such leasing of a hall or premises for the conduct of such games is to be in accordance with the provisions of this subchapter and in accordance with the rules and regulations of the board, it shall issue a license permitting the applicant to lease said premises for the conduct of such games to the authorized organization or organizations specified in the application during the period therein specified or such shorter period as such department shall determine, but not to exceed one year, upon payment of a license fee of fifty dollars.

§ 16. Section 20-441 of the administrative code of the city of New York is amended to read as follows:

§ 20-441 Control and supervision; suspension of licenses; inspection of premises; rulemaking. 1. The department shall have and exercise rigid control and close supervision over all games of chance conducted under such license, to the end that the same are fairly conducted in accordance with the provisions of such license, the provisions of the rules and regulations promulgated by the board and the provisions of this subchapter, and the department and the board shall have the power and authority to temporarily suspend any license issued by the department pending a hearing and, after notice and hearing, the department and the board may suspend or revoke same, and additionally, impose a fine not exceeding one thousand dollars for violation of any such provisions, and the department and the board shall have the right of entry, by their respective officers and agents, at all times into any premises where any game of chance is being conducted or where it is intended that any such game shall be conducted, or where any equipment being used or intended to be used in the conduct thereof is found, for the purpose of inspecting the same. An agent of the department shall make an on-site inspection during the conduct of all games of chance licensed pursuant to this subchapter.

[2. Service of alcoholic beverages. Subject to the applicable provisions of the alcoholic beverage control law, beer may be offered for sale during the conduct of games of chance but the offering of all other alcoholic beverages is prohibited.

3.] 2. The commissioner of the department may promulgate such rules and regulations as deemed necessary for the proper implementation and enforcement of this subchapter and which are not inconsistent with those rules and regulations promulgated by the board.

§ 17. Section 20-443 of the administrative code of the city of New York is amended to read as follows:

§ 20-443 Frequency *and scheduling* of games. No game or games of chance shall be conducted under any license issued under this subchapter more often than twelve times in any calendar year. Games shall be conducted only between the hours of noon and midnight on Monday, Tuesday, Wednesday, Thursday, and Sunday; and between the hours of noon on Friday and two a.m. Saturday; and between the hours of noon on Saturday and two a.m. Sunday. The two a.m. closing period shall also apply to a legal holiday. Notwithstanding the foregoing provisions of this section no games of chance shall be conducted on Easter Sunday, Christmas Day, New Year's Eve, and the days of Rosh Hashanah and Yom Kippur. *The restrictions in this section shall not apply when only the game of chance known as raffle is conducted, provided that authorized organizations licensed under this subchapter may conduct raffles during professional and collegiate sporting competitions at sports venues only from two hours before the beginning of play until the end of play.*

§ 18. Section 20-444 of the administrative code of the city of New York is amended to read as follows:

§ 20-444 Persons operating and conducting games; equipment; expenses; compensation. 1. No person shall [hold,] operate [or conduct] any games of chance under any license issued under this subchapter except [an

active member of the authorized organization] *a bona fide member of the authorized organization* to which the license is issued, *or a bona fide member of an organization or association which is an auxiliary to the licensee or a bona fide member of an organization or association of which such licensee is an auxiliary or a bona fide member of an organization or association which is affiliated with the licensee by being, with it, auxiliary to another organization or association. Nothing herein shall be construed to limit the number of games of chance licensees for whom such persons may operate games of chance nor to prevent non-members from assisting the licensee in any activity other than managing or operating games.* [and no person shall assist in the holding, operating or conducting of any game of chance under such license except such an active member or a member of an organization or association which is an auxiliary to the licensee or a member of an organization or association of which such licensee is an auxiliary or member of an organization or association which is affiliated with the licensee by being, with it, auxiliary to another organization or association. No]

2. No game of chance shall be conducted with any equipment except such as shall be owned or leased by the authorized organization so licensed or used without payment of any compensation therefore by the licensee. *An authorized organization affiliated with a sports venue may utilize equipment supplied by a third-party provided that any equipment specifically designed or adapted for use in the conduct of games of chance come from a supplier licensed by the board or another authorized organization.*

3. *Except for raffles conducted during professional and collegiate sporting competitions at sports venues,* [At] at least two officers, directors, trustees or clergy of the authorized organization shall upon request certify, under oath, that the persons assisting in holding, operating or conducting any game of chance are bona fide members of such authorized organization, auxiliary or affiliated organization. Upon request by the department, any such person involved in such games of chance shall certify that he or she has no criminal record.

4. No items of expense shall be incurred or paid in connection with the conducting of any game of chance pursuant to any license issued under this subchapter except those that are reasonable and are necessarily expended for games of chance supplies and equipment, prizes, *security personnel*, stated rental if any, bookkeeping or accounting services according to a schedule of compensation prescribed by the board, janitorial services and utility supplies if any, license fees, and the cost of bus transportation, if authorized by such department.

§ 19. Section 20-445 of the administrative code of the city of New York is amended to read as follows:

§ 20-445 Charge for admission and participation; amount of prizes; award of prizes. [Not] *Except for raffles conducted during professional and collegiate sporting competitions at sports venues, no more than two dollars shall be charged by any licensee for admission to any room or place in which any game or games of chance are to be conducted under any license issued under this subchapter. The department may in its discretion fix a minimum fee. [Every] Except for raffles conducted during professional and collegiate sporting competitions at sports venues, every winner shall be determined and every prize shall be awarded and delivered within the same calendar day as that upon which the game was played. The winner of any single prize in a raffle conducted during professional and collegiate sporting competitions at sports venues shall not be required to be present at the time such raffle is conducted.* No alcoholic beverage shall be offered or given as a prize in any game of chance.

§ 20. Section 20-446 of the administrative code of the city of New York is amended to read as follows:

§ 20-446 Advertising games. [No] *Except for raffles conducted during professional and collegiate sporting competitions at sports venues, no game of chance conducted or to be conducted in this city shall be advertised as to its location, the time when it is to be or has been played, or the prizes awarded or to be awarded, or transportation facilities to be provided to such game, by means of newspapers, radio, television or sound trucks or by means of billboards, posters or handbills or any other means addressed to the general public, except that one sign not exceeding sixty square feet in area may be displayed on or adjacent to the premises owned or occupied by a licensed authorized organization, and when an organization is licensed to conduct games of chance on premises of an authorized games of chance lessor, one additional such sign may be displayed on or adjacent to the premises in which the games are to be conducted. Additional signs may be displayed upon any fire fighting equipment belonging to any licensee, which is a volunteer fire company, or upon any first-aid or rescue squad equipment belonging to any licensee, which is a first-aid or rescue squad, in and throughout the community or communities served by such volunteer fire company or such first-aid or rescue squad, as the case may be. When an organization is licensed or authorized to conduct games of chance on the premises of an authorized games of chance lessor, one additional sign may be displayed on or adjacent to the premises in which the games are to be conducted. A licensee conducting raffles during professional and collegiate sporting competitions at sports*

venues may advertise conduct of games of chance to the general public by means of newspaper, circular, handbill, poster, and through the internet or television as may be regulated by the rules and regulations of the board. All advertisements shall be limited to the description of such event as “Games of chance” or “Las Vegas Night”, the name of the authorized organization conducting such games, the license number of the authorized organization as assigned by the department, the prizes offered and the date, location and time of the event.

§ 21. This local law takes effect immediately.

MARJORIE VELÁZQUEZ, *Chairperson*; SHAUN ABREU, ERIK D. BOTTCHEER, GALE A. BREWER, AMANDA FARIÁS, SHEKAR KRISHNAN, JULIE MENIN; 7-0-0; *Absent*: Chi A. Ossé and Julie Won; Committee on Consumer and Worker Protection, April 27, 2023.

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

Report of the Committee on Finance

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

Report for Res. No. 575

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

The Committee on Finance, to which the annexed preconsidered resolution was referred on April 27, 2023, respectfully

REPORTS:

Introduction. The Council of the City of New York (the “Council”) annually adopts the City’s budget covering expenditures other than for capital projects (the “expense budget”) pursuant to Section 254 of the Charter. On June 30, 2020, the Council adopted the expense budget for fiscal year 2021 with various programs and initiatives (the “Fiscal 2021 Expense Budget”). On June 30, 2021, the Council adopted the expense budget for fiscal year 2022 with various programs and initiatives (the “Fiscal 2022 Expense Budget”). On June 13, 2022, the Council adopted the expense budget for fiscal year 2023 with various programs and initiatives (the “Fiscal 2023 Expense Budget”).

Analysis. In an effort to continue to make the budget process more transparent, the Council is providing a list setting forth new designations and/or changes in the designation of certain organizations receiving funding in accordance with the Fiscal 2023, Fiscal 2022, and Fiscal 2021 Expense Budgets (“Chart”).

This Resolution, dated April 27, 2023, approves the new designation and the changes in the designation of certain organizations receiving local, aging, youth, anti-poverty, community safety and victims’ services, and Speaker’s initiative to address citywide needs discretionary funding and funding for certain initiatives in accordance with the Fiscal 2023 Expense Budget; approves the changes in designation of certain organizations receiving aging, local, youth, and boroughwide discretionary funding and funding for certain initiatives in accordance with the Fiscal 2022 Expense Budget; approves the changes in designation of certain organizations receiving local and youth discretionary funding in accordance with the Fiscal 2021 Expense Budget; amends the description for the Description/Scope of Services of certain organizations receiving aging, youth, local, community safety and

victims' services, anti-poverty, boroughwide, and Speaker's initiative discretionary funding in accordance with the Fiscal 2023 Expense Budget and amends the description for the Description/Scope of Services of certain organizations receiving boroughwide discretionary funding in accordance with the Fiscal 2022 Expense Budget. All new designations and changes in designations are as described in the attached Charts and the Resolution text.

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

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

It should also be noted that changes to funding for organizations in the attached Charts with a triple asterisk (***) are corrections to designations listed in Schedule C and/or a subsequent Transparency Resolution.

Description of Above-captioned Resolution. In the above-captioned Resolution, the Council would approve the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2023, Fiscal 2022, and Fiscal 2021 Expense Budgets. Such Resolution would take effect as of the date of adoption.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 575:)

Res. No. 575

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

By Council Member Brannan.

Whereas, On June 13, 2022, the Council of the City of New York (the "City Council") adopted the expense budget for Fiscal Year 2023 with various programs and initiatives (the "Fiscal 2023 Expense Budget"); and

Whereas, On June 30, 2021, the Council of the City of New York (the "City Council") adopted the expense budget for Fiscal Year 2022 with various programs and initiatives (the "Fiscal 2022 Expense Budget"); and

Whereas, On June 30, 2020 the Council adopted the expense budget for Fiscal Year 2021 with various programs and initiatives (the "Fiscal 2021 Expense Budget"); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2023, Fiscal 2022, and Fiscal 2021 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local, aging, youth, and anti-poverty discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2023 and Fiscal 2022 Expense Budgets by approving new Description/Scope of Services for certain organizations receiving local, youth, aging, boroughwide, anti-poverty, community safety and victim services, and Speaker's initiative discretionary funding; now, therefore, be it

Resolved, That the City Council approves the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2023 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Community Safety and Victim Services Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Speaker's Initiative to Address Citywide Needs in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 9; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 12; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 14; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the SU-CASA Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 15; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Legal Services for the Working Poor Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Art a Catalyst for Change Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Crisis Management System Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Discharge Planning Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 19; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Hate Crime Prevention Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 20; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Welcome NYC Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 21; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Family Advocacy and Guardianship Support Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 22; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Legal Information and Support for Families Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 23; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Legal Services for Veterans Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 24; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Afterschool Enrichment Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 25; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Homeless Prevention Services for Veterans Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 26; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Trauma Recovery Centers Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 27; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Ending the Epidemic Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 28; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 29; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 30; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 31; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Support Our Seniors Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 32; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 33; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 34; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 35; and be it further

Resolved, That the City Council amends the Purpose of Funds for certain organizations receiving funding in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 36; and be it further

Resolved, That the City Council amends the Purpose of Funds for certain organizations receiving funding in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 37.

(For text of the Exhibit Charts, please refer to the attachments section of the [Res. No. 575 of 2023](#) file in the legislation section of the New York City Council website at <https://council.nyc.gov>)

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 16-0-0; *Absent*: Chi A. Ossé and Julie Won; Committee on Finance, April 27, 2023.

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. 192

Report of the Committee on Finance in favor of a Resolution approving 834 Riverside Drive HDFC.GHPP.FY23, Block 2136, Lot 18, Manhattan, Community District No. 12, Council District No. 7.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on April 27, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

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

THE COUNCIL OF THE CITY OF NEW YORK

April 27, 2023

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

FROM: Michael Twomey, Assistant Counsel, Finance Division
Kathleen Ahn, Counsel, Finance Division

RE: Finance Committee Agenda of April 27, 2023 – Resolution approving a tax exemption for four Land Use items (Council Districts 7, 8, 9, 6)

Item 1: 834 Riverside Drive HDFC.GHPP.FY23

834 Riverside Drive HDFC.GHPP.FY23 is a 31-unit affordable HDFC coop that provides homeownership opportunities to a number of long-time Washington Heights residents. An emergency loan with Habitat for Humanity closed July 28, 2022; this loan was used to make emergency repairs to the building's boiler. Aside from those repairs, this building has not been renovated since 1989, when the property was conveyed to the

HDFC by the City for \$31,000 under Section 576 of Article XI of the Private Housing Finance Law. 834 Riverside Drive HDFC controls 100% of the interest/shares of the coop.

The building has one studio apartment, eight 1-bedroom apartments, seventeen 2-bedroom apartments, and five 3-bedroom apartments. Thirty of the units are occupied and one is currently vacant. Twenty-four units are currently shareholder owned, and the remaining seven will be sold upon loan closing. There are no commercial or community facility spaces. The HDFC has retained the same property management firm, Del Mar Property Management, since January of 2020.

The Project will undergo moderate rehabilitation through the Green Housing Preservation Program (GHPP). GHPP funds will be used for needed renovations to the roof, elevator, and façade of the building. GHPP funds will also be used to make energy consumption more efficient, which would in turn lower bills and better ensure the physical health of residents and the financial wellbeing of the HDFC.

Summary:

- Borough – Manhattan
- Block 2136, Lot 18
- Council District – 7
- Council Member – Abreu
- Council Member approval – Yes
- Number of buildings – 1
- Number of units – 31
- Type of exemption – Article XI, full, 40 year
- Population – affordable cooperative homeownership
- Sponsor – 834 Riverside Drive HDFC
- Purpose – preservation
- Cost to the city – \$1.59 million (present value)
- Housing Code Violations
 - Class A – 35
 - Class B – 88
 - Class C – 12
- AMI target – Incomes capped at 120% AMI; vacant units priced to be affordable up to 100% AMI

Item #2: Taino Towers

Taino Towers is a project-based Section 8 housing development in East Harlem, Manhattan, that was originally financed in the 1970s and completed construction in 1983. In addition to 656 residential units spread across four buildings, the project contains over 260,000 SF of commercial and community facility spaces, including an auditorium, gym, theater, not-for-profit charter school, pharmacy, dry cleaner, laundromat, hardware store, and parking garage. All residential tenants must earn below 50% of AMI upon initial occupancy, in accordance with the project's HAP contract. The unit breakdown is 112 studios, 130 1-bedrooms (inclusive of one superintendent unit), 184 2-bedrooms, 202 3-bedrooms, and 28 6-bedrooms.

HPD's recent involvement in the project ensured ongoing preservation, which included a retroactive exemption to 1983 and an interim exemption which expired in June 2022. Currently the request is for HPD to provide a new 40-year Article XI exemption that will help support capital improvements through a refinancing of the project's existing HUD mortgage. HPD is also being asked to extend the project's previous Article XI tax exemption to provide retroactive exemption from the expiration of the previous tax exemption in June 2022 until the date of the amended and restated regulatory agreement at the final endorsement of the project's new HUD mortgage, which is projected to occur by 2028. Taino Towers is currently financed with HUD debt, a Section 236 first mortgage and a substantial subordinate HUD mortgage.

For this resolution, HPD will be amending the regulatory agreement at HPD closing on June 2023, as well as amending and restating the regulatory agreement at the final endorsement of the project's new HUD mortgage, which is projected to occur by 2028. The project's current Article XI expired in June of 2022. The current Article XI tax exemption that had expired June 2022 will be extended until the date of the amended and restated regulatory agreement at HUD's final endorsement, to ensure there is no gap in property tax relief for the project. This exemption will retroactively exempt taxes between the previous expiration and the HPD closing using a 10% GRT consisting of Gross Residential Income and Gross Commercial Income. At HPD closing, the project will receive a standard term sheet exemption of 10% Gross Rent Tax (GRT) base + 25% increases (Known as a Contract Rent Differential Tax) with a 17% cap.

This exemption will be replaced by the new Article XI exemption at the date of amended and restated regulatory agreement at HUD's final endorsement and run alongside the amended term of the Regulatory Agreement of 60 years. HPD's 40-year tax exemption will commence on date of the amended and restated regulatory agreement, which will coincide with HUD's final endorsement of the project's new HUD mortgage, expected by June 2028. The project will receive a standard term sheet exemption of 10% Gross Rent Tax (GRT) base + 25% increases (Known as a Contract Rent Differential Tax) with a 17% cap to assist in preservation of the project's affordability for the next 40 years, to begin with the final endorsement of the new HUD mortgage. This exemption will utilize the GRT calculated at HPD closing, capturing 25% increases before and after the amended and restated regulatory agreement at HUD final endorsement.

This Article XI request contains four resolutions to update the expiration dates on 2019 Resolution Nos. 930, 932, 934, and 936 and one Speaker Letter for a new 40-year partial Article XI exemption to be conterminous with the term of the project's HUD mortgage from final endorsement.

Summary:

- Borough – Manhattan
- Block 1787, Lots 1, 60, 70, 80
- Council District – 8
- Council Member – Ayala
- Council Member approval – Yes
- Number of buildings – 4
- Number of units – 656 (includes 1 superintendent unit)
- Type of exemption – Article XI, partial, 40 year
- Population – affordable rental housing
- Sponsor – East Harlem PILOT Block HDPC, Inc.
- Purpose – preservation
- Cost to the city – Amended Article XI: \$13.69 million (present value); New Article XI: \$42.45 million (present value)
- Housing Code Violations
 - Lot 1
 - Class A – 23
 - Class B – 58
 - Class C – 7
 - Lot 60
 - Class A – 44
 - Class B – 168
 - Class C – 35
 - Lot 70
 - Class A – 75

- Class B – 179
- Class C – 21
- Lot 80
- Class A – 9
- Class B – 54
- Class C – 6

AMI target – 50% AMI

Item #3: West 148th Street Heighliner Portfolio.HPO.FY23

201 West 148th Street (the “Property”) is a multi-family housing development located in the West Harlem neighborhood of Manhattan. The Property is a part of the Heighliner Portfolio (the “Project”), which is comprised of five multi-family housing developments across Harlem and the South Bronx, which is in the process of being acquired by Asland Capital Partners (the “Sponsor”) from its current owner, L&M Development Partners. The sale is being financed with a HDC permanent loan and developer equity from Asland. The Property was originally financed with a HDC mortgage in 2004, when it was acquired by the current owner. The Property is also governed by a NYS DHCR regulatory agreement after the agency issued state low-income housing tax credits in 2006. The regulatory agreement has a term of 30 years and is set to expire in 2036.

The Property consists of a six-story building containing a total of twenty-five (25) units of affordable housing, as well as approximately 3,224 gross square feet (GSF) of commercial space at the ground-floor level. There are seven studios, one 1-bedroom, and seventeen 2-bedrooms. There will be no building superintendent unit, as the neighboring development (205-215 West 148th Street aka Site 15), also owned by L&M and part of the Heighliner Portfolio, houses a project super for both sites. The commercial space is currently occupied by Girls Educational & Mentoring Services (GEMS), a non-profit organization that provides services to young women who are victims of traffickers. There is one entrance to the commercial space on the corner of Adam Clayton Powell Jr. Boulevard and West 148th Street. The commercial space comprises half of the ground floor building frontage and predominately fronts Adam Clayton Powell Jr. Boulevard.

The Property currently has a 421-a tax exemption, which is set to expire in 2032. This exemption will be replaced by the new Article XI exemption that will run coterminous with the project’s HDC mortgage which has a 35-year term. The Sponsor is requesting a term sheet exemption of 5% Gross Rent Tax (GRT).

Summary:

- Borough – Manhattan
- Block 2043, Lot 29
- Council District – 9
- Council Member – Richardson Jordan
- Council Member approval –Yes
- Number of buildings – 1
- Number of units – 25
- Type of exemption – Article XI, partial, 35 year
- Population – affordable rental housing
- Sponsor – Asland Capital Partners
- Purpose – preservation
- Cost to the city – \$1.13 million (present value)
- Housing Code Violations
 - Class A: 7
 - Class B: 11
 - Class C: 7

- AMI target – 4 units at 50% AMI; 3 units at 60% AMI; 11 units at 70% AMI; 7 units at 80% AMI

Item #4: St. Matthews & St. Timothy’s Apartments

The St. Matthews & St. Timothy’s Apartments consist of one building with a total of 72 residential units located in the Upper West Side neighborhood of Manhattan at 126 West 83rd Street. Of the units in the building, sixteen are studios, thirty-eight 1-bedrooms, thirteen 2-bedrooms (inclusive of one superintendent unit), and five 3-bedrooms. There are two commercial spaces on the premises.

The property, built in 1905, is a 72-unit building and all units are rent-stabilized. Current average collected rents are approximately 47% AMI. Furthermore, the market comp AMI is 134% according to Rentometer comps. The current annual tax bill of \$208,000.

The property has been owned by the Church of St. Matthew & St. Timothy’s sometime since 1970. It is currently owned by The Church of St. Matthew & St. Timothy Housing Corporation, which is an affiliate of the Church of St. Matthew & St. Timothy’s.

This HPO project is requesting a 40-year partial Article XI tax exemption with an annual Gross Rent Tax equivalent to one and three-tenths percent (1.30%). In exchange, the beneficial owner as well as the HDPC will execute on an HPD regulatory agreement restricting rents and income at tiers coterminous with the 40-year Article XI tax benefit. Additionally, HPD will require a 10% homeless-set-aside (8 units) as well as participation in HPD’s Aging-in-Place initiative and critical and immediate work outlined via the Initial Property Needs Assessment.

Summary:

- Borough – Manhattan
- Block 1213, Lot 42
- Council District – 6
- Council Member – Brewer
- Council Member approval –Yes
- Number of buildings – 1
- Number of units – 72
- Type of exemption – Article XI, partial, 40 year
- Population – affordable rental housing
- Sponsor – Rev. Carla E. Roland, Rector
- Purpose – preservation
- Cost to the city – \$3.69 million (present value)
- Housing Code Violations
 - Class A: 17
 - Class B: 15
 - Class C: 13
- AMI target – 11 units at 50% AMI; 50 units at 65% AMI; 10 units at 95% AMI

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

Res. No. 593

Resolution approving an exemption from real property taxes for property located at (Block 2136, Lot 18) Manhattan, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 192).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated April 10, 2023 that the Council take the following action regarding a housing project located at (Block 2136, Lot 18) Manhattan (“Exemption Area”):

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

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

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

RESOLVED:

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

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Effective Date” shall mean the date that HPD and the Owner enter into the Regulatory Agreement.
 - b. “Exemption Area” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 2136, Lot 18 on the Tax Map of the City of New York.
 - c. “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.
 - d. “HDFC” shall mean 834 Riverside Drive Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - e. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - f. “New Exemption” shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
 - g. “Owner” shall mean the HDFC.

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

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARIÁS, KAMILLAH HANKS, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 16-0-0; *Absent*: Chi A. Ossé and Julie Won; Committee on Finance, April 27, 2023.

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. 193

Report of the Committee on Finance in favor of a Resolution approving Taino Towers, Block 1787, Lots 1, 60, 70, 80, Manhattan, Community District No. 11, Council District No. 8.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on April 27, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

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

Accordingly, this Committee recommends its adoption.

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

Res. No. 594

Resolution approving an exemption from real property taxes for property located at (Block 1787, Lots 1, 60, 70, and 80) Manhattan, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 193).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated April 12, 2023 that the Council take the following action regarding a housing project located at (Block 1787, Lots 1, 60, 70, and 80) Manhattan (“Exemption Area”):

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

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

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

RESOLVED:

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

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Community Facility Space” shall mean those portions of the Exemption Area which the Regulatory Agreement requires to be devoted solely to community facility uses.
 - b. “Contract Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Contract Rent Differential Tax for the applicable tax year.
 - c. “Contract Rent Differential” shall mean the amount by which the total contract rents applicable to the Exemption Area for such tax year (as adjusted and established pursuant to Section 8 of the United States Housing Act of 1937, as amended) exceed the total contract rents which are authorized as of the Contract Rent Differential Commencement Date.
 - d. “Contract Rent Differential Commencement Date” shall mean July 1, 2023.
 - e. “Contract Rent Differential Tax” shall mean the sum of (i) \$3,350,981, plus (ii) twenty-five percent (25%) of the Contract Rent Differential; provided, however, that the total annual real property tax payment by the Owner shall not at any time exceed the lesser of (A) seventeen percent (17%) of the contract rents in the applicable tax year, or (B) the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, that if the Owner fails to provide the contract rents on or before the Contract Rent Deadline, Contract Rent Differential Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
 - f. “Effective Date” shall mean the date that HPD and the Owner enter into the Regulatory Agreement.
 - g. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - h. “Exemption Area” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 1787, Lots 1, 60, 70, and 80 on the Tax Map of the City of New York.
 - i. “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.
 - j. “HDFC” shall mean East Harlem PILOT Block Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - k. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.

1. “HUD” shall mean the Department of Housing and Urban Development of the United States of America.
- m. “Owner” shall mean the HDFC.
- n. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner that is executed on or after March 1, 2023 and that establishes certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business or commercial use other than the Community Facility Space), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Contract Rent Differential Tax.
4. Notwithstanding any provision hereof to the contrary:
 - a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
 - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that exist on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
5. In consideration of the Exemption, the owner of the Exemption Area shall, for so long as the Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARIÁS, KAMILLAH HANKS, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, ALTHEA V.

STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 16-0-0; *Absent*: Chi A. Ossé and Julie Won; Committee on Finance, April 27, 2023.

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. 194

Report of the Committee on Finance in favor of a Resolution approving Taino Towers-Building 1, Block 1787, Lot 60, Manhattan, Community District No. 11, Council District No. 8.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on April 27, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

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

Accordingly, this Committee recommends its adoption.

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

Res. No 595

Resolution approving an amendment to a previously approved real property tax exemption pursuant to Section 577 of the Private Housing Finance Law for property located at (Block 1787, Lot 60), Manhattan (Preconsidered L.U. No. 194).

By Council Member Brannan

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated April 12, 2023 that the Council amend a previously approved tax exemption for real property located at (Block 1787, Lot 60), Manhattan (“Exemption Area”) pursuant to Section 577 of the Private Housing Finance Law;

WHEREAS, the HPD’s request for amendments is related to a previously approved Council Resolution adopted on June 13, 2019 (Resolution No. 930) (the “Prior Resolution”), granting the Exemption Area a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law;

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

RESOLVED:

The Council approves the amendments to the Prior Resolution requested by HPD for the Exemption Area pursuant to Section 577 of the Private Housing Finance Law as follows:

Paragraphs 1 and 3 of the Prior Resolution are deleted and replaced with the following:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Business Space” shall mean any business or commercial spaces that exist on the Exemption Area on or before the Regulatory Agreement Execution Date.
 - b. “Community Facility Space” shall mean those portions of the Exemption Area which the Regulatory Agreement requires to be devoted solely to community facility uses.
 - c. “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.
 - d. “Contract Rent Differential” shall mean the amount by which the total contract rents applicable to the Exemption Area for 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 as of the Contract Rent Differential Commencement Date.
 - e. “Contract Rent Differential Commencement Date” shall mean July 1, 2023.
 - f. “Contract Rent Differential Tax” (i) the sum of \$697,536, plus (ii) twenty-five percent (25%) of the Contract Rent Differential; provided, however, that the total annual real property tax payment by the Owner shall not at any time exceed the lesser of (A) seventeen percent (17%) of the contract rents in the applicable tax year, or (B) the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, that if the Owner fails to provide the contract rents on or before the Contract Rent Deadline, Contract Rent Differential Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
 - g. “Effective Date” shall mean October 19, 2012.
 - h. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - i. “Exemption Area” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 1787, Lot 60 on the Tax Map of the City of New York.
 - j. “Expiration Date” shall mean the earlier to occur of (i) June 30, 2028, (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.
 - k. “Gross Rent” shall mean the gross potential rents from all residential and commercial 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.

- l. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
- m. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to ten percent (10%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
- n. “HDFC” shall mean East Harlem PILOT Block-Building 1 Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
- o. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
- p. “Owner” shall mean the HDFC.
- q. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area on or after the Regulatory Agreement Execution Date.
- r. “Regulatory Agreement Execution Date” shall mean the date that the Regulatory Agreement is executed.

3. Commencing upon the Effective Date, the Owner shall make real property tax payments in the sum of \$250 for each year until June 30, 2020, and during each year thereafter until June 30, 2023, the Owner shall make real property tax payments in the sum of the Gross Rent Tax. Commencing upon the Contract Rent Differential Commencement Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Contract Rent Differential Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation.

Except as specifically amended above, all other terms, conditions, provisions and requirements of the Prior Resolution remain in full force and effect.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 16-0-0; *Absent*: Chi A. Ossé and Julie Won; Committee on Finance, April 27, 2023.

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. 195

Report of the Committee on Finance in favor of a Resolution approving Taino Towers-Building 2, Block 1787, Lot 1, Manhattan, Community District No. 11, Council District No. 8.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on April 27, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

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

Accordingly, this Committee recommends its adoption.

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

Res. No. 596

Resolution approving an amendment to a previously approved real property tax exemption pursuant to Section 577 of the Private Housing Finance Law for property located at (Block 1787, Lot 1), Manhattan (Preconsidered L.U. No. 195).

By Council Member Brannan

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated April 12, 2023 that the Council amend a previously approved tax exemption for real property located at (Block 1787, Lot 1), Manhattan (“Exemption Area”) pursuant to Section 577 of the Private Housing Finance Law;

WHEREAS, the HPD’s request for amendments is related to a previously approved Council Resolution adopted on June 13, 2019 (Resolution No. 932) (the “Prior Resolution”), granting the Exemption Area a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law;

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

RESOLVED:

The Council approves the amendments to the Prior Resolution requested by HPD for the Exemption Area pursuant to Section 577 of the Private Housing Finance Law as follows:

Paragraphs 1 and 3 of the Prior Resolution are deleted and replaced with the following:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Business Space” shall mean any business or commercial spaces that exist on the Exemption Area on or before the Regulatory Agreement Execution Date.
 - b. “Community Facility Space” shall mean those portions of the Exemption Area which the Regulatory Agreement requires to be devoted solely to community facility uses.

- c. “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.
- d. “Contract Rent Differential” shall mean the amount by which the total contract rents applicable to the Exemption Area for 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 as of the Contract Rent Differential Commencement Date.
- e. “Contract Rent Differential Commencement Date” shall mean July 1, 2023.
- f. “Contract Rent Differential Tax” (i) the sum of \$961,469, plus (ii) twenty-five percent (25%) of the Contract Rent Differential; provided, however, that the total annual real property tax payment by the Owner shall not at any time exceed the lesser of (A) seventeen percent (17%) of the contract rents in the applicable tax year, or (B) the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, that if the Owner fails to provide the contract rents on or before the Contract Rent Deadline, Contract Rent Differential Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
- g. “Effective Date” shall mean November 2, 2012.
- h. “Exemption” shall mean the exemption from real property taxation provided hereunder.
- i. “Exemption Area” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 1787, Lot 1 on the Tax Map of the City of New York.
- j. “Expiration Date” shall mean the earlier to occur of (i) June 30, 2028, (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.
- k. “Gross Rent” shall mean the gross potential rents from all residential and commercial 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.
- l. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
- m. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to ten percent (10%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.

- n. “HDFC” shall mean East Harlem PILOT Block-Building 2 Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
- o. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
- p. “Owner” shall mean the HDFC.
- q. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area on or after the Regulatory Agreement Execution Date.
- r. “Regulatory Agreement Execution Date” shall mean the date that the Regulatory Agreement is executed.

3. Commencing upon the Effective Date, the Owner shall make real property tax payments in the sum of \$250 for each year until June 30, 2020, and during each year thereafter until June 30, 2023, the Owner shall make real property tax payments in the sum of the Gross Rent Tax. Commencing upon the Contract Rent Differential Commencement Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Contract Rent Differential Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation.

Except as specifically amended above, all other terms, conditions, provisions and requirements of the Prior Resolution remain in full force and effect.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 16-0-0; *Absent*: Chi A. Ossé and Julie Won; Committee on Finance, April 27, 2023.

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. 196

Report of the Committee on Finance in favor of a Resolution approving Taino Towers-Building 3, Block 1787, Lot 80, Manhattan, Community District No. 11, Council District No. 8.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on April 27, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

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

Accordingly, this Committee recommends its adoption.

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

Res. No. 597

Resolution approving an amendment to a previously approved real property tax exemption pursuant to Section 577 of the Private Housing Finance Law for property located at (Block 1787, Lot 80), Manhattan (Preconsidered L.U. No. 196).

By Council Member Brannan

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated April 12, 2023 that the Council amend a previously approved tax exemption for real property located at (Block 1787, Lot 80), Manhattan (“Exemption Area”) pursuant to Section 577 of the Private Housing Finance Law;

WHEREAS, the HPD’s request for amendments is related to a previously approved Council Resolution adopted on June 13, 2019 (Resolution No. 934) (the “Prior Resolution”), granting the Exemption Area a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law;

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

RESOLVED:

The Council approves the amendments to the Prior Resolution requested by HPD for the Exemption Area pursuant to Section 577 of the Private Housing Finance Law as follows:

Paragraphs 1 and 3 of the Prior Resolution are deleted and replaced with the following:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Business Space” shall mean any business or commercial spaces that exist on the Exemption Area on or before the Regulatory Agreement Execution Date.
 - b. “Community Facility Space” shall mean those portions of the Exemption Area which the Regulatory Agreement requires to be devoted solely to community facility uses.
 - c. “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.
 - d. “Contract Rent Differential” shall mean the amount by which the total contract rents applicable to the Exemption Area for 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 as of the Contract Rent Differential Commencement Date.

- e. “Contract Rent Differential Commencement Date” shall mean July 1, 2023.
- f. “Contract Rent Differential Tax” (i) the sum of \$738,148, plus (ii) twenty-five percent (25%) of the Contract Rent Differential; provided, however, that the total annual real property tax payment by the Owner shall not at any time exceed the lesser of (A) seventeen percent (17%) of the contract rents in the applicable tax year, or (B) the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, that if the Owner fails to provide the contract rents on or before the Contract Rent Deadline, Contract Rent Differential Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
- g. “Effective Date” shall mean November 2, 2012.
- h. “Exemption” shall mean the exemption from real property taxation provided hereunder.
- i. “Exemption Area” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 1787, Lot 80 on the Tax Map of the City of New York.
- j. “Expiration Date” shall mean the earlier to occur of (i) June 30, 2028, (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.
- k. “Gross Rent” shall mean the gross potential rents from all residential and commercial 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.
- l. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
- m. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to ten percent (10%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
- n. “HDFC” shall mean East Harlem PILOT Block-Building 3 Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
- o. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
- p. “Owner” shall mean the HDFC.

- q. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area on or after the Regulatory Agreement Execution Date.
- r. “Regulatory Agreement Execution Date” shall mean the date that the Regulatory Agreement is executed.

3. Commencing upon the Effective Date, the Owner shall make real property tax payments in the sum of \$250 for each year until June 30, 2020, and during each year thereafter until June 30, 2023, the Owner shall make real property tax payments in the sum of the Gross Rent Tax. Commencing upon the Contract Rent Differential Commencement Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Contract Rent Differential Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation.

Except as specifically amended above, all other terms, conditions, provisions and requirements of the Prior Resolution remain in full force and effect.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 16-0-0; *Absent*: Chi A. Ossé and Julie Won; Committee on Finance, April 27, 2023.

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. 197

Report of the Committee on Finance in favor of a Resolution approving Taino Towers-Building 4, Block 1787, Lot 70, Manhattan, Community District No. 11, Council District No. 8.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on April 27, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

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

Accordingly, this Committee recommends its adoption.

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

Res. No. 598

Resolution approving an amendment to a previously approved real property tax exemption pursuant to Section 577 of the Private Housing Finance Law for property located at (Block 1787, Lot 70), Manhattan (Preconsidered L.U. No. 197).

By Council Member Brannan

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated April 12, 2023 that the Council amend a previously approved tax exemption for real property located at (Block 1787, Lot 70), Manhattan (“Exemption Area”) pursuant to Section 577 of the Private Housing Finance Law;

WHEREAS, the HPD’s request for amendments is related to a previously approved Council Resolution adopted on June 13, 2019 (Resolution No. 936) (the “Prior Resolution”), granting the Exemption Area a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law;

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

RESOLVED:

The Council approves the amendments to the Prior Resolution requested by HPD for the Exemption Area pursuant to Section 577 of the Private Housing Finance Law as follows:

Paragraphs 1 and 3 of the Prior Resolution are deleted and replaced with the following:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Business Space” shall mean any business or commercial spaces that exist on the Exemption Area on or before the Regulatory Agreement Execution Date.
 - b. “Community Facility Space” shall mean those portions of the Exemption Area which the Regulatory Agreement requires to be devoted solely to community facility uses.
 - c. “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.
 - d. “Contract Rent Differential” shall mean the amount by which the total contract rents applicable to the Exemption Area for 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 as of the Contract Rent Differential Commencement Date.
 - e. “Contract Rent Differential Commencement Date” shall mean July 1, 2023.
 - f. “Contract Rent Differential Tax” (i) the sum of \$953,828, plus (ii) twenty-five percent (25%) of the Contract Rent Differential; provided, however, that the total annual real property tax payment by the Owner shall not at any time exceed the lesser of (A) seventeen percent (17%) of the contract rents in the applicable tax year, or (B) the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, that if the Owner fails to provide the contract rents on or before the Contract Rent Deadline, Contract Rent Differential Tax shall mean an amount

equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.

- g. “Effective Date” shall mean November 2, 2012.
 - h. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - i. “Exemption Area” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 1787, Lot 70 on the Tax Map of the City of New York.
 - j. “Expiration Date” shall mean the earlier to occur of (i) June 30, 2028, (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.
 - k. “Gross Rent” shall mean the gross potential rents from all residential and commercial 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.
 - l. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
 - m. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to ten percent (10%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
 - n. “HDFC” shall mean East Harlem PILOT Block-Building 4 Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - o. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - p. “Owner” shall mean the HDFC.
 - q. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area on or after the Regulatory Agreement Execution Date.
 - r. “Regulatory Agreement Execution Date” shall mean the date that the Regulatory Agreement is executed.
3. Commencing upon the Effective Date, the Owner shall make real property tax payments in the sum of \$250 for each year until June 30, 2020, and during each year thereafter until June 30, 2023, the Owner

shall make real property tax payments in the sum of the Gross Rent Tax. Commencing upon the Contract Rent Differential Commencement Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Contract Rent Differential Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation.

Except as specifically amended above, all other terms, conditions, provisions and requirements of the Prior Resolution remain in full force and effect.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 16-0-0; *Absent*: Chi A. Ossé and Julie Won; Committee on Finance, April 27, 2023.

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. 198

Report of the Committee on Finance in favor of a Resolution approving West 148th Street Heighliner Portfolio.HPO.FY23, Block 2034, Lot 29, Manhattan, Community District No. 10, Council District No. 9.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on April 27, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

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

Accordingly, this Committee recommends its adoption.

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

Res. No. 599

Resolution approving an exemption from real property taxes for property located at (Block 2034, Lot 29) Manhattan, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 198).

By Council Member Brannan

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated April 10, 2023 that the Council take the following action regarding a housing project located at (Block 2034, Lot 29) Manhattan (“Exemption Area”):

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

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

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

RESOLVED:

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

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Company” shall mean 201 W 148 Street Preservation LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
 - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that either (A) HPD and the Owner, or (B) HPD, HDC and the Owner, enter into the Regulatory Agreement.
 - c. “Exemption Area” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 2034, Lot 29 on the Tax Map of the City of New York.
 - d. “Expiration Date” shall mean the earlier to occur of (i) a date which is thirty-five (35) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - e. “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.
 - f. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
 - g. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to five percent (5.0%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
 - h. “HDC” shall mean the New York City Housing Development Corporation.

- i. “HDFC” shall mean HP 201 W 148 Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - j. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - k. “New Exemption” shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
 - l. “Owner” shall mean, collectively, the HDFC and the Company.
 - m. “Prior Exemption” shall mean the existing tax exemption for the Exemption Area pursuant to Section 421-a(1-15) of the Real Property Tax Law.
 - n. “Regulatory Agreement” shall mean the regulatory agreement between either (i) HPD and the Owner, or (ii) HPD, HDC and the Owner, that is executed on or after April 1, 2023 and that establishes certain controls upon the operation of the Exemption Area during the term of the New Exemption and provides, *inter alia*, for the termination of the Prior Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross Rent Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation.
 4. Notwithstanding any provision hereof to the contrary:
 - a. The New Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the New Exemption shall prospectively terminate.
 - b. The New Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that exists on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.

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

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 16-0-0; *Absent*: Chi A. Ossé and Julie Won; Committee on Finance, April 27, 2023.

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. 199

Report of the Committee on Finance in favor of a Resolution approving St. Matthew & St. Timothy's Apartments, Block 1213, Lot 42, Manhattan, Community District No. 7, Council District No. 6.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on April 27, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

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

Accordingly, this Committee recommends its adoption.

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

Res. No. 600

Resolution approving an exemption from real property taxes for property located at (Block 1213, Lot 42) Manhattan, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 199).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated April 19, 2023 that the Council take the following action regarding a housing project located at (Block 1213, Lot 42) Manhattan (“Exemption Area”):

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

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

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

RESOLVED:

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

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - b. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - c. “Exemption Area” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 1213, Lot 42 on the Tax Map of the City of New York.
 - d. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - e. “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.
 - f. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
 - g. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to one and three-tenths percent (1.30%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
 - h. “HDFC” shall mean St. Matthew & St. Timothy’s Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - i. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.

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

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARIÁS, KAMILLAH HANKS, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 16-0-0; *Absent*: Chi A. Ossé and Julie Won; Committee on Finance, April 27, 2023.

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 General Welfare

Report for Int. No. 190-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 the creation and distribution of a statement of rights for persons experiencing homelessness and residing in shelter.

The Committee on General Welfare, to which the annexed proposed amended local law was referred on April 14, 2022 (Minutes, page 604), respectfully

REPORTS:

I. Introduction

On April 27, 2023, the Committee on General Welfare, chaired by Deputy Speaker Diana Ayala, will consider Proposed Introduction Number (Int. No.) 190-A, sponsored by the Public Advocate, Jumaane Williams, and Proposed Int. No. 704-A, sponsored by Council Member Shaun Abreu. The Committee previously held a hearing on Proposed Int. No. 190-A on September 13, 2022. At that hearing, the Committee heard testimony from the New York City Department of Social Services (DSS), community-based organizations, service providers, individuals who have formerly experienced or are currently experiencing homelessness, and members of the public. The Committee previously held a hearing on Proposed Int. No. 704-A on December 15, 2022. At that hearing, the Committee heard testimony from DSS, community-based organizations, service providers, and members of the public.

II. Bill Analysis

Proposed Int. No. 190-A

This bill would require the Department of Homeless Services (DHS) to produce a statement of rights for persons living in shelter, which would inform shelter clients experiencing homelessness about rights related to their housing situation and the services available to them. In addition, DHS would be required to make this document available on its website and distribute it to people experiencing homelessness.

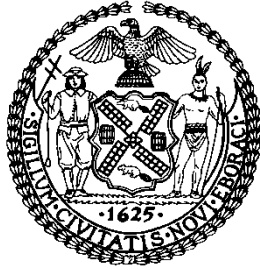
Since introduction, this bill was amended to include additional rights set forth in statutes and regulations, and received technical edits.

Proposed Int. No. 704-A

This bill would require the Human Resources Administration (HRA) to provide landlords the option to accept rental assistance payments from HRA via an electronic bank transfer.

Since introduction, this bill was amended to give HRA more time to implement electronic transfer of rental assistance payments to landlords and would require HRA to provide an electronic transfer option to all applicable landlords within 1 year after becoming law. This bill also received technical edits.

(The following is the text of the Fiscal Impact Statement for Int. No. 190-A:)



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

PROPOSED INTRO. NO: 190-A

COMMITTEE: General Welfare

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the creation and distribution of a homeless bill of rights.

SPONSOR(S): Public Advocate Williams and Council Members Salamanca, Cabán, Stevens, Hanif, Ayala, Won, Restler, Krishnan, Hudson, Williams, Lee, Sanchez, Dinowitz, Schulman, and Avilés.

SUMMARY OF LEGISLATION: Proposed Int. No. 190-A would require the Department of Homeless Services (DHS) to create a statement of rights for persons residing in shelters, in consultation with individuals who have experienced homelessness. The statement would include information regarding the rights of persons experiencing homelessness and residing in shelter and minimum standards applicable to shelter. Within 90 days after the effective date of the local law, the statement of rights would be made available on DHS’ website in each of the designated citywide languages, with copies provided to each agency office and each shelter for distribution, and DHS shall post the homeless bill of rights in all common areas in shelters.

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal Year 2024

FISCAL IMPACT STATEMENT:

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

IMPACT ON REVENUES: It is anticipated that 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 DHS will utilize existing resources.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

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

ESTIMATE REVIEWED BY: Aliya Ali, Unit Head

Chima Obichere, Deputy Director
Jonathan Rosenberg, Managing Deputy Director
Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council on April 14, 2022, as Int. No. 190 and was referred to the Committee on General Welfare (the Committee). A hearing was held by the Committee on September 13, 2022, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Int. No. 190-A, will be voted on by the Committee at a hearing on April 27, 2023. Upon a successful vote by the Committee, Proposed Intro. No. 190-A will be submitted to the full Council for a vote on April 27, 2023.

DATE PREPARED: April 25, 2023.

(For text of Int. No. 704-A and its Fiscal Impact Statement, please see the Report of the Committee on General Welfare for Int. No. 704-A printed in these Minutes; for text of Int. No. 190-A, please see below)

Accordingly, this Committee recommends the adoption of Int. Nos. 190-A and 704-A.

(The following is the text of Int. No. 190-A:)

Int. No. 190-A

By the Public Advocate (Mr. Williams) and Council Members Salamanca, Cabán, Stevens, Hanif, Ayala, Won, Restler, Krishnan, Hudson, Williams, Lee, Sanchez, Dinowitz, Schulman, Avilés, Riley, Mealy, Louis and Narcisse.

A Local Law to amend the administrative code of the city of New York, in relation to the creation and distribution of a statement of rights for persons experiencing homelessness and residing in shelter

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 21-332 to read as follows:

§ 21-332 Homeless statement of rights. a. Definitions. For purposes of this section, the following terms have the following meanings:

Adult. The term “adult” means any person 18 years of age or older.

Adult family. The term “adult family” means a family as defined by subdivision e of section 491.2 of title 18 of the New York codes, rules and regulations.

Family with children. The term “family with children” means a family as defined by section 900.2 of title 18 of the New York codes, rules and regulations.

Shelter. The term “shelter” means any temporary emergency housing provided to homeless adults, adult families, and families with children by the department or by a provider under contract or similar agreement with the department.

b. The department, in consultation with persons currently or formerly experiencing homelessness, shall create a statement of rights for persons residing in shelter. Such statement, which shall be written in plain and simple language, shall include information regarding the rights of persons experiencing homelessness and residing in shelter, and minimum standards applicable to shelter, including:

1. The right to shelter;

2. The right to request an interpreter and to have certain documents translated into other languages, as set forth in section 23-1102, when interacting with agencies;

3. Educational options for children experiencing homelessness as described in subdivision x of section 100.2 of title 8 of the New York codes, rules and regulations;

4. The right to vote;

5. The right to file a complaint and to be protected from retaliation for filing complaints;

6. *The ability to communicate with a housing specialist and the right to apply for a rental assistance voucher;*
 7. *The right to sleep outside;*
 8. *The option to be placed in a shelter consistent with a person's gender identity or expression;*
 9. *The right to receive diapers and feminine hygiene products;*
 10. *The requirement that a shelter comply with the environmental standards set forth in section 491.18 of title 18 of the New York codes, rules and regulations and section 900.18 of such title, as applicable; and*
 11. *Any other information the department deems appropriate.*
- c. The statement of rights required by subdivision b of this section shall also include the rights and protections enumerated in section 491.12 of title 18 of the New York codes, rules and regulations and section 900.12 of such title, indicating the type of shelter such right is applicable to.*
- d. Nothing in this section shall be construed to create a private cause of action to enforce the provisions of this section or to confer new rights.*
- e. No later than 90 days after the effective date of the local law that added this section, such statement of rights shall be made available on the department's website in each of the designated citywide languages as defined in section 23-1101; copies of such statement shall be provided to each agency office as defined in section 21-190, and to each shelter for distribution to persons residing in shelter; and such statement shall be posted in all common areas in shelters. The department shall update such statement, as appropriate.*
- § 2. This local law takes effect immediately.

DIANA I. AYALA, *Chairperson*; CRYSTAL HUDSON, LINDA LEE, LINCOLN RESTLER, ALTHEA V. STEVENS, SANDRA UNG, NANTASHA M. WILLIAMS; 7-0-0; *Absent*: Tiffany Cabán, Chi A. Ossé; Kevin C. Riley; Committee on General Welfare, April 27, 2023. *Also Attending: The Public Advocate (Mr. Williams).*

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

Report for Int. No. 704-A

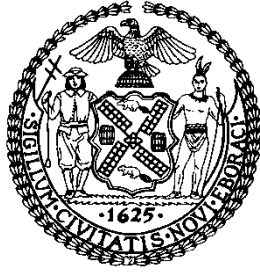
Report of the Committee on General Welfare in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the receipt of rental assistance payments.

The Committee on General Welfare, to which the annexed proposed amended local law was referred on September 29, 2022 (Minutes, page 2281), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on General Welfare for Int. No. 190-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 704-A:



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

PROPOSED INTRO. NO: 704-A

COMMITTEE: General Welfare

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the receipt of rental assistance payments.

SPONSOR(S): Abreu, Avilés, Restler, Hudson, Ung, Joseph, Ayala, Louis, Cabán, Yeger, Dinowitz, Bottcher, Menin, Velázquez, Powers, Brannan, De La Rosa, Nurse, Ossé, Marte, Schulman, Feliz, Salamanca, Riley, Hanif, Williams, Brooks-Powers, Jordan, Brewer, Sanchez, Narcisse, Farías, Carr, and Public Advocate Williams.

SUMMARY OF LEGISLATION: Proposed Int. No. 704-A would require the Department of Social Services (DSS) to provide landlords the option to accept rental assistance payments via an electronic transfer into a bank account.

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

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal Year 2025

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY25
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is 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 DSS will utilize existing resources already allocated in the Capital Plan 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, Principal Financial Analyst

ESTIMATE REVIEWED BY: Chima Obichere, Deputy Director
Jonathan Rosenberg, Managing Deputy Director
Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council on September 29, 2022, as Int. No. 704 and was referred to the Committee on General Welfare (the Committee). A hearing was held by the Committee on December 15, 2022, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Int. No. 704-A, will be voted on by the Committee at a hearing on April 27, 2023. Upon a successful vote by the Committee, Proposed Intro. No. 704-A will be submitted to the full Council for a vote on April 27, 2023.

DATE PREPARED: April 4, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 704-A:)

Int. No. 704-A

By Council Members Abreu, Avilés, Restler, Hudson, Ung, Joseph, Ayala, Louis, Cabán, Yeger, Dinowitz, Bottcher, Menin, Velázquez, Powers, Brannan, De La Rosa, Nurse, Ossé, Marte, Schulman, Feliz, Salamanca, Riley, Hanif, Williams, Brooks-Powers, Richardson Jordan, Brewer, Sanchez, Narcisse, Farías, Hanks, Mealy, Carr, Kagan and the Public Advocate (Mr. Williams).

A Local Law to amend the administrative code of the city of New York, in relation to the receipt of rental assistance payments

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-145.3 to read as follows:

§ 21-145.3 *Rental assistance payments. a. Definitions. For the purposes of this section, the term “rental assistance payments” means recurring payments made by the department to landlords on behalf of tenants pursuant to programs administered by the department, excluding state funded shelter allowance payments made pursuant to section 352.3 of title 18 of the New York codes, rules and regulations.*

b. The department shall provide landlords the option to accept rental assistance payments via an electronic transfer into a bank account.

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

DIANA I. AYALA, *Chairperson*; CRYSTAL HUDSON, LINDA LEE, LINCOLN RESTLER, ALTHEA V. STEVENS, SANDRA UNG, NANTASHA M. WILLIAMS; 7-0-0; *Absent:* Tiffany Cabán, Chi A. Ossé; Kevin C. Riley; Committee on General Welfare, April 27, 2023. *Also Attending: The Public Advocate (Mr. Williams).*

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 Governmental Operations

Report for Int. No. 984-A

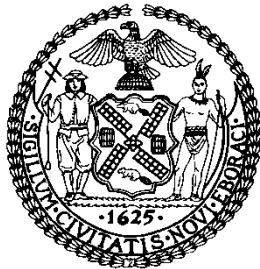
Report of the Committee on Governmental Operations in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to eliminating certain outdated and unnecessary temporary programs and pilot programs, unconstitutional provisions and other outdated and unnecessary provisions, to repeal section 3-202 of such code, relating to the division of council districts, to repeal section 6-108.2 of such code, relating to contract awards to small business enterprises, to repeal section 6-111.3 of such code, relating to a pilot program for online reverse auctions, to repeal section 6-115 of such code, relating to contracts with entities with connections to Burma, to repeal section 6-124 of such code, relating to the procurement of apparel or textiles from a responsible manufacturer, to repeal section 6-126 of such code, relating to equal employment benefits for employees of city contractors, to repeal chapter 23 of title 11 of such code, relating to a surcharge on off-track winnings and the distribution of revenues received from such surcharge, to repeal section 16-325 of such code, relating to temporary emergency recycling requirements, to repeal section 24-163.10 of such code, relating to a pilot program for use of auxiliary power units in city-operated ambulances, and to repeal subdivision c of section 24-518.1 of such code, relating to a pilot study for the use of food waste disposals in private dwellings and multiple dwellings served by combined storm and sanitary sewer systems.

The Committee on Governmental Operations, to which the annexed proposed amended local law was referred on April 11, 2023 (Minutes, page 958), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Governmental Operations for Int. No. 1004-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 984-A:



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

PROPOSED INTRO. NO: 984-A

COMMITTEE: Governmental Operations

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to amending and repealing certain outdated and unnecessary temporary or pilot programs, unconstitutional provisions and other outdated and unnecessary provisions.

SPONSOR(S): Council Members Brewer, Farías, Ayala, Hudson and Williams.

SUMMARY OF LEGISLATION: The proposed legislation, would repeal 12 provisions from the Administrative Code of which, seven are temporary or pilot programs. Three are deemed unconstitutional provisions, and two outdated provisions.

EFFECTIVE DATE: This local law would take effect 30 days after it becomes law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024

FISCAL IMPACT STATEMENT:

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

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Ross Goldstein, Financial Analyst, NYC Council Finance Division

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

LEGISLATIVE HISTORY: The legislation was first considered by the Committee on Governmental Operations as a Pre-Considered Introduction on March 30, 2023 and the bill was laid over. Following the hearing, the bill was introduced to the full Council on April 11, 2023 as Proposed Intro. No. 984 and referred to the Committee on Governmental Operations (Committee). The legislation was subsequently amended to Proposed Intro. No. 984-A and the amended version, Proposed Intro. No. 984-A will be considered by the Committee on April 27, 2023. Upon successful vote by the Committee, Proposed Intro. No. 984-A will be submitted to the full Council for a vote on April 27, 2023.

DATE PREPARED: April 24, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 984-A:)

Int. No. 984-A

By Council Member Brewer, Farías, Ayala, Hudson, Williams, Mealy, Louis and Narcisse.

A Local Law to amend the administrative code of the city of New York, in relation to eliminating certain outdated and unnecessary temporary programs and pilot programs, unconstitutional provisions and other outdated and unnecessary provisions, to repeal section 3-202 of such code, relating to the division of council districts, to repeal section 6-108.2 of such code, relating to contract awards to small

business enterprises, to repeal section 6-111.3 of such code, relating to a pilot program for online reverse auctions, to repeal section 6-115 of such code, relating to contracts with entities with connections to Burma, to repeal section 6-124 of such code, relating to the procurement of apparel or textiles from a responsible manufacturer, to repeal section 6-126 of such code, relating to equal employment benefits for employees of city contractors, to repeal chapter 23 of title 11 of such code, relating to a surcharge on off-track winnings and the distribution of revenues received from such surcharge, to repeal section 16-325 of such code, relating to temporary emergency recycling requirements, to repeal section 24-163.10 of such code, relating to a pilot program for use of auxiliary power units in city-operated ambulances, and to repeal subdivision c of section 24-518.1 of such code, relating to a pilot study for the use of food waste disposals in private dwellings and multiple dwellings served by combined storm and sanitary sewer systems

Be it enacted by the Council as follows:

Section 1. Section 3-202 of the administrative code of the city of New York is REPEALED.

§ 2. Section 6-108.2 of the administrative code of the city of New York is REPEALED.

§ 3. Section 6-111.3 of the administrative code of the city of New York is REPEALED.

§ 4. Section 6-115 of the administrative code of the city of New York is REPEALED.

§ 5. Section 6-124 of the administrative code of the city of New York is REPEALED.

§ 6. Section 6-126 of the administrative code of the city of New York is REPEALED.

§ 7. Chapter 23 of title 11 of the administrative code of the city of New York is REPEALED.

§ 8. Section 16-325 of the administrative code of the city of New York is REPEALED.

§ 9. Section 24-163.10 of the administrative code of the city of New York is REPEALED.

§ 10. Subdivision (i) of section 24-168.1 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:

(i) [Use of biodiesel for heating purposes by city buildings. (1) After October 1, 2014, all] *All* no. 2, no. 4 and no. 6 heating oil purchased for use in any building owned by the city shall be bioheating fuel containing not less than five percent biodiesel (B5) by volume except that the provisions of this subdivision shall not apply to the use of emergency generators.

[(2) The commissioner of citywide administrative services shall institute a pilot program to use greater amounts of biodiesel in city-owned buildings. Such pilot program shall require that beginning October 1, 2014, the heating oil burned in not less than five percent of city-owned buildings shall contain at least ten percent biodiesel (B10) by volume. Such pilot program shall continue until October 1, 2015 and within six months of the conclusion of such pilot program, the commissioner of citywide administrative services shall issue a report to the mayor and the speaker of the council detailing the findings of such pilot program, including the utility of and any impediments to the use of ten percent biodiesel (B10) by volume in city-owned buildings and any recommendations for the use of ten percent biodiesel (B10) by volume in all city-owned buildings.

(3) The commissioner of citywide administrative services in conjunction with the office of long-term planning and sustainability shall undertake a one year study on the feasibility of the use of five percent biodiesel (B5) by volume in all buildings throughout the city. Such study shall include recommendations on whether and when the city should require the use of five percent biodiesel (B5) by volume in heating oil in all buildings and shall be issued to the mayor and the speaker of the council by April 2, 2015.]

§ 11. Subdivision c of section 24-518.1 of the administrative code of the city of New York is REPEALED.

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

SANDRA UNG, *Chairperson*; GALE A. BREWER, SHAHANA K. HANIF, LINCOLN RESTLER, LYNN C. SCHULMAN; 5-0-0; Committee on Governmental Operations, April 27, 2023.

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

Report for Int. No. 986-A

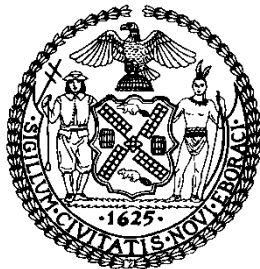
Report of the Committee on Governmental Operations in favor of approving and adopting, as amended, a Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to eliminating certain outdated and unnecessary advisory boards, task forces and commissions, to repeal subdivision f of section 1403 of such charter, relating to the resource recovery task force, to repeal subdivision j of section 2704 of such charter, relating to the mayor's task force on service delivery, to repeal section 3-111 of such code, relating to the mayor's drug enforcement and drug abuse task force, to repeal section 10-117.1 of such code, relating to an anti-graffiti task force, to repeal subdivision c of section 10-160 of such code, relating to a temporary task force on limited access entry door requirements for automated teller machines, to repeal chapter 3 of title 15 of such code, relating to an arson strike force, to repeal subdivision h of section 17-196 of such code, relating to an advisory panel and report on an electronic death registration system, to repeal section 17-349 of such code, relating to a dangerous dog advisory board, to repeal section 17-361 of such code, relating to an advisory committee on health issues related to tattooing, to repeal subdivisions c, d, and e of section 18-136 of such code, relating to an advisory committee on surfacing materials used around play equipment, to repeal section 19-101.5 of such code, relating to an advisory committee on electric vehicles, to repeal section 19-306 of such code, relating to a temporary citywide boater safety and wake reduction task force, to repeal section 20-521 of such code, relating to an interagency advisory council on tow truck licenses, to repeal section 21-118 of such code, relating to a commission for the foster care of children, to repeal section 21-120.3 of such code, relating to a temporary task force on child care funding, to repeal section 21-123 of such code, relating to a temporary commission on childhood and child caring programs, and to repeal chapter 8 of title 21 of such code, relating to day laborer job centers.

The Committee on Governmental Operations, to which the annexed proposed amended local law was referred on April 11, 2023 (Minutes, page 961), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Governmental Operations for Int. No. 1004-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 986-A:



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

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 986-A

COMMITTEE: Governmental Operations

TITLE: A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to amending and repealing certain outdated and unnecessary advisory boards, task forces and commissions.

SPONSOR(S): Council Members Farías and Ayala.

SUMMARY OF LEGISLATION: The proposed legislation would repeal 17 provisions of the Charter and Administrative Code establishing certain advisory boards, task forces or commissions. The provisions would be repealed for at least one of the following reasons: the body no longer convenes and has been dormant for a substantial period of time; the provision establishing the body calls for the submission of a one-time report and no further activity; the body no longer provides any useful function; the duties assigned to the body are duplicative of the functions of other City bodies; or the provision was waived by the Report and Advisory Board Review Commission.

EFFECTIVE DATE: This local law would take effect 30 days after it becomes law which is, the same date as a local law amending the New York city charter and the administrative code of the city of New York, in relation to amending and repealing certain outdated and unnecessary reports and studies, as proposed in introduction number 1004-A for the year 2023, takes effect

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024

FISCAL IMPACT STATEMENT:

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

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Ross Goldstein, Financial Analyst, NYC Council Finance Division

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

LEGISLATIVE HISTORY: The legislation was first considered by the Committee on Governmental Operations as a Pre-Considered Introduction on March 30, 2023 and the bill was laid over. Following the hearing, the bill was introduced to the full Council on April 11, 2023 as Proposed Intro. No. 986 and referred to the Committee on Governmental Operations (Committee). The legislation was subsequently amended to Proposed Intro. No. 986-A and the amended version, Proposed Intro. No. 986-A will be considered by the Committee on April 27, 2023. Upon successful vote by the Committee, Proposed Intro. No. 986-A will be submitted to the full Council for a vote on April 27, 2023.

DATE PREPARED: April 24, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 986-A:)

Int. No. 986-A

By Council Members Farías, Ayala, Hudson, Williams, Riley, Mealy, Louis and Narcisse.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to eliminating certain outdated and unnecessary advisory boards, task forces and commissions, to repeal subdivision f of section 1403 of such charter, relating to the resource recovery task force, to repeal subdivision j of section 2704 of such charter, relating to the mayor’s task force on service delivery, to repeal section 3-111 of such code, relating to the mayor’s drug enforcement and drug abuse task force, to repeal section 10-117.1 of such code, relating to an anti-graffiti task force, to repeal subdivision c of section 10-160 of such code, relating to a temporary task force on limited access entry door requirements for automated teller machines, to repeal chapter 3 of title 15 of such code, relating to an arson strike force, to repeal subdivision h of section 17-196 of such code, relating to an advisory panel and report on an electronic death registration system, to repeal section 17-349 of such code, relating to a dangerous dog advisory board, to repeal section 17-361 of such code, relating to an advisory committee on health issues related to tattooing, to repeal subdivisions c, d, and e of section 18-136 of such code, relating to an advisory committee on surfacing materials used around play equipment, to repeal section 19-101.5 of such code, relating to an advisory committee on electric vehicles, to repeal section 19-306 of such code, relating to a temporary citywide boater safety and wake reduction task force, to repeal section 20-521 of such code, relating to an interagency advisory council on tow truck licenses, to repeal section 21-118 of such code, relating to a commission for the foster care of children, to repeal section 21-120.3 of such code, relating to a temporary task force on child care funding, to repeal section 21-123 of such code, relating to a temporary commission on childhood and child caring programs, and to repeal chapter 8 of title 21 of such code, relating to day laborer job centers

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 753 of the New York city charter, as added by local law number 24 for the year 1977 and paragraph 4 of such subdivision as amended by local law number 59 for the year 1996, is amended to read as follows:

a. Except as otherwise provided by law, the commissioner shall have charge and control of and be responsible for all those functions and operations of the city relating to the cleanliness of the streets and the disposal of waste, including, without limitation, the following:

- (1) the sweeping, cleaning, sprinkling, flushing, washing and sanding of the streets;
- (2) the removal and disposition of ashes, street sweepings, garbage, refuse, rubbish and waste;
- (3) the removal of ice and snow from the streets;
- (4) the removal of encumbrances from the streets and the storage or disposal of such encumbrances; and
- (5) plans, design, construction, operation, alteration, repair, maintenance, replacement, enlargement and regulation of the use of incinerators, landfills and other plants, facilities and equipment necessary for or useful for performing the functions and exercising the powers and duties enumerated in this section[; and
- (6) the powers and duties of the commissioner with respect to the resource recovery task force set forth in subdivision f of section fourteen hundred and three, of this charter].

§ 2. Subdivision f of section 1403 of the New York city charter is REPEALED and a new subdivision f is added to read as follows:

f. Reserved.

§ 3. Subdivision j of section 2704 of the New York city charter is REPEALED and a new subdivision j is added to read as follows:

j. Reserved.

§ 4. Section 3-111 of the administrative code of the city of New York is REPEALED.

§ 5. Section 10-117.1 of the administrative code of the city of New York is REPEALED.

§ 6. Section 10-158.2 of the administrative code of the city of New York, as added by local law number 117 for the year 2005, is amended to read as follows:

§ 10-158.2 Wake reduction educational material. *a. Definitions. For purposes of this section, the following terms have the following meanings:*

Operator. The term “operator” means any person or governmental entity that owns or operates a water-borne vessel.

Water-borne vessel. The term “water-borne vessel” means any water craft operating within the city or its territorial waters, including any commuter ferry, tugboat, speedboat, motorboat and personal watercraft, but excluding any seaplane.

b. The commissioner of parks and recreation, in consultation with the police commissioner, shall prepare and make available to operators of water-borne vessels[, as defined in section 19-306 of this code, within the city of New York or its territorial waters], and operators of piers, marinas and boat repair yards educational materials related to the dangers of wakes to the safety of boaters in water-borne vessels in the water; the potentially adverse impact of wakes to piers and other shoreline structures, waterfront recreational facilities and parks, the shoreline itself, and wetlands along the city’s waterfront; the importance of minimizing wakes as a water-borne vessel operates in a vessel regulation zone or “no wake area[;]”; and which government entities have jurisdiction over rule-making and enforcement in the territorial waters of the city [of New York].

§ 7. Paragraph (2) of subdivision b of section 10-160 of the administrative code of the city of New York, as amended by local law number 80 for the year 2020, is amended to read as follows:

(2) [within six months after the submission of the report of the temporary task force required by subdivision c of this section,] entry doors equipped with locking devices which permit entry to such facility only to persons using an automated teller machine card or access code issued by a bank for that purpose. Provided, however, that any automated teller machine facility located within the interior of a building that is not equipped with such entry door locking devices [within six months after the submission of such report] shall [thereafter] have at least one security guard stationed therein during the period of time after regular banking hours when such automated teller machine facility is available to banking customers.

§ 8. Subdivision c of section 10-160 of the administrative code of the city of New York is REPEALED and a new subdivision c is added to read as follows:

c. Reserved.

§ 9. Section 15-304 of the administrative code of the city of New York is renumbered section 15-233, and such renumbered section is added to chapter 2 of title 15 of such code.

§ 10. Chapter 3 of title 15 of the administrative code of the city of New York is REPEALED.

§ 11. Subdivision h of section 17-196 of the administrative code of the city of New York is REPEALED and a new subdivision h is added to read as follows:

h. Reserved.

§ 12. Section 17-349 of the administrative code of the city of New York is REPEALED.

§ 13. Section 17-361 of the administrative code of the city of New York is REPEALED.

§ 14. Subdivision b of section 18-136 of the administrative code of the city of New York, as added by local law number 19 for the year 2010, is amended to read as follows:

b. The department shall on an ongoing basis consult with the department of health and mental hygiene to identify and evaluate new surfacing materials that have not been previously used for any playgrounds or athletic fields by the department to determine whether such materials may benefit the public by enhancing recreational activities and to evaluate potential health or safety impacts. In performing such an evaluation, the department shall assess reasonably available information on new surfacing materials to determine if such surfacing materials are appropriate for recreational activities in parks and meet existing safety and health standards, including, but not limited to the standards of the American society for testing and materials, the American national standards institute, and the United States consumer products safety commission guidelines set out in its “Handbook for Public Playground Safety”, applicable to such materials. Such evaluation shall also include an assessment of

reasonably available information regarding whether or not such materials may present any health or safety risk, including whether such materials retain high levels of heat or contain hazardous levels of known carcinogens [and/or] *or* toxic substances, and of any available studies of such materials that address environmental issues. Such evaluation shall also include an assessment of alternative surfaces and technologies considered, including natural surfacing. The department shall use best efforts to locate all pertinent sources of information on any surfacing material under evaluation, provided that nothing in this section shall be construed to require the performance of an exhaustive search of all information available on any such material. [The department shall at least every six months provide to the advisory committee described in this section a report regarding any evaluation of new surfacing materials intended to be used by the department and prior to such use by the department, or provide to the advisory committee a written statement that no such report exists.]

§ 15. Subdivisions c, d, and e of section 18-136 of the administrative code of the city of New York are REPEALED.

§ 16. Section 19-101.5 of the administrative code of the city of New York is REPEALED.

§ 17. Section 19-306 of the administrative code of the city of New York is REPEALED.

§ 18. Section 20-521 of the administrative code of the city of New York is REPEALED.

§ 19. Section 21-118 of the administrative code of the city of New York is REPEALED.

§ 20. Section 21-120.3 of the administrative code of the city of New York is REPEALED.

§ 21. Section 21-123 of the administrative code of the city of New York is REPEALED.

§ 22. Chapter 8 of title 21 of the administrative code of the city of New York is REPEALED.

§ 23. This local law takes effect on the same date as a local law amending the New York city charter and the administrative code of the city of New York, in relation to amending and repealing certain outdated and unnecessary reports and studies, as proposed in introduction number 1004-A for the year 2023, takes effect.

SANDRA UNG, *Chairperson*; GALE A. BREWER, SHAHANA K. HANIF, LINCOLN RESTLER, LYNN C. SCHULMAN; 5-0-0; Committee on Governmental Operations, April 27, 2023.

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

Report for Int. No. 1004-A

Report of the Committee on Governmental Operations in favor of approving and adopting, as amended, a Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to eliminating certain reporting requirements selected for waiver by the report and advisory board review commission and amending certain outdated and unnecessary reports and studies, to repeal subdivision b of section 314 of such charter, relating to a report on small purchases, to repeal section 613 of such charter, relating to a report on transitional housing inventory, to repeal subdivision c of section 1063 of such charter, relating to a proposal for cablecasting council and city planning commission proceedings, to repeal subdivisions b and c of section 1075 of such charter, relating to service request calls and directory assistance calls, to repeal paragraph 5 of subdivision e of section 1304 of such charter, relating to an annual report of the commissioner of small business services regarding the activities of the division of economic and financial opportunity, to repeal paragraph (d) of subdivision 1 of section 3-706 of such code, relating to a report of the campaign finance board regarding expenditure limitations, to repeal section 4-207 of such code, relating to an assessment and report of certain clean on-site power generation technologies, to repeal section 5-102 of such code, relating to the comptroller's annual statement of funded debt of the city, to repeal section 5-605 of such code, relating to the director of management and budget's annual report on year-end spending of the criminal justice account and status of implementation of the safe streets-safe city omnibus criminal justice program, to repeal paragraph 3 of subdivision c of section 6-139 of such code, relating to a report on development of worker cooperatives, to repeal section 16-316.2 of such code, relating to a study of the economics of recycling and composting, to repeal subdivision b of

section 16-428 of such code, relating to a report on electronic waste, to repeal subdivision i of section 17-196 of such code, relating to a report on an electronic death registration system, to repeal paragraph 2 of subdivision d of section 19-177 of such code, relating to a neighborhood slow zones report, to repeal section 19-178.1 of such code, relating to a study of truck driver compliance with truck route rules, to repeal section 19-179 of such code, relating to a study on the feasibility of installing traffic calming measures, to repeal section 19-180.1 of such code, relating to safety audits of crash locations involving pedestrians, to repeal section 19-192 of such code, relating to a study of pedestrian and bicyclist safety on truck routes, to repeal subdivision j of section 19-307 of such code, relating to a report on fuel used in city ferries, to repeal section 20-9017 of such code, relating to a shipboard gambling report, to repeal section 22-226 of such code, relating to a report regarding crime and regulation of the seafood distribution areas including the fulton fish market, to repeal section 22-269 of such code, relating to a report regarding to crime and regulation of wholesale markets, to repeal section 24-504.1 of such code, relating to a study of medical debris in the sewerage system, to repeal paragraph 4 of subdivision b of section 24-526.1 of such code, relating to a report on a sustainable stormwater management plan, to repeal section 28-214.1.6 of such code, relating to the issuance of reports and notices regarding the closure of a building, structure, enclosure, place or premises, and to repeal section 28-420.5 of such code, relating to a report recommending criteria for commencing a proceeding to suspend, revoke or refuse to renew a safety registration number

The Committee on Governmental Operations, to which the annexed proposed amended local law was referred on April 11, 2023 (Minutes, page 1001), respectfully

REPORTS:

I. INTRODUCTION

On April 27, 2023, the Committee on Governmental Operations, chaired by Council Member Sandra Ung, voted on the following: Proposed Introduction Number 1004-A, sponsored by Council Member Williams, in relation to removing certain reporting requirements selected for waiver by the report and advisory board review commission amending and repealing certain outdated and unnecessary reports and studies; Proposed Introduction Number 984-A, sponsored by Council Member Brewer, in relation to amending and repealing certain outdated and unnecessary temporary or pilot programs, unconstitutional provisions and other outdated and unnecessary provisions; Proposed Introduction Number 986-A, sponsored by Council Member Farias, in relation to amending and repealing certain outdated and unnecessary advisory boards, task forces and commissions; and Resolution Number 566, sponsored by Council Member Ung, a resolution approving the Report and Advisory Board Review Commission's determination recommending waiver of eight reporting requirements that was communicated to the City Council on January 24, 2023. On April 27, 2023, the Committee passed this legislation by a vote of 5 in the affirmative, 0 in the negative, with 0 abstentions.

II. BACKGROUND

a. The Report and Advisory Board Review Commission

On November 2, 2010, the voters of the City approved a series of revisions to the New York City Charter, including the addition of section 1113, which established the Report and Advisory Board Review Commission (RABRC).¹ Under section 1113, the RABRC has the power and duty to review all requirements in the Charter, the Administrative Code, and the unconsolidated local laws of the City mandating: (i) the issuance of reports by city agencies, officers, or employees and (ii) the establishment of commissions, committees, boards, task forces

¹ See Local Law 60 of 2010.

or other similar bodies that are solely advisory in nature (hereinafter “advisory boards”).² In addition, the RABRC has the power—subject to the approval of the Council—to waive any such reporting or advisory board requirement.³ In the case of a reporting requirement, such a waiver causes the relevant report to cease to be required by law.⁴ In the case of an advisory board requirement, such a waiver causes the relevant advisory board to cease to exist under law.⁵

Once the RABRC has made a determination to waive a reporting or advisory board requirement, it must promptly file such determination with the Council.⁶ Within 120 days of the filing of such determination, the Council may approve or disapprove the determination by an affirmative vote of a majority of all the Council Members.⁷ If the Council fails to take any action within 120 days, the RABRC’s determination is deemed approved.⁸ Section 1113 provides that any disapproval by the Council shall be final unless the Mayor files a written veto of the Council’s action, which may be overridden by a two-thirds vote of all the Council Members.⁹

The RABRC consists of seven commissioners, three of which are Council appointees, and four of which are Mayoral appointees.¹⁰ The Commission is chaired by the Director of the Mayor’s Office of Operations, who is one of the seven Commissioners.¹¹

b. The RABRC’s 2023 Determinations

On January 11, 2023, the RABRC voted to waive the following eight reporting requirements in the Administrative Code and Charter:

1. Shipboard Gambling Report (Administrative Code §20-9017);
2. Report on Other Wholesale Markets (Administrative Code §22-269);
3. Seafood Distribution Areas/Fulton Fish Market Report (Administrative Code §22-226);
4. Monthly Report on Directory Assistance Calls (Charter §1075(c));
5. Monthly Report on Service Request Calls (Charter §1075(b));
6. Small Purchases Report (Charter §314(b));
7. Article 214 Closings Report (Administrative Code §28-214.1.6); and
8. Neighborhood Slow Zones Report (Administrative Code §19-177(d)(2)).

The RABRC’s determination letter, attached hereto as Exhibit 1,¹² includes a summary of each reporting requirement, along with the RABRC’s official reasons for waiving each requirement. This letter was transmitted to the Council on January 24, 2023. All eight reporting requirements were waived by the unanimous vote of all seven RABRC Commissioners.

At today’s hearing, the Committee will consider a resolution to approve the eight waiver determinations. The Committee will also consider legislation to remove language in the Administrative Code and Charter that would be nullified by the eight waiver determinations approved in the resolution. The resolution and bill are summarized in greater detail immediately below.

c. Other Provisions to be Repealed

In addition to the RABRC recommendations and determinations above, there are a number of other provisions in the Administrative Code and New York City Charter that are outdated, unnecessary, no longer

² See Charter § 1113(d)(1).

³ See Charter § 1113(d)(1).

⁴ See Charter § 1113(d)(3).

⁵ See *id.*

⁶ See Charter § 1113(d)(4).

⁷ See *id.*

⁸ See *id.*

⁹ See Charter § 1113(d)(4).

¹⁰ See Charter § 1113(b).

¹¹ See *id.*

¹² Note that the letter has two of its own internal exhibits: Exhibit A (Vote Tally Sheet) and Exhibit B (Proposed Waiver Determination).

useful, or which were found by a court to be legally invalid. The aim of including these provisions is to remove unnecessary reporting and meeting requirements, as well as other provisions that are no longer relevant, to improve government efficiency and streamline the codified laws of the City.

UPDATE: On April 27, 2023, the Committee passed this legislation by a vote of 5 in the affirmative, 0 in the negative, with 0 abstentions

III. LEGISLATIVE ANALYSIS

Proposed Int. No. 1004-A

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to repealing certain reporting requirements selected for waiver by the report and advisory board review commission and amending and repealing certain outdated and unnecessary reports and studies

Proposed Int. No. 1004-A (Williams) would repeal 27 provisions of the Charter and Administrative Code requiring certain reports and studies. Such provisions would be repealed for at least one of the following reasons: the due date for submission of the report or study has passed and no further reporting has been required; the report is duplicative of other mandated reporting; the report is no longer necessary in light of changing circumstances; or the provision was waived by the Report and Advisory Board Review Commission.

It would repeal the following sections of the Charter:

- **Section 314(b)** requires the Mayor’s Office of Contract Services to publish a report detailing each small purchase award. The information required of the report can be found in both Checkbook NYC and PASSPort Public. Both Checkbook NYC and PASSPort Public can be used to conduct searches and filter results by procurement/award methods, which include the small purchase methods.
- **Section 613** requires the Commissioner of Homeless Services to submit an annual report on the number of beds available in transitional housing maintained by the Department of Homeless Services. Section 3-113 of the Administrative Code requires the Mayor’s Office of Operations to report on the utilization of citywide temporary emergency housing and associated services. The reporting required by Section 613 of the Charter is duplicative.
- **Section 1063(c)** requires the Commission on Public Information and Communication to submit to the Council a proposal for cablecasting the public proceedings of the Council and its Committees and the City Planning Commission. The proposal is required to be submitted by June 30, 1991. Council meetings and City Planning Commission meetings are now cablecasted and live streamed on the respective websites. Purpose of this study has been achieved.
- **Section 1304(e)(5)** requires annual reporting on efforts by City agencies to comply with the provisions of a local law establishing a citywide program for participation of minority and women owned businesses and emerging businesses in city procurement. Section 6-129 of the Administrative Code, as added by Local Law 129 of 2005, establishes such a citywide program and also requires annual reporting on the same information reported pursuant to section 1304(e)(5) of the Charter.

It would repeal the following sections of the Administrative Code:

- **Section 3-706(1)(d)** requires the Campaign Finance Board to submit a report to the Mayor and the Council containing recommendations as to whether candidate expenditure limitations provided in section 3-706 should be modified. The report is required to be submitted by September 1, 1990. The Campaign Finance Board already has existing authority in Admin Code section 3-713 to recommend whether expenditure limitations should be amended in a report filed every four years (or at any time upon the request of the mayor or council).

- **Section 4-207** requires the Department of Citywide Administrative Services (DCAS) to conduct an assessment of certain city-owned facilities to determine whether cogeneration and natural gas-based distributed generation projects are appropriate for such facilities and submit a report on such assessment. DCAS views the assessment required by Section 4-207 as duplicative of the requirements of Local Law 248 of 2017, which requires the City to develop a long-term energy plan that may include cogeneration, as well as other means of reducing carbon emissions.
- **Section 5-102** requires the Comptroller to issue an annual statement on the City's funded debt and the constitutional debt-incurring power of the City. This information is currently reported in the Comptroller's annual report on capital debt and obligations pursuant to section 232 of the Charter.
- **Section 5-605** establishes a reporting requirement for the Criminal Justice Account, which is a special accounting of the revenues and expenditures included in the safe streets-safe city omnibus criminal justice program. The Report and Advisory Board Review Committee waived the report in 2012, as the funding supporting the Criminal Justice Account expired at the end of 1998 and the Criminal Justice Account was eliminated.
- **Section 6-139(c)(3)** requires the Commissioner of Small Business Services to submit to the Mayor and the Speaker of the Council a report on actions taken by entities that received funding from the Department of Small Business Services in connection with the worker cooperative business development initiative. The report is required to be submitted by January 1, 2016.
- **Sections 1075(b) and (c)** requires the Department of Information Technology and Telecommunications (now OTI) to submit a report regarding requests for service received by the 311-citizen service center and to submit a report regarding directory assistance calls received by the 311-citizen service center. The information required in the requests for services report is included in a publicly available data set which is updated daily on the NYC Open Data portal. The report metrics can be calculated from this dataset. For the directory assistance calls report required information is included in a publicly available data set which is updated daily on the NYC Open Data portal. This data has been viewed and downloaded tens of thousands of times, and 311 data in general is some of the most popular on NYC Open Data.
- **Section 16-316.2** requires the Department of Sanitation to issue a report recommending methods to expand the diversion of compostable waste from the City's waste stream. The report is required to be issued by July 1, 2012.
- **Section 16-428(b)** requires the Department of Sanitation to report annually on the implementation of the Electronic Equipment Collection, Recycling and Reuse Act. The first report is due by January 15, 2011. Since the enactment of this local law, the City has been preempted by the State in the field of electronic equipment recycling.
- **Section 17-196(i)** requires DOHMH to submit a report on the development and implementation of the electronic death registration system. Subdivision c of section 17-196 requires that the electronic death registration system is accessible to all authorized persons who seek to use the system by October 1, 2008, so reporting on the implementation of the electronic death registration system is unnecessary.
- **Section 19-177(d)(2)** requires the Department of Transportation to publish a report on neighborhood slow zones. The first pilot was launched in 2011 and the program expanded in 2013. However, the City successfully launched a Citywide 25 mile per hour speed limit in late 2014, which superseded the Slow Zone efforts. Vision Zero (VZ) priority corridors have replaced slow zones as areas of priority for street safety improvements. The outdated nature of the requirement makes this report irrelevant.
- **Section 19-178.1** requires the Department of Transportation to conduct a study of truck driver compliance with truck route rules. The report is required to be submitted by January 1, 2017.
- **Section 19-179** requires the Department of Transportation to conduct a study on the feasibility of installing traffic calming measures. The report is required to be submitted by March 12, 1997.
- **Section 19-180.1** requires the Department of Transportation to identify high crash locations involving pedestrian fatalities or serious injuries and inspect and conduct audits at such locations. Data on motor vehicle crashes involving pedestrians is available on the City's Open Data portal and the Vision Zero Crash & Interventions Map displays monthly information on traffic injury and fatality crashes and highlights locations of DOT interventions and safety projects to address problem areas.

- **Section 19-192** requires the Department of Transportation to conduct a one-time study on pedestrian and bicyclist safety along truck routes and make recommendations. The report is required to be submitted by June 30, 2016.
- **Section 19-305(a)(vii)** requires the Department of Transportation to report on why expanding the Staten Island ferry service between Whitehall terminal and St. George terminal to every 30 minutes is not economically feasible. The report is due by April 1, 2015 and the Department must report every two years thereafter reviewing such determination. Ferry service between Whitehall terminal and St. George terminal currently runs every 30 minutes, rendering the report obsolete.
- **Section 19-307(j)** requires the Mayor to issue an annual report to the Comptroller and the Council regarding the use of diesel fuel-powered City ferries and the ultra low sulfur diesel fuel used to power them. The Report and Advisory Board Review Committee waived the report in 2012, as the report is now obsolete because the Department of Transportation retrofitted all ferries to use ultra low sulfur diesel fuel.
- **Section 20-9017** establishes a requirement for the New York city gambling control commission, now the purview of the Business Integrity Commission, to submit a report detailing its activities relating to shipboard gambling applications. No shipboard gambling businesses operate in the City and the City has not received a single application for shipboard gambling in over 20 years, rendering the report obsolete. A more sweeping repeal of provisions related to shipboard gambling was considered and rejected, as it was determined that it may be useful to retain the regulatory framework in case the industry reemerges.
- **Section 22-226** establishes a requirement for the Department of Small Business Services to produce a report about Fulton Fish Market in New York City. The Report and Advisory Board Review Committee has proposed to waive the report as part of the 2022 recommendations.
- **Section 22-269** establishes a requirement for the Department of Small Business Services to produce a report about public markets in New York City. The Report and Advisory Board Review Committee has proposed to waive the report as part of the 2022 recommendations.
- **Section 24-504.1** requires the Department of Environmental Protection to complete a study on medical debris in the sewerage system and to submit to the Council a report on the findings of the study. The report is required to be submitted within six months of the effective date of the section, which was October 5, 1988.
- **Section 24-526.1(b)(4)** requires the Mayor's Office of Long-Term Planning and Sustainability to submit a report every two years on the implementation status of the measures in the Sustainable Stormwater Management Plan that was developed pursuant to Local Law 5 of 2008. The Report and Advisory Board Review Committee waived the report in 2012, as the report is duplicative of multiple other mandated reports, including the PlaNYC Progress Report and NYC Green Infrastructure Plan Update.
- **Section 28-214.1.6** requires the Department of Buildings to publish a report detailing building closures issued under Article 214 of the Administrative Code. It must include the number of closings made in the previous year, the locations of such closings, and the nature and use of the premises closed. DOB does not presently use Article 214 to issue orders to seal, secure, and close, and has not used Article 214 for these actions in recent history. Instead, DOB relies on provisions in Chapter 28 Article 216 to issue building closures. The Article 216 provisions are broader than the Article 214 provisions as they could apply to vacant buildings or otherwise compromised structures. The notice and hearing provisions under Article 214 are also more onerous for DOB to comply with when actions need to be taken to secure a building in the interest of public safety. Further, the Article 216 provisions allows DOB to direct the City to conduct the work to make a building safe if the owner does not conduct such work. Because DOB does not regularly issue closures under Article 214, the Department regularly publishes a "nothing to report" letter to comply with this reporting requirement. This letter does not provide useful information to the public
- **Section 28-420.5** requires the Commissioner of Buildings to submit a report to the Mayor and the Council of recommendations for objective criteria relating to suspension, revocation and non-renewal of a safety registration number. The report must be submitted within six months of the date by which

all safety registration recipients are required to have a safety registration number pursuant to section 28-420.1, which was October 1, 2009.

This bill would take effect immediately.

Update to A version: The proposed version A makes technical language changes to the bill, e.g. subdivisions that are getting repealed will be repealed but their space in the Charter and Ad Code will now become reserved instead of re-lettering all subsequent subdivisions that follow and in the bill title, the word “concerning” has been replaced with “related to;” and the effect date is now 30 days after it becomes law.

Proposed Int. No. 984-A

A Local Law to amend the administrative code of the city of New York, in relation to amending and repealing certain outdated and unnecessary temporary or pilot programs, unconstitutional provisions and other outdated and unnecessary provisions

Temporary or Pilot Programs

Such provisions would be repealed as each of the programs have expired. Some provisions require only the creation of a program for a specific period of time, while others also require submission of an accompanying report by a specific date. Regardless, all the program completion dates and report due dates required under such provisions have long since passed.

It would repeal the following sections of the Administrative Code:

- **Section 6-108.2** establishes a program to increase participation of small business enterprises in city procurement. Local Law 107 of 1989, which added this section, expired on June 30, 1992.
- **Section 6-111.3** provides that the Mayor may create a pilot program to determine the efficacy of online reverse auctions. If created, the pilot program would run for a period of 24 months and a report detailing the results of the pilot program would be submitted to the Council and the Comptroller no later than 60 days after completion of the program. This section was added by Local Law 12 of 2004 and it does not appear that any report on an online reverse action pilot program was ever submitted by the previous or current Administrations. If in fact the pilot program was created during the previous Administration, the program is now expired and section 6-111.3 is obsolete. Further, this provision simply provides the Mayor with discretionary authority to create an online reverse auction pilot program, which the Mayor already has the power to do pursuant to the Mayor’s authority over the municipal contracting process.
- **Section 16-325** authorizes the Department of Sanitation to temporarily suspend the collection of certain recyclable materials and to collect the suspended recyclable materials with other non-recyclable solid waste during that period. This section also establishes a temporary task force to develop a long term recycling plan and issue a report on February 21, 2003. Local Law 11 of 2002, which added this section, expired on June 30, 2004.
- **Section 24-168.1(i)(3)** requires the Commissioner of Citywide Administrative Services to study the feasibility of using 5 percent biodiesel by volume in all buildings throughout the City. The report is required to be submitted to the Mayor and the Speaker of the Council by April 2, 2015.
- **Section 24-168.1(i)(2)** requires the Commissioner of Citywide Administrative Services to establish a pilot program to use greater amounts of biodiesel in City-owned buildings beginning October 1, 2014 and concluding on October 1, 2015. A report detailing the findings of the pilot program is required to be submitted to the Mayor and the Speaker of the Council within six months of the conclusion of the pilot program.
- **Section 24-163.10** requires the Fire Department, by not later than January 1, 2014, to develop and implement a pilot project for a period of not less than one year to ascertain the benefits and reliability of utilizing auxiliary power units in ambulances operated by the City. A report detailing the findings of

the pilot program is required to be submitted to the Mayor and the Speaker of the Council by July 1, 2015.

- **Section 24-518.1(c)** requires the Department of Environment Protection to conduct a pilot study of the use of food waste disposals in private dwellings and multiple dwellings served by combined storm and sanitary sewer systems. A report detailing the findings of the pilot study is required to be submitted to the Mayor and the Council within 15 months of the commencement of the pilot study but no later than 21 months from the effective date of Local Law 74 of 1995, which was September 22, 1995.

Provisions Struck Down by Courts

These are provisions of the Administrative Code that have been deemed unconstitutional and should be removed from the Code.

It would repeal the following provisions of the Administrative Code:

- **Section 6-115**, added by Local Law 33 of 1997, prohibits City agencies from contracting with any entity doing business with Burma. In *Crosby v. National Foreign Trade Council*, the U.S. Supreme Court found that such a provision is unconstitutional under the Supremacy Clause of the U.S. Constitution.
- **Section 6-124**, added by Local Law 20 of 2001, requires City agencies to purchase apparel or textiles only from a “responsible manufacturer.” In *Mayor v. Council*, the New York State Supreme Court held that this provision is preempted by the State Finance Law and curtailed the Mayor’s powers over the municipal contracting process without a referendum in violation of the Municipal Home Rule Law and City Charter.
- **Section 6-126 (The Equal Benefits Law)**, added by Local Law 27 of 2004, prohibits City agencies from entering into contracts having a value of \$100,000 or more annually with any person or firm that fails to provide its employees’ domestic partners with employment benefits equal to those afforded to its employees’ spouses. In *Council v. Bloomberg*, the New York Court of Appeals held that this provision is preempted by the competitive bidding requirements of General Municipal Law § 103 and federally preempted by the Employee Retirement Income Security Act of 1974 (ERISA).

Other Outdated Provisions

These sections of the Administrative Code that are obsolete due to changed circumstances.

It would repeal the following sections of the Administrative Code:

- **Section 3-202** as added by Local Law 55 of 1965, Administrative Code § 3-202 establishes geographic boundaries for 35 Council districts. The Council’s composition changed following the 1989 General Election. Repeal of section 3-202 would not impact Charter § 22’s establishment of 51 Council districts or the ability of the Council to set district boundaries through local law.
- **Chapter 23 of Title 11** NYC OTB filed for bankruptcy in 2008 and ceased all operations in 2010. Since NYC OTB ceased operations, the provision no longer serves any function or generates any revenue, as off-track betting in the City ended in 2010. Further, horse racing wagering managed by the New York Racing Association (NYRA), would not be impacted by repeal of this provision.

This bill would take effect immediately after it becomes law.

Update to A version: In this proposed version, the order of items was re-arranged to have section numbers appear in numerical order. The effective date was also changed to 30 days after it becomes law.

Proposed Int. No. 986-A

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to amending and repealing certain outdated and unnecessary advisory boards, task forces and commissions

Proposed Int. No. 986-A (Farías) would repeal provisions of the Charter and Administrative Code establishing certain advisory boards, task forces or commissions. Such provisions would be repealed for at least one of the following reasons: the body no longer convenes and has been dormant for a substantial period of time; the provision establishing the body calls for the submission of a one-time report and no further activity; the body no longer provides any useful function; the duties assigned to the body are duplicative of the functions of other City bodies; or the provision was waived by the Report and Advisory Board Review Commission. It would repeal the following sections of the Charter:

- **Section 1403(f)** establishes a resource recovery task force to advise and make recommendations to the Commissioners of Environmental Protection and Sanitation on programs relating to energy and materials recovery for the City's solid and liquid wastes. The Report and Advisory Board Review Commission waived this task force in 2012 as outdated and duplicative of work done by the New York Department of Sanitation.
- **Section 2704(j)** establishes a task force on coterminous service delivery. Subdivision a of this section requires the heads of City agencies to organize the local service delivery districts for certain services such that they are coterminous, or coincide, with the boundaries of the City's community districts. Subdivision j of this section establishes a task force to review these coterminous service delivery requirements. This provision requires members of the task force to be appointed by December 1, 1990 and submission of one report to the Mayor and the Council by December 1, 1992.

It would repeal the following sections of the Administrative Code:

- **Section 3-111** establishes a drug enforcement and drug abuse task force. The Report and Advisory Board Review Committee waived this task force in 2012, as the task force had not convened in at least 10 years and was duplicative of efforts of the Police Department, the Department of Health and Mental Hygiene, the Criminal Justice Coordinator and District Attorneys' offices.
- **Section 10-117.1** establishes an anti-graffiti task force. This provision requires members of the task force to be appointed within 30 days of the effective date of Local law 3 of 1991 and provides that the task force shall have a duration of 12 months.
- **Section 10-160(c)** establishes a temporary task force on limited access entry door requirements for ATM facilities. This provision went into effect on February 9, 1993 and required the temporary task force to issue a one-time report due no later than 12 months after appointment of the last member of the temporary task force.
- **Chapter 3 of Title 15** establishes an arson strike force. The Report and Advisory Board Review Committee waived the arson strike force in 2012, as the arson strike force had been defunct since the 1990s and was no longer necessary in light of the lack of arson crimes.
- **Section 17-196(h)** establishes an advisory panel on an electronic death registration system. This provision provides that the panel shall be disbanded on October 1, 2009.
- **Section 17-349** establishes a dangerous dog advisory board to make recommendations to the Commissioner of Health and Mental Hygiene on regulations related to dangerous dog regulation and protection. This advisory board no longer convenes and has been dormant for more than three years.
- **Section 17-361** establishes a tattoo advisory committee to advise the Commissioner of Health and Mental Hygiene on issues relating to tattooing. The Report and Advisory Board Review Commission waived this advisory committee in 2012, as the function of the advisory committee was deemed no longer relevant because there was no evidence that tattooing is being practiced in an unsafe manner and tattoo safety can be ensured through other efforts.

- **The last sentence of subdivision (b), and subdivisions (c), (d) and (e) of section 18-136** establish an advisory committee for new surfacing materials used for playgrounds or athletic fields. Section 18-136 provides that the advisory committee shall exist for three years from the effective date of Local Law 19 of 2010, after which it shall cease to exist.
- **Section 19-101.5** establishes the electric vehicle advisory committee. The committee was to make recommendations on ways to promote the usage of electric vehicles among the general public. A local law in 2016 (LL 160/2016) tasked the advisory committee with one more task before its dissolution with monitoring an electric vehicle charging station pilot program and issue a report.
- **Section 19-306** establishes a temporary citywide boater safety and wake reduction task force. This section, which went into effect on December 29, 2005, required the temporary task force to issue a report within 12 to 15 months from the establishment of the task force and provided that the task force shall cease operation one year after submission of the report. Notably, repeal of this section required the movement of two definitions from section 19-306 to 10-158.2, as the definitions are still needed for construction of section 10-158.2.
- **Section 20-521** establishes an interagency advisory council on towing. The Report and Advisory Board Review Commission waived the advisory council in 2012, as the council had not convened in many years and was no longer necessary given other agency efforts to address towing issues.
- **Section 21-118** establishes a New York City Commission for the Foster Care of Children. The Review and Advisory Board Review Commission waived this commission in 2012, as the commission had been dormant for 20 years and was duplicative of the functions of the Administration for Children’s Services.
- **Section 21-120.3** establishes a temporary task force on child care funding. This section requires submission of a one-time report not later than seven months from the effective date of Local Law 22 of 2002.
- **Section 21-123** establishes a temporary commission on childhood and child care programs. This section requires submission of a one-time report to the Mayor and the Council by September 30, 1991.
- **Chapter 8 of Title 21** establishes a temporary commission on day laborer job centers. This provision requires submission of a one-time report to the Mayor and the Speaker of the Council no later than nine months from the effective date of Local Law 91 of 2005.

This bill would take effect immediately after it becomes law.

Update to A-version: In the proposed version, Section 15-304, “Reward for information leading to arson conviction: posting notices” was removed from the bill and will remain in the Administrative Code but will be renumbered as section 15-233 and be added to chapter 2 of title 15. The effective date is also changed and is now the same date as a local law amending the New York city charter and the administrative code of the city of New York, in relation to amending and repealing certain outdated and unnecessary reports and studies, as proposed in introduction number 1004-A for the year 2023, takes effect.

Res. No. 566

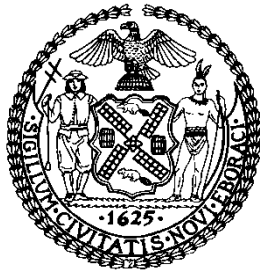
Resolution approving the Report and Advisory Board Review Commission’s determination recommending waiver of eight reporting requirements that was communicated to the City Council on January 24, 2023

Res No 566 (Ung) would approve eight waiver determinations made by the RABRC in January 2023—the Shipboard Gambling Report as required by §20-9017 of the administrative code of the city of New York; the report on Other Wholesale Markets as required by §22-269 of the administrative code of the city of New York; the Seafood Distribution Areas/Fulton Fish Market Report as required by §22-226 of the administrative code of the city of New York; the report on Directory Assistance Calls as required by §1075(c) of the New York city charter; the report on Service Request Calls as required by §1075(b) of the New York city charter; the Small Purchases Report as required by §314(b) of the New York city charter; the Article 214 Closings Report as required by §28-214.1.6 of the administrative code of the city of New York; and the Neighborhood Slow Zones

Report as required by §19-177(d)(2) of the administrative code of the city of New York. As a result, the reports would cease to be required by law.

By passing this resolution, the Council would be exercising its authority under Section 1113 of the Charter to approve or disapprove each waiver determination made by the RARBC.

(The following is the text of the Fiscal Impact Statement for Int. No. 1004-A:)



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

PROPOSED INTRO. NO: 1004-A

COMMITTEE: Governmental Operations

TITLE: A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to removing certain reporting requirements selected for waiver by the report and advisory board review commission and amending and repealing certain outdated and unnecessary reports and studies.

SPONSOR(S): By Council Members Williams, Farías, Ayala and Hudson.

SUMMARY OF LEGISLATION: The proposed legislation, Intro. No. 1004-A, would repeal 27 provisions of the Charter and Administrative Code requiring certain reports and studies. Such provisions would be repealed for at least one of the following reasons: the due date for submission of the report or study has passed and no further reporting has been required; the report is duplicative of other mandated reporting; the report is no longer necessary in light of changing circumstances; or the provision was waived by the Report and Advisory Board Review Commission.

EFFECTIVE DATE: This local law would take effect 30 days after it becomes law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024

FISCAL IMPACT STATEMENT:

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

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A**SOURCE OF INFORMATION:** New York City Council Finance Division**ESTIMATE PREPARED BY:** Ross Goldstein, Financial Analyst, NYC Council Finance Division**ESTIMATE REVIEWED BY:** Chima Obichere, Director, NYC Council Finance Division
Jonathan Rosenberg, Managing Deputy Director, NYC Council Finance Division

LEGISLATIVE HISTORY: The legislation was first considered by the Committee on Governmental Operations as a Pre-Considered Introduction on March 30, 2023 and the bill was laid over. Following the hearing, the bill was introduced to the full Council on April 11, 2023 as Proposed Intro. No. 1004 and referred to the Committee on Governmental Operations (Committee). The legislation was subsequently amended to Proposed Intro. No. 1004-A and the amended version, Proposed Intro. No. 1004-A will be considered by the Committee on April 27, 2023. Upon successful vote by the Committee, Proposed Intro. No. 1004-A will be submitted to the full Council for a vote on April 27, 2023.

DATE PREPARED: April 24, 2023.

(For text of Int. Nos. 984-A, 986-A and their Fiscal Impact Statements, please see the Report of the Committee on Governmental Operations for Int. Nos. 984-A and 986-A, respectively, printed in these Minutes; for text of Res. No. 566, please see the Report of the Committee on Governmental Operations for Res. No. 566 printed in the voice-vote Resolutions calendar of these Minutes; for text of Int. No. 1004-A, please see below)

Accordingly, this Committee recommends the adoption of Int. Nos. 984-A, 986-A, 1004-A, and Res. No. 566.

(The following is the text of Int. No. 1004-A:)

Int. No. 1004-A

By Council Members Williams, Farías, Ayala, Hudson, Riley, Mealy, Louis and Narcisse.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to eliminating certain reporting requirements selected for waiver by the report and advisory board review commission and amending certain outdated and unnecessary reports and studies, to repeal subdivision b of section 314 of such charter, relating to a report on small purchases, to repeal section 613 of such charter, relating to a report on transitional housing inventory, to repeal subdivision c of section 1063 of such charter, relating to a proposal for cablecasting council and city planning commission proceedings, to repeal subdivisions b and c of section 1075 of such charter, relating to service request calls and directory assistance calls, to repeal paragraph 5 of subdivision e of section 1304 of such charter, relating to an annual report of the commissioner of small business services regarding the activities of the division of economic and financial opportunity, to repeal paragraph (d) of subdivision 1 of section 3-706 of such code, relating to a report of the campaign finance board regarding expenditure limitations, to repeal section 4-207 of such code, relating to an assessment and report of certain clean on-site power generation technologies, to repeal section 5-102 of such code, relating to the comptroller's annual statement of funded debt of the city, to repeal section 5-605 of such code, relating to the director of management and budget's annual report on year-end spending of the criminal justice account and status of implementation of the safe streets-safe city omnibus criminal justice program, to repeal paragraph 3 of subdivision c of section 6-139 of such code, relating to a report on development of worker cooperatives, to repeal section 16-316.2 of such code, relating to a study of the economics of recycling and composting, to repeal subdivision b of section 16-428 of such code, relating to a report on electronic waste, to repeal subdivision i of section

17-196 of such code, relating to a report on an electronic death registration system, to repeal paragraph 2 of subdivision d of section 19-177 of such code, relating to a neighborhood slow zones report, to repeal section 19-178.1 of such code, relating to a study of truck driver compliance with truck route rules, to repeal section 19-179 of such code, relating to a study on the feasibility of installing traffic calming measures, to repeal section 19-180.1 of such code, relating to safety audits of crash locations involving pedestrians, to repeal section 19-192 of such code, relating to a study of pedestrian and bicyclist safety on truck routes, to repeal subdivision j of section 19-307 of such code, relating to a report on fuel used in city ferries, to repeal section 20-9017 of such code, relating to a shipboard gambling report, to repeal section 22-226 of such code, relating to a report regarding crime and regulation of the seafood distribution areas including the fulton fish market, to repeal section 22-269 of such code, relating to a report regarding to crime and regulation of wholesale markets, to repeal section 24-504.1 of such code, relating to a study of medical debris in the sewerage system, to repeal paragraph 4 of subdivision b of section 24-526.1 of such code, relating to a report on a sustainable stormwater management plan, to repeal section 28-214.1.6 of such code, relating to the issuance of reports and notices regarding the closure of a building, structure, enclosure, place or premises, and to repeal section 28-420.5 of such code, relating to a report recommending criteria for commencing a proceeding to suspend, revoke or refuse to renew a safety registration number

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 314 of the New York city charter is REPEALED.

§ 2. Section 613 of the New York city charter is REPEALED.

§ 3. Subdivision c of section 1063 of the New York city charter is REPEALED and a new subdivision c is added to read as follows:

c. Reserved.

§ 4. Subdivisions b and c of section 1075 of the New York city are REPEALED and new subdivisions b and c are added to reads as follows:

b. Reserved.

c. Reserved.

§ 5. Paragraph 5 of subdivision e of section 1304 of the New York city charter is REPEALED and a new paragraph 5 is added to read as follows:

5. Reserved;

§ 6. Paragraph (d) of subdivision 1 of section 3-706 of the administrative code of the city of New York is repealed and a new paragraph (d) is added to read as follows:

(d) Reserved.

§ 7. Section 4-207 of the administrative code of the city of New York is REPEALED.

§ 8. Section 5-102 of the administrative code of the city of New York is REPEALED.

§ 9. Section 5-605 of the administrative code of the city of New York is REPEALED.

§ 10. Paragraph 3 of subdivision c of section 6-139 of the administrative code of the city of New York is REPEALED and a new paragraph 3 is added to read as follows:

3. Reserved.

§ 11. Subdivision d of section 6-139 of the administrative code of the city of New York, as added by local law number 22 for the year 2015, is amended to read as follows:

d. [Except as provided in paragraph three of subdivision c of this section, for] For purposes of any report required by this section, the report shall be limited to worker cooperatives that have identified themselves to the department or a relevant agency through the electronic system used for vendor enrollment with the city or through the department's electronic customer relationship management system.

§ 12. Paragraph 1 of subdivision k of section 16-305 of the administrative code of the city of New York, as added by local law number 40 for the year 2010, is amended to read as follows:

1. Beginning on March first, two thousand eleven and annually thereafter, the department shall submit to the mayor and the council and make available on its website, an annual department recycling report which shall include provisions addressing: the extent to which the department has met the recycling percentage goals set forth in paragraphs one and two of subdivision a of this section and including a description of the methodology

used to arrive at its recycling percentages; city agency recycling pursuant to section 16-307 of this chapter; department of education recycling pursuant to section 16-307.1 of this chapter; yard waste composting pursuant to section 16-308 of this chapter; Christmas tree composting or recycling pursuant to section 16-309 of this chapter; the public space recycling program pursuant to section 16-310 of this chapter; the clothing and textiles collection program pursuant to section 16-310.1 of this chapter; *and* household hazardous waste collected pursuant to section 16-310.3 of this chapter or otherwise collected by the department[; and any composting capacity determinations or food waste composting pilot programs pursuant to section 16-316.2 of this chapter].

§ 13. Section 16-316.2 of the administrative code of the city of New York is REPEALED.

§ 14. Subdivision b of section 16-428 of the administrative code of the city of New York is REPEALED.

§ 15. Subdivision i of section 17-196 of the administrative code of the city of New York is REPEALED and a new subdivision i is added to read as follows:

i. Reserved.

§ 16. Paragraph 1 of subdivision d of section 19-177 of the administrative code of the city of New York, as added by local law number 24 for the year 2014, is amended to read as follows:

d. [(1)] The commissioner shall establish neighborhood slow zones in which speed limits of twenty miles per hour apply on or along designated highways for the purpose of implementing traffic calming measures. The commissioner shall establish not less than seven neighborhood slow zones, which shall contain not less than five blocks per zone, annually in the years 2014 and 2015. For purposes of this subdivision, "traffic calming measures" shall mean any physical engineering measure or measures that reduce the negative effects of motor vehicle use, alter driver behavior and improve conditions for non-motorized street users such as pedestrians and bicyclists.

§ 17. Paragraph 2 of subdivision d of section 19-177 of the administrative code of the city of New York is REPEALED.

§ 18. Section 19-178.1 of the administrative code of the city of New York is REPEALED.

§ 19. Section 19-179 of the administrative code of the city of New York is REPEALED.

§ 20. Section 19-180.1 of the administrative code of the city of New York is REPEALED.

§ 21. Section 19-192 of the administrative code of the city of New York is REPEALED.

§ 22. Subdivision j of section 19-307 of the administrative code of the city of New York is REPEALED and a new subdivision j is added to read as follows:

j. Reserved.

§ 23. Section 20-9017 of the administrative code of the city of New York is REPEALED.

§ 24. Section 22-226 of the administrative code of the city of New York is REPEALED.

§ 25. Section 22-269 of the administrative code of the city of New York is REPEALED.

§ 26. Section 24-504.1 of the administrative code of the city of New York is REPEALED.

§ 27. Paragraph 4 of subdivision b of section 24-526.1 of the administrative code of the city of New York is REPEALED.

§ 28. Section 28-214.1.6 of the administrative code of the city of New York is REPEALED.

§ 29. Section 28-420.5 of the administrative code of the city of New York is REPEALED.

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

SANDRA UNG, *Chairperson*; GALE A. BREWER, SHAHANA K. HANIF, LINCOLN RESTLER, LYNN C. SCHULMAN; 5-0-0; Committee on Governmental Operations, April 27, 2023.

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. 181

Report of the Committee on Land Use in favor of approving, as modified, Application number C 200232 ZMQ (25-46 Far Rockaway Blvd Rezoning) submitted by Queens Realty Holdings of NY LTD, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 31a, by changing an existing R4-1 District to an R6B District, Borough of Queens, Community District 14, Council District 31.

The Committee on Land Use, to which the annexed Land Use item was referred on April 11, 2023 (Minutes, page 1005), respectfully

REPORTS:

(For text of updated report, please see the Report of the Committee on Land Use for L.U. No. 181 & Res. No. 603 printed in the General Orders Calendars section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., Chairperson; FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, ERIK D. BOTTCHER, KAMILLAH HANKS, SHEKAR KRISHNAN, JOSEPH C. BORELLI; 10-0-0; *Absent:* Darlene Mealy and Pierina Ana Sanchez; *Maternity:* Carlina Rivera; April 20, 2023; Committee on Land Use, April 20, 2023.

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. 182

Report of the Committee on Land Use in favor of filing, pursuant to a letter of withdrawal, Application number N 220330 ZRQ (25-46 Far Rockaway Blvd Rezoning) submitted by the Queens Realty Holdings of NY LTD, pursuant to Section 201 of the New York City Charter for an amendment to 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 14, Council District 31.

The Committee on Land Use, to which the annexed Land Use item was referred on April 11, 2023 (Minutes, page 1005) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of updated report, please see the Report of the Committee on Land Use for L.U. No. 181 & Res. No. 603 printed in the General Orders Calendars section of these Minutes)

Accordingly, this Committee recommends its filing.

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

Res. No. 601

Resolution approving a motion to file pursuant to withdrawal of the application regarding the decision of the City Planning Commission on Application No. N 220330 ZRQ, for an amendment of the text of the Zoning Resolution (Pre. L.U. No. 182).

By Council Members Salamanca and Riley.

WHEREAS, Queens Realty Holdings of NY LTD, filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, which in conjunction with the related action would the development of a new five-story residential building on the property located at 25-46 Far Rockaway Boulevard in the Far Rockaway neighborhood of Queens, Community District 14 (ULURP No. N 220330 ZRQ) (the “Application”);

WHEREAS, the Application is related to application C 220232 ZMQ (L.U. No. 181), a zoning map amendment to change an R4-1 zoning district to an R6B zoning district;

WHEREAS, the City Planning Commission filed with the Council on March 22, 2023, its decision dated March 15, 2023 (the “Decision”), on the Application;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on March 23, 2023;

WHEREAS, applicant submitted a letter, dated April 12, 2023, withdrawing the Application;

RESOLVED:

The Council approves the motion to file pursuant to withdrawal in accordance with Rules 7.90 and 11.60(b) of the Rules of the Council.

RAFAEL SALAMANCA, Jr., Chairperson; FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, ERIK D. BOTTCHER, KAMILLAH HANKS, SHEKAR KRISHNAN, JOSEPH C. BORELLI; 10-0-0; *Absent*: Darlene Mealy and Pierina Ana Sanchez; *Maternity*: Carlina Rivera; April 20, 2023; Committee on Land Use, April 20, 2023.

Coupled to be Filed pursuant to a Letter of Withdrawal.

Report for L.U. No. 183

Report of the Committee on Land Use in favor of approving Application number C 230006 ZMQ (245-06 South Conduit Avenue Commercial Overlay) submitted by Tire Heaven, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section Nos. 19b and 19d, eliminating from within an existing R3-2 District a C1-3 District and establishing within an existing R3-2 District a C2-3 District, Borough of Queens, Community District 13, Council District 31.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on April 11, 2023 (Minutes, page 1006) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

QUEENS CB - 13

C 230006 ZMQ

Application submitted by Tire Heaven, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 19b and 19d,

1. eliminating from within an existing R3-2 District a C1-3 District bounded by South Conduit Avenue, 139th Avenue, 246th Street, a line 335 feet northeasterly of Francis Lewis Boulevard, a line 100 feet northwesterly of 246 Street, a line 85 feet northeasterly of Francis Lewis Boulevard, and 245th Street; and
2. establishing within an existing R3-2 District a C2-3 District bounded by South Conduit Avenue, 139th Avenue, 246th Street, a line 335 feet northeasterly of Francis Lewis Boulevard, a line 100 feet northwesterly of 246 Street, a line 85 feet northeasterly of Francis Lewis Boulevard, and 245th Street;

Borough of Queens, Community District 13, as shown on a diagram (for illustrative purposes only) dated November 7, 2022.

INTENT

To approve a zoning map amendment replacing part of a C1-3 Overlay District within an existing R3-2 District with a C2-3 Overlay District to legalize an existing ground floor tire sales and installation facility located at 245-06 South Conduit Avenue (Block 13614, Lots 14 and 28) in the Rosedale neighborhood of Queens, Community District 13. The C2-3 Overlay District would be mapped over Block 13614, Lots 6, 8, 12, 14, 28, and 23.

PUBLIC HEARING

DATE: March 23, 2023

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: April 19, 2023

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission on Pre. L.U. No. 183.

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

COMMITTEE ACTION

DATE: April 20, 2023

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Salamanca	None	None
Moya		
Louis		
Riley		
Abreu		
Brooks-Powers		
Bottcher		
Hanks		
Krishnan		
Borelli		

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

Res. No. 602

Resolution approving the decision of the City Planning Commission on ULURP No. C 230006 ZMQ, a Zoning Map amendment (Pre. L.U. No. 183).

By Council Members Salamanca and Riley.

WHEREAS, Tire Heaven, 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. 19b and 19d, by replacing part of a C1-3 Overlay District within an existing R3-2 District with a C2-3 Overlay District, to legalize an existing ground floor tire sales and installation facility located at 245-06 South Conduit Avenue (Block 13614, Lots 14 and 28) in the Rosedale neighborhood of Queens, Community District 13 (ULURP No. C 230006 ZMQ) (the "Application");

WHEREAS, the proposed C2-3 Overlay District would be mapped over Block 13614, Lots 6, 8, 12, 14, 28, and 23;

WHEREAS, the City Planning Commission filed with the Council on March 22, 2023 its decision dated March 15, 2023 (the "Decision") on the Application;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on March 23, 2023;

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 November 7, 2022 (CEQR No. 23DCP006Q) (the "Negative Declaration").

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment.

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 230006 ZMQ, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 19b and 19d,

1. eliminating from within an existing R3-2 District a C1-3 District bounded by South Conduit Avenue, 139th Avenue, 246th Street, a line 335 feet northeasterly of Francis Lewis Boulevard, a line 100 feet northwesterly of 246 Street, a line 85 feet northeasterly of Francis Lewis Boulevard, and 245th Street; and
2. establishing within an existing R3-2 District a C2-3 District bounded by South Conduit Avenue, 139th Avenue, 246th Street, a line 335 feet northeasterly of Francis Lewis Boulevard, a line 100 feet northwesterly of 246 Street, a line 85 feet northeasterly of Francis Lewis Boulevard, and 245th Street;

Borough of Queens, Community District 13, as shown on a diagram (for illustrative purposes only) dated November 7, 2022, submitted with the filed Application.

RAFAEL SALAMANCA, Jr., Chairperson; FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, ERIK D. BOTTCHER, KAMILLAH HANKS, SHEKAR KRISHNAN, JOSEPH C. BORELLI; 10-0-0; *Absent*: Darlene Mealy and Pierina Ana Sanchez; *Maternity*: Carlina Rivera; April 20, 2023; Committee on Land Use, April 20, 2023.

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

Report of the Committee on Public Safety

Report for Int. No. 273-B

Report of the Committee on Public Safety 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 police officers to receive training related to recognizing and interacting with individuals with autism spectrum disorder.

The Committee on Public Safety, to which the annexed proposed amended local law was referred on April 28, 2022 (Minutes, page 808), respectfully

REPORTS:

I. INTRODUCTION

On April 27, 2023, the Committee on Public Safety, chaired by Council Member Kamillah Hanks, voted on Proposed Introduction Number 273-B ("Prop. Int. No. 273-B"), in relation to requiring police officers to receive training related to recognizing and interacting with individuals with autism spectrum disorder. The measure passed by a vote of 9 to 0. On February 6, 2023, the Committee heard a previous version of this legislation and received testimony from the New York City Police Department (NYPD), and other interested parties.

II. BACKGROUND

Autism spectrum disorder is a developmental condition characterized by challenges with social interaction and communication, restricted interests, and repetitive behaviors.¹ As a result of the growing prevalence of diagnostic testing in children, one estimate indicates the number of people diagnosed with autism spectrum disorder tripled in the New York City metropolitan area between 2000 and 2016.² These rates could be even higher, as research suggests that Black and Latinx children are likely under-diagnosed with autism spectrum disorder.³

According to a 2017 study published in the *Journal of Autism and Developmental Disorders*, 20% of youth with autism had been stopped and questioned by police by age 21.⁴ These encounters can present unique challenges to law enforcement, as behaviors associated with autism spectrum disorder can be misinterpreted as an individual acting willfully non-compliant, threatening, or disorderly. Law enforcement training programs can help officers better understand the manifestations of autism spectrum disorder in a manner that is critical to decreasing the instances of law enforcement's use of force when encountering individual's with autism.⁵

Currently, the NYPD provides autism awareness training to recruits during the academy and additional in-service training is offered but not required biennially. Some officers have also received autism awareness training from non-profit organizations. For example, in 2015, Autism Speaks and the National Center for Missing and Exploited Children (NCMEC) provided a joint training for the NYPD on autism safety and wandering

¹ American Psychiatric Association, *What Is Autism Spectrum Disorder*, available at <https://www.psychiatry.org/patients-families/autism/what-is-autism-spectrum-disorder>

² Jeanette Settembre, *Why autism rates have skyrocketed in the NYC metro area: study*, New York Post, (Jan. 26, 2023) available at: <https://nypost.com/2023/01/26/why-autism-rates-have-skyrocketed-in-the-nyc-metro-area-study/>

³ Id.

⁴ Rava J, Shattuck P, Rast J, Roux A. *The Prevalence and Correlates of Involvement in the Criminal Justice System Among Youth on the Autism Spectrum*. *Journal of Autism and Developmental Disorders* (Feb 2017) available at: <https://pubmed.ncbi.nlm.nih.gov/27844248/>

⁵ Randolph Fillmore, *Training Program Helps Law Enforcement Officers Better Understand Autism Spectrum Disorder*, Newsroom: Johns Hopkins All Children's Hospital (Feb. 18, 2021), <https://www.hopkinsallchildrens.org/ACH-News/General-News/Training-Program-Helps-Law-Enforcement-Officers-Better-Understand-Autism-Spectrum-Disorder>

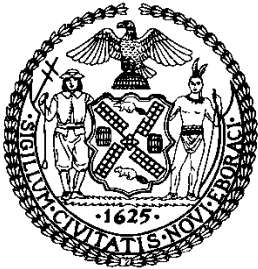
prevention.⁶ The training was offered to over 200 detectives as part of the Special Victims Investigator Course.⁷ The objective of the training was to increase first responders' understanding and recognition of autism and provide them with tools and strategies to help prepare them to effectively respond to situations involving individuals with autism, and further develop autism safety protocols.⁸

III. PROP. INT. 273-B

This bill would require NYPD to provide all recruits in the training academy with specific training related to recognizing and interacting with individuals with autism spectrum disorder. It will also require the department to provide such training to all uniformed members on a biennial basis. Such training would include: (i) enhancing awareness and a practical understanding of autism spectrum disorder; (ii) development of the interpersonal skills to safely respond to emergencies involving someone with autism spectrum disorder; and (iii) instruction on interview and investigative techniques to utilize in cases involving individuals with autism spectrum disorder. The legislation would take effect 180 days after enactment.

Since introduction, the bill has been amended to remove a shorthand reference to American Psychiatric Association's diagnostic and statistical manual, fifth edition, clarify language that requires NYPD training to include cases where an individual has experienced incidents of gender-based violence, and other technical edits.

(The following is the text of the Fiscal Impact Statement for Int. No. 273-B:)



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

PROPOSED INT. 273 – B

COMMITTEE: Public Safety

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring police officers to receive training related to recognizing and interacting with individuals with autism spectrum disorder.

Sponsors: Council Members Narcisse, Hanks, Mealy, Stevens, Yeger, Restler, Abreu, Bottcher, Velázquez, Menin, Schulman, Brooks-Powers, Louis, Hudson, Riley, Farias, Lee, Joseph, Brewer, De La Rosa, Holden, Brannan, Dinowitz and Carr.

SUMMARY OF LEGISLATION: The bill will require the New York City Police Department to provide officers with training related to recognizing and interacting with individuals with autism spectrum disorder. Such training would include: (i) enhancing awareness and a practical understanding of autism spectrum disorder; (ii) development of the interpersonal skills to safely respond to emergencies involving someone with autism spectrum disorder; and (iii) instruction on interview and investigative techniques to utilize in cases involving individuals with autism spectrum disorder.

⁶ “Autism Speaks and NCMEC Provide Autism Safety Training for NYPD”, Autism Speaks (April 23, 2015) available at <https://www.autismspeaks.org/news/news-item/autism-speaks-and-ncmec-provide-autism-safety-training-nypd>

⁷ Id.

⁸ Id.

EFFECTIVE DATE: 180 days after is becomes law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FISCAL 2025

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY25
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: There is no estimated impact on revenues as a result of this legislation.

Impact on Expenditures: It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation as the agency responsible for carrying out its requirements would be able to use 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: Owen Kotowski, Financial Analyst

ESTIMATE REVIEWED BY: Jonathan Rosenberg, Managing Director
Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 273 on April 28, 2022 and was referred to the Committee on Public Safety jointly with Mental Health, Disabilities and Addiction, Fire and Emergency Management and Hospitals (Committees). The Committees heard the legislation on February 6, 2023, and the legislation was laid over. The legislation was subsequently amended twice, and the amended legislation. Proposed Intro. 273-B, will be considered by the Committee on Public Safety (Committee) on April 27, 2023. Upon a successful vote by the Committee, Proposed Int. 273-B will be submitted to the full Council for a vote on April 27, 2023.

DATE PREPARED: APRIL 25, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 273-B;)

Int. No. 273-B

By Council Members Narcisse, Hanks, Mealy, Stevens, Yeger, Restler, Abreu, Bottcher, Velázquez, Menin, Schulman, Brooks-Powers, Louis, Hudson, Riley, Farías, Lee, Joseph, Brewer, De La Rosa, Holden, Brannan, Dinowitz, Powers, Ayala and Carr.

A Local Law to amend the administrative code of the city of New York, in relation to requiring police officers to receive training related to recognizing and interacting with individuals with autism spectrum disorder

Be it enacted by the Council as follows:

Section 1. Title 14 of the administrative code of the city of New York is amended by adding a new section 14-193 to read as follows:

§ 14-193 *Autism spectrum disorder safety training. a. Definition. For the purposes of this section, the term “autism spectrum disorder” means behavior that meets relevant diagnostic criteria contained within the American Psychiatric Association’s diagnostic and statistical manual, fifth edition, as may be revised from time to time.*

b. Training. 1. The department shall train police recruits, as part of their police academy training, in recognizing and responding to individuals with autism spectrum disorder.

2. The department shall, on a biennial basis, train all uniformed members of the department in recognizing and responding to individuals with autism spectrum disorder.

c. The training required by subdivision b of this section shall include but not be limited to:

1. enhancement of awareness and a practical understanding of autism spectrum disorder, including an ability to recognize common behaviors and mannerisms of individuals with autism spectrum disorder, such as sensory processing disorders, oversensitivity to the environment and auditory processing disorder;

2. development of the interpersonal skills to safely respond to emergencies involving individuals with autism spectrum disorder; and

3. instruction on interview and investigative techniques to utilize in cases involving individuals with autism spectrum disorder, including cases where such an individual has experienced incidents of gender-based violence.

d. The curriculum for the training required by subdivision b of this section shall be periodically reviewed and, when appropriate, modified in consultation with independent clinicians and service providers with expertise on autism spectrum disorder.

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

KAMILLAH HANKS, *Chairperson*; JUSTIN L. BRANNAN, ROBERT F. HOLDEN, ERIK D. BOTTCHEER, CARMEN N. De La ROSA, RITA C. JOSEPH, DARLENE MEALY, ALTHEA V. STEVENS, JOANN ARIOLA; 9-0-0; *Absent*: Tiffany Caban; Committee on Public Safety, April 27, 2023. *Other Council Members Attending: Council Members Narcisse and Ayala*

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

Report of the Committee on Transportation and Infrastructure

Report for Int. No. 679-A

Report of the Committee on Transportation and Infrastructure in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the installation of traffic calming devices in senior pedestrian zones.

The Committee on Transportation and Infrastructure, to which the annexed proposed amended local law was referred on September 14, 2022 (Minutes, page 2168), respectfully

REPORTS:

INTRODUCTION

On April 27, 2023, the Committee on Transportation and Infrastructure, chaired by Majority Whip Selvena N. Brooks-Powers, conducted a vote on the following legislation: Int. No. 679-A, sponsored by Council Member Rita C. Joseph, in relation to the installation of traffic calming devices in senior pedestrian zones; Int. No. 805-A, sponsored by the Public Advocate (Mr. Williams), in relation to pedestrian safety reporting; Int. No. 854-A, sponsored by Chair Brooks-Powers, in relation to new daylighting measures; and Res. No. 460, sponsored by Council Member Amanda Farías, calling on the New York State Legislature and Governor to fully fund the Metropolitan Transportation Authority (MTA) in the State's upcoming Fiscal Year 2024 Budget in an effort to ensure that: public transit riders have effective, affordable public transportation; the MTA maintains fiscal stability in the face of a looming fiscal cliff; and the MTA operate more frequent bus and train service statewide.

The Committee heard a previous version of these bills on February 14, 2023 at an oversight hearing on street safety in New York City (NYC). Those that came to testify at that hearing included representatives from the NYC Department of Transportation (DOT), New York Police Department (NYPD), the Public Advocate (Mr. Williams), transportation and street safety advocates, and other interested stakeholders. The Committee also heard the same resolution at an April 10, 2023 hearing on Truck Routes. Those that came to testify at that hearing included representatives from the DOT, NYPD, trucking advocates, transportation and street safety advocates, and other interested stakeholders.

On April 27, 2023, the Committee on Transportation and Infrastructure passed: Int. No. 679-A by a vote of 11 in the affirmative, zero in the negative, with zero abstentions; Int. No. 805-A by a vote of 11 in the affirmative, zero in the negative, with zero abstentions; Int. No. 854-A by a vote of eight in the affirmative, three in the negative, with zero abstentions; and Res. No. 460 by a vote of 11 in the affirmative, zero in the negative, with zero abstentions.

BACKGROUND

Vision Zero

In 2014, the administration of Mayor Bill de Blasio instituted Vision Zero, a citywide initiative with the goal of reducing and eventually eliminating traffic fatalities.¹ The initiative is built on the premise that deaths and serious traffic injuries are not inevitable “accidents,” but preventable events that can be reduced through engineering, enforcement and education.² Strategies involved in implementing Vision Zero in the City have included: expanding enforcement against dangerous moving violations, such as speeding and failing to yield to pedestrians; implementing new street designs and configurations; conducting broad public outreach and communication around street safety; and advancing legislation to increase penalties for dangerous drivers.³ The City Council has supported these efforts through numerous laws, including: the streets master plan legislation, which requires DOT to issue and implement a transportation master plan every five years, with included benchmarks prioritizing the safety of all street users, the use of mass transit, the reduction of vehicle emissions, and accessibility within transit systems;⁴ the street design checklist legislation, which allows the City to better plan street space;⁵ the truck side guard legislation, which accelerated deadlines for side guard implementation in the City fleet and for trade waste hauling vehicles by a year, and requires that a side guard be equipped on any large vehicle used to fulfill a contract with the City of at least \$2 million, beginning with contracts registered on or after 2023;⁶ and the citywide speed limit legislation, lowering New York City’s default speed limit to twenty-five miles per hour.⁷

¹ NYC, “Vision Zero,” available at: <https://www1.nyc.gov/content/visionzero/pages/>.

² *Id.*

³ *Id.*

⁴ See Local Law 195 of 2019.

⁵ See Local Law 121 of 2019.

⁶ See Local Law 108 of 2021.

⁷ See Local Law 54 of 2014.

Traffic Violence in New York City

Traffic fatalities in NYC have fallen significantly over recent decades, from 701 in 1990, to 381 in 2000, to an all-time low of 202 in 2018.⁸ The year 2020 marked the first year on record with fewer than 100 pedestrian deaths.⁹ Comparing the five-year averages from before Vision Zero was instituted in 2014 with the same numbers in 2020, total fatalities were 10% lower and pedestrian fatalities were 37% lower.¹⁰ As part of Vision Zero, from 2014 to 2020, the City installed 1,259 speed cameras; created 135 miles of protected bike lanes, with a total of 1,375 miles of protected and conventional bike lanes; provided 130,103 Taxi and Limousine Commission (TLC)-licensed drivers with updated Vision Zero training; issued 84,414 Vision Zero summonses through TLC enforcement; installed 11,327 telematics systems for City Fleet-Non Emergency Vehicles; and implemented turn-calming treatments at 468 intersections.¹¹

While the long-term results of these traffic violence reduction efforts have shown up in the data, as seen in the reduction in fatalities from 1990 to now, the Vision Zero initiative remains the target of criticism by advocates, who have raised concerns about the rapid increase in deaths occurring on City streets in recent years despite Vision Zero efforts. In 2019, 220 people died in traffic violence in the City.¹² That number increased in 2020 to 243 traffic fatalities, making that year, at the time, the deadliest one on record since Mayor de Blasio introduced Vision Zero, and the second straight year of increased road fatalities.¹³ Notably, for a nearly two month period during the novel coronavirus (COVID-19) pandemic in 2020 there were zero pedestrian fatalities in the City, largely attributed to the reduction in vehicle miles travelled in the City at the time.¹⁴ However, there were subsequent increases in overnight motorist and motorcyclist deaths, and a nationwide increase in speeding that began when streets emptied due to the pandemic and subsequent lockdowns.¹⁵

In 2021, these trends continued, with 273 people killed due to traffic violence in the City, representing a 33% increase from 2018.¹⁶ There were 93 hit-and-runs with critical injuries in 2021, twice as many as there had been in 2018.¹⁷ Furthermore, the share of pedestrian fatalities caused by drivers of SUVs during Mayor de Blasio's second term, which concluded in 2021, was up 42% compared to his first term.¹⁸

In 2022, the number of traffic fatalities in the City dropped for the first time in three years.¹⁹ Recently, DOT Commissioner Ydanis Rodriguez announced that in 2022 the City experienced 255 total traffic fatalities, an overall decline of 6.6% in traffic fatalities from 2021, and the first decline in annual fatalities since 2019.²⁰ Last year also saw a 6.3% decrease in annual pedestrian deaths as compared to 2021, making it among the years with the fewest annual pedestrian deaths recorded in New York City.²¹ However, there were also some concerning trends as well: 2022 marked the deadliest year since 2014 for child fatalities, with 16 children killed in traffic collisions.²²

⁸ NYC, "Vision Zero," available at: <https://www1.nyc.gov/content/visionzero/pages/>.

⁹ NYC, "Vision Zero," *Vision Zero-Year 7 Report* (April 2021), available at: <https://www1.nyc.gov/assets/visionzero/downloads/pdf/vision-zero-year-7-report.pdf>.

¹⁰ *Id.*

¹¹ *Id.*

¹² Conor Skelding, "NYC traffic deaths up 35 percent so far this year," *New York Post* (Apr. 9, 2022), available at: <https://nypost.com/2022/04/09/nyc-traffic-deaths-up-35-percent-so-far-this-year/>.

¹³ Christina Goldbaum, "Why Emptier Streets Meant an Especially Deadly Year for Traffic Deaths," *New York Times* (Jan. 1, 2021), available at <https://www.nytimes.com/2021/01/01/nyregion/nyc-traffic-deaths.html>.

¹⁴ Jake Offenhartz, "Vision Zero Sputters as NYC Traffic Deaths Reach Highest Level of De Blasio Era," *Gothamist* (Oct. 23, 2020), available at <https://gothamist.com/news/vision-zero-sputters-nyc-traffic-deaths-reach-highest-level-de-blasio-era>.

¹⁵ *Id.*

¹⁶ Transportation Alternatives, Press Release, "Last year was the deadliest under Vision Zero. Here's how Mayor Adams can save lives in 2022," January 26, 2022, available at: <https://www.transalt.org/writing/last-year-was-the-deadliest-under-vision-zero-heres-how-mayor-adams-can-save-lives-in-2022>.

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ NYC DOT, Press Release, "Vision Zero: NYC Traffic Fatalities Dropped in 2022 For First Time in Three Years, Pedestrian Deaths Near Record Lows," January 6, 2023, available at: <https://www.nyc.gov/html/dot/html/pr2023/vision-zero-fatalities-dropped-2022.shtml>.

²⁰ *Id.*

²¹ *Id.*

²² Ben Brachfield, "2022 was deadliest year for children on city streets in Vision Zero era: report," *AMNY* (Jan. 23, 2023), available at: <https://www.amny.com/transit/record-children-killed-traffic-collisions-2022-nyc-streets/>.

DOT's Role in Street Safety

Safety is a stated priority of DOT's in designing the City's streets and public spaces.²³ Reducing opportunities for illegal speeding and aggressive driving, while enhancing pedestrian comfort and flow, are goals of DOT's safety initiatives.²⁴ Towards that purpose, DOT has a number of programs designed to enhance Vision Zero.

Traffic-Calming Measures

The term "traffic-calming" refers to making streets safer by reducing illegal speeding and aggressive driving, and can include the installation of traffic-calming devices such as speed bumps, curb extensions, and raised crosswalks.²⁵ It also includes daylighting, a safety measure whereby parking spaces adjacent to curbs around an intersection are removed.²⁶ The purpose of daylighting is to increase visibility for pedestrians and drivers to oncoming traffic and to reduce injuries or deaths as a result of obstructed visibility.²⁷ DOT has stated that it seeks to address reported dangerous conditions at specific intersections and streets through the analysis and consideration of traffic calming measures.²⁸

Safe Streets for Seniors

According to DOT's 2022 report titled "Pedestrian Safety and Older New Yorkers," older adults represent just less than 15% of the City's population but over 45% of pedestrian fatalities.²⁹ As older adults are generally more vulnerable than younger people, when they are involved in a crash, they are more likely to suffer worse outcomes.³⁰ DOT's Safe Streets for Seniors initiative studies crash data, conducts outreach, and develops and implements mitigation measures to improve the safety of older adults and other road users.³¹ DOT evaluates pedestrian conditions for older adults in specific areas in order to better increase street safety and implement improvements, such as by extending pedestrian crossing times at crosswalks to accommodate slower walking speeds, constructing pedestrian safety islands, widening curbs and medians, and installing stop controls and signals.³²

Mayor Adams' Agenda for Street Safety

2022 Traffic Fatalities

As noted, in 2022, the number of traffic fatalities in the City declined for the first time in three years.³³ DOT states that a cause of the overall decline in total fatalities is due to its special focus on pedestrian safety at intersections, where a majority of pedestrian fatalities and injuries occur.³⁴ The Adams' administration has completed more than 1,400 intersection improvements and expanded the school zone speed camera enforcement program to 24-hours a day, seven days a week.³⁵ Since the launch of the expanded program on August 1, 2022,

²³ NYC DOT, "Pedestrians," available at: <https://www.nyc.gov/html/dot/html/pedestrians/pedestrians.shtml#Safer-Streets>.

²⁴ *Id.*

²⁵ NYC DOT, "Pedestrians, Traffic Calming Design Guidelines," available at: <https://www.nyc.gov/html/dot/html/pedestrians/traffic-calming.shtml>.

²⁶ "Daylighting: Make Your Crosswalks Safer," *StreetFilms* (Jan. 12, 2009), available at: <https://www.streetfilms.org/daylighting-make-your-crosswalks-safer/>.

²⁷ *Id.*

²⁸ NYC DOT "Pedestrians, Traffic Calming Design Guidelines," available at: <https://www.nyc.gov/html/dot/html/pedestrians/traffic-calming.shtml>.

²⁹ NYC DOT, "Pedestrians, Safe Streets for Seniors," available at: <https://www.nyc.gov/html/dot/html/pedestrians/safeseniors.shtml>.

³⁰ *Id.*

³¹ *Id.*

³² *Id.*

³³ NYC DOT, Press Release, "Vision Zero: NYC Traffic Fatalities Dropped in 2022 For First Time in Three Years, Pedestrian Deaths Near Record Lows," January 6, 2023, available at: <https://www.nyc.gov/html/dot/html/pr2023/vision-zero-fatalities-dropped-2022.shtml>.

³⁴ *Id.*

³⁵ *Id.*

DOT has experienced a 25% reduction in speeding violations, with month-over-month declines, down from 755,000 speeding violations in August to 565,000 in November.³⁶

NYC Streets Plan

In April of 2022, Mayor Adams announced an investment of more than \$900 million to tackle the City's traffic violence crisis and ensure that NYC is safer, healthier, and greener.³⁷ The investment amounted to nearly \$580 million in capital funding, and more than \$65 million annually in expense funding, or \$327 million over five years, in an effort to advance the goals laid out in the NYC Streets Plan, while also building out critical street safety and public transportation infrastructure.³⁸

The NYC Streets Plan was developed by the DOT, in compliance with Local Law 195 which was passed by the NYC Council and enacted in 2019, as a five-year transportation plan to improve the safety, accessibility and quality of the City's streets.³⁹ The first NYC Streets Plan was published on December 1, 2021, and outlined the next five years of street improvements in the City. The Plan provided history, context, and trends related to NYC transportation; defined the vision and goals for planning and designing of NYC's streets; made recommendations across 11 program areas, including new programs, reimagined programs, and transformative ideas; and identified opportunities for process improvements to help deliver the recommendations of the Streets Plan.⁴⁰ The focuses of the Plan included:

- better safety redesign projects to meet Vision Zero goals;
- expanded infrastructure for transit, cycling and pedestrians;
- solving bottlenecks in the project implementation process;
- reducing dangerous vehicles and drivers on streets;
- increasing automated enforcement;
- reforming on-street parking;
- improving connectivity around highways;
- focusing investment in areas that need it most;
- engaging communities proactively about transportation in their neighborhoods; and
- making the City accessible to all.⁴¹

In December of 2022, DOT informed the Mayor's Office and the MTA that it was behind schedule in building 30 miles of new bus lanes for 2023, as required by the Streets Plan law.⁴² DOT has also missed reporting deadlines required under the Streets Plan law.⁴³ This has raised concerns as to whether the Adams' administration will be able to meet the goals set forth in the NYC Streets Plan.⁴⁴ In addition, DOT also indicated that it would expect to be unable to build 150 miles of new bus lanes over four years, as promised by the Mayor when running for office.⁴⁵ DOT has blamed staff shortages for both planners and construction crews, as well as budgetary shortfalls, stating that the more than \$900 million devoted to the NYC Streets Plan is still less than the estimated

³⁶ *Id.*

³⁷ NYC Office of the Mayor, Press Release, "Mayor Adams Announces Historic Investment of More than \$900 Million in Traffic Safety to Turn the Tide on Traffic Violence Crisis," April 23, 2022, available at:

<https://www.nyc.gov/office-of-the-mayor/news/243-22/mayor-adams-historic-investment-more-900-million-traffic-safety-turn-the#/0>.

³⁸ NYC Office of the Mayor, Press Release, "Mayor Adams Unveils Street Safety Proposal, Two-Pronged Strategy to Address Critical Broadway Corridor, Site of Monday's Crash," June 23, 2022, available at: <https://www.nyc.gov/office-of-the-mayor/news/430-22/mayor-adams-street-safety-proposal-two-pronged-strategy-address-critical-broadway>.

³⁹ NYC DOT, "NYC Streets Plan," available at: <https://www.nyc.gov/html/dot/html/about/nyc-streets-plan.shtml>.

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² Jesse Coburn, "DOT Expects to Miss Targets for New Bus Lanes, Sources Say," *StreetsBlog* (Dec. 12, 2022), available at:

<https://nyc.streetsblog.org/2022/12/12/dot-will-miss-required-streets-plan-targets-for-new-bus-lane-miles-sources/>.

⁴³ Kevin Duggan, "Adams Administration Misses Key Street Safety Reporting Deadline," *StreetsBlog* (Feb. 10, 2023), available at:

<https://nyc.streetsblog.org/2023/02/10/adams-administration-misses-key-street-safety-reporting-deadline/>.

⁴⁴ *Id.*

⁴⁵ *Id.*

several billion dollars that it believes would be needed for full implementation.⁴⁶ However, a spokesperson for DOT noted that DOT intends to meet its 2023 goals under the NYC Streets Plan.⁴⁷

Mayor Adams' 2023 State of the City Address

More recently, Mayor Adams, in his 2023 State of the City address, called for a campaign to end traffic violence.⁴⁸ In his address, the Mayor called for:

- holding dangerous and reckless drivers accountable for their actions before they harm others;
- working with the State to advance new legislation called “Removing Offenders and Aggressive Drivers from our Street” (aka ROADS), which would increase penalties for serious crashes, running red lights, and impaired driving, while also revoking licenses of repeat offenders;
- expanding protected bike lanes;
- cracking down on illegal placards and placard abuse;
- ensuring swift and serious consequences for those who drive with a suspended or revoked license; and
- deploying more NYC Police Department tow trucks on streets in an effort to ticket and tow abandoned or illegally parked cars that block traffic and visibility, while enabling more effective use of delivery zones, bus lanes, and bike lanes for others.⁴⁹

LEGISLATIVE ANALYSIS

Analysis of Int. No. 679-A

Int. No. 679-A, sponsored by Council Member Rita C. Joseph, requires the DOT, in consultation with the Department for the Aging, to designate certain senior pedestrian zones in the City. This bill requires DOT to annually install at least one traffic calming device in each zone, and no less than 50 devices across all zones. This bill allows the Commissioner, after installing at least fifty devices across all zones, to determine to stop further installation in any zone and notify the Speaker of such determination. When any new zone is established or existing zone expanded, this bill requires DOT to evaluate the need for any new traffic calming devices in such zones. This bill also requires that DOT report to the Council by February 1, 2024 and annually thereafter on the locations where traffic calming devices have been installed.

If enacted, Int. No. 679-A would take effect immediately.

Analysis of Int. No. 805-A

Int. No. 805-A, sponsored by the Public Advocate (Mr. Williams), would require the DOT to accelerate the schedule on which the agency conducts the study of traffic crashes involving a pedestrian fatality or serious injury required by local law from every five years to every four years, and to provide such studies and plans arising from such studies to all Community Boards in addition to the Mayor and Speaker. This bill also requires DOT to submit reports concerning investigations undertaken by its crash investigation and analysis unit to the Speaker and to all Community Boards.

If enacted, Int. No. 805-A would take effect immediately.

⁴⁶ *Id.*

⁴⁷ *Id.*

⁴⁸ NYC Office of the Mayor, Transcript “Mayor Adams Outlines ‘Working People’s Agenda’ for NYC in Second State of the City Address,” January 26, 2023, available at: <https://www.nyc.gov/office-of-the-mayor/news/064-23/transcript-mayor-adams-outlines-working-people-s-agenda-nyc-second-state-the-city>.

⁴⁹ *Id.*

Analysis of Int. No. 854-A

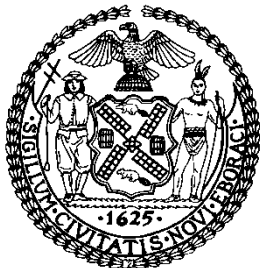
Int. No. 854-A, sponsored by Chair Selvena N. Brooks-Powers, requires that the DOT study safety benefits of daylighting and daylighting barriers, and implement daylighting at a minimum of 100 intersections a year beginning on January 1, 2025. This bill would also require DOT to install daylighting barriers in intersections where daylighting has been implemented, subject to the Commissioner's determination. This bill allows the Commissioner to determine to cease implementation of daylighting at 100 intersections a year on or after January 1, 2030 if additional daylighting would not meaningfully contribute to the safety of motorists, pedestrians, or cyclists and the Commissioner notifies the Speaker of such determination. This bill requires that DOT annually report on the locations at which daylighting has been implemented and discontinued.

If enacted, the Int. No. 854-A would take effect immediately.

UPDATE

On April 27, 2023, the Committee on Transportation and Infrastructure passed: Int. No. 679-A by a vote of 11 in the affirmative, zero in the negative, with zero abstentions; Int. No. 805-A by a vote of 11 in the affirmative, zero in the negative, with zero abstentions; Int. No. 854-A by a vote of eight in the affirmative, three in the negative, with zero abstentions; and Res. No. 460 by a vote of 11 in the affirmative, zero in the negative, with zero abstentions.

(The following is the text of the Fiscal Impact Statement for Int. No. 679-A:)



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

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

RICHARD LEE, FINANCE DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 679-A

COMMITTEE: Transportation and Infrastructure

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the installation of traffic calming devices in senior pedestrian zones.

SPONSOR(S): Council Members Joseph, Mealy, Louis, Restler, Hanif, Hudson, Sanchez, Won, Gutiérrez, Brannan, Riley, Schulman, Cabán, Farías, Avilés and Narcisse.

SUMMARY OF LEGISLATION: Proposed Intro. No. 679-A would require the Department of Transportation (DOT), in consultation with the Department for the Aging, to designate certain senior pedestrian zones in the City. DOT must annually install at least one traffic calming device in each zone, and no less than 50 devices across all zones. The Commissioner, after installing at least fifty devices across all zones, may determine to stop further installation in any zone and notify the Speaker of the Council of such determination. When any new zone is established or existing zone expanded, DOT shall evaluate the need for any new traffic calming devices in such zones. The bill requires that DOT report to the Council by February 1, 2024 and annually thereafter on the locations where traffic calming devices have been installed.

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2024

FISCAL IMPACT STATEMENT:

	Effective FY23	FY Succeeding Effective FY24	Full Fiscal Impact FY24
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is anticipated that 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 DOT will utilize existing resources.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Michael Sherman, Senior Financial Analyst

ESTIMATE REVIEWED BY: Jack Storey, Unit Head
Chima Obichere, Deputy Director
Jonathan Rosenberg, Managing Deputy Director
Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on September 14, 2022, as Intro. 679 and referred to the Committee on Transportation and Infrastructure (the Committee). A hearing was held by the Committee on February 14, 2023 and the bill was laid over. The legislation has been amended and the amended version, Proposed Intro. No. 679-A will be considered by the Committee on April 27, 2023. Upon a successful vote by the Committee, Proposed Intro. No. 679-A will be submitted to the full Council for a vote on April 27, 2023.

DATE PREPARED: April 25, 2023.

(For text of Int. Nos. 805-A and 854-A and their Fiscal Impact Statements, please see the Report of the Committee on Transportation and Infrastructure for Int. Nos. 805-A and 854-A, respectively, printed in these Minutes; for text of Res. No. 460, please see the Report of the Committee on Transportation and

Infrastructure printed in the voice-vote Resolutions calendar section of these Minutes; for text of Int. No. 679-A, please see below)

Accordingly, this Committee recommends the adoption of Int. Nos. 679-A, 805-A, 854-A, and Res. No. 460.

(The following is the text of Int. No. 679-A:)

Int. No. 679-A

By Council Members Joseph, Mealy, Louis, Restler, Hanif, Hudson, Sanchez, Won, Gutiérrez, Brannan, Riley, Schulman, Cabán, Fariás, Avilés, Narcisse, Rivera, Lee and Dinowitz.

A Local Law to amend the administrative code of the city of New York, in relation to the installation of traffic calming devices in senior pedestrian zones

Be it enacted by the council as follows:

Section 1. Subchapter three of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-183.1 to read as follows:

§ 19-183.1 Installation of traffic calming devices on streets in senior pedestrian zones. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Senior pedestrian zone. The term “senior pedestrian zone” means a geographic area designated by the commissioner, in consultation with the department for the aging, based on a consideration of factors, including but not limited to, the number of injuries to senior pedestrians in such area each year and the number of older adults residing in such area.

Traffic calming device. The term “traffic calming device” means a device, including but not limited to street redesigns, speed humps, neckdowns, and raised crosswalks, installed on a street and intended to slow, reduce, or alter motor vehicle traffic to enhance safety for pedestrians and cyclists.

b. Each year, the commissioner shall evaluate each senior pedestrian zone for installation of traffic calming devices, install at least one traffic calming device in each senior pedestrian zone, and install no less than 50 traffic calming devices across all senior pedestrian zones.

c. Notwithstanding subdivision b of this section, the commissioner shall not be required to install a traffic calming device where such installation would, in the commissioner’s judgment, endanger the safety of motorists, pedestrians, or cyclists, or otherwise not be in the public interest.

d. After at least 50 traffic calming devices have been installed in total across all senior pedestrian zones, the commissioner may cease installing traffic calming devices in any senior pedestrian zone where the commissioner determines such installation would not meaningfully contribute to the safety of motorists, pedestrians, or cyclists. The commissioner shall inform the speaker of the council in writing of such determination and the reasons therefore, and shall specify the senior pedestrian zone or zones where the installation of traffic calming devices has ceased; provided, however, that the commissioner may continue to install traffic calming devices in senior pedestrian zones after such determination, at the commissioner’s discretion. Notwithstanding the foregoing, the department shall evaluate the need to install one or more traffic calming devices in any senior pedestrian zone newly established, or expanded after the date of any such determination.

e. On or before February 1, 2024, and annually thereafter, the commissioner shall submit to the speaker of the council a report detailing the locations where a traffic calming device has been installed pursuant to this section during the prior calendar year. The information required by such report may be submitted as part of the update required to be submitted by paragraph 2 of subdivision d of section 19-199.1 of this code. Notwithstanding the foregoing, such report shall not be required if the commissioner has determined to cease installation of traffic calming devices in all senior pedestrian zones pursuant to subdivision d of this section.

§ 2. This local law takes effect immediately.

SELVENA N. BROOKS-POWERS, *Chairperson*; FARAH N. LOUIS, CARLINA RIVERA, AMANDA FARIAS, LINDA LEE, MERCEDES NARCISSE, LINCOLN RESTLER, NANTASHA M. WILLIAMS, ARI KAGAN, DAVID M. CARR, JOANN ARIOLA; 11-0-0; *Absent*: Julie Won and Kalman Yeger; Committee on Transportation and Infrastructure, April 27, 2023. *Also Attending: The Public Advocate (Mr. Williams).*

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

Report for Int. No. 805-A

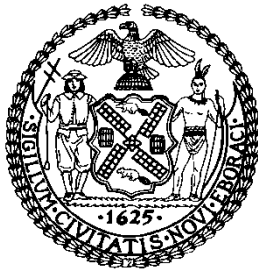
Report of the Committee on Transportation and Infrastructure in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to pedestrian safety reporting.

The Committee on Transportation and Infrastructure, to which the annexed proposed amended local law was referred on October 27, 2022 (Minutes, page 2632), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Transportation and Infrastructure for Int. No. 679-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 805-A:



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

PROPOSED INTRO. NO: 805-A

COMMITTEE: Transportation and Infrastructure

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to pedestrian safety reporting.

SPONSOR(S): The Public Advocate (Mr. Williams) and Council Members Avilés, Restler, Louis, Yeger, Schulman, Cabán, Farías, Hudson, Joseph and Narcisse.

SUMMARY OF LEGISLATION: Proposed Intro. No. 805-A would require the Department of Transportation (DOT) to accelerate the schedule on which the agency conducts the study of traffic crashes involving a pedestrian fatality or serious injury required by local law from every five years to every four years, and to provide such studies and plans arising from such studies to all Community Boards in addition to the Mayor and Speaker of the Council. DOT would also be required to submit reports concerning investigations undertaken by its crash investigation and analysis unit to the Speaker and to all Community Boards.

EFFECTIVE DATE: This local law shall take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2024

FISCAL IMPACT STATEMENT:

	Effective FY23	FY Succeeding Effective FY24	Full Fiscal Impact FY24
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is anticipated that 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 DOT will utilize existing resources.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Michael Sherman, Senior Financial Analyst

ESTIMATE REVIEWED BY: Jack Storey, Unit Head
Chima Obichere, Deputy Director
Jonathan Rosenberg, Managing Deputy Director
Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on October 27, 2022, as Intro. 805 and referred to the Committee on Transportation and Infrastructure (the Committee). A hearing was held by the Committee on February 14, 2023 and the bill was laid over. The legislation has been amended and the amended version, Proposed Intro. No. 805-A will be considered by the Committee on April 27, 2023. Upon a successful vote by the Committee, Proposed Intro. No. 805-A will be submitted to the full Council for a vote on April 27, 2023.

DATE PREPARED: April 25, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 805-A:)

Int. No. 805-A

By the Public Advocate (Mr. Williams) and Council Members Avilés, Restler, Louis, Yeger, Schulman, Cabán, Farías, Hudson, Joseph, Narcisse, Rivera, Sanchez, Lee, Dinowitz and Mealy.

A Local Law to amend the administrative code of the city of New York, in relation to pedestrian safety reporting

Be it enacted by the Council as follows:

Section 1. Subdivisions a and b of section 19-182 of the administrative code of the city of New York, subdivision a as amended by local law number 12 for the year 2011, subdivision b as amended by local law number 127 for the year 2013, are amended to read as follows:

a. Every [five] four years, the department shall conduct a comprehensive study of all traffic crashes involving a pedestrian fatality or serious injury for the most recent [five] *four* years where traffic crash data is available. In each such study, the department shall analyze the conditions and factors associated with each such traffic crash and identify common factors among the crashes, if any. The department shall use such studies to develop strategies to improve pedestrian safety, which may include modifying citywide traffic operations policy, developing pedestrian safety strategies geared towards specific users, including, but not limited to, installation of audible pedestrian signals and other devices to assist those with sight, hearing and mobility impairments, prioritizing locations and/or types of roadways or intersections for safety improvements and making recommendations for improving safety at such locations.

b. The first comprehensive traffic study and plans, including a schedule for implementing strategies for improving pedestrian safety generated by such study, shall be submitted to the mayor and speaker of the council and posted on the department's official website by the thirtieth day of november, two thousand and fifteen. Subsequent studies and plans shall be submitted to the mayor, [and] speaker of the council, *and community boards* and posted on the department's official website every [five] *four* years thereafter by the thirtieth of november [in such years].

§ 2. Subdivision d of Section 19-182.3 of the administrative code of the city of New York, as added by local law number 49 for the year 2021, is amended to read as follows:

d. Reporting. No later than April 30, 2022, and every three months thereafter, the department shall post on its website *and send to the speaker of the council and community boards* a report with information on each investigation completed during the preceding three month period ending thirty days prior. Nothing contained in this subdivision shall be construed to inhibit or interfere with the ability of the police department to pursue criminal investigations, or as otherwise conflicting with any obligation under the vehicle and traffic law regarding the investigation of vehicle crashes. Furthermore, nothing required to be reported by this subdivision shall be reported in a manner that would reveal the identity of a person or persons involved in a serious vehicular crash. Each such report shall include, but need not be limited to, the following:

1. The total number of investigations completed;
2. All evidence and data collected pursuant to each investigation;
3. Determinations as to fault, including any potential criminal wrongdoing;
4. Any factors that may have contributed to each crash, or increased or mitigated the severity of each such crash; and
5. Whether changes to street design or improvements to infrastructure could reduce the risk of subsequent serious vehicular crashes, at each crash location or other similar locations, and a recommendation as to any such changes or improvements that should be made.

§ 3. This local law takes effect immediately.

SELVENA N. BROOKS-POWERS, *Chairperson*; FARAH N. LOUIS, CARLINA RIVERA, AMANDA FARIAS, LINDA LEE, MERCEDES NARCISSE, LINCOLN RESTLER, NANTASHA M. WILLIAMS, ARI KAGAN, DAVID M. CARR, JOANN ARIOLA; 11-0-0; *Absent*: Julie Won and Kalman Yeger; Committee on Transportation and Infrastructure, April 27, 2023. *Also Attending: The Public Advocate (Mr. Williams).*

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

Report for Int. No. 854-A

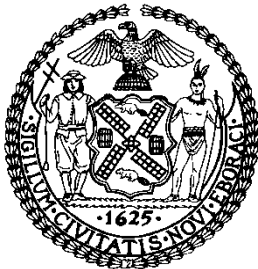
Report of the Committee on Transportation and Infrastructure in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to new daylighting measures.

The Committee on Transportation and Infrastructure, to which the annexed proposed amended local law was referred on December 21, 2022 (Minutes, page 3056), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Transportation and Infrastructure for Int. No. 679-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 854-A:



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

PROPOSED INTRO. NO: 854-A

COMMITTEE: Transportation and Infrastructure

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to new daylighting measures.

SPONSOR(S): Council Members Brooks-Powers, Louis, Joseph, Hanif, Restler, Abreu, Cabán, Richardson Jordan, Won Schulman, Farías, Ossé, Hudson and Narcisse (in conjunction with the Manhattan Borough President).

SUMMARY OF LEGISLATION: Proposed Intro. No. 854-A would require that no later than May 1, 2024, the Department of Transportation (DOT) complete a study of the safety benefits provided by daylighting and post such study on the department's website. Also, beginning January 1, 2025, each year DOT would be required to implement daylighting at a minimum of 100 intersections where daylighting is not already implemented and

install daylighting barriers at intersections where daylighting has been implemented, subject to the Commissioner’s determination. However, the Commissioner may determine to cease implementation of daylighting at 100 intersections a year on or after January 1, 2030 if additional daylighting would not meaningfully contribute to the safety of motorists, pedestrians, or cyclists and the Commissioner notifies the Speaker of the Council of such determination. DOT must annually report on the locations at which daylighting has been implemented and discontinued.

EFFECTIVE DATE: This local law shall take effect immediately

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2024

FISCAL IMPACT STATEMENT:

	Effective FY23	FY Succeeding Effective FY24	Full Fiscal Impact FY24
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is anticipated that 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 DOT will utilize existing resources.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Michael Sherman, Senior Financial Analyst

ESTIMATE REVIEWED BY: Jack Storey, Unit Head
Chima Obichere, Deputy Director
Jonathan Rosenberg, Managing Deputy Director
Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on December 21, 2022, as Intro. 854 and referred to the Committee on Transportation and Infrastructure (the Committee). A hearing was held by the Committee on February 14, 2023 and the bill was laid over. The legislation has been amended and the amended version, Proposed Intro. No. 854-A will be considered by the Committee on April 27, 2023. Upon a successful vote by the Committee, Proposed Intro. No. 854-A will be submitted to the full Council for a vote on April 27, 2023.

DATE PREPARED: April 25, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 854-A:)

Int. No. 854-A

By Council Members Brooks-Powers, Louis, Joseph, Hanif, Restler, Abreu, Cabán, Richardson Jordan, Won, Schulman, Fariás, Ossé, Hudson, Narcisse, Rivera, Avilés, Sanchez and Mealy (in conjunction with the Manhattan Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to new daylighting measures

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-175.8 to read as follows:

§ 19-175.8 Daylighting program. a. Definitions. As used in this section, the following terms have the following meanings:

Daylighting. The term “daylighting” means street design elements for enhancing visibility of cross traffic and pedestrians for motorists approaching an intersection.

Daylighting barrier. The term “daylighting barrier” means a physical object that prevents vehicles from occupying the portion of a city street where daylighting has been implemented pursuant to this section, but that does not obstruct visibility for motorists, pedestrians, and cyclists, such as planters or bicycle corrals.

High priority intersection. The term “high priority intersection” means an intersection designated by the commissioner based on a consideration of factors, including but not limited to the number of serious vehicular crashes occurring at such intersection each year.

Serious vehicular crash. The term “serious vehicular crash” means any collision between a motor vehicle and a pedestrian, cyclist, motorist or any other person that results in significant injury to or the death of any person.

Significant injury. The term “significant injury” means any injury categorized as an “A” injury by the New York state department of motor vehicles, or any injury which requires hospitalization, or any other injury as determined by the department.

b. No later than May 1, 2024, the department shall complete a study of the safety benefits provided by daylighting and post such study on the department’s website. Such study shall include, but need not be limited to:

1. An assessment of the types of intersections where the implementation of daylighting or daylighting barriers is most effective at enhancing safety; and

2. A description of the factors that should be considered to determine whether daylighting or daylighting barriers should be implemented at an intersection, including but not limited to whether an intersection is a high priority intersection.

c. Beginning January 1, 2025, each year the department shall implement daylighting at a minimum of 100 intersections where daylighting is not already implemented. Such intersections shall be determined by the department based on a consideration of the factors described pursuant to paragraph 2 of subdivision b of this section.

d. Whenever the commissioner determines it is feasible and will meaningfully contribute to the safety of motorists, pedestrians, or cyclists, in addition to daylighting an intersection, the department shall install daylighting barriers within that portion of the street where daylighting has been implemented in order to prevent vehicles from occupying the space.

e. Notwithstanding subdivision c of this section, the commissioner shall not be required to install daylighting at any intersection where such installation would, in the commissioner’s judgement, endanger the safety of motorists, pedestrians, or cyclists, or otherwise not be in the public interest based on a consideration of the factors described pursuant to paragraph 2 of subdivision b of this section.

f. The commissioner may cease the implementation of daylighting as provided in subdivision c of this section on or after January 1, 2030, provided that the commissioner determines that such implementation would not meaningfully contribute to the safety of motorists, pedestrians, or cyclists. The department shall inform the speaker of the council in writing of such determination and the reasons therefore; provided, however, that the

commissioner may continue to install daylighting at any intersection after such determination, at the commissioner's discretion.

g. No later than February 1, 2026, and annually thereafter, the commissioner shall submit to the mayor and the speaker of the council, and post on the department's website, a report on the implementation of daylighting during the prior year pursuant to this section. Such report shall include, but need not be limited to:

1. Every intersection, disaggregated by borough and council district, at which the department implemented daylighting during the prior year; and

2. Every intersection, disaggregated by borough, at which the department discontinued or removed daylighting during the prior year, and an explanation describing the reason for such discontinuance or removal.

h. The report required by subdivision g of this section may be submitted as part of the update required to be submitted pursuant to paragraph 2 of subdivision d of section 19-199.1 of this code, provided that such report shall not be required following a determination to cease the implementation of daylighting pursuant to subdivision f of this section.

§ 2. This local law takes effect immediately.

SELVENA N. BROOKS-POWERS, *Chairperson*; FARAH N. LOUIS, CARLINA RIVERA, AMANDA FARIAS, LINDA LEE, MERCEDES NARCISSE, LINCOLN RESTLER, NANTASHA M. WILLIAMS; 8-3-0; *Negative*: Joann Ariola, David M. Carr, and Ari Kagan; *Absent*: Julie Won and Kalman Yeger; Committee on Transportation and Infrastructure, April 27, 2023. *Also Attending: The Public Advocate (Mr. Williams).*

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

GENERAL ORDERS CALENDAR

Report for L.U. No. 181 & Res. No. 603

Report of the Committee on Land Use in favor of approving, as modified, Application number C 200232 ZMQ (25-46 Far Rockaway Blvd Rezoning) submitted by Queens Realty Holdings of NY LTD, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 31a, by changing an existing R4-1 District to an R6B District, Borough of Queens, Community District 14, Council District 31.

The Committee on Land Use, to which the annexed Land Use item was referred on April 11, 2023 (Minutes, page 1005) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:**SUBJECT****QUEENS CB-14 - TWO APPLICATIONS RELATED TO 25-46 FAR ROCKAWAY BOULEVARD REZONING****C 220232 ZMQ (Pre. L.U. No. 181)**

City Planning Commission decision approving an application submitted by Queens Realty Holdings of NY LTD (the "Applicant"), pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 31a, by changing an existing R4-1 District to an R6B District property bounded by Ocean Crest Boulevard, a line 115 feet northeasterly of Hartman Lane, Beach Channel Drive, a line 80 feet northeasterly of Hartman Lane, Far Rockaway Boulevard, Hartman Lane, as shown on a diagram (for illustrative purposes only) dated November 7, 2022, and subject to the conditions of CEQR Declaration E-676.

N 220330 ZRQ (Pre. L.U. No. 182)

City Planning Commission decision approving an application submitted by Queens Realty Holdings of NY LTD, 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.

INTENT

To approve a lower density district than requested by Applicant and amend the zoning map to change part of a R4-1 District to an R5D District, which would facilitate the development of a new four-story residential building located at 25-46 Far Rockaway Boulevard in the Far Rockaway neighborhood of Queens, Community District 14.

PUBLIC HEARING**DATE:** March 23, 2023**Witnesses in Favor:** Two**Witnesses Against:** One**SUBCOMMITTEE RECOMMENDATION****DATE:** April 19, 2023

The Subcommittee recommends that the Land Use Committee approve with modifications the decision of the City Planning Commission on Pre. L.U. No. 181 and approve the motion to file Pre. L.U. 182, based on Applicant's withdrawal of the application.

In Favor:

Riley
Moya
Louis
Abreu
Bottcher
Hanks
Schulman
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** April 20, 2023

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Moya
Louis
Riley
Abreu
Brooks-Powers
Bottcher
Hanks
Krishnan
Borelli

Against:

None

Abstain:

None

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The City Planning Commission filed a letter dated _____, 2023, with the Council on _____, 2023, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 603

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 220232 ZMQ, a Zoning Map amendment (Pre. L.U. No. 181).

By Council Members Salamanca and Riley.

WHEREAS, Queens Realty Holdings of NY LTD, 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. 31a, by changing an existing R4-1 District to an R6B District, which in conjunction with the related action would facilitate the development of a new five-story residential building located at 25-46 Far Rockaway Boulevard in the Far Rockaway neighborhood of Queens, Community District 14 (ULURP No. C 220232 ZMQ) (the "Application");

WHEREAS, the Application is related to application N 220330 ZRQ (Pre. L.U. No. 182), a zoning text amendment to establish a Mandatory Inclusionary Housing (MIH) area;

WHEREAS, the City Planning Commission filed with the Council on March 22, 2023 its decision dated March 15, 2023 (the "Decision") on the Application;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on March 23, 2023;

WHEREAS, applicant submitted a letter, dated April 12, 2023, withdrawing related application N 220330 ZRQ (Pre. L.U. No. 182);

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 November 7, 2022 (CEQR No. 20DCP053Q) (the "Negative Declaration"), which includes an (E) designation for significant adverse impacts related to hazardous materials, air quality, and noise (E-676).

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment.

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 220232 ZMQ, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission with the following modifications:

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

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 31a, by changing an existing R4-1 District to an ~~R6B~~ R5D District property bounded by ~~Ocean Crest Boulevard, a line 115 feet northeasterly of Hartman Lane,~~ Beach Channel Drive, a line 80 feet northeasterly of Hartman Lane, Far Rockaway Boulevard, and Hartman Lane, as shown on a diagram (for illustrative purposes only) dated November 7, 2022, and subject to the conditions of CEQR Declaration E-676.

RAFAEL SALAMANCA, Jr., Chairperson; FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, ERIK D. BOTTCHER, KAMILLAH HANKS, SHEKAR KRISHNAN, JOSEPH C. BORELLI; 10-0-0; *Absent:* Darlene Mealy and Pierina Ana Sanchez; *Maternity:* Carlina Rivera; April 20, 2023; Committee on Land Use, April 20, 2023.

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

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

- | | |
|--------------------------------------|--|
| (1) Int 190-A - | Distribution of a statement of rights for persons experiencing homelessness and residing in shelter. |
| (2) Int 273-B - | Police officers to receive training related to recognizing and interacting with individuals with autism spectrum disorder. |
| (3) Int 679-A - | Installation of traffic calming devices in senior pedestrian zones. |
| (4) Int 704-A - | Receipt of rental assistance payments. |
| (5) Int 805-A - | Pedestrian safety reporting. |
| (6) Int 854-A - | New daylighting measures. |
| (7) Int 891-A - | Charitable organizations to conduct games of chance at professional sporting venues, and to repeal subdivision 8. |
| (8) Int 984-A - | Eliminating certain outdated and unnecessary temporary programs and pilot programs, unconstitutional provisions and other outdated and unnecessary provisions. |
| (9) Int 986-A - | Eliminating certain outdated and unnecessary advisory boards, task forces and commissions. |
| (10) Int 1004-A - | Eliminating certain reporting requirements selected for waiver by the report and advisory board review commission and amending certain outdated and unnecessary reports and studies. |
| (11) Preconsidered Res 575 - | New designation and changes in the designation of certain organizations to receive funding in the Expense Budget (Transparency Resolution). |
| (12) L.U. 181 & Res 603 - | App. C 200232 ZMQ (25-46 Far Rockaway Blvd Rezoning Borough of Queens) , Community District 14, Council District 31. |

- (13) **L.U. 182 & Res 601 -** **App. N 220330 ZRQ (25-46 Far Rockaway Blvd Rezoning)** Borough of Queens, Community District 14, Council District 31 **(Coupled to be Filed pursuant to a Letter of Withdrawal).**
- (14) **L.U. 183 & Res 602 -** **App. C 230006 ZMQ (245-06 South Conduit Avenue Commercial Overlay)** Borough of Queens, Community District 13, Council District 31.
- (15) **Preconsidered**
L.U. 192 & Res 593 - 834 Riverside Drive, Manhattan, Community District No. 12, Council District No. 7.
- (16) **Preconsidered**
L.U. 193 & Res 594 - Taino Towers, Manhattan, Community District No. 11, Council District No. 8.
- (17) **Preconsidered**
L.U. 194 & Res 595 - Taino Towers-Building 1, Manhattan, Community District No. 11, Council District No. 8.
- (18) **Preconsidered**
L.U. 195 & Res 596 - Taino Towers-Building 2, Manhattan, Community District No. 11, Council District No. 8.
- (19) **Preconsidered**
L.U. 196 & Res 597 - Taino Towers-Building 3, Manhattan, Community District No. 11, Council District No. 8.
- (20) **Preconsidered**
L.U. 197 & Res 598 - Taino Towers-Building 4, Manhattan, Community District No. 11, Council District No. 8.
- (21) **Preconsidered**
L.U. 198 & Res 599 - West 148th Street, Manhattan, Community District No. 10, Council District No. 9.
- (22) **Preconsidered**
L.U. 199 & Res 600 - St. Matthew & St. Timothy's Apartments, Manhattan, Community District No. 7, Council District No. 6.

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, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Vernikov, Williams, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **47**.

The General Order vote recorded for this Stated Meeting was 47-0-0 as shown above with the exception of the votes for the following legislative items:

The following was the vote recorded for **Int. No. 273-B**:

Affirmative – Abreu, Ariola, Ayala, Bottcher, Brannan, Brewer, Brooks-Powers, Carr, De La Rosa, Dinowitz, Farías, Feliz, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Vernikov, Williams, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **42**.

Negative – Aviles, Barron, Gutierrez, Hanif, and Nurse - **5**.

The following was the vote recorded for **Int. No. 854-A**:

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

Negative – Ariola, Carr, Kagan, Paladino, Vernikov, Yeger, and the Minority Leader (Council Member Borelli) - **7**.

The following was the vote recorded for **L.U. No. 181 & Res. No. 603**:

Affirmative – Abreu, Ariola, Avilés, Ayala, Bottcher, Brannan, Brewer, Brooks-Powers, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Vernikov, Williams, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **46**.

Negative – Barron - **1**.

*The following Introductions were sent to the Mayor for his consideration and approval:
Int. Nos. 190-A, 273-B, 679-A, 704-A, 805-A, 854-A, 891-A, 984-A, 986-A, and 1004-A.*

RESOLUTIONS

Presented for voice-vote

The following are the respective Committee Reports for each of the Resolutions referred to the Council for a voice-vote pursuant to Rule 8.50 of the Council:

Report for voice-vote item Res. No. 460

Report of the Committee on Transportation and Infrastructure in favor of approving a Resolution calling on the New York State Legislature and Governor to fully fund the Metropolitan Transportation Authority (MTA) in the State's upcoming Fiscal Year 2024 Budget in an effort to ensure that: public transit riders have effective, affordable public transportation; the MTA maintains fiscal stability in the face of a looming fiscal cliff; and the MTA operate more frequent bus and train service statewide.

The Committee on Transportation and Infrastructure, to which the annexed resolution was referred on January 19, 2023 (Minutes, page 270), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Transportation and Infrastructure for Int. No. 679-A printed in the Reports of the Standing Committees section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 460:)

Res. No. 460

Resolution calling on the New York State Legislature and Governor to fully fund the Metropolitan Transportation Authority (MTA) in the State's upcoming Fiscal Year 2024 Budget in an effort to ensure that: public transit riders have effective, affordable public transportation; the MTA maintains fiscal stability in the face of a looming fiscal cliff; and the MTA operate more frequent bus and train service statewide.

By Council Members Farías, Louis, Menin, Hanif, Restler, Holden, Won, Cabán, Marte, Ung, Moya, Hudson, Nurse, Ayala, Krishnan, Sanchez, Abreu, Gutiérrez, Joseph, Ossé, Williams, Avilés, Riley, Stevens, Narcisse, Richardson Jordan, Schulman, Brannan, Feliz, Velázquez, Salamanca, De La Rosa, Brooks-Powers, Bottcher, Lee, Powers, Dinowitz and Hanks.

Whereas, The Metropolitan Transportation Authority (MTA) operates critical transit service for millions of New Yorkers, including for those in New York City (NYC); and

Whereas, As of November 22, 2022, daily subway ridership was estimated to be about 3.54 million riders, just 60.8% of comparable ridership pre-pandemic on the same day, and daily bus ridership was estimated to be about 1.23 million riders, just 53.7% of comparable ridership pre-pandemic on the same day; and

Whereas, More than two years into the COVID-19 pandemic, weekday ridership has continued to remain almost half of pre-pandemic levels, helping deprive the MTA of billions in farebox revenue annually, with the MTA projecting that, at its current pace of spending and ridership, it will lose almost \$4 billion in expected fare and toll revenue through 2026; and

Whereas, As federal aid runs out, the MTA, with proposed actions, faces an annual budget fiscal cliff of \$1.2 billion starting in 2024 and 2025, and \$1.6 billion in 2026, which could threaten thousands of jobs and reduce service for millions of daily subway and bus riders; and

Whereas, In addition, the New York State Comptroller Thomas DiNapoli has warned of “serious structural budgetary imbalance” in the MTA, of which the MTA must address, as the more money required to fill budget gaps, the higher strain on the MTA’s capital plan to update and repair the systems; and

Whereas, Fully funding the MTA in the State budget during this looming budget crisis could: prevent future service cuts and delays, which might further depress farebox revenue; and ensure the fiscal stability of the MTA in the future; and

Whereas, In October of 2021, former-NYC Comptroller Scott Stringer published transit data and recommendations regarding the COVID-19 pandemic’s impacts on the City’s workforce and commuting patterns; and

Whereas, The recommendations made included the following: calling on Congress to pass the “Stronger Communities through Better Transit” Act; re-balancing the 12-county Metropolitan Commuting Transit District gas tax; calling on the NYC Department of Transportation to add 35 miles of dedicated bus lanes and busways per year; and calling on the MTA to implement the “New York City in Six” plan; and

Whereas, The “New York City in Six” plan, which is also supported by the Riders Alliance, would cost about \$300 million in operating funds in the next State budget, and would increase subway, bus and commuter rail frequencies all day, every day, such that each subway line and the 100 highest ridership bus routes run at a minimum of every six minutes throughout the day, seven days a week; and

Whereas, This plan, along with other investments and recommendations, could both stabilize and expand transit operations, while decreasing the average time of service on subways and buses, with some predictions citing that the “New York City in Six” plan could result in a 15% rise in system wide ridership, and thus, increased farebox revenue; and

Whereas, As the City struggles to recover, advance equity, and fight climate change, New York needs to leverage existing transit infrastructure and operations to ensure that the MTA and the City has effective, reliable and affordable transit options; now, therefore be it

Resolved, That the Council of the City of New York calling on the New York State Legislature and Governor to fully fund the Metropolitan Transportation Authority (MTA) in the State’s upcoming Fiscal Year 2024 Budget in an effort to ensure that: public transit riders have effective, affordable public transportation; the MTA maintains fiscal stability in the face of a looming fiscal cliff; and the MTA operate more frequent bus and train service statewide.

SELVENA N. BROOKS-POWERS, *Chairperson*; FARAH N. LOUIS, CARLINA RIVERA, AMANDA FARIAS, LINDA LEE, MERCEDES NARCISSE, LINCOLN RESTLER, NANTASHA M. WILLIAMS, ARI KAGAN, DAVID M. CARR, JOANN ARIOLA; 11-0-0; *Absent*: Julie Won and Kalman Yeger; Committee on Transportation and Infrastructure, April 27, 2023. *Others Attending: The Public Advocate (Mr. Williams).*

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 no objections, the Majority Leader and Acting President Pro Tempore (Council Member Powers) declared the Resolution to be adopted.

Adopted unanimously by the Council by voice-vote.

Report for voice-vote item Res. No. 487

Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations in favor of approving a Resolution recognizing April 29 as End Jew Hatred Day annually in the City of New York.

The Committee on Cultural Affairs, Libraries and International Intergroup Relations, to which the annexed resolution was referred on February 2, 2023 (Minutes, page 436), respectfully

REPORTS:

On Tuesday, April 25, 2023, the Committee on Cultural Affairs, Libraries and International Intergroup Relations, chaired by Council Member Chi Ossé, will hold a hearing and vote on Resolution Number (Res. No.) 487, sponsored by Council Member Inna Vernikov, recognizing April 29 as End Jew Hatred Day annually in the City of New York. Witnesses invited to testify include advocates, interested stakeholders, and other members of the public.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 487:)

Res. No. 487

Resolution recognizing April 29 as End Jew Hatred Day annually in the City of New York.

By Council Members Vernikov, Yeger, Menin, Gennaro, Richardson Jordan, Dinowitz, Holden, Lee, Louis, Carr, Ariola, Borelli, Kagan and Paladino.

Whereas, The Anti-Defamation League's 2021 Audit of Anti-Semitic Incidents reported that a record high of 2,717 anti-Jewish acts had occurred in the United States (U.S.); and

Whereas, These 2,717 incidents averaged out to more than seven incidents per day, representing a 34 percent increase in acts of harassment, vandalism, and assault since 2020; and

Whereas, In 2021, the Anti-Defamation League noted that these 2,717 anti-Semitic incidents had occurred in all 50 states and was the highest number on record since the Anti-Defamation League began recording reports of such incidents in 1979; and

Whereas, The Anti-Defamation League found the highest number of incidents in 2021 to have taken place in New York State, which reported 416 such incidents, followed by New Jersey State, which reported 370 such incidents; and

Whereas, In 2021, 51 anti-Jewish assaults were recorded in New York City (NYC), representing a 325 percent increase over the previous year; and

Whereas, According to Americans Against Antisemitism, 194 cases of anti-Jewish hate crime assaults occurred in NYC between April 2018 and August 2022; and

Whereas, According to Americans Against Antisemitism, 94 percent of anti-Jewish assaults targeted Jews who were dressed in religiously identifiable attire; and

Whereas, In 2021, there were more assaults on Jews in Brooklyn than anywhere else in America; and

Whereas, End Jew Hatred is a global network of grassroots, non-partisan civil rights activists and supporters dedicated to promoting justice for the Jewish people by taking action to raise awareness against the growing threat of hate crimes and antisemitism; and

Whereas, According to the 2020 U.S. Census, Judaism is the second-largest religion practiced in NYC, with an estimated 1.6 million Jews comprising approximately 18 percent of NYC's population; and

Whereas, According to the U.S. Census, while nearly half of NYC's Jews live in the borough of Brooklyn, the Jewish community within the five boroughs of NYC represents the largest Jewish community of any city in the world and is greater than the combined totals of Jews living in Tel Aviv and Jerusalem; and

Whereas, An End Jew Hatred Day proclamation was signed into law in New York State on April 29, 2022, by New York State Senator Elijah Reichlin-Melnick; and

Whereas, The Nassau County Legislature declared that End Jew Hatred Day will be recognized annually on April 29; and

Whereas, In October 2022, local and State elected officials and Jewish community leaders gathered at the Center for Jewish History in Manhattan to proclaim that End Jew Hatred Day in NYC should be recognized annually on April 29; now, therefore be it

Resolved, That the Council of the City of New York recognizes April 29 annually as End Jew Hatred Day in the City of New York.

CHI A. OSSÉ, *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, ERIC DINOWITZ, AMANDA FARÍAS, CRYSTAL HUSDON, SANDRA UNG; 7-0-1, *Absent*: Rita Joseph; *Abstain*: Shahana K. Hanif; Committee on Cultural Affairs, Libraries and International Intergroup Relations, April 25 2023. *Other Council Members Attending: Council Member Vernikov.*

Pursuant to Rule 8.50 of the Council, 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 2 Council Members formally noted their intention to vote negative against this item: Council Members Hanif and Nurse.

The following 4 Council Members formally noted their intention to abstain from voting on this item: Council Members Avilés, Barron, Gutiérrez, and Joseph.

Adopted by the Council by voice-vote.

Report for voice-vote item Res. No. 566

Report of the Committee on Governmental Operations in favor of a Resolution approving the Report and Advisory Board Review Commission's determination recommending waiver of eight reporting requirements that was communicated to the City Council on January 24, 2023.

The Committee on Governmental Operations, to which the annexed resolution was referred on April 11, 2023 (Minutes, page 996), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Governmental Operations for Int. No. 1004-A printed in the Reports of the Standing Committees section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 566:)

Res. No. 566

Resolution approving the Report and Advisory Board Review Commission's determination recommending waiver of eight reporting requirements that was communicated to the City Council on January 24, 2023.

By Council Members Ung, Hudson and Narcisse.

Whereas, On November 2, 2010, the voters of the City of New York approved a series of revisions to the New York City Charter, including the addition of section 1113, which established the Report and Advisory Board Review Commission (RABRC); and

Whereas, Pursuant to section 1113, the RABRC has the power and duty to review all requirements in the New York City Charter, the Administrative Code of the City of New York and the unconsolidated local laws of the City of New York mandating the issuance of reports by public agencies, officers or employees; and

Whereas, Under section 1113, the RABRC also has the power, subject to the approval of the City Council, to waive any such reporting requirement and thereby cause the relevant report to cease to be required by law; and

Whereas, Section 1113 provides that, following a determination by the RABRC to waive any reporting requirement, the City Council may approve or disapprove such determination by the affirmative vote of a majority of all the Council Members; and

Whereas, Section 1113 further provides that any such disapproval by the Council shall be final unless the Mayor files a written veto of the Council's action, which may be overridden by a two-thirds vote of all the Council Members; and

Whereas, On January 11, 2023, the RABRC made determinations to waive the following eight reporting requirements: the Shipboard Gambling Report as required by §20-9017 of the administrative code of the city of New York; the report on Other Wholesale Markets as required by §22-269 of the administrative code of the city of New York; the Seafood Distribution Areas/Fulton Fish Market Report as required by §22-226 of the administrative code of the city of New York; the report on Directory Assistance Calls as required by §1075(c) of the New York city charter; the report on Service Request Calls as required by §1075(b) of the New York city charter; the Small Purchases Report as required by §314(b) of the New York city charter; the Article 214 Closings Report as required by §28-214.1.6 of the administrative code of the city of New York; and the Neighborhood Slow Zones Report as required by §19-177(d)(2) of the administrative code of the city of New York;

Whereas, On January 24, 2023, the RABRC communicated such determinations to the City Council by submitting a written statement of each determination along with the rationale therefor; now, therefore, be it

Resolved, That the Council of the City of New York approves the Report and Advisory Board Review Commission's determination recommending waiver of eight reporting requirements that was communicated to the City Council on January 24, 2023.

SANDRA UNG, *Chairperson*; GALE A. BREWER, SHAHANA K. HANIF, LINCOLN RESTLER, LYNN C. SCHULMAN; 5-0-0; Committee on Governmental Operations, April 27, 2023.

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 no objections, the Majority Leader and Acting President Pro Tempore (Council Member Powers) declared the Resolution to be adopted.

Adopted unanimously by the Council by voice-vote.

INTRODUCTION AND READING OF BILLS

Int. No. 1005

By Council Members Ayala, Richardson Jordan, Louis, Farías, Hudson, Restler, Brewer and Ung.

A Local Law to amend the administrative code of the city of New York, in relation to eligibility requirements for renewals of rental assistance vouchers

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 21-145 of the administrative code of the city of New York, as added by local law number 71 for the year 2021, is amended to read as follows:

b. Eligibility. Subject to [the] appropriation, a household or individual will continue to receive [additional] annual renewals of their vouchers [after the fifth year] in the CityFHEPS rental assistance program if they continue to meet the [requirements set forth in title 68 chapter 10-08 of the rules of the city of New York] *initial eligibility requirements established by department by rule. The department may not impose any additional eligibility requirements to receive annual renewals other than requiring the individual or household to establish that the individual or household continues to meet the initial eligibility requirements.*

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

Referred to the Committee on General Welfare.

Int. No. 1006

By Council Members Bottcher, Lee, Powers, Riley, Rivera, Louis, Farías, Restler, Hanif, Hudson, Ayala, Holden, Brewer, Ung, Joseph and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to providing outreach and education regarding mental health services available through NYC Care and through the New York city health and hospitals corporation

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 17-199.20 to read as follows:

§ 17-199.20 *Mental health services outreach and education. a. Definition. For the purposes of this chapter, the term “NYC Care” means the health care access program initially established by the New York city health and hospitals corporation in August 2019 that guarantees low-cost and no-cost services to New Yorkers who do not qualify for or cannot afford health insurance based on federal guidelines, or any other successor program.*

b. Outreach and education. 1. The department, in consultation with the New York city health and hospitals corporation, the mayor’s office of community mental health, and other relevant agencies, shall establish and implement an outreach and education campaign to raise public awareness about the mental health services available to members of NYC Care and through the New York city health and hospital corporation. As part of such campaign, the department shall develop and distribute materials in both electronic and print format detailing such mental health services and how such services may be accessed.

2. The outreach and education campaign required by paragraph 1 of this subdivision shall be conducted via the internet, television, radio, and print media.

3. The materials for the outreach and education campaign required by paragraph 1 of this subdivision shall be made available in English and the designated citywide languages as defined in section 23-1101.

§ 2. This local law takes effect immediately.

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

Int. No. 1007

By Council Members Brannan, Holden and Borelli (by request of the Staten Island Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to increasing maximum charges for towing and storage of motor vehicles

Be it enacted by the Council as follows:

Section 1. Paragraph 8 of subdivision c of section 19-169 of the administrative code of the city of New York, as amended by local law number 41 for the year 2011, is amended to read as follows:

8. [Notwithstanding the charges permitted to be collected under subdivision c of section 20-519 of this code, a] A person who removes a vehicle pursuant to *this* section [19-169 of this code] may collect the [following] charges *authorized pursuant to paragraph 1 of subdivision c of section 20-519* from the owner or other person in control of such vehicle, payable before the vehicle is released[: one hundred twenty-five dollars for removal and the first three days of storage; up to fifteen dollars per day for storage thereafter], except that no charge may be collected for removal or storage of a vehicle pursuant to this section by a person who is not licensed to engage in towing pursuant to subchapter thirty-one of chapter two of title twenty [of the code].

§ 2. Subdivision a of section 19-169.1 of the administrative code of the city of New York, as amended by local law number 41 for the year 2011, is amended to read as follows:

a. Notwithstanding any other provision of law, where a licensed tow operator removes a vehicle because it is parked on private property in a manner inconsistent with posted instructions, and such removal is pursuant to a contract between the owner of the private property and the licensed tow operator for the removal of any such improperly parked vehicles, such tow operator may collect *no more than* the following charges from the vehicle owner or other person in control of such vehicle, payable before the vehicle is released: [up to but not more than one hundred twenty-five] *for a vehicle registered at a weight of ten thousand pounds or less, two hundred twenty-five* dollars for removal and [the first three days of storage; up to but not more than fifteen] *forty* dollars per day for storage [thereafter], *and for a vehicle registered at a weight of more than ten thousand pounds, seven hundred dollars for removal and two hundred and fifty dollars per day for storage*; except that no charge may be collected for removal or storage of a vehicle pursuant to this section by a person who is not licensed to engage in towing pursuant to subchapter thirty-one of chapter two of title twenty [of this code].

§ 3. Subdivisions a and b of section 20-509 of the administrative code of the city of New York, as amended by local law number 41 for the year 2011, is amended to read as follows:

a. Except as otherwise provided, charges for the towing of vehicles shall not exceed [one hundred] *two hundred twenty-five* dollars *for vehicles registered at a weight of ten thousand pounds or less and seven hundred dollars for vehicles registered at a weight of more than ten thousand pounds*; provided, however, that where a motor vehicle has been booted by a person licensed pursuant to subchapter 32 of this chapter in a private lot as defined in paragraph 3 of subdivision b of section 20-531 of such subchapter and such vehicle is subsequently towed, no additional charge may be imposed for the towing of such vehicle.

b. Except as otherwise provided, charges for storage of vehicles shall not exceed [twenty-five dollars for each twenty-four hours or fraction thereof for the first three days of storage and twenty-seven dollars for the fourth day of storage and each day thereafter] *forty dollars per day for vehicles registered at a weight of ten thousand pounds or less and two hundred and fifty dollars per day for vehicles registered at a weight of more than ten thousand pounds*.

§ 4. Section 20-509.1 of the administrative code of the city of New York, as amended by local law number 41 for the year 2011, is amended to read as follows:

§ 20-509.1 Rates for arterial tow permittees. Notwithstanding any other provisions of this subchapter, charges for the towing *and storage* of disabled passenger vehicles from an arterial roadway by an arterial tow

permittee authorized by the commissioner of transportation or the police commissioner shall be [one hundred twenty-five dollars for the first ten miles or fraction thereof and four dollars for each additional mile or fraction thereof] *the same amounts authorized for accident vehicles pursuant to paragraphs 4 and 5, as applicable, of subdivision b of section 20-518.*

§ 5. Section 20-511 of the administrative code of the city of New York, as added by local law number 28 for the year 1987, is amended to read as follows:

§ 20-511 Removal of vehicles obstructing traffic. When a vehicle is situated so as to constitute an obstruction to traffic, and such vehicle is unattended or the person in charge of such vehicle has not arranged for its removal, a police officer or a person designated by the commissioner of transportation may direct its removal by a person licensed to engage in towing, and such licensee shall remove such vehicle to a storage facility which meets the specifications established by the commissioner by regulation pursuant to section 20-508 [of this subchapter]. Such licensee shall be entitled to charge the person in charge of the vehicle for towing and storage, and where applicable, for the rendering of services to prepare the vehicle for towing [at the rates set forth or authorized by section 20-509 of this subchapter] *the same amounts authorized for accident vehicles pursuant to paragraphs 4 and 5, as applicable, of subdivision b of section 20-518.*

§ 6. Paragraphs 4 and 5 of subdivision b of section 20-518 of the administrative code of the city of New York, as amended by local law number 41 for the year 2011 and as added by local law number 94 for the year 1997, respectively, are amended to read as follows:

4. Notwithstanding any other provision of this subchapter, a towing company that removes an accident vehicle to its storage facility at the place of business which qualifies such company for participation in the directed accident response program or to its auxiliary storage facilities approved by the commissioner, shall not charge for the towing of a vehicle registered at a weight of ten thousand pounds or less a fee exceeding [one hundred twenty-five] *two hundred twenty-five* dollars or more than [twenty-five] *forty* dollars per day for [the first three days of storage and twenty-seven dollars for the fourth day, and each day thereafter, of] storage for such vehicle. A towing company participating in the directed accident response program shall not charge for the towing of an accident vehicle registered at a weight of more than ten thousand pounds a fee exceeding [one hundred and forty] *seven hundred* dollars [or more than twenty-five dollars per day for the first three days of storage and twenty-seven dollars for the fourth day, and each day thereafter,] *and two hundred and fifty dollars per day* of storage for such vehicle.

5. If a person in charge of the vehicle, other than a police officer, requests that an accident vehicle be towed to any location other than the storage facilities at the place of business which qualified the towing company removing the vehicle for participation in the directed accident response program or to its auxiliary storage facilities approved by the commissioner, the towing company may also, in addition to the charges authorized under paragraph four of this subdivision, charge [the] *a* mileage fee [for additional mileage that is authorized under section 20-509 of this subchapter,] *of five dollars per mile or portion thereof* for the distance traveled from the accident scene to the location where the vehicle is towed; provided, however, that such distance shall be measured on a route available for commercial vehicles from the accident scene to the location to which such vehicle is towed.

§ 7. Subparagraph (a) of paragraph (3) of subdivision c-1 of section 20-518 of the administrative code of the city of New York, as added by local law number 94 for the year 1997, is amended to read as follows:

(a) impose no storage charge exceeding the amount permitted pursuant to [section 20-509 of this subchapter] *paragraph 4 of subdivision b of this section* during any period before the owner or other person in charge of an accident vehicle has signed an authorization for the repair of such accident vehicle with the repair shop that the towing company has registered pursuant to article twelve-A of the vehicle and traffic law, and (b) where such towing company is registered as a repair shop pursuant to article twelve-A of the vehicle and traffic law, impose no storage charge during the period from which the owner or other person in charge of the accident vehicle has authorized repairs by such registered repair shop to one business day after such registered repair shop has notified such owner or other such person in charge of such vehicle to pick up the repaired vehicle. For

purposes of determining whether a towing company has violated subparagraphs (a) or (b) of this paragraph, such towing company shall be deemed to have committed the violation of another entity if such towing company and such other entity share a common officer, director, partner, member, manager, principal or shareholder owning five or more percent of the outstanding stock, such towing company has any direct or indirect interest in such other entity, or such towing company and such other entity share any facilities, equipment, or employees.

§ 8. Paragraphs 1 and 2 of subdivision a of section 20-519 of the administrative code of the city of New York, as amended by local law number 110 for the year 1993, are amended to read as follows:

1. The commissioner shall establish a program to be known as the “rotation tow program” for the purpose of removing evidence vehicles, vehicles suspected of having been stolen or abandoned other than vehicles described in subdivision two of section twelve hundred twenty-four of the vehicle and traffic law, the removal pursuant to section 19-169 [of the code] of vehicles blocking a private driveway, and the removal pursuant to section [24-221 of the code] 24-240 of vehicles with certain alarm devices.

2. The commissioner, after consultation with the police commissioner, shall divide the city into zones and shall create for each zone a list in random order of persons licensed to engage in towing who have been approved by the commissioner for participation in the rotation tow program. The commissioner may in his or her discretion create from such list separate lists for the removal of evidence vehicles, stolen and abandoned vehicles, the removal pursuant to section 19-169 [of the code] of vehicles blocking a private driveway, and the removal pursuant to section [24-221 of the code] 24-240 of vehicles with certain alarm devices, respectively. At any time subsequent to the initial establishment of zones and lists, the commissioner may, after consultation with the police commissioner, modify the zones and reformulate the lists to ensure sufficient towing services throughout the city. Where more than one towing company has been placed on a list of towing companies authorized to remove vehicles in a particular zone, the police department shall summon towing companies from such list on a rotating basis. Any towing company approved for participation in such program after such lists are initially established shall be placed on any such list at the point immediately preceding the last towing company summoned by the police department pursuant to this section. Such lists shall be available at the department for public inspection.

§ 9. Subdivision b of section 20-519 of the administrative code of the city of New York, as amended by local law number 110 for the year 1993, is amended to read as follows:

b. 1. Any vehicle that is suspected of having been stolen or abandoned other than vehicles described in subdivision two of section twelve hundred twenty-four of the vehicle and traffic law, any vehicle that is blocking a private driveway and subject to removal pursuant to section 19-169 [of the code], and any vehicle with certain alarm devices which is subject to removal pursuant to section [24-221 of the code] 24-240 shall be removed by a tow truck of the towing company participating in the rotation tow program when directed to do so by the police department. If such vehicle appears to have a missing or altered vehicle identification number, the police may direct its removal to the police property clerk. All other vehicles shall be towed to the storage facility of such responding company which meets such specifications as the commissioner shall establish by rule, and shall at all times be stored within such storage facility while the vehicle is in the custody of the towing company. Such storage facility shall be the premises listed on the license of the towing company responding to the police department's direction to remove a vehicle or the premises approved by the commissioner for use by such towing company. Such premises shall be owned, operated or controlled by such towing company and shall not be used by any other towing company. The police department shall expeditiously make every reasonable effort to notify the owner and the national automobile theft bureau or the insurer, if any, of any vehicle that is suspected of having been stolen or abandoned of the vehicle's location and the procedure for retrieval. During the period commencing on the eighth day after the vehicle is removed to such storage facility and ending on the thirtieth day after such removal, such towing company shall transfer any vehicle which has not been claimed into the custody of the police department property clerk.

2. An evidence vehicle shall be removed by a towing company participating in the rotation tow program when directed to do so by the police department. Such vehicle shall be towed to a location designated by a police officer.

3. No tow truck operator shall knowingly remove a vehicle suspected of having been stolen or abandoned or an evidence vehicle without authorization by the police department. No tow truck operator shall knowingly remove a vehicle blocking a private driveway subject to removal pursuant to section 19-169 [of the code] except as authorized in such section. No tow truck operator shall knowingly remove a vehicle with certain alarm devices subject to removal pursuant to section [24-221 of the code] 24-240 except as authorized in such section.

§ 10. Paragraphs 1 and 2 of subdivision c of section 20-519 of the administrative code of the city of New York, as amended by local law number 41 for the year 2011 and as amended by local law number 110 for the year 1993, respectively, are amended to read as follows:

1. Notwithstanding any other provision of law, the towing company shall be entitled to charge the owner or other person claiming a vehicle that is suspected of having been stolen or abandoned, *a vehicle that was blocking a private driveway and was removed pursuant to section 19-169*, or a vehicle with certain alarm devices [subject to removal] *that was removed pursuant to section [24-221 of the code] 24-240* which was directed to be towed by the police department pursuant to this section and which is claimed before the end of the thirtieth day after such vehicle is removed by such towing company amounts not in excess of the following: [one hundred twenty-five dollars] for [the towing of] a vehicle registered at a weight of ten thousand pounds or less, *two hundred twenty-five dollars for towing and forty dollars per day for storage*; [one hundred and forty dollars] and for [the towing of] a vehicle registered at a weight of more than ten thousand pounds[, twenty-five dollars per day for the first three days and twenty-seven dollars for the fourth day of storage and each day thereafter], *seven hundred dollars for towing and two hundred and fifty dollars per day for storage*. Upon the transfer of an unclaimed vehicle into the custody of the police department property clerk, the towing company shall be entitled to charge the police department amounts not in excess of the following: sixty dollars plus tolls for the towing of a vehicle suspected of having been stolen or abandoned, a vehicle that was blocking a private driveway and was removed pursuant to section 19-169 [of the code] or a vehicle with certain alarm devices that was removed pursuant to section [24-221 of the code] 24-240, to a storage facility and subsequent transfer of such vehicle into the custody of such property clerk during the period of time specified in paragraph one of subdivision b of this section; five dollars per day for the first three days of storage of such vehicle and eight dollars for the fourth day of storage and each day thereafter, provided that in no event shall any towing company be entitled to charge the police department for storage charges incurred after the tenth day of storage. The towing company shall be entitled to charge the police department an amount not in excess of sixty dollars plus tolls for the towing of an evidence vehicle to a location designated by a police officer.

2. The police department shall be entitled to charge an owner or other person who claims a vehicle that is suspected of having been stolen or abandoned, a vehicle that was blocking a private driveway and was removed pursuant section 19-169 [of the code], or a vehicle with certain alarm devices that was removed pursuant to section [24-221 of the code] 24-240, which is in the custody of the police department property clerk the charges for towing and storage permitted to be charged by the towing company pursuant to paragraph one of this subdivision, plus tolls, in addition to the fees for storage with the police department property clerk provided by subdivision i of section 14-140 [of the code]. No vehicle which is in the custody of the police department property clerk which had blocked a private driveway and was removed pursuant to section 19-169 [of the code] shall be released to the owner or other person claiming such vehicle unless such owner or other person shall, in addition to paying such charges to the police department property clerk as provided for in this subdivision, present to such property clerk a receipt from the towing company which removed the vehicle indicating payment to such company of the following amount: the charges for towing and storage which would have been due to the towing company pursuant to paragraph eight of subdivision c of section 19-169 [of the code] had such owner or other person claimed the vehicle from such towing company less the amount paid to the police department for the towing and storage of such vehicle by such company.

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

Referred to the Committee on Consumer and Worker Protection.

Int. No. 1008

By Council Members Brannan, Restler, Won, Hanif and Richardson Jordan.

A Local Law in relation to establishing a day-fines pilot program in the office of administrative trials and hearings

Be it enacted by the Council as follows:

Section 1. Definitions. As used in this local law, the following terms have the following meanings:

Agency. The term “agency” has the same meaning as provided in section 1150 of the New York city charter.

Chief administrative law judge. The term “chief administrative law judge” means the chief administrative law judge of the office of administrative trials and hearings.

Civil penalty. The term “civil penalty” means any monetary penalty imposed in connection with a notice of violation returnable to the office of administrative trials and hearings.

Day-fines. The term “day-fines” means a system for assessing civil penalties that takes into account a respondent’s daily disposable income.

Designated agency. The term “designated agency” means any enforcement agency designated as such pursuant to section two of this local law.

Enforcement agency. The term “enforcement agency” means any agency that issues notices of violation returnable to the office of administrative trials and hearings.

Fixed-fines. The term “fixed-fines” means a system for assessing civil penalties that does not take a respondent’s income into account.

§ 2. No later than 30 days after the effective date of this local law, the mayor shall designate two or more enforcement agencies to serve as designated agencies, notify the chief administrative law judge and the speaker of the council of such designations, and publish such designations on the city’s official website.

§ 3. a. No later than one year after the effective date of this local law, the chief administrative law judge, in collaboration with the head of each designated agency, shall establish a pilot program pursuant to which day-fines shall be used in lieu of fixed-fines for violations of certain provisions of local law.

b. At a minimum, such pilot program shall provide for the use day-fines in lieu of fixed-fines for violations of at least 10 distinct provisions of local law over the course of at least 12 months.

c. To the greatest extent practicable, such pilot program shall not require a respondent to attend an in-person hearing in order for such respondent’s income to be taken into account in assessing a civil penalty.

§ 4. a. The chief administrative law judge and the head of each designated agency shall collaborate to promulgate rules to effectuate such pilot program.

b. At a minimum, such rules shall establish which provisions of local law will be included in such program, how a respondent’s income will be determined for the purposes of such program, and how civil penalties will be calculated pursuant to such program.

c. Notwithstanding any other provision of local law or rule in effect prior to the effective date of this local law, in order to effectuate the purposes of this local law, such rules may permit civil penalties to be assessed in amounts less than the minimum penalty set forth in local law or by rule, or greater than the maximum penalty set forth in local law or by rule, for the duration of the pilot program.

§ 5. No later than 180 days after the 2 year anniversary of the effective date of this local law, the chief administrative law judge, in collaboration with the head of each designated agency, shall submit to the mayor and the speaker of the council, and publish on the official website of the office of administrative trials and hearings, a report on the results of such pilot program. At a minimum, such report shall include:

a. An analysis of the advantages and disadvantages of using day-fines in lieu of fixed-fines for assessing civil penalties, including, but not necessarily limited to, an assessment of whether doing so is likely to promote equity in the enforcement of local laws and ensure that civil penalties adequately deter persons of all income levels; and

b. For each provision of local law included in the pilot program:

1. The number of notices of violation issued pursuant to such provision over the course of the pilot program;
2. The number of such notices of violation that were dismissed;

3. The number of such notices of violation that resulted in civil penalties being assessed using day-fines; and

4. If any such notices of violations resulted in civil penalties being assessed without taking the respondent's income into account, the number of such notices of violations that so resulted, disaggregated by the reason why the respondent's income could not be taken into account.

§ 7. This local law takes effect immediately.

Referred to the Committee on Governmental Operations.

Preconsidered Res. No. 575

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

By Council Member Brannan.

Whereas, On June 13, 2022, the Council of the City of New York (the "City Council") adopted the expense budget for Fiscal Year 2023 with various programs and initiatives (the "Fiscal 2023 Expense Budget"); and

Whereas, On June 30, 2021, the Council of the City of New York (the "City Council") adopted the expense budget for Fiscal Year 2022 with various programs and initiatives (the "Fiscal 2022 Expense Budget"); and

Whereas, On June 30, 2020 the Council adopted the expense budget for Fiscal Year 2021 with various programs and initiatives (the "Fiscal 2021 Expense Budget"); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2023, Fiscal 2022, and Fiscal 2021 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local, aging, youth, and anti-poverty discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2023 and Fiscal 2022 Expense Budgets by approving new Description/Scope of Services for certain organizations receiving local, youth, aging, boroughwide, anti-poverty, community safety and victim services, and Speaker's initiative discretionary funding; now, therefore, be it

Resolved, That the City Council approves the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2023 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Community Safety and Victim Services Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Speaker's Initiative to Address Citywide Needs in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 9; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 12; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 14; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the SU-CASA Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 15; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Legal Services for the Working Poor Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Art a Catalyst for Change Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Crisis Management System Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Discharge Planning Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 19; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Hate Crime Prevention Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 20; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Welcome NYC Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 21; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Family Advocacy and Guardianship Support Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 22; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Legal Information and Support for Families Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 23; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Legal Services for Veterans Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 24; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Afterschool Enrichment Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 25; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Homeless Prevention Services for Veterans Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 26; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Trauma Recovery Centers Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 27; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Ending the Epidemic Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 28; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 29; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 30; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 31; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Support Our Seniors Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 32; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 33; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 34; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 35; and be it further

Resolved, That the City Council amends the Purpose of Funds for certain organizations receiving funding in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 36; and be it further

Resolved, That the City Council amends the Purpose of Funds for certain organizations receiving funding in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 37.

Adopted by the Council (preconsidered and approved by the Committee on Finance; for text of the Exhibit Charts, please refer to the attachments section of [the Res. No. 575 of 2023 file](#) in the legislation section of the New York City Council website at <https://council.nyc.gov>).

Int. No. 1009

By Council Members Brewer, Velázquez and Krishnan.

A Local Law to amend the administrative code of the city of New York, in relation to requiring double decker sight-seeing buses to have at least one employee present on the upper level at all times when passengers are present

Be it enacted by the Council as follows:

Section 1. Subchapter 21 of chapter 2 of title 20 of the administrative code of the city of New York is amended by adding a new section 20-376.3 to read as follows:

§ 20-376.3 Staffing for double decker sight-seeing buses. In addition to its driver, any sight-seeing bus with separate lower- and upper-level seating compartments for passengers shall have at least one employee licensed pursuant to section 20-243 present on the upper level at all times when passengers are present on the upper level.

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

Referred to the Committee on Consumer and Worker Protection.

Int. No. 1010

By Council Members Brewer, Louis, Yeger, Farías, Hanif, Hudson, Ung, Lee, Holden, Brooks-Powers, Feliz, Ossé, Bottcher, Powers, Williams, Krishnan, Ariola and Carr.

A Local Law to amend the administrative code of the city of New York, in relation to adding a 311 complaint category for unlicensed cannabis retailers.

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-311 to read as follows:

§ 23-311 Unlicensed sale of cannabis. a. Definitions. For the purposes of this section the following terms have the following meanings:

Cannabis. The term “cannabis” has the same meaning as set forth in section 3 of the cannabis law.

Cannabis product. The term “cannabis product” has the same meaning as set forth in section 3 of the cannabis law.

Unlicensed cannabis retailer. The term “unlicensed cannabis retailer” means a person selling or offering to sell cannabis or cannabis products without a license to sell such products pursuant to article 4 of the cannabis law.

b. The department of information technology and telecommunications shall implement and maintain through its 311 citizen service center the capability for the public to file a complaint under the category of “unlicensed cannabis retailer” including on its website, mobile device platforms, and any other platform on which the center routinely utilizes categories to sort complaints. Such complaints shall be routed to the appropriate agency for resolution.

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

Referred to the Committee on Consumer and Worker Protection.

Int. No. 1011

By Council Members Brooks-Powers, Louis, Farías, Brewer, Velázquez, Dinowitz, Barron and Richardson Jordan.

A Local Law to amend the administrative code of the city of New York, in relation to providing information on reduced fare programs to individuals arrested or summoned for fare evasion

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 14 of the administrative code of the city of New York is amended to add a new section 14-172.1 to read as follows:

§ 14-172.1 Providing reduced fare program information to individuals arrested or summoned for fare evasion. a. Definitions. As used in this section, the following terms have the following meanings:

Officer. The term “officer” means a sworn police officer of the department.

Reduced fare program. The term “reduced fare program” means any program established to provide a discount for eligible individuals on designated city transit options, including subway and bus service.

Subway station. The term “subway station” means any New York city transit authority station.

b. The department of social services/human resources administration shall develop and print flyers of a size no greater than three inches by five inches containing information regarding all reduced fare programs administered by the city, including:

- 1. The criteria for eligibility for each reduced fare program;*
- 2. The nature of the discount provided by each reduced fare program; and*
- 3. The method for applying for each reduced fare program.*

c. Officers assigned to patrol any subway station must carry the flyers described in subdivision b of this section while on their patrol. Such officers who make any arrests in a subway station under subdivision 3 of section 165.15 of the penal law, section 140.05 of the penal law, or section 140.10 of the penal law, or who issue summonses for fare evasion as defined in section 1050.4 of title 21 of the New York codes, rules and regulations shall distribute the flyers described in subdivision b of this section to each individual so arrested or summoned.

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

Referred to the Committee on Public Safety.

Res. No. 576

Resolution calling on the New the New York State Legislature to pass, and the Governor to sign, S225/A3412, known as the No Slavery in New York Act.

By Council Members Cabán, De La Rosa, Rivera, Richardson Jordan, Louis, Restler, Hanif and Avilés.

Whereas, Incarcerated people are human beings, worthy of respect and dignity; and

Whereas, While the U.S. Congress ratified the 13th amendment to the United States Constitution in 1865, ostensibly abolishing slavery, the 13th amendment language, “except as a punishment for crime whereof the party shall have been duly convicted” has been criticized by civil rights and criminal justice groups for creating a loophole that has led to incarcerated individuals being exploited; and

Whereas, Incarcerated labor is designed to benefit primarily public entities that capitalize on a vulnerable population that is a captive labor force market according to Beth Schwartzapfel, Taking Freedom: Modern-Day Slavery in America’s Prison Workforce; and

Whereas, This captive market is compelled to work through two forms of coercion, coercion through the threat of punishment and through deprivation; and

Whereas, Coercion through deprivation compels an incarcerated individual to work because it is the only way for them to pay for basic necessities or is the only alternative to being confined in their cells according to an inmate written survey response; and

Whereas, In letters to legal advocates, former incarcerated individuals have described retaliation and severe punishments, including solitary confinement, for refusing to work dangerous jobs or assignments for which they have no training; and

Whereas, Coercion through the threat of punishment like solitary confinement for refusing to work has been upheld in federal and state court such as in *Mikeska v. Collins*, 900 F.2d 833, 837 (5th Cir. 1990) establishing that any unjustified refusal to follow the established work regime is an invitation to sanctions; and

Whereas, According to the New York Constitution Article III Legislature Section 24, the New York State Legislature shall by law, provide for the occupation and employment of prisoners sentenced to the several State prisons, penitentiaries, jails, and reformatory in the State; and

Whereas, While Section 24 explicitly rejects the use of incarcerated labor for the profit of private business, it allows for the State to profit on incarcerated labor through State run business entities like Corcraft, the industry program within the New York State Department of Corrections and Community Supervision (“DOCCS”); and

Whereas, S225 sponsored by State Senator Myrie, and A3412, sponsored by Assemblymember Epstein, seek to prohibit involuntary employment of prisoners; and

Whereas, S225/A3412 amends article 1 of the New York State Constitution to forbid forced labor of incarcerated individuals in any state prison, penitentiary, jail, or reformatory; and

Whereas, S225/A3412 mandates that no prisoner shall be compelled to provide labor against his or her will by actual or threats of force, threats of punishment, or any means to cause the incarcerated individual to believe that if they did not provide such labor that they or another person would suffer serious harm or physical restraint; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New the New York State Legislature to pass, and the Governor to sign, S225/A3412, known as the No Slavery in New York Act.

Referred to the Committee on Criminal Justice.

Res. No. 577

Resolution calling on the New York State Legislature to reintroduce, pass, and the Governor to sign, S416A/A3481B (2021-2022), known as the Fairness and Opportunity for Incarcerated Workers Act.

By Council Members De La Rosa, Cabán, Rivera, Richardson Jordan, Restler, Hanif and Brewer.

Whereas, Federal and state laws and policies often exclude incarcerated workers from recognized workplace protections like Occupational Safety and Health Administration protections, including minimum wage and overtime protections, the right to unionize, certain workplace safety protections, and speedy access to resolve worker rights complaints; and

Whereas, As industrial jobs and vocational training programs are declining nationwide, prison labor programs fail to provide incarcerated workers with transferable skills as they re-enter their communities; and

Whereas, Without proper training and skills, people re-entering society are increasingly being relegated to maintenance and other manual labor jobs because their skills have eroded while they are in jail and they are not provided with new training or jobs that help develop marketable skills; and

Whereas, The current system of little or no pay for those working while incarcerated allows for unfair profiteering and drives communities of color into debt as evidence by reports that indicate one out of three families supporting an incarcerated loved one go into debt; and

Whereas, Incarcerated people often earn nominal pay for their labor yet must pay for food, clothing, toiletries, and phone calls to maintain contact with family, friends and their attorneys; and

Whereas, Incarcerated workers in the state earn a starting wage of 16 cents per hour, which can be increased to 65 cents per hour, according to the Prisoners’ Rights Project within the Legal Aid Society; and

Whereas, S416A sponsored by State Senator Myrie, and A3481B, sponsored by Assemblymember Epstein, introduced in the 2021-2022 legislative session, seek to provide fair wages and treatment of incarcerated individuals and establish a prison labor board to develop, monitor, and enforce policies, plans, and programs for the operation of an equitable and rehabilitative system of prison labor which provides vocational or occupational training; and

Whereas, The Labor Board established by S416A/A3481B is mandated to prohibit the forced labor of incarcerated individuals, ensure that wages paid to incarcerated workers are consistent with Article 19 of the Labor Law, establish and maintain working conditions consistent with workplace health and safety protections required by federal and state law, and power to investigate, review, or take action to any prison labor enterprise or program; and

Whereas, S416A/A3481B will create a system of labor for incarcerated individuals that prohibits forced labor, raises wages without unfair garnishments, protects worker safety and health, and create job training programs that provide real pathways to employment post release; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to reintroduce and pass, and the Governor to sign, S416A/A3481B (2021-2022), known as the Fairness and Opportunity for Incarcerated Workers Act.

Referred to the Committee on Criminal Justice.

Res. No. 578

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.285/A.1502, to incorporate arts and music education into the public school curriculum.

By Council Members Dinowitz, Louis, Hanif, Hudson, Avilés, Brewer, Ung and Lee.

Whereas, Music training promotes sensorimotor development, accelerates maturation of certain neural functions, such as auditory processing and response in the brain, boosts IQ, and is positively correlated with enhanced language skills, vocabulary, verbal memory, spatial reasoning, information processing, and attention; and

Whereas, Moreover, music education, particularly based on participation in choirs, bands, and orchestras, fosters development of interpersonal networks and social skills, such as cooperative collaboration and team-based problem-solving and achievement of goals; and

Whereas, Skills developed through music education are valued in the American labor market, as exemplified by surveys in which more than 80 percent of responding corporate organizations and businesses with 100 and more workers reported utilizing some type of team-based work approach, and as many as 91 percent of surveyed Fortune 1000 companies stated that they use team-based problem-solving; and

Whereas, Furthermore, music improves physical and emotional functioning by reducing elevated blood pressure, blood levels of the stress hormone adrenaline, and anxiety, as well as by positively influencing depressive symptoms, self-worth, and sense of identity and purpose; and

Whereas, Exposure to arts education promotes self-expression and critical thinking skills, reduces disciplinary incidents, improves writing achievement and verbal skills, increases compassion for others, school engagement, college aspirations, and empathy; and

Whereas, 88 percent of Americans agree that arts instruction is a part of a well-rounded K-12 education; and

Whereas, Despite public support and growing evidence of the individual, social, and economic benefits of arts and music education, teachers report a reduction in time spent on the arts, particularly at schools identified as needing improvement and schools with higher percentages of minority students; and

Whereas, Additionally, teachers at elementary schools with high percentages of low-income or minority students reported larger average reductions in weekly arts instruction time; and

Whereas, In New York State, as of the 2019-2020 school year, 112,572 students had no access to arts and music instruction, and fewer students in high-poverty schools were enrolled in arts education than in low-poverty schools; and

Whereas, In New York City, the percentage of schools serving grades 1 through 5 that offer one or more arts disciplines declined between the 2016-2017 and 2018-2019 school years; and

Whereas, The above trend was mirrored among New York City schools serving grades 6 through 8 that offer one or more arts disciplines; and

Whereas, In January 2023, with the stated aim of ensuring that arts and music education is incorporated into the public school curriculum for all students, S.285/A.1502 were introduced in the New York State Legislature, which would amend section 3204 of the New York Education Law to include arts and music education as a required course of study in first through eighth grades, as well as into high school; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, S.285/A.1502, to incorporate arts and music education into the public school curriculum.

Referred to the Committee on Education.

Res. No. 579

Resolution calling on the New York City Department of Education to ensure that the New York State Seal of Biliteracy is awarded in all New York City public high schools to eligible students.

By Council Members Dinowitz, Louis, Hanif and Hudson.

Whereas, According to the Endangered Language Alliance, over 700 languages and dialects are spoken in New York City (NYC) and the nearby metropolitan area, with 38 percent of those languages from Asia, 24 percent from Africa, 19 percent from Europe, 16 percent from the Americas, and the remaining from Oceania and the Pacific; and

Whereas, Building trust and understanding across the many language and cultural groups in NYC’s diverse communities often calls for multilingual communication skills; and

Whereas, Multilingual communication skills are also a critical element in enabling NYC to participate effectively in a global political, social, and economic context; and

Whereas, Mastery of two or more world languages also makes an important contribution to students’ cognitive development, understanding of diverse cultures, and preparation for future college study and career opportunities in NYC and worldwide; and

Whereas, Students who have significant skills in two or more world languages, including students whose first language is not English and students whose skills are in underrepresented languages, should be recognized and rewarded academically; and

Whereas, According to a study by the American Council on the Teaching of Foreign Languages, credentialing bilingualism more broadly than what is available now has the potential to level some of the inequities that exist between commonly taught and less commonly taught languages; and

Whereas, The New York State Education Department (NYSED) states that the New York State Seal of Biliteracy (NYSSB), established by the New York State Legislature in 2012, “recognizes high school graduates who have attained a high level of proficiency in the three modes of communication (Interpretive, Interpersonal, Presentational) in English and one or more world languages”; and

Whereas, The NYSSB affirms the value of diversity, honors the multiple cultures and languages of New York communities, and supports the importance of underrepresented languages, while it furthers college and career success for high school graduates; and

Whereas, A 2013 University of California at Los Angeles survey of California employers found that 66 percent of employers “would prefer a bilingual employee over a monolingual English speaker if they were comparable in other respects,” while from 67 to 92 percent of employers, depending on the field of employment, felt that holders of the California State Seal of Biliteracy would “have an advantage in hiring”; and

Whereas, The NYSSB does not limit the languages for which the Seal can be awarded, thus making it possible to support students from underrepresented communities, including indigenous communities, whose language proficiency cannot be demonstrated through commercially available standardized tests; and

Whereas, In 2021-2022, 62 NYC Department of Education (NYCDOE) schools offered the NYSSB, with 25 percent of the high schools in Staten Island, 21 percent of those in Queens, 10 percent of those in Brooklyn, 10 percent of those in the Bronx, and 7 percent of those in Manhattan offering the credential; and

Whereas, In 2021-2022, 1,043 students graduating from NYCDOE high schools earned the NYSSB in 31 different languages—Albanian, Arabic, Azerbaijani, Bambara, Bangla, Bosnian, Burmese, Dutch, French, Fulani, German, Greek, Haitian Creole, Hebrew, Igbo, Italian, Japanese, Korean, Krio, Latin, Mandarin, Mandinka, Polish, Punjabi, Romanian, Russian, Soninke, Spanish, Tagalog, Urdu, and Yoruba; and

Whereas, In 2021-2022, of the 1,043 students graduating from NYCDOE high schools and earning the NYSSB, 400 were from Queens, 294 from Brooklyn, 184 from the Bronx, 140 from Manhattan, and 25 from Staten Island; and

Whereas, Many colleges provide only a few ways for students to earn foreign language credits based on prior learning, such as by scoring well on a College Board Advanced Placement (AP) Exam, which costs students as much as \$97 and is offered in just seven world languages; and

Whereas, The NYSSB provides an additional way for incoming freshmen to earn foreign language credits in any world language and is free to NYCDOE high school students, with testing and other costs borne by the NYCDOE and the NYSED; and

Whereas, The NYSSB provides both colleges and employers with an established and credible credential to use in identifying and rewarding high school graduates with biliteracy skills; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York City Department of Education to ensure that the New York State Seal of Biliteracy is awarded in all New York City public high schools to eligible students.

Referred to the Committee on Education.

Res. No. 580

Resolution calling on The City University of New York to ensure that all campuses award an appropriate number of college credits to students who earned a New York State Seal of Biliteracy in high school and, where required, accept that Seal as fulfillment of any foreign language requirement.

By Council Members Dinowitz, Louis, Hanif, Hudson and Brewer.

Whereas, According to the Endangered Language Alliance, over 700 languages and dialects are spoken in New York City (NYC) and the nearby metropolitan area, with 38 percent of those languages from Asia, 24 percent from Africa, 19 percent from Europe, 16 percent from the Americas, and the remaining from Oceania and the Pacific; and

Whereas, About 40 percent of undergraduates at The City University of New York (CUNY) speak a language other than English, with 174 different languages spoken across CUNY's campuses; and

Whereas, With proper credentialing, incoming CUNY students who have mastered two or more world languages, including students whose first language is not English, should be recognized and rewarded academically for their language skills; and

Whereas, The New York State Education Department (NYSED) states that the New York State Seal of Biliteracy (NYSSB), established by the New York State Legislature in 2012, “recognizes high school graduates who have attained a high level of proficiency in the three modes of communication (Interpretive, Interpersonal, Presentational) in English and one or more world languages”; and

Whereas, The NYSSB affirms the value of diversity, honors the multiple cultures and languages of New York communities, and supports the importance of underrepresented languages, while it furthers college and career success for high school graduates; and

Whereas, The NYSSB does not limit the languages for which the Seal can be awarded, thus making it possible to support students from underrepresented communities, including indigenous communities, whose language proficiency cannot be demonstrated through commercially available standardized tests; and

Whereas, In 2021-2022, 1,043 students graduating from NYC Department of Education (DOE) high schools across the five boroughs earned the NYSSB in 31 different languages; and

Whereas, CUNY, which enrolls about 45 percent of NYCDOE graduates (according to 2018-2019 figures), offers very limited ways for students to earn foreign language credits based on prior learning, such as by scoring a 3 on a College Board Advanced Placement (AP) Exam, offered in just seven world languages; and

Whereas, Public universities in other states and cities offer credit for the Seal of Biliteracy in their states, such as Illinois, where the Illinois School Code states that “[e]ach public community college and public university in this State shall establish criteria to translate a State Seal of Biliteracy into course credit based on foreign language course equivalencies identified by the community college’s or university’s faculty and staff”; and

Whereas, At the City Colleges of Chicago (CCC), the Illinois State Seal of Biliteracy is worth 4 semester hours of foreign language credit if it is in a language taught at CCC or 4 semester hours of humanities elective credit if it is in a language not taught; and

Whereas, Depending on individual college policies, students with a Massachusetts State Seal of Biliteracy may earn from 4 to 15 college credits either in foreign languages or in humanities or fine arts electives in at least nine public higher education institutions; and

Whereas, Depending on individual college policies, students attending Minnesota’s public higher education system of 30 colleges and seven universities may be awarded from two semesters to four semesters worth of college foreign language credits for earning the Minnesota Bilingual and Multilingual Seals; and

Whereas, Many more CUNY students who earned the NYSSB at a NYCDOE high school could potentially meet CUNY’s academic requirements quicker if CUNY campuses awarded foreign language credits and an exemption from any foreign language requirement, based on a student’s earning the NYSSB; now, therefore, be it

Resolved, That the Council of the City of New York calls on The City University of New York to ensure that all campuses award an appropriate number of college credits to students who earned a New York State Seal of Biliteracy in high school and, where required, accept that Seal as fulfillment of any foreign language requirement.

Referred to the Committee on Higher Education.

Res. No. 581

Resolution calling on the City to recognize November as Veteran Appreciation Month in New York City.

By Council Members Dinowitz, Louis, Yeger, Farías, Hanif, Brewer, Ung and Lee (by request of the Bronx Borough President).

Whereas, For centuries, the armed forces have played a central role in American life, defending American values and interests from Bunker Hill to Baghdad; and

Whereas, The individuals who serve in the Army, the Navy, the Air Force, the Marines, and the Coast Guard come from all 50 states and embody the socioeconomic, racial, and religious diversity of our nation; and

Whereas, During the month of November, we celebrate Veterans Day, to recognize and honor the immeasurable sacrifices and indispensable contributions veterans have made to our national security; and

Whereas, Every year since 1996, The President of the United States issues a proclamation to designate the month of November as National Veterans and Military Families Month to honor veterans, military families, caregivers, and survivors, who have served and continue to serve the nation; and

Whereas, Service to the nation also includes the immense patriotism, courage, and resilience of America’s military families; and

Whereas, New York City is home to roughly 200,000 veterans, and is the first city in the nation to establish a Department of Veterans Services; and

Whereas, The agency works to connect, mobilize, and empower New York City's veteran community in order to foster purpose-driven lives for New York City Service Members – past and present; and

Whereas, As a national leader on veterans' issues, New York City should recognize November as Veteran Appreciation Month in the five boroughs; and

Whereas, This recognition would reaffirm New York City's commitment to its veterans and create opportunities for civic engagement across New York City's institutions; and

Whereas, In light of the significant contributions that veterans have made to American life, and New York City's engagement with the veteran community, establishing this commemorative month is an important step toward becoming the most veteran-friendly city in the country; now, therefore, be it

Resolved, That the New York City Council recognizes November as Veteran Appreciation Month in New York City.

Referred to the Committee on Veterans.

Int. No. 1012

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

A Local Law to amend the administrative code of the city of New York, in relation to industrial development action plans

Be it enacted by the Council as follows:

Section 1. Chapter 6-D of title 22 of the administrative code of the city of New York is amended by adding a new section 22-627 to read as follows:

§ 22-627 Industrial development action plans. a. Definitions. For purposes of this section:

Contracted entity. The term "contracted entity" has the same meaning as such term is defined in section 22-821.

Core industrial. The term "Core industrial" means an area of an industrial business zone that is for predominantly industrial use, with large lots and access to designated truck routes, freight rail, or maritime freight capacity, with a policy goal to preserve and grow essential industrial businesses and city infrastructure.

Departments. The term "departments" means the department of city planning and the department of small business services.

Emerging business enterprise. The term "emerging business enterprise" means a business certified as an emerging business enterprise in accordance with section 1304 of the charter.

Growth district. The term "growth district" means an area of an industrial business zone that is transit accessible with a mix of industrial and commercial uses and a policy goal to grow a flexible mix of office, commercial, and industrial sectors.

Industrial business service provider. The term "industrial business service provider" means a not-for-profit organization contracted with the city to provide business services within an industrial business zone.

Industrial business zone. The term "industrial business zone" means an industrial business zone designated by the industrial business zone boundary commission pursuant to section 22-626.

Industrial sector. The term "industrial sector" means manufacturing, wholesale trade, transportation and warehousing, utilities, construction, motion picture and sound recording, repair and maintenance, and waste management and remediation services.

Land use framework. The term "land use framework" means a planning framework including but not limited to assessing the designation of areas within an industrial business zone as core industrial, transition area, or growth district.

Minority-owned business enterprise. The term "minority-owned business enterprise" means a business certified as a minority-owned business enterprise in accordance with section 1304 of the charter.

Transition area. The term “transition area” means an area of an industrial business zone that is for predominantly industrial use with some commercial mix, with a policy goal to support a continued mix of industrial and commercial uses.

Women-owned business enterprise. The term “women-owned business enterprise” means a business certified as a women-owned business enterprise in accordance with section 1304 of the charter.

b. No later than October 1, 2024, and no later than October 1 of every fifth year thereafter, the departments shall, in coordination with a contracted entity, and other agencies and industrial business service providers where appropriate, submit to the mayor and speaker of the council an industrial development action plan. Such plan shall include but not be limited to:

1. An overview of current city policies to support and grow the industrial sector, including but not limited to economic incentives, workforce development, land use policy, and infrastructure investment;

2. An analysis of citywide industrial sector economic trends, growth opportunities, and challenges, and the role of the industrial sector and industrial land in achieving related citywide policy objectives including but not limited to energy policy and mandates to transition to green energy pursuant to article 75 of the environmental conservation law; transportation and freight policy; the efficiency and resiliency of supply chains for essential goods and services; city operations and facilities; and workforce needs;

3. Identification of citywide goals and strategies to support industrial development, expand and retain industrial businesses, and address the challenges identified pursuant to paragraph 2;

4. For each designated industrial business zone:

(a) An analysis of economic and land use data including but not limited to the following categories, including for the prior two decades to the extent available to describe recent trends over time:

(1) Economic and employment data including but not limited to the New York State department of labor quarterly census on employment and wages data on number of businesses and jobs by sector and subsector, workforce demographics including but not limited to race, ethnicity, and country of origin, and real estate market data on sale and rent prices per square foot for industrial and commercial use;

(2) Land use and zoning data including but not limited to department of city planning PLUTO data;

(3) Construction permit data from the department of buildings;

(4) Property transaction data from the department of finance; and

(5) As-of-right and discretionary New York city and New York state financial incentives including but not limited to the industrial business zone tax credits contained in sections 11-503(n) and 11-604(17-b) of this code; the industrial and commercial abatement and expansion programs outlined in chapter 36 of title 19 of the rules of the city of New York (ICAP); the department of small business services’ energy cost savings program contained in chapter 5 of title 66 of the rules of the city of New York; the New York state excelsior jobs programs credit issued pursuant to section 31 of the tax law; tax exemptions for manufacturing offered under section 209 of the tax law; brownfield redevelopment tax credits offered under section 21 of the tax law; incentives offered by the New York city industrial development agency, including but not limited to the accelerated sales tax exemption program (ASTEP); and any relevant incentives offered by the New York state energy research and development authority.

(b) An identification of city-owned and city-leased property, and assessment of opportunities for development of such property in partnership with the designated industrial business service provider;

(c) A local business assessment in partnership with the designated industrial business service provider, including but not limited to a comprehensive survey of businesses within the IBZ to better understand local business conditions, strengths, challenges, and needs;

(d) An analysis of environmental conditions, including but not limited to vulnerability to sea level rise and storm surge, environmental remediation and toxic pollution issues, air quality, and urban heat island effect; and

(e) An assessment of the state of repair of infrastructure, including but not limited to roads and truck routes, freight rail, maritime freight facilities, sewer and water, electric, and broadband internet access.

5. Based on the analysis and assessments conducted pursuant to paragraph 4, for each designated industrial business zone:

(a) An identification of economic development goals including but not limited to priority sectors and industries, job growth and business development;

(b) A land use framework; with implementation strategies and timelines based on the assessment performed as part of the land use framework;

(c) An identification of priority infrastructure capital investments, with implementation strategies and timelines; and

(d) A workforce development and local hiring strategy, including quantified targets for local business enterprises, minority- and women-owned business enterprises, and emerging business enterprises.

c. The departments, in coordination with the contracted entity, appropriate city agencies and industrial business service providers, shall regularly make recommendations to the mayor and speaker of the council regarding the industrial business action plans required by this section.

d. The final industrial development action plan shall be preceded by a draft industrial development action plan submitted to the mayor and speaker of the council and made publicly available online no later than July 1, 2024, and every five years thereafter. The departments shall hold a public hearing to solicit public comment and feedback prior to the release of the draft industrial development action plan.

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

Referred to the Committee on Economic Development.

Res. No. 582

Resolution declaring July 1 annually as Muslim Appreciation Day in the City of New York to celebrate the culture and history of Muslim Americans and their contributions to New York City communities.

By Council Members Gennaro, Louis, Hanif, Avilés, Brewer, Ung and Lee.

Whereas, Representative Karen Bass (D-CA) introduced House Resolution (H. Res.) 541 on July 20, 2021, in the United States (U.S.) House of Representatives, “[e]xpressing support for the recognition of July as ‘Muslim-American Heritage Month’ and celebrating the heritage and culture of Muslim Americans in the United States”; and

Whereas, Senator Cory Booker (D-NJ) introduced companion Senate Resolution (S. Res.) 361 on September 14, 2021, in the U.S. Senate; and

Whereas, Muslims arrived in the American colonies and later in the U.S. both as slaves and as indentured workers in the 17th, 18th, and 19th centuries; and

Whereas, From the 19th century until today in the U.S., new waves of immigration have brought Muslims pursuing economic, social, and religious freedom and opportunity; and

Whereas, These immigrants have become students, workers, and humanitarians in U.S. communities, including in New York City (NYC), and have made contributions in a wide variety of fields, including the arts, architecture, business, government, law, medicine, the military, religion, and sports; and

Whereas, Prominent Muslim Americans, who are too numerous to list, include a broad array of respected and celebrated individuals from all walks of life—from civil rights activist Malcolm X to heavyweight boxing champion Muhammad Ali; and

Whereas, There are currently more than 3,450,000 Muslims living in the U.S., and that figure has been increasing for over a decade; and

Whereas, According to World Population Review in 2023, Muslim Americans are a very diverse racial and ethnic group—about 25 percent Black, 24 percent white, 18 percent Asian, 18 percent Arab, 7 percent mixed race, and 5 percent Hispanic; and

Whereas, According to 2016 data from Muslims for American Progress, a project of the Institute for Social Policy and Understanding (ISPU), more than 765,000 Muslims make up about 9 percent of NYC residents; and

Whereas, According to a 2022 ISPU national survey, about 62 percent of Muslim Americans (with a higher percentage of those under 50 years of age) reported facing religious discrimination; and

Whereas, Data from 2019 and 2022 surveys conducted by the Muslim Community Network (MCN) in NYC showed that Muslim youth between 10 and 18 years of age experienced or witnessed hate crimes most frequently of all age groups; and

Whereas, Senator Booker noted that his Senate resolution “recognizes the incredible contributions made by Muslims living in the [U.S.] and also highlights the urgent need to work together to address anti-Muslim bias and hate that has tragically become too commonplace”; and

Whereas, According to the Senate resolution, “[T]here is a need for public education, awareness, and policies that are culturally competent when describing, discussing, or addressing the impacts of being Muslim American” in U.S. society; and

Whereas, That public education and awareness can begin in NYC by honoring the contributions of Muslim Americans on July 1 each year with appropriate ceremonies and activities; and

Whereas, Muslim Americans and Muslim immigrants have enriched the multiethnic, multiracial, and multilingual fabric of NYC for centuries; now, therefore, be it

Resolved, That the Council of the City of New York declares July 1 annually as Muslim Appreciation Day in the City of New York to celebrate the culture and history of Muslim Americans and their contributions to New York City communities.

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

Int. No. 1013

By Council Members Hanif, Velázquez, Narcisse, Ung, Marte, Avilés, Krishnan, Lee, Louis, Menin, Hudson and Brewer.

A Local Law to amend the administrative code of the city of New York, in relation to outreach about fraudulent schemes committed by providers of immigration assistance services

Be it enacted by the Council as follows:

Section 1. Sections 20-779.5 and 20-779.6 of the administrative code of the city of New York, as added by local law number 63 for the year 2017, are amended to read as follows:

§ 20-779.5 Reporting. a. In conjunction with the mayor’s office of immigrant affairs, the department shall prepare [and submit to the mayor and the speaker of the city council a] *an annual* report that includes the following information related to providers of immigration services:

1. [the number of complaints received related to providers of immigration assistance services, disaggregated by source and type] *A table in which each row references a complaint received related to providers of immigration assistance services, and which indicates, for each complaint received, the type of the complaint, the source of the complaint, whether the complaint resulted in a violation, the type of violation issued, and the length of time the department required to investigate and determine whether to issue a violation;*

2. [the number of proactive investigations that do not stem from a complaint conducted by the department] *A table in which each row references a proactive investigation conducted by the department, and which indicates whether the investigation resulted in a violation, the type of violation issued, and the length of time the department required to investigate and determine whether to issue a violation for each proactive investigation;*

3. [the number of violations issued, disaggregated by type;

4. the number of the violations issued that originated with a consumer complaint;

5. the number of violations issued as a result of a proactive investigation by the department;

6. the length of time the department required to investigate and determine whether to issue a violation for each complaint received;

7. a) A description of the department’s efforts to proactively investigate providers of immigration assistance services;

[8. a] 4. A description of the department’s efforts to collaborate with other law enforcement agencies on investigation, enforcement, and community education efforts; [and]

[9. a] 5. A description of changing trends in the provision of services and common fraudulent schemes[.];

6. A table in which each row references an outreach event related to fraud prevention hosted or attended by department staff, including a unique identification code for each outreach event, and which indicates, for each outreach event, the number of staff hours dedicated to the event, the number of staff in attendance, the date, time, borough, council district, and zip code of the event; and

7. A table in which each row references an advertising type related to community outreach and education, including television, radio, subway advertisements, print, or LinkNYC advertisements, and which indicates the duration of the each advertising campaign, the languages of each advertising campaign, and the cost of each advertisement campaign.

b. Such report shall be *published on the department's website and submitted* [on or before October 1, 2017 and every six months thereafter until the year 2020] *to the mayor, the speaker of the city council, and the public advocate no later than July 1 of each year*, and shall include the information required by subdivision a of this section as it relates to the [six] 12 month period prior to the submission of such report.

§ 20-779.6 Community outreach and education. a. In conjunction with the mayor's office of immigrant affairs *the mayor's office of ethnic and community media, and other appropriate agencies*, the department shall engage in community outreach and education efforts to raise awareness about topics including but not limited to common fraudulent schemes committed by providers of immigration assistance services and the department's complaint mechanisms and services. *Outreach shall include information about immigration-related legal assistance and services offered by the city and how to access such services.*

b. *Outreach materials shall identify common fraudulent schemes committed by providers of immigration assistance services and provide information about how to avoid common fraudulent schemes.*

c. *The department shall conduct the community outreach and education efforts via television, internet, radio, print media, subway advertisements, and LinkNYC kiosks. Outreach materials shall be posted and distributed in public places, including but not limited to IDNYC registration sites, humanitarian emergency response and relief centers, asylum seeker resource navigation centers, public schools, and shelters or other facilities administered by city agencies for provision of social services.*

d. *Outreach materials shall be available in all designated citywide languages, as defined in section 23-1101, and all temporary languages identified pursuant to section 23-1105.*

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

Referred to the Committee on Consumer and Worker Protection.

Int. No. 1014

By Council Members Hanif, Gutiérrez, Rivera, Williams, Sanchez, Louis, Marte, Farías, Hudson, Richardson Jordan, Avilés, Cabán, Nurse, Ossé and Won.

A Local Law to amend the administrative code of the city of New York in relation to prohibiting places or providers of public accommodation from using biometric recognition technology and protecting any biometric identifier information collected

Be it enacted by the Council as follows:

Section 1. Section 22-1201 of the administrative code of the city of New York, as added by local law number 3 for the year 2021, is amended by repealing definitions for the terms “commercial establishment,” “consumer commodity,” “financial institution,” “food and drink establishment,” “place of entertainment,” and “retail store,” amending the definition for the term “biometric identifier information,” and adding definitions for the terms “biometric recognition technology,” and “place or provider of public accommodation,” to read as follows:

Biometric identifier information. The term “biometric identifier information” means a physiological or biological characteristic that is used by or on behalf of a commercial establishment, singly or in combination, to identify, or assist in identifying an individual, including, but not limited to: (i) a retina or iris scan, (ii) a fingerprint or voiceprint, (iii) a scan of hand or face geometry, [or any other identifying characteristic] (iv) *gait*

or movement patterns, or (v) any other similar identifying characteristic that can be used alone or in combination with each other, or with other information, to establish individual identity.

Biometric recognition technology. The term “biometric recognition technology” means a process or system that captures or assists in the capture of biometric identifier information of a person or persons in conjunction with any automated process or system that verifies or identifies, or assists in verifying or identifying, a person or persons based on such biometric identifier information.

[Commercial establishment. The term “commercial establishment” means a place of entertainment, a retail store, or a food and drink establishment.

Consumer commodity. The term “consumer commodity” means any article, good, merchandise, product or commodity of any kind or class produced, distributed or offered for retail sale for consumption by individuals, or for personal, household or family purposes.]

Customer. The term “customer” means a purchaser or lessee, or a prospective purchaser or lessee, of goods or services from a commercial establishment.

[Financial institution. The term “financial institution” means a bank, trust company, national bank, savings bank, federal mutual savings bank, savings and loan association, federal savings and loan association, federal mutual savings and loan association, credit union, federal credit union, branch of a foreign banking corporation, public pension fund, retirement system, securities broker, securities dealer or securities firm, but does not include a commercial establishment whose primary business is the retail sale of goods and services to customers and provides limited financial services such as the issuance of credit cards or in-store financing to customers.

Food and drink establishment. The term “food and drink establishment” means an establishment that gives or offers for sale food or beverages to the public for consumption or use on or off the premises, or on or off a pushcart, stand or vehicle.

Place of entertainment. The term “place of entertainment” means any privately or publicly owned and operated entertainment facility, such as a theater, stadium, arena, racetrack, museum, amusement park, observatory, or other place where attractions, performances, concerts, exhibits, athletic games or contests are held.

Retail store. The term “retail store” means an establishment wherein consumer commodities are sold, displayed or offered for sale, or where services are provided to consumers at retail.]

Place or provider of public accommodation. The term “place or provider of public accommodation” shall have the same meaning as in section 8-102.

§2. Section 22-1202 of the administrative code of the city of New York, as added by local law number 3 for the year 2021, is amended to read as follows:

§ 22-1202 Collection, use, and retention of biometric identifier information *and use of biometric recognition technology.* a. Any [commercial establishment] *place or provider of public accommodation* that collects, retains, converts, stores, [or] shares, *or otherwise obtains* biometric identifier information of customers must disclose such collection, retention, conversion, storage, [or] sharing, *or obtaining of biometric identifier information*, as applicable, by placing a clear and conspicuous sign near all of the [commercial establishment’s] *place or provider of public accommodation’s* customer entrances notifying customers in plain, simple language, in a form and manner prescribed by the commissioner of consumer and worker protection by rule, that customers’ biometric identifier information is being collected, retained, converted, stored or shared, as applicable *and shall be required to get the written consent of such customer in advance of any collection.*

b. *It shall be unlawful for any place or provider of public accommodation to use any biometric recognition technology to verify or identify a customer.*

c. It shall be unlawful to *disclose, sell, lease, trade, or share in exchange for anything of value or otherwise profit from the transaction of biometric identifier information with any third party.*

d. *Any place or provider of public accommodation in possession of biometric identifier information shall develop a written policy, to be made available to the public upon request, that shall include a retention schedule and guidelines for the permanent destruction of biometric identifier information when the initial purpose for collecting or obtaining such identifiers or information has been satisfied, or within two years of the individual’s last interaction with the place or provider of public accommodation, whichever occurs first.*

e. *Any place or provider of public accommodation that collects, retains, converts, stores, shares, or otherwise obtains biometric identifier information of any person shall develop, implement and maintain reasonable safeguards to protect the security, confidentiality and integrity of the biometric identifier information*

including, but not limited to: conducting assessments of risks in network and software design; conducting assessments of risks in information processing, transmission and storage; making reasonable efforts to detect, prevent and respond to attacks or system failures; regularly testing and monitoring the effectiveness of key controls, systems and procedures; and implementing protections against unauthorized access to or use of biometric identifier information during or after the collection, transportation and destruction or disposal of the information.

f. Any place or provider of public accommodation that collects, retains, converts, stores, shares, or otherwise obtains biometric identifier information of customers shall provide the opportunity to any such customer to request that such place or provider of public accommodation erase such biometric identifier information of such customer.

g. Any place or provider of public accommodation that collects, retains, converts, stores, shares, or otherwise obtains biometric identifier information shall not refuse service to any customer because the customer exercised rights pursuant to this section, including, but not limited to, by denying goods or services to the consumer; charging different prices or rates for goods or services, including through the use of discounts or other benefits or imposing penalties; or providing a different level of quality of goods or services to the customer.

§3. Section 22-1203 of the administrative code of the city of New York, as added by local law number 3 for the year 2021, is amended to read as follows:

§ 22-1203 Private right of action. A person who is aggrieved by a violation of this chapter may commence an action in a court of competent jurisdiction on [his or her] *such person's* own behalf against an offending party. At least 30 days prior to initiating any action against a [commercial establishment] *place or provider of public accommodation* for a violation of subdivision a of section 22-1202, the aggrieved person shall provide written notice[.] to the [commercial establishment] *place or provider of public accommodation* setting forth such person's allegation. If, within 30 days, the [commercial establishment] *place or provider of public accommodation* cures the violation and provides the aggrieved person an express written statement that the violation has been cured and that no further violations shall occur, no action may be initiated against the [commercial establishment] *place or provider of public accommodation* for such violation. If a [commercial establishment] *place or provider of public accommodation* continues to violate subdivision a of section 22-1202, the aggrieved person may initiate an action against such [establishment] *place or provider*. No prior written notice is required for actions alleging a violation of subdivision b or c of section 22-1202. A prevailing party may recover:

1. For each violation of subdivision a of section 22-1202, damages of \$500;
2. For each negligent violation of subdivision b or c of section 22-1202, damages of \$500;
3. For each intentional or reckless violation of subdivision b or c of section 22-1202, damages of \$5,000;
4. Reasonable attorneys' fees and costs, including expert witness fees and other litigation expenses; and
5. Other relief, including an injunction, as the court may deem appropriate.

§4. Section 22-1204 of the administrative code of the city of New York, as added by local law number 3 for the year 2021, is amended to read as follows:

§ 22-1204 Applicability. a. Nothing in this chapter shall apply to the collection, storage, sharing or use of biometric identifier information by government agencies, employees or agents.

b. The [disclosure required] *requirements* of subdivision [a] *e* of section 22-1202 shall not apply to[:]

[1. Financial institutions.

2. Biometric identifier information collected through photographs or video recordings, if: (i) the images or videos collected are not analyzed by software or applications that identify, or that assist with the identification of, individuals based on physiological or biological characteristics, and (ii) the images or video are not shared with, sold or leased to third-parties other than law enforcement agencies.] *any place or provider of public accommodation that is subject to, and in compliance with, any of the following data security requirements: (i) regulations promulgated pursuant to title v of the financial services modernization act of 1999; (ii) regulations implementing the health insurance portability and accountability act of 1996 and the health information technology for economic and clinical health act of 2009; and (iii) part 500 of title 23 of the New York codes, rules and regulations, regarding cybersecurity.*

c. Where the specific services sought by a customer from a place or provider of public accommodation cannot be performed without the collecting and processing of biometric identifier information, the agreement by

the customer to engage such services shall be deemed consent for the purposes of subdivision a of section 22-1202. This exemption shall not apply to any security or sale system that is ancillary to the specific services sought by the customer.

§ 5. This local law takes effect 180 days after it becomes law, provided that where the provisions of section 22-1202 of the administrative code of the city of New York, as added by section two of this local law, cannot be applied consistently with currently applicable contracts, such provisions shall only apply with respect to contracts entered into or renewed after the effective date of this local law.

Referred to the Committee on Technology.

Int. No. 1015

By Council Member Holden.

A Local Law to amend the administrative code of the city of New York, in relation to orders to seal, secure, and close

Be it enacted by the Council as follows:

Section 1. Section 28-214.1 of chapter 2 of title 28 of the administrative code of the city of New York, as amended by local law number 126 for the year 2021, is amended to read as follows:

§ 28-214.1 Order to seal, secure, and close. a. If the commissioner determines such action is necessary to the preservation of life and safety the commissioner may order a building subject to a vacate order to be sealed, secured and closed.

b. The commissioner may additionally commence proceedings to seal, secure and close a property if (i) \$25,000 or more in unpaid fines, civil penalties or judgments entered by a court of competent jurisdiction or the environmental control board pursuant to chapter 2 of this title is owed to the city with respect to such property and (ii) such property appears to be vacant, provided that the property owner shall be given 15 days' notice and the opportunity to pay such unpaid fines, civil penalties or judgments or to demonstrate that the property is not vacant prior to such property being ordered sealed, secured and closed pursuant to this subdivision.

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

Referred to the Committee on Housing and Buildings.

Res. No. 583

Resolution calling on New York State to subsidize the education and licensing costs of CUNY students who commit to working in the public sector in the mental health professions, which historically experience high turnover rates and staffing shortages.

By Council Members Joseph, Lee, Rivera, Powers, Louis, Restler, Hanif, Hudson, Ayala, Holden, Brewer, Ung, Abreu, Farías, Avilés, Sanchez, Nurse, Cabán, Brooks-Powers, Dinowitz and Ariola (in conjunction with the Brooklyn Borough President).

Whereas, In the United States (U.S.), one in five adults experiences mental illness annually; and

Whereas, Two in five incarcerated adults have a history of mental illness, while seven in 10 youth in the juvenile justice system have a mental health condition; and

Whereas, In New York State (State), over 2.8 million adults have a mental health condition, and over 4.1 million people live in a community with too few mental health professionals; and

Whereas, In the State last year, more than 1,700 died by suicide and over 550,000 adults had suicidal thoughts; and

Whereas, Over 90,000 people in the State are homeless, with one in six living with a serious mental illness; and

Whereas, In the State last year, about 60 percent of 12- to 17-year-olds who were diagnosed with depression did not receive any care; and

Whereas, According to the National Alliance on Mental Illness-New York State (NAMI-NYS), Governor Kathy Hochul’s “\$1 billion [2023-2023 budget] proposal represents the most significant commitment to mental health in the state’s history”; and

Whereas, According to NAMI-NYS and an October 2022 study by a behavioral health advocacy group, behavioral health agencies have a “revolving door of staff,” with the number of new hires almost equaling the number of staff who are leaving, which means that providers are unable to sustain the staffing levels required to deliver needed services in many communities; and

Whereas, According to NAMI-NYS, “investing in programs without investing in the workforce is putting the cart before the horse and leaves the success of [new] programs in doubt”; and

Whereas, The National Alliance on Mental Illness-New York City Metro (NAMI-NYC) praised the New York City (NYC) Council for its Response to the Fiscal 2024 Preliminary Budget, in which it recognized the importance of expanding and supporting mental health services for NYC residents, including a commitment “to develop and retain the mental health workforce”; and

Whereas, A larger mental health workforce would be needed to staff the new programs being called for by Governor Hochul, by the City Council, and by Mayor Eric Adams in his “Care, Community, Action: A Mental Health Plan for New York City,” announced in March 2023; and

Whereas, According to “Addressing the Lack of Diversity in the Mental Health Field,” an article by Rebecca Kim published in March 2022 by the National Alliance on Mental Illness (NAMI), the mental health workforce is predominantly white, even though people of color have a disproportionately higher rate of “adverse mental health outcomes and barriers to care”; and

Whereas, According to the Kim article, having a counselor, therapist, nurse, or other mental health professional with a different racial or ethnic identity can create difficulties for the person being treated; and

Whereas, The City University of New York (CUNY) has the right mix of students from all racial and ethnic backgrounds to draw from in developing a mental health workforce that can best serve all NYC communities, including those often underrepresented; and

Whereas, Providing subsidies to CUNY students to enter and persist in the mental health care field could improve the diversity of that workforce in NYC; now, therefore, be it

Resolved, That the Council of the City of New York calls on New York State to subsidize the education and licensing costs of CUNY students who commit to working in the public sector in the mental health professions, which historically experience high turnover rates and staffing shortages.

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

Int. No. 1016

By Council Member Krishnan.

A Local Law to amend the administrative code of the city of New York, in relation to the interpretation of the New York city human rights law, and the repeal of paragraph f of subdivision 13 of section 8-107 of such code relating to vicarious liability of employers

Be it enacted by the Council as follows:

Section 1. This local law shall be known and may be cited as the “No exceptions law of 2023”.

§ 2. Legislative findings and purpose. For more than 30 years, the council has enacted local laws directing courts to construe the provisions of the New York city human rights law liberally. Nevertheless, some courts, both at the trial and appellate levels, have resisted these directives. Opinions in *Chauca v. Abraham*, 30 N.Y.3d 325 (2017), *Makinen v. City of New York*, 30 N.Y.3d 81 (2017), and *Krohn v. New York City Police*

Department, 2 N.Y.3d 329 (2004), are illustrations of narrow interpretations of the language set forth in the New York city human rights law contrary to the legislative intent, and the council now intends to correct these misinterpretations and reaffirm its intent that the New York city human rights law always be construed liberally for the accomplishment of its uniquely broad and remedial purposes. The purpose of this local law is to emphasize that there are no exceptions to the requirements set forth in section 8-130 of the administrative code of the city of New York and to provide further guidance to direct courts to liberally and independently construe the New York city human rights law in a manner that is maximally protective of civil rights in all circumstances.

§ 3. Section 8-130 of the administrative code of the city of New York is amended by adding new subdivisions (d), (e), (f), (g), and (h) to read as follows:

(d) There are no exceptions to the liberal construction requirements of this section, and any purported exception, whether supposed to arise from common law, a statutory source, or an interpretative doctrine, contravenes the intention of this section.

(e) The failure of this section to repudiate an opinion of a court is not intended to ratify, and shall not be construed as constituting implicit ratification, of any such opinion.

(f) The council repudiates the interpretation of the New York city human rights law in Krohn v. New York City Police Department, 2 N.Y.3d 329 (2004). The city's sovereign immunity as to claims brought under the New York city human rights law was always intended to be waived. The restatement of this intention is found in subdivision a-2 of section 8-502.

(g) The council repudiates the interpretation of the New York city human rights law by the majority opinion in Chauca v. Abraham, 30 N.Y.3d 325 (2017). Upon a finding of liability, a plaintiff was always entitled to charge a jury or other finder of fact with considering whether or not to impose punitive damages, in addition to all other forms of relief. The restatement of this intention is found in subdivision a-1 of section 8-502.

(h) The council repudiates the interpretation of the New York city human rights law in Makinen v. City of New York, 30 N.Y.3d 81 (2017). Conduct based in whole or in part on mistakenly perceived alcoholism was always intended to be understood as conduct based on perceived disability, and the limitation set forth in paragraph 2 of the definition of disability in section 8-102 does not apply.

§ 4. Section 8-502 of the administrative code of the city of New York is amended by adding new subdivisions a-1 and a-2 following subdivision a, to read as follows:

a-1. A finding of liability for an unlawful discriminatory practice under chapter 1 of this title or an act of discriminatory harassment or violence under chapter 6 of this title, is sufficient by itself to warrant charging a jury or other finder of fact to consider whether to award punitive damages against a covered entity. The fact that a covered entity's act or failure to act was intentional, malicious, or recklessly indifferent to the rights of the plaintiff or plaintiffs is among the aggravating factors that may be considered by a jury or other finder of fact, but the absence of any such factors does not preclude the imposition of punitive damages. When a covered entity is found liable on the basis of its own conduct, punitive damages, if any, shall be assessed on the basis of the covered entity's conduct. When a covered entity is found vicariously liable for the conduct of its employee, agent, or independent contractor, punitive damages, if any, shall be assessed on the bases of (i) the conduct of the person for whose conduct the covered entity is vicariously liable and (ii) the covered entity's own actions and failures to act.

a-2. The city waives immunity and permits the award of punitive damages in respect to all claims brought under subdivision a of this section, including claims brought against the city or its agencies or other instrumentalities.

§ 5. Paragraph (f) of subdivision 13 of section 8-107 of the administrative code of the city of New York is REPEALED.

§ 6. This local law takes effect immediately and is intended to have retroactive applicability; provided, however, that subdivision (f) of section 8-130 of the administrative code of the city of New York, as added by section three of this local law, and subdivision a-2 of section 8-502 of such code, as added by section four of this local law, only apply to claims commenced or continued not less than one year after the effective date of this local law.

Referred to the Committee on Civil and Human Rights.

Preconsidered Int. No. 1017

By Council Members Krishnan, Louis, Riley, Restler, Lee and Brewer.

A Local Laws to amend the administrative code of the city of New York, in relation to lifeguards and staff at public beaches and pools under the jurisdiction of the department of parks and recreation

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 18 of the administrative code of the city of New York is amended by adding a new section 18-160 to read as follows:

§ 18-160 Report on staffing and training at beaches and pools. a. No later than May 1, 2024 and every year thereafter, the department shall submit a report to the mayor and the speaker of the council regarding the number of lifeguards and other staff hired to work at beaches and pools under the jurisdiction of the department. Such report shall include, but need not be limited to:

1. The number of lifeguards and other staff hired to work at each beach and outdoor pool for the forthcoming bathing season of each year;

2. As of the date such report is submitted, the number of lifeguards and other staff hired to work at each indoor pool located at each recreation center;

3. As of the date such report is submitted, a description of the safety training that is provided to each lifeguard and staff member at each beach and pool, including information on how often such training is provided;

4. The number and location of incidents that required emergency assistance, by a lifeguard, staff member or other emergency responder at each pool and beach that occurred during the immediately preceding year; and

5. As of the date such report is submitted, the number of indoor and outdoor pools that are under the jurisdiction of the department, the number of such pools that are currently closed to the public for maintenance or other purposes and when each closed pool is estimated to be reopened for public use.

§ 2. This local law takes effect immediately.

Referred to the Committee on Parks and Recreation (preconsidered but laid over by the Committee on Parks and Recreation).

Int. No. 1018

By Council Members Lee, Powers, Rivera, Bottcher, Richardson Jordan, Louis, Menin, Restler, Ayala, Holden, Brewer, Ung, Joseph and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to reporting on involuntary removals

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 17-199.21 to read as follows:

§ 17-199.21 Report on involuntary removals. a. Definitions. For purposes of this section, the term “involuntary removal” means any removal of a person pursuant to subdivision (a) of section 9.41 of the mental hygiene law or subdivision (a) of section 9.58 of the mental hygiene law.

b. On or before January 1, 2025, and annually thereafter, the department, in coordination with the police department, the fire department, the mayor’s office of community mental health, and other relevant agencies,

shall provide to the council and post on its website a report regarding involuntary removals conducted during the preceding calendar year. The report must include, but need not be limited to:

1. The number of involuntary removals conducted pursuant to subdivision (a) of section 9.41 of the mental hygiene law;
 2. The number of involuntary removals conducted pursuant to subdivision (a) of section 9.58 of the mental hygiene law;
 3. The number of 911 calls that resulted in the involuntary removal or transportation of an individual;
 4. Information regarding the locations in which such involuntary removals occurred, including whether an individual was removed from a private dwelling or a public space, such as a park or the public transportation system, or temporary emergency housing;
 5. Demographic information of removed individuals, including age, race, ethnicity, and whether the individual was an individual experiencing homelessness;
 6. Whether an individual subject to an involuntary removal was admitted to a hospital, and if so, the name and address of the hospital; and
 7. The average length of a hospital stay for such individuals.
- c. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state, or local law relating to the privacy of individual information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement.

§ 2. This local law takes effect immediately.

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

Int. No. 1019

By Council Members Lee, Powers, Rivera, Bottcher, Riley, Louis, Menin, Restler, Hanif, Hudson, Ayala, Holden, Ung, Joseph and Abreu (in conjunction with the Brooklyn Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to requiring the creation of a database and interactive map of outpatient mental health service providers in New York city

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 17-199.21, to read as follows:

§17-199.21 Database and interactive map of outpatient mental health service providers. No later than October 1, 2023, the department, in consultation with the health and hospitals corporation and the department of information technology and telecommunications, shall develop and maintain a searchable electronic database and interactive map of outpatient mental health service providers in New York city. Such database and map shall be posted on the department's website and shall allow outpatient mental health service providers to submit requests to the department for inclusion in the database and interactive map. Such database and map shall include, at a minimum, the following information on each mental health service provider:

1. Address, office hours, and contact information;
2. Mental health services provided by such provider;
3. Whether such mental health service provider accepts insurance and the insurances accepted; and
4. Any other information the department deems relevant.

§ 2. This local law takes effect immediately.

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

Res. No. 584

Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation to enter the Interstate Medical Licensure Compact, the Nurse Licensure Compact, and the Psychology Interjurisdictional Compact, to enhance the portability of medical and mental health providers to become licensed in multiple participating states.

By Council Members Lee, Powers, Rivera, Bottcher, Riley, Louis, Menin, Ayala, Brewer, Ung, Abreu and Avilés (in conjunction with the Brooklyn Borough President).

Whereas, According to the Kaiser Family Foundation, the rapid increased use of telehealth services during the COVID-19 pandemic played a critical role in meeting the needs of mental and physical health care in America; and

Whereas, Researchers in the U.S. Department of Health and Human Services found that telehealth visits significantly increased for Medicare beneficiaries as a result of waivers being expanded to include in-home visits during the pandemic due to social distancing concerns; and

Whereas, According to the Journal of the American Medical Association, during the pandemic, all medical disciplines suffered severe shortages of qualified personnel nationwide, and more than one in five healthcare workers considered reducing their hours or quitting the workforce entirely due to being overwhelmed by stress and the inability to maintain a work-life balance; and

Whereas, Staffing shortages continue to threaten the medical workforce in New York City, as evidenced by the nurses strike at Mount Sinai Hospital in Manhattan and Montifiore Medical Center in the Bronx, which began on January 4, 2023, and ended January 12, 2023, after both hospitals agreed to add nurses and improve working conditions; and

Whereas, A federal omnibus bill passed in December 2022 included critical funding to allow Staten Island University Hospital to retain 300 residency slots among “a national physician shortage” complicated by the triple-demic of COVID-19, influenza, and respiratory syncytial virus (RSV), which overwhelmed hospitals in late 2022; and

Whereas, The Association of American Medical Colleges projects an estimated loss of 124,000 physicians in both primary and specialty care by the year 2034, signaling the need to implement innovative ways of providing care, including telehealth visits, to ensure necessary service delivery; and

Whereas, While federal standards govern medical training and the U.S. Medical Licensing Examination, each state has its own licensing board and, with limited exceptions for emergency consultations, all physicians must be licensed by the state in which they choose to practice, which serves as a barrier to providing telemedicine in more than one state; and

Whereas, The Interstate Medical Licensure Compact (IMLC) is an agreement allowing physicians to become licensed in multiple participating states, thereby expanding the portability of their medical licensure in order to provide increased medical services; and

Whereas, The Nurse Licensure Compact (NLC) is a multistate license issued by a nurse’s Primary State of Residence that allows a nurse to practice in other NLC states and territories without obtaining additional licenses and, similar to a driver’s license, is recognized across state lines; and

Whereas, The Psychology Interjurisdictional Compact (PSYPACT) is an interstate agreement designed to allow licensed psychologists to practice tele-psychology and conduct temporary in-person practices across state boundaries as a means to provide services to a wider patient population; and

Whereas, New York State Senate bill S.2216, introduced by State Senator Thomas F. O’Mara, and its companion bill A.4860, introduced by New York State Assembly Member Philip A. Palmesano, would enact the IMLC to simplify the processes of allowing physicians to become licensed in multiple participating states and enhance the portability of medical licenses; and

Whereas, New York State Assembly bill A.3391, introduced by Assembly Member Daniel J. O’Donnell, would enact the IMLC and the NLC to strengthen access to healthcare by providing a streamlined process to become a licensed healthcare provider in multiples states; and

Whereas, New York State Assembly bill A.4528, introduced by Assembly Member Brian D. Miller, would enact the PSYPACT, the recognition of emergency medical services personnel licensure interstate compact, and

the counseling compact model legislation, which would serve to expand the mobility of the psychology and counseling workforce; and

Whereas, Telehealth services proved invaluable to New York City residents during the pandemic, and digital medical appointments continue to serve as a safe, convenient, and innovative way to access medical and behavioral healthcare for individuals who are unable or prefer not to attend in-person healthcare visits; and

Whereas, The need for medical health professionals to have greater portability and flexibility to practice in more than one state is projected to increase in the future; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, legislation to enter the Interstate Medical Licensure Compact, the Nurse Licensure Compact, and the Psychology Interjurisdictional Compact, to enhance the portability of medical and mental health providers to become licensed in multiple participating states.

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

Res. No. 585

Resolution calling on Congress to pass, and the President to sign, legislation prohibiting substantially similar consumer goods and services from being priced differently based solely on the gender of individuals for whose use or benefit the products and services are intended.

Council Members Menin, Cabán, Farías, Louis, Hanif, Richardson Jordan, Velázquez, Hudson, Brewer and Ung.

Whereas, The term “pink tax” was popularized following the Gender Tax Repeal Act of 1995, which prohibits inflationary price discrimination on goods and services based on gender in California state; and

Whereas, A 2015 study of gender pricing produced by the New York City Department of Consumer Affairs (DCA) revealed, on average, that similar products and services geared towards women were priced significantly higher than those marketed to men; and

Whereas, After analyzing the prices of approximately 800 products across 35 categories, the 2015 DCA study found women pay significantly more money for goods and services over the course of their lifetimes from “cradle to cane” than their male counterparts; and

Whereas, The 2015 DCA study noted significantly more money was spent on baby clothes for girls, costing 13 percent more than for boys; toys marketed to girls cost 11 percent more than for boys—even for the exact same toy in another color; on average, women’s clothing cost 15 percent more than men’s clothing; women’s shampoo products cost 48 percent more than similar products marketed to men; and women pay 56 percent more for personal care products than men do—even when the ingredients of the products are similar; and

Whereas, The 2015 DCA study concluded by citing older adult care products, such as canes, braces, and personal care products, and found products for women were at least seven percent more expensive than similar products for men; and

Whereas, On September 30, 2020, New York State General Business Law § 391-U went into effect, prohibiting businesses within the State from charging customers different prices for similar goods and services because of their gender; and

Whereas, The 117th Congress (2021-2022) introduced H.R. 3853, the Pink Tax Repeal Act, a bill to prohibit the pricing of consumer products and services that are substantially similar if such products or services are priced differently based on the gender of the individuals for whose use the products are intended or marketed, or for whom the services are performed or offered, but has not yet been reintroduced in the 118th Congress; and

Whereas, According to the 2020 United States Census Bureau, 52 percent of New Yorkers—over four million individuals—identify as women, and while protected against pink taxes in New York City by New York State law, gender-based pricing still regularly occurs in other parts of the country and has the potential to impact women New Yorkers out of state; and

Whereas, Gender-based pricing is compounded by the fact that, according to the Harvard Business Review, in 2022, individuals who identify as women earned 17 percent less than their male counterparts; now, therefore, be it

Resolved, That the Council of the City of New York calls on Congress to pass, and the President to sign, legislation prohibiting substantially similar consumer goods and services from being priced differently based solely on the gender of individuals for whose use or benefit the products and services are intended.

Referred to the Committee on Consumer and Worker Protection.

Res. No. 586

Resolution calling upon the State Legislature to pass, and the Governor to sign, S.5150, to allow de facto parents to apply to the Supreme Court for a writ of habeas corpus.

By Council Members Menin and Hudson.

Whereas, Over the past fifty years, the traditional composition of the family has been transformed; and

Whereas, In 1960, for example, approximately 73 percent of children were living in a two parent home with parents who were in their first marriage; and

Whereas, By 2015, less than half of families in the United States represented this model; and

Whereas, It is now common for children to live with either a single parent, a blended family consisting of step-parents and siblings, or parents of the same sex; and

Whereas, These changes to the structure of the family have significant repercussions for established custody laws that often still assume outdated notions of the nuclear family arrangement; and

Whereas, This can be seen within New York state custody laws and in particular, the overturning of the precedent set in the 1991 case of *Alison D. v. Virginia M.*; and

Whereas, Since that determination, the State's family laws limited custody and visitation rights to a parent with either a biological or adoptive relationship to the child; and

Whereas, However, after the New York Court of Appeals ruling in the case of *Brooke S.B. v. Elizabeth A.C.C* in August 2016, the definition has been broadened; and

Whereas, The *Brooke S.B. v. Elizabeth A.C.C* case involved a same-sex, unmarried couple, who had been living in a de facto relationship for a number of years; and

Whereas, Although the couple were engaged, they were unable to marry at the time because same-sex marriage was not yet legal in New York state; and

Whereas, Rather than wait for marriage legalization, the couple decided to start their family and one of the women carried the child; and

Whereas, The couple then split a few years later and before same-sex marriage was legal; and

Whereas, While the non-biological parent and ex-partner continued to co-parent for at least a year, at one point, the biological mother cut off contact between the child and the ex-partner; and

Whereas, The ex-partner filed for custody and visitation rights but the Court originally ruled that the petitioner had no parental rights given the limitations set by *Alison D. v. Virginia M.*; and

Whereas, On appeal, however, the Court overruled *Alison D. v. Virginia M.*, arguing that when there is clear evidence that partners agree to conceive and raise a child together, the ex-partner does have rights to visitation and custody; and

Whereas, The Court further noted that "*Alison D.*'s foundational premise of heterosexual parenting and nonrecognition of same-sex couples is unsustainable, particularly in light of the enactment of same-sex marriage in New York state"; and

Whereas, While this case has helped broaden the definition of who is able to pursue visitation and custody, it still has limitations; and

Whereas, Key to the *Brooke S.B. v. Elizabeth A.C.C* ruling was the fact that both parties had consciously planned in advance to conceive and raise a child together; and

Whereas, This means that partners who enter a child’s life after their birth, may be prevented from pursuing visitation and custody if they do not formally adopt the child; and

Whereas, In many U.S. states, the parental rights of a de facto parent – a non-adoptive, non-biological adult raising the child – are protected by law; and

Whereas, While the rights and definitions across states differ, New York state is one of the few that does not recognize and protect this relationship; and

Whereas, S.5150, which was introduced in the New York State Senate by Senator Kevin Parker in February 2023, aims to rectify this gap; and

Whereas, If enacted, S.5150 would recognize a person acting as a de facto parent and grant them the ability to pursue visitation and custody; and

Whereas, Given the ongoing changes to the family unit, it is likely that children will develop deep bonds with their caregivers who are not necessarily their biological or adoptive parents; and

Whereas, It is therefore important that family and domestic law keep pace with these changes and protect these important bonds; now, therefore, be it

Resolved, That the Council of the city of New York calls upon the State Legislature to pass, and the Governor to sign, S.5150, to allow de facto parents to apply to the Supreme Court for a writ of habeas corpus.

Referred to the Committee on Women and Gender Equity.

Int. No. 1020

By Council Members Narcisse, Louis, Hanif, Hudson and Lee.

A Local Law to amend the administrative code of the city of New York, in relation to establishing a website to request free COVID-19 rapid antigen tests and personal protective equipment

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 17-199.20 to read as follows:

§ 17-199.20 *COVID-19 supplies available by mail. a. The department shall create a website that allows users to request COVID-19 rapid antigen tests and personal protective equipment, including masks and gloves.*

b. Subject to limitations on quantity established by the department, the department shall mail the requested rapid antigen tests and personal protective equipment to addresses in the city free of charge.

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

Referred to the Committee on Health.

Int. No. 1021

By Council Members Powers, Lee, Bottcher, Schulman, Rivera, Riley, Louis, Restler, Hudson, Ayala, Holden, Ung, Joseph and Abreu (in conjunction with the Manhattan and Brooklyn Borough Presidents).

A Local Law to amend the administrative code of the city of New York, in relation to crisis respite centers

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 17-199.21 to read as follows:

§ 17-199.21 Crisis respite center. a. Definitions. For purposes of this section, the term “crisis respite center” means a community-based facility that is designed as an alternative to emergency hospitalization for individuals with severe mental illness in times of psychiatric crisis that offers voluntary stays for up to 1 week, and provides access to behavioral health professionals, peer support groups, psychoeducation, self-advocacy education, and self-help training.

b. The department, in consultation with the mayor’s office of community mental health, and other relevant agencies, shall ensure the creation of at least 2 crisis respite centers in each borough. In determining locations for crisis respite centers, the department shall prioritize communities that have a heightened need for crisis respite centers, as determined by the mayor’s office of community mental health.

c. Crisis respite centers must be open to individuals by appointment, walk-in, or through referrals from medical professionals.

§ 2. This local law takes effect immediately.

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

Res. No. 587

Resolution calling on the New York State Office of Mental Health to expand enforcement of mental health and substance use disorder insurance parity and apply for federal grants to enforce insurance parity.

By Council Members Powers, Lee, Bottcher, Schulman, Rivera, Riley, Louis, Hudson, Ayala, Holden, Ung, Joseph, Abreu, Avilés, Nurse, Cabán, Dinowitz and Ariola (in conjunction with the Brooklyn Borough President).

Whereas, According to the Mayor’s Office of Community Mental Health (OCMH), approximately one in five adults in New York City lives with a mental illness; and

Whereas, According to the Substance Abuse and Mental Health Services Administration, less than half of Americans struggling with mental illness receive the treatment they need; and

Whereas, OCMH reports that New Yorkers’ connection to mental healthcare differs significantly by race, ethnicity, sex, insurance status, and neighborhood poverty level, among other factors; and

Whereas, Timothy’s Law of 2006 requires insurance companies in New York State to cover a range of “biologically based mental illness or serious emotional disturbance disorders,” particularly those related to children; and

Whereas, The federal Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA) mandates that health plans provide a level of benefits for mental health and substance use disorder treatments comparable to benefits for medical and surgical care; and

Whereas, The New York State government health and mental hygiene budget for the 2019-2020 fiscal year codified New York State insurance parity requirements consistent with MHPAEA; and

Whereas, According to MHPAEA compliance reports, enforcement efforts have historically focused on minimizing the likelihood of future violations through outreach, compliance assistance, and interpretive guidance; and

Whereas, The 2022 MHPAEA compliance report states that many health plans are still not complying with MHPAEA requirements and that inequities in reimbursement and utilization review for behavioral health services continue to negatively impact access to care; and

Whereas, The persistence of MHPAEA violations makes it clear that compliance assistance alone is not sufficient and a greater emphasis on proactive enforcement is required; and

Whereas, H.R. 2617, the Consolidated Appropriations Act of 2023, includes \$50 million of funding spread across five years to help states enforce the federal parity provisions; and

Whereas, To access such parity enforcement funds, states will be required to apply for grants from the Department of Health and Human Services; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Office of Mental Health to expand enforcement of mental health and substance use disorder insurance parity and apply for federal grants to enforce insurance parity.

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

Res. No. 588

Resolution calling on New York State to reinitiate the NY/NY supportive housing program, to have both City and State coordinate on supportive housing development and contracting.

By Council Members Powers, Lee, Bottcher, Schulman, Rivera, Louis, Restler, Hudson, Ayala, Holden, Brewer, Ung, Joseph and Abreu (in conjunction with the Brooklyn Borough President).

Whereas, New York City (“NYC” or “the City”) is experiencing a housing crisis in both supply and affordability, with the 2021 NYC Housing Vacancy Survey data finding citywide net rental vacancy rate of 4.54% in 2021, which translates to just 103,200 vacant units out of nearly 2.3 million rental units in the City; and

Whereas, A March 2023 article from TheRealDeal, a real estate news publication, cited U.S. Census data to reveal that NYC’s population rose 4.25% over the past decade, while the number of housing units increased at just 2% over the same time period, and NYC trade association Real Estate Board of New York (“REBNY”) reported that while at least 560,000 new housing units are needed by 2030 to meet demand, the rate of new construction is lagging far behind; and

Whereas, New York City experienced record high rent prices in 2022, with finance analysis group Moody’s Analytics releasing a January 2023 report which, using the Department of Housing and Urban Development’s “rent-burdened” definition of families who direct 30% or more of their income to housing, revealed New York City to be the most rent-burdened metro area in the United States, finding that median-income NYC households would need to pay 68.5% of their earnings to rent an average-priced apartment in the fourth quarter of 2022, far higher than the next highest rate of 41.6% for median-income households in the Miami metro area; and

Whereas, The nonprofit organization Coalition for the Homeless reported that rates of homelessness in NYC reached record high levels in October 2022, citing that the average number of people sleeping in a shelter every night hit 66,000, with that number rising to 72,562 people in January 2023 who spent every night in a shelter; and

Whereas, According to the NYC Human Resources Administration’s (“HRA’s”) Department of Social Services, supportive housing is “affordable housing with supportive social services in place for individuals and families who are homeless or at risk of homelessness”, and the NYC Department of Housing Preservation and Development (“HPD”) describes supportive housing as “permanent, affordable housing with on-site support services to serve the needs of the most vulnerable New Yorkers, including homeless individuals and people with disabilities”; and

Whereas, The NY/NY I, II, and III Supportive Housing Agreements were supportive housing programs that spanned the years of 1990-1993, 1999-2004, and 2005-2016, respectively, and cumulatively resulted in the creation of around 14,000 supportive housing units for those meeting certain criteria, such as homeless persons with mental illness; and

Whereas, The NY/NY Supportive Housing Agreements utilized a legally binding mutual agreement between New York City and New York State (“NYS” or “the State”) that made the City and State partner entities in their commitment to build out supportive housing units, but despite meeting the goals for building out thousands of supportive housing units, the last iteration of the NY/NY Supportive Housing Agreements, NY/NY III, expired in 2016 with no ready replacement agreement between the City and State; and

Whereas, The NY/NY Supportive Housing Agreements have been subject to numerous studies that found numerous benefits arising from the program, including a 2014 report from the NYC Department of Health and Mental Hygiene (“DOHMH”), HRA, and the NYS Office of Mental Health (“OMH”) that found NY/NY III to have saved NYS taxpayers \$10,100 per tenant per year, along with improving health, employment, and educational outcomes for tenants, while reports on NY/NY I and NY/NY II similarly found both significant cost savings and improved health outcomes for program participants, with a 2002 University of Pennsylvania study finding that homeless persons placed in the NY/NY program saw reductions in shelter use, hospitalizations, length of stay per hospitalization, and time incarcerated; and

Whereas, Given the ongoing homelessness and housing affordability crisis in NYC, having another mutual agreement program with City and State partnership would allow for long-term supportive housing development solutions; and

Whereas, Reinitiating the NY/NY Supportive Housing Agreements would be a crucial step in ameliorating present housing and homelessness crises in New York City by binding City and State agencies to a mutual and legal commitment to develop new supportive housing sites, as former agreements did; now, therefore, be it

Resolved, That the Council of the City of New York calls on New York State to reinitiate the NY/NY supportive housing program, to have both City and State coordinate on supportive housing development and contracting.

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

Res. No. 589

Resolution calling on the Federal Government to ensure that calls to the 988 Suicide and Crisis Lifeline program are routed based on geolocation rather than area code.

By Council Members Powers, Lee, Bottcher, Schulman, Rivera, Riley, Louis, Hudson, Ayala, Holden, Brewer, Ung, Joseph, Abreu, Farias, Avilés, Nurse and Dinowitz (in conjunction with the Brooklyn Borough President).

Whereas, According to the United States Centers for Disease Control and Prevention (“CDC”), the number of suicides in the U.S. increased 4 percent from 45,979 in 2020 to 47,646 in 2021, after two consecutive years of decline, and a 2022 CNN/Kaiser Family Foundation survey found that nine out of 10 adults believe there is a mental health crisis in the U.S., while both the CDC and the World Health Organization reported seeing a COVID-19 induced spike in mental health emergencies in the U.S. and worldwide; and

Whereas, The 988 Suicide and Crisis Lifeline program (“988 Lifeline”), formerly known as the National Suicide Prevention Lifeline, is the national hotline for those in need of support during a suicidal, substance abuse, and/or mental health crisis or any other kind of emotional distress, and is funded by the federal Substance Abuse and Mental Health Services Administration (“SAMHSA”), administered by the nonprofit Vibrant Emotional Health (“Vibrant”), and managed by state and local entities; and

Whereas, NYC Well, New York City’s suicide prevention hotline, is one of the local entities that operates within the 988 Lifeline network; and

Whereas, The designation of 988 as the national hotline, replacing the former number of 1-800-273-8255, is the result of the National Suicide Hotline Designation Act signed in October 2020, and the Federal Communications Commission required telephone providers to make calling and texting 988 accessible by July 16, 2022; and

Whereas, People can reach the 988 Lifeline by calling or texting 988 or chatting at 988lifeline.org and be connected with a trained crisis counselor, and according to SAMHSA, as of December 1, 2022 there are around 200 local, independently owned and operated crisis centers in the 988 Lifeline network that receive calls, chats, and texts sent to the 988 Lifeline across the nation, with SAMHSA reporting that the 988 Lifeline received roughly 3.6 million contacts in Fiscal Year 2021; and

Whereas, SAMHSA found that most contacts to the 988 Lifeline are calls, with 2.4 million calls making up the 3.6 million contacts received in Fiscal Year 2021, and Vibrant reports that over 80% of calls received are from cell phones; and

Whereas, When receiving a call, the 988 Lifeline's phone system routes the call to the closest crisis center in the 988 Lifeline network based on the area code of the calling number, not on geolocation technology; and

Whereas, In December of 2020, Vibrant released a report which found that connecting callers to crisis centers is crucial in that doing so connects callers with invaluable resources and support during their mental health crises and thereby mitigates risks and harms stemming from their distress; and

Whereas, The same report included recommendations to process 988 Lifeline calls with geolocation technology because of how many calls come from cell phones, meaning area codes are not a reliable means of accurately locating someone calling the 988 Lifeline, thus routing callers to crisis centers that may not actually be local to them; and

Whereas, The FCC hosted a forum in May 2022 on geolocation for the 988 Lifeline, wherein Vibrant, SAMHSA, experts, and local crisis centers all mentioned the importance of accurately routing a call, stating reasons that included how the inaccurate location of a caller can inhibit the effectiveness of mental health crisis care by delaying access to much-needed care and resources in situations where a caller is not in the same locality as their area code, and that location accuracy is needed to properly judge 988 Lifeline performance metrics and areas of need within states; and

Whereas, The same forum revealed that individuals receive better support from local counselors because local counselors know their area and can quickly connect callers to nearby resources, can reference factors and events familiar to callers to more quickly build trusting connections, and can more easily provide follow-up care and other services that contribute to harm reduction and lessen suicide risk; and

Whereas, Accurately locating a caller is vital to prevent serious harm or death in the cases where callers are at immediate risk of suicide, with Vibrant stating that nearly 1% of callers to the 988 Lifeline are both at imminent risk of suicide and are unable or unwilling to provide their location; and

Whereas, Vibrant found that almost 90% of callers interviewed around 9 days on average after calling the 988 Lifeline stated that the 988 Lifeline helped stop them from killing themselves, and numerous studies of 988 Lifeline calls have shown that most callers were significantly more likely to feel less overwhelmed, depressed, and suicidal after speaking with a 988 Lifeline counselor, including a 2022 study where 89% of those receiving service from NYC Well reported feeling satisfied with their overall experience; and

Whereas, Because the FCC governs whether the 988 Lifeline should or should not use geolocation technology, adjusting federal rules would allow state and local entities to activate and adopt geolocation capabilities and thus allow for more effective crisis care for both current and future callers to the 988 Lifeline; now, therefore, be it

Resolved, That the Council of the City of New York calls on the Federal Government to ensure that calls to the 988 Suicide and Crisis Lifeline program are routed based on geolocation rather than area code.

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

Res. No. 590

Resolution calling on the New York State Legislature to pass, and the New York State Governor to sign, S.2643/A.3986, allowing bicyclists to treat stop signs as yield signs, and red lights as stop signs.

By Council Members Restler, Narcisse, Won, Krishnan, Brewer, Riley and Richardson Jordan (by request of the Brooklyn Borough President).

Whereas, Over the past decades, transportation infrastructure of cities and states has become increasingly diversified; and

Whereas, In addition to traditional means of transportation, such as motor vehicles and public transit, a growing number of residents and businesses are using bicycles for pleasure, work and as a commuting alternative; and

Whereas, The growing popularity of bicycles has prompted some cities and states to reevaluate their traffic laws; and

Whereas, In 1982, Idaho adopted section 49-720 (the “Idaho stop”), which allows bicycles to treat stop signs as yield signs and red lights as stop signs; and

Whereas, The goal of the Idaho stop is to allow more flexibility for bicyclists by conserving their momentum and helping to keep them out of the way of heavy automobile traffic; and

Whereas, According to the United States Department of Transportation’s National Highway Traffic Safety Administration, in addition to Idaho; Arkansas, Delaware, North Dakota, Oklahoma, Oregon, Utah and Washington have adopted some version of the Idaho statute; and

Whereas, More recently, in 2022, Washington, D.C. adopted the Safer Streets Amendment Act, which among other things, implemented an Idaho stop law within the city; and

Whereas, The adoption of the Idaho stop would have no impact on a pedestrian’s right of way, because bicyclists would still have to slow down in order to ensure that the intersection is clear of pedestrians, vehicles and other bicycles; and

Whereas, Moreover, riding a bicycle raises distinct safety needs and requirements, with individuals who ride bicycles not posing the same safety hazards to pedestrians as automobiles because bicycles generally travel at a slower speed and have the ability to more quickly respond to surrounding traffic; and

Whereas, In addition, studies show that there are positive safety benefits to implementing Idaho stop-like laws, as they give bicyclists greater flexibility at stop signs and red lights, and thus, enhance road safety for all road users; and

Whereas, In New York City, in 2021, there were 55,000 bike commuters to work, 110,000 bike commute trips to work, 550,000 total daily cycling trips, and 200.8 million total annual cycling trips, with an estimated 900,000 New Yorkers riding a bike regularly; and

Whereas, In an effort to ensure the safety of bicyclists and all road users, S.2643, sponsored by New York State Senator Rachel May, and A.3986, sponsored by New York State Assemblymember Patricia Fahy, were introduced, and would allow bicyclists to treat a stop sign as a yield sign, and a red light as a stop sign; and

Whereas, As bicycling is a vital means of transportation for those in New York City, and improved safety among bicyclists is always necessary, S.2646/A.3986 are important pieces of legislation that could benefit all New Yorkers; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the New York State Governor to sign, S.2643/A.3986, allowing bicyclists to treat stop signs as yield signs, and red lights as stop signs.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 1022

By Council Members Riley, Lee, Powers, Rivera, Louis, Hanif, Hudson, Ayala, Holden, Ung, Joseph and Abreu (in conjunction with the Brooklyn Borough President).

A Local Law in relation to a pilot program establishing community centers for individuals with severe mental illness in high-need areas

Be it enacted by the Council as follows:

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

Community center. The term “community center” means a community-based location designed to support the recovery of individuals with severe mental illness that provides wraparound services and opportunities for social connection for such individuals, including group activities and programming, job readiness skills and transitional employment opportunities, educational opportunities, and access to medical and mental health providers, in a non-residential setting.

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

b. Pilot program. The department, in consultation with the office of community mental health and any other appropriate agency, shall establish a community center pilot program. Such program shall establish community centers in at least 5 high-need areas of the city of New York, as determined by the department.

c. Implementation. The pilot program required by subdivision b of this section shall commence no later than 180 days after the effective date of this local law. On or before the date such pilot program commences, the department shall conspicuously post on its website a list of the community center locations established by such pilot program.

d. Report. No later than 1 year after the commencement of the pilot program established pursuant to subdivision b of this section, the department shall submit to the speaker of the council a report containing information regarding such pilot program, including the cost of such pilot program, an analysis of the impact and effectiveness of such pilot program, recommendations for expanding or making such pilot program permanent, and any other recommendations regarding such pilot program.

§ 2. This local law takes effect immediately.

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

Preconsidered Int. No. 1023

By Council Members Rivera, Avilés, Richardson Jordan, Abreu, Louis, Riley, Restler, Hanif, Hudson, Krishnan, Cabán, Schulman, Brewer, Ung, Farías and Sanchez.

A Local Law to amend the administrative code of the city of New York, in relation to the declaration of a public nuisance by the department of housing preservation and development in connection with lead hazards

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 27-2114 of the administrative code of the city of New York, as amended by local law number 805 for the year 1984, is amended by adding a new paragraph i to read as follows:

i. Where the department of health and mental hygiene issues a commissioner’s order to correct or remediate a condition pursuant to section 27-2056.14 of the code or section 173.13 of the health code or any successor rule related to the issuance of orders requiring the correction or remediation of lead hazards, the department shall, subject to the notice and filing requirements contained in subdivision b of this section, declare such lead hazard to constitute a public nuisance. The department may also declare, in the instance of multiple violations of article 14 of subchapter 2 of this chapter, that such violations constitute a public nuisance.

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

Referred to the Committee on Health (preconsidered but laid over by the Committee on Health).

Int. No. 1024

By Council Members Rivera, Sánchez, Cabán, Hanif, Louis, Riley, Richardson Jordan, Hudson, Avilés, Brewer and Ossé (by request of the Manhattan Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to limiting the use of facial recognition technology in residential buildings

Be it enacted by the Council as follows:

Section 1. Section 26-3001 of the administrative code of the city of New York is amended by amending the definition for “biometric identifier information,” and adding a new definition of “biometric recognition technology” in alphabetical order to read as follows:

Biometric identifier information. The term “biometric identifier information” means a physiological, biological or behavioral characteristic that is used to identify, or assist in identifying, an individual, including, but not limited to: (i) a retina or iris scan; (ii) a fingerprint; (iii) a voiceprint; (iv) a scan or record of a palm, hand or face geometry; (v) gait or movement patterns; or (vi) any other similar identifying characteristic *that can be used alone or in combination with each other, or with other information, to establish individual identity.*

Biometric recognition technology. The term “biometric recognition technology” means a process or system that captures or assists in the capture of biometric identifier information of a person or persons in conjunction with any automated process or system that verifies or identifies, or assists in verifying or identifying, a person or persons based on such biometric identifier information.

§ 2. Subdivision a of section 26-3002 of the administrative code of the city of New York is amended to read as follows:

a. An owner of a smart access building or third party may not collect reference data from a user for use in a smart access system except where such user has expressly consented, in writing or through a mobile application, to the use of such smart access building’s smart access system. Such owner or third party may collect only the minimum amount of authentication data and reference data necessary to enable the use of such smart access system in such building, and may not collect [additional] biometric identifier information from any users. Such smart access system may only collect, generate or utilize the following information:

1. the user’s name;
2. the dwelling unit number and other doors or common areas to which the user has access using such smart access system in such building;
3. the user’s preferred method of contact;
- [4. the user’s biometric identifier information if such smart access system utilizes biometric identifier information;]
- [5]4. the identification card number or any identifier associated with the physical hardware used to facilitate building entry, including radio frequency identification card, bluetooth or other similar technical protocols;
- [6]5. passwords, passcodes, user names and contact information used singly or in conjunction with other reference data to grant a user entry to a smart access building, dwelling unit of such building or common area of such building through such building’s smart access system, or to access any online tools used to manage user accounts related to such building;
- [7]6. lease information, including move-in and, if available, move-out dates; and
- [8]7. the time and method of access, solely for security purposes.

§3. Chapter 30 of title 26 of the administrative code of the city of New York is amended by adding a new section 26-3008 to read as follows:

§ 26-3008. Biometric recognition technology in multiple dwellings. a. An owner of a multiple dwelling shall not install, activate or use any biometric recognition technology that identifies tenants or the guest of a tenant.

§ 4. This local law takes effect 120 days after it becomes law, provided that where the provisions of section 26-3008 of the administrative code of the city of New York, as added by section three of this local law, cannot be applied consistently with currently applicable contracts, such provisions shall only apply with respect to contracts entered into or renewed after the effective date of this local law.

Referred to the Committee on Technology.

Preconsidered Int. No. 1025

By Council Members Schulman, Avilés, Richardson Jordan, Abreu, Louis, Riley, Hanif, Hudson, Restler, Krishnan, Cabán, Brewer, Ung, Lee, Farías and Sanchez.

A Local Law to amend the administrative code of the city of New York, in relation to the assessment of certain children with elevated blood lead levels

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 17-179 of the administrative code of New York, as added by local law number 39 for the year 2021, is amended to read as follows:

c. As part of the investigation required by section 17-911, the department shall provide to the parent or guardian of any child determined to have an elevated blood lead level [information regarding special education services available from the department of education], *as established by department rule, a referral to the committee on special education of the department of education, or another appropriate provider as determined by the department, for a neuropsychological or neurodevelopmental evaluation in order to determine the child's eligibility for special education services.*

1. Such evaluations shall be comprehensive and age appropriate, and shall meet minimum standards as approved by the committee on special education.

2. In the event it is determined, based upon such comprehensive neuropsychological or neurodevelopmental evaluation, that a child suffers from a neurocognitive or behavioral deficit consistent with the effects of lead poisoning, the department shall make a recommendation to the committee on special education that such child is eligible for appropriate health and educational services and interventions related to lead poisoning, and shall recommend the development an individualized education program in consultation with a neuropsychologist and the appropriate disciplines, to provide the child with such appropriate services and interventions.

3. No later than January 1, 2024, and annually thereafter, the department shall submit to the mayor and the speaker of the council an anonymized report, which protects personally identifying information, containing, at a minimum:

(a) The number of children referred for neuropsychological or neurodevelopmental evaluations based on elevated blood levels pursuant to section 17-911;

(b) The number of children determined by comprehensive neuropsychological or neurodevelopmental evaluation to suffer from neurocognitive or behavioral deficits consistent with the effects of lead poisoning;

(c) The number of children referred to the committee on special education for the creation of an individualized education program; and

(d) The number of individualized education programs generated as a result of these requirements.

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

Referred to the Committee on Health (preconsidered but laid over by the Committee on Health).

Res. No. 591

Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation to protect New York State's safety net providers and Special Needs Plans by eliminating the Medicaid pharmacy carve-out.

By Council Members Schulman, Lee, Louis, Restler, Hudson, Ung and Sanchez.

Whereas, In 1990, Congress created the Medicaid rebate program, which lowered the cost of drugs for Medicaid programs by requiring participating manufacturers to pay rebates to state Medicaid programs for covered outpatient drugs; and

Whereas, In 1992, Congress extended the same Medicaid pharmacy benefits to safety net providers by enacting Section 340B of the Public Health Service Act (the 340B program); and

Whereas, The 340B program requires pharmaceutical manufacturers participating in Medicaid to provide front-end discounts on covered outpatient drugs purchased by specified Managed Care providers that serve low-income and uninsured patients; and

Whereas, Managed Care providers include critical access hospitals (CAHs), sole community hospitals (SCHs), rural referral centers (RRCs), and public and nonprofit disproportionate share hospitals (DSH) that serve low-income and indigent populations; and

Whereas, Managed Care providers also include Special Needs Plans (SNPs), such as HIV SNPs, which provide specialized services for people living with HIV/AIDS; and

Whereas, According to the Medicaid and CHIP Payment and Access Commission (MACPAC), states may offer Medicaid benefits on either a fee-for-service (FFS) basis or through Managed Care, or both; and

Whereas, In April 2020, Governor Cuomo and the New York State Legislature passed a budget that included a plan to transition Medicaid pharmacy benefits from the Managed Care model to a fee-for-service (FFS) model, replacing 340B with NYRx starting April 1, 2023; and

Whereas, Since April 1, 2023, NYRx has carved out pharmacy benefits for an estimated 8 million New Yorkers enrolled in Medicaid Managed Care plans, including Health and Recovery Plans (HARPs) and HIV-Special Needs Plans (HIV-SNPs); and

Whereas, According to the New York State Department of Health (NYSDOH), NYRx allows New York State to pay pharmacies directly for the drugs and supplies of Medicaid members, which gives the State “complete visibility into the underlying cost of prescription drugs and greater control to manage overall prescription drug spending”; and

Whereas, The Medicaid pharmacy carve-out harms 340B providers, including community health centers, HIV providers, sexual health clinics, many rural hospitals, and other safety net providers, by eliminating their ability to purchase prescription drugs at a significantly reduced price; and

Whereas, While NYRx has allowed the State and Federal governments to receive more rebates, it has taken away hundreds of millions of dollars from safety net providers who previously used savings from drug discounts, through 340B, for patient care; and

Whereas, According to NYSDOH, prior to this shift, there were 209 Managed Care providers under the 340B program, totaling 2,191 sites across New York State; and

Whereas, These providers relied on the savings from the 340B program to provide numerous services addressing social determinants of health and health inequities, including transportation assistance, sexually transmitted infection (STI) screenings, nurse triage and education services, care coordination and patient navigation for chronically ill patients, free oncology services, and insurance assistance and enrollment services; and

Whereas, Providers also used these funds to operate food pantries and mental health and wellness programs, including nutrition and diabetes education and harm reduction programs; and

Whereas, Save New York’s Safety Net, a statewide coalition of clinics, community-based organizations, and HIV health plans, estimates that the pharmacy benefit carve-out will result in an estimated \$240 million a year in lost revenue for 340B entities, causing many critical medical and supportive services to be reduced and eliminated for vulnerable New Yorkers; and

Whereas, According to the Community Healthcare Association of New York State, extensive harm will occur to community health centers as a result of the pharmacy carve-out, including health center closures, layoffs of hundreds of staff, and losses of over \$100 million in client services; and

Whereas, The End AIDS NY Coalition surveyed 15 of its member organizations that operate HIV clinics, and these 15 organizations alone reported that they will lose \$56.1 million in annual revenue due to the pharmacy carve-out; and

Whereas, According to a letter that hospital leaders sent to former Governor Cuomo and former NYSDOH Commissioner Zucker, about 100 hospitals serving low-income and indigent populations across New York State will lose more than \$87 million in 2024 as a result of this change, in addition to over \$25 billion in losses and expenses incurred due to COVID-19; and

Whereas, New York City (NYC) Commissioner of Health & Mental Hygiene, Ashwin Vasan, warns that NYC Health + Hospitals is expected to lose at least \$123 million per year due to the Medicaid pharmacy carve-out; and

Whereas, Along with Evergreen Health in Buffalo, Heritage Health and Housing in Harlem, which serves approximately 5,500 Black and Latino patients—half of which identify as LGBTQ—has filed a lawsuit against NYSDOH to block NYRx, arguing that 340B funds finance substance abuse and HIV prevention and care services that otherwise might not get funded; and

Whereas, To continue providing essential services to our most venerable population, advocates, including safety net providers and HIV SNPs, are calling for the carve-out to be eliminated; and

Whereas, Given the disproportionate impact of COVID-19 on vulnerable communities and the providers that serve them, eliminating the carve-out is necessary to protect these New Yorkers who need it most; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, legislation to protect New York State's safety net providers and Special Needs Plans by eliminating the Medicaid pharmacy carve-out.

Referred to the Committee on Health.

Res. No. 592

Resolution calling on the New York State and Federal governments to expand the availability of mental health professionals for low and moderate income New Yorkers by increasing Medicaid reimbursement rates for behavioral health services.

By Council Members Schulman, Powers, Lee, Rivera, Riley, Louis, Restler, Hudson, Ayala, Holden, Brewer, Ung, Joseph, Abreu, Farías, Avilés, Nurse, Cabán and Dinowitz (in conjunction with the Brooklyn Borough President).

Whereas, According to the Mayor's Office of Community Mental Health (OCMH), approximately one in five adults in New York City lives with a mental illness; and

Whereas, According to the Substance Abuse and Mental Health Services Administration, less than half of Americans struggling with mental illness receive the treatment they need; and

Whereas, According to OCMH, about 30 percent of the total population of New York City lives in federally designated mental health professional shortage areas; and

Whereas, According to the New York State Office of Mental Health, the demand for mental health care services continues to grow; and

Whereas, Access to treatment for behavioral health conditions relies, in part, on the supply of available providers that accept insurance; and

Whereas, 4,368,608 New York City residents receive their health insurance through Medicaid as of January 2023; and

Whereas, In New York, Medicaid reimburses providers 57 percent of the amount that Medicare does for the same service;

Whereas, Many mental health providers do not accept Medicaid because of low reimbursement rates, according to a 2022 Government Accountability Office report; and

Whereas, Low Medicaid payment rates limit participation in Medicaid and further exacerbate existing shortages of mental health professionals; and

Whereas, According to the Medicaid and CHIP Payment and Access Commission, just 36 percent of psychiatrists accepted new Medicaid patients as of 2019; and

Whereas, New York State's Medicaid reimbursement rates are set by the Division of Finance and Rate Setting within the Office of Health Insurance Programs under the guidance of the federal Center for Medicaid Services; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State and Federal governments to expand the availability of mental health professionals for low and moderate income New Yorkers by increasing Medicaid reimbursement rates for behavioral health services.

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

Int. No. 1026

By Council Member Ung.

A Local Law in relation to the establishment of a task force to study options, report on, and make recommendations for potential locations for the construction of a bus depot in Flushing, Queens

Be it enacted by the Council as follows:

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

Bus depot. The term “bus depot” means a public transit yard as used in section 32-25(C) of the zoning resolution of the city of New York.

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

Task force. The term “task force” means the Flushing bus depot task force established by this local law.

§ 2. Task force established. There is hereby established a task force to be known as the Flushing bus depot task force.

§ 3. Duties. The task force shall identify potential locations for the construction of a bus depot in Flushing, Queens, and to estimate the projected costs associated with the construction of such bus depot. The task force shall conduct a study, which shall include an assessment of the anticipated total costs of constructing a new bus depot, including the cost of purchasing the necessary lots, the cost of hiring contractors, workers, inspectors, and other staff, and the cost of all construction-related materials. In conducting the study, the task force shall review the factors that may be considered for the acquisition of necessary lots for the construction of a new bus depot.

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

1. The commissioner of transportation or such commissioner’s designee, who shall serve as chair;
2. The director of city planning or such director’s designee; and
3. Five other members to be appointed by the mayor.

b. The mayor shall invite the metropolitan transportation authority and the New York city transit authority to participate in the work of the task force. The mayor may invite officers and representatives of relevant federal, state, and local agencies and authorities to participate in the work of the task force.

c. All appointments required by this section shall be made no later than 90 days after the effective date of this local law.

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

§ 5. Meetings. a. The chair shall convene the first meeting of the task force no later than 30 days after the last member has been appointed, except that where not all members of the task force have been appointed within the time specified in section four, the chair shall convene the first meeting of the task force within 10 days of the appointment of a quorum.

b. The task force may invite experts and stakeholders to attend its meetings and to provide testimony and information relevant to its duties.

c. The task force shall meet no less than once each quarter to carry out the duties described in section three.

d. The meeting requirement of subdivision c shall be suspended when the task force submits its report as required by section six.

§ 6. Report. a. No later than 270 days after the effective date of this local law, the task force shall submit a report to the mayor and the speaker of the council setting forth its recommendations relating to the potential construction of a bus depot in Flushing, Queens. The report shall include the locations of existing bus depots and other zoning considerations obtained from the Queens borough president and the department of city planning pursuant to such study.

b. The director of city planning shall publish the task force’s report electronically on the website of the department of city planning no later than 10 days after its submission to the mayor and the speaker of the council.

§ 7. Agency support. Each agency affected by this local law shall provide appropriate staff and resources to support the work of such agency related to the task force. The Queens borough president and the department of

city planning shall provide the task force with information on the locations of existing bus depots in Queens, to the extent such information is available.

§ 8. Termination. The task force shall terminate 180 days after the date on which it submits its report, as required by section six.

§ 9. Effective date. This local law takes effect immediately.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 1027

By Council Members Velázquez, Louis, Hanif and Lee.

A Local Law to amend the administrative code of the city of New York, in relation to maintaining a website or other communications platform for local job opportunities in media and entertainment

Be it enacted by the Council as follows:

Section 1. Subchapter 1 of chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-119.9 to read as follows:

§ 3-119.9 *Employment opportunities in media and entertainment. a. Definitions. For purposes of this section, the term “mayor’s office of media and entertainment” means the mayor’s office of media and entertainment as established by mayoral executive order number 21 for the year 2022, or any successor to such office.*

b. The mayor’s office of media and entertainment, or any other agency or office designated by the mayor, shall maintain and regularly update a publicly accessible website or other suitable online communications platform for the purpose of aggregating and disseminating information on local job opportunities in the media and entertainment industry.

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

Referred to the Committee on Technology.

Int. No. 1028

By Council Members Velázquez, Louis and Brewer.

A Local Law to amend the administrative code of the city of New York, in relation to reporting data about electric bicycles and electric scooters

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 14-153 of the administrative code of the city of New York, is amended to read as follows:

a. The department shall publish on its website the following traffic-related data: (1) the number of moving violation summonses issued, disaggregated by type of summons; (2) the number of traffic crashes, disaggregated by (i) the type of vehicle or vehicles involved; (ii) the number of motorists and/or injured passengers, bicyclists, scooter users and pedestrians involved; and (3) the number of traffic-related fatalities and injuries disaggregated by (i) the number of motorists and/or injured passengers, bicyclists, scooter users and pedestrians involved; and (ii) the apparent human contributing factor or factors involved in the crash, including, but not limited to alcohol, driver inattention/distraction, speeding, failure to yield and use of cell phones or other mobile devices. *For purposes of the above, bicyclists shall be further disaggregated by the number of bicyclists using bicycles that run exclusively on human power and by the number of bicyclists using bicycles that are capable of running on*

human power that may also be powered by an electric motor or by a gasoline motor that is capable of propelling the device without human power and is not capable of being registered with the New York state department of motor vehicles.

§ 2. Section 19-186 of the administrative code of the city of New York is amended to read as follows:

§ 19-186. Compilation of bicycle *and scooter* crash data

a. The department shall compile the total number of bicycle *and scooter* crashes that are reported to city agencies. Such bicycle *and scooter* crash compilation shall include crashes between bicycles *or scooters*, between bicycles *or scooters* and motorized vehicles and between bicycles *or scooters* and pedestrians. [The department shall commence compiling such data on October 1, 2011.]

b. [On June 1, 2012 and annually thereafter,] *By June 1 of each year*, the department shall provide a report to the council for the preceding calendar year, with such report posted on the department's website, of the total number of reported crashes as required by subdivision a of this section, disaggregated by those involving solely bicycles *or solely scooters*, between bicycles *or scooters* and motorized vehicles, and between bicycles *or scooters* and pedestrians. Such report shall also include the number of injuries and fatalities resulting from such crashes disaggregated as above. Such report shall also be disaggregated by borough and by police precinct.

c. *All compilation of information and all reporting required by this section shall disaggregate bicycles by the number of bicycles that run exclusively on human power and by the number of bicycles that are capable of running on human power that may also be powered by an electric motor or by a gasoline motor that is capable of propelling the device without human power and is not capable of being registered with the New York state department of motor vehicles.*

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

Referred to the Committee on Transportation and Infrastructure.

Int. No. 1029

By Council Members Velázquez, Bottcher and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to consumer warnings regarding rifles, shotguns, and 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 10-317 to read as follows:

§ 10-317 *Consumer warnings regarding weapons and firearms. a. Every dealer in firearms and dealer in rifles and shotguns shall, in the place where rifles, shotguns, or firearms are displayed or where rifles, shotguns, or firearms are transferred to a purchaser, conspicuously post a notice stating: "A firearm in the home significantly increases the risk of suicide, homicide, death during domestic disputes, and unintentional deaths to children, household members, and others. If you or a loved one is experiencing distress or depression, call the Mobile Crisis Team at 1-888-NYC-WELL (1-888-692-9355) or the National Suicide Hotline at 988." Such signs must be unobstructed in their entirety. Such signs must be at least 8 inches by 11 inches and printed in no less than 36-point font.*

b. Any person who violates subdivision a of this section shall be guilty of a violation punishable by a fine of not more than \$5,000.

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

Referred to the Committee on Consumer and Worker Protection.

Int. No. 1030

By Council Members Williams, Louis, Yeger, Hanif, Abreu, Menin, Stevens, Avilés, Ung, Lee, Farías, Riley, Krishnan, Velázquez, Ossé, Won, Hudson and Nurse.

A Local Law to amend the administrative code of New York, in relation to the department of transportation posting information on traffic control device and speed reducer requests on its website

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 19-185.1 to read as follows:

§ 19-185.1 Publication of traffic control device and speed reducer requests. No later than November 1, 2023, the commissioner shall make available on a website information regarding traffic control device and speed reducer requests. The website must be searchable by case number and address.

b. For each request the website shall include, but need not be limited to, the following information:

- 1. Case number;*
- 2. General topic;*
- 3. Issue;*
- 4. Status;*
- 5. Resolution;*
- 6. Reason for approval or denial of the request; and*
- 7. If approved, the timeline for completion of request.*

c. The commissioner shall update the website as soon as practicable upon any update or change to a request.

§ 2. This local law takes effect immediately.

Referred to the Committee on Transportation and Infrastructure.

Preconsidered L.U. No. 192

By Council Member Brannan:

834 Riverside Drive HDFC.GHPP.FY23, Block 2136, Lot 18, Manhattan, Community District No. 12, Council District No. 7.

Adopted by the Council (preconsidered and adopted by the Committee on Finance).

Preconsidered L.U. No. 193

By Council Member Brannan:

Taino Towers, Block 1787, Lots 1, 60, 70, 80, Manhattan, Community District No. 11, Council District No. 8.

Adopted by the Council (preconsidered and adopted by the Committee on Finance).

Preconsidered L.U. No. 194

By Council Member Brannan:

Taino Towers-Building 1, Block 1787, Lot 60, Manhattan, Community District No. 11, Council District No. 8.

Adopted by the Council (preconsidered and adopted by the Committee on Finance).

Preconsidered L.U. No. 195

By Council Member Brannan:

Taino Towers-Building 2, Block 1787, Lot 1, Manhattan, Community District No. 11, Council District No. 8.

Adopted by the Council (preconsidered and adopted by the Committee on Finance).

Preconsidered L.U. No. 196

By Council Member Brannan:

Taino Towers-Building 3, Block 1787, Lot 80, Manhattan, Community District No. 11, Council District No. 8.

Adopted by the Council (preconsidered and adopted by the Committee on Finance).

Preconsidered L.U. No. 197

By Council Member Brannan:

Taino Towers-Building 4, Block 1787, Lot 70, Manhattan, Community District No. 11, Council District No. 8.

Adopted by the Council (preconsidered and adopted by the Committee on Finance).

Preconsidered L.U. No. 198

By Council Member Brannan:

West 148th Street Heighliner Portfolio.HPO.FY23, Block 2034, Lot 29, Manhattan, Community District No. 10, Council District No. 9.

Adopted by the Council (preconsidered and adopted by the Committee on Finance).

Preconsidered L.U. No. 199

By Council Member Brannan:

**St. Matthew & St. Timothy's Apartments, Block 1213, Lot 42, Manhattan, Community District No. 7,
Council District No. 6.**

Adopted by the Council (preconsidered and adopted by the Committee on Finance).

NEW YORK CITY COUNCIL

A N N O U N C E M E N T S

Friday, April 28, 2023

Committee on Immigration jointly with the
Committee on Governmental Operations

Shahana K. Hanif, Chairperson
Sandra Ung, Chairperson

Oversight - Meeting the Needs of Asylum Seekers in New York City

Proposed Int 569-A - By Council Members Hanif, Avilés, Cabán, Marte, Joseph, Nurse, Gutiérrez, Sanchez, Restler, Ossé, Richardson Jordan, De La Rosa, Riley, Louis and Schulman - **A Local Law** to amend the administrative code of the city of New York, in relation to an immigrant workers' bill of rights.

Proposed Int 790-A - By Council Members Brewer, Hanif, Louis, Joseph, Richardson Jordan, Ayala, Abreu, Gutiérrez, Krishnan, Hudson and Sanchez - **A Local Law** to amend the administrative code of the city of New York, in relation to documentation establishing proof of identity for a New York city identity card.

Int 839 - By Council Members Hudson, Velázquez, Hanif, Louis, Schulman, De La Rosa and Ung - **A Local Law** to amend the New York city charter, in relation to establishing an office of refugee and migrant settlement.

Int 909 - By Council Members Hanif, Ayala, Brewer, Cabán, Restler, Hudson, Abreu, Richardson Jordan, Avilés, De La Rosa, Riley, Ung, Won and Louis - **A Local Law** to amend the administrative code of the city of New York, in relation to enhancing the IDNYC application process.

Proposed Res 307-A - By Council Members Brewer, Hanif, Louis, Hudson, Ung, Sanchez, Velázquez and Gutiérrez - **Resolution** calling on United States Citizenship and Immigration Services to quickly clear the backlog of I-765 applications for employment authorization.

Res 364 - By Council Members Brewer, Hanif, Louis, Avilés, Joseph, Richardson Jordan and Ayala - **Resolution** Calling on the United States Congress to pass and the President to sign S. 4529, the "Children's Safe Welcome Act of 2022," which would establish standards to ensure the safety and well-being of migrant children in government custody is prioritized, employing best practices in all stages of our immigration system involving unaccompanied and accompanied children who seek asylum in the United States.

Res 365 - By Council Members Brewer, Hanif, Louis, Avilés and Joseph - **Resolution** calling on the United States Department of Health and Human Services to prioritize refugee settlement resources to New York City.

Res 381 - By Council Members Avilés, Cabán, Louis, Ayala, Hanif and Joseph - **Resolution** condemning the human trafficking of migrants.

Proposed Res 459-A - By Council Members Farías, Louis, Menin, Hudson, Restler and Richardson Jordan - Resolution calling upon the New York State Legislature to pass, and the Governor to sign, A.568/S.1802 prohibiting municipalities from requiring all employers to check prospective employees' work authorization status by using the federal electronic verification system and prohibiting employers from checking the employment authorization status of an existing employee or an applicant who has not been offered employment.

Proposed Res 532-A - By Council Members Brooks-Powers, Ayala, Louis, Richardson Jordan, Hudson, Abreu and Riley - **Resolution** calling on Governor Hochul to declare an emergency under Section 2-B of New York State Executive Law to direct funds, administrative resources and services to aid asylum seekers forcibly transported to the city by the governors of other states.

Res 556 - By Council Member Hudson, the Public Advocate (Mr. Williams) and Council Members Hanif, Abreu, Richardson Jordan, Restler, Ung, Brewer and Louis - **Resolution** calling on the New York State Legislature to pass and the Governor to sign A.170/S.999, also known as the Access to Representation Act, which establishes the right to legal counsel in immigration court proceedings and provides for the administration thereof.

Council Chambers – City Hall.....1:00 p.m.

Tuesday, May 2, 2023

Subcommittee on Zoning & Franchises

Kevin C. Riley, Chairperson

See Land Use Calendar

Committee Room – 250 Broadway, 14th Floor11:00 a.m.

Wednesday, May 3, 2023

Committee on Housing and Buildings

Pierina Ana Sanchez, Chairperson

Oversight - Homeownership Opportunities and Development Programs.

Int 384 - By Council Members Brooks-Powers, Lee, Ossé, Louis, Nurse, Abreu, Restler, Sanchez, Williams, Won and Velázquez - **A Local Law** to amend the New York city charter, in relation to the creation of an office of the homeowner advocate within the department of housing preservation and development.

Int 689 - By the Public Advocate (Mr. Williams) and Council Members Nurse, Louis, Restler, Hanif, Hudson, Joseph, Velázquez, Krishnan, Feliz, Ossé, Brannan, Avilés, Cabán, Lee, Schulman, Yeger, Marte, Abreu, Gutiérrez, Williams, Richardson Jordan and Won - **A Local Law** to amend the administrative code of the city of New York, in relation to elimination of permit and or filing fees for green building projects undertaken on one to four family homes

Council Chambers – City Hall.....10:00 a.m.

Committee on Technology jointly with the

Jennifer Gutiérrez, Chairperson

Committee on Civil & Human Rights

Nantasha Williams, Chairperson

Oversight - The Use of Biometric Identification Systems in New York City.

Int 1014 - By Council Members Hanif, Gutiérrez, Rivera, Williams, Sanchez, Louis and Marte - **A Local Law** to amend the administrative code of the city of New York in relation to prohibiting places or providers of public accommodation from using biometric recognition technology and protecting any biometric identifier information collected.

Int 1024 - By Council Members Rivera, Sánchez, Cabán, Hanif and Louis (by request of the Manhattan Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to limiting the use of facial recognition technology in residential buildings.

Res 296 - By Council Members Stevens, Menin, Sanchez, Abreu, Velázquez, Restler, Ung, Nurse, Joseph, Brooks-Powers, Williams, Louis and Brewer - **Resolution** calling on the New York State Legislature to pass and the Governor to sign, S.6924A/A.8347A, which establishes a task force on missing women and girls who are Black, Indigenous and people of color.

Council Chambers – City Hall.....1:00 p.m.

Thursday, May 4, 2023

Committee on Mental Health, Disabilities & Addiction

Linda Lee, Chairperson

Int 1006 - By Council Members Bottcher, Lee, Powers, Riley and Rivera – **A Local Law** to amend the administrative code of the city of New York, in relation to providing outreach and education regarding mental health services available through NYC Care and through the New York city health and hospitals corporation.

Int 1018 - By Council Members Lee, Powers, Rivera and Bottcher – **A Local Law** to amend the administrative code of the city of New York, in relation to reporting on involuntary removals.

Int 1019 – By Council Members Lee, Powers, Rivera, Bottcher and Riley – **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the creation of a database and interactive map of outpatient mental health service providers in New York city.

Int 1021 - By Council Members Powers, Lee, Bottcher, Schulman, Rivera and Riley – **A Local Law** to amend the administrative code of the city of New York, in relation to crisis respite centers.

Int 1022 – By Council Members Riley, Lee, Powers and Rivera – **A Local Law** in relation to a pilot program establishing community centers for individuals with severe mental illness in high-need areas.

Res 88 – By Council Members Holden, Stevens, Yeger, Bottcher and Powers – **Resolution** calling upon the United States Congress to pass and the President to sign legislation to fully repeal the Institutions for Mental Diseases Exclusion from the Social Security Act to allow states to use federal Medicaid funding to provide mental health and substance use disorder treatment services to adult Medicaid beneficiaries at Institutions for Mental Diseases.

Res 583 - By Council Members Joseph, Lee and Rivera – **Resolution** calling on New York State to subsidize the education and licensing costs of CUNY students who commit to working in the public sector in the mental health professions, which historically experience high turnover rates and staffing shortages.

Res 584 - By Council Members Lee, Powers, Rivera, Bottcher and Riley – **Resolution** calling on the New York State Legislature to pass, and the Governor to sign, legislation to enter the Interstate Medical Licensure Compact, the Nurse Licensure Compact, and the Psychology Interjurisdictional Compact, to enhance the portability of medical and mental health providers to become licensed in multiple participating states.

Res 587 - By Council Members Powers, Lee, Bottcher, Schulman, Rivera and Riley – **Resolution** calling on the New York State Office of Mental Health to expand enforcement of mental health and substance use disorder insurance parity and apply for federal grants to enforce insurance parity.

Res 588 - By Council Members Powers, Lee, Bottcher, Schulman and Rivera – **Resolution** calling on New York State to reinstate the NY/NY supportive housing program, to have both City and State coordinate on supportive housing development and contracting.

Res 589 - By Council Members Powers, Lee, Bottcher, Schulman, Rivera and Riley – **Resolution** calling on the Federal Government to ensure that calls to the 988 Suicide and Crisis Lifeline program are routed based on geolocation rather than area code.

Res 592 - By Council Members Schulman, Powers, Lee and Rivera – **Resolution** calling on the New York State and Federal governments to expand the availability of mental health professionals for low and moderate income New Yorkers by increasing Medicaid reimbursement rates for behavioral health services.

Council Chambers – City Hall.....10:00 a.m.

Committee on Land Use

Rafael Salamanca, Jr., Chairperson

All items reported out of the Subcommittees

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – 250 Broadway, 14th Floor11:00 a.m.

**NEW YORK CITY COUNCIL
FISCAL YEAR 2024
EXECUTIVE BUDGET HEARINGS**

**Unless otherwise noted, all hearings will take place in the
Council Chambers at City Hall.**

Monday, May 8, 2023

Time / Chambers	Agency Testifying	Finance Committee jointly with Council Committee
9:30-12:30	Human Resources Administration/DSS and Department of Homeless Services	General Welfare
12:30-2:00	Administration for Children’s Services	General Welfare
2:30-3:30	Department of Veteran Services	Committee on Veterans

Tuesday, May 9, 2023

Time / Chambers	Agency Testifying	Finance Committee jointly with Council Committee
10:00-11:00	Commission on Human Rights	Civil and Human Rights
11:15-12:15	Equal Employment Practices Commission	Civil and Human Rights
12:30- 1:30	City University of New York	Higher Education

Wednesday, May 10, 2023

Time / Chambers	Agency Testifying	Finance Committee jointly with Council Committee
9:00-11:00	Immigrant Affairs	Immigration
11:30-1:00	Youth and Community Development	Youth Services

Thursday, May 11, 2023

Stated Council Meeting

Council Chambers – City Hall.....Agenda – 1:30 p.m



**NEW YORK CITY COUNCIL
FISCAL YEAR 2024
EXECUTIVE BUDGET HEARINGS**

**Unless otherwise noted, all hearings will take place in the
Council Chambers at City Hall.**

Monday, May 8 2023

Time / Chambers	Agency Testifying	Finance Committee jointly with Council Committee
9:30-12:30	Human Resources Administration/DSS and Department of Homeless Services	General Welfare
12:30-2:00	Administration for Children's Services	General Welfare
2:30-3:30	Department of Veteran Services	Committee on Veterans

Tuesday, May 9 2023

Time / Chambers	Agency Testifying	Finance Committee jointly with Council Committee
10:00-11:00	Commission on Human Rights	Civil and Human Rights
11:15-12:15	Equal Employment Practices Commission	Civil and Human Rights
12:30- 1:30	City University of New York	Higher Education

Wednesday, May 10 2023

Time / Chambers	Agency Testifying	Finance Committee jointly with Council Committee
9:00-11:00	Immigrant Affairs	Immigration
11:30-1:00	Youth and Community Development	Youth Services

Friday, May 12 2023

Time / Chambers	Agency Testifying	Finance Committee jointly with Council Committee
10:00-11:30	Housing Preservation and Development	Housing & Buildings
12:00-1:00	Department of Buildings	Housing & Buildings
1:30-3:30	Sanitation	Sanitation & Solid Waste Management

Monday, May 15 2023

Time / Chambers	Agency Testifying	Finance Committee jointly with Council Committee
10:00 – 11:30	Department for the Aging	Aging
11:45 –1:45	Health & Mental Hygiene	Health jointly with Mental Health, Disability and Addiction

Tuesday, May 16 2023

Time / Chambers	Agency Testifying	Finance Committee jointly with Council Committee
10:00 – 12:00	Health + Hospitals	Hospitals
12:15-1:15	Small Business Services	Small Business

Wednesday, May 17 2023

Time / Chambers	Agency Testifying	Finance Committee jointly with Council Committee
9:00-12:00	Police	Public Safety
12:30-2:00	Fire & EMS	Fire & Emergency Management

Thursday, May 18 2023

Time / Chambers	Agency Testifying	Finance Committee jointly with Council Committee
10:00-11:30	Libraries	Cultural Affairs, Libraries & International Intergroup Relations
11:45-1:15	Cultural Affairs	Cultural Affairs, Libraries & International Intergroup Relations
1:30-2:45	Mayor's Office of Criminal Justice	Public Safety

Friday May 19 2023

Time / Chambers	Agency Testifying	Finance Committee
9:30 -11:00	Department of Correction	Criminal Justice
11:30-1:00	NYCHA	Public Housing
1:30-3:00	Transportation	Transportation & Infrastructure

Monday, May 22 2023

Time / Chambers	Agency Testifying	Finance Committee jointly with Council Committee
10:30-12:30	Parks and Recreation	Parks and Recreation
12:45-4:45	Education	Education

Tuesday May 23 2023

Time / Chambers	Agency Testifying	Finance Committee jointly with Council Committee
10:00-1:00	Office of Management & Budget	Finance
1:30-3:30	Comptroller	Finance
3:30-4:30	Department of Finance	Finance
4:30-5:30	Independent Budget Office	Finance

Wednesday, May 24 2023

Time / Chambers/ Hybrid	Agency Testifying	Finance Committee
Begins 10:00*	Public*	Finance

**Members of the public can testify in-person in the Council Chambers or virtually via Zoom Web and/or via Phone by registering at least 24 hours in advance of the hearing at <https://council.nyc.gov/testify/> Written testimony may be submitted up to 72 hours after the hearing has been adjourned.*

For questions about accessibility or to request additional accommodations at the May 24, 2023 Public Hearing, please contact swerts@council.nyc.gov or nbenjamin@council.nyc.gov or (212) 788-6936 at least three (3) business days before the hearing.

rev. 4.25.23

The following comments were among the remarks made by the Speaker (Council Member Adams) during the Communication from the Speaker segment of this meeting:

The Speaker (Council Member Adams) acknowledged the presence of former Council Member Annette Robinson in the Council Chambers. Those assembled in the Chambers applauded in appreciation.

In response to the April 2023 release of the Mayor’s FY 2024 Executive Budget, the Speaker (Council Member Adams), noted that New Yorkers needed smart investments in key services. As an example, she acknowledged that earlier in the week she had been joined by Council Member and Mental Health committee chair Lee, the Majority Leader (Council Member Powers), Council Member Bottcher, as well as by mental health advocates and service providers for the release of the Council’s Mental Health roadmap plan. She described the roadmap as a detailed plan which focuses on strengthening the mental health care infrastructure and related services with evidence-based solutions.

The Speaker (Council Member Adams) acknowledged the ongoing New York City Governmental Hiring Halls which the Council has been hosting in partnership with the Mayoral Administration. These events were organized to help recruit New Yorkers to fill vacancies in the various city agencies. She mentioned a recent hiring event held in Council Member Sanchez’s district in The Bronx and an upcoming hiring event to be held at York College in southeast Queens where Council Member Williams and the Speaker herself would both participate in.

The Speaker (Council Member Adams) acknowledged that April 27, 2023 marks *Eid al-Fitr* which is the end of Ramadan for the city’s Muslim communities. She noted that the Council had held an *Eid* celebration in the Council Chambers earlier in the week. She thanked Council Members Hanif, Avilés, Cabán, Fariás, Nurse, Stevens, and Williams, for cohosting the event. The Speaker (Council Member Adams) wished an *Eid Mubarek* to the nearly one million Muslim New Yorkers.

The Speaker (Council Member Adams) also acknowledged Delta Sigma Theta Sorority Day, Israel’s 75th Independence Day, Denim Day, and National Library Week. She additionally recognized a number of upcoming holidays and notable days in the month of May 2023.

For a complete accounting of the Communication from the Speaker segment, please refer to the Transcript of the Stated Meeting of April 27, 2023 on the New York Council website at <https://council.nyc.gov> .

* * *

Whereupon on motion of the Speaker (Council Member Adams), the Majority Leader and Acting President Pro Tempore (Council Member Powers) adjourned these proceedings to meet again for the Stated Meeting of Thursday, May 11, 2023.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

*Editor's Local Law Note: Int. Nos. 124-A, 210-A, 236-A, 403-A, 431-A, 642-A, 876-A, and 918-A, all adopted at the March 16, 2023 Stated Meeting, were **returned unsigned** by the Mayor on April 18, 2023. These items had become law on April 16, 2023 due to the lack of Mayoral action within the Charter-prescribed thirty day time period. These bills were assigned subsequently as Local Laws Nos. 45 to 52 of 2023, respectively.*

