

## **THE COUNCIL**

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*Minutes of the Proceedings for the*  
**STATED MEETING**  
*of*  
Thursday, May 25, 2023, 3:05 p.m.

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

### Council Members

Adrienne E. Adams, *The Speaker*

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

Absent: Council Members Velázquez and Vernikov;  
Excused: Council Member Moya.

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

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

*There were 48 Council Members marked present at this Stated Meeting held in the Council Chambers at City Hall, New York, N.Y. (including Council Members Hanks, Holden, Mealy, Narcisse, Richardson Jordan, and Salamanca who participated remotely).*

### INVOCATION

The Invocation was delivered by Reverend Evan Dean Gray, Sr., Mth, Pastor, Macedonia Baptist Church located at 330 Beach 67<sup>th</sup> Street, Arverne, N.Y. 11692.

Shall we pray?

Thank you, Heavenly Father,  
for allowing us to see a brand new day,  
a day that we have never seen before,  
and when it is gone, we will never see it again.  
As we stand in the midst of these hallowed chambers,  
Father, I pray that you will look  
upon every council member and their family and staff,  
that you would keep them safe  
from all hurt, harm, and danger.  
We pray, Oh, God, that you would be  
in the midst of every decision making moment,  
and that their thoughts will be guided by you,  
and their hearts will beat in tune with you.  
God, I pray that you would be in the midst  
those who are less fortunate than we are.  
Let us be mindful that somebody  
is less fortunate than we are.  
And I pray, God, that we will operate  
with hearts of compassion  
and a mind of understanding.  
Bless the heads of our government.  
Bless our mayor, bless our speaker,  
and all of those who sit and work within these Chambers.  
Keep their families safe from all hurt, harm, and danger.  
Give us the fortitude to stand against things  
that are harmful to our wonderful citizens  
of the City of New York.  
As we stand, God, give us the courage to stand  
and look bigotry in the eye  
and banish it from our very presence.  
Father, we thank you for what you have done,  
and we thank you  
for your glory in your son's name,  
we pray, Amen.

Council Member Brooks-Powers moved to spread the Invocation in full upon the record.

**ADOPTION OF MINUTES**

Council Member Brooks-Powers moved to spread the Minutes of the Stated Meeting of April 27, 2023 be adopted as printed.

**MESSAGES & PAPERS FROM THE MAYOR**

Preconsidered M-155

**Communication from the Mayor – “AN ACT to amend the vehicle and traffic law, in relation to establishing speed limits in cities with populations in excess of one million people” (S.2422-A/ A.7266).**

**(For text of the related report, please see the Report of the Committee on State and Federal Legislation for M-155 printed in the Reports of the Standing Committees section of these Minutes).**

Referred to the Committee on State and Federal Legislation.

Preconsidered M-156

**Communication from the Mayor – “AN ACT to amend the vehicle and traffic law, in relation to calibration checks for weigh in motion violation monitoring systems” (S.6246/ A.6225).**

**(For text of the related report, please see the Report of the Committee on State and Federal Legislation for M-156 printed in the Reports of the Standing Committees section of these Minutes).**

Referred to the Committee on State and Federal Legislation.

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

M-157

**Communication from the New York City Banking Commission - Transmitting recommendations of the interest rate to be charged for Fiscal Year 2024 for non-payment of taxes on real estate and for the discount rate to be allowed for early payment of real estate taxes for Fiscal Year 2024, pursuant to the City Charter.**

May 12, 2023

Honorable Adrienne Adams  
Speaker, New York City Council  
ATTN: Jonathan Etricks  
City Hall  
New York, NY 10007

**Re: FY2024 Interest Rates Recommendations for:**  
Early Payment (Discount) of Property Taxes; and  
Late-Payment of Property Taxes

Dear Speaker Adams:

Pursuant to Section 11-224.1 of the New York City Administrative Code and Section 1519-a of the New York City Charter, at its meeting on May 11, 2023, the NYC Banking Commission approved resolutions recommending to the City Council the following proposed FY2024 interest rates for the discount rate for early property tax payments and the rates for non-payment of property taxes:

- a. One-half of one percent (**0.50%**) discount per annum for early payment of real estate taxes;
- b. Six percent (**6.0%**) per annum for non-payment of property taxes with an assessed value of not more than two hundred fifty thousand dollars (\$250,000), or not more than two hundred fifty thousand dollars (\$250,000) per residential unit for co-ops, for certain Property Tax Payment Plans;
- c. Nine percent (**9.0%**) per annum for non-payment of property taxes with an assessed value of not more than two hundred fifty thousand dollars (\$250,000), or not more than two hundred fifty thousand dollars (\$250,000) per residential unit for co-ops;
- d. Fifteen percent (**15.0%**) per annum for non-payment of property taxes with an assessed value of no more than two hundred fifty thousand dollars (\$250,000), but less than four hundred fifty thousand dollars (\$450,000), or not more than two hundred fifty thousand dollars (\$250,000), but less than four hundred fifty thousand dollars (\$450,000) per residential unit for co-ops;
- e. Eighteen percent (**18.0%**) per annum for non-payment of property taxes with an assessed value of more than four hundred fifty thousand dollars (\$450,000), or more than four hundred fifty thousand dollars (\$450,000) per residential unit for co-ops.

The Commission also voted on making a \$10 Million deposit at Popular Bank's Banking Development District (BDD) branch located at 4502 5th Avenue in the Sunset Park neighborhood in Brooklyn. Attached are copies of the Banking Commission resolutions.

Sincerely,

Mary Christine Jackman  
Assistant Commissioner and Treasurer  
NYC Department of Finance

Attachment

cc: Honorable Eric Adams  
Comptroller Brad Lander  
Commissioner Preston Niblack, NYC Department of Finance  
Special Counsel/Chief Strategy Officer to 1<sup>st</sup> Dep. Mayor Tonya Jenerette  
Deputy Comptroller for Policy Annie Levers

**ATTACHMENT: Bank Resolutions Nos. 1 to 6 of 2023**

**RESOLUTION NO. 1 — FY2024 EARLY PROPERTY TAX PAYMENT DISCOUNT RATE RECOMMENDATION**

**WHEREAS**, pursuant to Section 1519-a of the New York City Charter, the Banking Commission shall send a written recommendation to the City Council of a proposed discount percentage for the early payment of property taxes for the ensuing fiscal year no later than the thirteenth of May, and

**WHEREAS**, The Banking Commission's impact analysis for FY2024 projects that the return on investments rate will result in \$8.7 million of interest earned on taxes collected early. This will not offset estimates of forgone tax revenue of negative \$10.5 million (discount given) plus forgone interest income on forgone taxes of (\$44k), resulting in a net loss in revenue to the city of negative \$1.8 million, and

**WHEREAS**, Semi-annual payers are billed twice per year and Quarterly payers four times, at an estimated total cost of \$7.40 per invoice. When taxpayers pay their entire year's property tax early, eliminating the need for further billing, the City saves from processing fewer invoices. In FY2023, a total of 174,148 property owners made early payments saving NYC an estimated \$2.5 million in invoicing and administrative costs. If similar savings are realized in FY2024, the total impact of the 0.50% discount will be a positive \$725 thousand, and

**WHEREAS**, New York City's Cash Flow projection for June 30th, 2023, the end of FY23, is \$9 billion. The Banking Commission does not recommend increasing the discount rate from 50 bps (0.50%) to 100 bps (1.0%). A 1.0% rate will not materially increase the cash flow but would further reduce the City's net income from negative \$10 million to negative \$21 million, and

**WHEREAS**, there is no economic reason for the Banking Commission to change the discount rate of 50 bps (0.50%) in FY2024. The impact of having this discount rate in place translates to a total net gain to the city of positive \$725 thousand. If the statutory default rate of 145 bps (1.45%) were to be invoked, the City's net loss would increase to negative \$31 Million. If the Banking Commission were to increase the discount rate to 100 bps (1.0%), this would result in a revenue loss of approximately \$21 Million; now, therefore be it

**RESOLVED**, the Banking Commission recommends to the City Council that the discount rate for the early payment of real property taxes shall remain at 50 basis points (0.50%) per annum for FY2024, and be it further

**RESOLVED**, that said discount rate is to be offered only for that portion of the real estate tax that is paid before the due date.

**RESOLUTION NO. 2 — FY2024 LATE PAYMENT RATE FOR CERTAIN PROPERTY TAX PAYMENT PLANS RECOMMENDATION**

**WHEREAS**, pursuant to Local Law 36 of the City New York 2023, the Banking Commission shall send a written recommendation to the City Council of a proposed late payment interest rate for the late payment of certain property tax payment plans for the ensuing fiscal year no later than the thirteenth of May, and

**WHEREAS**, the May 2023 Applicable Federal Rate is 4.30%, which under Local Law 36 of 2023 must be rounded to the nearest half a percentage point for a base rate of 4.50%, and

**WHEREAS**, the Applicable Federal Rate has increased almost two hundred basis points since last July, and

**WHEREAS**, a rate lower than the current Applicable Federal Rate has further tax implications for the people the law was written to help; now, therefore be it

**RESOLVED**, the Banking Commission recommends to the City Council that the late payment rate for certain Property Tax Payment Plans shall be set at six percent (6%) per annum for FY2024.

**RESOLUTION NO. 3 — FV2024 LATE PROPERTY TAX PAYMENT INTEREST RATE RECOMMENDATION FOR PROPERTIES ASSESSED NO MORE THAN \$250,000**

**WHEREAS**, pursuant to the New York City Administrative Code Section 11-224.1, the Banking Commission is required to recommend to the City Council, no later than the thirteenth of May, the proposed interest rates to be charged for non-payment of taxes for properties with an assessed value of not more than two hundred fifty thousand dollars (\$250,000), or not more than two hundred fifty thousand dollars (\$250,000) per residential unit for co-ops, and

**WHEREAS**, the proposed interest rate shall be at least equal to the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the "prime rate"), and

**WHEREAS**, the Banking Commission notes that as of May 11, 2023, said prime rate stands at 8.25 percent (8.25%), as published by the Board of Governors of the Federal Reserve System, and

**WHEREAS**, the Federal Reserve plans to keep rates at these levels for an extended period of time, to fight the highest inflation in 40 years. The Federal Reserve is expecting that the rate hikes will slash inflation and stabilize the economy, at a time when there is much uncertainty in the global economy, and

**WHEREAS**, it is in the City's best interest to encourage the prompt payment of property taxes by all taxpayers, now therefore, be it

**RESOLVED**, the Banking Commission recommends to the City Council that the late payment interest rate to be charged for non-payment of taxes for all properties with an assessed value of not more than two hundred fifty thousand dollars (\$250,000), or not more than two hundred fifty thousand dollars (\$250,000) per residential unit for co-ops, be set at nine percent (9%) per annum for tax year 2024.

**RESOLUTION NO. 4 — FY2024 LATE PROPERTY TAX PAYMENT INTEREST RATE RECOMMENDATION FOR PROPERTIES ASSESSED GREATER THAN \$250,000 BUT LESS THAN OR EQUAL TO \$450,000**

**WHEREAS**, pursuant to Local Law 24 of 2021, the Banking Commission is required to recommend to the City Council, no later than the thirteenth of May, the proposed interest rate to be charged for non-payment of taxes for properties with an assessed value of more than two hundred fifty thousand dollars (\$250,000) but less than or equal to four hundred fifty thousand dollars (\$450,000), or more than two hundred fifty thousand dollars (\$250,000) but less than or equal to four hundred fifty thousand dollars (\$450,000) per residential unit for co-ops, and

**WHEREAS**, said provisions of Local Law 24 require the Banking Commission to propose a rate at least four percentage points (4.0%) per annum greater than the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the "prime rate"), and

**WHEREAS**, the Banking Commission notes for the record that as of May 11, 2023, said prime rate stands at 8.25 percent (8.25%), as published by the Board of Governors of the Federal Reserve System, and

**WHEREAS**, it is in the City's best interest to encourage the prompt payment of real estate taxes by all taxpayers, now, therefore, be it

**RESOLVED**, the Banking Commission recommends to the City Council that the late payment interest rate to be charged for non-payment of real property taxes where the assessed value of a property is more than two hundred fifty thousand dollars (\$250,000), but less than or equal to four hundred fifty thousand dollars (\$450,000), or more than two hundred fifty thousand dollars (\$250,000) but less than or equal to four hundred fifty thousand dollars (\$450,000) per residential unit for co-ops, be set at fifteen percent (15%) per annum for FY2024.

**RESOLUTION NO. 5 — FY2024 LATE PROPERTY TAX PAYMENT INTEREST RATE RECOMMENDATION FOR PROPERTIES ASSESSED GREATER THAN \$450,000**

**WHEREAS**, pursuant to the New York City Administrative Code Section 11-224.1, the Banking Commission is required to recommend to the City Council, no later than the thirteenth of May, the proposed interest rate to be charged for non-payment of taxes for properties with an assessed value of more than four hundred fifty thousand dollars (\$450,000), or more than four hundred fifty thousand dollars (\$450,000) per residential unit for co-ops, and

**WHEREAS**, said provisions of the Administrative Code require the Banking Commission to propose a rate at least six percentage points (6.0%) per annum greater than the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the "prime rate"), and

**WHEREAS**, the Banking Commission notes for the record that as of May 11, 2023, said prime rate stands at 8.25 percent (8.25%), as published by the Board of Governors of the Federal Reserve System, and

**WHEREAS**, it is in the City's best interest to encourage the prompt payment of real estate taxes by all taxpayers, now, therefore, be it

**RESOLVED**, the Banking Commission recommends to the City Council that the late payment interest rate to be charged for non-payment of real estate taxes where the assessed value of a property is more than four hundred fifty thousand dollars (\$450,000), or more than four hundred fifty thousand dollars (\$450,000) per residential unit for co-ops, be set at eighteen per cent (18%) per annum for FY2024.

#### **RESOLUTION NO. 6 — POPULAR BANK BROOKLYN BDD DEPOSIT**

**WHEREAS**, the New York State Department of Financial Services has approved a fifth branch of Popular Bank to participate in the Banking Development District (BDD) program; and

**WHEREAS**, Popular Bank has requested that the City of New York make a \$10 Million deposit at its Brooklyn BDD branch located at 4502 Fifth Avenue in Brooklyn: therefore, be it

**RESOLVED**, the Banking Commission approves a \$10 Million City BDD deposit at the Popular Bank Brooklyn BDD branch.

Dated May 12, 2023

*The NYC Banking Commission unanimously approved Resolutions No. 1-6*

Referred to the Committee on Finance.



## REPORTS OF THE STANDING COMMITTEES

### Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations

Report for Int. No. 590-A

#### Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to the open culture program for art and cultural institutions.

The Committee on Cultural Affairs, Libraries and International Intergroup Relations, to which the annexed proposed amended local law was referred on July 14, 2022 (Minutes, page 1863), respectfully

#### REPORTS:

##### I. Introduction

On May 24, 2023, the Committee on Cultural Affairs, Libraries and International Intergroup Relations, chaired by Council Member Chi Ossé, held a hearing and vote on Resolution Number (Res. No.) 550, sponsored by Council Member Shahana Hanif, recognizing May as Lupus Awareness Month in the city of New York; and a vote on Introduction Number (Int. No.) 590-A, co-sponsored by Council Member Carlina Rivera and Council Member Chi Ossé, in relation to the open culture program for art and cultural institutions. The Committee previously held a hearing on Int. No. 590-A as part of an oversight hearing on *CreateNYC: The NYC Comprehensive Cultural Plan*, on October 26, 2022. Witnesses at that hearing included administrators from the Department of Cultural Affairs (DCLA), members of the Cultural Institutions Group (CIG),<sup>1</sup> various arts and cultural groups and organizations, academic institutions, and other interested parties. No members of the public testified about the resolution.

On May 24, 2023, the Committee on Cultural Affairs, Libraries and International Intergroup Relations passed both pieces of legislation by a vote of seven in the affirmative, zero in the negative, and zero abstentions.

##### II. BILL ANALYSIS

###### *INT. No. 590-A*

This bill would make permanent the Open Culture program that was established temporarily by local law during the COVID-19 pandemic, and pursuant to which eligible arts and culture institutions obtain permits to use roadways for events. The City would be required to establish the permanent program by August 1, 2023. There would be no fee for eligible institutions to participate in the program; however, the City would be permitted to charge a \$25 fee for application to the program. This bill would also require the City to submit a report regarding the Open Culture program by November 1, 2023, and annually thereafter.

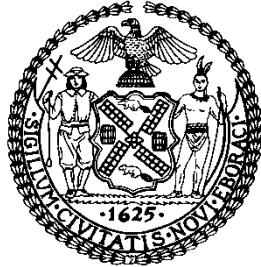
Since introduction, this bill was amended to clarify several definitions, expand eligibility criteria, and add a reporting requirement.

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<sup>1</sup> The CIG comprises 34 member institutions that exist in a public-private partnership with the City. The CIG includes art and natural history museums, historical societies, theaters, concert halls, performing arts centers, botanical gardens, and zoos. Member institutions operate as nonprofit organizations whose mandate is to provide cultural services to all New Yorkers. See <https://www.cignyc.org/>.

This bill would take effect immediately after it becomes law.

**(The following is the text of the Fiscal Impact Statement for Int. No. 590-A:)**



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

**PROPOSED INT. NO. 590-A**

**COMMITTEE:** Cultural Affairs, Libraries and International Intergroup Relations

**TITLE:** A Local Law to amend the New York city charter, in relation to the open culture program for art and cultural institutions.

**Sponsors:** Council Members Rivera, Ossé, Cabán, Louis, Hanif, Joseph, Hudson, Nurse, Gutiérrez, Won, Sanchez, Narcisse, Stevens, Restler, Velázquez, Kagan, Schulman, Krishnan, Avilés, Williams, Riley, Hanks and Menin.

**SUMMARY OF LEGISLATION:** This bill would make permanent the Open Culture program that was established temporarily by local law during the COVID-19 pandemic, and pursuant to which eligible arts and culture institutions obtain permits to use roadways for events. The City would be required to establish the permanent program by August 1, 2023. There would be no fee for eligible institutions to participate in the program; however the City would be permitted to charge a \$25 fee for application to the program. The City would also be required to submit a report regarding the Open Culture program by November 1, 2023, and annually thereafter.

**EFFECTIVE DATE:** Immediately.

**FISCAL YEAR (FY) IN WHICH FULL FISCAL IMPACT ANTICIPATED:** FY24

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY23</b>	<b>Succeeding FY24</b>	<b>Full Fiscal Impact FY24</b>
<b>Revenues (+)</b>	\$0	\$0	\$0
<b>Expenditures (-)</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

**IMPACT ON EXPENDITURES:** It is estimated that there would be no fiscal impact on expenditures resulting from the enactment of this legislation as the agency responsible for carrying out its requirements would use existing resources to fulfill its requirements.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A**

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

**ESTIMATE PREPARED BY:** Sandra Gray, Legislative Financial Analyst

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

**LEGISLATIVE HISTORY:** The legislation was introduced to the full Council on July 14, 2022, as Intro. No. 590 and referred to the Committee on Cultural Affairs, Libraries, and International Intergroup Relations (the Committee). The legislation was considered by the Committee at a hearing held on October 26, 2022, and was subsequently amended. The amended version, Proposed Intro. No. 590-A will be considered by the Committee on May 24, 2023. Upon successful vote by the Committee, Proposed Intro. No. 590-A will be submitted to the full Council for a vote on May 25, 2023.

**DATE PREPARED:** 5/22/2023.

**(For text of Res. No. 550, please see the voice-vote Resolutions calendar section printed in these Minutes; for text of Int. No. 590-A, please see below:)**

*Accordingly, this Committee recommends the adoption of Int. No. 590-A and Res. No. 550.*

**(The following is the text of Int. No. 590-A:)**

Int. No. 590-A

By Council Members Rivera, Ossé, Cabán, Louis, Hanif, Joseph, Hudson, Nurse, Gutiérrez, Won, Sanchez, Narcisse, Stevens, Restler, Velázquez, Kagan, Schulman, Krishnan, Avilés, Williams, Riley, Hanks, Menin, Richardson Jordan and Dinowitz.

**A Local Law to amend the New York city charter, in relation to the open culture program for art and cultural institutions**

*Be it enacted by the Council as follows:*

Section 1. Chapter 67 of the New York city charter is amended by adding a new section 2509 to read as follows:

§ 2509. *Open culture program. a. Definitions. For purposes of this section, the following terms have the following meanings:*

*Artistic or cultural event. The term “artistic or cultural event” means an event or programming sponsored by an eligible institution, including, but not limited to, cultural performances, rehearsals, and classes, that is open to the public and offers services or information to the community.*

*City artist corps. The term “city artist corps” means the initiative established by the department in May 2021 to provide funding to the arts community during the COVID-19 pandemic.*

*Cultural institutions group. The term “cultural institutions group” has the same meaning as set forth in section 2507.*

*Eligible institution. The term “eligible institution” means a person or entity that:*

*(i) is an art or cultural group, organization, or institution within the city that is a member of the cultural institutions group or that is eligible to apply for a grant through the cultural development fund administered by the department;*

(ii) provides documentation of funding from a borough arts council or the city artist corps, or that would have been eligible to apply for funding from such sources within the 2 years prior to the date on which such person or entity submits an application to the office for participation in the program; or

(iii) has fiscal sponsorship from a person or entity that meets the definition set forth in (i) or (ii) of this definition.

*Office.* The term “office” means the mayor’s office of citywide event coordination and management established pursuant to executive order number 105, dated September 17, 2007, or another agency designated by the mayor to perform the functions set forth in this section.

*Program.* The term “program” means the open culture program established pursuant to subdivision b of this section.

*Roadway.* The term “roadway” means that portion of a street designed, improved or ordinarily used for vehicular travel, exclusive of the shoulder and slope.

b. *Open culture program.* By August 1, 2023, the office, in consultation with the department of transportation, the department of cultural affairs, and any other agency designated by the mayor, shall establish an open culture program for the purpose of authorizing an eligible institution to conduct an artistic or cultural event in a roadway. The office shall establish eligibility and use guidelines and policies for such program in consultation with such agencies, and promulgate any necessary rules. Such program shall include the following elements:

1. There shall be no fee for participation by an eligible institution in such program, except as provided for in subdivision c of this section; and

2. An eligible institution utilizing a roadway for an artistic or cultural event pursuant to such program shall conduct such event at no charge to an audience.

c. *Allowable fees.* 1. An application fee of \$25 may be imposed for the processing of each application to participate in the program. An applicant who requires a permit to use or operate a sound device or apparatus shall pay any applicable fee in accordance with subdivision h of section 10-108 of the administrative code.

2. Nothing in this section shall preclude the imposition of any civil penalty or fine authorized for violation of any applicable rule or law.

d. *Reporting.* By November 1, 2023, and annually thereafter, the office shall submit to the mayor and the speaker of the council and post on the office’s website a report on the activities of the program in the prior fiscal year. Such annual report shall include, but not be limited to:

1. The number of artistic or cultural events hosted through the program in the prior fiscal year, disaggregated by borough and council district;

2. An overview of any outreach conducted by the office or other agencies related to the program; and

3. The total number of eligible institutions that applied to the program, disaggregated by the number of such applicants whose request to use a roadway was granted or not granted.

§ 2. This local law takes effect immediately.

CHI A. OSSÉ, *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, SHAHANA K. HANIF, CRYSTAL HUDSON, RITA C. JOSEPH, SANDRA UNG; 7-0-0; *Absent:* Eric Dinowitz and Amanda Farías; Committee on Cultural Affairs, Libraries and International Intergroup Relations, May 24, 2023. *Other Council Members Attending:* Council Member Rivera.

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 Education

Report for Int. No. 566-A

### **Report of the Committee on Education in favor of approving and adopting, a Local Law to amend the administrative code of the city of New York, in relation to requiring all children with an individualized education program to be transported in buses with air-conditioning.**

The Committee on Education, to which the annexed proposed local law was referred on July 14, 2022 (Minutes, page 1823), respectfully

#### **REPORTS:**

##### **I. Introduction**

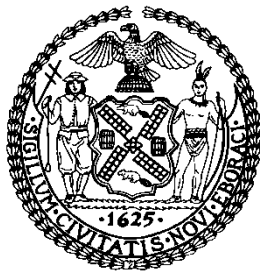
On May 25, 2023, the Committee on Education, chaired by Council Member Rita Joseph, will consider Proposed Introduction Number (“Int. No.”) 566-A, sponsored by Council Member Oswald Feliz, related to requiring all children with an individualized education program to be transported in buses with air-conditioning. The Committee previously held a hearing on Int. No. 566 on March 29, 2023. At that hearing, the Committee heard testimony from the Department of Education, community-based organizations, service providers and members of the public.

##### **II. Bill Analysis**

#### **Proposed Int. No. 566-A – A Local Law to amend the administrative code of the city of New York, in relation to requiring all children with an individualized education program to be transported in buses with air-conditioning**

Subdivision b of section 19-605 of the administrative code requires that “[a]ny bus or other motor vehicle transporting a child with a disability to and from a school in the city pursuant to any agreement or contract shall be air-conditioned when the ambient outside temperature exceeds seventy degrees Fahrenheit.” This bill would amend the applicable definition of a “child with a disability” in section 19-605 to include all children with disabilities as defined by section 4401(1) of the New York State Education Law, covering all children with an Individualized Education Program (IEP) and not just those whose IEP requires an air-conditioned environment for health reasons. Since it was heard, this bill received technical edits and the effective date was amended to September 1, 2035.

**(The following is the text of the Fiscal Impact Statement for Int. No. 566-A:)**



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

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

**RICHARD LEE, DIRECTOR**

**FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO: 566-A**

**COMMITTEE: EDUCATION**

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to requiring all children with an individualized education program to be transported in buses with air-conditioning.

**SPONSOR(S):** Council Members Feliz, Hanif, Marte, Brewer, Yeger, Avilés, Nurse, Gutiérrez, Brannan, Sanchez, Holden, Brooks-Powers, Narcisse, Louis, De La Rosa, Stevens, Lee, Krishnan, Farías, Hudson, Menin and Schulman.

**SUMMARY OF LEGISLATION:** This bill would amend Local Law number 63 for the year 2003 to require any bus or motor vehicle transporting a child with disability to and from a school in the City be air-conditioned when outside temperature exceeds 70 (seventy) degrees Fahrenheit.

**EFFECTIVE DATE:** This local law would take effect September 1, 2035.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2036

**FISCAL IMPACT STATEMENT:**

	Effective FY35	FY Succeeding Effective FY36	Full Fiscal Impact FY36
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$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:** Because the costs for retrofitting existing school buses would initially be borne by the contracted vendors, no City fiscal impact is estimated at this time. However, it is anticipated that it would cost roughly \$45 million for contracted bus vendors to retrofit existing school buses to be equipped with air-conditioning which, the vendors could potentially pass on to the City through increased contract costs to the Department of Education in future contract negotiations. In which case there would be an impact on City expenditures as a result of this legislation which cannot be determined at this time.

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

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

**ESTIMATE PREPARED BY:** Monica Saladi, Principal Financial Analyst

**ESTIMATE REVIEWED BY:** Michael Twomey, Assistant Counsel  
Elizabeth Hoffman, Assistant Director  
Chima Obichere, Deputy Director

**LEGISLATIVE HISTORY:** This legislation was first Introduced by Council and referred to the Committee on Education (Committee) on July 14, 2022. The Committee heard the legislation on March 29, 2023 and the legislation was laid over. The legislation was subsequently amended, and the amended version, Proposed Intro. 566-A, will be considered by the Committee on May 25, 2023. Upon a successful vote by the Committee, Proposed Int. No. 566-A will be submitted to the full Council for a vote on May 25, 2023.

**DATE PREPARED:** May 1, 2023.

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

**(The following is the text of Int. No. 566-A:)**

## Int. No. 566-A

By Council Members Feliz, Hanif, Marte, Brewer, Yeger, Avilés, Nurse, Gutiérrez, Brannan, Sanchez, Holden, Brooks-Powers, Narcisse, Louis, De La Rosa, Stevens, Lee, Krishnan, Farías, Hudson, Menin, Schulman and Dinowitz.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring all children with an individualized education program to be transported in buses with air-conditioning**

*Be it enacted by the Council as follows:*

Section 1. Section 19-605 of the administrative code of the city of New York, as added by local law number 63 for the year 2003, is amended to read as follows:

§ 19-605[.] Air-conditioning. a. *Definitions. For purposes of this section, the term “child with a disability” has the same meaning as set forth in subdivision 1 of section 4401 of the education law.*

b. Any bus or other motor vehicle transporting a child with a disability to and from a school in the city pursuant to any agreement or contract shall be air-conditioned when the ambient outside temperature exceeds [seventy] 70 degrees Fahrenheit. Drivers of all such vehicles shall utilize such air conditioning systems [in order] to make the internal climate of such vehicles comfortable to passengers [in order] to protect or enhance the health of children with disabilities. Any failure, mechanical or otherwise, of an air-conditioning system required by this section shall be repaired and restored to operable condition as soon as is practicable, but in no event more than [three] 3 business days subsequent to the failure. [For purposes of this section, “child with a disability” shall mean a child with a disability as defined in section 4401(1) of the education law who requires an air-conditioned environment for health reasons.]

[b.] c. The penalty provisions set forth in section 19-607 [of this chapter] shall not apply to any violation of the provisions of this section. Any owner, operator or contractor responsible for transporting a child with a disability to and from a school in the city pursuant to any agreement or contract shall be liable for a civil penalty of [four hundred dollars] \$400 for each violation of this section.

§ 2. This local law takes effect September 1, 2035.

RITA C. JOSEPH, *Chairperson*; FARAH N. LOUIS, JAMES F. GENNARO, ERIC DINOWITZ, OSWALD FELIZ, ALEXA AVILÉS, CARMEN N. De La ROSA, JENNIFER GUTIÉRREZ, SHAHANA K. HANIF, KAMILLAH HANKS, SHEKAR KRISHNAN, LINDA LEE, JULIE MENIN, LINCOLN RESTLER, PIERINA ANA SANCHEZ, LYNN C. SCHULMAN, ALTHEA V. STEVENS, SANDRA UNG.; 18-0-0; *Absent*: Mercedes Narcisse; Committee on Education, May 25, 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**

Report for M-154

**Report of the Committee on Finance in favor of approving a Communication from the Office of Management & Budget in regard to the Appropriation of new City revenues in Fiscal Year 2023, pursuant to Section 107(e) of the New York City Charter (MN-6).**

The Committee on Finance, to which the annexed communication was referred on May 25, 2023, respectfully

**REPORTS:**

Introduction. At the meeting of the Committee on Finance of the City Council on May 25, 2023, the Council considered a communication from the Office of Management and Budget of the Mayor, dated April 26, 2023, of a proposed request to modify, pursuant to Section 107(e) of the Charter of the City of New York, the Fiscal 2023 Expense Budget Plan, and the revenue estimate related thereto prepared by the Mayor as of April 26, 2023.

Analysis. The Council annually adopts the City's budget covering expenditures pursuant to Section 254 of the Charter. On June 13, 2022, the Council adopted the expense budget for Fiscal Year 2023 (the "Fiscal 2023 Expense Budget"). On December 14, 2022, the administration submitted MN-1, modifying the Fiscal 2023 Expense Budget. On February 1, 2023, the Mayor submitted to the Council MN-2, modifying the Fiscal 2023 Expense Budget. On March 1, 2023, the administration withdrew such MN-2, and submitted MN-4, modifying the Fiscal 2023 Expense Budget. On February 1, 2023, the administration submitted to the Council a revenue estimate MN-3, related to the Fiscal 2023 Expense Budget. On April 26, 2023, the administration submitted to the Council MN-5, modifying the Fiscal 2023 Expense Budget. On April 26, 2023, the administration submitted to the Council a revenue estimate MN-6, related to the Fiscal 2023 Expense Budget.

Circumstances have changed since the Council last adopted the Fiscal 2023 Expense Budget.

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

Discussion of Above-captioned Resolution. The above-captioned resolution would authorize the modifications to the Fiscal 2023 Expense Budget and related revenue estimate requested in the communication.

The Revenue Modification (MN-6) recognizes \$2.25 billion in new revenues, including \$2.09 billion in tax revenue, \$119.02 million in miscellaneous revenue, and \$45.24 million in unrestricted aid. This represents an increase in City funds of approximately 3 percent compared to the January 2023 Financial Plan.

The tax revenue increase of \$2.09 billion includes \$657 million from personal income tax. Also, \$350 million came from business taxes, of which \$181 million came from the general corporation tax and the remaining \$169 million increase comes from the unincorporated business tax. Additional tax revenues include \$331 million from the sales tax and \$154.59 million from real property tax. This modification also recognizes \$479 million in tax audit revenue.

The miscellaneous revenues increase of \$119.02 million includes increases of \$154.34 million in fines and forfeitures; \$60.0 million in interest income, and \$19.96 million in other miscellaneous revenues. Offsetting these increases is a \$126.04 million reduction in revenues from charges for services.



Unrestricted Aid increased by \$45.24 million compared to the January 2023 Financial Plan. Most of unrestricted aid revenue comes from prior year reimbursement which total \$36.6 million. The additional \$8.65 million comes from other state actions.

MN-6 appropriates the new revenues into two areas: \$2.29 billion to the labor reserve, \$362 million to the Budget Stabilization Account. This \$2.25 billion of new revenues, combined with additional resources from a reduction of \$400 million of Prior Year Payables, will be used to fund the labor settlements with the City’s workforce and to partially prepay \$362.3 million of fiscal year 2024 expenses in fiscal year 2023.

The resolution would also direct the City Clerk to forward a certified copy thereof to the Mayor and the Comptroller so that the Mayor, the Comptroller and the City Clerk may certify the Fiscal 2023 Expense Budget as amended thereby as the budget for the remainder of the fiscal year. The above-captioned resolution would take effect as of the date adopted.

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

TO: Honorable Adrienne E. Adams  
Speaker  
  
Honorable Justin Brannan  
Chair, Finance Committee

FROM: Tanisha S. Edwards, Esq.,  
Chief Financial Officer and Deputy Chief of Staff to the Speaker  
Richard Lee, Director, Finance Division  
Jonathan Rosenberg, Managing Director  
Raymond Majewski, Deputy Director/Chief Economist, Finance Division  
Emre Edev, Deputy Director  
Paul Sturm, Supervising Economist, Finance Division  
Nashia Roman, Senior Economist, Finance Division  
Kathleen Ahn, Counsel  
Michael Twomey, Assistant Counsel

DATE: May 25, 2023

SUBJECT: A Budget Modification (MN-6) for Fiscal 2023 that will appropriate \$2.25 billion in new revenues.

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INITIATION: By letter dated April 26, 2023, the Director of the Office of Management and Budget submitted to the Council, pursuant to section 107(e) of the New York City Charter, a request to appropriate \$2.25 billion in new revenues.

BACKGROUND: This modification (MN-6) seeks to recognize \$2.25 billion in new revenues, implementing changes reflected since the January 2023 Financial Plan. The \$2.25 billion of new revenues, combined with additional resources of \$400 million of Prior Year Payables, will be used to fund the labor reserve for labor settlements with the City’s workforce and to partially prepay \$362 million of fiscal year 2024 expenses in fiscal year 2023.

FISCAL IMPACT: This modification represents a net increase in the Fiscal 2023 budget of \$2.25 billion.

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 648:)**

Res. No. 648

**RESOLUTION APPROVING A MODIFICATION (MN-6) PURSUANT TO SECTION 107(e) OF THE CHARTER OF THE CITY OF NEW YORK.**

By Council Member Brannan.

**Whereas**, At a meeting of the Committee on Finance of the City Council of the City of New York (the “City Council”) on May 25, 2023, the Committee on Finance considered a communication, dated April 26, 2023, from the Office of Management and Budget of the Mayor of the City of New York (the “Mayor”), of a proposed request to recognize a net increase in revenue pursuant to Section 107(e) of the Charter of the City of New York (the “Charter”), attached hereto as Exhibit A (the "Request to Appropriate"); and

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

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

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

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

**2. Further Actions.** The City Council directs the City Clerk to forward a certified copy of this resolution to the Mayor and the Comptroller as soon as practicable so that the Mayor, the Comptroller and the City Clerk may certify the Fiscal 2023 Expense Budget as amended by this resolution as the budget for the remainder of the fiscal year.

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

**(For text of the MN-6 numbers, please see the New York City Council website at <https://council.nyc.gov/> for the respective attachments section of [the M-154 & Res. No. 648 of 2023 files](#))**

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, NANTASHA M. WILLIAMS, JULIE WON, DAVID M. CARR; 15-0-0; *Absent*: Charles Barron; Althea V. Stevens; Marjorie Velázquez; Committee on Finance, May 25, 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. 229-A

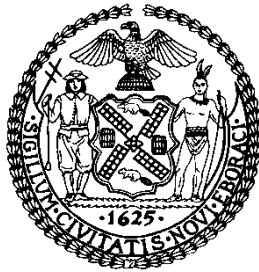
**Report of the Committee on General Welfare in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to monthly rental assistance payments for households with rental assistance vouchers.**

The Committee on General Welfare, to which the annexed proposed amended local law was referred on April 28, 2022 (Minutes, page 770), respectfully

**REPORTS:**

(For text of report, please see the Report of the Committee on General Welfare for Int. No. 878-A printed below in these Minutes)

*The following is the text of the Fiscal Impact Statement for Int. No. 229-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: 229-A**

**COMMITTEE: General Welfare**

**TITLE:** To amend the administrative code of the city of New York, in relation to monthly rental assistance payments for households with rental assistance vouchers.

**SPONSOR(S):** Council Members Cabán, Ayala, Hudson, Brewer, Stevens, Williams, Restler, Abreu, Krishnan, Nurse, Won, Riley, Avilés, De La Rosa, Ossé, Hanif, Richardson Jordan, Gutiérrez, Schulman, Farías, Sanchez, Joseph, Narcisse, Powers, Marte, Rivera, Barron, Brooks-Powers, and Public Advocate Williams.

**SUMMARY OF LEGISLATION:** Proposed Int. No. 229-A would prohibit the Department of Social Services (DSS) from deducting a utility allowance from the maximum rental allowance of a rental assistance voucher. The legislation would also require DSS, in situations where the actual rent of a household receiving a rental assistance voucher is less than the maximum rental allowance for that household, to reduce the tenant's contribution by the difference between the maximum rental allowance and the actual rent, up to the amount of the utility allowance. If such a reduction were greater than the household rent contribution, DSS would be required to issue a check to the household equal to the excess. Additionally, the legislation provides that if a household receives a shelter allowance that is reduced by accepting an apartment that is less than the maximum rental allowance, HRA would issue the household a check to the household in the amount of the reduction.

**EFFECTIVE DATE:** This local law will take effect 180 days after it becomes law.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal Year 2028**

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY24</b>	<b>FY Succeeding Effective FY25</b>	<b>Full Fiscal Impact FY28</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$36.2 million	\$396.4 million	\$3.3 billion
<b>Net</b>	\$36.2 million	\$396.4 million	\$3.3 billion

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

**IMPACT ON EXPENDITURES:** To estimate the fiscal impact, Proposed Intros. 229, 878, 893, and 894 were assessed collectively as a package as they directly interact with one another and would become effective simultaneously. The Council’s estimate utilizes the Administration’s uptake projections which assume that 47,000 new households will qualify annually for a voucher under the terms of the legislation, adjusting annually for those who continue to be enrolled in the program and those who exit the program. This projection assumes that by the end of the fifth year 192,470 households will be enrolled. Based on census data, which includes income information, the Council determined an average household contribution amount and an average cost to the City per voucher. Additionally, the package of legislation would also reduce the length of shelter stays by 90 days. Taking the current average lengths of shelter stay, the non-asylum seeker shelter population, and the average per diem cost per household, as reported by the Administration, the Council calculates that a reduction of 90 days in shelter stays would reduce the City’s shelter costs by \$402 million annually. Assuming annual savings of this level brings the net cost of the first 365 days of the implementation of this legislative package to \$145 million, increasing to \$1.2 billion, \$2.1 billion, \$3.1 billion, \$4.0 billion in the next four years, for a total net total cost of \$10.6 billion over five years. Because the laws are anticipated to be effective for only a portion of Fiscal 2024, the prorated net cost of the package in Fiscal 2024 is estimated to be \$36.2 million. For Fiscal 2025, total net cost is estimated to be \$396.4 million, growing to \$1.4 billion in Fiscal 2026, \$2.4 billion in Fiscal 2027, and \$3.3 billion in Fiscal 2028. The Council’s estimate does not take into account any housing market factors that may restrict the usage of vouchers, which could potentially lower the fiscal impact of the package of legislation. Additional savings may be realized as the average length of shelter stay for non-asylum seekers decreases, creating additional capacity for asylum seekers to move from emergency hotel shelters into purpose-built shelters. This estimate does not account for the potential costs and health impacts on individuals and families in the shelter system, which could be averted through the prevention and reduction of stays in shelter. Additionally, the estimate does not account for the potential social and economic benefits from an increase in individuals and families who are stably housed.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A**

**SOURCE OF INFORMATION:** The Mayor's Office of City Legislative Affairs  
 New York City Department of Social Services  
 New York City Council Finance Division  
 New York City Council Legislative Division

**ESTIMATE PREPARED BY:** Julia K. Haramis, Unit Head, NYC Council Finance Division

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

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council on April 28, 2022, as Int. No. 229, 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. 229-A, will be voted on by the Committee at a hearing on May 24, 2023. Upon a successful vote by the Committee, Proposed Intro. No. 229-A will be submitted to the full Council for a vote on May 25, 2023.

**DATE PREPARED:** May 24, 2023.

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

**(The following is the text of Int. No. 229-A:)**

Int. No. 229-A

By Council Members Cabán, Ayala, Hudson, Brewer, Stevens, Williams, Restler, Abreu, Krishnan, Nurse, Won, Riley, Avilés, De La Rosa, Ossé, Hanif, Richardson Jordan, Gutiérrez, Schulman, Farías, Sanchez, Joseph, Narcisse, Powers, Marte, Rivera, Barron, Brooks-Powers, Mealy, Feliz, Brannan, Dinowitz, Salamanca and the Public Advocate (Mr. Williams).

**A Local Law to amend the administrative code of the city of New York, in relation to monthly rental assistance payments for households with rental assistance vouchers**

*Be it enacted by the Council as follows:*

Section 1. Section 21-145 of the administrative code of the city of New York, as amended by a local law for the year 2023, relating to income and work requirements for rental assistance, as proposed in introduction number 894-A, is amended by adding new subdivisions d, e, and f to read as follows:

*d. Amount of monthly rental assistance. The department shall provide monthly rental assistance to an owner or a landlord on behalf of a household in receipt of a rental assistance voucher in the amount equal to the actual monthly rent of the leased apartment or single room occupancy, up to the maximum rental allowance, minus the household rent contribution. The department shall not deduct a utility allowance from such amount.*

*e. Utility allowance deduction. 1. The department shall provide that when a household rents an apartment or single room occupancy for less than the maximum rental allowance, the household rent contribution shall be reduced by the difference between the maximum rental allowance and the actual rent, up to the amount of the utility allowance.*

*2. If the amount by which the household rent contribution is reduced pursuant to paragraph 1 of this subdivision is greater than the household's rent contribution, the department shall issue a check to the household in the amount of such excess within the month in which such excess is accrued.*

*3. If the household receives a shelter allowance that is reduced by the amount allowed by paragraph 1 of this subdivision, the department shall issue a check to the household in the amount of such reduction within the month in which such reduction is accrued.*

*f. Within 15 days of the effective date of the local law that added subdivision d, e, and f of this section, and continuing thereafter, the commissioner, in consultation with the commissioner of housing preservation and development, shall conduct culturally appropriate outreach on this section to relevant agencies, stakeholders, landlords, and families and individuals experiencing homelessness in the designated citywide languages, as defined in section 23-1101.*

§ 2. This local law takes effect on the same date as a local law for the year 2023 amending the administrative code of the city of New York, relating to prohibiting the department of social services from requiring an applicant for a rental assistance voucher to have resided or reside in a shelter of any type, as proposed in introduction number 878-A, takes effect.

DIANA I. AYALA, *Chairperson*; TIFFANY CABÁN, CRYSTAL HUDSON, LINDA LEE, CHI A. OSSÉ, LINCOLN RESTLER, ALTHEA V. STEVENS, NANTASHA M. WILLIAMS; 8-0-0; *Absent*: Kevin C. Riley and Sandra Ung; Committee on General Welfare, May 24, 2023. *Other Council Members attending*: Council Member Sanchez.

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. 878-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 prohibiting the department of social services from requiring an applicant for a rental assistance voucher to have resided or reside in a shelter of any type, and to repeal sections 21-145.1 and 21-145.2 of such code in relation thereto.**

The Committee on General Welfare, to which the annexed proposed amended local law was referred on January 19, 2023 (Minutes, page 263), respectfully

## REPORTS:

### I. Introduction

On May 24, 2023, the Committee on General Welfare, chaired by Deputy Speaker Diana Ayala, will consider Proposed Introduction Number (Int. No.) 878-A, sponsored by Deputy Speaker Ayala; Proposed Int. No. 893-A, sponsored by Council Member Sanchez; Proposed Int. No. 894-A, sponsored by Council Member Sanchez; and Proposed Int. No. 229-A, sponsored by Council Member Caban. The Committee previously held a hearing on Proposed Int. Nos. 878-A, 893-A, and 894-A on January 18, 2023.<sup>1</sup> 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. 229-A on September 13, 2022. At that hearing, the Committee heard testimony from DSS, community-based organizations, service providers, individuals who have formerly experienced or are currently experiencing homelessness, and members of the public.<sup>2</sup>

### II. Bill Analysis

The bills the Committee is considering today are intended to expand the scope of which persons, at minimum, must be eligible to receive a rental assistance voucher. That scope would include people who are (i) income eligible and (ii) either a household at risk of eviction or experiencing homelessness.

Pursuant to the proposed legislation, “income eligible” would mean an applicant whose total gross income does not exceed 50 percent of the area median income (AMI); who, if eligible, has applied for public assistance and, if approved, in receipt of such assistance; who is in compliance with public assistance requirements if eligible; who has applied for and accepted any federal or state housing benefits for which they are eligible; who is ineligible for State FHEPS; and who has not previously received a rental assistance voucher, unless they meet the requirements in Section 10-08 of title 68 of the Rules of the City of New York. The term “household at risk

<sup>1</sup> See Committee Report for January 18, 2023 Committee on General Welfare hearing “Oversight: The CityFHEPS Rental Assistance Program” available at: <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=5986100&GUID=DD7BB325-4AB7-47BC-B25D-4BD4CE6D4D08&Options=&Search=>

<sup>2</sup> See Hearing Transcript for September 13, 2022 Committee on General Welfare hearing available at: <https://legistar.council.nyc.gov/View.aspx?M=F&ID=11294920&GUID=EC4B9C58-DCAC-4BD0-96C4-3C084065C17B>

of eviction” would mean an individual or family who has received a written demand for rent, a predicate holdover notice, or a notice of non-renewal of residential tenancy. The term “experiencing homelessness” would mean residing in a City-administered shelter; working with a Department of Homeless Services (DHS) or Department of Youth and Community Development (DYCD) outreach team while receiving services in a safe haven, stabilization bed, drop-in center or runaway and homeless youth services program; or receiving case management services from a provider under contract with DHS.

***Proposed Int. No. 878-A***

This bill would prohibit DSS from requiring that an applicant for a rental assistance voucher to have resided or reside in a shelter of any type.

Since introduction, this bill was amended to include key definitions that will be used as part of the entire legislative package. As explained above, this bill defines what it means to be income eligible, a household at risk of eviction, and to be experiencing homelessness. Further this bill would repeal sections 21-145.1 and 21-145.2 of the Administrative Code of the City of New York, because DSS will no longer be able to require a minimum amount of time in shelter to be eligible.

***Proposed Int. No. 893-A***

This bill would expand eligibility for a rental assistance voucher in the community by establishing that DSS will deem eligible for a rental assistance voucher any applicant who is a household at risk of eviction or experiencing homelessness, as defined in Proposed Into. No. 878-A. Since introduction, the bill received technical edits.

***Proposed Int. No. 894-A***

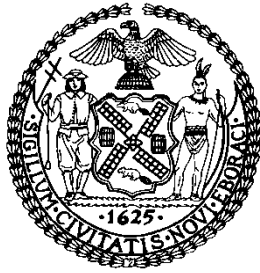
This bill would prohibit DSS from basing eligibility for a rental assistance voucher on an applicant’s employment status or source of income. Further, this bill would codifying existing income requirements and expand income eligibility to include households whose gross income does not exceed 50% AMI, as defined in Proposed Into. No. 878-A and explained above. Since introduction, the bill received technical edits.

***Proposed Int. No. 229-A***

This bill would prohibit DSS from deducting a utility allowance from the maximum rental allowance of a voucher, for units where utilities are not included in the final rent.

Since introduction, the bill was amended to provide that, in situations where a household in receipt of a rental assistance voucher rents a unit that is less than the maximum rental allowance, the household rent contribution will be reduced by the difference between the maximum rental allowance and the actual rent, up to the amount of a utility allowance. If such a reduction is greater than the household’s rent contribution, DSS shall issue a check to the household in the amount of such excess within the month in which it accrued. If renting a unit for less than the maximum rental allowance were to result in a tenant’s public assistance shelter allowance being reduced, DSS shall issue a check to the household in the amount of such reduction within the month in which the reduction accrued. Further, DSS, in consultation with the Department of Housing Preservation and Development, shall conduct culturally appropriate outreach on the changes to relevant agencies, stakeholders, landlords, and individuals and families experiencing homelessness in the designated citywide languages, as defined in section 23-1101 of the administrative code of the City of New York.

**(The following is the text of the Fiscal Impact Statement for Int. No. 878-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: 878-A**

**COMMITTEE:** General Welfare

**TITLE:** To amend the administrative code of the city of New York, in relation to prohibiting the department of social services from requiring an applicant for a rental assistance voucher to have resided or reside in a shelter of any type, and to repeal sections 21-145.1 and 21-145.2 of such code in relation thereto.

**SPONSOR(S):** Council Members Ayala, Sanchez, Bottcher, Won, the Public Advocate (Mr. Williams), Hanif, Cabán, Louis, Stevens, Hudson, Restler, Ung, Abreu, Brooks-Powers, Brannan, Velázquez, De La Rosa, Brewer, Ossé, Narcisse, Avilés, Williams, Marte, Richardson Jordan, Schulman Farías, Joseph, Nurse, Powers, Gennaro, Krishnan, Rivera, and Barron.

**SUMMARY OF LEGISLATION:** Proposed Int. No. 878-A prohibits the Department of Social Services from requiring an applicant for a rental assistance voucher to have resided or reside in a shelter of any type. Additionally, this legislation repeals section 21-145.1 and 21-145.2 of the administrative code of the city of New York, removing the requirement therein to reside in shelter for 90 days prior to being eligible for rental assistance.

**EFFECTIVE DATE:** This local law will take effect 180 days after it becomes law.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal Year 2028

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY24</b>	<b>FY Succeeding Effective FY25</b>	<b>Full Fiscal Impact FY28</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$36.2 million	\$396.4 million	\$3.3 billion
<b>Net</b>	\$36.2 million	\$396.4 million	\$3.3 billion

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

**IMPACT ON EXPENDITURES:** To estimate the fiscal impact, Proposed Intros. 229, 878, 893, and 894 were assessed collectively as a package as they directly interact with one another and would become effective simultaneously. The Council’s estimate utilizes the Administration’s uptake projections which assume that 47,000 new households will qualify annually for a voucher under the terms of the legislation, adjusting annually for those who continue to be enrolled in the program and those who exit the program. This projection assumes that by the end of the fifth year 192,470 households will be enrolled. Based on census data, which includes income information, the Council determined an average household contribution amount and an average cost to the City per voucher. Additionally, the package of legislation would also reduce the length of shelter stays by 90



days. Taking the current average lengths of shelter stay, the non-asylum seeker shelter population, and the average per diem cost per household, as reported by the Administration, the Council calculates that a reduction of 90 days in shelter stays would reduce the City's shelter costs by \$402 million annually. Assuming annual savings of this level brings the net cost of the first 365 days of the implementation of this legislative package to \$145 million, increasing to \$1.2 billion, \$2.1 billion, \$3.1 billion, \$4.0 billion in the next four years, for a total net total cost of \$10.6 billion over five years. Because the laws are anticipated to be effective for only a portion of Fiscal 2024, the prorated net cost of the package in Fiscal 2024 is estimated to be \$36.2 million. For Fiscal 2025, total net cost is estimated to be \$396.4 million, growing to \$1.4 billion in Fiscal 2026, \$2.4 billion in Fiscal 2027, and \$3.3 billion in Fiscal 2028. The Council's estimate does not take into account any housing market factors that may restrict the usage of vouchers, which could potentially lower the fiscal impact of the package of legislation. Additional savings may be realized as the average length of shelter stay for non-asylum seekers decreases, creating additional capacity for asylum seekers to move from emergency hotel shelters into purpose-built shelters. This estimate does not account for the potential costs and health impacts on individuals and families in the shelter system, which could be averted through the prevention and reduction of stays in shelter. Additionally, the estimate does not account for the potential social and economic benefits from an increase in individuals and families who are stably housed.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A**

**SOURCE OF INFORMATION:** The Mayor's Office of City Legislative Affairs  
New York City Department of Social Services  
New York City Council Finance Division  
New York City Council Legislative Division

**ESTIMATE PREPARED BY:** Julia K. Haramis, Unit Head, NYC Council Finance Division

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

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council on January 18, 2023, as Int. No. 878, and was referred to the Committee on General Welfare (the Committee). A hearing was held by the Committee on January 19, 2023, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Int. No. 878-A, will be voted on by the Committee at a hearing on May 24, 2023. Upon a successful vote by the Committee, Proposed Intro. No. 878-A will be submitted to the full Council for a vote on May 25, 2023.

**DATE PREPARED:** May 24, 2023.

**(For text of Int. Nos. 229-A, 893-A, and 894-A and their Fiscal Impact Statements, please see the Report of the Committee on General Welfare for Int. Nos. 229-A, 893-A, and 894-A, respectively, printed in these Minutes; for text of Int. No. 878-A, please see below)**

*Accordingly, this Committee recommends the adoption of Int. Nos. 229-A, 893-A, 894-A, and 878-A.*

**The following is the text of Int. No. 878-A:)**

Int. No. 878-A

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

**A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the department of social services from requiring an applicant for a rental assistance voucher to have resided or reside in a shelter of any type, and to repeal sections 21-145.1 and 21-145.2 of such code in relation thereto.**

*Be it enacted by the Council as follows:*

Section 1. 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:

§ 21-145 Use of rental assistance vouchers. a. Definitions. For [the] purposes of this section, the following terms have the following meanings:

*Applicant.* The term “applicant” means an individual or family applying for a rental assistance voucher.

*Drop-in center.* The term “drop-in center” means a facility operated by the department of homeless services or a provider under contract or similar agreement with such department that provides single adults with hot meals, showers, laundry facilities, clothing, medical care, recreational space, employment referrals, or housing placement services, but not overnight housing.

*Experiencing homelessness.* The term “experiencing homelessness” means: (i) residing in a city-administered shelter; (ii) working with a department of homeless services or department of youth and community development outreach team while receiving services in a safe haven, stabilization bed, drop-in center, or runaway and homeless youth services; or (iii) receiving case management services from a provider under contract with the department of homeless services.

*FHEPS.* The term “FHEPS” means the family homelessness and eviction prevention supplement program described in section 131-bb of the social services law.

*Homeless young adult.* The term “homeless young adult” has the same meaning as provided in section 532-a of the executive law.

*Homeless youth.* The term “homeless youth” has the same meaning as provided in section 532-a of the executive law and includes homeless young adults.

*Household.* The term “household” means an individual or family in receipt of [CityFHEPS or any successor program] a rental assistance voucher.

*Household at risk of eviction.* The term “household at risk of eviction” means an individual or family that has received: (i) a written demand for rent payment or a predicate holdover notice pursuant to sections 711 or 713 of the real property actions and proceedings law; or (ii) a notice of non-renewal of residential tenancy pursuant to section 226-c of the real property law.

*Household rent contribution.* The term “household rent contribution” means the percent of income that a household in receipt of a rental assistance voucher contributes toward the rent of an apartment or a single room occupancy.

*Income eligible.* The term “income eligible” means an applicant: (i) whose total gross income does not exceed 50 percent of the area median income, as defined by the federal department of housing and urban development; (ii) who, if eligible, has applied for public assistance and, if approved for such assistance, is in receipt of such assistance; (iii) who is in compliance with public assistance requirements, if applicable; (iv) who has applied for and accepted any federal or state housing benefits for which such applicant is eligible, including section 8 or the rental assistance program described in chapter 9 of title 68 of the rules of the city of New York, regarding the human resources administration home tenant-based rental assistance program, or a successor provision; (v) who is ineligible for FHEPS; and (vi) who has not previously received a rental assistance voucher, except an applicant who meets the requirements of subdivision (d) of section 10-08 of title 68 of the rules of the city of New York, regarding restoration of rental assistance vouchers for certain households, or a successor provision.

*Maximum rental allowances.* The term “maximum rental allowances” means the maximum rent toward which rental assistance vouchers may be applied.

*Public assistance.* The term “public assistance” means benefits, including, but not limited to, monthly grants and shelter allowances issued under the family assistance program pursuant to section 349 of the social services law or the safety net assistance program pursuant to section 159 of the social services law.

Rental assistance voucher. The term “rental assistance voucher” means [any city-initiated rental housing subsidy for homeless families and individuals.] *rent payments made pursuant to chapter 10 of title 68 of the rules of the city of New York or any other city-initiated rental housing subsidy for households at risk of eviction or families and individuals residing in shelter.*

Runaway youth. The term “runaway youth” has the same meaning as provided in section 532-a of the executive law.

Runaway and homeless youth services. The term “runaway and homeless youth services” has the same meaning as provided in section 21-401.

Safe haven. The term “safe haven” means a facility operated by the department of homeless services or a provider under contract or similar agreement with such department that provides low-threshold, harm-reduction housing to chronic street homeless individuals, who are referred to such facilities through a department of homeless services outreach program, without the obligation of entering into other supportive and rehabilitative services in order to reduce barrier to temporary housing.

Section 8. The term “section 8” means the housing choice voucher program administered pursuant to section 982.1 of title 24 of the code of federal regulations.

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

Shelter allowance. The term “shelter allowance” means financial assistance provided by the department for the purposes of paying rent on an ongoing basis in accordance with section 131-a of the social services law.

Stabilization beds. The term “stabilization bed” means city-administered facilities that provide a short-term housing option for an individual experiencing homelessness while such individual works with a department of homeless services outreach team to locate a more permanent housing option.

Utility allowance. The term “utility allowance” means a monthly allowance for utility services, excluding cable, internet, and telephone services, paid by a subsidized housing tenant.

b. Eligibility. 1. Subject to [the] appropriation, a household [or individual] will continue to receive additional annual renewals of their vouchers after their fifth year in the CityFHEPS rental assistance program *established pursuant to chapter 10 of title 68 of the rules of the city of New York, or a successor program*, if they continue to meet the requirements set forth in [title 68 chapter] *section 10-08 of title 68 the rules of the city of New York, regarding renewals and restorations of CityFHEPS, or a successor provision.*

2. *The department shall not require an applicant to have resided or reside in a shelter of any type.*

c. Maximum rental allowances. Subject to appropriation, [such] maximum rental allowances shall be set in accordance with section 982.503 of title 24 of the code of federal regulations, *regarding voucher payment standard amounts, or a successor provision.*

§ 2. Section 21-145.1 of the administrative code of the city of New York is REPEALED.

§ 3. Section 21-145.2 of the administrative code of the city of New York is REPEALED.

§ 4. This local law takes effect 180 days after it becomes law, except that the commissioner of social services shall take such measures as necessary for the implementation of this local law, including the promulgation of rules, before such date.

DIANA I. AYALA, *Chairperson*; TIFFANY CABÁN, CRYSTAL HUDSON, LINDA LEE, CHI A. OSSÉ, LINCOLN RESTLER, ALTHEA V. STEVENS, NANTASHA M. WILLIAMS; 8-0-0; *Absent*: Kevin C. Riley and Sandra Ung; Committee on General Welfare, May 24, 2023. *Other Council Members attending: Council Member Sanchez.*

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. 893-A

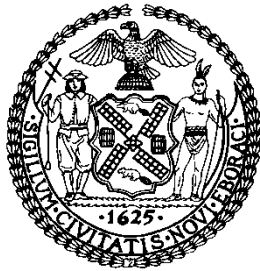
**Report of the Committee on General Welfare in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to expanding eligibility for rental assistance to any applicant at risk of eviction or experiencing homelessness.**

The Committee on General Welfare, to which the annexed proposed amended local law was referred on January 19, 2023 (Minutes, page 284), respectfully

**REPORTS:**

(For text of report, please see the Report of the Committee on General Welfare for Int. No. 878-A printed above in these Minutes)

*The following is the text of the Fiscal Impact Statement for Int. No. 893-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: 893-A**

**COMMITTEE:** General Welfare

**TITLE:** To amend the administrative code of the city of New York, in relation to expanding eligibility for rental assistance to any applicant at risk of eviction or experiencing homelessness.

**SPONSOR(S):** Council Members Sanchez, Ayala, Cabán, Hanif, Louis, Stevens, Hudson, Restler, Abreu, Brannan, Velázquez, De La Rosa, Brewer, Ung, Ossé, Narcisse, Avilés, Williams, Marte Richardson Jordan, Farías, Won, Schulman, Gutiérrez, Joseph, Nurse, Gennaro, Krishnan, Rivera, Barron, Brooks-Powers, and Public Advocate Williams.

**SUMMARY OF LEGISLATION:** Proposed Int. No. 893-A would expand eligibility for a rental assistance voucher to any applicant who is a household at risk of eviction or experiencing homelessness.

**EFFECTIVE DATE:** This local law will take effect 180 days after it becomes law.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal Year 2028

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY24</b>	<b>FY Succeeding Effective FY25</b>	<b>Full Fiscal Impact FY28</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$36.2 million	\$396.4 million	\$3.3 billion
<b>Net</b>	\$36.2 million	\$396.4 million	\$3.3 billion

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

**IMPACT ON EXPENDITURES:** To estimate the fiscal impact, Proposed Intros. 229, 878, 893, and 894 were assessed collectively as a package as they directly interact with one another and would become effective simultaneously. The Council's estimate utilizes the Administration's uptake projections which assume that 47,000 new households will qualify annually for a voucher under the terms of the legislation, adjusting annually for those who continue to be enrolled in the program and those who exit the program. This projection assumes that by the end of the fifth year 192,470 households will be enrolled. Based on census data, which includes income information, the Council determined an average household contribution amount and an average cost to the City per voucher. Additionally, the package of legislation would also reduce the length of shelter stays by 90 days. Taking the current average lengths of shelter stay, the non-asylum seeker shelter population, and the average per diem cost per household, as reported by the Administration, the Council calculates that a reduction of 90 days in shelter stays would reduce the City's shelter costs by \$402 million annually. Assuming annual savings of this level brings the net cost of the first 365 days of the implementation of this legislative package to \$145 million, increasing to \$1.2 billion, \$2.1 billion, \$3.1 billion, \$4.0 billion in the next four years, for a total net total cost of \$10.6 billion over five years. Because the laws are anticipated to be effective for only a portion of Fiscal 2024, the prorated net cost of the package in Fiscal 2024 is estimated to be \$36.2 million. For Fiscal 2025, total net cost is estimated to be \$396.4 million, growing to \$1.4 billion in Fiscal 2026, \$2.4 billion in Fiscal 2027, and \$3.3 billion in Fiscal 2028. The Council's estimate does not take into account any housing market factors that may restrict the usage of vouchers, which could potentially lower the fiscal impact of the package of legislation. Additional savings may be realized as the average length of shelter stay for non-asylum seekers decreases, creating additional capacity for asylum seekers to move from emergency hotel shelters into purpose-built shelters. This estimate does not account for the potential costs and health impacts on individuals and families in the shelter system, which could be averted through the prevention and reduction of stays in shelter. Additionally, the estimate does not account for the potential social and economic benefits from an increase in individuals and families who are stably housed.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

**SOURCE OF INFORMATION:** The Mayor's Office of City Legislative Affairs  
New York City Department of Social Services  
New York City Council Finance Division  
New York City Council Legislative Division

**ESTIMATE PREPARED BY:** Julia K. Haramis, Unit Head, NYC Council Finance Division

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

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council on January 18, 2023, as Int. No. 893, and was referred to the Committee on General Welfare (the Committee). A hearing was held by the Committee on January 19, 2023, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Int. No. 893-A, will be voted on by the Committee at a hearing on May 24, 2023. Upon a successful vote by the Committee, Proposed Intro. No. 893-A will be submitted to the full Council for a vote on May 25, 2023.

**DATE PREPARED:** May 24, 2023.

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

**(The following is the text of Int. No. 893-A:)**

## Int. No. 893-A

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

**A Local Law to amend the administrative code of the city of New York, in relation to expanding eligibility for rental assistance to any applicant at risk of eviction or experiencing homelessness**

*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 amended by a local law for the year 2023 amending the administrative code of the city of New York, relating to prohibiting the department of social services from requiring an applicant for a rental assistance voucher to have resided or reside in a shelter of any type, as proposed in introduction number 878-A, is amended by adding a new paragraph 3 to read as follows:

*3. The department shall deem eligible for a rental assistance voucher any applicant who is a household at risk of eviction or experiencing homelessness.*

§ 2. This local law takes effect on the same date as a local law for the year 2023 amending the administrative code of the city of New York, relating to prohibiting the department of social services from requiring an applicant for a rental assistance voucher to have resided or reside in a shelter of any type, as proposed in introduction number 878-A, takes effect.

DIANA I. AYALA, *Chairperson*; TIFFANY CABÁN, CRYSTAL HUDSON, LINDA LEE, CHI A. OSSÉ, LINCOLN RESTLER, ALTHEA V. STEVENS, NANTASHA M. WILLIAMS; 8-0-0; *Absent*: Kevin C. Riley and Sandra Ung; Committee on General Welfare, May 24, 2023. *Other Council Members attending: Council Member Sanchez.*

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. 894-A

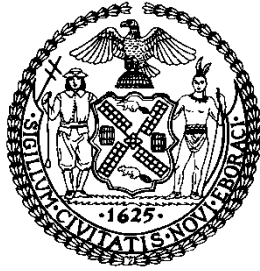
**Report of the Committee on General Welfare in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to income and work requirements for rental assistance.**

The Committee on General Welfare, to which the annexed proposed amended local law was referred on January 19, 2023 (Minutes, page 285), respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on General Welfare for Int. No. 878-A printed above in these Minutes)**

*The following is the text of the Fiscal Impact Statement for Int. No. 894-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: 894-A**

**COMMITTEE:** General Welfare

**TITLE:** To amend the administrative code of the city of New York, in relation to income and work requirements for rental assistance.

**SPONSOR(S):** Sanchez, Avilés, Ayala, Cabán, Hanif, Stevens, Hudson, Restler, Ung, Abreu, Brannan, De La Rosa, Ossé, Narcisse, Williams, Marte, Richardson Jordan, Farías, Louis, Schulman, Gutiérrez, Joseph, Brewer, Nurse, Gennaro, Krishnan, Rivera, Barron, Brooks-Powers, and Public Advocate Williams.

**SUMMARY OF LEGISLATION:** Proposed Int. No. 894-A would prohibit the Department of Social Services from basing eligibility for a rental assistance voucher on an applicant’s employment status or source of income. This legislation would also codify the income eligibility requirements for rental assistance vouchers.

**EFFECTIVE DATE:** This local law will take effect 180 days after it becomes law.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal Year 2028

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY24</b>	<b>FY Succeeding Effective FY25</b>	<b>Full Fiscal Impact FY28</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$36.2 million	\$396.4 million	\$3.3 billion
<b>Net</b>	\$36.2 million	\$396.4 million	\$3.3 billion

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

**IMPACT ON EXPENDITURES:** To estimate the fiscal impact, Proposed Intros. 229, 878, 893, and 894 were assessed collectively as a package as they directly interact with one another and would become effective simultaneously. The Council’s estimate utilizes the Administration’s uptake projections which assume that 47,000 new households will qualify annually for a voucher under the terms of the legislation, adjusting annually for those who continue to be enrolled in the program and those who exit the program. This projection assumes that by the end of the fifth year 192,470 households will be enrolled. Based on census data, which includes income information, the Council determined an average household contribution amount and an average cost to the City per voucher. Additionally, the package of legislation would also reduce the length of shelter stays by 90 days. Taking the current average lengths of shelter stay, the non-asylum seeker shelter population, and the average per diem cost per household, as reported by the Administration, the Council calculates that a reduction of 90 days in shelter stays would reduce the City’s shelter costs by \$402 million annually. Assuming annual savings of this level brings the net cost of the first 365 days of the implementation of this legislative package to \$145 million, increasing to \$1.2 billion, \$2.1 billion, \$3.1 billion, \$4.0 billion in the next four years, for a total

net total cost of \$10.6 billion over five years. Because the laws are anticipated to be effective for only a portion of Fiscal 2024, the prorated net cost of the package in Fiscal 2024 is estimated to be \$36.2 million. For Fiscal 2025, total net cost is estimated to be \$396.4 million, growing to \$1.4 billion in Fiscal 2026, \$2.4 billion in Fiscal 2027, and \$3.3 billion in Fiscal 2028. The Council's estimate does not take into account any housing market factors that may restrict the usage of vouchers, which could potentially lower the fiscal impact of the package of legislation. Additional savings may be realized as the average length of shelter stay for non-asylum seekers decreases, creating additional capacity for asylum seekers to move from emergency hotel shelters into purpose-built shelters. This estimate does not account for the potential costs and health impacts on individuals and families in the shelter system, which could be averted through the prevention and reduction of stays in shelter. Additionally, the estimate does not account for the potential social and economic benefits from an increase in individuals and families who are stably housed.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A**

**SOURCE OF INFORMATION:** The Mayor's Office of City Legislative Affairs  
New York City Department of Social Services  
New York City Council Finance Division  
New York City Council Legislative Division

**ESTIMATE PREPARED BY:** Julia K. Haramis, Unit Head, NYC Council Finance Division

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

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council on January 18, 2023, as Int. No. 894, and was referred to the Committee on General Welfare (the Committee). A hearing was held by the Committee on January 19, 2023, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Int. No. 894-A, will be voted on by the Committee at a hearing on May 24, 2023. Upon a successful vote by the Committee, Proposed Intro. No. 894-A will be submitted to the full Council for a vote on May 25, 2023.

**DATE PREPARED:** May 24, 2023.

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

**(The following is the text of Int. No. 894-A:)**

Int. No. 894-A

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

**A Local Law to amend the administrative code of the city of New York, in relation to income and work requirements for rental assistance**

*Be it enacted by the Council as follows:*

Section 1. Paragraph 2 of subdivision b of section 21-145 of the administrative code of the city of New York, as amended by a local law for the year 2023 amending the administrative code of the city of New York, relating



to prohibiting the department of social services from requiring an applicant for a rental assistance voucher to have resided or reside in a shelter of any type, as proposed in introduction number 878-A, is amended to read as follows:

2. The department shall not *base eligibility for a rental assistance voucher on the applicant's employment status or source of income, and shall not* require an applicant to have resided or reside in a shelter of any type.

§ 2. Paragraph 3 of subdivision b of section 21-145 of the administrative code of the city of New York, as amended by a local law for the year 2023 amending the administrative code of the city of New York, relating to expanding eligibility for rental assistance as proposed in introduction number 893-A, is amended to read as follows:

3. The department shall deem eligible for a rental assistance voucher any applicant who is income eligible and is a household at risk of eviction or experiencing homelessness.

§ 3. This local law takes effect on the same date as a local law for the year 2023 amending the administrative code of the city of New York, relating to prohibiting the department of social services from requiring an applicant for a rental assistance voucher to have resided or reside in a shelter of any type, as proposed in introduction number 878-A, takes effect.

DIANA I. AYALA, *Chairperson*; TIFFANY CABÁN, CRYSTAL HUDSON, LINDA LEE, CHI A. OSSÉ, LINCOLN RESTLER, ALTHEA V. STEVENS, NANTASHA M. WILLIAMS; 8-0-0; *Absent*: Kevin C. Riley and Sandra Ung; Committee on General Welfare, May 24, 2023. *Other Council Members attending: Council Member Sanchez.*

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. 207

**Report of the Committee on Land Use in favor of approving Application number C 210283 ZMQ (26-50 Brooklyn Queens Expressway West Rezoning) submitted by 2650 BQE LOR LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 9c, changing from an M1-1 District to an M1-2 District property bounded by a line 400 feet northerly of 27th Avenue and its easterly and westerly prolongations, Brooklyn Queens Expressway West, 27th Avenue, and Borough Place, Borough of Queens, Community District 1, Council District 22.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 11, 2023 (Minutes, page 1326) and which same Land Use item was coupled with the resolution shown below, respectfully

### **REPORTS:**

### **SUBJECT**

**QUEENS CB - 1**

**C 210283 ZMQ**

City Planning Commission decision approving an application submitted by 2650 BQE LOR, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment to the Zoning Map, Section No. 9c, changing from an M1-1 District to an M1-2 District property bounded by a line 400 feet northerly of 27<sup>th</sup> Avenue and its easterly and westerly prolongations, Brooklyn-Queens Expressway West, 27<sup>th</sup> Avenue, and Borough Place, as shown on a diagram (for illustrative purposes only) dated December 12, 2022, and subject to the conditions of CEQR Declaration E-683.

### **INTENT**

To approve the amendment to rezone the Project Area (Block 1019, Lots 1 and 2) from an M1-1 zoning district to an M1-2 zoning district to facilitate the enlargement and expansion of a three-story Physical Culture Establishment (PCE) located at 26-50 Brooklyn-Queens Expressway West in the Woodside neighborhood of Queens, Community District 1.

### **PUBLIC HEARING**

**DATE:** May 2, 2023

**Witnesses in Favor:** Two

**Witnesses Against:** None

### **SUBCOMMITTEE RECOMMENDATION**

**DATE:** May 16, 2023

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

**In Favor:**

Riley  
Moya  
Abreu  
Bottcher  
Hanks  
Schulman  
Carr

**Against:**

None

**Abstain:**

None

### **COMMITTEE ACTION**

**DATE:** May 17, 2023

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

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

**Against:**

None

**Abstain:**

None

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

Res. No. 649

**Resolution approving the decision of the City Planning Commission on ULURP No. C 210283 ZMQ, a Zoning Map amendment (L.U. No. 207).**

By Council Members Salamanca and Riley.

**WHEREAS**, 2650 BQE, 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. 9c, by changing from an M1-1 District to an M1-2 District, which would facilitate the enlargement and expansion of a three-story Physical Culture Establishment (PCE) located at 26-50 Brooklyn-Queens Expressway West in the Woodside neighborhood of Queens, Community District 1 (ULURP No. C 210283 ZMQ) (the "Application");

**WHEREAS**, the City Planning Commission filed with the Council on April 28, 2023 its decision dated April 12, 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 May 2, 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 December 12, 2022 (CEQR No. 21DCP133Q), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials and air quality impacts (E-683) (the "Negative Declaration").

**RESOLVED:**

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designation (E-683) and the Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 210283 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. 9c, by changing from an M1-1 District to an M1-2 District property bounded by a line 400 feet northerly of 27<sup>th</sup> Avenue and its easterly and westerly prolongations, Brooklyn-Queens Expressway West, 27<sup>th</sup> Avenue, and Borough Place, Borough of Queens, Community District 1 as shown on a diagram (for illustrative purposes only) dated December 12, 2022, and subject to the conditions of CEQR Declaration E-683.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, ERIK D. BOTTCHER, KAMILLAH HANKS, SHEKAR KRISHNAN, DARLENE MEALY, JOSEPH C. BORELLI; 10-0-0; *Absent*: Farah N. Louis and Pierina Ana Sanchez; *Maternity*: Carlina Rivera; Committee on Land Use, May 17, 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 L.U. No. 208

**Report of the Committee on Land Use in favor of approving Application number C 230052 ZMQ (61-10 Queens Boulevard Rezoning) submitted by PF Supreme, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 9d, eliminating from within existing R6 and R7-1 Districts a C1-2 District, and establishing within existing R6 and R7-1 Districts a C2-4 District , Borough of Queens, Community District 2, Council District 26.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 11, 2023 (Minutes, page 1326) and which same Land Use item was coupled with the resolution shown below, respectfully

#### REPORTS:

#### SUBJECT

QUEENS CB - 2

C 230052 ZMQ

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

1. eliminating from within an existing R6 District a C1-2 District bounded by a line 100 feet southerly of Queens Boulevard, 61<sup>st</sup> Street, a line 175 feet southerly of Queens Boulevard, and 59<sup>th</sup> Street;
2. eliminating from within an existing R7-1 District a C1-2 District bounded by Queens Boulevard, 61<sup>st</sup> Street, a line 100 feet southerly of Queens Boulevard, and 59<sup>th</sup> Street;
3. establishing within an existing R6 District a C2-4 District bounded by a line 100 feet southerly of Queens Boulevard, 61<sup>st</sup> Street, a line 175 feet southerly of Queens Boulevard, and 59<sup>th</sup> Street; and

- 4. establishing within an existing R7-1 District a C2-4 District bounded by Queens Boulevard, 61<sup>st</sup> Street, a line 100 feet of southerly of Queens Boulevard, and 59<sup>th</sup> Street;

as shown on a diagram (for illustrative purposes only) dated December 12, 2022.

**INTENT**

To approve the amendment to change an existing R7-1/C1-2 and R6/C1-2 district to an R7-1/C2-4 and R6/C2-4 district which would allow the use of a 16,000-square-foot Physical Culture Establishment (PCE) on the second floor of an existing two-story commercial building located at 61-10 Queens Boulevard in the Woodside neighborhood of Queens, Community District 2.

**PUBLIC HEARING**

**DATE:** May 2, 2023

**Witnesses in Favor:** Two

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** May 16, 2023

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

**In Favor:**

Riley  
Moya  
Abreu  
Bottcher  
Hanks  
Schulman  
Carr

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** May 17, 2023

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Salamanca  
Moya  
Riley

**Against:**

None

**Abstain:**

None

Abreu  
Brooks-Powers  
Bottcher  
Hanks  
Krishnan  
Sanchez  
Borelli

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

Res. No. 650

**Resolution approving the decision of the City Planning Commission on ULURP No. C 230052 ZMQ, a Zoning Map amendment (L.U. No. 208).**

By Council Members Salamanca and Riley.

**WHEREAS**, PF Supreme, 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. 9d, by eliminating from within an existing R6 District a C1-2 District, eliminating from within an existing R7-1 District a C1-2 District, establishing within an existing R6 District a C2-4 District, and establishing within an existing R7-1 District a C2-4 District, which would allow the use of a 16,000-square-foot Physical Culture Establishment (PCE) on the second floor of an existing two-story commercial building located at 61-10 Queens Boulevard in the Woodside neighborhood of Queens, Community District 2 (ULURP No. C 230052 ZMQ) (the "Application");

**WHEREAS**, the City Planning Commission filed with the Council on April 28, 2023 its decision dated April 12, 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 May 2, 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 December 9, 2022 (CEQR No. 23DCP021Q).

**RESOLVED:**

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 230052 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. 9d:

1. eliminating from within an existing R6 District a C1-2 District bounded by a line 100 feet southerly of Queens Boulevard, 61<sup>st</sup> Street, a line 175 feet southerly of Queens Boulevard, and 59<sup>th</sup> Street;

2. eliminating from within an existing R7-1 District a C1-2 District bounded by Queens Boulevard, 61<sup>st</sup> Street, a line 100 feet southerly of Queens Boulevard, and 59<sup>th</sup> Street;
3. establishing within an existing R6 District a C2-4 District bounded by a line 100 feet southerly of Queens Boulevard, 61<sup>st</sup> Street, a line 175 feet southerly of Queens Boulevard, and 59<sup>th</sup> Street; and
4. establishing within an existing R7-1 District a C2-4 District bounded by Queens Boulevard, 61<sup>st</sup> Street, a line 100 feet of southerly of Queens Boulevard, and 59<sup>th</sup> Street;

as shown on a diagram (for illustrative purposes only) dated December 12, 2022, Borough of Queens, Community District 2.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, ERIK D. BOTTCHER, KAMILLAH HANKS, SHEKAR KRISHNAN, DARLENE MEALY, JOSEPH C. BORELLI; 10-0-0; *Absent*: Farah N. Louis and Pierina Ana Sanchez; *Maternity*: Carlina Rivera; Committee on Land Use, May 17, 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 L.U. No. 209

**Report of the Committee on Land Use in favor of approving, as modified, Application number C 220267 ZMQ (141-05 109th Avenue Rezoning) submitted by Mal Pal Realty Corp, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 18c, changing from an R3A District to an R6B District and establishing within the proposed R6B District a C2-3 District, Borough of Queens, Community District 12, Council District 28.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 11, 2023 (Minutes, page 1326), respectfully

#### **REPORTS:**

**(For text of updated report, please see the Report of the Committee on Land Use for L.U. No. 209 & Res. No. 659 printed in the General Orders Calendar section of these Minutes)**

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

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, ERIK D. BOTTCHER, KAMILLAH HANKS, SHEKAR KRISHNAN, DARLENE MEALY, JOSEPH C. BORELLI; 10-0-0; *Absent*: Farah N. Louis and Pierina Ana Sanchez; *Maternity*: Carlina Rivera; Committee on Land Use, May 17, 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. 210

**Report of the Committee on Land Use in favor of approving, as modified, Application number N 220268 ZRQ (141-05 109th Avenue Rezoning) submitted by Mal Pal Realty Corp, 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 12, Council District 28.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 11, 2023 (Minutes, page 1327), respectfully

**REPORTS:**

**(For text of updated report, please see the Report of the Committee on Land Use for L.U. No. 210 & Res. No. 660 printed in the General Orders Calendar section of these Minutes)**

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

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, ERIK D. BOTTCHEER, KAMILLAH HANKS, SHEKAR KRISHNAN, DARLENE MEALY, JOSEPH C. BORELLI; 10-0-0; *Absent*: Farah N. Louis and Pierina Ana Sanchez; *Maternity*: Carlina Rivera; Committee on Land Use, May 17, 2023.

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

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

## Report for L.U. No. 211

**Report of the Committee on Land Use in favor of approving Application number G 230031 CCX (784 Courtlandt Avenue Project Revision) submitted by the New York City Department of Housing Preservation and Development to modify the uses of an Urban Development Action Area Project (UDAAP) approval and related Project Summary pursuant to Article 16 of the General Municipal Law, for property located at 784 Courtlandt Avenue (Block 2404, Lot 1), and which were approved in 2019 by Council Resolution 1014, Borough of the Bronx, Community District 1, Council District 17.**

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on May 25, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:****SUBJECT****BRONX CB - 17****G 230031 CCX**

Application submitted by the New York City Department of Housing Preservation and Development to modify the uses of an Urban Development Action Area Project (UDAAP) approval pursuant to Section 694 of the General Municipal Law and related Project Summary regarding the property located at 784 Courtlandt



Avenue (Block 2404, Lot 1), Borough of the Bronx, Community District 1, Council District 17, which were approved in 2019 by Council Resolution 1014.

**INTENT**

To approve the amendment of a previously approved City Council Resolution dated July 23, 2019 (Resolution No. 1014, L.U. No. 468) and the related amended Project Summary.

**PUBLIC HEARING**

**DATE:** May 16, 2023

**Witnesses in Favor:** Two

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** May 16, 2023

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

**In Favor:**

Louis  
De la Rosa  
Nurse  
Ung

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** May 17, 2023

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

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

**Against:**

None

**Abstain:**

None

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

Res. No. 651

**Resolution approving an Amended Project for a previously-approved Urban Development Action Area Project pursuant to Article 16 of the General Municipal Law, for property located at 784 Courtlandt Avenue (Block 2404, Lot 1) (“Disposition Area”) (formerly Lots 1 and 2), Borough of the Bronx, Community District 1 (Preconsidered L.U. No. 211; G 230031 CCX).**

By Council Members Salamanca and Louis.

**WHEREAS**, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council on May 12, 2023 its request that the Council take the following actions regarding a previously-approved Urban Development Action Area Project (the “Project”) located at 748 Courtlandt Avenue (Block 2404, Lot 1; formerly Lots 1 and 2), Community District 1, Borough of the Bronx (the “Disposition Area”):

1. Find that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law;
2. Approve the designation of the Disposition Area as an Urban Development Action Area pursuant to Section 693 of the General Municipal Law; and
3. Approve the project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law;

**WHEREAS**, the Project was previously approved by the (1) New York City Planning Commission by decision dated June 3, 2019 (ULURP No. C 190293 HAX), pursuant to Section 197-c of the City Charter and Article 16 of the General Municipal Law; and (2) New York City Council, by Resolution 1014 (L.U. No. 468) dated July 23, 2019, pursuant to Section 197-d of the City Charter and Article 16 of the General Municipal Law;

**WHEREAS**, in its request of May 12, 2023, HPD has submitted an amended project summary for the Project (the “Amended Project Summary”);

**WHEREAS**, upon due notice, the Council held a public hearing on the Amended Project on May 16, 2023; and

**WHEREAS**, the Council has considered the land use and financial implications and other policy issues relating to the Amended Project.

**RESOLVED:**

The Council finds that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law.

The Council approves the designation of the Disposition Area as an Urban Development Action Area pursuant to Section 693 of the General Municipal Law; and

The Council approves the Amended Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law.

The Amended Project shall be developed upon the terms and conditions in the Amended Project

Summary that HPD has submitted to the Council on May 12, 2023, a copy of which is attached hereto.

**ATTACHMENT:**

**AMENDED PROJECT SUMMARY**

- 1. **PROGRAM:** NEIGHBORHOOD CONSTRUCTION PROGRAM
- 2. **PROJECT:** 784 Courtlandt Avenue Project Revision
- 3. **LOCATION:**
  - a. **BOROUGH:** Bronx
  - b. **COMMUNITY DISTRICT:** 1
  - c. **COUNCIL DISTRICT:** 17
  - d. **DISPOSITION AREA:**

<u>BLOCK</u>	<u>LOTS</u>	<u>ADDRESSES</u>
2404	1 (f/k/a 1 & 2)	784 Courtlandt Avenue
- 4. **BASIS OF DISPOSITION PRICE:** Nominal. Sponsor will pay one dollar per lot and deliver a note and mortgage for the remainder of the appraised value (“Land Debt”). For a period of at least thirty (30) years following completion of construction, the Land Debt or the City’s capital subsidy may be repayable out of resale or refinancing profits. The remaining balance, if any, may be forgiven at the end of the term.
- 5. **TYPE OF PROJECT:** New Construction
- 6. **APPROXIMATE NUMBER OF BUILDINGS:** 1
- 7. **APPROXIMATE NUMBER OF UNITS:** 23 dwelling units (including a super’s unit)
- 8. **HOUSING TYPE:** Rental
- 9. **ESTIMATE OF INITIAL RENTS** Rents will be affordable to families with incomes between 30% and 80% of area median income (AMI). Formerly homeless tenants referred by DHS and other City agencies will pay up to 30% of their income as rent. All units will be subject to rent stabilization.
- 10. **INCOME TARGETS** Up to 80% of AMI.
- 11. **PROPOSED FACILITIES:** Approximately 2,025 gross square feet of community facility space

12. **PROPOSED CODES/ORDINANCES:** None
13. **ENVIRONMENTAL STATUS:** Negative Declaration
14. **PROPOSED TIME SCHEDULE:** Approximately 24 months from closing to completion of construction

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, ERIK D. BOTTCHER, KAMILLAH HANKS, SHEKAR KRISHNAN, DARLENE MEALY, JOSEPH C. BORELLI; 10-0-0; *Absent*: Farah N. Louis and Pierina Ana Sanchez; *Maternity*: Carlina Rivera; Committee on Land Use, May 17, 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 Rules, Privileges and Elections**

Report for M-149

#### **Report of the Committee on Rules, Privileges and Elections in favor of approving the appointment of Kenneth Y.K. Chan as a member of the New York City Taxi and Limousine Commission.**

The Committee on Rules, Privileges and Elections, to which the annexed Mayor's Message was referred on May 11, 2023 (Minutes, page 1185) and which same Mayor's Message was coupled with the resolution shown below, respectfully

#### **REPORTS:**

**(For text of the Briefing Paper, please see the Report of the Committee on Rules, Privileges and Elections for M-150 printed below in these Minutes)**

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to Sections 31 and 2301 of the City Charter, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of **Kenneth Y. K. Chan** as a member of the New York City Taxi and Limousine Commission to serve the remainder of a seven-year term that expires on January 31, 2024 (M. 0149-2023).

This matter was heard on May 8, 2023.

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

Res. No. 652

**RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF KENNETH Y.K. CHAN AS A MEMBER OF THE NEW YORK CITY TAXI AND LIMOUSINE COMMISSION (M. 0149-2023).**

By Council Member Powers.

**RESOLVED**, pursuant Sections 31 and 2301 of the City Charter, the Council hereby approves the appointment by the Mayor of **Kenneth Y. K. Chan** as a member of the New York City Taxi and Limousine Commission to serve the remainder of a seven-year term that expires on January 31, 2024 (M. 0149-2023).

KEITH POWERS, *Chairperson*; RAFAEL SALAMANCA, Jr.; SELVENA N. BROOKS-POWERS, JUSTIN L. BRANNAN, GALE A. BREWER, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI, THE SPEAKER (COUNCIL MEMBER ADRIENNE E. ADAMS); 8-0-1; *Abstain*: Crystal Hudson; Committee on Rules, Privileges and Elections, May 25, 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 M-150

**Report of the Committee on Rules, Privileges and Elections in favor of approving the appointment of Paul Bader as a member of the New York City Taxi and Limousine Commission.**

The Committee on Rules, Privileges and Elections, to which the annexed Mayor's Message was referred on May 11, 2023 (Minutes, page 1186) and which same Mayor's Message was coupled with the resolution shown below, respectfully

**REPORTS:**

**Topic I: New York City Taxi and Limousine Commission – (Candidates for appointment by the Mayor upon the advice and consent of the Council)**

- **Paul Bader [Preconsidered M-150]**
- **Thomas Sorrentino [Preconsidered M-151]**
- **Kenneth Chan [Preconsidered M-149]**
- **Sarah Kaufman [Preconsidered M-152]**

The TLC was created pursuant to Local Law 12 of 1971 in Chapter 65 of the Charter. Section 2300 of the *Charter* provides that there shall be a TLC, which shall have the purpose of further developing and improving the taxi and limousine service in the City. The purpose of the TLC shall also remain consistent with the promotion and protection of the public comfort and convenience, adopting and establishing an overall public transportation policy governing taxi, coach, limousine, and wheelchair accessible van services, as it relates to the overall public transportation network of the City. The TLC shall also be responsible for establishing certain rates, standards, and criteria for the licensing of vehicles, drivers, chauffeurs, owners, and operators engaged in such services. The TLC also authorizes individuals who wish to operate commuter van services within the City.

The TLC consists of nine members appointed by the Mayor, all subject to the advice and consent of the Council. Five of said members must be a resident from each of the five boroughs of the City, and are recommended for appointment by a majority vote of the Council Members from the respective borough. TLC

members are appointed for seven year terms, and can serve until the appointment and qualification of a successor. Vacancies, other than those that occur due to an expiration of a term, shall be filled for the unexpired term. The mayor may remove any such member for cause, upon stated charges.

The mayor designates one TLC member to act as the Chairperson and Chief Executive Officer. The Chairperson shall have be in-charge of the organization of his/her office, and possesses the authority to employ, assign, and superintend the duties of such officers and employees, as may be necessary to carry out the provisions of Chapter 65 of the *Charter*. The *Charter* provides that the Chairperson shall devote his/her full time to this position and as such, the Chair will receive compensation that is set by the Mayor. The Chair currently receives an annual salary of \$243,171.00. The other TLC members are not entitled to compensation.

Pursuant to the *Charter*, all TLC proceedings and all documents and records in its possession, shall be public records. Furthermore, the TLC is required to make an annual report to the Council, on or before the second Monday of January, of every year, concerning information that consists of the following; complaints received by the commission from the public, including, but is not limited to, complaints of overcharging, as well as enforcement actions undertaken by the commission, whether the enforcement action was dismissed or settled, or if a penalty was imposed by the commission on the subject of the enforcement action. The information regarding enforcement actions shall also include, but is not limited to; enforcement action relating to illegal street hails, unlicensed vehicles, overcharging, and toll lane infractions.

If Mr. Bader, a resident of the borough of Queens, is appointed as a member of the TLC by the Mayor, he will serve the remainder of a seven-year term that will expire on January 31, 2029. Pursuant to Section 2301 of the Charter, Mr. Bader's nomination was recommended by a majority vote of the Council Members representing the borough of Queens.

If Mr. Sorrentino, a resident of the borough of Brooklyn, is appointed as a member of the TLC by the Mayor, he will serve the remainder of a seven-year term that will expire on January 31, 2029. Pursuant to Section 2301 of the Charter, Mr. Sorrentino's nomination was recommended by a majority vote of the Council Members representing the borough of Brooklyn.

If Mr. Chan, a resident of the borough of Brooklyn, is appointed as a member of the TLC by the Mayor, he will serve the remainder of a seven-year term that will expire on January 31, 2024.

If Ms. Kaufman, a resident of the borough of Manhattan, is appointed as a member of the TLC by the Mayor, she will serve the remainder of a seven-year term that will expire on January 31, 2026.

A hearing was held on these nominations on May 8, 2023.

*(After interviewing the candidates and reviewing the submitted material, the Committee decided to approve the appointment of the nominees. For nominee Kenneth Y. K. Chan [M-149], nominee Thomas Sorrentino [M-151], and Sarah Kaufman [M-152], please see, respectively, the Reports of the Committee on Rules, Privileges and Elections for M-149, M-151, and M-152 printed in these Minutes; for nominee Paul Bader[M-150], please see immediately below:)*

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to Sections 31 and 2301 of the City Charter, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of **Paul Bader** as a member of the New York City Taxi and Limousine Commission to serve the remainder of a seven-year term that expires on January 31, 2029 (M. 0150-2023).

This matter was heard on May 8, 2023.

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

Res. No. 653

**RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF PAUL BADER AS A MEMBER OF THE NEW YORK CITY TAXI AND LIMOUSINE COMMISSION (M. 0150-2023).**

By Council Member Powers.

**RESOLVED**, pursuant Sections 31 and 2301 of the City Charter, the Council hereby approves the appointment by the Mayor of **Paul Bader** as a member of the New York City Taxi and Limousine Commission to serve the remainder of a seven-year term that expires on January 31, 2029 (M. 0150-2023)

KEITH POWERS, *Chairperson*; RAFAEL SALAMANCA, Jr.; SELVENA N. BROOKS-POWERS, JUSTIN L. BRANNAN, GALE A. BREWER, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI, THE SPEAKER (COUNCIL MEMBER ADRIENNE E. ADAMS); 9-0-0; Committee on Rules, Privileges and Elections, May 25, 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 M-151

**Report of the Committee on Rules, Privileges and Elections in favor of approving the appointment of Thomas Sorrentino as a member of the New York City Taxi and Limousine Commission.**

The Committee on Rules, Privileges and Elections, to which the annexed Mayor's Message was referred on May 11, 2022 (Minutes, page 1187) and which same Mayor's Message was coupled with the resolution shown below, respectfully

**REPORTS:**

**(For text of the Briefing Paper, please see the Report of the Committee on Rules, Privileges and Elections for M-150 printed above in these Minutes)**

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to Sections 31 and 2301 of the City Charter, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of **Thomas Sorrentino** as a member of the New York City Taxi and Limousine Commission to serve the remainder of a seven-year term that expires on January 31, 2029 (M. 0151-2023).

This matter was heard on May 8, 2023.

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

Res. No. 654

**RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF THOMAS SORRENTINO AS A MEMBER OF THE NEW YORK CITY TAXI AND LIMOUSINE COMMISSION (M. 0151-2023).**

By Council Member Powers.

**RESOLVED**, pursuant Sections 31 and 2301 of the City Charter, the Council hereby approves the appointment by the Mayor of **Thomas Sorrentino** as a member of the New York City Taxi and Limousine Commission to serve the remainder of a seven-year term that expires on January 31, 2029 (M. 0151-2023).

KEITH POWERS, *Chairperson*; RAFAEL SALAMANCA, Jr.; SELVENA N. BROOKS-POWERS, JUSTIN L. BRANNAN, GALE A. BREWER, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI, THE SPEAKER (COUNCIL MEMBER ADRIENNE E. ADAMS); 9-0-0; Committee on Rules, Privileges and Elections, May 25, 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 M-152

**Report of the Committee on Rules, Privileges and Elections in favor of approving the appointment of Sarah Kaufman as a member of the New York City Taxi and Limousine Commission.**

The Committee on Rules, Privileges and Elections, to which the annexed Mayor's Message was referred on May 11, 2023 (Minutes, page 1188) and which same Mayor's Message was coupled with the resolution shown below, respectfully

**REPORTS:**

**(For text of the Briefing Paper, please see the Report of the Committee on Rules, Privileges and Elections for M-150 printed above in these Minutes)**

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to Sections 31 and 2301 of the City Charter, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of **Sarah Kaufman** as a member of the New York City Taxi and Limousine Commission to serve the remainder of a seven-year term that expires on January 31, 2026 (M. 0152-2023).

This matter was heard on May 8, 2023.

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



Res. No. 655

**RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF SARAH KAUFMAN AS A MEMBER OF THE NEW YORK CITY TAXI AND LIMOUSINE COMMISSION (M. 0152-2023).**

By Council Member Powers.

**RESOLVED**, pursuant Sections 31 and 2301 of the City Charter, the Council hereby approves the appointment by the Mayor of **Sarah Kaufman** as a member of the New York City Taxi and Limousine Commission to serve the remainder of a seven-year term that expires on January 31, 2026 (M. 0152-2023).

KEITH POWERS, *Chairperson*; RAFAEL SALAMANCA, Jr.; SELVENA N. BROOKS-POWERS, JUSTIN L. BRANNAN, GALE A. BREWER, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI, THE SPEAKER (COUNCIL MEMBER ADRIENNE E. ADAMS); 9-0-0; Committee on Rules, Privileges and Elections, May 25, 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 Small Business**

Report for Int. No. 686-A

**Report of the Committee on Small Business 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 summer youth employment.**

The Committee on Small Business, to which the annexed proposed amended local law was referred on September 14, 2022 (Minutes, page 2175), respectfully

**REPORTS:**

**I. INTRODUCTION**

On May 25, 2023, the Committee on Small Business, chaired by Council Member Julie Menin, held a vote on the following legislation: Proposed Introduction Number 686-A (Int. 686-A), sponsored by Council Member Althea Stevens, in relation to summer youth employment. This bill was previously heard on February 27, 2023. The bill was approved by the Committee by a vote of 6 in the affirmative, 0 in the negative, and 0 abstentions.

**II. BACKGROUND**

When the COVID-19 pandemic erupted in March 2020, young workers ages 16 to 24 in New York City (NYC) suffered the worst unemployment rates of all age groups nationwide.<sup>1</sup> While the rest of New York State

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<sup>1</sup> New York State Comptroller, New York City's Uneven Recovery: Youth Labor Force Struggling (December 2022), 1, <https://www.osc.state.ny.us/files/reports/osdc/pdf/nyc-youth-labor-force-struggling.pdf>

(State) and the nation continue to see strong rebounds in their youth workforces, young workers in NYC continue to struggle.<sup>2</sup> According to a December 2022 report by the State Comptroller's Office, young workers in NYC have reached an unemployment rate of 17.9 percent, compared to 9.3 percent for young workers in the rest of the State, and 8.3 percent for young workers in the rest of the country.<sup>3</sup> There are currently over 70,000 unemployed youth in NYC, nearly two times as many as in 2019.<sup>4</sup> Of these, young Asian and Black workers are experiencing disproportionately high unemployment rates of 23.3 percent and 20.4 percent respectively.<sup>5</sup> Additionally, there is a wide disparity between young male and female workers in NYC, as young male workers have reached an unemployment rate of 23.6 percent, while their female counterparts are just under 15 percent.<sup>6</sup>

NYC was devastated by the pandemic, prompting industry-wide closures as well as vaccine and mask mandates that were among the strictest in the country.<sup>7</sup> NYC's recovery continues to lag behind other cities because of the steep job losses it suffered early in the pandemic. In the first two months of the pandemic, NYC lost approximately one million jobs, the most of any city in the country.<sup>8</sup> The leisure, hospitality, and retail industries were hardest hit and experienced rapid decline.<sup>9</sup> Because these industries have fewer hard-skill requirements, they are more accessible to young people and have served as their traditional pipeline into the workforce.<sup>10</sup> Moreover, because young people have limited experience, they have fewer job options and have had great difficulty re-entering the workforce after the slow recovery of the hospitality and retail sectors.<sup>11</sup>

The pandemic reversed much of the progress made for out of school and out of work (OSOW) youth over the previous decade. In NYC, the number of OSOW youth steadily declined in the decade prior to the pandemic.<sup>12</sup> In 2018, 13.2 percent of NYC youth were OSOW, compared to 18.2 percent in 2010.<sup>13</sup> One key factor that led to this decrease was the growing economy, which created more job opportunities for young adults.<sup>14</sup> However, the majority of these new jobs were low wage and part time.<sup>15</sup> Therefore, while young adults were in the workforce, they were not necessarily on a steady career path.<sup>16</sup> Even before the COVID-19 pandemic, approximately 325,000 New Yorkers ages 16-24 were at risk of becoming OSOW, suggesting that preventative measures must focus on driving down OSOW numbers in the long term.<sup>17</sup>

In 2017, the Council passed legislation to establish The Disconnected Youth Taskforce to consider the challenges of OSOW youth ages 16-24.<sup>18</sup> According to a 2020 report from the taskforce, the number of youth who are OSOW in NYC, also referred to as disconnected youth, has likely doubled since the coronavirus permeated NYC in the spring of 2020.<sup>19</sup> The taskforce found that the experience of being OSOW in adolescence leads to lower earnings, diminished homeownership rates and worse health outcomes later in life.<sup>20</sup> The taskforce issued recommendations for preventing youth from dropping out of school, reengaging those who do, and building training and career opportunities for youth.<sup>21</sup> The report urged the City to center young people in the

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<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.* at 2

<sup>7</sup> Nicole Hong and Matthew Haag, "In New York City, Pandemic Job Losses Linger," *The New York Times*, 9/14/2022, <https://www.nytimes.com/2022/09/14/nyregion/nyc-covid-job-losses.html>

<sup>8</sup> *Id.*

<sup>9</sup> *Id.* at 3.

<sup>10</sup> *Id.*

<sup>11</sup> See New York State Comptroller, New York City's Uneven Recovery: Youth Labor Force Struggling (December 2022), 3, <https://www.osc.state.ny.us/files/reports/osdc/pdf/nyc-youth-labor-force-struggling.pdf>

<sup>12</sup> Disconnected Youth Task Force, 2020 Disconnected Youth Task Force Report (January 2021), 15, <https://www.nyc.gov/assets/youthemployment/downloads/pdf/dytf-connecting-our-future-report.pdf>

<sup>13</sup> *Id.*

<sup>14</sup> *Id.* at 16.

<sup>15</sup> *Id.* at 19.

<sup>16</sup> *Id.*

<sup>17</sup> *Id.* at 23.

<sup>18</sup> See Disconnected Youth Task Force, 2020 Disconnected Youth Task Force Report (January 2021), 3, <https://www.nyc.gov/assets/youthemployment/downloads/pdf/dytf-connecting-our-future-report.pdf>

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

<sup>20</sup> Ethan Geringer-Sameth, "Out of School and Out of Work, City's Disconnected Youth Have Steep Hill to Climb, Report Says," *Gotham Gazette*, 1/26/2021, <https://www.gothamgazette.com/city/10097-out-of-school-work-nyc-disconnected-youth-steep-hill-report>

<sup>21</sup> See Ethan Geringer-Sameth, "Out of School and Out of Work, City's Disconnected Youth Have Steep Hill to Climb, Report Says," *Gotham Gazette*, 1/26/2021, <https://www.gothamgazette.com/city/10097-out-of-school-work-nyc-disconnected-youth-steep-hill-report>

emerging industries of the COVID-19 response and recovery, prioritizing them in contract tracing and other projects fueled by federal stimulus money.<sup>22</sup>

### III. THE ADMINISTRATION'S RESPONSE TO THE YOUTH UNEMPLOYMENT CRISIS

In response to the urgency of the youth employment crisis, the Adams administration launched new initiatives and expanded longstanding programs to help youth who suffered from pandemic job losses. In February 2022, Mayor Adams announced an expansion of the Summer Youth Employment Program (SYEP) to 90,000 slots for youth ages 14-24,<sup>23</sup> an increase from 75,000 in Fiscal Year (FY) 2022, the largest number of slots made available in the program's 60-year history.<sup>24</sup> SYEP provides participants with paid internship opportunities to explore potential career interests, helping to develop their professional, social, and leadership skills, preparing them for potential careers.<sup>25</sup> According to a study by JP Morgan Chase, youth who secured summer employment were less likely to be incarcerated, had improved performance in school, and were 86 percent more likely to secure jobs the following year.<sup>26</sup> The expansion of SYEP serves as both a public safety priority and workforce development initiative for the Adams administration.<sup>27</sup>

One of the Adams administration's first steps to combat rising unemployment was the consolidation of workforce training and job placement programs across agencies.<sup>28</sup> Executive Order 22, signed in August 2022, requires the City to merge historically siloed services across two dozen agencies under a single office, now named the Mayor's Office of Talent and Workforce Development.<sup>29</sup> The Executive Order stressed that a more efficient and streamlined approach was necessary to better match jobseekers with training and career opportunities.<sup>30</sup> City officials, advocates, and non-profit leaders on the Disconnected Youth Taskforce also called for the consolidation of services programs for unemployed youth.<sup>31</sup> The 2020 report released by the taskforce explains that the expansive nature of the OSOW population and the lack of a uniform strategy across City agencies has yielded a patchwork of programs that is disjointed and unfocused.<sup>32</sup> The report's overriding recommendation was to create a single office or position in City government responsible for developing coherent and effective programming for OSOW youth.<sup>33</sup>

In addition to the consolidation of workforce development programming, Executive Order 22 also launched Pathways to Industrial and Construction Careers (PINCC), designed to move 2,300 low-income New Yorkers receiving government assistance or living in public housing into industrial and construction careers.<sup>34</sup> The program is financed by an \$18.6 million federal grant and targets industries that are unionized or pay relatively high wages where demand is expected to grow.<sup>35</sup> Through this program, the City trains and places participants in roles such as diesel mechanic, utility worker, construction project manager, or tradesperson.<sup>36</sup> The City selects

<sup>22</sup> *Id.*

<sup>23</sup> Office of the Mayor, New York City Mayor Eric Adams Announces Record 100,000 Summer Youth Employment Opportunities, (February 15, 2022) available at: <https://www.nyc.gov/office-of-the-mayor/news/081-22/new-york-city-mayor-eric-adams-record-100-000-summer-youth-employment-opportunities#/0>

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*

<sup>26</sup> Summer Jobs for All City High School Students, The New York Times, (April 13, 2016) available at: <https://www.nytimes.com/2016/04/13/opinion/summer-jobs-for-all-city-high-school-students.html>

<sup>27</sup> *Supra* note 1.

<sup>28</sup> Office of the Mayor, Mayor Adams Announces Major Investment in NYC Workers and Employers, new Approach to Talent and Workforce Development with \$18.6 Million Federal Grant, (August 15, 2022) available at: <https://www.nyc.gov/office-of-the-mayor/news/599-22/mayor-adams-major-investment-nyc-workers-employers-new-approach-talent-and#/0>

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

<sup>30</sup> Office of the Mayor, Executive Order 22, The Office of Talent and Workforce Development available at: <https://www.nyc.gov/office-of-the-mayor/news/022-002/executive-order-22>

<sup>31</sup> Connecting our Future, The Disconnected Youth Taskforce, (2020) available at: <chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.nyc.gov/assets/youthemployment/downloads/pdf/dytf-connecting-our-future-report.pdf>

<sup>32</sup> *Id.*

<sup>33</sup> *Id.*

<sup>34</sup> *Supra* note 6.

<sup>35</sup> Just 30% of Young Men Get a Regular Paycheck. Eric Adams Wants to Raise That Number, The City, (August 23 2022) available at: <https://www.thecity.nyc/2022/8/23/23317377/young-men-unemployment-eric-adams>

<sup>36</sup> *Id.*

participants with an aptitude for the work, provides necessary training and continued support after the participant has established themselves in the role.<sup>37</sup>

Executive Order 22 also created the Future of Workers Taskforce, led by City officials and nonprofit leaders, and required it to issue recommendations to drive better employment outcomes for New Yorkers ages 16-24.<sup>38</sup>

#### IV. PROGRAMMING FOR OUT OF SCHOOL AND OUT OF WORK YOUTH

##### *Department of Youth and Community Development (DYCD)*

DYCD offers several youth employment programs for youth ages 14-24 designed to help youth gain work experience and education.<sup>39</sup> DYCD's Learn and Earn program is a year-long program for high school juniors and seniors at risk of dropping out of school.<sup>40</sup> The program supports students by providing targeted academic assistance and exam preparation, developing career awareness, improving work readiness, and exploring postsecondary education options.<sup>41</sup> DYCD also offers direct programming for OSOW youth. The agency's Train and Earn Program for low-income youth ages 16-24 provides training and employment services to secure a job, obtain a high school equivalency certificate, and access postsecondary education and training.<sup>42</sup> In FY 2022, Train and Earn had 1,506 participants, an increase from 1,270 in FY 2021.<sup>43</sup>

Similarly, DYCD's Advance and Earn program helps youth 16-24 further their career through comprehensive High School Equivalency (HSE) preparation, employer recognized trainings, credentials and certifications, and paid internships.<sup>44</sup> In FY 2022, Advance and Earn had 948 participants, and 40 percent of those participants were placed in education, employment, or advanced training within 90 days of the program's end.<sup>45</sup>

DYCD's largest program for NYC youth ages 14-24 is the SYEP, the nation's largest youth employment program.<sup>46</sup> The expansion of SYEP, to 90,000 slots in FY 2023, allowed DYCD to place 55 percent of eligible applicants into compensated internships in the summer of FY 2023, compared to 49 percent in the summer of FY 2022.<sup>47</sup> Further, the expansion led to more partnerships with large businesses and corporations across NYC, allowing young people the opportunity to broaden their career choices and engage in professional experiences within the private sector.<sup>48</sup>

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<sup>37</sup> *Id.*

<sup>38</sup> *Supra* note 8.

<sup>39</sup> *Id.*

<sup>40</sup> See NYC Department of Youth & Community Development Jobs & Internships Website, <https://www.nyc.gov/site/dycd/services/jobs-internships.page>

<sup>41</sup> See Disconnected Youth Task Force, 2020 Disconnected Youth Task Force Report (January 2021), 36, <https://www.nyc.gov/assets/youthemployment/downloads/pdf/dytf-connecting-our-future-report.pdf>

<sup>42</sup> See NYC Department of Youth & Community Development Jobs & Internships Website, <https://www.nyc.gov/site/dycd/services/jobs-internships.page>

<sup>43</sup> The Mayor's Office of Operations and the Department of Youth and Community Development, Preliminary Mayor's Management Report (January 2023), 239, [https://www.nyc.gov/assets/operations/downloads/pdf/pmmr2023/2023\\_pmmr.pdf](https://www.nyc.gov/assets/operations/downloads/pdf/pmmr2023/2023_pmmr.pdf)

<sup>44</sup> See NYC Department of Youth & Community Development Jobs & Internships Website, <https://www.nyc.gov/site/dycd/services/jobs-internships.page>

<sup>45</sup> See The Mayor's Office of Operations and the Department of Youth and Community Development, Preliminary Mayor's Management Report (January 2023), 239, [https://www.nyc.gov/assets/operations/downloads/pdf/pmmr2023/2023\\_pmmr.pdf](https://www.nyc.gov/assets/operations/downloads/pdf/pmmr2023/2023_pmmr.pdf)

<sup>46</sup> NYC Department of Youth & Community Development Jobs & Internships Summer Youth Employment Program Website, <https://www.nyc.gov/site/dycd/services/jobs-internships/summer-youth-employment-program-syep.page>

<sup>47</sup> *Id.* at 15.

<sup>48</sup> *Id.*

### *Department of Small Business Services (SBS)*

SBS programs complement SYEP.<sup>49</sup> According to Mayor’s office of Youth Employment (MOYE), the Advanced Manufacturing Career Collective was designed with a goal to engage up to 1,000 students annually in the field of advanced manufacturing.<sup>50</sup> Originally a collaboration between MOYE, City University of New York (CUNY), and SBS’ Manufacturing Industrial and Innovation Council (MAiIC),<sup>51</sup> the program continues to exist under the purview of CUNY and MAiIC.<sup>52</sup> The current program, marketed as ApprenticeshipNYC, is targeted for New Yorkers who make less than \$50,000 a year.<sup>53</sup>

The Disconnected Youth Task Force also reported on several SBS programs that have served OSOW individuals. For example, SBS’ Bridge to Tech program was targeted to OSOW New Yorkers ages 18 and above.<sup>54</sup> Although the program’s existence is unclear today, SBS continues to support the NYC Tech to Talent Pipeline, which offers “no-cost training programs for jobs in the tech field.”<sup>55</sup> NYC’s Tech to Talent Pipeline training programs include data analysis and web development for individuals above 18 who are either unemployed or employed and earning less than \$45,000 to \$50,000 a year.<sup>56</sup>

In 2018, SBS launched a program targeted for OSOW individuals aged 18 to 24 under New York Alliance for Careers in Healthcare (NYACH).<sup>57</sup> The Medical Assistants for Modern Healthcare Delivery Training Program served 29 clients in FY 2019.<sup>58</sup> It is unclear if this particular training program is still available today, but NYACH continues to support youth training in partnership with SBS. In a 2022 report, NYACH shared that over the course of their Ready for Healthcare Program, they have supported 781 high school and career and technical education (CTE) students.<sup>59</sup>

The task force’s report also included Employment Works, a Workforce1 related program designed for individuals who have been involved in the criminal justice system.<sup>60</sup> In FY 2019, the program served 38 clients.<sup>61</sup> Although recent participation numbers are not publicly available, Employment Works is still in existence today, with accessible services provided at the Bronx and Brooklyn Workforce1 Career Centers.<sup>62</sup> SBS’ Workforce1 also provides specific services for OSOW individuals between the ages of 18 to 24 at the West Farms and Brownsville and East New York Workforce1 Career Centers.

## **V. JOINT COMMITTEE HEARING ON INT. NO. 686-2022 AND SUBSEQUENT BILL AMENDMENTS**

On February 27, 2023, the Committee on Youth Services, chaired by Council Member Althea Stevens, and the Committee on Small Business, chaired by Council Member Julie Menin, held an oversight hearing on

<sup>49</sup> NYC Department of Youth and Community Development, “SYEP Alternatives” <https://www1.nyc.gov/assets/dycd/syep/EOE.html> (accessed on 2/17/23).

<sup>50</sup> New York City Mayor’s Office of Youth Employment, “Programming” <https://www.nyc.gov/site/youthemployment/initiatives/programming.page> (last accessed 2/17/23).

<sup>51</sup> *Id.*

<sup>52</sup> LaGuardia Community College, “ApprenticeshipNYC” <https://www.laguardia.edu/ce/pages/career-skills-and-training/advanced-manufacturing/> (last accessed 2/17/23), New York City Department of Small Business Services Manufacturing Industrial and Innovation Council, “ApprenticeshipNYC” <https://maiic.nyc.gov/apprenticenyc/> (last accessed 2/17/23)

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

<sup>54</sup> Disconnected Youth Task Force, *2020 Disconnected Youth Task Force Report*, Available at <https://www.nyc.gov/assets/youthemployment/downloads/pdf/dytf-connecting-our-future-report.pdf>

<sup>55</sup> NYC Department of Small Business Services “Tech Training” <https://www.nyc.gov/site/sbs/careers/tech-training.page> (last accessed 2/17/23).

<sup>56</sup> NYC Tech to Train Pipeline, “Training Programs” <https://ttp.nyc.gov/trainingprograms> (last accessed 2/17/23).

<sup>57</sup> NYC Department of Small Business Services, *CITY LAUNCHES NEW PROGRAM TO PREPARE YOUNG ADULTS FOR MEDICAL ASSISTANT CAREERS*, August 15, 2018, Available at: [https://www.nyc.gov/site/sbs/about/pr20180815\\_MedicalAssistant.page](https://www.nyc.gov/site/sbs/about/pr20180815_MedicalAssistant.page)

<sup>58</sup> *Supra* note 5

<sup>59</sup> New York Alliance for Careers in Healthcare, *10- Year Anniversary Report*, March 2022, pg. 47, Available at: <https://static1.squarespace.com/static/6019cfde6112d0573e44f701/t/6352ca7d9fd376490d4e7d9/1666370197851/NYACH+10-Year+Anniversary+Report.pdf>

<sup>60</sup> NYC Department of Small Business Services, “Post-Criminal Justice Involvement Services” <https://www.nyc.gov/site/sbs/careers/post-criminal-justice-involvement.page> (accessed on 2/17/23).

<sup>61</sup> Task force

<sup>62</sup> *Supra* note 8

DYCD's support for unemployed youth. The Committee on Small Business also considered Int. 686. The Committees received testimony from DYCD, SBS, youth advocates, and members of the public.

After the hearing, Int. 686 was amended to reflect that DYCD would continue to operate SYEP and coordinate with SBS to promote the program to businesses with which SBS has contact. The amendments also eliminated the mandate that the number of agency SYEP positions be proportionate to the total number of full- and part-time employees of each agency. Instead, the amended bill would set a goal that each agency accept SYEP participants equal to at least .5 percent of its total full-time headcount. The amended bill would also eliminate the mentorship program proposed in the original bill. Finally, the amended bill modified the reporting requirement.

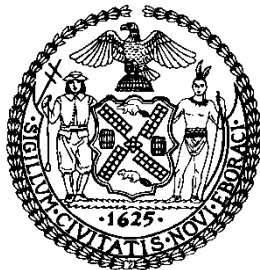
## VI. LEGISLATIVE ANALYSIS

### *INT. 686-A*

Int. 686-A would require DYCD to operate SYEP. DYCD would coordinate with other agencies to develop summer youth employment opportunities. Each agency would have a goal of accepting SYEP participants equal to at least .5 percent of its total full-time headcount. DYCD would also coordinate with SBS to promote SYEP to businesses with which SBS has contact. DYCD would submit an annual report including the number of youth employed pursuant to SYEP each year, disaggregated by placement in each of the government, private, and nonprofit sectors. For the government sector, the report would disaggregate the number of youth employed by each agency. For any agency that does not meet the goal of employing at least .5 percent of its total full-time headcount, the report would include an explanation of why the goal was not met.

This bill would take effect 120 days after becoming law.

**(The following is the text of the Fiscal Impact Statement for Int. No. 686-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: 686-A**

**COMMITTEE: Small Business**

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to summer youth employment.

**SPONSOR(S):** Council Members Stevens, Menin, Louis, Riley, Restler, Hudson, Ung, Farías, Sanchez, Lee, Schulman, Hanif, Hanks, Avilés, and Cabán.

**SUMMARY OF LEGISLATION:** This bill would require the Department of Youth and Community Development (DYCD) to operate a summer youth employment program (SYEP). DYCD would coordinate with other agencies to develop summer youth employment opportunities. Each agency would have a goal of accepting SYEP participants equal to at least .5 percent of its total full-time headcount. DYCD would also coordinate with the Department of Small Business Services (SBS) to promote SYEP to businesses with which SBS has contact. By January 31, 2024, DYCD would submit an annual report including the number of youth employed pursuant to

SYEP each year, disaggregated by placement in each of the government, private, and nonprofit sectors. For the government sector, the report would disaggregate the number of youth employed by each agency. For any agency that does not meet the goal of employing at least .5 percent of its total full-time headcount, the report would include an explanation of why the goal was not met.

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

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

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY24</b>	<b>FY Succeeding Effective FY25</b>	<b>Full Fiscal Impact FY25</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$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 agencies will utilize existing resources.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

**SOURCE OF INFORMATION:** New York City Council Finance Division  
Mayor’s Office of Management and Budget  
Department of Small Business Services

**ESTIMATE PREPARED BY:** Glenn P. Martelloni, Financial Analyst

**ESTIMATE REVIEWED BY:** Julia K. Haramis, Unit Head  
Jonathan Rosenberg, Managing Deputy Director  
Kathleen Ahn, Counsel

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council on September 14, 2022, as Int. No 686 and referred to the Committee on Small Business Services (the Committee). A joint hearing was held by the Committee and the Committee on Youth Services on February 27, 2023, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Int. No. 686-A, will be voted on by the Committee at a hearing on May 25, 2023. Upon a successful vote by the Committee, Proposed Int. 686-A will be submitted to the full Council for a vote on May 25, 2023.

**DATE PREPARED:** May 22, 2023.

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

**(The following is the text of Int. No. 686-A:)**

Int. No. 686-A

By Council Members Stevens, Menin, Louis, Riley, Restler, Hudson, Ung, Farías, Sanchez, Lee, Schulman, Hanif, Hanks, Avilés and Cabán.

**A Local Law to amend the administrative code of the city of New York, in relation to summer youth employment**

*Be it enacted by the Council as follows:*

Section 1. Chapter 4 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-414 to read as follows:

§ 21-414 *Summer youth employment program. a. Definition. For the purposes of this section the following term has the following meaning:*

*Summer youth employment program. The term “summer youth employment program” means the program operated by the department of youth and community development to provide youth with opportunities for summer employment.*

*b. The department shall operate a summer youth employment program. In operating the program, the department shall:*

*1. Coordinate with other agencies to develop summer youth employment opportunities within such agencies; each agency shall have a goal of accepting summer youth employment program participants equal to at least .5 percent of its total full-time headcount; and*

*2. Coordinate with the department of small business services to promote the summer youth employment program to businesses with which such department has contact.*

*c. On or before January 31, 2024, and annually thereafter, the commissioner shall submit to the mayor and the speaker of the council a report regarding the summer youth employment program. Such report shall include the number of youth employed pursuant to the summer youth employment program during the previous summer, disaggregated by placement in each of the government, private, and nonprofit sectors. For the government sector, the report shall disaggregate the number of youth employed by each agency. For any agency that does not meet the goal of employing at least .5 percent of its total full-time headcount, the report shall include an explanation of why the goal was not met.*

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

JULIE MENIN, *Chairperson*; SELVENA N. BROOKS-POWERS, TIFFANY CABÁN, SHEKAR KRISHNAN, SANDRA UNG, MARJORIE VELÁZQUEZ; 6-0-0; *Absent*: Darlene Mealy; Committee on Small Business, May 25, 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 State and Federal Legislation

At this point, the Speaker (Council Member Adams) announced that the following item has been **preconsidered** by the Committee on State and Federal Legislation and had been favorably reported for adoption.

Report for M-155

**Report of the Committee on State and Federal Legislation in favor of approving a Communication from the Mayor requesting the New York State Legislature to pass bills introduced by Senator Hoylman-Sigal, S.2422-A, and Assembly Member L. Rosenthal, A.7266, “AN ACT to amend the vehicle and traffic law, in relation to establishing speed limits in cities with populations in excess of one million people” .**

The Committee on State and Federal Legislation, to which the annexed preconsidered Mayor’s Message Home Rule item was referred on May 25, 2023, respectfully

### REPORTS:

*(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether this respective Mayor’s Message Home Rule item should be recommended for adoption by the Council. By adopting this Home Rule item, the Council would be formally requesting that the New York State Legislature act favorably in this matter)*

#### I. BACKGROUND

Due to concerns about the structural integrity of portions of the Brooklyn-Queens Expressway (BQE)—specifically the “triple cantilevered” section in the Brooklyn Heights neighborhood—in 2021 the State enacted the BQE Truck Weight bill (A.2316A and S.2740B), authorizing the New York City Department of Transportation (DOT) to create a pilot program using a weigh-in-motion system to track and fine overweight vehicles. Such a weigh-in-motion system would determine if vehicles, specifically trucks, passing over that designated portion of the BQE comply with weight restrictions and would allow DOT to impose monetary penalties on the owners of such vehicles if they do not. But despite previous announcements that DOT would have this system operational by January 2023, it has since delayed implementation. DOT has attributed this delay to, among other things, the fact that the weigh-in-motion technology it uses is not currently covered by federal calibration protocols.

The bill would seek to overcome this delay by allowing either DOT and the State Department of Agriculture and Markets to jointly set the calibration standards through an agreement, or in the alternative allowing DOT to adopt applicable reference standards. The current language in the relevant section of the vehicle and traffic law which prescribes the use of a standard set by the American Society for Testing and Materials would be deleted.

#### II. PROPOSED LEGISLATION

Section one of this bill amends subdivision 3 of section 385-a of the vehicle and traffic law to authorize DOT and the State Department of Agriculture and Markets to enter a memorandum of agreement stating calibration standards for use every six months when each weigh in motion system installed as part of the BQE pilot undergoes a calibration check. Alternatively, it permits DOT to unilaterally adopt an applicable reference standard for such use.

Section two of this bill is the effective date.

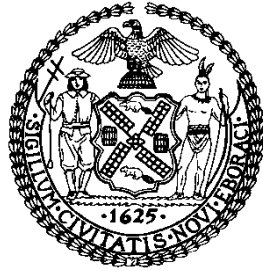
**III. FISCAL IMPLICATIONS**

See Council Finance Division fiscal impact statement.

**IV. EFFECTIVE DATE**

This bill takes effect immediately.

**(The following is the text of the Fiscal Impact Statement for Preconsidered M-155:)**



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

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

**RICHARD LEE, DIRECTOR**

**FISCAL IMPACT STATEMENT**

**Preconsidered M-155:** S.2422 (Hoyleman-Sigal)  
A.7266 (L. Rosenthal)

**COMMITTEE:** Committee on State and Federal  
Legislation

**TITLE:** An act to amend the vehicle and traffic law, in relation to establishing speed limits in cities with populations in excess of one million people.

**SPONSOR(S):** Council Member Abreu.

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**SUMMARY OF LEGISLATION:** This bill would amend sections of the bill, termed “Sammy’s law”, to authorize the City of New York to set speed limit on certain City street as low as 20 miles per hour and to set speed limits on specific streets as low as 10 miles per hour using traffic calming measures. The bill also requires the City to provide an explanation of the reasons for setting lower speed limits, how those lower speed limits comply with engineering standards, and how they will ensure that motor vehicles can operate at safe speeds in a manner that optimizes all road users' safety and convenience.

**EFFECTIVE DATE:** This act shall take effect immediately

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

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**FISCAL IMPACT STATEMENT:**

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

**IMPACT ON REVENUES:** It is anticipated that there would be no impact on revenues as a result of this legislation.

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

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

**SOURCE OF INFORMATION:** New York City Council Finance Division

**ESTIMATE PREPARED BY:** Michael Sherman, Senior Financial Analyst

**ESTIMATE REVIEWED BY:** Jack Storey, Unit Head  
Chima Obichere, Deputy Director

**LEGISLATIVE HISTORY:** This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on May 25, 2023. Following a successful vote by the Committee, the Preconsidered SLR will be introduced and voted on by the full Council on May 25, 2023.

**DATE PREPARED:** May 24, 2023.

*Accordingly, this Committee recommends its adoption.*

**(For text of the related State bills and the State Sponsor's Memorandum-in Support from each house (S.2422-A; A.7266), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).**

SHAUN ABREU, *Chairperson*; CARMEN N. De La ROSA, JENNIFER GUTIÉRREZ, CHRISTOPHER MARTE; 4-0-0; *Absent*: James F. Gennaro; Committee on State and Federal Legislation, May 25, 2023.  
*Other Council Members Attending: Council Member Rivera.*

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 item has been **preconsidered** by the Committee on State and Federal Legislation and had been favorably reported for adoption.

Report for M-156

**Report of the Committee on State and Federal Legislation in favor of approving a Communication from the Mayor requesting the New York State Legislature to pass bills introduced by Senator Gounardes, S.6246, and Assembly Member Simon, A.6225, “AN ACT to amend the vehicle and traffic law, in relation to calibration checks for weigh in motion violation monitoring systems”.**

The Committee on State and Federal Legislation, to which the annexed preconsidered Mayor’s Message Home Rule item was referred on May 25, 2023, respectfully

#### **REPORTS:**

*(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether this respective Mayor’s Message Home Rule item should be recommended for adoption by the Council. By adopting this Home Rule item, the Council would be formally requesting that the New York State Legislature act favorably in this matter)*

#### **I. BACKGROUND**

Due to concerns about the structural integrity of portions of the Brooklyn-Queens Expressway (BQE)—specifically the “triple cantilevered” section in the Brooklyn Heights neighborhood—in 2021 the State enacted the BQE Truck Weight bill (A.2316A and S.2740B), authorizing the New York City Department of Transportation (DOT) to create a pilot program using a weigh-in-motion system to track and fine overweight vehicles. Such a weigh-in-motion system would determine if vehicles, specifically trucks, passing over that designated portion of the BQE comply with weight restrictions and would allow DOT to impose monetary penalties on the owners of such vehicles if they do not. But despite previous announcements that DOT would have this system operational by January 2023, it has since delayed implementation. DOT has attributed this delay to, among other things, the fact that the weigh-in-motion technology it uses is not currently covered by federal calibration protocols.

The bill would seek to overcome this delay by allowing either DOT and the State Department of Agriculture and Markets to jointly set the calibration standards through an agreement, or in the alternative allowing DOT to adopt applicable reference standards. The current language in the relevant section of the vehicle and traffic law which prescribes the use of a standard set by the American Society for Testing and Materials would be deleted.

#### **II. PROPOSED LEGISLATION**

Section one of this bill amends subdivision 3 of section 385-a of the vehicle and traffic law to authorize DOT and the State Department of Agriculture and Markets to enter a memorandum of agreement stating calibration standards for use every six months when each weigh in motion system installed as part of the BQE pilot undergoes a calibration check. Alternatively, it permits DOT to unilaterally adopt an applicable reference standard for such use.

Section two of this bill is the effective date.

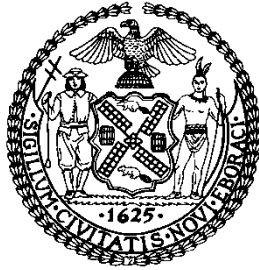
#### **III. FISCAL IMPLICATIONS**

See Council Finance Division fiscal impact statement.

**IV. EFFECTIVE DATE**

This bill takes effect immediately.

**(The following is the text of the Fiscal Impact Statement for Preconsidered M-156:)**



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

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

**RICHARD LEE, DIRECTOR**

**FISCAL IMPACT STATEMENT**

**Preconsidered M-156:** S.6246 (Gounardes)  
A.6225 (Simon)

**COMMITTEE:** Committee on State and Federal  
Legislation

**TITLE:** An act to amend the vehicle and traffic law, in relation to calibration checks for weigh in motion violation monitoring systems.

**SPONSOR(S):** Council Member Abreu.

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**SUMMARY OF LEGISLATION:** This legislation would requires that each weigh in motion violation monitoring system undergo a calibration check every six months in accordance with specifications prescribed pursuant to a memorandum of agreement between the New York city department of transportation and the New York state department of agriculture and markets, or in accordance with an applicable reference standard as determined by the New York city department of transportation.

**EFFECTIVE DATE:** This act shall take effect immediately

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

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**FISCAL IMPACT STATEMENT:**

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

**IMPACT ON REVENUES:** It is anticipated that there would be no impact on revenues as a result of this legislation.

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

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

**SOURCE OF INFORMATION:** New York City Council Finance Division

**ESTIMATE PREPARED BY:** Michael Sherman, Senior Financial Analyst

**ESTIMATE REVIEWED BY:** Jack Storey, Unit Head  
Chima Obichere, Deputy Director

**LEGISLATIVE HISTORY:** This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on May 25, 2023. Following a successful vote by the Committee, the Preconsidered SLR will be introduced and voted on by the full Council on May 25, 2023.

**DATE PREPARED:** May 24, 2023.

*Accordingly, this Committee recommends its adoption.*

**(For text of the related State bills and the State Sponsor’s Memorandum-in Support from each house (S.6246; A.6225), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).**

SHAUN ABREU, *Chairperson*; CARMEN N. De La ROSA, JENNIFER GUTIÉRREZ, CHRISTOPHER MARTE; 4-0-0; *Absent:* James F. Gennaro; Committee on State and Federal Legislation, May 25, 2023. *Other Council Members Attending: Council Member Rivera.*

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 item has been **preconsidered** by the Committee on State and Federal Legislation and had been favorably reported for adoption.

Report for State Legislation Res. No. 1

**Report of the Committee on State and Federal Legislation in favor of approving a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Jackson, S.6416, and Assembly Member Pheffer Amato, A.6750, “AN ACT to amend the administrative code of the city of New York and the retirement and social security law, in relation to permitting certain New York city correction members to borrow from their accumulated member contributions; and to repeal certain provisions of the retirement and social security law relating thereto”.**

The Committee on State and Federal Legislation, to which the annexed preconsidered State and Federal Legislation was referred on May 25, 2023, respectfully

## **REPORTS:**

*(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether this respective State Legislation Resolution [SLR] should be recommended for adoption by the Council. By adopting this SLR, the Council would be formally requesting that the New York State Legislature act favorably in this matter)*

### **I. BACKGROUND**

Currently, NYCERS member participating in the Tier 2 CO-20 and CC-20 Plans are permitted to borrow up to up to 75% of their Basic Member Contributions (BMC). This bill would permit NYCERS members participating in the Tier 2 CO-20 and CC-20 Plans to borrow 100% of their Additional Member Contributions (AMC) on top of their current borrowing capacity on BMC. For Tier 3 members in the CO-20 and CC-20 Plans, the bill would permit borrowing of up to 75% of AMC on top of their current borrowing capacity on BMC.

### **II. PROPOSED LEGISLATION**

Section one of this bill repeals paragraph 8 of subdivision d of Section 445-a of the Retirement and Social Security Law.

Section two repeals paragraph 12 of subdivision d of section 445-c of the Retirement and Social Security Law.

Section three repeals paragraph 9 of subdivision e of section 504-a of the Retirement and Social Security Law.

Section four repeals paragraph 13 of subdivision e of section 504-b of the Retirement and Social Security Law.

Section five amends the New York City Administrative Code Section 13-140 to allow members to borrow against their additional contributions that were made pursuant to Retirement and Social Security Law Section 445-a or 445-c.

Section six amends Section 517-c of the Retirement and Social Security Law Section 517-c to allow members of NYSLRS, PFRS, and NYCBERS to borrow against their additional contributions that were made pursuant to Retirement and Social Security Law Sections 504-a or 504-b.

Section seven is the effective date.

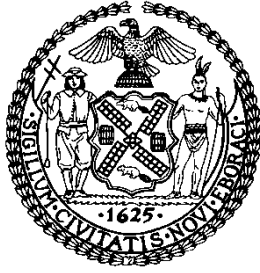
### **III. FISCAL IMPLICATIONS**

See Council Finance Division fiscal impact statement.

### **IV. EFFECTIVE DATE**

This bill takes effect immediately.

**(The following is the text of the Fiscal Impact Statement for Preconsidered SLR No. 1:)**



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

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

**RICHARD LEE, FINANCE DIVISION DIRECTOR**

**FISCAL IMPACT STATEMENT**

**PRECONSIDERED SLR 1:** S.6416 (Jackson)  
A.6750 (Pheffer Amato)

**COMMITTEE:** State and Federal Legislation

**TITLE:** An act amend the administrative code of the city of New York and the retirement and social security law, in relation to permitting certain New York city correction members to borrow from their accumulated member contributions; and to repeal certain provisions of the retirement and social security law relating thereto.

**SPONSOR(S):** Abreu.

**SUMMARY OF LEGISLATION:** Currently, certain NYCERS member who are corrections officers participate in the Tier 2 and Tier 3 CO-20 and CC-20 Plans are permitted to borrow up to up to 75% of their Basic Member Contributions (BMC), but may not borrow any proportion on their Additional Member Contributions (AMC).

This bill would permit these members participating in the Tier 2 CO-20 and CC-20 Plans to borrow 100% of their AMC on top of their existing borrowing capacity on their BMC. For Tier 3 members in the CO-20 and CC-20 Plans, the bill would permit borrowing of up to 75% of AMC on top of their existing borrowing capacity on their BMC.

**EFFECTIVE DATE:** This bill would take effect 90 days after signed into law.

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

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY23</b>	<b>FY Succeeding Effective FY24</b>	<b>Full Fiscal Impact FY24</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$4,000,000	\$4,000,000
<b>Net</b>	\$0	\$4,000,000	\$4,000,000

**IMPACT ON REVENUES:** It is anticipated that there would be no impact on revenues as a result of this legislation.

**IMPACT ON EXPENDITURES:** It is estimated that the passage of this legislation would increase the Present Value of Future Benefits by \$7.4 million, resulting in a \$6.5 million increase in the Unfunded Accrued Liability (UAL), and an increase in the Present Value of Future Normal Cost (PVFNC) of \$0.9 million. The UAL would get amortized over a three-year period and, taken together with the PVFNC increase, would require two annual \$4 million level-dollar increases to required City pension contributions in just Fiscal 2024 and 2025.

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



**SOURCE OF INFORMATION:** New York City Council Finance Division  
Fiscal Note 2023-33, Chief Actuary New York City Employees' Retirement System

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

**ESTIMATE REVIEWED BY:** Emre Edev, Deputy Director  
Kathleen Ahn, Finance Division Counsel  
Jonathan Rosenberg, Managing Deputy Director

**LEGISLATIVE HISTORY:** This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on May 25, 2023. Upon successful vote by the Committee, the Preconsidered SLR will be introduced and submitted to the full Council for a vote on May 25, 2025.

**DATE PREPARED:** May 22, 2023.

*Accordingly, this Committee recommends its adoption.*

**(For text of the preconsidered SLR, please see the Introduction and Reading of Bills section printed in these Minutes; for text of the related State bills and the State Sponsor's Memorandum-in Support from each house (S.6416; A.6750), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).**

SHAUN ABREU, *Chairperson*; CARMEN N. De La ROSA, JENNIFER GUTIÉRREZ, CHRISTOPHER MARTE; 4-0-0; *Absent*: James F. Gennaro; Committee on State and Federal Legislation, May 25, 2023. *Other Council Members Attending: Council Member Rivera.*

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 item has been **preconsidered** by the Committee on State and Federal Legislation and had been favorably reported for adoption.

Report for State Legislation Res. No. 2

**Report of the Committee on State and Federal Legislation in favor of approving a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Gounardes, S.5744, and Assembly Member Pheffer Amato, A.6156, "AN ACT to amend the retirement and social security law, in relation to service retirement benefits for certain members of the New York city employees' retirement system".**

The Committee on State and Federal Legislation, to which the annexed preconsidered State and Federal Legislation was referred on May 25, 2023, respectfully

#### **REPORTS:**

*(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether this respective State Legislation Resolution [SLR] should be recommended for adoption by the Council. By adopting this SLR, the Council would be formally requesting that the New York State Legislature act favorably in this matter)*

## **I. BACKGROUND**

The New York State Legislature created the NYCERS 55/25 plan in June of 1995, and required eligible NYCERS members to file an application within 90 days of enactment to opt into the plan. However, inadequate outreach in announcing the filing period led to a sizable proportion of non-filers at the City Council for the improved benefit.

This bill would redress the aforementioned oversight by allowing non-filing members and staff at the City Council that held eligibility for the 55/25 program at the time of the filing period to join the 55/25 plan. Eligible members choosing to opt into the 55/25 plan would be required to make additional member contributions consistent with the initial plan enactment. Members and staff that did not join the 55/25 plan and retired after 25 years of service would have the opportunity to have their pension benefit recalculated and receive a retroactive rebate for the residual amount between their current pension benefit and what their benefit would have totaled in the 55/25 plan.

## **II. PROPOSED LEGISLATION**

Section one of this bill amends subdivision a of section 445-d of the Retirement and Social Security Law (RSSL) to define active and retired New York City Council employees. This is the section of RSSL which covers Tier 2 members.

Section two of this bill amends subdivision b of section 445-d of the Retirement and Social Security Law to exempt New York City Council employees who were in active service upon the enactment of Chapter 96 of the Laws of 1995 from the requirement to have filed an application for participation in the 55/25 Retirement Plan within 90 days of such plan's enactment.

Section three of this bill amends subdivision c of section 445-d of the Retirement and Social Security Law to exempt New York City Council employees who were in active service upon the enactment of Chapter 96 of the Laws of 1995 from the requirement to have filed an application for participation in the 55/25 Retirement Plan within 90 days of such plan's enactment and to set the additional member contributions required to be paid to now join such plan.

Section four of this bill amends subdivision a of section 604-c of the Retirement and Social Security Law to define active and retired New York City Council employers. This is the section of RSSL which covers Tier 4 members.

Section five of this bill amends subdivision b of section 604-c of the Retirement and Social Security Law to exempt New York City Council employees who were in active service upon the enactment of Chapter 96 of the Laws of 1995 from the requirement to have filed an application for participation in the 55/25 Retirement Plan within 90 days of such plan's enactment.

Section six of this bill amends subdivision c of section 604-c of the Retirement and Social Security Law to exempt New York City Council employees who were in active service upon the enactment of Chapter 96 of the Laws of 1995 from the requirement to have filed an application for participation in the 55/25 Retirement Plan within 90 days of such plan's enactment and to set the additional member contributions required to be paid to now join such plan.

Section seven of this bill exempts it from the appropriation requirements of section 25 of RSSL

Section eight is the effective date and provides that the NYCERS Board of Trustees shall issue an application to all City Council members newly eligible to join the 55/25 plan as a result of this act.

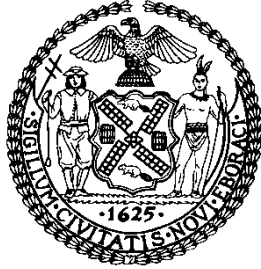
**III. FISCAL IMPLICATIONS**

See Council Finance Division fiscal impact statement.

**IV. EFFECTIVE DATE**

This bill takes effect immediately.

**(The following is the text of the Fiscal Impact Statement for Preconsidered SLR No. 2:)**



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

**PRECONSIDERED SLR 2:** S.5744 (Gounardes)  
A.6156 (Pheffer Amato)

**COMMITTEE:** State and Federal Legislation

**TITLE:** An act to amend the retirement and social security law, in relation to participation in certain retirement plans by active and retired members and staff of the New York City Council.

**SPONSOR(S):** Abreu.

**SUMMARY OF LEGISLATION:** The New York State Legislature created the NYCERS 55/25 plan in June of 1995, and required eligible NYCERS members to file an application within 90 days of enactment to opt into the plan. However, inadequate outreach in announcing the filing period led to a sizable number of non-filers at the City Council for these improved benefit.

This bill would redress this oversight by allowing members and staff at the City Council that held eligibility for the 55/25 program at the time of the filing period to retroactively join the 55/25 plan. Eligible members choosing to opt into the 55/25 plan would be required to make additional member contributions consistent with the initial plan enactment. Members and staff that did not join the 55/25 plan and retired after 25 years of service would have the opportunity to have their pension benefit recalculated and receive a retroactive rebate for the residual amount between their current pension benefit and what their benefit would have totaled in the 55/25 plan.

**EFFECTIVE DATE:** This bill would take effect 90 days after signed into law.

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

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY24</b>	<b>FY Succeeding Effective FY25</b>	<b>Full Fiscal Impact FY24</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$167,000	\$167,000	\$167,000
<b>Net</b>	\$167,000	\$167,000	\$167,000

**IMPACT ON REVENUES:** It is anticipated that there would be no impact on revenues as a result of this legislation.

**IMPACT ON EXPENDITURES:** It is estimated that passage of this legislation would increase the Present Value of Future Employer Contributions by \$536,000 annually, the result of a \$1.6 million increase in the Present Value of Future Benefits offset by a \$1.1 million increase in the Present Value of Member Contributions. The corresponding \$536,000 increase in the Unfunded Accrued Liability would get recognized over six years, requiring an additional \$1.027 million in City pension contributions through Fiscal 2028.<sup>1</sup>

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

**SOURCE OF INFORMATION:** New York City Council Finance Division  
Fiscal Note 2023-10, Chief Actuary New York City Employees' Retirement System

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

**ESTIMATE REVIEWED BY:** Emre Edev, Deputy Director  
Kathleen Ahn, Finance Division Counsel  
Jonathan Rosenberg, Managing Deputy Director

**LEGISLATIVE HISTORY:** This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on May 25, 2023. Upon successful vote by the Committee, the Preconsidered SLR will be introduced and submitted to the full Council for a vote on May 25, 2023.

**DATE PREPARED:** May 22, 2023.

*Accordingly, this Committee recommends its adoption.*

**(For text of the preconsidered SLR, please see the Introduction and Reading of Bills section printed in these Minutes; for text of the related State bills and the State Sponsor's Memorandum-in Support from each house (S.5744; A.6156), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).**

SHAUN ABREU, *Chairperson*; CARMEN N. De La ROSA, JENNIFER GUTIÉRREZ, CHRISTOPHER MARTE; 4-0-0; *Absent*: James F. Gennaro; Committee on State and Federal Legislation, May 25, 2023. *Other Council Members Attending: Council Member Rivera.*

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).

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<sup>1</sup> This net UAL reflects a gross UAL of \$886,000 offset by a \$348,000 decrease in the Present Value in Future Employer Normal Cost attributable to additional employee contributions required by the 55/25 Plan.

At this point, the Speaker (Council Member Adams) announced that the following item has been **preconsidered** by the Committee on State and Federal Legislation and had been favorably reported for adoption.

Report for State Legislation Res. No. 3

**Report of the Committee on State and Federal Legislation in favor of approving a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Gounardes, S.6097, and Assembly Member Pheffer Amato, A.6651, “AN ACT to amend the retirement and social security law, in relation to additional member contributions for certain members under the age fifty-seven retirement program”.**

The Committee on State and Federal Legislation, to which the annexed preconsidered State and Federal Legislation was referred on May 25, 2025, respectfully

### **REPORTS:**

*(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether this respective State Legislation Resolution [SLR] should be recommended for adoption by the Council. By adopting this SLR, the Council would be formally requesting that the New York State Legislature act favorably in this matter)*

#### **I. BACKGROUND**

Currently, certain members of the New York City Employees’ Retirement System (NYCERS) and Board of Education Retirement System (BERS) in the 57/5 plan who serve in a physically taxing title may enjoy an early retirement provision permitting them to retire at age 50 with 25 years of service. In addition to basic and additional member contributions required of these members, they pay a supplementary 1.98% of gross wages into the physically taxing early retirement benefit.

Certain of these members enrolled later in their careers, and will not reach 25 years of service before reaching an age allowing them to actually benefit from the early retirement offering. This bill would exempt those members from having to pay the additional member contributions for the physically taxing early retirement benefit, and require a refund of the portion of the contributions they already paid into the retirement system plus interest.

#### **II. PROPOSED LEGISLATION**

Section one of this bill section 604-d of the Retirement and Social Security Law to exempt certain members from making physically taxing AMCs.

Section two is the effective date.

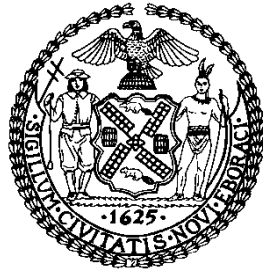
#### **III. FISCAL IMPLICATIONS**

See Council Finance Division fiscal impact statement.

#### **IV. EFFECTIVE DATE**

This bill takes effect immediately.

**(The following is the text of the Fiscal Impact Statement for Preconsidered SLR No. 3:)**



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

**PRECONSIDERED SLR 3:** S.6097 (Gounardes)  
A.6651 (Pheffer Amato)

**COMMITTEE:** State and Federal Legislation

**TITLE:** An act to amend the retirement and social security law, in relation to additional member contributions for certain members under the age fifty-seven retirement program.

**SPONSOR(S):** Abreu.

**SUMMARY OF LEGISLATION:** Currently, certain members of the New York City Employees’ Retirement System (NYCERS) and Board of Education Retirement System (BERS) in the 57/5 plan who serve in a physically taxing title may enjoy an early retirement provision permitting them to retire at age 50 with 25 years of service. In addition to basic and additional member contributions required of these members, they pay a supplementary 1.98% of gross wages into the physically taxing early retirement benefit.

Certain of these members enrolled later in their careers, and will not reach 25 years of service before reaching an age allowing them to actually benefit from the early retirement offering. This bill would exempt those members from having to pay the additional member contributions for the physically taxing early retirement benefit, and require a refund of any contributions already paid into the retirement system plus interest.

**EFFECTIVE DATE:** This act would take effect immediately.

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

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY23</b>	<b>FY Succeeding Effective FY24</b>	<b>Full Fiscal Impact FY24</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$378,000	\$378,000
<b>Net</b>	\$0	\$378,000	\$378,000

**IMPACT ON REVENUES:** It is anticipated that there would be no impact on revenues as a result of this legislation.

**IMPACT ON EXPENDITURES:** It is estimated that the passage of this legislation would increase the Present Value of Employer Contributions by \$4.8 million, resulting in a \$2.2 million net increase in Unfunded Accrued Liability (UAL). The increase in UAL would amortize over the remaining working lifetime of members impacted by the legislation, which the City Actuary estimates to be seven years for NYCERS carpenters and eight years for BERS carpenters. The amortized payments toward the UAL, coupled with the \$2.6 million increase in the Present Value of Future Normal Cost to fund these plans, would require an additional \$877,000 in City pension contributions beginning in Fiscal 2024. The City would fund \$378,000 of the annual contribution increase, with other obligors funding the remaining \$499,000.

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

**SOURCE OF INFORMATION:** New York City Council Finance Division  
Fiscal Note 2023-14, Chief Actuary New York City Employees' Retirement System and Board of Education Retirement System of the City of New York

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

**ESTIMATE REVIEWED BY:** Emre Edev, Deputy Director  
Kathleen Ahn, Finance Division Counsel  
Jonathan Rosenberg, Managing Deputy Director

**LEGISLATIVE HISTORY:** This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on May 25, 2023. Upon successful vote by the Committee, the Preconsidered SLR will be introduced and submitted to the full Council for a vote on May 25, 2023.

**DATE PREPARED:** May 22, 2023.

*Accordingly, this Committee recommends its adoption.*

**(For text of the preconsidered SLR, please see the Introduction and Reading of Bills section printed in these Minutes; for text of the related State bills and the State Sponsor's Memorandum-in Support from each house (S.6097; A.6651), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).**

SHAUN ABREU, *Chairperson*; CARMEN N. De La ROSA, JENNIFER GUTIÉRREZ, CHRISTOPHER MARTE; 4-0-0; *Absent*: James F. Gennaro; Committee on State and Federal Legislation, May 25, 2023. *Other Council Members Attending: Council Member Rivera.*

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 item has been **preconsidered** by the Committee on State and Federal Legislation and had been favorably reported for adoption.

Report for State Legislation Res. No. 4

**Report of the Committee on State and Federal Legislation in favor of approving a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Jackson, S.6171, and Assembly Member De Los Santos, A.6659, "AN ACT to amend chapter 470 of the laws of 2022 authorizing the city of New York to discontinue the use as parkland of a portion of real property in the county of New York and to grant easements to the metropolitan transportation authority so that it may make handicapped accessible improvements and upgrades to the New York city transit authority 168 Street transit station, in relation to making technical amendments thereto".**

The Committee on State and Federal Legislation, to which the annexed preconsidered State and Federal Legislation was referred on May 25, 2025, respectfully

**REPORTS:**

*(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether this respective State Legislation Resolution [SLR] should be recommended for adoption by the Council. By adopting this SLR, the Council would be formally requesting that the New York State Legislature act favorably in this matter)*

## **I. BACKGROUND**

This bill would make technical amendments to the parkland alienation legislation adopted in 2022 to facilitate improvements by the Metropolitan Transportation Authority to the 168th Street station complex in Manhattan. The improvements will make the 1 Line and the connection to the A Line at 168th Street fully accessible under the American Disabilities Act. The improvements require the alienation of lands underground below portions of the Broadway mall designated as parkland and Mitchel Square Park in order to provide an underground elevator and emergency stairs. The amendments only involve corrections and would not make any substantive changes to the prior approval.

## **II. PROPOSED LEGISLATION**

Section one amends Sections 3 and 4 of chapter 470 of the laws of 2022 to change the metes and bounds description of Permanent Easement described in Section 1 to be transferred to MTA:

1. Page 2, Line 21: Replace "2" with "1" (typo)
2. Page 2, Line 43: Replace "3" with "2" (typo)
3. Page 3, Line 1: Replace "4" with "3" (typo)
4. Page 3, Line 11: Replace "E" with "W" (typo)

The metes and bounds description of Temporary Easement described in Section 1 to be transferred to MTA:

1. Page 3, Line 23: Change "(Passageway)" to "(Broadway Mall)".
- Section two is the effective date.

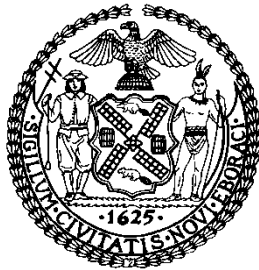
## **III. FISCAL IMPLICATIONS**

See Council Finance Division fiscal impact statement.

## **IV. EFFECTIVE DATE**

This bill takes effect immediately.

**(The following is the text of the Fiscal Impact Statement for Preconsidered SLR No. 4:)**



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

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

**RICHARD LEE, DIRECTOR  
FISCAL IMPACT STATEMENT**

**Preconsidered SLR 4:** S.6171 (Jackson)  
A.6659 (De Los Santos)



**COMMITTEE:** Committee on State and Federal Legislation

**TITLE:** An act to amend chapter 470 of the laws of 2022 authorizing the city of New York to discontinue the use as parkland of a portion of real property in the county of New York and to grant easements to the metropolitan transportation authority so that it may make handicapped accessible improvements and upgrades to the New York city transit authority 168 Street transit station, in relation to making technical amendments thereto.

**SPONSOR(S):** Council Member Abreu.

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**SUMMARY OF LEGISLATION:** This bill will make technical amendments to chapter 470 of the laws of 2022 relating to authorizing the city of New York to discontinue the use as parkland of a portion of real property in the county of New York and to grant easements to the metropolitan transportation authority so that it may make handicapped accessible improvements and upgrades to the New York city transit authority’s 168 Street transit station.

**EFFECTIVE DATE:** This act shall take effect immediately.

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

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**FISCAL IMPACT STATEMENT:**

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

**IMPACT ON REVENUES:** It is anticipated that there would be no impact on revenues as a result of this legislation.

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

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

**SOURCE OF INFORMATION:** New York City Council Finance Division

**ESTIMATE PREPARED BY:** Michael Sherman, Senior Financial Analyst

**ESTIMATE REVIEWED BY:** Jack Storey, Unit Head  
Chima Obichere, Deputy Director

**LEGISLATIVE HISTORY:** This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on May 25, 2023. Following a successful vote by the Committee, the Preconsidered SLR will be introduced and voted on by the full Council on May 25, 2023.

**DATE PREPARED:** May 22, 2023.

*Accordingly, this Committee recommends its adoption.*

**(For text of the preconsidered SLR, please see the Introduction and Reading of Bills section printed in these Minutes; for text of the related State bills and the State Sponsor’s Memorandum-in Support from each house (S.6171; A.6659), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).**

SHAUN ABREU, *Chairperson*; CARMEN N. De La ROSA, JENNIFER GUTIÉRREZ, CHRISTOPHER MARTE; 4-0-0; *Absent*: James F. Gennaro; Committee on State and Federal Legislation, May 25, 2023. *Other Council Members Attending: Council Member Rivera.*

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 item has been **preconsidered** by the Committee on State and Federal Legislation and had been favorably reported for adoption.

Report for State Legislation Res. No. 5

**Report of the Committee on State and Federal Legislation in favor of approving, a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Jackson, S.6293, and Assembly Member Pheffer Amato, A.6538, “AN ACT to amend the retirement and social security law, in relation to a child care leave credit for New York city uniformed correction officers who are members of the New York city uniformed correction/sanitation revised plan”.**

The Committee on State and Federal Legislation, to which the annexed preconsidered State and Federal Legislation was referred on May 25, 2023, respectfully

#### **REPORTS:**

*(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether this respective State Legislation Resolution [SLR] should be recommended for adoption by the Council. By adopting this SLR, the Council would be formally requesting that the New York State Legislature act favorably in this matter)*

#### **I. BACKGROUND**

Currently, many NYCERS Corrections members are permitted to purchase service credit for time spent on authorized unpaid childcare leave. However, this does not apply to Corrections members in the Tier 3 Revised and Enhanced plans.

This bill would allow these members to purchase service credit for up to one year of unpaid childcare leave within 90 days of the final day of the leave. They would be required to make the additional member contributions to NYCERS in the amount they would have paid if the leave did not occur.

**II. PROPOSED LEGISLATION**

Section one of this bill amends subdivision h of Section 513 of the Retirement and Social Security Law to remove the exclusion of New York City uniformed correction/sanitation revised plan members from the child care leave credit.

Section two is the effective date.

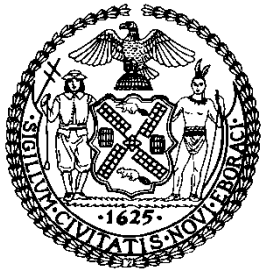
**III. FISCAL IMPLICATIONS**

See Council Finance Division fiscal impact statement.

**IV. EFFECTIVE DATE**

This bill takes effect immediately.

**(The following is the text of the Fiscal Impact Statement for Preconsidered SLR No. 5:)**



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

**PRECONSIDERED SLR 5:** S.6293 (Jackson)  
A.6538 (Pheffer Amato)

**COMMITTEE:** State and Federal Legislation

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**TITLE:** An act to amend the retirement and social security law, in relation to a child care leave credit for New York City uniformed correction officers who are members of the New York City uniformed correction/sanitation revised plan.

**SPONSOR(S):** Abreu.

**SUMMARY OF LEGISLATION:** Currently, many NYCERS Corrections members are permitted to purchase service credit for time spent on authorized unpaid childcare leave. However, this does not apply to Corrections members in the Tier 3 Revised and Enhanced plans.

This bill would allow these members to purchase service credit for up to one year of unpaid childcare leave within 90 days of the final day of the leave. They would be required to make the additional member contributions to NYCERS in the amount they would have paid if the leave did not occur.

**EFFECTIVE DATE:** This act would take effect immediately.

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

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY23</b>	<b>FY Succeeding Effective FY24</b>	<b>Full Fiscal Impact FY24</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

**IMPACT ON REVENUES:** It is anticipated that there would be no impact on revenues as a result of this legislation.

**IMPACT ON EXPENDITURES:** Since employer contributions to NYCERS generally do not anticipate future purchases of service by members, the fiscal impact from provisions of this bill is recognized only when members take advantage of the provisions. Therefore this bill will have no fiscal impact upon passage.

However, to provide context, the City’s Actuary has estimated that for each member who takes advantage of the provisions in this bill, the City will be required to make an additional \$10,900 in City pension contributions annually. This is calculated from an estimate of that the Present Value of Future Employer Contributions (PVFEC) would increase by \$92,500 annually. This is the result of a \$98,200 increase in the Present Value of Future Benefits, offset by a \$5,700 increase in the Present Value of Member Contributions. This increase in the PVFEC would require an additional \$10,900 in City pension contributions annually for each member who takes advantage of this bill.

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

**SOURCE OF INFORMATION:** New York City Council Finance Division  
Fiscal Note 2023-26, Chief Actuary for the New York City Retirement System

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

**ESTIMATE REVIEWED BY:** Emre Edev, Deputy Director  
Kathleen Ahn, Finance Division Counsel  
Jonathan Rosenberg, Managing Deputy Director

**LEGISLATIVE HISTORY:** This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on May 25, 2023. Upon successful vote by the Committee, the Preconsidered SLR will be introduced and submitted to the full Council for a vote on May 25, 2023.

**DATE PREPARED:** May 22, 2023.

*Accordingly, this Committee recommends its adoption.*

**(For text of the preconsidered SLR, please see the Introduction and Reading of Bills section printed in these Minutes; for text of the related State bills and the State Sponsor’s Memorandum-in Support from each house (S.6293; A.6538), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).**

SHAUN ABREU, *Chairperson*; CARMEN N. De La ROSA, JENNIFER GUTIÉRREZ, CHRISTOPHER MARTE; 4-0-0; *Absent:* James F. Gennaro; Committee on State and Federal Legislation, May 25, 2023. *Other Council Members Attending: Council Member Rivera.*

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 item has been **preconsidered** by the Committee on State and Federal Legislation and had been favorably reported for adoption.

Report for State Legislation Res. No. 6

**Report of the Committee on State and Federal Legislation in favor of approving, a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Gounardes, S.6339, and Assembly Member Pheffer Amato, A.6571, “AN ACT to amend the retirement and social security law, in relation to modifying the retirement program for Triborough bridge and tunnel members; to amend the criminal procedure law, in relation to clarifying the statutory peace officer designation of certain employees of the Triborough bridge and tunnel authority; and providing for the repeal of certain provisions”.**

The Committee on State and Federal Legislation, to which the annexed preconsidered State and Federal Legislation was referred on May 25, 2023, respectfully

#### **REPORTS:**

*(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether this respective State Legislation Resolution [SLR] should be recommended for adoption by the Council. By adopting this SLR, the Council would be formally requesting that the New York State Legislature act favorably in this matter)*

#### **I. BACKGROUND**

This bill would modify the retirement terms for Tier 4 & 6 NYCERS members working for the Triborough Bridge and Tunnel Authority in the following titles: tunnel officer, sergeant, and non-managerial lieutenant. The bill would allow Tier 4 and 6 members in these titles to retire after 20 years of service regardless of whether or not they meet the 50-year age requirement.

#### **II. PROPOSED LEGISLATION**

Section one of this bill amends section 604-c of the Retirement and Social Security Law to eliminate the age 50 qualifier in the 20 Year/Age 50 Retirement Plan for Tier 4 and Tier 6 members of the Triborough Bridge and Tunnel Authority.

Section two of the bill amends subdivision 20 of section 2.10 of the Criminal Procedure Law, to designate the titles of captains, inspectors, deputy chiefs, assistant chiefs, and chiefs as peace officers.

Section three is the effective date.

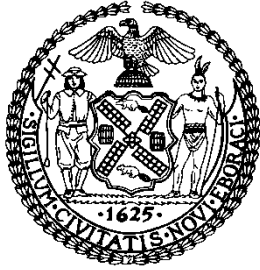
#### **III. FISCAL IMPLICATIONS**

See Council Finance Division fiscal impact statement.

#### **IV. EFFECTIVE DATE**

This bill takes effect immediately.

**(The following is the text of the Fiscal Impact Statement for Preconsidered SLR No. 6:)**



**THE COUNCIL OF THE CITY OF NEW YORK  
FINANCE DIVISION  
TANISHA EDWARDS, CFO AND DEPUTY CHIEF OF  
STAFF TO THE SPEAKER  
RICHARD LEE, FINANCE DIVISION DIRECTOR**

**PRECONSIDERED SLR 6:** S.6339 (Gouardes)  
A.6571(Pheffer Amato)

**COMMITTEE:** State and Federal Legislation

**TITLE:** AN ACT to amend the retirement and social security law, in relation to modifying the retirement program for Triborough Bridge and Tunnel members; to amend the criminal procedure law, in relation to clarifying the statutory peace officer designation of certain employees of the Triborough Bridge and Tunnel Authority; and providing for the repeal of certain provisions.

**SPONSOR(S):** Abreu.

**SUMMARY OF LEGISLATION:** This bill would modify the retirement terms for Tier 4 & 6 NYCERS members working for the Triborough Bridge and Tunnel Authority (TBTA) as tunnel officers, sergeants, and non-managerial lieutenants to retire after 20 years of service regardless of whether or not they meet the 50-year age requirement. The bill would also allow Tier 4 members who have between 5 and 20 years of service to be eligible to receive a vested retirement payable on the date they would have completed a full 20 years of service. Similarly, the bill would allow Tier 6 members with at least 5 years of service, but less than 20 years, to receive a vested retirement payable when they reach age 63.

Additionally, this bill would designate the following titles as Peace Officers: Captains, Inspectors, Deputy Chiefs, Assistant Chiefs, and Chiefs.

**EFFECTIVE DATE:** This bill would take effect immediately, except for the retirement term modifications which would take effect 120 days after signed into law, subject to the TBTA electing to provide the retirement incentives to its employees.

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

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY23</b>	<b>FY Succeeding Effective FY24</b>	<b>Full Fiscal Impact FY25</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$1,700,000
<b>Net</b>	\$0	\$0	\$1,700,000

**IMPACT ON REVENUES:** It is anticipated that there would be no impact on revenues as a result of this legislation.

**IMPACT ON EXPENDITURES:** It is estimated that the passage of this legislation, as it relates to the retirement term modification, would increase the Present Value of Future Benefits by \$5.6 million, resulting in a \$7 million increase in the Unfunded Accrued Liability (UAL), offset by an increase in a \$1.4 million decrease in the Present Value of Future Employer Normal Cost.<sup>1</sup> The net increases in the UAL would require an additional \$1.7 million in City Pension contributions beginning in Fiscal 2025.

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

**SOURCE OF INFORMATION:** New York City Council Finance Division  
Fiscal Note 2023-30, Chief Actuary New York City Employees' Retirement System

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

**ESTIMATE REVIEWED BY:** Emre Edev, Deputy Director  
Kathleen Ahn, Finance Division Counsel  
Jonathan Rosenberg, Managing Deputy Director

**LEGISLATIVE HISTORY:** This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on May 25, 2023. Upon successful vote by the Committee, the Preconsidered SLR will be introduced and submitted to the full Council for a vote on May 25, 2025.

**DATE PREPARED:** May 22, 2023.

*Accordingly, this Committee recommends its adoption.*

**(For text of the preconsidered SLR, please see the Introduction and Reading of Bills section printed in these Minutes; for text of the related State bills and the State Sponsor's Memorandum-in Support from each house (S.6339; A.6571), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).**

SHAUN ABREU, *Chairperson*; CARMEN N. De La ROSA, JENNIFER GUTIÉRREZ, CHRISTOPHER MARTE; 4-0-0; *Absent*: James F. Gennaro; Committee on State and Federal Legislation, May 25, 2023.  
*Other Council Members Attending: Council Member Rivera.*

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).

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<sup>1</sup> The decrease in the Present Value of Future Normal Cost corresponds to

At this point, the Speaker (Council Member Adams) announced that the following item has been **preconsidered** by the Committee on State and Federal Legislation and had been favorably reported for adoption.

Report for State Legislation Res. No. 7

**Report of the Committee on State and Federal Legislation in favor of approving, a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Salazar, S.6726, and Assembly Member Walker, A.6667, “AN ACT to amend chapter 548 of the laws of 2022 relating to authorizing the city of New York to discontinue the use as parkland a portion of real property in the borough of Brooklyn and to transfer such lands to the metropolitan transportation authority, to enable the New York city transit authority to construct in such areas new permanent at-grade station improvements and pedestrian bridges, in relation to making technical amendments thereto”.**

The Committee on State and Federal Legislation, to which the annexed preconsidered State and Federal Legislation was referred on May 25, 2023, respectfully

### **REPORTS:**

*(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether this respective State Legislation Resolution [SLR] should be recommended for adoption by the Council. By adopting this SLR, the Council would be formally requesting that the New York State Legislature act favorably in this matter)*

#### **I. BACKGROUND**

This bill would make technical amendments to the parkland alienation legislation adopted in 2022 to facilitate improvements by the Metropolitan Transportation Authority to the Broadway Junction station complex in Brooklyn. The improvements will make the station complex fully accessible under the American Disabilities Act. The improvements require the alienation of a portion of Callahan-Kelly Playground to accommodate an expanded head house, a new overhead passageway, and staging space during construction. The amendments only involve corrections and would not make any substantive changes to the prior approval.

#### **II. PROPOSED LEGISLATION**

Section one contains metes & bounds description of a Permanent Easement to be transferred to the MTA:

1. Page 3, Line 1: Add "foot" after "one-hundred" (missing word)
2. Page 3, Line 10: Replace "38.50' "with "35.80' " (typo)  
Metes & bounds description of land to be dedicated as parklands is described in Section 5 (Area F)

1. Page 6, Line 32: Change "easterly" to "westerly" (typo)
2. Page 6, Line 52: Replace "124.23' "with "146.23' " (typo)

Section two is the effective date.

#### **III. FISCAL IMPLICATIONS**

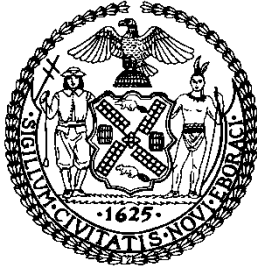
See Council Finance Division fiscal impact statement.



**IV. EFFECTIVE DATE**

This bill takes effect immediately

**(The following is the text of the Fiscal Impact Statement for Preconsidered SLR No. 7:)**



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

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

**RICHARD LEE, DIRECTOR  
FISCAL IMPACT STATEMENT**

**Preconsidered SLR 7:** S.6726 (Salazar)  
A.6667 (Walker)

**COMMITTEE:** Committee on State and Federal  
Legislation

**SPONSOR(S):** Council Member Abreu.

**TITLE:** AN ACT to amend chapter 548 of the laws of 2022 relating to authorizing the city of New York to discontinue the use as parkland a portion of real property in the borough of Brooklyn and to transfer such lands to the metropolitan transportation authority, to enable the New York city transit authority to construct in such areas new permanent at-grade station improvements and pedestrian bridges, in relation to making technical amendments thereto.

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**SUMMARY OF LEGISLATION:** This bill will make technical amendments to a chapter 548 of the laws of 2022 authorizing the city of New York to discontinue the use as parkland a portion of real property in the borough of Brooklyn and to transfer such lands to the metropolitan transportation authority.

**EFFECTIVE DATE:** This act shall take effect immediately.

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

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**FISCAL IMPACT STATEMENT:**

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

**IMPACT ON REVENUES:** It is anticipated that there would be no impact on revenues as a result of this legislation.

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

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

**SOURCE OF INFORMATION:** New York City Council Finance Division

**ESTIMATE PREPARED BY:** Michael Sherman, Senior Financial Analyst

**ESTIMATE REVIEWED BY:** Jack Storey, Unit Head  
Chima Obichere, Deputy Director

**LEGISLATIVE HISTORY:** This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on May 25, 2023. Following a successful vote by the Committee, the Preconsidered SLR will be introduced and voted on by the full Council on May 25, 2023.

**DATE PREPARED:** May 22, 2023.

*Accordingly, this Committee recommends its adoption.*

(For text of the preconsidered SLR, please see the Introduction and Reading of Bills section printed in these Minutes; for text of the related State bills and the State Sponsor's Memorandum-in Support from each house ([S.6726](#); [A.6667](#)), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).

SHAUN ABREU, *Chairperson*; CARMEN N. De La ROSA, JENNIFER GUTIÉRREZ, CHRISTOPHER MARTE; 4-0-0; *Absent*: James F. Gennaro; Committee on State and Federal Legislation, May 25, 2023. *Other Council Members Attending: Council Member Rivera.*

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 item has been **preconsidered** by the Committee on State and Federal Legislation and had been favorably reported for adoption.

Report for State Legislation Res. No. 8

**Report of the Committee on State and Federal Legislation in favor of approving, a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Sepúlveda, S.6682-A, and Assembly Member Burgos, A.7061-A, "AN ACT to amend chapter 544 of the laws of 2022, authorizing the city of New York to discontinue a portion of real property in the county of the Bronx as parkland and to grant easements for improvements to the railroad right-of-way to bring Metro-North railroad service to four new stations in the Bronx and to Pennsylvania Station in the county, in relation to authorizing the city of New York to discontinue a portion of real property in the county of the Bronx as parkland and to grant easements for improvements to the railroad right-of-**

**way to bring Metro-North railroad service to four new stations in the Bronx and to Pennsylvania Station in the county of New York and making technical corrections thereto; and to repeal section 6 of chapter 544 of the laws of 2022, authorizing the city of New York to discontinue a portion of real property in the county of the Bronx as parkland and to grant easements for improvements to the railroad right-of-way to bring Metro-North railroad service to four new stations in the Bronx and to Pennsylvania Station in the county”.**

The Committee on State and Federal Legislation, to which the annexed preconsidered State and Federal Legislation was referred on May 25, 2023, respectfully

### **REPORTS:**

*(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether this respective State Legislation Resolution [SLR] should be recommended for adoption by the Council. By adopting this SLR, the Council would be formally requesting that the New York State Legislature act favorably in this matter)*

### **I. BACKGROUND**

This bill would amend the parkland alienation legislation adopted in 2022 to facilitate four new Metro-North stations in the East Bronx and allow Metro-North passengers to travel directly to Penn Station. The Metropolitan Transportation Authority is performing the improvements, known as Penn Station Access, through a combined design-build contract. Since last year, the project’s design has advanced, and the parkland areas that need to be alienated along the New Haven line have changed. Three easements (two in Pelham Bay Park and one in Starlight Park) are no longer needed; while, two new easements are required in Starlight Park. The new easements will accommodate the construction and maintenance of overhead catenary power within the rail right of way.

### **II. PROPOSED LEGISLATION**

Sections one and six authorize the City of New York to discontinue select parkland as detailed within sections three and six of the bill, to further the implementation of the Penn Station Access Project.

Sections two and seven require that MTA provide appropriate consideration to the City of New York in exchange for the granted easements and establishes the relevant processes; it being the intent that such consideration will be determined after granting of such easements by the City pursuant to the provisions of Section 1266(12-a) of the Public Authorities Law, as it may apply.

Sections three and eight identify the metes and bounds of those portions of parkland that are proposed to be discontinued as parkland.

Section four requires that to the extent there was any federal funding for the purchase, maintenance or improvement of the parklands being discontinued, compliance with all federal and state requirements, with respect to the appropriate consideration and recreational usefulness of the lands being discontinued, have been met.

Section five repeals Section 6 of chapter 544 of the laws of 2022.

Section nine is the effective date.

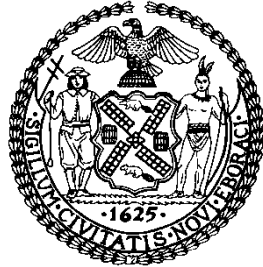
### **III. FISCAL IMPLICATIONS**

See Council Finance Division fiscal impact statement.

**IV. EFFECTIVE DATE**

This bill takes effect immediately.

**(The following is the text of the Fiscal Impact Statement for Preconsidered SLR No. 8:)**



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

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

**RICHARD LEE, DIRECTOR**

**FISCAL IMPACT STATEMENT**

**Preconsidered SLR 8: S.6682-A (Sepulveda)  
A.7061-A (Burgos)**

**COMMITTEE:** Committee on State and Federal  
Legislation

**TITLE:** An act to amend chapter 544 of the laws of 2022, authorizing the city of New York to discontinue a portion of real property in the county of the Bronx as parkland and to grant easements for improvements to the railroad right-of-way to bring Metro-North railroad service to four new stations in the Bronx and to Pennsylvania Station in the county, in relation to making technical corrections thereto; to repeal section 6 of chapter 544 of the laws of 2022, authorizing the city of New York to discontinue a portion of real property in the county of the Bronx as parkland and to grant easements for improvements to the railroad right-of-way to bring Metro-North railroad service to four new stations in the Bronx and to Pennsylvania Station in the county; and to authorize the city of New York to discontinue a portion of real property in the county of the Bronx as parkland and to grant easements for improvements to the railroad right-of-way to bring Metro-North railroad service to four new stations in the Bronx and to Pennsylvania Station in the county of New York.

**SPONSOR(S):** Council Member Abreu

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**SUMMARY OF LEGISLATION:** This bill will make technical corrections relating to the MTA and the Penn Station Access Project; authorizes the city of New York to discontinue a portion of real property in the county of the Bronx as parkland and to grant easements for improvements to the railroad right-of-way to bring Metro-North railroad service to four new stations in the Bronx and to Pennsylvania Station in the county.

**EFFECTIVE DATE:** This act shall take effect immediately and shall be deemed to have been in full force and effect on and after August 17, 2022.

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

**FISCAL IMPACT STATEMENT:**

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

**IMPACT ON REVENUES:** It is anticipated that there would be no impact on revenues as a result of this legislation.

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

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

**SOURCE OF INFORMATION:** New York City Council Finance Division

**ESTIMATE PREPARED BY:** Michael Sherman, Senior Financial Analyst

**ESTIMATE REVIEWED BY:** Jack Storey, Unit Head  
Chima Obichere, Deputy Director

**LEGISLATIVE HISTORY:** This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on May 25, 2023. Following a successful vote by the Committee, the Preconsidered SLR will be introduced and voted on by the full Council on May 25, 2023.

**DATE PREPARED:** May 22, 2023.

*Accordingly, this Committee recommends its adoption.*

**(For text of the preconsidered SLR, please see the Introduction and Reading of Bills section printed in these Minutes; for text of the related State bills and the State Sponsor's Memorandum-in Support from each house (S.6682-A; A.7061-A), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).**

SHAUN ABREU, *Chairperson*; CARMEN N. De La ROSA, JENNIFER GUTIÉRREZ, CHRISTOPHER MARTE; 4-0-0; *Absent*: James F. Gennaro; Committee on State and Federal Legislation, May 25, 2023. *Other Council Members Attending: Council Member Rivera.*

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 item has been **preconsidered** by the Committee on State and Federal Legislation and had been favorably reported for adoption.

Report for State Legislation Res. No. 9

**Report of the Committee on State and Federal Legislation in favor of approving, a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Jackson, S.6976, and Assembly Member Pheffer Amato, A.7420, “AN ACT to amend the retirement and social security law, in relation to the eligibility of certain participants in the New York city employees' retirement system to opt into the twenty-five year retirement program for EMT members”.**

The Committee on State and Federal Legislation, to which the annexed preconsidered State and Federal Legislation was referred on May 25, 2023, respectfully

#### **REPORTS:**

*(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether this respective State Legislation Resolution [SLR] should be recommended for adoption by the Council. By adopting this SLR, the Council would be formally requesting that the New York State Legislature act favorably in this matter)*

#### **I. BACKGROUND**

Eligible EMT members who were employed as of December 8, 2000 had the option to join the EMT 25-Year Plan or to remain in their existing plan. After December 8, 2000, EMT Members were generally mandated into the 25-Year Plan, with the exception of those who exceeded age 25 at the time of employment, who had the option to opt out of the 25-Year Plan. Members that either did not join or opted out of the Plan became underlying basic plan members, and are currently ineligible to join the 25-Year Plan.

This bill would allow Tier 4 and Tier 6 EMT members that opted out of the EMT 25-Year Plan a one-time opportunity to rejoin the Plan if they to file an application within 180 days of the effective date of the bill's passage.

#### **II. PROPOSED LEGISLATION**

Section 1 amends paragraph 3 of subdivision b of Section 604-E of the Retirement and Social Security Law to provide New York City EMT members with the option to opt into a 25-year retirement program if the EMT files a duly executed election form with the retirement system within 180 days after the effective date of this bill.

Section two is the effective date.

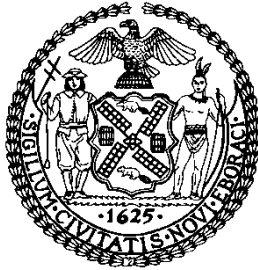
#### **III. FISCAL IMPLICATIONS**

See Council Finance Division fiscal impact statement.

**IV. EFFECTIVE DATE**

This bill takes effect immediately. At this point, the Speaker (Council Member Adams) announced that the following item has been **preconsidered** by the Committee on State and Federal Legislation and had been favorably reported for adoption.

**(The following is the text of the Fiscal Impact Statement for Preconsidered SLR No. 9:)**



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

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

**RICHARD LEE, FINANCE DIVISION DIRECTOR**

**FISCAL IMPACT STATEMENT**

**PRECONSIDERED SLR 9:** S.6976 (Jackson)  
A.7420 (Pheffer Amato)

**COMMITTEE:** State and Federal Legislation

**TITLE:** An act to amend the retirement and social security law, in relation to the eligibility of certain participants in the New York City employees' retirement system to opt into the twenty-five year retirement program for EMT members.

**SPONSOR(S):** Abreu.

**SUMMARY OF LEGISLATION:** Eligible EMT members who were employed as of December 8, 2000 had the option to join the EMT 25-Year Plan or to remain in their existing plan. After December 8, 2000, EMT Members were generally mandated into the 25-Year Plan, with the exception of those who exceeded age 25 at the time of employment, who had the option to opt out of the 25-Year Plan. Members that either did not join or opted out of the Plan became underlying basic plan members, and are currently ineligible to join the 25-Year Plan.

This bill would allow Tier 4 and Tier 6 EMT members that opted out of the EMT 25-Year Plan a one-time opportunity to rejoin the Plan if they to file an application within 180 days of the effective date of the bill's passage.

**EFFECTIVE DATE:** This act would take effect immediately

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

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY23</b>	<b>FY Succeeding Effective FY24</b>	<b>Full Fiscal Impact FY24</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$284,000	\$284,000
<b>Net</b>	\$0	\$284,000	\$284,000

**IMPACT ON REVENUES:** It is anticipated that there would be no impact on revenues as a result of this legislation.

**IMPACT ON EXPENDITURES:** It is estimated that passing this bill would increase the Present Value of Future Employer Contributions by \$343,000 per year, the result of a \$937,000 increase in the Present Value of Future Benefits, offset by a \$594,000 increase in the Present Value of Member Contributions. These increases would result in a \$754,000 Unfunded Accrued Liability (UAL), partially offset by a \$411,000 decrease in the Future Value of Normal Cost.<sup>1</sup> The UAL would get amortized over a five-year period, and would require an additional \$284,000 in City pension contributions annually beginning in Fiscal 2024.

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

**SOURCE OF INFORMATION:** New York City Council Finance Division  
Fiscal Note 2023-48, Chief Actuary for the New York City  
Retirement System

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

**ESTIMATE REVIEWED BY:** Emre Edev, Deputy Director  
Kathleen Ahn, Finance Division Counsel  
Jonathan Rosenberg, Managing Deputy Director

**LEGISLATIVE HISTORY:** This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on May 25, 2023. Upon successful vote by the Committee, the Preconsidered SLR will be introduced and submitted to the full Council for a vote on May 25, 2023.

**DATE PREPARED:** May 23, 2023.

*Accordingly, this Committee recommends its adoption.*

**(For text of the preconsidered SLR, please see the Introduction and Reading of Bills section printed in these Minutes; for text of the related State bills and the State Sponsor's Memorandum-in Support from each house ([S.6976](#); [A.7420](#)), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).**

SHAUN ABREU, *Chairperson*; CARMEN N. De La ROSA, JENNIFER GUTIÉRREZ, CHRISTOPHER MARTE; 4-0-0; *Absent*: James F. Gennaro; Committee on State and Federal Legislation, May 25, 2023.  
*Other Council Members Attending: Council Member Rivera.*

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).

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<sup>1</sup> The decrease in the Future Value of Normal Cost corresponds to the additional member contributions required of any EMT that rejoins the 25-Year Plan.



At this point, the Speaker (Council Member Adams) announced that the following item has been **preconsidered** by the Committee on State and Federal Legislation and had been favorably reported for adoption.

Report for State Legislation Res. No. 10

**Report of the Committee on State and Federal Legislation in favor of approving, a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Felder, S.6225, and Assembly Member Eichenstein, A.5036, “AN ACT to authorize the city of New York to reduce the interest accrued on certain charges assessed on real property located at 1690 60th Street in Brooklyn”.**

The Committee on State and Federal Legislation, to which the annexed preconsidered State and Federal Legislation was referred on May 25, 2023, respectfully

### **REPORTS:**

*(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether this respective State Legislation Resolution [SLR] should be recommended for adoption by the Council. By adopting this SLR, the Council would be formally requesting that the New York State Legislature act favorably in this matter)*

#### **I. BACKGROUND**

The property at 1690 60th Street in Brooklyn is currently used as a Yeshiva and receives a full tax exemption for charitable use. However, the property does carry roughly \$1.1 million in accrued interest on \$34,000 in DOHMH pest control and clean up charges that were incurred between January 21, 1997 and November 9, 1999, which the previous owner never paid. The charges were challenged but not removed. This bill would require the City to eliminate the interest accrued on these charges, leaving the current owner to pay only the original cost of outstanding charges on the property.

#### **II. PROPOSED LEGISLATION**

Section 1 of the bill indicates that the City of New York shall reduce the interest accrued on charges assessed by the New York City Department of Health for inspections, clean-ups, examinations and other services performed between January 21, 1997 and November 9, 1999 on the property located at 1690 60<sup>th</sup> Street in Brooklyn, New York.

Section 2 is the effective date.

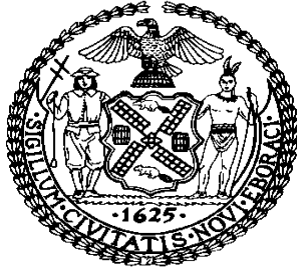
#### **III. FISCAL IMPLICATIONS**

See Council Finance Division fiscal impact statement.

#### **IV. EFFECTIVE DATE**

This bill takes effect immediately.

**(The following is the text of the Fiscal Impact Statement for Preconsidered SLR No. 10:)**



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

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

RICHARD LEE, FINANCE DIVISION DIRECTOR

**FISCAL IMPACT STATEMENT**

**PRECONSIDERED SLR 10:** S.6225 (Felder)  
A.5036 (Eichenstein)

**COMMITTEE:** State and Federal Legislation

**TITLE:** An act to authorize the city of New York to reduce the interest accrued on certain charges assessed on real property located at 1690 60<sup>th</sup> Street in Brooklyn.

**SPONSOR(S):** Abreu.

**SUMMARY OF LEGISLATION:** The property at 1690 60<sup>th</sup> Street in Brooklyn is currently used as Yeshiva that receives a full tax exemption for charitable use. However the property does carry roughly \$1.1 million in accrued interest on \$34,000 in DOHMH pest control and clean up charges that were incurred between January 21, 1997 and November 9, 1999 which the previous owner never paid.<sup>1</sup> The charges were challenged but not removed. This bill would require the City to eliminate the interest accrued on these charges, and leaving the current owner to pay only the original cost of outstanding charges on the property.

**EFFECTIVE DATE:** This act 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
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

**IMPACT ON REVENUES:** It is anticipated that there would be no impact on revenues as a result of this legislation because the bill would only require the payment \$34,000 in outstanding DOHMH charges, but it would not guarantee the current property owner would pay the charges. The \$1.1 million in accrued interest that would be forgiven by this bill would not impact revenues because the City does not include interest payables as a revenue source to fund the budget.

**IMPACT ON EXPENDITURES:** It is anticipated that there would be no impact on expenditures as a result of this legislation.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

<sup>1</sup> Includes charges for inspections, clean-ups, examinations, and other services.

**SOURCE OF INFORMATION:** New York City Council Finance Division

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

**ESTIMATE REVIEWED BY:** Emre Edev, Deputy Director  
Kathleen Ahn, Finance Division Counsel  
Jonathan Rosenberg, Managing Deputy Director

**LEGISLATIVE HISTORY:** This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on May 25, 2023. Upon successful vote by the Committee, the Preconsidered SLR will be introduced and submitted to the full Council for a vote on May 25, 2023.

**DATE PREPARED:** May 24, 2023.

*Accordingly, this Committee recommends its adoption.*

**(For text of the preconsidered SLR, please see the Introduction and Reading of Bills section printed in these Minutes; for text of the related State bills and the State Sponsor’s Memorandum-in Support from each house (S.6225; A.5036), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).**

SHAUN ABREU, *Chairperson*; CARMEN N. De La ROSA, JENNIFER GUTIÉRREZ, CHRISTOPHER MARTE; 4-0-0; *Absent*: James F. Gennaro; Committee on State and Federal Legislation, May 25, 2023. *Other Council Members Attending: Council Member Rivera.*

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 item has been **preconsidered** by the Committee on State and Federal Legislation and had been favorably reported for adoption.

Report for State Legislation Res. No. 11

**Report of the Committee on State and Federal Legislation in favor of approving, a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Jackson, S.6254, and Assembly Member Pheffer Amato, A.6755, “AN ACT to amend the general municipal law, in relation to disabilities of deputy sheriffs in certain cities”.**

The Committee on State and Federal Legislation, to which the annexed preconsidered State and Federal Legislation was referred on May 25, 2023, respectfully

#### **REPORTS:**

*(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether this respective State Legislation Resolution [SLR] should be recommended for adoption by the Council. By adopting this SLR, the Council would be formally requesting that the New York State Legislature act favorably in this matter)*

## I. BACKGROUND

Presently, NYC Deputy Sheriffs who become disabled or die due to heart disease are eligible for an Ordinary Disability Benefit or Ordinary Death Benefit. This bill would create a rebuttable presumption that the heart disease was incurred in the performance of duty, thereby making the Deputy Sheriff eligible for Performance of Duty Disability or Death benefits, respectively.

The Ordinary Disability Benefit typically equals 1/3 of the member's Final Average Salary and is paid over time, while a Performance of Duty Disability Benefit equal to a much higher share of 75% of the member's Final Average Salary.

The Ordinary Death Benefit typically is paid as a one-time lump sum equal to 3 times the member's salary multiplied by the number of service years capped at 3 years. A Performance of Duty Death Benefit on the other hand is a lifetime annual benefit equal to 50% of the member's wages earned during the last year of service.

## II. PROPOSED LEGISLATION

Section 1 creates a new Section 207-r of the General Municipal Law to provide that any heart disease that impairs the health of a New York City deputy sheriff is presumptive evidence that the illness was acquired during the performance and discharge of their duties. The deputy sheriff will be entitled to retire on a pension equal to three-quarters of their final average salary.

Section 2 is the effective date.

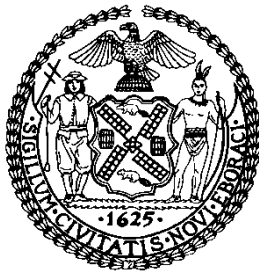
## III. FISCAL IMPLICATIONS

See Council Finance Division fiscal impact statement.

## IV. EFFECTIVE DATE

This bill takes effect immediately.

**(The following is the text of the Fiscal Impact Statement for Preconsidered SLR No. 11:)**



**THE COUNCIL OF THE CITY OF NEW YORK  
FINANCE DIVISION  
TANISHA EDWARDS, CFO AND DEPUTY CHIEF OF  
STAFF TO THE SPEAKER**

**RICHARD LEE, FINANCE DIVISION DIRECTOR  
FISCAL IMPACT STATEMENT**

**PRECONSIDERED SLR 11: S.6254 (Jackson)  
A.6755 (Pheffer Amato)**

**COMMITTEE: State and Federal Legislation**

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**TITLE:** An act to amend the general municipal law, in relation to disabilities of deputy sheriff members of a retirement system in certain cities.

**SPONSOR(S):** Abreu.

**SUMMARY OF LEGISLATION:** Presently, NYC Deputy Sheriffs who become disabled or die due to heart disease are eligible for an Ordinary Disability Benefit or Ordinary Death Benefit. This bill would create a rebuttable presumption that the heart disease was incurred in the performance of duty, thereby making the Deputy Sheriff eligible for Performance of Duty Disability or Death benefits, respectively.

The Ordinary Disability Benefit typically equals 1/3 of the member’s Final Average Salary and is paid over time, while a Performance of Duty Disability Benefit equal to a much higher share of 75% of the member’s Final Average Salary.

The Ordinary Death Benefit typically is paid as a one-time lump sum equal to 3 times the member’s salary multiplied by the number of service years capped at 3 years. A Performance of Duty Death Benefit on the other hand is a lifetime annual benefit equal to 50% of the member’s wages earned during the last year of service.

**EFFECTIVE DATE:** This bill would take effect immediately.

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

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY23</b>	<b>FY Succeeding Effective FY24</b>	<b>Full Fiscal Impact FY24</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures*</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

**IMPACT ON REVENUES:** It is anticipated that there would be no impact on revenues as a result of this legislation.

**IMPACT ON EXPENDITURES:** There is no data available to estimate the number of members and eligible retirees who might develop and become disabled or die from heart disease, so the Actuary has stated the costs of the enhanced benefits will be incurred when the events happen. Therefore, the full cost of this bill is not calculable.

However, to provide context, it is estimated that passing this bill would increase the Present Value of Future Employer Contributions (PVFEC) by \$426,700 per Performance of Duty *Disability* Benefit, and \$349,000 per Performance of Duty *Death* Benefit. The increases in PVFEC would result in an additional \$50,500 required in annual City pension contributions for each Performance of Duty *Disability* Benefit, and \$41,300 in additional annual City pension contributions for each Performance of Duty *Death* Benefit. With inadequate insight into the number of Deputy Sheriffs to utilize either of these benefits, the additional City contributions would get recognized at the time of the event.

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

**SOURCE OF INFORMATION:** New York City Council Finance Division  
Fiscal Note 2023-22, Chief Actuary New York City Employees’ Retirement System

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

**ESTIMATE REVIEWED BY:** Emre Edev, Deputy Director  
Kathleen Ahn, Finance Division Counsel  
Jonathan Rosenberg, Managing Deputy Director

**LEGISLATIVE HISTORY:** This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on May 25, 2023. Upon successful vote by the Committee, the Preconsidered SLR will be introduced and submitted to the full Council for a vote on May 25, 2023.

**DATE PREPARED:** May 24, 2023.

*Accordingly, this Committee recommends its adoption.*

**(For text of the preconsidered SLR, please see the Introduction and Reading of Bills section printed in these Minutes; for text of the related State bills and the State Sponsor’s Memorandum-in Support from each house (S.6254; A.6755), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).**

SHAUN ABREU, *Chairperson*; CARMEN N. De La ROSA, JENNIFER GUTIÉRREZ, CHRISTOPHER MARTE; 4-0-0; *Absent*: James F. Gennaro; Committee on State and Federal Legislation, May 25, 2023. *Other Council Members Attending: Council Member Rivera.*

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 item has been **preconsidered** by the Committee on State and Federal Legislation and had been favorably reported for adoption.

Report for State Legislation Res. No. 12

**Report of the Committee on State and Federal Legislation in favor of approving, a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Jackson, S.6216, and Assembly Member Pheffer Amato, A.6499, “AN ACT to amend the general municipal law, in relation to special accidental death benefits for widows or widowers of certain deputy sheriff members of the New York city sheriff’s department”.**

The Committee on State and Federal Legislation, to which the annexed preconsidered State and Federal Legislation was referred on May 25, 2023, respectfully

#### **REPORTS:**

*(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether this respective State Legislation Resolution [SLR] should be recommended for adoption by the Council. By adopting this SLR, the Council would be formally requesting that the New York State Legislature act favorably in this matter)*

#### **I. BACKGROUND**

Presently, widows and minor children of most uniform City workers that pass away as a natural and proximate result of an accident sustained in the performance of duty may be eligible to receive a Special Accidental Death Benefit (SADB). This provides accidental death benefits equal to 100% of Final Salary, offset by any social security and workers’ compensation benefits paid. Currently Deputy Sheriffs who die in these

circumstances receive accidental death benefits of only 50% of Final Salary. This bill would extend the eligibility of the SADB and its 100% of Final Salary payments to the widows and minor children of Deputy Sheriffs in New York City.

## II. PROPOSED LEGISLATION

Section 1 amends subdivision a of Section 208-f of the General Municipal Law to include spouses and children of New York City deputy sheriffs as recipients of accidental death benefits if the deputy sheriff dies as a result of an accident sustained during the course of their duties.

Section 2 states that none of the provisions of this act shall be subject to the appropriation requirement of Section 25 of the Retirement and Social Security Law.

Section 3 is the effective date.

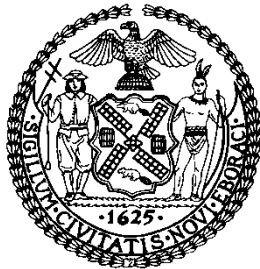
## III. FISCAL IMPLICATIONS

See Council Finance Division fiscal impact statement.

## IV. EFFECTIVE DATE

This bill takes effect immediately.

**(The following is the text of the Fiscal Impact Statement for Preconsidered SLR No. 12:)**



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

**PRECONSIDERED SLR 12:** S.6216 (Jackson)  
A.6499 (Pheffer Amato)

**COMMITTEE:** State and Federal Legislation

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**TITLE:** An act to amend the general municipal law, in relation to special accidental death benefits for widows or widowers of certain deputy sheriff members of the New York City Sheriff's Department.

**SPONSOR(S):** Abreu.

**SUMMARY OF LEGISLATION:** Presently, widows and minor children of most uniform City workers that pass away as a natural and proximate result of an accident sustained in the performance of duty may be eligible to

receive a Special Accidental Death Benefit (SADB).<sup>1</sup> This provides accidental death benefits equal to 100% of Final Salary, offset by any social security and workers' compensation benefits paid. Currently Deputy Sheriffs who die in these circumstances receive accidental death benefits of only 50% of Final Salary. This bill would extend the eligibility of the SADB and its 100% of Final Salary payments to the widows and minor children of Deputy Sheriffs in New York City.

**EFFECTIVE DATE:** This act would take effect immediately.

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

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY23</b>	<b>FY Succeeding Effective FY24</b>	<b>Full Fiscal Impact FY24</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures*</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

**IMPACT ON REVENUES:** It is anticipated that there would be no impact on revenues as a result of this legislation.

**IMPACT ON EXPENDITURES:** With insufficient insight on the number of deaths that may occur, the City's Actuary has stated that the financial impact of the provisions of this bill would be recognized at the time of death, which is not easily predictable. Therefore, this bill has no immediate fiscal impact that is calculable.

However, to provide context, the Actuary has estimated that passing this bill would increase the Present Value of Future Benefits by \$1.1 million, on average, for each eligible deputy sheriff that passes away in the line of duty. Again due to the insufficient information to estimate the age and demographics of each potential death, it is unclear how long the \$1.1 million cost would be amortized, but assuming a 15 year amortization, this would translate into a cost of an additional \$135,000 in required annual City pension contributions per member over that period.

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

**SOURCE OF INFORMATION:** New York City Council Finance Division  
Fiscal Note 2023-20, Chief Actuary for the New York City  
Police Pension Fund

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

**ESTIMATE REVIEWED BY:** Emre Edev, Deputy Director  
Kathleen Ahn, Finance Division Counsel  
Jonathan Rosenberg, Managing Deputy Director

**LEGISLATIVE HISTORY:** This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on May 25, 2023. Upon successful vote by the Committee, the Preconsidered SLR will be introduced and submitted to the full Council for a vote on May 25, 2023.

**DATE PREPARED:** May 24, 2023.

*Accordingly, this Committee recommends its adoption.*

<sup>1</sup> Includes uniformed members of the New York City Police Department, Fire Department, Transit Authority Police Department, Department of Corrections, and Department of Sanitation, as well as county sheriffs outside of New York City.



(For text of the preconsidered SLR, please see the Introduction and Reading of Bills section printed in these Minutes; for text of the related State bills and the State Sponsor’s Memorandum-in Support from each house (S.6216; A.6499), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/> ).

SHAUN ABREU, *Chairperson*; CARMEN N. De La ROSA, JENNIFER GUTIÉRREZ, CHRISTOPHER MARTE; 4-0-0; *Absent*: James F. Gennaro; Committee on State and Federal Legislation, May 25, 2023. *Other Council Members Attending: Council Member Rivera.*

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 item has been **preconsidered** by the Committee on State and Federal Legislation and had been favorably reported for adoption.

Report for State Legislation Res. No. 13

**Report of the Committee on State and Federal Legislation in favor of approving, a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Jackson, S.6253, and Assembly Member Pheffer Amato, A.6749, “AN ACT to amend the general municipal law, in relation to disabilities of deputy sheriff members of a retirement system in certain cities”.**

The Committee on State and Federal Legislation, to which the annexed preconsidered State and Federal Legislation was referred on May 25, 2023, respectfully

#### REPORTS:

*(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether this respective State Legislation Resolution [SLR] should be recommended for adoption by the Council. By adopting this SLR, the Council would be formally requesting that the New York State Legislature act favorably in this matter)*

#### I. BACKGROUND

Presently, NYC Deputy Sheriffs who become disabled or die due to lung disease are eligible for an Ordinary Disability Benefit or Ordinary Death Benefit. This bill would create a rebuttable presumption that the lung disease was incurred in the performance of duty, thereby making the Deputy Sheriff eligible for Performance of Duty Disability or Death benefits, respectively.

The Ordinary Disability Benefit typically equals 1/3 of the member’s Final Average Salary and is paid over time, while a Performance of Duty Disability Benefit equal to a much higher share of 75% of the member’s Final Average Salary.

The Ordinary Death Benefit typically is paid as a one-time lump sum equal to 3 times the member’s salary multiplied by the number of service years capped at 3 years. A Performance of Duty Death Benefit on the other hand is a lifetime annual benefit equal to 50% of the member’s wages earned during the last year of service.

## II. PROPOSED LEGISLATION

Section 1 creates a new Section 207-r of the General Municipal Law to provide that any lung disease that impairs the health of a New York City deputy sheriff is presumptive evidence that the illness was acquired during the performance and discharge of their duties. The deputy sheriff will be entitled to retire on a pension equal to three-quarters of their final average salary.

Section 2 is the effective date.

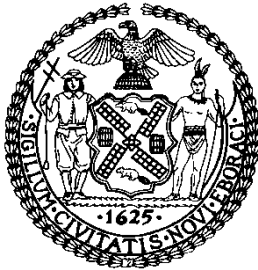
## III. FISCAL IMPLICATIONS

See Council Finance Division fiscal impact statement.

## IV. EFFECTIVE DATE

This bill takes effect immediately.

(The following is the text of the Fiscal Impact Statement for Preconsidered SLR No. 13:)



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

**PRECONSIDERED SLR 13:** S.6253 (Jackson)  
 A.6749 (Pheffer Amato)

**COMMITTEE:** State and Federal Legislation

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**TITLE:** An act to amend the general municipal law, in relation to disabilities of deputy sheriff members of a retirement system in certain cities.

**SPONSOR(S):** Abreu.

**SUMMARY OF LEGISLATION:** Presently, NYC Deputy Sheriffs who become disabled or die due to lung disease are eligible for an Ordinary Disability Benefit or Ordinary Death Benefit. This bill would create a rebuttable presumption that the lung disease was incurred in the performance of duty, thereby making the Deputy Sheriff eligible for Performance of Duty Disability or Death benefits, respectively.

The Ordinary Disability Benefit typically equals 1/3 of the member's Final Average Salary and is paid over time, while a Performance of Duty Disability Benefit equal to a much higher share of 75% of the member's Final Average Salary.

The Ordinary Death Benefit typically is paid as a one-time lump sum equal to 3 times the member's salary multiplied by the number of service years capped at 3 years. A Performance of Duty Death Benefit on the other hand is a lifetime annual benefit equal to 50% of the member's wages earned during the last year of service.

**EFFECTIVE DATE:** This bill would take effect immediately.

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

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY23</b>	<b>FY Succeeding Effective FY24</b>	<b>Full Fiscal Impact FY24</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures*</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

**IMPACT ON REVENUES:** It is anticipated that there would be no impact on revenues as a result of this legislation.

**IMPACT ON EXPENDITURES:** There is no data available to estimate the number of members and eligible retirees who might develop and become disabled or die from lung disease, so the Actuary has stated the costs of the enhanced benefits will be incurred when the events happen. Therefore, the full cost of this bill is not calculable.

However, to provide context, it is estimated that passing this bill would increase the Present Value of Future Employer Contributions (PVFEC) by \$426,700 per Performance of Duty *Disability* Benefit, and \$349,000 per Performance of Duty *Death* Benefit. The increases in PVFEC would result in an additional \$50,500 required in annual City pension contributions for each Performance of Duty *Disability* Benefit, and \$41,300 in additional annual City pension contributions for each Performance of Duty *Death* Benefit. With inadequate insight into the number of Deputy Sheriffs to utilize either of these benefits, the additional City contributions would get recognized at the time of the event.

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

**SOURCE OF INFORMATION:** New York City Council Finance Division  
Fiscal Note 2023-23, Chief Actuary New York City Employees' Retirement System

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

**ESTIMATE REVIEWED BY:** Emre Edev, Deputy Director  
Kathleen Ahn, Finance Division Counsel  
Jonathan Rosenberg, Managing Deputy Director

**LEGISLATIVE HISTORY:** This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on May 25, 2023. Upon successful vote by the Committee, the Preconsidered SLR will be introduced and submitted to the full Council for a vote on May 25, 2023.

**DATE PREPARED:** May 24, 2023.

*Accordingly, this Committee recommends its adoption.*

**(For text of the preconsidered SLR, please see the Introduction and Reading of Bills section printed in these Minutes; for text of the related State bills and the State Sponsor's Memorandum-in Support from each house (S.6253; A.6749), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).**

SHAUN ABREU, *Chairperson*; CARMEN N. De La ROSA, JENNIFER GUTIÉRREZ, CHRISTOPHER MARTE; 4-0-0; *Absent*: James F. Gennaro; Committee on State and Federal Legislation, May 25, 2023. *Other Council Members Attending: Council Member Rivera.*

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 item has been **preconsidered** by the Committee on State and Federal Legislation and had been favorably reported for adoption.

Report for State Legislation Res. No. 14

**Report of the Committee on State and Federal Legislation in favor of approving State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Jackson, S.6862, and Assembly Member Pheffer Amato, A.7250, “AN ACT to amend the general municipal law, in relation to disabilities of fire alarm dispatchers in certain cities”.**

The Committee on State and Federal Legislation, to which the annexed preconsidered State and Federal Legislation was referred on May 25, 2023, respectfully

#### **REPORTS:**

*(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether this respective State Legislation Resolution [SLR] should be recommended for adoption by the Council. By adopting this SLR, the Council would be formally requesting that the New York State Legislature act favorably in this matter)*

#### **I. BACKGROUND**

Currently, active NYCERS members employed as a Fire Alarm Dispatcher who become disabled due to heart disease would be eligible for an Ordinary Disability Retirement Benefit, after reaching 10 years of credited service.

Under the proposed legislation, an active member of NYCERS who is employed as a Fire Alarm Dispatcher and becomes disabled due to heart disease would become eligible for a Performance of Duty Disability Benefit if the presumption cannot be proven otherwise. A member who dies due to heart disease would be eligible for a Performance of Duty Death Benefit if the presumption cannot be proven otherwise.

#### **II. PROPOSED LEGISLATION**

Section 1 creates a new section 207-R of the General Municipal Law to provide that any heart disease that impairs the health of a New York City fire alarm dispatcher is presumptive evidence that the illness was acquired during the performance and discharge of their duties.

Section 2 states that all past service costs associated with implementing the provisions of this act shall be borne by the city of New York.

Section 3 states that none of the provisions of this act shall be subject to the appropriation requirement of Section 25 of the Retirement and Social Security Law.

Section 4 is the effective date.

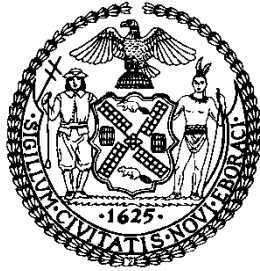
**III. FISCAL IMPLICATIONS**

See Council Finance Division fiscal impact statement.

**IV. EFFECTIVE DATE**

This bill takes effect immediately.

**(The following is the text of the Fiscal Impact Statement for Preconsidered SLR No. 14:)**



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

**PRECONSIDERED SLR 14:** S.6862 (Jackson)  
A.7250 (Pheffer Amato)

**COMMITTEE:** State and Federal Legislation

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**TITLE:** An act to amend the retirement and social security law, in relation to the eligibility of certain participants in the New York City employees' Retirement System to opt into the Twenty-Five Year retirement program for EMT members.

**SPONSOR(S):** Abreu.

**SUMMARY OF LEGISLATION:** Currently, active NYCERS members employed as a Fire Alarm Dispatcher who become disabled due to heart disease would be eligible for an *Ordinary* Disability Retirement Benefit, after reaching 10 years of credited service.

Under the proposed legislation, an active member of NYCERS who is employed as a Fire Alarm Dispatcher and becomes disabled due to heart disease would become eligible for a Performance of Duty *Disability* Benefit if the presumption cannot be proven otherwise. A member who dies due to heart disease would be eligible for a Performance of Duty *Death* Benefit if the presumption cannot be proven otherwise.

**EFFECTIVE DATE:** This act would take effect immediately

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

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**FISCAL IMPACT STATEMENT:**

	Effective FY23	FY Succeeding Effective FY24	Full Fiscal Impact FY24
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

**IMPACT ON REVENUES:** It is anticipated that there would be no impact on revenues as a result of this legislation.

**IMPACT ON EXPENDITURES:** With inadequate insight into the number of Fire Alarm Dispatchers to utilize either of these benefits, it is not possible to provide a reasonable estimate of full cost to the City. For this reason, the Actuary has stated that the additional City contributions would get recognized at the time of the event.

However, to provide context, it is estimated that passing this bill would increase the Present Value of Future Employer Contributions (PVFEC) by \$233,300 per Performance of Duty *Disability* Benefit, and \$304,200 per Performance of Duty *Death* Benefit. The increases in PVFEC would result in an additional \$27,600 required in annual City pension contributions for each Performance of Duty *Disability* Benefit, and \$36,000 in additional annual City pension contributions for each Performance of Duty *Death* Benefit.

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

**SOURCE OF INFORMATION:** New York City Council Finance Division  
Fiscal Note 2023-48, Chief Actuary for the New York City  
Retirement System

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

**ESTIMATE REVIEWED BY:** Emre Edev, Deputy Director  
Kathleen Ahn, Finance Division Counsel  
Jonathan Rosenberg, Managing Deputy Director

**LEGISLATIVE HISTORY:** This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on May 25, 2023. Upon successful vote by the Committee, the Preconsidered SLR will be introduced and submitted to the full Council for a vote on May 25, 2023.

**DATE PREPARED:** May 23, 2023.

*Accordingly, this Committee recommends its adoption.*

**(For text of the preconsidered SLR, please see the Introduction and Reading of Bills section printed in these Minutes; for text of the related State bills and the State Sponsor's Memorandum-in Support from each house (S.6862; A.7250), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).**

SHAUN ABREU, *Chairperson*; CARMEN N. De La ROSA, JENNIFER GUTIÉRREZ, CHRISTOPHER MARTE; 4-0-0; *Absent*: James F. Gennaro; Committee on State and Federal Legislation, May 25, 2023.  
*Other Council Members Attending: Council Member Rivera.*

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 Technology**

Report for Int. No. 664-A

**Report of the Committee on Technology in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring the department of citywide administrative services to donate surplus city-owned computers to eligible organizations for beneficial use.**

The Committee on Technology, to which the annexed proposed amended local law was referred on September 14, 2022 (Minutes, page 2152), respectfully

### **REPORTS:**

#### **I. INTRODUCTION**

On May 25, 2023, the New York City Council Committee on Technology, chaired by Council Member Jennifer Gutiérrez, held a hearing to vote on Int. No. 664-A, sponsored by Council Member Gutiérrez, in relation to requiring the department of citywide administrative services to donate surplus city-owned computers to eligible organizations for beneficial use; and Int. No. 665-A, sponsored by Council Member Jennifer Gutiérrez, in relation to establishing a digital literacy program for older adults. The bills were first heard on January 12, 2023. On Wednesday May 25, 2023, the bills were approved by the Committee by a vote of five in the affirmative, zero in the negative, and zero abstentions.

#### **II. BACKGROUND**

The use of computers and the internet are more intertwined with our daily lives than ever, which means there are consequences when New Yorkers lack computer access or the knowledge to confidently use the internet. This reality became even clearer during the COVID-19 pandemic and has grown since then. New Yorkers use computers and the internet to stay connected to their families and doctors, access benefits and important information, and even to accomplish everyday tasks like grocery shopping. Int. No. 664-A and Int. No. 665-A are targeted programs aimed at closing the digital divide for New Yorkers.

#### **III. LEGISLATION**

##### **Int. No. 664-A**

This bill would require the Department of Citywide Administrative Services to implement a process to donate unneeded and unused computers and computer equipment to public schools, libraries, other public or private educational institutions, and not-for-profit institutions serving persons with disabilities, senior citizens, or low income individuals. The donation recipient must provide the department with a specific plan for the beneficial use of such equipment and software, with public schools and libraries receiving first priority for any donation. The bill also requires an annual report to the mayor and the speaker of the city council on the donations made in the last year.

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

**Int. No. 665-A**

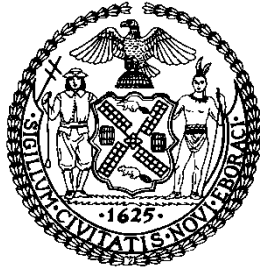
This bill would require the Department for the Aging in collaboration with the Department of Information Technology and Telecommunications, along with any relevant stakeholders, to establish and implement an online digital literacy program to serve older adults by December 31, 2024. The program would be offered at no cost and would include information on various topics including navigating telehealth services, social media platforms and government benefits websites. It would also focus on identifying and avoiding online scams. The program would be offered in one senior center or library in each community district in the city in the appropriate prevalent spoken languages.

This legislation would take effect immediately after it becomes law.

**IV. UPDATE**

On Thursday May 25, 2023, the Committee adopted Int. 664-A by a vote of five in the affirmative, zero in the negative and zero abstentions; Int. 665-A by a vote of five in the affirmative, zero in the negative and zero abstentions.

**(The following is the text of the Fiscal Impact Statement for Int. No. 664-A:)**



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

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

**RICHARD LEE, DIRECTOR**

**FISCAL IMPACT STATEMENT**

**PROPOSED INT. NO. 664-A**

**COMMITTEE: Committee on Technology**

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to requiring the Department of Citywide Administrative Services to donate surplus city-owned computers to eligible organizations for beneficial use.

**Sponsors:** Council Members Gutiérrez, Louis, Restler, Hanif, Hudson, Brewer, Ung, Sanchez, Ayala, Holden, Lee, Fariás, Schulman, Hanks, Avilés and Paladino.

**SUMMARY OF LEGISLATION:** This bill would require the Department of Citywide Administrative Services to donate unneeded and unused computers and computer equipment to public schools, libraries, other public or private educational institutions, and not-for-profit institutions serving persons with disabilities, senior citizens, or low-income individuals. Additionally, the bill would require that the donation recipient demonstrate a specific plan for the beneficial use of such equipment, with public schools and libraries receiving the first priority for any donation. The bill also requires an annual report, no later than June 1, 2024, and annually thereafter, to the Mayor and the Speaker of the City Council on the donations made in the last year.

**EFFECTIVE DATE:** This local law takes effect 120 days after it becomes law.



**FISCAL YEAR (FY) IN WHICH FULL FISCAL IMPACT ANTICIPATED: FISCAL YEAR 2025****FISCAL IMPACT STATEMENT:**

	<b>Effective FY24</b>	<b>Succeeding FY25</b>	<b>Full Fiscal Impact FY25</b>
<b>Revenues (+)</b>	\$0	\$0	\$0
<b>Expenditures (-)</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

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

**IMPACT ON EXPENDITURES:** It is estimated that there would be no fiscal impact on expenditures resulting from the enactment of this legislation, as the agencies responsible for carrying out its requirements would use existing resources to fulfill its requirements.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

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

**ESTIMATE PREPARED BY:** Florentine Kabore, Principal Financial Analyst

**ESTIMATE REVIEWED BY:** Crilhien R. Francisco, Assistant Director  
Chima Obichere, Deputy Director  
Kathleen Ahn, Finance Division Counsel

**LEGISLATIVE HISTORY:** The legislation was introduced to the full Council on September 14, 2022, as Intro. No. 644 and referred to the Committee on Technology (the Committee). The legislation was considered by the Committee at a hearing held on January 12, 2023, and was subsequently amended. The amended version, Proposed Intro. No. 664-A will be considered by the Committee on May 25, 2023. Upon successful vote by the Committee, Proposed Intro. No. 664-A will be submitted to the full Council for a vote on May 25, 2023.

**DATE PREPARED:** 5/22/2023.

(For text of Int. Nos. 665-A and its Fiscal Impact Statement, please see the Report of the Committee on Technology for Int. Nos. 665-A printed below in these Minutes; for text of Int. No. 664-A, please see below)

*Accordingly, this Committee recommends the adoption of Int. No. 664-A and 665-A.*

**(The following is the text of Int. No. 664-A:)**

Int. No. 664-A

By Council Members Gutiérrez, Louis, Restler, Hanif, Hudson, Brewer, Ung, Sanchez, Ayala, Holden, Lee, Fariás, Schulman, Hanks, Avilés, Brooks-Powers, Dinowitz and Paladino.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of citywide administrative services to donate surplus city-owned computers to eligible organizations for beneficial use**

*Be it enacted by the Council as follows:*

Section 1. Chapter 2 of title 12 of the administrative code of the city of New York is amended by adding a new section 12-214 to read as follows:

*§ 12-214 Donation of surplus computer equipment. a. Definitions. As used in this section, the following terms have the following meanings:*

*Beneficial use. The term “beneficial use” means the use of equipment by an eligible organization for an educational or other public purpose, provided that such organization has a demonstrated need for such equipment; and provided further that such use shall not include religious worship, instruction, or proselytization.*

*Computer. The term “computer” means a desktop computing device, a laptop, or other portable computing device, containing a central processing unit and any peripheral components that are connected to the central processing unit such that they may reasonably be viewed functionally as a single unit, including but not limited to motherboards, RAM, hard drives, or other storage devices, video or sound cards, and computer cases.*

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

*Eligible organization. The term “eligible organization” means a public school, public library, other public or private educational institution, and a not-for-profit institution serving persons with disabilities, senior citizens, or low income individuals.*

*Equipment. The term “equipment” means a computer and its associated peripheral components, and other electronic devices that operate with or can be operated by a computer, including but not limited to floppy disk drives, CD drives, USB drives, printers, modems, networking devices, scanners, monitors, and the cables or wiring required to connect a computer with the computer equipment.*

*Surplus. The term “surplus” means equipment that is no longer in use, and not needed for use, by any agency.*

*b. The department shall, by rule, implement a process through which the department shall donate, at no cost except for any reasonable shipping and handling fees, surplus equipment to eligible organizations for beneficial use. Such process shall include, at a minimum:*

*1. Public notification of the department’s intent to donate surplus equipment, a description of such surplus equipment, and the total shipping and handling fees, if any, for the delivery of such equipment; and*

*2. The opportunity for eligible organizations to submit to the department a specific plan for the beneficial use of such equipment.*

*c. The department shall not donate surplus equipment to an eligible organization unless such organization provides to such department a specific plan for the beneficial use of such surplus equipment. The department shall specify, by rule, how to determine priority when multiple eligible organizations provide such specific plan for the beneficial use of such equipment, except that public schools and libraries shall receive first priority. Such rule shall require consideration of the following factors:*

*1. Whether the beneficial use of such equipment facilitates services to the public for low or no cost;*

*2. Whether the beneficial use of such equipment will serve communities that are under-serviced or have difficulty receiving services;*

*3. In the event that an eligible organization has previously received a donation of surplus equipment, whether such organization has utilized such equipment to fulfill the beneficial use for which it was donated;*

*4. Whether an eligible organization has a greater need for a donation of surplus equipment due to its limited size as compared to other eligible organizations; and*

*5. Any other factor that the department deems relevant.*

*d. Notwithstanding subdivision c of this section, the department shall endeavor to donate surplus equipment that is in need of repair or restoration to an eligible organization, if any, that intends to use the repair or restoration of such equipment in the training of its students. Upon such repair or restoration, such organization may retain such equipment or may return it to the department for donation to another eligible organization pursuant to the process established in subdivision b of this section.*

*e. The department may auction or otherwise dispose of surplus equipment pursuant to chapter 5 of title 55 of the rules of the city of New York, or successor rule, provided that no eligible organization has provided a specific plan for the beneficial use of such surplus equipment over the course of one year. Nothing in this section shall be construed to require the department to donate equipment where the department determines, upon consideration of the factors identified in paragraphs 1 through 5 of subdivision c of this section, that no eligible organization has demonstrated that it intends to use such equipment for a predominant public purpose in which any private benefit is merely incidental.*

*f. The donation of any equipment pursuant to this section shall comply with section 10-504.*

*g. Nothing in this section shall be construed to create any substantive or procedural right or benefit enforceable by law by a party against the city, its officers, or its employees.*

*h. No later than June 1, 2024, and annually thereafter, the department shall submit to the mayor and the speaker of the council a report on its donations of surplus equipment, including a list of each donation made during the reporting period; the number and type of surplus equipment comprising each donation; the estimated free market value of each donation; the identity and location of the recipient of the donation; a summary of the specific plan submitted by the recipient of the donation; summaries of specific plans of each eligible organization where multiple eligible organizations provided a specific plan for such surplus equipment; and the factors that weighed in favor of the eligible organization that received the donation. The report shall be disaggregated by the borough of each recipient of the donation and by any other factors that may be appropriate.*

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

JENNIFER GUTIÉRREZ, *Chairperson*; ROBERT F. HOLDEN, SHAUN ABREU, JULIE WON, VICKIE PALADINO; 5-0-0; *Absent*: Ari Kagan; Committee on Technology, May 25, 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. 665-A

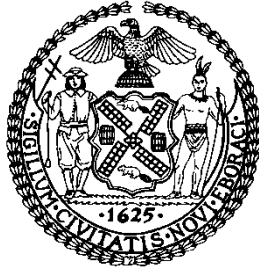
**Report of the Committee on Technology in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to establishing a digital literacy program for older adults.**

The Committee on Technology, to which the annexed proposed amended local law was referred on September 14, 2022 (Minutes, page 2153), respectfully

#### **REPORTS:**

**(For text of report, please see the Report of the Committee on Technology for Int. No. 664-A printed above in these Minutes)**

*The following is the text of the Fiscal Impact Statement for Int. No. 665-A:*



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

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

**RICHARD LEE, DIRECTOR**

**FISCAL IMPACT STATEMENT**

**PROPOSED INT. NO. 665-A**

**COMMITTEE:** Committee on Technology

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to establishing a digital literacy program for older adults.

**Sponsors:** Council Members Gutiérrez, Hudson, Louis, Restler, Hanif, Brewer, Ung, Farías, Sanchez, Velázquez, Barron, Stevens, Avilés, Won, Krishnan, Narcisse, De La Rosa, Abreu, Ossé, Cabán, Menin, Nurse, Joseph, Bottcher, Lee, Brooks-Powers, Brannan, Riley, Williams, Powers, Holden and Schulman.

**SUMMARY OF LEGISLATION:** This bill would require the Department for the Aging (DFTA) in collaboration with the Department of Information Technology and Telecommunications (DoITT), and relevant stakeholders, to establish and implement an online digital literacy program to serve older adults.

**EFFECTIVE DATE:** This local law takes effect immediately.

**FISCAL YEAR (FY) IN WHICH FULL FISCAL IMPACT ANTICIPATED: FISCAL YEAR 2024**

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY23</b>	<b>Succeeding FY24</b>	<b>Full Fiscal Impact FY24</b>
<b>Revenues (+)</b>	\$0	\$0	\$0
<b>Expenditures (-)</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

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

**IMPACT ON EXPENDITURES:** It is estimated that there would be no fiscal impact on expenditures resulting from the enactment of this legislation, as the agencies responsible for carrying out its requirements would use existing resources to fulfill its requirements.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

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

**ESTIMATE PREPARED BY:** Florentine Kabore, Principal Financial Analyst

**ESTIMATE REVIEWED BY:** Crilhien Francisco, Assistant Director  
Chima Obichere, Deputy Director  
Kathleen Ahn, Finance Division Counsel

**LEGISLATIVE HISTORY:** The legislation was introduced to the full Council on September 14, 2022, as Intro. No. 665 and referred to the Committee on Technology (the Committee). The legislation was considered by the Committee at a hearing held on January 12, 2023, and was subsequently amended. The amended version, Proposed Intro. No. 665-A will be considered by the Committee on May 25, 2023. Upon successful vote by the Committee, Proposed Intro. No. 665-A will be submitted to the full Council for a vote on May 25, 2023.

**DATE PREPARED:** 5/22/2023.

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

**(The following is the text of Int. No. 665-A:)**

Int. No. 665-A

By Council Members Gutiérrez, Hudson, Louis, Restler, Hanif, Brewer, Ung, Farías, Sanchez, Velázquez, Barron, Stevens, Avilés, Won, Krishnan, Narcisse, De La Rosa, Abreu, Ossé, Cabán, Menin, Nurse, Joseph, Bottcher, Lee, Brooks-Powers, Brannan, Riley, Williams, Powers, Holden, Schulman and Dinowitz.

**A Local Law to amend the administrative code of the city of New York, in relation to establishing a digital literacy program for older adults**

*Be it enacted by the Council as follows:*

Section 1. Chapter 2 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-213 to read as follows:

*§ 21-213 Digital literacy program for older adults. a. No later than December 31, 2024, the commissioner for the aging in collaboration with the commissioner of information technology and telecommunications, and any relevant stakeholders deemed necessary by the mayor, shall administer a digital literacy training program to serve older adults. Such training program shall be offered to the public at no cost and shall include the following topics:*

- 1. The importance and need for older adults to be digitally literate;*
- 2. Accessing and navigating city telehealth services;*
- 3. Accessing and navigating online platforms and websites, including social media platforms, which offer technology classes, lectures, workshops and other programming and activities designed to help older adults learn and use technology, develop skills, and connect and socialize with other older adults;*
- 4. Accessing and navigating the website and mobile application in which individuals obtain information on and apply for certain human resources administration benefits, and human resources administration clients obtain certain benefits case information;*
- 5. Identifying and avoiding online fraud or scams; and*
- 6. Accessing and navigating other programs or applications designed to support older adults in accessing services, as deemed appropriate by the commissioner for the aging or the commissioner of information technology and telecommunications.*

*b. No less than once every three years, the commissioner for the aging, in collaboration with the commissioner of information technology and telecommunications, and any relevant stakeholders deemed necessary by the mayor, shall evaluate the program established pursuant to subdivision a of this section for updates to best practices, educational materials, curricula, resources and any other program components, and make updates to any such components as necessary. Such evaluation shall at minimum include an online or electronic survey for older adults who participate in such program to provide feedback regarding such program.*

*c. The commissioner for the aging shall report to the mayor and the speaker of the council on any updates to the program made in response to the evaluation required pursuant to subdivision b of this section if and when any such updates are made.*

*d. The program shall be offered in appropriate prevalent spoken languages.*

*e. The program established pursuant to subdivision a of this section shall be offered in person or through interactive live video instruction in at least one library or senior center in each community district and in any other facilities as deemed appropriate by the commissioner for the aging or the commissioner of information technology and telecommunications.*

*f. Nothing in this section shall be construed to invalidate any existing contract or other agreement between any department and any entity that provides digital literacy programming on behalf of any such department.*

§ 2. This local law takes effect immediately.

JENNIFER GUTIÉRREZ, *Chairperson*; ROBERT F. HOLDEN, SHAUN ABREU, JULIE WON, VICKIE PALADINO; 5-0-0; *Absent*: Ari Kagan; Committee on Technology, May 25, 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).

## GENERAL ORDERS CALENDAR

Report for L.U. No. 189 & Res. No. 656

**Report of the Committee on Land Use in favor of approving Application number C 220470 ZMK (Paperific Rezoning) submitted by Stamford LLC and Capri Optics, Inc., pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22c: changing from an M2-1 District to an R6B District, changing from an R6 District to a C4-4A District, changing from an M1-2 District to a C4-4A District and changing from an M2-1 District to a C4-4A District, Borough of Brooklyn, Community District 12, Council, District 39.**

The Committee on Land Use, to which the annexed Land Use item was referred on April 11, 2023 (Minutes, page 1007) and which same Land Use item was coupled with the resolution shown below, respectfully

### REPORTS:

#### SUBJECT

#### **BROOKLYN CB-12 - THREE APPLICATIONS RELATED TO PAPERIFIC REZONING**

##### **C 220470 ZMK (L.U. No. 189)**

City Planning Commission decision approving an application submitted by Stamford LLC and Capri Optics, Inc., pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22c,

1. changing from an M2-1 District to an R6B District property bounded by a line 90 feet northeasterly of 38<sup>th</sup> Street, a line 220 feet northwesterly of 15<sup>th</sup> Avenue, 38<sup>th</sup> Street, and a line 460 feet northwesterly of 15<sup>th</sup> Avenue;
2. changing from an R6 District to a C4-4A District property bounded by 37<sup>th</sup> Street, 15<sup>th</sup> Avenue, 38<sup>th</sup> Street, and a line 100 feet northwesterly of 15<sup>th</sup> Avenue;
3. changing from an M1-2 District to a C4-4A District property bounded by 37<sup>th</sup> Street, a line 100 feet northwesterly of 15<sup>th</sup> Avenue, 38<sup>th</sup> Street, and a line 200 feet northwesterly of 15<sup>th</sup> Avenue; and
4. changing from an M2-1 District to a C4-4A District property bounded by 37<sup>th</sup> Street, a line 200 feet northwesterly of 15<sup>th</sup> Avenue, 38<sup>th</sup> Street, a line 220 feet northwesterly of 15<sup>th</sup> Avenue, a line 90 feet northeasterly of 38<sup>th</sup> Street, and a line 270 feet northwesterly of 15<sup>th</sup> Avenue;

Borough of Brooklyn, Community District 12, as shown on a diagram (for illustrative purposes only) dated November 7, 2023, and subject to the conditions of City Environmental Quality Review (CEQR) Declaration E-692.

**N 220471 ZRK (L.U. No. 190)**

City Planning Commission decision approving an application submitted by Stamford LLC and Capri Optics, Inc., pursuant to Section 201 of the New York City Charter, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

**C 220472 ZSK (L.U. No. 191)**

City Planning Commission decision approving an application submitted by Stamford LLC and Capri Optics, Inc., pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Zoning Resolution Section 74-681 to Resolution to allow the development of a 103,512 square-foot commercial building, within or over a railroad or transit right-of-way or yard.

**INTENT**

To approve a map amendment to change M1-2, M2-1, and R6 zoning districts to C4-4A and R6B zoning districts; approve a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area; and approve a special permit pursuant to Zoning Resolution (ZR) Section 74-681(a)(2) to allow development over portions of a railroad or transit right-of-way, which would facilitate the development of a 103,512-square-foot commercial building at 1459 38<sup>th</sup> Street (Block 5348, Lots 49, 54, 15 and 17) in the Borough Park neighborhood of Brooklyn, Community District 12.

**PUBLIC HEARING**

**DATE:** April 19, 2023

**Witnesses in Favor:** One

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** May 2, 2023

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission on L.U. Nos. 189 and 191 and approve with modifications the decision of the City Planning Commission on L.U. No. 190.

**In Favor:**

Riley  
Moya  
Louis  
Abreu  
Bottcher  
Hanks  
Schulman  
Carr

**Against:**

None

**Abstain:**

None



**COMMITTEE ACTION**

**DATE:** May 10, 2023

The Committee recommends that the Council approve the attached resolutions.

<b>In Favor:</b>	<b>Against:</b>	<b>Abstain:</b>
Salamanca	None	None
Moya		
Louis		
Riley		
Abreu		
Brooks-Powers		
Bottcher		
Hanks		
Krishnan		
Mealy		
Sanchez		
Borelli		

**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 Member Salamanca and Riley offered the following resolution:

Res. No. 656

**Resolution approving the decision of the City Planning Commission on ULURP No. C 220470 ZMK, a Zoning Map amendment (L.U. No. 189).**

By Council Members Salamanca and Riley.

**WHEREAS**, Stamford LLC and Capri Optics, Inc., filed an application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22c, by changing from an M2-1 District to an R6B District, changing from an R6 District to a C4-4A District, changing from an M1-2 District to a C4-4A District, changing from an M2-1 District to a C4-4A District, which in conjunction with the related actions would facilitate the development of a 103,512-square-foot commercial building at 1459 38<sup>th</sup> Street (Block 5348, Lots 49, 54, 15 and 17) in the Borough Park neighborhood of Brooklyn, Community District 12 (ULURP No. C 220470 ZMK) (the "Application");

**WHEREAS**, the City Planning Commission filed with the Council on April 7, 2023 its decision dated March 15, 2023 (the "Decision") on the Application;

**WHEREAS**, the Application is related to application N 220471 ZRK (L.U. No. 190), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area and C 220472 ZSK (L.U. No. 191), a special permit pursuant to Zoning Resolution (ZR) Section 74-681(a)(2) to allow development over portions of a railroad or transit right-of-way;

**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 April 19, 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. 22DCP045K), which include an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise impacts (E-692) (the “Negative Declaration”).

**RESOLVED:**

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 220470 ZMK, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 22c,

1. changing from an M2-1 District to an R6B District property bounded by a line 90 feet northeasterly of 38<sup>th</sup> Street, a line 220 feet northwesterly of 15<sup>th</sup> Avenue, 38<sup>th</sup> Street, and a line 460 feet northwesterly of 15<sup>th</sup> Avenue;
2. changing from an R6 District to a C4-4A District property bounded by 37<sup>th</sup> Street, 15<sup>th</sup> Avenue, 38<sup>th</sup> Street, and a line 100 feet northwesterly of 15<sup>th</sup> Avenue;
3. changing from an M1-2 District to a C4-4A District property bounded by 37<sup>th</sup> Street, a line 100 feet northwesterly of 15<sup>th</sup> Avenue, 38<sup>th</sup> Street, and a line 200 feet northwesterly of 15<sup>th</sup> Avenue; and
4. changing from an M2-1 District to a C4-4A District property bounded by 37<sup>th</sup> Street, a line 200 feet northwesterly of 15<sup>th</sup> Avenue, 38<sup>th</sup> Street, a line 220 feet northwesterly of 15<sup>th</sup> Avenue, a line 90 feet northeasterly of 38<sup>th</sup> Street, and a line 270 feet northwesterly of 15<sup>th</sup> Avenue;

Borough of Brooklyn, Community District 12, as shown on a diagram (for illustrative purposes only) dated November 7, 2022, and subject to the conditions of City Environmental Quality Review (CEQR) Declaration E-692.

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, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 12-0-0; *Absent*: Carlina Rivera; Committee on Land Use, May 10, 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 L.U. No. 190 & Res. No. 657

**Report of the Committee on Land Use in favor of approving, as modified, Application number N 220471 ZRK (Paperific Rezoning) submitted by Stamford LLC and Capri Optics, Inc., pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 12, Council, District 39.**

The Committee on Land Use, to which the annexed Land Use item was referred on April 11, 2023 (Minutes, page 1007) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Land Use for L.U. No. 189 printed in the General Orders Calendars section of these Minutes)**

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

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

Res. No. 657

**Resolution approving with modifications the decision of the City Planning Commission on Application No. N 220471 ZRK, for an amendment of the text of the Zoning Resolution (L.U. No. 190).**

By Council Members Salamanca and Riley.

**WHEREAS**, Stamford LLC and Capri Optics, Inc., filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, which in conjunction with the related action would facilitate the development of a 103,512-square-foot commercial building at 1459 38<sup>th</sup> Street (Block 5348, Lots 49, 54, 15 and 17) in the Borough Park neighborhood of Brooklyn, Community District 12 (ULURP No. N 220471 ZRK) (the “Application”);

**WHEREAS**, the City Planning Commission filed with the Council on April 7, 2023, its decision dated March 15, 2023 (the “Decision”), on the Application;

**WHEREAS**, the Application is related to application C 220470 ZMK (L.U. No. 189), a zoning map amendment to change M1-2, M2-1, and R6 zoning districts to C4-4A and R6B zoning districts; and C 220472 ZSK (L.U. No. 191), a special permit pursuant to Zoning Resolution (ZR) Section 74-681(a)(2) to allow development over portions of a railroad or transit right-of-way;

**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 April 19, 2023;

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

**WHEREAS**, the Council has considered the relevant environmental issues, including the Negative Declaration issued November 7, 2022 (CEQR No. 22DCP045K), which include an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise impacts (E-692) (the “Negative Declaration”).

**RESOLVED:**

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 220471 ZRK, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission, with the following modifications.

Matter underlined is new, to be added;

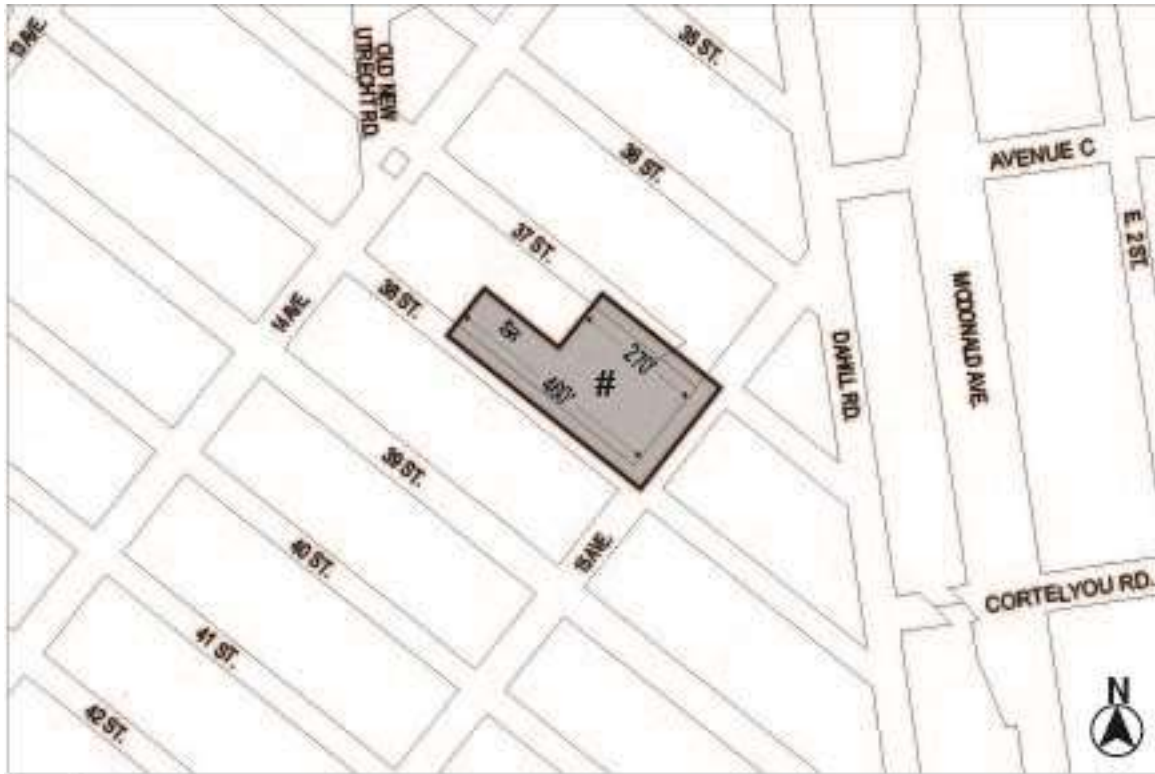
Matter ~~struck out~~ is to be deleted;

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

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

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

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



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

\* \* \*

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, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 12-0-0; *Absent*: Carlina Rivera; Committee on Land Use, May 10, 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 L.U. No. 191 & Res. No. 658

**Report of the Committee on Land Use in favor of approving, as modified, Application number C 220472 ZSK (Paperific Rezoning) submitted by Stamford LLC and Capri Optics, Inc., pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681(a)(2) of the Zoning Resolution to allow a portion of the right-of-way or yard where railroad or transit use has been permanently discontinued or terminated to be included in the lot area in connection with a proposed 5-story building on property located at 1463 38th Street (Block 5348, Lots 15, 17, 49 and 54), in a proposed C4-4A District. Borough of Brooklyn, Community District 12, Council District 39.**

The Committee on Land Use, to which the annexed Land Use item was referred on April 11, 2023 (Minutes, page 1008) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Land Use for L.U. No. 189 & Res. No. 657 printed in the General Orders Calendars section of these Minutes)**

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

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

Res. No. 658

**Resolution approving the decision of the City Planning Commission on ULURP No. C 220472 ZSK, for the grant of a special permit (L.U. No. 191).**

By Council Members Salamanca and Riley.

**WHEREAS**, Stamford LLC and Capri Optics, Inc. filed an application pursuant to Section 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution to allow the development of a 103,512 square-foot commercial building, within or over a railroad or transit right-of-way or yard, on property located at 1459 38th Street (Block 5348, Lots 15, 17, 49, 54), in a C4-4A district, Borough of Brooklyn, Community District 12 (ULURP No. C 220472 ZSK) (the “Application”);

**WHEREAS**, the City Planning Commission filed with the Council on April 7, 2023, its decision dated March 15, 2023 (the “Decision”) on the Application;

**WHEREAS**, the Application is related to application C 220470 ZMK (L.U. No. 189), a zoning map amendment to change M1-2, M2-1, and R6 zoning districts to C4-4A and R6B zoning districts; and N 220471 ZRK (L.U. No. 190), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area;

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

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on April 19, 2023;

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

**WHEREAS**, the Council has considered the relevant environmental issues, including the Negative Declaration issued November 7, 2022 (CEQR No. 22DCP045K), which include an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise impacts (E-692) (the “Negative Declaration”).

**RESOLVED:**

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

Pursuant to Sections 197-d and 200 of the New York City Charter, and on the basis of the Decision and Application, and based on the environmental determination and consideration and findings described in the report, C 220472 ZSK, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, ERIK D. BOTTCHER, KAMILLAH HANKS, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 12-0-0; *Absent*: Carlina Rivera; Committee on Land Use, May 10, 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 L.U. No. 209 & Res. No. 659

**Report of the Committee on Land Use in favor of approving, as modified, Application number C 220267 ZMQ (141-05 109th Avenue Rezoning) submitted by Mal Pal Realty Corp, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 18c, changing from an R3A District to an R6B District and establishing within the proposed R6B District a C2-3 District, Borough of Queens, Community District 12, Council District 28.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 11, 2023 (Minutes, page 1326) 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-12 – TWO APPLICATIONS RELATED TO 141-05 109<sup>TH</sup> AVENUE  
REZONING**

**C 220267 ZMQ (Pre. L.U. No. 209)**

City Planning Commission decision approving an application submitted by Mal Pal Realty Corp., pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 18c:

1. changing from an R3A District to an R6B District property bounded by a line 100 feet northwesterly of 109<sup>th</sup> Avenue, 142<sup>nd</sup> Street, 109<sup>th</sup> Avenue, and 139<sup>th</sup> Street; and
2. establishing within the proposed R6B District a C2-3 District bounded by a line 100 feet northwesterly of 109<sup>th</sup> Avenue, 142<sup>nd</sup> Street, 109<sup>th</sup> Avenue and, 139<sup>th</sup> Street;

as shown on a diagram (for illustrative purposes only) dated November 28, 2022, and subject to the conditions of CEQR Declaration E-693.

**N 220268 ZRQ (Pre. L.U. No. 210)**

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

**INTENT**

To approve the amendment to change the project area from an R3A zoning district to an R6B/C2-3 zoning district and amend the zoning text to designate the project area as a Mandatory Inclusionary Housing (MIH) area utilizing Options 1 and 2 to facilitate the development of a four-story mixed-use building with 56 residential units, 14 of which would be permanently income restricted, as well as commercial and community facility uses located at 141-05 109<sup>th</sup> Avenue in the South Jamaica neighborhood of Queens, Community District 12.

**PUBLIC HEARING**

**DATE:** May 2, 2023

**Witnesses in Favor:** Two

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** May 16, 2023

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission on Pre. L.U. No. 209 and approve with modifications the decision of the City Planning Commission on Pre. L.U. No. 210.

**In Favor:**

Riley  
Moya  
Abreu  
Bottcher  
Hanks  
Schulman  
Carr

**Against:**

None

**Abstain:**

None



**COMMITTEE ACTION****DATE:** May 17, 2023

The Committee recommends that the Council approve the attached resolutions.

<b>In Favor:</b>	<b>Against:</b>	<b>Abstain:</b>
Salamanca	None	None
Moya		
Riley		
Abreu		
Brooks-Powers		
Bottcher		
Hanks		
Krishnan		
Sanchez		
Borelli		

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

Res. No. 659

**Resolution approving the decision of the City Planning Commission on ULURP No. C 220267 ZMQ, a Zoning Map amendment (L.U. No. 209).**

By Council Members Salamanca and Riley.

**WHEREAS**, Mal Pal Realty Corp., 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. 18c, by changing from an R3A District to an R6B District and establishing within the proposed R6B District a C2-3 District, which in conjunction with the related action would facilitate the development of a four-story mixed-use building with 56 residential units, 14 of which would be permanently income restricted, as well as commercial and community facility uses located at 141-05 109<sup>th</sup> Avenue in the South Jamaica neighborhood of Queens, Community District 12 (ULURP No. C 220267 ZMQ) (the "Application");

**WHEREAS**, the City Planning Commission filed with the Council on April 28, 2023 its decision dated March 27, 2023 (the "Decision") on the Application;

**WHEREAS**, the Application is related to application N 220268 ZRQ (Pre. L.U. No. 210), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area;

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on May 2, 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 on November 28, 2022 (CEQR No. 22DCP151Q), which includes an (E) designation to avoid

the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-693) (the “Negative Declaration”).

**RESOLVED:**

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designation (E-693) and Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 220267 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. 18c:

1. changing from an R3A District to an R6B District property bounded by a line 100 feet northwesterly of 109<sup>th</sup> Avenue, 142<sup>nd</sup> Street, 109<sup>th</sup> Avenue, and 139<sup>th</sup> Street; and
2. establishing within the proposed R6B District a C2-3 District bounded by a line 100 feet northwesterly of 109<sup>th</sup> Avenue, 142<sup>nd</sup> Street, 109<sup>th</sup> Avenue and, 139<sup>th</sup> Street;

as shown on a diagram (for illustrative purposes only) dated November 28, 2022, and subject to the conditions of CEQR Declaration E-693, Borough of Queens, Community District 12.

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, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 12-0-0; *Absent*: Carlina Rivera; Committee on Land Use, May 10, 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 L.U. No. 210 & Res. No. 660

**Report of the Committee on Land Use in favor of approving, as modified, Application number N 220268 ZRQ (141-05 109th Avenue Rezoning) submitted by Mal Pal Realty Corp, 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 12, Council District 28.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 11, 2023 (Minutes, page 1327) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

**REPORTS:**

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 209 & Res. No. 659 printed above in the General Orders Calendars section of these Minutes)

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

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

Res. No. 660

**Resolution approving with modifications the decision of the City Planning Commission on Application No. N 220268 ZRQ, for an amendment of the text of the Zoning Resolution (L.U. No. 210).**

By Council Members Salamanca and Riley.

**WHEREAS**, Mal Pal Realty Corp., filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, which in conjunction with the related action would facilitate the development of a four-story mixed-use building with 56 residential uses, 14 of which would be permanently income restricted, as well as commercial and community facility uses located at 141-05 109<sup>th</sup> Avenue in the South Jamaica neighborhood of Queens, Community District 12 (ULURP No. N 220268 ZRQ), (the “Application”);

**WHEREAS**, the City Planning Commission filed with the Council on April 28, 2023, its decision dated March 27, 2023 (the "Decision") on the Application;

**WHEREAS**, the Application is related to application C 220267 ZMQ (Pre. L.U. No. 209), a zoning map amendment to change an R3A zoning district to an R6B/C2-3 zoning district;

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on May 2, 2023;

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

**WHEREAS**, the Council has considered the relevant environmental issues, including the Negative Declaration issued on November 28, 2022 (CEQR No. 22DCP151Q), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-693) (the “Negative Declaration”).

**RESOLVED:**

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designation (E-693) and Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 220268 ZRQ, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission with the following modifications:

Matter underlined is new, to be added;

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

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

\* \* \* indicates where unchanged text appears in the Zoning Resolution  
Matter ~~double struck out~~ is old, deleted by the City Council;  
Matter double-underlined is new, added by the City Council

\* \* \*

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

\* \* \*

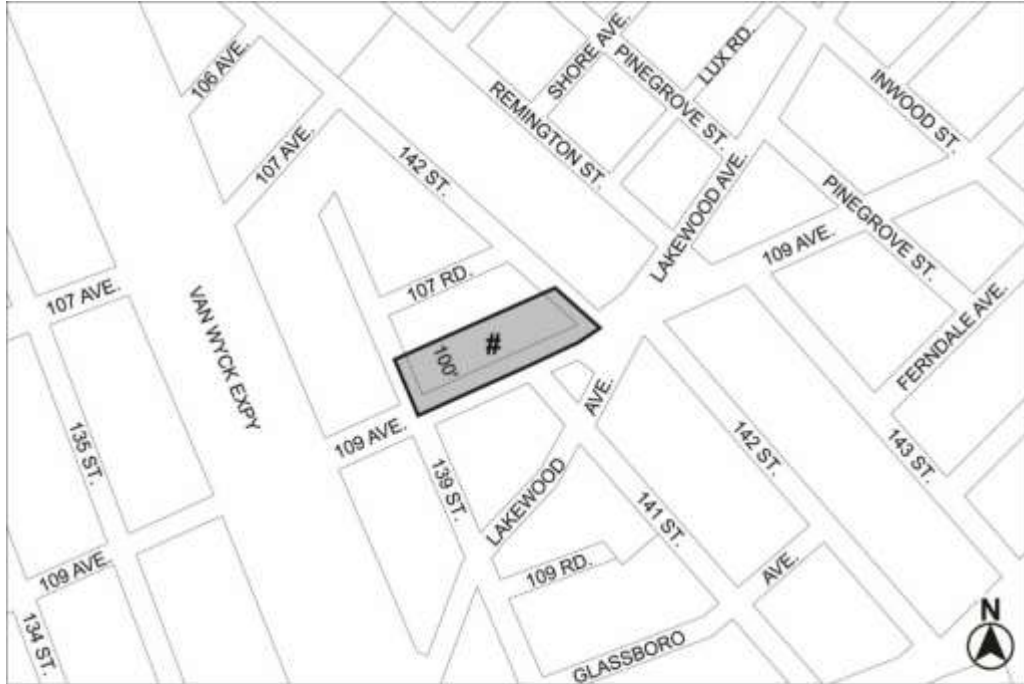
**QUEENS**


\* \* \*

**Queens Community District 12**

\* \* \*

Map 2 – [date of adoption]



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

**Area # — [date of adoption] — MIH Program Option 1 and Option-2-Deep Affordability Option**

Portion of Community District 12, Queens

\* \* \*

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, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 12-0-0; *Absent*: Carlina Rivera; Committee on Land Use, May 10, 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).

**Resolution approving various persons Commissioners of Deeds.**

By the Presiding Officer –

Resolved, that the following named persons be and hereby are appointed Commissioners of Deeds for a term of two years:

<i>Approved New Applicants</i>		
<i>Name</i>	<i>Address</i>	<i>District #</i>
MICHELE MORALES	875 Amsterdam Ave, Apt 6G New York, New York 10025	7
IDAN FALEK	219 E 120th Street, Apt 4 New York, New York 10035	8
JAMEL HICKS	280-300 E 161st Street, Apt 6E Bronx, New York 10451	16
LEONELA AGUIRRE	1175 Morris Ave, Apt 3F Bronx, New York 10456	16
DAISIE FERNANDEZ	775 Eagle Ave, Apt 1B New York, New York 10456	17
SHERRY NORTH	875 Morrison Ave, Apt 19C Bronx, New York 10473	17
VIKTORIYA PEREZ	1130 Manhattan Ave, Apt 1L Brooklyn, New York 11222	33
ADRIANA VARGAS	91 Junius St, Apt 519 Brooklyn, New York 11212	37
EMMANUEL CORDOBA- CASTRO	340 Maple Street, Apt A2 Brooklyn, New York 11225	40
DAVID KRAVETSKAYA	364 93rd Street, Apt D4 Brooklyn, New York 11209	43
ANGIE GUADARRAMA	1956 West 6th Street, Apt 1 Brooklyn, New York 11223	47

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) <b>M-149 &amp; Res 652 -</b>     | <b>Kenneth Y. K. Chan</b> to the Council for its advice and consent regarding his appointment to the New York City Taxi and Limousine Commission. |
| (2) <b>M-150 &amp; Res 653 -</b>     | <b>Paul Bader</b> to the Council for its advice and consent regarding his appointment to the New York City Taxi and Limousine Commission.         |
| (3) <b>M-151 &amp; Res 654 -</b>     | <b>Thomas Sorrentino</b> to the Council for its advice and consent regarding his appointment to the New York City Taxi and Limousine Commission.  |
| (4) <b>M-152 &amp; Res 655 -</b>     | <b>Sarah Kaufman</b> to the Council for its advice and consent regarding her appointment to the New York City Taxi and Limousine Commission.      |
| (5) <b>M-154 &amp; Res 648 -</b>     | Appropriation of new City revenues in Fiscal Year 2023 <b>(MN-6)</b> .  |
| (6) <b>Preconsidered<br/>M-155 -</b> | Establishing speed limits in cities with populations in excess of one million people (S.2422-A/ A.7266) <b>(Mayor's Home Rule item)</b> .         |
| (7) <b>Preconsidered<br/>M-156 -</b> | Calibration checks for weigh in motion violation monitoring systems (S.6246/ A.6225) <b>(Mayor's Home Rule item)</b> .                            |
| (8) <b>Int 229-A -</b>               | Monthly rental assistance payments for households with rental assistance vouchers.  |
| (9) <b>Int 566-A -</b>               | Children with an individualized education program to be transported in buses with air-conditioning.   |
| (10) <b>Int 590-A -</b>              | Open culture program for art and cultural institutions.   |
| (11) <b>Int 664-A -</b>              | Department of Citywide Administrative Services to donate surplus city-owned computers to  |

- eligible organizations for beneficial use.
- (12) **Int 665-A -** Establishing a digital literacy program for older adults.
- (13) **Int 686-A -** Summer youth employment.
- (14) **Int 878-A -** Prohibiting the department of social services from requiring an applicant for a rental assistance voucher.
- (15) **Int 893-A -** Expanding eligibility for rental assistance to any applicant at risk of eviction or experiencing homelessness.
- (16) **Int 894-A -** Income and work requirements for rental assistance.
- (17) **Preconsidered SLR 1 -** Permitting certain New York city correction members to borrow from their accumulated member contributions; and to repeal certain provisions of the retirement and social security law relating thereto **(Home Rule SLR item introduced by the Council requiring two-thirds affirmative vote for passage).**
- (18) **Preconsidered SLR 2 -** Service retirement benefits for certain members of the New York city employees' retirement system **(Home Rule SLR item introduced by the Council requiring two-thirds affirmative vote for passage).**
- (19) **Preconsidered SLR 3 -** Additional member contributions for certain members under the age fifty-seven retirement program **(Home Rule SLR item introduced by the Council requiring two-thirds affirmative vote for passage).**
- (20) **Preconsidered SLR 4 -** Handicapped accessible improvements and upgrades to the New York city transit authority 168 Street transit station **(Home Rule SLR item introduced by the Council requiring two-thirds affirmative vote for passage).**



- (21) **Preconsidered SLR 5 -** Child care leave credit for New York city uniformed correction officers who are members of the New York city uniformed correction/sanitation revised plan (**Home Rule SLR item introduced by the Council requiring two-thirds affirmative vote for passage**).
- (22) **Preconsidered SLR 6 -** Clarifying the statutory peace officer designation of certain employees of the Triborough bridge and tunnel authority; and providing for the repeal of certain provisions (**Home Rule SLR item introduced by the Council requiring two-thirds affirmative vote for passage**).
- (23) **Preconsidered SLR 7 -** Authorizing the city of New York to discontinue the use as parkland a portion of real property in the borough of Brooklyn and to transfer such lands to the metropolitan transportation authority (**Home Rule SLR item introduced by the Council requiring two-thirds affirmative vote for passage**).
- (24) **Preconsidered SLR 8 -** Discontinue a portion of real property in the county of the Bronx as parkland and to grant easements for improvements to the railroad right-of-way to bring Metro-North railroad service to four new stations in the Bronx and to Pennsylvania Station in the county of New York (**Home Rule SLR item introduced by the Council requiring two-thirds affirmative vote for passage**).
- (25) **Preconsidered SLR 9 -** Eligibility of certain participants in the New York city employees' retirement system to opt into the twenty-five year retirement program for EMT members (**Home Rule SLR item introduced by the Council requiring two-thirds affirmative vote for passage**).
- (26) **Preconsidered SLR 10 -** Reduce the interest accrued on certain charges assessed on real property located at 1690 60th Street in Brooklyn (**Home Rule SLR item**

- introduced by the Council requiring two-thirds affirmative vote for passage).**
- (27) **Preconsidered SLR 11 -** Disabilities of deputy sheriff members of a retirement system in certain cities (**Home Rule SLR item introduced by the Council requiring two-thirds affirmative vote for passage).**
- (28) **Preconsidered SLR 12 -** Special accidental death benefits for widows or widowers of certain deputy sheriff members of the New York city sheriff's department (**Home Rule SLR item introduced by the Council requiring two-thirds affirmative vote for passage).**
- (29) **Preconsidered SLR 13 -** Disabilities of deputy sheriff members of a retirement system in certain cities (**Home Rule SLR item introduced by the Council requiring two-thirds affirmative vote for passage).**
- (30) **Preconsidered SLR 14 -** Disabilities of fire alarm dispatchers in certain cities (**Home Rule SLR item introduced by the Council requiring two-thirds affirmative vote for passage).**
- (31) **L.U. 189 & Res 656 -** **App. C 220470 ZMK (Paperific Rezoning)** Borough of Brooklyn, Community District 12, Council, District 39.
- (32) **L.U. 190 & Res 657 -** **App. N 220471 ZRK (Paperific Rezoning)** Borough of Brooklyn, Community District 12, Council, District 39.
- (33) **L.U. 191 & Res 658 -** **App. C 220472 ZSK (Paperific Rezoning)** Borough of Brooklyn, Community District 12, Council District 39.
- (34) **L.U. 207 & Res 649 -** **App. C 210283 ZMQ (26-50 Brooklyn Queens Expressway West Rezoning)** Borough of Queens, Community District 1, Council District 22.

- (35) **L.U. 208 & Res 650 – App. C 230052 ZMQ (61-10 Queens Boulevard Rezoning)** Borough of Queens, Community District 2, Council District 26.
- (36) **L.U. 209 & Res 659 – App. C 220267 ZMQ (141-05 109th Avenue Rezoning)** Borough of Queens, Community District 12, Council District 28.
- (37) **L.U. 210 & Res 660 – App. N 220268 ZRQ (141-05 109th Avenue Rezoning)** Borough of Queens, Community District 12, Council District 28.
- (38) **Preconsidered L.U. 211 & Res 651 - Application number G 230031 CCX (784 Courtlandt Avenue Project Revision)** Borough of the Bronx, Community District 1, Council District 17.
- (39) **Resolution approving various persons Commissioners of Deeds.**

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

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

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

The following was the vote recorded for **M-149 & Res. No. 652:**

**Affirmative** – Abreu, Ariola, Avilés, Ayala, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Narcisse, Nurse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Williams, Won, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **46**.

**Abstention** – Barron and Hudson – **2**.

The following was the vote recorded for **M-150 & Res. No. 653**:

**Affirmative** – Abreu, Ariola, Avilés, Ayala, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Narcisse, Nurse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Williams, Won, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **47**.

**Abstention** – Barron – **1**.

The following was the vote recorded for **M-151 & Res. No. 654**:

**Affirmative** – Abreu, Ariola, Ayala, Bottcher, Brannan, Brewer, Brooks-Powers, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Narcisse, Ossé, Paladino, Restler, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Williams, Won, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **41**.

**Negative** – Avilés, Barron, Cabán, Gutiérrez, Hanif, Nurse, and Richardson Jordan – **7**.

The following was the vote recorded for **M-152 & Res. No. 655**:

**Affirmative** – Abreu, Ariola, Avilés, Ayala, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Narcisse, Nurse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Williams, Won, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **47**.

**Abstention** – Barron – **1**.

The following was the vote recorded for **Preconsidered M-155 (Mayor’s Home Rule item)**:

**Affirmative** – Abreu, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hudson, Joseph, Krishnan, Louis, Marte, Mealy, Menin, Narcisse, Nurse, Ossé, Restler, Richardson Jordan, Rivera, Salamanca, Sanchez, Schulman, Won, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **35**.

**Negative** – Ariola, Carr, Hanks, Holden, Kagan, Paladino, Williams, Yeger, and the Minority Leader (Council Member Borelli) - **9**.

**Abstention** – Lee, Riley, Stevens and Ung - **4**.

The following was the vote recorded for **Int. No. 229-A**:

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

**Negative** – Ariola, Carr, Holden, Kagan, Paladino, Yeger, and the Minority Leader (Council Member Borelli) – **7**.

The following was the vote recorded for **Int. No. 590-A**:

**Affirmative** – Abreu, Ariola, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Narcisse, Nurse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Williams, Won, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **47**.

**Negative** – Yeger - **1**.

The following was the vote recorded for **Int. Nos. 878-A, 893-A, and 894-A**:

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

**Negative** – Ariola, Carr, Holden, Kagan, Paladino, Yeger and the Minority Leader (Council Member Borelli) – **7**.

The following was the vote recorded for **L.U. No. 209 & Res. No. 659 and L.U. No. 210 & Res. No. 660**:

**Affirmative** – Abreu, Ariola, Avilés, Ayala, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Narcisse, Nurse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Williams, Won, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **47**.

**Negative** – Barron – **1**.

*The following Introductions were sent to the Mayor for his consideration and approval:  
Int. Nos. 229-A, 566-A, 590-A, 664-A, 665-A, 686-A, 878-A, 893-A, and 894-A.*

*Home Rule Request bluebacks were signed and certified by the City Clerk and Clerk of the Council (Mr. McSweeney) verifying the passage of M-155 and M-156 as well as SLRs No. 1-14 of 2023. These signed and certified bluebacks were duly sent to the State Senate and State Assembly in Albany.*

## 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. 550

**Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations in favor of approving a Resolution recognizing May as Lupus Awareness Month in the city of New York.**

The Committee on Cultural Affairs, Libraries and International Intergroup Relations, to which the annexed resolution was referred on April 11, 2023 (Minutes, page 967), respectfully

### REPORTS:

**(For text of report, please see the Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations for Int. No. 590-A printed in the Reports of the Standing Committee section of these Minutes)**

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 550:)**

Res. No. 550

**Resolution recognizing May as Lupus Awareness Month in the city of New York.**

By Council Members Hanif, Farías, Restler, Marte, Hudson, Ung, Avilés and Louis (by request of the Bronx Borough President).

**Whereas**, Lupus is a chronic autoimmune disease that can cause inflammation and pain in any part of the body, and which most commonly impacts the skin, joints, and internal organs; and

**Whereas**, Although there are multiple types of lupus, including cutaneous lupus, drug-induced lupus, and neonatal lupus, systemic lupus is the type most commonly discussed; and

**Whereas**, Because lupus can impact any part of the body and is an autoimmune disease—meaning that a person’s immune system is actually attacking healthy tissue—a wide range of acute and chronic symptoms can occur, including extreme fatigue, headaches, painful joints, fever, hair loss, anemia, abnormal blood clotting, and mouth or nose ulcers; and

**Whereas**, In addition to the health impacts of lupus, the disease also carries large economic impacts, with some studies estimating the mean annual total costs for people with lupus (combining direct and indirect costs) being as high as \$50,000; and

**Whereas**, According to the Centers for Disease Control (CDC), lupus is relatively uncommon and difficult to diagnose; and

**Whereas**, According to the CDC, unlike diseases that are required by law to be reported to state or local public health officials, lupus is not a reportable disease and therefore is more difficult and costly to reliably track for epidemiologic studies; and

**Whereas**, Despite challenges in accurately tracking and counting the number of cases, the Lupus Foundation of America estimates that 1.5 million Americans, and at least five million people worldwide, have some form of lupus, with women of childbearing age and women of color being disproportionately impacted; and

**Whereas**, In New York City (NYC), the most accurate estimates of the number of cases of lupus, although only counting those residing in Manhattan, comes from the Manhattan Lupus Surveillance Program (MLSP), a collaboration between NYU Langone Health and NYC's Department of Health and Mental Hygiene, with supportive funding from the CDC; and

**Whereas**, The MLSP's research, first published in September of 2017, reviewed medical records of Manhattan residents from 2007 through 2009 and estimated that overall lupus prevalence rates per 100,000 cases per year by race were: 51.4 cases (white), 133.1 cases (Black), 84.6 cases (Hispanic), and 75.5 cases (Asian); and

**Whereas**, According to MLSP investigators, its findings emphasize the need for improvements in the diagnosis of lupus in the aforementioned demographic groups, which would help support future efforts to expand awareness and improve access to care for those at risk of lupus; and

**Whereas**, According to the Lupus Foundation of America, May is recognized as Lupus Awareness Month nationwide, with World Lupus Day occurring on May 10, and Put on Purple Day occurring on May 15, which is an effort to wear purple and encourage awareness around lupus; and

**Whereas**, A 2019 survey conducted by the Lupus Foundation of America showed that 63% of Americans surveyed have never heard of lupus or know little or nothing about the disease; and

**Whereas**, As NYC residents are impacted by lupus, the month of May should be recognized as Lupus Awareness Month throughout the city in an effort to increase awareness, educate the public about lupus and its impacts, and ensure that proper funding is provided for critical research, programs, and services related to lupus; now, therefore, be it

**Resolved**, That the Council of the city of New York recognizes May as Lupus Awareness Month in the city of New York.

CHI A. OSSÉ, *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, SHAHANA K. HANIF, CRYSTAL HUDSON, RITA C. JOSEPH, SANDRA UNG; 7-0-0; *Absent*: Eric Dinowitz and Amanda Farías; Committee on Cultural Affairs, Libraries and International Intergroup Relations, May 24, 2023. *Other Council Members Attending: Council Member Rivera.*

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. 1049

By Council Members Abreu, Powers, Sanchez, Marte, Bottcher 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 requiring the department of buildings to create and maintain an assistance and outreach program for compliance with façade inspection requirements**

*Be it enacted by the Council as follows:*

Section 1. Article 103 of chapter 1 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-103.38 to read as follows:

**§ 28-103.38 Assistance and outreach.** The department shall establish and maintain an online technical assistance program providing outreach and guidance to building owners in complying with the requirements of Article 302 of Title 28 of the *Administrative Code*, and provide building owners with assistance in acquiring the services of qualified exterior wall inspectors and information on loans and financing resources.

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

Referred to the Committee on Housing and Buildings.

### Preconsidered State Legislation Resolution No. 1

**State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Jackson, S.6416, and Assembly Member Pheffer Amato, A.6750, “AN ACT to amend the administrative code of the city of New York and the retirement and social security law, in relation to permitting certain New York city correction members to borrow from their accumulated member contributions; and to repeal certain provisions of the retirement and social security law relating thereto”.**

By Council Member Abreu.

**Whereas**, Bills have been introduced in the New York State Legislature by Senator Jackson, S.6416, and Assembly Member Pheffer Amato, A.6750, “AN ACT to amend the administrative code of the city of New York and the retirement and social security law, in relation to permitting certain New York city correction members to borrow from their accumulated member contributions; and to repeal certain provisions of the retirement and social security law relating thereto”; *and*

**Whereas**, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

**Resolved**, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and adopted by the Committee on State and Federal Legislation).



## Preconsidered State Legislation Resolution No. 2

**State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Gounardes, S.5744, and Assembly Member Pheffer Amato, A.6156, “AN ACT to amend the retirement and social security law, in relation to participation in certain retirement plans by active and retired members and staff of the New York city council”.**

By Council Member Abreu.

**Whereas**, Bills have been introduced in the New York State Legislature by Senator Gounardes, S.5744, and Assembly Member Pheffer Amato, A.6156, “AN ACT to amend the retirement and social security law, in relation to participation in certain retirement plans by active and retired members and staff of the New York city council”; *and*

**Whereas**, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

**Resolved**, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and adopted by the Committee on State and Federal Legislation).

## Preconsidered State Legislation Resolution No. 3

**State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Gounardes, S.6097, and Assembly Member Pheffer Amato, A.6651, “AN ACT to amend the retirement and social security law, in relation to additional member contributions for certain members under the age fifty-seven retirement program”.**

By Council Member Abreu.

**Whereas**, Bills have been introduced in the New York State Legislature by Senator Gounardes, S.6097, and Assembly Member Pheffer Amato, A.6651, “AN ACT to amend the retirement and social security law, in relation to additional member contributions for certain members under the age fifty-seven retirement program”; *and*

**Whereas**, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

**Resolved**, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and adopted by the Committee on State and Federal Legislation).

## Preconsidered State Legislation Resolution No. 4

**State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Jackson, S.6171, and Assembly Member De Los Santos, A.6659, “AN ACT to amend chapter 470 of the laws of 2022 authorizing the city of New York to discontinue the use as parkland of a portion of real property in the county of New York and to grant easements to the metropolitan transportation authority so that it may make handicapped accessible improvements and upgrades to the New York city transit authority 168 Street transit station, in relation to making technical amendments thereto”.**

By Council Member Abreu.

**Whereas**, Bills have been introduced in the New York State Legislature by Senator Jackson, S.6171, and Assembly Member De Los Santos, A.6659, “AN ACT to amend chapter 470 of the laws of 2022 authorizing the city of New York to discontinue the use as parkland of a portion of real property in the county of New York and to grant easements to the metropolitan transportation authority so that it may make handicapped accessible improvements and upgrades to the New York city transit authority 168 Street transit station, in relation to making technical amendments thereto”; *and*

**Whereas**, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

**Resolved**, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and adopted by the Committee on State and Federal Legislation).

## Preconsidered State Legislation Resolution No. 5

**State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Jackson, S.6293, and Assembly Member Pheffer Amato, A.6538, “AN ACT to amend the retirement and social security law, in relation to a child care leave credit for New York city uniformed correction officers who are members of the New York city uniformed correction/sanitation revised plan”.**

By Council Member Abreu.

**Whereas**, Bills have been introduced in the New York State Legislature by Senator Jackson, S.6293, and Assembly Member Pheffer Amato, A.6538, “AN ACT to amend the retirement and social security law, in relation to a child care leave credit for New York city uniformed correction officers who are members of the New York city uniformed correction/sanitation revised plan”; *and*

**Whereas**, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

**Resolved**, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and adopted by the Committee on State and Federal Legislation).

## Preconsidered State Legislation Resolution No. 6

**State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Gounardes, S.6339, and Assembly Member Pheffer Amato, A.6571, “AN ACT to amend the retirement and social security law, in relation to modifying the retirement program for Triborough bridge and tunnel members; to amend the criminal procedure law, in relation to clarifying the statutory peace officer designation of certain employees of the Triborough bridge and tunnel authority; and providing for the repeal of certain provisions”.**

By Council Member Abreu.

**Whereas**, Bills have been introduced in the New York State Legislature by Senator Gounardes, S.6339, and Assembly Member Pheffer Amato, A.6571, “AN ACT to amend the retirement and social security law, in relation to modifying the retirement program for Triborough bridge and tunnel members; to amend the criminal procedure law, in relation to clarifying the statutory peace officer designation of certain employees of the Triborough bridge and tunnel authority; and providing for the repeal of certain provisions”; *and*

**Whereas**, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

**Resolved**, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and adopted by the Committee on State and Federal Legislation).

## Preconsidered State Legislation Resolution No. 7

**State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Salazar, S.6726, and Assembly Member Walker, A.6667, “AN ACT to amend chapter 548 of the laws of 2022 relating to authorizing the city of New York to discontinue the use as parkland a portion of real property in the borough of Brooklyn and to transfer such lands to the metropolitan transportation authority, to enable the New York city transit authority to construct in such areas new permanent at-grade station improvements and pedestrian bridges, in relation to making technical amendments thereto”.**

By Council Member Abreu.

**Whereas**, Bills have been introduced in the New York State Legislature by Senator Salazar, S.6726, and Assembly Member Walker, A.6667, “AN ACT to amend chapter 548 of the laws of 2022 relating to authorizing the city of New York to discontinue the use as parkland a portion of real property in the borough of Brooklyn and to transfer such lands to the metropolitan transportation authority, to enable the New York city transit authority to construct in such areas new permanent at-grade station improvements and pedestrian bridges, in relation to making technical amendments thereto”; *and*

**Whereas**, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

**Resolved**, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and adopted by the Committee on State and Federal Legislation).

Preconsidered State Legislation Resolution No. 8

**State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Sepúlveda, S.6682-A, and Assembly Member Burgos, A.7061-A, “AN ACT to amend chapter 544 of the laws of 2022, authorizing the city of New York to discontinue a portion of real property in the county of the Bronx as parkland and to grant easements for improvements to the railroad right-of-way to bring Metro-North railroad service to four new stations in the Bronx and to Pennsylvania Station in the county, in relation to authorizing the city of New York to discontinue a portion of real property in the county of the Bronx as parkland and to grant easements for improvements to the railroad right-of-way to bring Metro-North railroad service to four new stations in the Bronx and to Pennsylvania Station in the county of New York and making technical corrections thereto; and to repeal section 6 of chapter 544 of the laws of 2022, authorizing the city of New York to discontinue a portion of real property in the county of the Bronx as parkland and to grant easements for improvements to the railroad right-of-way to bring Metro-North railroad service to four new stations in the Bronx and to Pennsylvania Station in the county”.**

By Council Member Abreu.

**Whereas**, Bills have been introduced in the New York State Legislature by Senator Sepúlveda, S.6682-A, and Assembly Member Burgos, A.7061-A, “AN ACT to amend chapter 544 of the laws of 2022, authorizing the city of New York to discontinue a portion of real property in the county of the Bronx as parkland and to grant easements for improvements to the railroad right-of-way to bring Metro-North railroad service to four new stations in the Bronx and to Pennsylvania Station in the county, in relation to authorizing the city of New York to discontinue a portion of real property in the county of the Bronx as parkland and to grant easements for improvements to the railroad right-of-way to bring Metro-North railroad service to four new stations in the Bronx and to Pennsylvania Station in the county of New York and making technical corrections thereto; and to repeal section 6 of chapter 544 of the laws of 2022, authorizing the city of New York to discontinue a portion of real property in the county of the Bronx as parkland and to grant easements for improvements to the railroad right-of-way to bring Metro-North railroad service to four new stations in the Bronx and to Pennsylvania Station in the county”; *and*

**Whereas**, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

**Resolved**, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and adopted by the Committee on State and Federal Legislation).

Preconsidered State Legislation Resolution No. 9

**State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Jackson, S.6976, and Assembly Member Pheffer Amato, A.7420, “AN ACT to amend the retirement and social security law, in relation to the eligibility of certain participants in the New York city employees' retirement system to opt into the twenty-five year retirement program for EMT members”.**

By Council Member Abreu.

**Whereas**, Bills have been introduced in the New York State Legislature by Senator Jackson, S.6976, and Assembly Member Pheffer Amato, A.7420, “AN ACT to amend the retirement and social security law, in relation to the eligibility of certain participants in the New York city employees' retirement system to opt into the twenty-five year retirement program for EMT members”; *and*

**Whereas**, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

**Resolved**, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and adopted by the Committee on State and Federal Legislation).

Preconsidered State Legislation Resolution No. 10

**State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Felder, S.6225, and Assembly Member Eichenstein, A.5036, “AN ACT to authorize the city of New York to reduce the interest accrued on certain charges assessed on real property located at 1690 60<sup>th</sup> Street in Brooklyn”.**

By Council Member Abreu.

**Whereas**, Bills have been introduced in the New York State Legislature by Senator Felder, S.6225, and Assembly Member Eichenstein, A.5036, “AN ACT to authorize the city of New York to reduce the interest accrued on certain charges assessed on real property located at 1690 60<sup>th</sup> Street in Brooklyn”; *and*

**Whereas**, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

**Resolved**, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and adopted by the Committee on State and Federal Legislation).

Preconsidered State Legislation Resolution No. 11

**State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Jackson, S.6254, and Assembly Member Pheffer Amato, A.6755, “AN ACT to amend the general municipal law, in relation to disabilities of deputy sheriffs in certain cities”.**

By Council Member Abreu.

**Whereas**, Bills have been introduced in the New York State Legislature by Senator Jackson, S.6254, and Assembly Member Pheffer Amato, A.6755, “AN ACT to amend the general municipal law, in relation to disabilities of deputy sheriffs in certain cities”; *and*

**Whereas**, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

**Resolved**, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and adopted by the Committee on State and Federal Legislation).

Preconsidered State Legislation Resolution No. 12

**State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Jackson, S.6216, and Assembly Member Pheffer Amato, A.6499, “AN ACT to amend the general municipal law, in relation to special accidental death benefits for widows or widowers of certain deputy sheriff members of the New York city sheriff’s department”.**

By Council Member Abreu.

**Whereas**, Bills have been introduced in the New York State Legislature by Senator Jackson, S.6216, and Assembly Member Pheffer Amato, A.6499, “AN ACT to amend the general municipal law, in relation to special accidental death benefits for widows or widowers of certain deputy sheriff members of the New York city sheriff’s department”; *and*

**Whereas**, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

**Resolved**, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and adopted by the Committee on State and Federal Legislation).

Preconsidered State Legislation Resolution No. 13

**State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Jackson, S.6253, and Assembly Member Pheffer Amato, A.6749, “AN ACT to amend the general municipal law, in relation to disabilities of deputy sheriff members of a retirement system in certain cities”.**

By Council Member Abreu.

**Whereas**, Bills have been introduced in the New York State Legislature by Senator Jackson, S.6253, and Assembly Member Pheffer Amato, A.6749, “AN ACT to amend the general municipal law, in relation to disabilities of deputy sheriff members of a retirement system in certain cities”; *and*

**Whereas**, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

**Resolved,** That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and adopted by the Committee on State and Federal Legislation).

Preconsidered State Legislation Resolution No. 14

**State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Jackson, S.6862, and Assembly Member Pheffer Amato, A.7250, “AN ACT to amend the general municipal law, in relation to disabilities of fire alarm dispatchers in certain cities”.**

By Council Member Abreu.

**Whereas,** Bills have been introduced in the New York State Legislature by Senator Jackson, S.6862, and Assembly Member Pheffer Amato, A.7250, “AN ACT to amend the general municipal law, in relation to disabilities of fire alarm dispatchers in certain cities”; *and*

**Whereas,** The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

**Resolved,** That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and adopted by the Committee on State and Federal Legislation).

Int. No. 1050

By Council Members Avilés, Bottcher, Farías and Restler.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the use of shore power by cruise terminal operators and community traffic mitigation plans in neighborhoods impacted by cruise ships at berth**

*Be it enacted by the Council as follows:*

Section 1. Section 22-821 of the administrative code of the city of New York is amended by adding new definitions of “community traffic mitigation plan,” “cruise terminal,” “cruise terminal operator,” “cruise operator” and “shore power” in alphabetical order to read as follows:

*Community traffic mitigation plan. The term "community traffic mitigation plan" means a plan that outlines measures to reduce traffic, vehicular noise, vehicular pollution, and other disruptions caused by cruise passenger disembarkation in the neighborhoods surrounding cruise terminals.*

*Cruise terminal. The term “cruise terminal” means an area of a port designated for the loading and unloading of cruise ships or other pleasure vessels, including the Brooklyn Cruise Terminal and Manhattan Cruise Terminal.*

*Cruise terminal operator. The term “cruise terminal operator” means an entity that enters into an agreement with a contracted entity and is responsible for vessel berthing and stevedoring, maintenance, parking, security, billing, and any additional operations at cruise terminals.*

*Cruise operator. The term “cruise operator” means a company that operates vessels which have a capacity of over 2,000 passengers and are primarily used for recreational and vacation purposes.*

*Shore power. The term “shore power” means the shore-side supply of electric power that a vessel at berth can access, which allows the vessel to shut down its engines and use electricity from the local power grid instead.*

§ 2. Subchapter 2 of chapter 8 of title 22 of the administrative code of the city of New York is amended by adding a new section 22-827 to read as follows:

§ 22-827 *Shore power required for cruise terminal contracts.*

*a. In each covered contract with a contracted entity executed on or after the effective date of this section, the commissioner shall require that any contracted entity, or any cruise terminal operator, only grant access to cruise terminals to cruise operators that have agreed to connect to the terminal’s shore power system while their vessels are at berth, provided shore power is available and practicable at such terminal.*

*b. Any contracted entity in contract with a cruise terminal operator shall be responsible for monitoring such cruise terminal operator’s compliance with the requirements set forth in subdivision a of this section and for enforcing any penalties for noncompliance as set forth in the applicable contract.*

*c. The provisions of this section shall not apply if the use of shore power is not feasible due to technical limitations or safety concerns, as determined by the cruise terminal operator and approved by the contracted entity.*

§ 3. Subchapter 2 of chapter 8 of title 22 of the administrative code of the city of New York is amended by adding a new section 22-828 to read as follows:

§ 22-828 *Community traffic mitigation plans required for cruise terminal contracts.*

*In each covered contract with a contracted entity executed on or after the effective date of this section, the commissioner shall require that any contracted entity, prior to entering into any agreement with cruise operators for access to cruise terminals, shall deliver to the mayor and speaker of the council and post on the website of such contracted entity, or, if no such website is maintained, the commissioner shall post on the department’s website, a community traffic mitigation plan.*

§4. This local law takes effect immediately.

Referred to the Committee on Economic Development.

Res. No. 637

**Resolution calling on the New York City Department of Education and the New York State Education Department to collaborate on and prioritize increasing the number of educators trained to work with English Language Learners and to improve the quality and comprehensiveness of English Language Learners’ education.**

By Council Members Ayala, Louis, Restler and Hanif.

**Whereas**, In the 2020-21 school year, there were over 147,000 English Language Learners (ELLs) enrolled in New York City (NYC) Department of Education (DOE) public schools, meaning that these students had not yet tested as proficient on the New York State English as a Second Language Achievement Test (NYSESLAT), which meets federal requirements for annual assessment of ELLs, and, thus, were entitled to additional educational support, under the New York State Commissioner of Education’s Regulations; and

**Whereas**, In the 2020-21 school year, about half of the ELLs in DOE schools were born in the United States (U.S.), and about half were not; and

**Whereas**, The number of DOE students identified as ELLs continues to increase due to the recent arrival of asylum seekers and their children, with about 14,000 children having enrolled so far; and



**Whereas,** According to a May 9, 2023, article by Reema Amin in *Chalkbeat*, DOE teachers “are finding that many of these children [of asylum seekers] are learning English at the most basic level, and that some hadn’t attended school regularly” even before their arrival in the U.S.; and

**Whereas,** In the 2020-21 school year, about 80 percent of ELLs in DOE schools were served by the English as a New Language (ENL) program, either through full-time separate classes for students or in individual periods when students were pulled out of their regular class for English instruction; and

**Whereas,** Another approximately 10 percent of ELLs were served in a transitional bilingual program, through some instruction in each language, but increasingly in English as students became more proficient; and

**Whereas,** About 7 percent of ELLs were served in a dual language program, through equal instruction in English and another language and with the goal of becoming fluent in both, although there were only 245 programs K-12 in 13 different languages in NYC using this model; and

**Whereas,** According to the United Federation of Teachers, fewer than 3,000 NYC teachers are certified as bilingual teachers, yielding an unmanageable ratio of about one teacher to 47 ELLs; and

**Whereas,** Even that relatively small number of bilingual teachers is unevenly distributed across DOE schools such that some schools have a considerably worse ratio than one bilingual teacher to 47 ELLs; and

**Whereas,** There are also 3,455 teachers certified to teach in ENL program classes, although they are not necessarily bilingual themselves and typically teach primarily in English; and

**Whereas,** Linguistics professor Kate Menken of The City University of New York’s Queens College noted that research shows that bilingual programs are more effective than the ENL programs that serve the vast majority of ELLs in NYC public schools; and

**Whereas,** Anecdotes abound about ELLs in many understaffed schools not getting the services that they need and are entitled to and about those students who are more capable in the home language being called on repeatedly to translate for other students in classes where the teacher cannot speak the language and often must rely on a digital translation application in order to communicate with students; and

**Whereas,** According to a DOE Annual Special Education Data Report, in June 2022, only about 36 percent of bilingual special education students were fully served, 62 percent were partially served, and 2 percent were not served by special education programming and services that they are legally entitled to receive; and

**Whereas,** According to the National Center for Education Statistics, bilingual teachers, along with special education and computer science teachers, are the top three teacher vacancies, especially in underserved schools; and

**Whereas,** Corey Mitchell wrote in *Education Week* on February 7, 2020, that inadequate training programs, low teacher salaries, a lack of incentives, and difficult working conditions have all contributed to the nationwide problem of finding or producing a sufficient number of bilingual teachers to serve the nation’s growing number of bilingual students; and

**Whereas,** Buffalo Public Schools Acting Assistant Superintendent of Multilingual Education Jenna Colerick noted that her district was “[l]ooking at our multilingual teacher aides and assistants and seeing how possibly they could become certified as ENL or bilingual teachers” as one possible solution, which could be used as a model for other districts; and

**Whereas,** The New York State Education Department (NYSED) has developed some programs to address the crisis in bilingual education, including the Clinically Rich Intensive Teacher Institute initiative, which provides grants to colleges to offer subsidized bilingual or ENL certification programs for up to 20 candidates per year, and Supplemental Certification Pathways, which make it easier for teachers to meet certification requirements; and

**Whereas,** More innovative programs and supports for teacher education students, certified teachers, paraprofessionals, teacher aides, and teacher assistants could be put in place to increase the number of teachers and assistants who are qualified to give ELLs the education they deserve; and

**Whereas,** More innovative programs and supports in school for ELLs, whether they are current NYC residents or newly arrived immigrants, could be put in place to improve the quality of their academic education and their integration into extracurricular school activities, including programs that provide legally mandated special education services for eligible students and services that could help NYC’s newest New Yorkers thrive here; now, therefore, be it

**Resolved,** That the Council of the City of New York calls on the New York City Department of Education and the New York State Education Department to collaborate on and prioritize increasing the number of educators trained to work with English Language Learners and to improve the quality and comprehensiveness of English Language Learners' education.

Referred to the Committee on Education.

Int. No. 1051

By Council Members Brannan, Marte, Hudson, Farias and Brewer.

**A Local Law to amend the administrative code of the city of New York, in relation to exemptions from real property taxes and payments in lieu of taxes for certain properties occupied by senior citizens or persons with disabilities**

*Be it enacted by the Council as follows:*

Section 1. Subdivisions b and i of section 26-601 of the administrative code of the city of New York, as amended by local law number 26 for the year 1991, are amended and new subdivisions m and n are added to read as follows:

b. "Dwelling unit" means that part of a dwelling in which an eligible head of the household resides and (1) which is subject to the provisions of [either] article II, IV, V, or XI of the private housing finance law[,] or [that part of a dwelling] *which was formerly subject to the provisions of article II of such law and meets the conditions set forth in section 26-602.1; or (2) which was or continues to be subject to a mortgage insured or initially insured by the federal government pursuant to section two hundred thirteen of the national housing act, as amended, in which an eligible head of the household resides; or (3) which is within an applicable battery park city property.*

i. "Maximum rent" means the maximum rent, excluding gas and electric utility charges, which has been authorized or approved by the commissioner or the supervising agency; or the legal regulated rent established for the dwelling unit pursuant to the provisions of either article II, IV, V or XI of the private housing finance law[,] or the rental established for a cooperatively owned dwelling unit previously regulated pursuant to the provisions of article II, IV, V or XI of the private housing finance law[,] or the rental established for a dwelling unit[,] in a dwelling subject to a mortgage insured or initially insured by the federal government pursuant to section two hundred thirteen of the national housing act, as amended; or such rent established for a dwelling unit which was subject to a mortgage insured or initially insured by the federal government pursuant to section two hundred thirteen of the national housing act, as amended; *or the rent established for an applicable battery park city property.*

m. "PILOT" means *payment in lieu of taxes.*

n. "Applicable battery park city property" means *a property that is (1) subject to a lease or sublease with the battery park city authority; and (2) has one or more residential units which are subject to limitations on rent increases pursuant to:*

*(i) A contractual agreement with the battery park city authority, which may be within the lease or sublease between the battery park city authority and the lessee or sublessee; or*

*(ii) A regulatory agreement with the commissioner or supervising agency.*

§ 2. Section 26-602 of the administrative code of the city of New York, as amended by chapter 907 of the laws of 1985, is amended to read as follows:

§ 26-602 Real property tax exemption; *PILOT exemption.* Real property of a housing company shall be exempt from real property taxes *and real property of an applicable battery park city property shall be exempt from PILOT*, in an amount equal to the rent increase exemptions actually credited to eligible heads of households pursuant to this chapter. Any such exemption shall be in addition to any other exemption or abatement of taxes authorized by law.

§ 3. Chapter 7 of title 26 of the administrative code of the city of New York is amended by adding a new section 26-602.1 to read as follows:

§ 26-602.1 *Exemption for real property formerly subject to article II of the private housing finance law. An eligible head of the household may obtain a rent increase exemption order for/tax abatement certificate pertaining to taxes of the city imposed on real property formerly subject to the provisions of article II of the private housing finance law prior to December fifteenth, two thousand twenty-two containing dwelling units that are subject to a regulatory agreement in which the qualifying head of household or their qualifying successor in interest (a) has a signed agreement with the landlord to limit increases in maximum rent for the lifetime of the tenancy to an amount established by the rent guidelines board in its annual guidelines for rent adjustments for housing accommodations subject to the emergency tenant protection act of nineteen seventy-four or this code or to another amount provided for in such regulatory agreement; and (b) is otherwise eligible for such rent increase exemption/tax abatement. The effective date of a rent increase exemption order/tax abatement certificate shall be May thirty-first, two thousand twenty-two for any applicant found eligible during a determination period as prescribed by the state legislature in connection with such eligibility.*

§ 4. Sections 26-603, 26-604, 26-606, 26-608, 26-609, and 26-612 of the administrative code of the city of New York, as amended by chapter 907 of the laws of 1985, are amended to read as follows:

§ 26-603 Reimbursement for rent exemptions; rent increase exemption fund established. *a.* In the event that the real property of a housing company *or applicable battery park city property* containing one or more dwelling units shall be totally exempt from local and municipal real property taxes *or PILOT* for any fiscal year as a result of the exemptions from maximum rent credited pursuant to this [section] *chapter* or otherwise, the supervising agency may make or contract to make payments to a housing company *or landlord* in an amount not exceeding the amount necessary to reimburse the housing company *or landlord* for the total dollar amount of all exemptions from the payment of maximum rent accorded pursuant to this chapter to eligible heads of the household residing in dwelling units in such real property. *Notwithstanding the foregoing, the battery park city authority shall have no obligation whatsoever to reimburse a landlord.*

*b.* A fund to be known as the rent increase exemption fund shall be created and established in order to provide for the payments made pursuant to this section. There may be paid into such fund (1) all of the rental surcharges collected from the housing companies organized and existing pursuant to articles II, IV, V and XI of the private housing finance law and (2) any moneys appropriated or otherwise made available for the purpose of such fund.

§ 26-604 Rent increase exemption funding requirement. In the event that the real property of a housing company *or applicable battery park city property* containing one or more dwelling units shall be totally exempt from local and municipal real property taxes *or PILOT* as a result of the exemption from maximum rent credited pursuant to this chapter or otherwise, the supervising agency shall not issue any rent increase exemption order/tax abatement certificates unless there are monies in the rent increase exemption fund to provide reimbursement to the housing company *or landlord* for the total dollar amount of all exemptions from the payment of maximum rent accorded pursuant to this chapter to eligible heads of the household residing in dwelling units in such real property. *Notwithstanding the foregoing, the battery park city authority shall have no obligation whatsoever to reimburse a landlord.*

§ 26-606 Applications for exemption orders/tax abatement certificates; issuance and copies. The eligible head of the household shall apply annually to the supervising agency for a rent increase exemption order/tax abatement certificate on a form to be prescribed and made available by the supervising agency. The supervising agency shall approve or disapprove applications and, if it approves, shall issue a rent increase exemption order/tax abatement certificate. Copies of such order/certificate shall be issued to the housing company managing the dwelling unit *or to the landlord of the dwelling unit within an applicable battery park city property* of the eligible head of the household, to the eligible head of the household and to the department of finance.

§ 26-608 Credit allowances; penalties for overcharge. Upon receipt of a copy of a rent increase exemption order/tax abatement certificate, the housing company managing the dwelling unit *or the landlord of the dwelling unit within an applicable battery park city property* of the eligible head of the household shall promptly accord to the eligible head of the household covered by such order/certificate the appropriate credit against the monthly maximum rent then and thereafter payable. To the extent the full amount of such credit has not been accorded for any past period since the effective date specified in the order/certificate, the housing company *or landlord* shall credit the total aggregate amount not so credited to the monthly maximum rent next payable or to such subsequent monthly maximum rents, as the supervising agency may authorize. It shall be illegal to collect any amount for which a rent increase exemption order/tax abatement certificate provides credit or to withhold credit

for any such amounts already collected, and collection or retention of any such amount for a dwelling unit occupied by such eligible head of the household shall be deemed a rent overcharge, and upon conviction therefor the housing company and its directors and any employee *and any agent* responsible therefor *or the landlord and any employee and any agent responsible therefor* shall be guilty of a misdemeanor, punishable by a fine not to exceed one thousand dollars or imprisonment not to exceed six months, or both.

§ 26-609 Application for [tax] benefit; credits. In order to obtain the [tax] benefits to which it is entitled under this chapter, a housing company *or landlord of an applicable battery park city property* must file with the department of finance a sworn application, in such form as such [officer] *department* may prescribe, for any period in which the housing company *or landlord* has accorded an eligible head of the household an exemption hereunder from the payment of the maximum rent. Subject to prior or subsequent verification thereof, the department of finance shall credit the total amount of such exemptions actually accorded to occupants of dwelling units contained in the property against the real property taxes *or PILOT* next payable with respect to the property, on a prospective basis only. The housing company *or landlord* shall attach to such application copies of all rent increase exemption orders/tax abatement certificates issued to eligible heads of the household residing in dwelling units in such real property.

§ 26-612 Violations; penalties. It shall be illegal, for any person submitting an application for a rent increase exemption *or tax abatement* pursuant to this [section] *chapter*, to make any false statement or willful misrepresentation of fact, and upon conviction thereof such applicant shall be guilty of a misdemeanor, punishable by a fine not to exceed five hundred dollars or imprisonment not to exceed ninety days, or both.

§ 5. The headings of sections 26-616 and 26-617, the heading of section 26-616 as added by local law number 26 for the year 1991 and the heading of section 26-617 as added by local law number 76 for the year 2005, are amended to read as follows:

§ 26-616[.] Notification of termination of certain mortgage.

[Section] § 26-617 Eligibility for persons with disabilities.

§ 6. This local law takes effect immediately and is retroactive to and deemed to have been in effect as of December 15, 2022.

Referred to the Committee on Finance.

Int. No. 1052

By Council Members Brewer, Louis, Hudson and Restler.

**A Local Law to amend the administrative code of the city of New York, in relation to an annual plan to expand access to school playgrounds**

*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 *Public access to school playgrounds. a. Definitions. As used in this section, the term “environmental justice area” has the same meaning as set forth in section 3-1001.*

*b. No later than 90 days after the effective date of the local law that added this section, and annually thereafter, the department shall consult with the department of education to create and submit to the mayor and the speaker of the council a plan to expand public access to playgrounds located at a public school or any facility that is leased by the department of education or over which the department of education has care, custody, and control, in which there is a public school, including a charter school, to provide public access to the playgrounds at 8:00 am to dusk on weekends, school breaks and after school hours whenever school programs are not in session. The plan shall focus on playgrounds that are not already accessible to the public on weekends and after school hours, shall prioritize playgrounds that are located in environmental justice areas, and shall include, but need not be limited to, the following for the upcoming year:*

1. A list of at least 25 playgrounds that could be operated and maintained by the department and the department of education and used by the public on weekends and after school hours, and the reasons why the locations were chosen;
  2. A list of the proposed duties and responsibilities of the department and the department of education in relation to operating and maintaining such additional playgrounds that would be used by the public on weekends and after school hours;
  3. The total estimated budget required to operate and maintain such additional playgrounds that would be used by the public on weekends and after school hours, including a breakdown of specific estimated costs; and
  4. Any anticipated challenges with implementing the plan.
- § 2. This local law takes effect immediately.

Referred to the Committee on Parks and Recreation.

Int. No. 1053

By Council Members Cabán, Hanif and Ossé.

**A Local Law to amend the administrative code of the city of New York, in relation to the prohibition of requiring low-wage workers to enter into covenants not to compete and also to require employers to notify potential employees of any requirement to enter into a covenant not to compete**

*Be it enacted by the Council as follows:*

Section 1. Chapter 5 of title 22 of the administrative code of the city of New York is amended by adding a new section 22-511 to read as follows:

*§ 22-511 Prohibition of covenants not to compete for low-wage employees.*

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

*Covenant not to compete. The term “covenant not to compete” means an agreement that is entered into after the effective date of the local law that added this section between an employee and an employer that restricts such employee from performing 1) work for an employer not a party to such agreement for a specified period of time; 2) work in a specified geographical area for an employer not a party to such agreement; or 3) work for an employer not a party to such agreement that is similar to such employee’s work for the employer who is a party to the agreement.*

*Employee. The term “employee” means an employee as defined in subdivision 2 of section 190 of the labor law.*

*Employer. The term “employer” means an employer as defined in subdivision 3 of section 190 of the labor law.*

*Low-wage employee. The term “low-wage employee” means a clerical and other worker as defined in subdivision 7 of section 190 of the labor law.*

*b. Prohibition. No employer shall enter into a covenant not to compete with any low-wage employee of such employer.*

*c. Disclosure requirement for non-low-wage workers. An employer may not require a potential employee who is not a low-wage employee to enter into a covenant not to compete unless, at the beginning of the process for hiring such employee, such employer disclosed in writing that they may be subject to such a covenant.*

*d. Enforcement. The office of labor standards shall enforce the requirements of this section.*

§ 2. This local law takes effect 120 days after it becomes law; provided, however, that the office of labor standards shall take all actions necessary for its implementation, including the promulgation of rules, before such date.

Referred to the Committee on Consumer and Worker Protection.

Int. No. 1054

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

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the licensing of last-mile distribution centers**

*Be it enacted by the Council as follows:*

Section 1. Chapter 2 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 38 to read as follows:

**SUBCHAPTER 38  
LAST-MILE DISTRIBUTION CENTERS**

*§ 20-565 Definitions. For the purposes of this subchapter, the following terms have the following meanings:*  
*Community district. The term “community district” means a community district established pursuant to chapter 69 of the charter.*

*Dedicated last-mile distribution center network. The term “dedicated last-mile distribution center network” means more than 1 last-mile distribution center where at least 50 percent of orders fulfilled at such center are placed through a website or mobile application with 1 brand or trade name or a common brand, trade, business or operating name, that offers or facilitates consumers goods for direct delivery that will be fulfilled through a last-mile distribution center.*

*Emission points. The term “emission points” means a number of points equal to a last-mile distribution center’s weighted annual truck trips where such total is computed, according to the classes maintained by the United States environmental protection agency based upon gross vehicle rate rating, by the sum of all Class 2b to 7 truck trips plus two and one-half times the sum of all Class 8 truck trips that occurred at a last-mile distribution center. Points may be earned through the purchase of near-zero and zero emission equipment or equipment that facilitates the use of near-zero and zero emission equipment, and through the use of near-zero and zero emission equipment, or by choosing to pay a mitigation fee to be expended exclusively in connection with environmental hazards in the community district of the operator who generated such funds or using any combination thereof.*

*End customer. The term “end customer” means a retail customer from whom a merchant received an offer to purchase a product.*

*Last-mile distribution center. The term “last-mile distribution center”:*

*1. Means a building of 10,000 square feet or more that is operated to receive and sort goods or combine product parts as part of a distribution channel, and from which goods are then directly transported to end customers; and*

*2. Does not include any facility where at least 30 percent of the floor area is open to retail customers.*

*Public transportation. The term “public transportation” means the modes of transportation provided by the metropolitan transportation authority or city ferry as defined in paragraph (1) of subdivision a of section 19-307.*

*Shared in the ownership. The term “shared in the ownership” means a person shares in the ownership of a publicly traded licensee if such person controls 5 percent or more of the outstanding voting shares of the licensee.*

*Sustainable modes of transportation. The term “sustainable modes of transportation” means bicycles or pedal-assisted bicycles, electric vehicles, and hand trucks.*

*§ 20-565.1 Licensing of last-mile distribution centers. a. License required. 1. It is unlawful for any person to engage in business as a last-mile distribution center without a valid license, as required by this section, for each place of business in which such person operates a last-mile distribution center.*

*2. It is unlawful for a person to permit any premises under such person’s control to be used by any other person in violation of paragraph 1 of this subdivision.*

*b. License application. 1. In order to obtain or renew a license to engage in business as a last-mile distribution center, a person shall file an application with the commissioner for a last-mile distribution center license for each place of business that the applicant desires to use for the operation of a last-mile distribution center in the city. The application for each such license or renewal thereof shall be made upon such form as prescribed by the commissioner and shall include an environmental health and safety plan as required pursuant to section 20-565.2 and such additional information as the commissioner shall require.*

*2. The commissioner shall require at least the following elements be included in the license application:*

*(a) Notarized certifications of each of the following:*

*(1) The facility will not be within 1,000 feet of a residential district;*

*(2) The facility will not be within 500 feet of a school, public park, or institution of religious worship;*

*(3) The facility will not be within 250 feet of a hospital, long-term acute care facility, or senior home;*

*(4) The facility will not be within 2,000 feet of another last-mile distribution center; and*

*(5) That delivery of parcels to end customers will be carried out solely by employees of the licensee.*

*(b) A labor market study to determine the net impact of issuance of a license on wages and workplace standards on the relevant labor market.*

*(c) A report stating the make, type, size, weight and number of vehicles to be used for delivery of parcels to end customers.*

*(d) A report stating the number and location of delivery routes.*

*(e) An analysis of the energy demands of the facility and nature and composition of the alternative, sustainable and renewable energy technologies to be incorporated into the operation of the facility.*

*3. An applicant for a last-mile distribution center license or renewal thereof under this section shall disclose to the commissioner any finding by a court of law or any final agency determination that the applicant or a principal of such applicant violated any city, state or federal law relating to worker protection, compensation, safety or discrimination or the protection of the environment, any docketed judicial or administrative settlement requiring the applicant or a principal of such applicant to pay any fines, penalties or restitution in relation to any city, state or federal law relating to worker protection, compensation, safety or discrimination or the protection of the environment and any additional information with respect to good character and fitness that the commissioner deems appropriate. Multiple violations of city, state or federal law relating to worker protections, compensation, safety or discrimination or the protection of the environment by an applicant shall be grounds for denial of a license or renewal of a license.*

*4. For any last-mile distribution center located in a significant maritime industrial area as designated by a local waterfront revitalization program, 80 percent of deliveries to and from such distribution center shall be conducted by marine transport unless the applicant can demonstrate to the department the infeasibility of such requirement.*

*c. Fee and license term. There shall be an annual fee of \$500 for a license to engage in the business of a last-mile distribution center at each location where a last-mile distribution center operates in the city. The term of a license shall be 1 year, after which period the licensee may apply for renewal of the license.*

*d. Issuance and renewal of license. 1. A last-mile distribution center license shall be issued or renewed to a person to conduct the business of a last-mile distribution center in the city only if:*

*(a) The applicant for a license or renewal thereof meets all the requirements prescribed in this section and any additional criteria established by the commissioner by rule as deemed necessary to effectuate the purposes of this subchapter;*

*(b) The applicant satisfies the commissioner that such applicant and all principals of such applicant, as applicable, are in compliance with all local, state and federal laws, rules and regulations applicable to doing business as a last-mile distribution center, including but not limited to chapter 16 of this title, all other laws relating to worker protection, compensation, safety or discrimination or the protection of the environment and that such applicant has not materially misrepresented or concealed any information in the license application, as determined by the commissioner;*

*(c) The applicant demonstrates to the satisfaction of the commissioner that any last-mile distribution center acquired by the applicant for which a license has been revoked or that has been assessed a violation was acquired through an arm's length transaction and that such applicant:*

*(1) Did not share in the ownership, or otherwise exercise control over the management, of the original licensee of such center; or*

(2) Does not employ any person who shared in the ownership, or otherwise exercised control over the management, of the original licensee of such center;

(d) The issuance or renewal of such license would not cause the number of licenses in the community district in which the place of business of such applicant is located to exceed the community district last-mile distribution center cap nor cause an undue concentration of last-mile distribution centers irrespective of administrative boundaries, as determined by the commissioner;

(e) A last-mile distribution center applying for renewal has earned the minimum number of emission points, as established by rule. Such rules shall also designate point values associated with particular purchases or uses based on cost accrued by the last-mile distribution center, reduction in nitrogen oxides and reduction in diesel particulate matter; and

(f) Less than 50 percent of the goods processed at such center was ordered through a website or application with 1 brand or trade name or a common brand, trade, business or operating name, that offers, facilitates or otherwise offers consumers goods for direct delivery that will be fulfilled through a last-mile distribution center.

2. A last-mile distribution center license shall not be assignable and shall be valid only for the person in whose name it is issued and for the transaction of business in the place designated therein and shall at all times be conspicuously displayed at the place for which it is issued.

3. An applicant may seek review, in the office of administrative trials and hearings, of a determination by the commissioner to deny an application for a license or a renewal thereof under this section within 30 days of receiving written notification of such determination.

e. Community district last-mile distribution center cap. 1. To protect and promote the health, safety and wellbeing of city residents, the commissioner, after consultation with the commissioners of transportation and environmental protection, shall promulgate rules establishing a community district last-mile distribution center cap for each community district in the city.

2. The commissioner, in conjunction with the commissioners of transportation and environmental protection, shall evaluate community district last-mile distribution center caps every year and any time community district boundaries change. Such evaluation shall include consideration of the number of last-mile distribution centers in the community district. If, based on the evaluation, the commissioner determines that a change to any community district last-mile distribution center cap is warranted in order to protect and promote the health, safety and wellbeing of city residents, the commissioner may amend such cap by rule.

3. The commissioner shall promulgate rules governing the application process for new last-mile distribution center licenses after the establishment of a community district last-mile distribution center cap.

f. Undue license concentration. 1. No single person shall hold more than 5 licenses or share in the ownership of a person or entity who holds more than 5 licenses.

2. No single person shall enter into 2 or more leases for premises licensed under this subchapter or lease more than a cumulative 300,000 square feet of facilities licensed under this subchapter, without first receiving a dedicated last-mile distribution center network license.

§ 20-565.2 Environmental health and safety. a. Last-mile distribution centers shall ensure that any distribution to end customers uses only sustainable modes of transportation or public transportation to effectuate such distribution.

b. Each application for a last-mile distribution center license shall include an environmental health and safety plan concerning the efforts by such center to reduce or mitigate negative impacts. The form and content of such plan shall be prescribed by the commissioner by rule and shall contain, at a minimum, the following:

1. A description of how delivery vehicle movements to and from the last-mile distribution center will be routed and scheduled;

2. A projection of the volume of deliveries traveling to and from such center during the license term and an analysis of the volume of deliveries traveling to and from such center during the prior year if renewal of an existing license is sought;

3. An analysis of and plan for how such center will reduce the number of delivery trips to and from the site, including but not limited to the consolidation of deliveries;

4. An analysis of and plan for how such center will reduce the impact of deliveries to and from the site on the surrounding environment and community, including but not limited to reducing vehicle miles traveled, noise, pollution, particulate matter, and greenhouse gas emissions caused by delivery trips or routing delivery traffic;



5. An analysis of and plan for such center to earn the emission points required pursuant to subdivision d of section 20-565.1;

6. An analysis and plan for reducing the risk of collisions, traffic deaths caused by, and traffic and parking violations incident to delivery trips or routing delivery traffic; and

7. An analysis and plan for fence-line monitoring of greenhouse gas emissions.

c. Upon the submission of an environmental health and safety plan, the commissioner shall publish such plan on the department's website and forward the plan within 5 days to the borough president, council member, and community board representing the area in which the last-mile distribution center is proposed to be located.

d. Such community board shall review such plan and, not later than 45 days after receipt of such plan, either (i) conduct a public hearing on such plan and submit a written recommendation regarding the approval or disapproval of the plan or recommended changes to the department or (ii) waive by a written statement its public hearing and recommendation on such plan and submit such statement to the department.

e. Prior to approval of any last-mile distribution center license, the applicant shall provide the department with any revisions made in response to the recommendation of the community board or other comments received by the department on the website and an explanation of such changes or the reasons for a lack thereof.

§ 20-565.3 Licensing of dedicated last-mile distribution center network operators. a. License required. 1. It is unlawful for any person to operate a dedicated last-mile distribution center network without a valid license, as required by this section.

b. License application. 1. In order to obtain or renew a license to engage in business as a dedicated last-mile distribution center network, a person shall file an application with the commissioner for a license. The application for a license or renewal thereof shall be made upon such form as prescribed by the commissioner.

c. Fee and license term. There shall be an annual fee of \$1,000 for a license to engage in the business of a dedicated last-mile distribution center network. The term of a license shall be 1 year, after which period the licensee may apply for renewal of the license.

d. Issuance and renewal of license. 1. A license shall be issued or renewed to a person to conduct the business of a dedicated last-mile distribution center network in the city only if:

(a) The applicant for a license or renewal thereof meets all the requirements prescribed in this section and any additional criteria established by the commissioner by rule as deemed necessary to effectuate the purposes of this subchapter; and

(b) The applicant satisfies the commissioner that each last-mile distribution center in such network is in compliance with all city, state and federal laws, rules and regulations applicable to doing business as a last-mile distribution center, including but not limited to chapter 16 of title 20, all other laws relating to worker protection, compensation, safety or discrimination or the protection of the environment; and that such applicant has not materially misrepresented or concealed any information in the license application, as determined by the commissioner.

2. A dedicated last-mile distribution center network license shall not be assignable and shall be valid only for the person in whose name it is issued and for the transaction of business in the place designated therein and shall at all times be conspicuously displayed at each distribution center in such network.

3. An applicant may seek review, in the office of administrative trials and hearings, of a determination by the commissioner to deny an application for a license or a renewal thereof under this section within 30 days of receiving written notification of such determination.

§ 20-565.4 Revocation or suspension of license. 1. Any last-mile distribution center or dedicated last-mile distribution center network license may be suspended or revoked by the commissioner for the failure of a licensee to comply with any applicable provision of law or any rule duly promulgated by the commissioner. It is unlawful for a dedicated last-mile distribution center network to operate if the license for any distribution center in such network has been suspended or revoked.

2. A last-mile distribution center or dedicated last-mile distribution center network licensee may seek review, in the office of administrative trials and hearings, of a determination by the commissioner that such license has been suspended or revoked within 30 days of receiving written notification of such determination.

§ 20-565.5 Pattern or practice of violations. a. The commissioner shall deny any application for a last-mile distribution center license or dedicated last-mile distribution center network license or renewal thereof, or revoke or suspend any such license, if the applicant or licensee has engaged in a pattern or practice of violations

of local, state or federal law relating to worker protection or the protection of the environment in connection with operating 1 or more last-mile distribution centers in the city.

b. For purposes of this section, “pattern or practice of violations” means 3 or more violations in any 2-year period in the previous 5 years, or 4 or more violations in the previous 5 years, attributable to the licensee, or any corporate or legal parent or subsidiary thereof, where such subsidiary is dominated and controlled by the licensee.

c. For the purposes of this section, the term “violation,” as applied to any city, state or federal law, means a finding by a court of law or a final agency determination that the applicant or licensee violated such law.

§ 20-565.6 Penalties. Any person who violates a provision of this subchapter or any rule promulgated thereunder shall be subject to a civil penalty of \$1,000 per violation, except that the penalty for operating a dedicated last-mile distribution center network without a valid license issued by the commission is \$10,000 for each day such operation takes place.

§ 2. Title 20 of the administrative code of the city of New York is amended to add a new chapter 16 to read as follows:

CHAPTER 16  
DISTRIBUTION CENTER WORKERS  
SUBCHAPTER 1  
GENERAL PROVISIONS

§ 20-1601 Definitions. As used in this chapter, except as otherwise specifically provided, the following terms have the following meanings:

*Electronic monitoring.* The term “electronic monitoring” means the collection of information concerning worker activities, communications, actions, biometrics or behaviors by electronic means including, but not limited to, video or audio surveillance, electronic work speed data and other means but shall not include any processes covered by section 52-c of the civil rights law as added by chapter 583 of 2021 and as may be amended subsequently.

*Employee.* The term “employee” means any person covered by the definition of “employee” set forth in subdivision 5 of section 651 of the labor law or by the definition of “employee” set forth in subdivision e of section 203 of title 29 of the United States code who performs works in connection to a last-mile distribution center.

*Employee work speed data.* The term “employee work speed data” has the meaning ascribed to such term by section 780 of the labor law.

*Employer.* The term “employer” means a person who directly or indirectly, or through an agent or any other person, at any time in the prior 12 months, employs or exercises control over the wages, hours, or working conditions of employees.

*Last-mile distribution center.* The term “last-mile distribution center” has the meaning ascribed to such term by section 20-525.

§ 20-1602 Outreach and education. The commissioner shall conduct outreach and education about the provisions of this chapter. Such outreach and education shall be provided to employers, employees and members of the public who are likely to be affected by this law.

§ 20-1603 Reporting. a. No later than June 1, 2023 and by each June 1 thereafter, the commissioner shall publish a report on the city’s website, on the effectiveness of its enforcement activities under this chapter. Such report shall include the following information:

1. For administrative actions:

- (a) The number and nature of complaints received;
- (b) The results of investigations undertaken, including the number of complaints not substantiated and the number of notices of violations issued;
- (c) The number and nature of administrative adjudications;
- (d) The number of complaints resolved through mediation or conciliation, if any; and
- (e) The average time for a complaint to be resolved.

2. For civil actions: the number, nature, and outcomes of civil actions commenced by the corporation counsel against employers involving violations under this chapter.

b. Such report shall not reveal identifying information about any non-public matter or complaint.

*§ 20-1604 Retaliation. No person shall take any adverse action against an employee of a last-mile distribution center that penalizes such employee for, or is reasonably likely to deter such employee from, exercising or attempting to exercise any right protected under this chapter. Taking an adverse action includes threatening, intimidating, disciplining, discharging, demoting, suspending or harassing an employee, adversely reducing the hours or pay of an employee, informing another employer that an employee has engaged in activities protected by this chapter, discriminating against the employee, including actions related to perceived immigration status or work authorization, or assessing any demerit, occurrence, any other point, or deductions from an allotted bank of time, which subjects or could subject an employee to disciplinary action, which may include, but is not limited to, failure to receive a promotion or loss of pay. An employee need not explicitly refer to this chapter or the rights enumerated in this chapter to be protected from retaliation.*

*§ 20-1605 Notice and posting of rights. a. The commissioner shall publish and make available notices for employers to post in the workplace or at any job site informing employees of their rights protected under each subchapter of this chapter before the effective date of the local law that added each corresponding subchapter. Such notices shall be made available in a downloadable format on the city's website in accordance with the requirements for language access as described in chapter 11 of title 23. The commissioner shall update such notices if any changes are made to the requirements of this chapter or as otherwise deemed appropriate.*

*b. In accordance with the rules of the department, every employer shall conspicuously post at any workplace or job site where any employee works the notices described in subdivision a of this section that are applicable to the particular workplace or job site. Such notices shall be in English and any language spoken as a primary language by at least 5 percent of employees at that location if the commissioner has made the notice available in that language.*

*§ 20-1606 Recordkeeping. a. Employers shall retain records documenting their compliance with the applicable requirements of this chapter for a period of 3 years and shall allow the department to access such records and other information, consistent with applicable law and in accordance with rules of the department and with appropriate notice, in furtherance of an investigation conducted pursuant to this chapter.*

*b. An employer's failure to maintain, retain or produce a record or other information required to be maintained by this chapter and requested by the department in furtherance of an investigation conducted pursuant to this chapter that is relevant to a material fact alleged by the department in a notice of violation issued pursuant to this subchapter creates a rebuttable presumption that such fact is true.*

*§ 20-1607 Administrative enforcement; jurisdiction and complaint procedures. a. Jurisdiction. The commissioner shall enforce the provisions of this chapter.*

*b. Complaints and investigations. 1. Any person, including any organization, alleging a violation of this chapter may file a complaint with the department within 2 years of the date such person knew or should have known of the alleged violation.*

*2. Upon receiving such a complaint, the department shall investigate it.*

*3. The department may open an investigation on its own initiative.*

*4. A person or entity under investigation shall, in accordance with applicable law, provide the department with information or evidence that the department requests pursuant to the investigation. If, as a result of an investigation of a complaint or an investigation conducted upon its own initiative, the department believes that a violation of this chapter has occurred, the department may attempt to resolve it through any action authorized by chapter 64 of the charter. Adjudicatory powers pursuant to this subchapter may be exercised by the commissioner or by the office of administrative trials and hearings pursuant to chapter 64 of the charter.*

*5. The department shall keep the identity of any complainant confidential unless disclosure is necessary to resolve the investigation or is otherwise required by law. The department shall, to the extent practicable, notify such complainant that the department will disclose the complainant's identity before such disclosure.*

*§ 20-1608 Specific administrative remedies for employees or former employees. a. In addition to all compensatory damages and other relief required to make the employee or former employee whole for all direct or foreseeable pecuniary harms suffered for violations of this chapter, the department may grant the following relief to employees or former employees:*

*1. An order directing compliance with the notice and posting of rights and recordkeeping requirements set forth in sections 20-1605 and 20-1606; and*

*2. For each violation of:*

§ 20-1604	<i>Rescission of any discipline issued, reinstatement of any employee terminated and payment of back pay for any loss of pay or benefits resulting from discipline or other action taken in violation of section 20-1604; \$500 for each violation not involving termination; and \$2,500 for each violation involving termination</i>
§ 20-1605	<i>Order directing compliance</i>
§ 20-1606	<i>Order directing compliance</i>
§ 20-1615	<i>\$500 and order directing compliance</i>
§ 20-1616	<i>Reinstatement or restoration of any term and condition; \$500 for each violation; order directing compliance; rescission of any discipline issued; payment of back pay for any loss of pay or benefits resulting from the wrongful discharge or revised pay or benefits; and any other equitable relief as may be appropriate</i>
§ 20-1617	<i>Payment as required under such section; \$500; and order directing compliance</i>
§ 20-1618(a)	<i>Payment as required under such section; \$500; and order directing compliance</i>
§ 20-1618(b)	<i>Restoration of any deducted leave balance; \$500; and order directing compliance</i>
§ 20-1621	<i>\$500 and order directing compliance</i>
§ 20-1623	<i>\$500 and order directing compliance</i>
§ 20-1624	<i>\$500 and order directing compliance</i>

b. 1. Any employer who willfully fails to properly classify an individual as an employee pursuant to applicable law shall be subject to the civil and criminal penalties provided under this subdivision. The civil penalties set forth in this section shall be imposed as follows: by the commissioner of consumer and worker protection where such penalty is based on a violation of a provision of title 20 and by the commissioner of finance when such penalty is based on a violation of a provision of title 11. For the purposes of this subdivision, the term "willfully violates" means an employer knew or should have known that his or her conduct was prohibited by this subdivision.

2. Any employer who willfully violates this subdivision shall be subject to a civil penalty of up to \$2,500 for the first violation per misclassified employee and to a civil penalty of up to \$5,000 for each subsequent violation per misclassified employee within a 5-year period. In addition to civil penalties, the criminal penalties imposed on an employer who willfully violates the provisions of this subdivision shall be a misdemeanor and upon conviction shall be punished for a first offense by imprisonment for not more than 30 days or a fine not to exceed \$25,000 and for a subsequent offense by imprisonment for not more than 60 days or a fine not to exceed \$50,000. If the employer is a corporation, any officer of such corporation or shareholder who owns or controls at least 10 percent of the outstanding stock of such corporation who knowingly permits the corporation to willfully violate the provisions of this article shall also be in violation of this article and the civil and criminal penalties herein shall attach to such officer upon conviction.

c. The relief authorized by this section shall be imposed on a per employee and per instance basis for each violation.

§ 20-1609 Specific civil penalties payable to the city. a. For each violation of this chapter, an employer is liable for a penalty of \$500 for the first violation and, for subsequent violations that occur within 2 years of any previous violation of this chapter, up to \$750 for the second violation and up to \$1,000 for each succeeding violation.

b. The penalties imposed pursuant to this section shall be imposed on a per employee and per instance basis for each violation.

§ 20-1610 *Enforcement by the corporation counsel.* The corporation counsel or such other persons designated by the corporation counsel on behalf of the department may initiate in any court of competent jurisdiction any action or proceeding that may be appropriate or necessary for correction of any violation issued pursuant to sections 20-1607 through 20-1609, including actions to secure permanent injunctions, enjoining any acts or practices that constitute such violation, mandating compliance with the provisions of this chapter or such other relief as may be appropriate.

§ 20-1611 *Private cause of action.* a. *Claims.* Any person, including any organization, claiming to be aggrieved by a violation of subchapter 2 of this chapter may bring a civil action, in accordance with applicable law, in any court of competent jurisdiction.

b. *Remedies.* Such court may order compensatory, injunctive and declaratory relief, including the following remedies for violations of this chapter:

1. Payment of any amounts withheld in violation of this chapter;
2. An order directing compliance with the recordkeeping, information, and posting requirements set forth in sections 20-1605 and 20-1606;
3. Rescission of any discipline issued in violation of section 20-1604;
4. Reinstatement of any employee terminated in violation of section 20-1604;
5. Payment of back pay for any loss of pay or benefits resulting from discipline or other action taken in violation of section 20-1604;
6. Other compensatory damages and any other relief required to make the employee whole; and
7. Reasonable attorney's fees.

c. *Time limitation.* A civil action under this section shall be commenced within 2 years of the date the person knew or should have known of the alleged violation.

d. *Relationship to department action.* 1. Any person filing a civil action shall simultaneously serve notice of such action and a copy of the complaint upon the department. Failure to so serve a notice does not adversely affect any plaintiff's cause of action.

2. An employee need not file a complaint with the department pursuant to subdivision b of section 20-1607 before bringing a civil action; however, no person shall file a civil action after filing a complaint with the department unless such complaint has been withdrawn or dismissed without prejudice to further action.

3. No person shall file a complaint with the department after filing a civil action unless such action has been withdrawn or dismissed without prejudice to further action.

4. The commencement or pendency of a civil action by an employee does not preclude the department from investigating the employer or commencing, prosecuting or settling a case against the employer based on some or all of the same violations.

e. Any person, including any organization, may bring a suit against an employer for failure to abide by any commitment, statement of values or promise found in an employee handbook, manual or corporate code of conduct, made in marketing, advertisements or on packaging, or regulatory filings. In bringing such suit, the plaintiff will not be obligated to establish actual reliance upon the commitment, that they were an intended third-party beneficiary of such commitment or that they were misled, deceived or damaged by a deceptive trade practice, as defined by section 20-701. An application to a court of competent jurisdiction pursuant to this subdivision may seek an order:

1. Enjoining such acts or practices, including by granting a temporary or permanent injunction or a restraining order;
2. Imposing civil penalties;
3. Compelling a defendant to make restitution of all monies, property, or other things of value, or proceeds thereof, received directly or indirectly as a result of any such violation;
4. Directing that the amount of money or the property or other things of value recovered be paid into an account established pursuant to section 2601 of the civil practice law and rules from which shall be paid over to any and all persons who purchased the goods or services during the period of violation such sum as was paid by them in a transaction involving the prohibited acts or practices, plus any costs incurred by such claimants in making and pursuing their complaints; provided that if such claims exceed the sum recovered into the account, the awards to consumers shall be prorated according to the value of each claim proved;

5. Directing a defendant to pay to the city the costs and disbursements of the action or proceeding and the costs of the city's investigation leading to the judgment; or if not recovered from a defendant, such costs are to be deducted by the city from the grand recovery before distribution to the consumers;

6. Directing that any money, property, or other things of value in the account described in this subdivision and unclaimed by any persons with such claims within 6 years from creation of the account, be paid to the city; and

7. Granting all other appropriate relief.

§ 20-1612 Civil action by corporation counsel for pattern or practice of violations. a. Cause of action. 1. Where reasonable cause exists to believe that an employer is engaged in a pattern or practice of violations of this chapter, the corporation counsel may commence a civil action on behalf of the city in a court of competent jurisdiction.

2. The corporation counsel shall commence such action by filing a complaint setting forth facts relating to such pattern or practice and requesting relief, which may include injunctive relief, relief for employees or former employees set forth in section 20-1608, civil penalties set forth in section 20-1609, and any other appropriate relief.

3. Such action may be commenced only by the corporation counsel or such other persons as are designated by the corporation counsel.

4. Nothing in this section prohibits (i) the department from exercising its authority under section 20-1607 through 20-1609, or (ii) a person alleging a violation of this chapter from filing a complaint pursuant to section 20-1607 or a civil action pursuant to section 20-1611 provided that a civil action pursuant to this section shall not have previously been commenced.

b. Investigation. The corporation counsel may initiate any investigation to ascertain such facts as may be necessary for the commencement of a civil action pursuant to subdivision a of this section, and in connection therewith shall have the power to issue subpoenas to compel the attendance of witnesses and the production of documents, to administer oaths and to examine such persons as are deemed necessary.

c. Civil penalty. In any civil action commenced pursuant to subdivision a of this section, the trier of fact may impose a civil penalty of not more than \$15,000 for a finding that an employer has engaged in a pattern or practice of violations of this chapter. Any civil penalty so recovered shall be paid into the general fund of the city.

## SUBCHAPTER 2 DISTRIBUTION CENTER WORKERS

§ 20-1614 Distribution center standards and implementation board. a. There shall be a distribution center standards and implementation board comprised of 7 individuals. Six members shall be appointed by the council after a public application process and 1 member shall be appointed by the comptroller and may be an employee of the city. Of the 6 council appointees, 3 individuals shall represent last-mile distribution center workers, authorized representatives of last-mile distribution center workers or worker organizations who collaborate with last-mile distribution center workers and 3 individuals shall represent last-mile distribution center employers or organizations comprised of last-mile distribution center employers. The comptroller shall provide appropriate assistance to support the work of the board.

b. The board shall meet upon the call of 4 members.

c. The board shall have the authority to investigate industry conditions, including via requests for information from employees, employers, worker and trade organizations, the distribution of surveys, the conduct of public hearings and contracting with non-governmental organizations.

d. The board shall have the responsibility to:

1. Evaluate the wages and standards for last-mile distribution center workers to ascertain whether the minimum wages and standards are sufficient to provide adequate maintenance and to protect the health and safety of last-mile distribution center workers;

2. Make recommendations to the commissioner on minimum standards, regulations and minimum standards governing working conditions for last-mile distribution center workers, and to make other recommendations to promote employer compliance with minimum wages, regulations and minimum standards governing working conditions for last-mile distribution center workers;

3. Consult with last-mile distribution center employers and workers and with other persons with relevant expertise or authority with regard to last-mile distribution center workers, including the commissioner and experts in economics, health and labor standards, and other relevant fields; and

4. Collect information through hearings, testimonies, and written submissions on the following subjects as they pertain to last-mile distribution centers:

- (a) Wage standards, overtime, and pay differentials;
- (b) Scheduling requirements and advance notice for schedule changes;
- (c) Access to paid and unpaid leave, retirement and health care benefits, and other employment benefits that may be necessary for the protection of the health and safety of the workers;
- (d) Policies regarding disciplinary actions and terminations;
- (e) Health and safety protections;
- (f) Enforcement of applicable laws;
- (g) Surveillance, data scraping, algorithmic discrimination, and work rate policies;
- (h) Trainings on federal, state, and city worker protection laws, benefits, and protections, and workplace safety standards;
- (i) Job descriptions and duties;
- (j) Outreach and enforcement strategies to ensure compliance with applicable labor standards; and
- (k) Any other emerging or relevant issues the board chooses to investigate.

e. The commissioner shall, in writing, accept or reject the board's report and recommendations within 45 days after filing with the department. The commissioner may modify the regulations recommended by the board. Such determination of the commissioner shall become effective 30 days after publication of a notice of such determination. The commissioner may, within 45 days, confer with the board, which may make such changes in its report or recommendation as it may deem fit. The commissioner also may, within such 45 days, remand the matter to the board for such further proceeding as may be directed.

§ 20-1615 Employment requirements. A last-mile distribution center shall directly employ all workers making deliveries to end customers on its behalf. Contracting to any third parties for such workers is prohibited.

§ 20-1616 Employment agreement. a. No employer may revise any term or condition of employment except in accordance with section 7 of the national labor relations act where applicable or upon agreement by an impacted employee. Unless otherwise provided pursuant to law, any term and condition of employment present at the time of employment or upon the effective date of the local law that added this chapter shall constitute a term of a contract of employment terminable only upon approval by the commissioner as to just cause or a bona fide economic reason and may be revised only upon the exchange of consideration other than employee retention.

b. It is unlawful to lay off, terminate, or indefinitely suspend an employee for failure to agree to a revised term or condition of employment.

§ 20-1617 Minimum compensation. a. For the purposes of this section, the term "compensation" includes all payments made to or on behalf of an employee as remuneration for employment whether paid periodically or at a later date and shall include, but not be limited to, wages, salary, rate of pay, fringe benefits, retirement or pension contributions, commissions, stock options, profit sharing, medical, hospital, accident or life insurance, payments in kind and any other payments made or advantage received directly or indirectly from an employer as remuneration for employment. Notwithstanding the proceeding sentence, no paid leave shall be included in such definition unless the following conditions are met:

- 1. The paid leave exceeds any amount that accrues pursuant to law;
- 2. Unused leave roll over from year to year;
- 3. The accrual of paid leave is not capped; and
- 4. All unused leave is paid out at separation.

b. No worker providing services to an employer shall receive hourly gross compensation in an amount less than fixed by this section.

c. The amount of hourly gross compensation shall be \$20 on the effective date of the local law that added this chapter. Annually thereafter, on January 1, the comptroller shall publish a revised hourly gross compensation amount which shall be no less than the current hourly gross compensation amount increased by the rate of inflation, if greater than zero, for the most recent 12-month period ending June of the prior year based on the consumer price index for all urban consumers on a national and seasonally unadjusted basis, or a successor index as calculated by the United States department of labor.

*d. The majority of employees at any last-mile distribution center, as determined by any means the commissioner deems most expedient, may select a person independent of the control of the employer who shall be entitled to the names, addresses, telephone or cell phone numbers, or other contact information of the employees on whose behalf it functions as well as copies of all records retained by the employer that contain information concerning the employees' wages, work speed data and hours.*

*e. Whenever the comptroller has reason to believe that an employer has not complied with the requirements of this section, or upon a complaint from an employee, a former employee or an employee's representative, the comptroller shall conduct an investigation to determine the facts relating thereto. In conducting such investigation, the comptroller shall have the power to:*

*1. Institute and conduct inspections at the site of the work or elsewhere in aid of the effective administration and enforcement of the provisions of this section;*

*2. Examine the books, documents and records pertaining to the compensation paid to, and the hours of work performed by, employees; and*

*3. Hold hearings, and in connection therewith to issue subpoenas, administer oaths and examine witnesses. The enforcement of a subpoena issued under this section shall be regulated by the civil practice law and rules.*

*§ 20-1618 Accumulation and use of leave. a. An employee who is injured while on premises maintained by an employer, while seeking to enter premises maintained by an employer or while engaged in activities at the direction of an employer regardless of location shall be entitled to receive compensation for any outstanding portion of the shift during which such injury occurred.*

*b. An employee who is tardy for the start of a shift shall not be docked any accrued leave time, whether paid or unpaid, in excess of the closest 15-minute increment to the amount of time they are tardy.*

*§ 20-1619 Arbitration. a. 1. In an arbitration that requires, either expressly or through application of state or federal law or the rules of the arbitration provider, the employer to pay certain fees and costs before the arbitration can proceed or during the pendency of the proceeding, if the fees or costs are not paid within 30 days after the due date, the employer is in material breach of the arbitration agreement, is in default of the arbitration, and waives its right to compel arbitration.*

*2. If the employer materially breaches the arbitration agreement and is in default under this subdivision, the employee may do either of the following:*

*(a) Withdraw the claim from arbitration and proceed in a court of appropriate jurisdiction; or (b) Compel arbitration in which the drafting party shall pay reasonable attorney's fees and costs related to the arbitration.*

*3. The arbitrator or court shall impose a monetary sanction against an employer that materially breaches an arbitration agreement, by ordering the employer to pay the reasonable expenses, including attorney's fees and costs, incurred by the employee as a result of the material breach and may impose appropriate other sanctions including issue sanctions, evidence sanctions, contempt sanctions or terminating sanctions.*

*b. 1. An employee unable to have a claim adjudicated under this chapter as the result of entry of a court order compelling arbitration may request that the commissioner represent the claimant in the arbitral proceeding. The commissioner shall represent the claimant in the arbitral proceeding if the claimant is financially unable to afford counsel, and if the commissioner determines, upon conclusion of an informal investigation, that the claim has merit.*

*2. A petition to compel arbitration of a claim that is pending under this chapter shall be served on the commissioner. Upon request of a claimant, the commissioner shall have the right to represent the claimant in proceedings to determine the enforceability of the arbitration agreement, notwithstanding whether the adjudication of the enforceability of the arbitration agreement is conducted in a judicial or arbitral forum.*

*§ 20-1620 Extension of terms. Whenever any term or condition of employment is agreed upon in any contract or contracts negotiated between employers in an industry defined by the commissioner and the representatives of more than one-half of the persons employed in said industries, the commissioner may extend such term and condition of employment to all employees in such industry upon 30 days' notice to the council.*

*§ 20-1621 Access to hours. Before hiring new employees, an employer shall offer any shifts that would otherwise be offered to a new employee to the employer's current employees employed at all last-mile distribution centers owned by the employer.*

*§ 20-1622 Seizure. If any person determines any goods have been produced in violation of any worker protection provision of the charter or administrative code, such person may apply to any court of competent*



*jurisdiction for an order restraining violation of such sections and authorizing the seizure of such goods by the city from anyone in whose possession they are found.*

*§ 20-1623 Approval of technology. a. For the purpose of this section, the following terms have the following meanings:*

*Covered technology. The term “covered technology” includes electronic monitoring, algorithms, workplace data collection, task automation, machine learning, robotics and any other software or system designated by the department but does not include a tool that does not automate, support, substantially assist or replace discretionary decision-making processes and that does not materially impact natural persons, including, but not limited to, a junk email filter, firewall, antivirus software, calculator, spreadsheet, database, data set, or other compilation of data.*

*Algorithm. The term “algorithm” means any computational process, derived from machine learning, statistical modeling, data analytics, or artificial intelligence, that issues simplified output, including a score, classification, or recommendation, that is used to substantially assist or replace discretionary decision making.*

*b. Except as otherwise provided by law, before deploying any covered technology at a workplace or job site, any employer shall submit an application for approval to the department. Such submission shall be accompanied by a description of the purposes for the technology, any outputs or data collected, the uses of the data collected, how long the employer retains the outputs or data, any adverse mental or physical health effects the technology has on workers, whether the employer shares the outputs or data with any third parties and, if so, the identities of such third parties, the procedures the employer will implement to allow an employee to challenge any personal data collected and an impact assessment of any algorithms. The employer shall also submit evidence of notice to any certified representative of their employees and either a copy of their written assent and on what terms or for what consideration it was granted or a description of why such assent is not required. The department shall require the employer to post in each workplace or job site a notice containing the details of the submission, or where they can be accessed in both electronic and hardcopy form, and methods for submitting comments to the department.*

*c. No employer who has not received approval from the department may implement any covered technology.*

*d. No later than 22 months after the implementation of any covered technology utilizing an algorithm and every 3 years thereafter, an employer shall submit an updated impact assessment to the department. If the department fails to approve the continued use of the system for which the impact assessment was submitted within 60 days, the employer shall cease use of such system until approval is granted.*

*e. It is unlawful for an employer to sell or otherwise distribute or provide to any third-party any employee work speed data or any other data collected by electronic monitoring.*

*§ 20-1624 Electronic monitoring. a.1. An employer may not rely on data collected through electronic monitoring in discharging or disciplining an employee unless the employer can establish before each use that (i) there is no other practical means of tracking or assessing employee performance; (ii) the employer is using the least invasive form of electronic monitoring available; and (iii) the employer previously provided notice to the employee of that monitoring as required by this section.*

*2. Employers cannot establish the practical necessity for electronic monitoring without previously filing with the department an impartial evaluation from an independent auditor that said electronic monitoring is effective in undertaking its designated task.*

*3. Employers who have established practical necessity for using data from electronic monitoring for tracking and assessing employee performance may not rely solely on such data but must also use other means of assessment such as manager observation or interviewing clients, customers or other employees to solicit feedback.*

*b. Notwithstanding subdivision a, an employer may use data gathered through electronic monitoring:*

*1. To record the beginning or end of a work shift, meal break, or rest break;*

*2. For non-employment-related purposes;*

*3. To discharge or discipline an employee in cases of egregious misconduct or involving threats to the health or safety of other persons; or*

*4. Where required by state or federal law.*

*c. Notwithstanding subdivision a, an employer may not use data for discipline or discharge if such data is gathered using biometric technologies, video or audio recordings within the private home of an employee, apps or software installed on personal devices or geofencing technologies.*

*d. 1. Notwithstanding subdivision a, when discharging or disciplining employees, an employer may rely on electronic employee work speed data to determine whether an employee has met a quota, so long as it measures total output over an increment of time that is no shorter than 1 day.*

*2. An employer may not discipline or discharge an employee based on failure to meet a daily quota if the employee did not complete their entire shift.*

*e. 1. Notwithstanding subdivision a, an employer using electronic monitoring to measure increments of time within a day during which an employee is or is not meeting performance standards may not record or rely on such data in discharging or disciplining an employee unless it is gathered during a periodic performance review and so long as the employee subject to the performance review has been given at least 7 days advance notice of the exact timing of such review.*

*2. Such reviews can occur not more than once a quarter and can occur for a duration of time not longer than 3 hours.*

*f. An employer or agent thereof that is planning to electronically monitor an employee for the purposes of discipline or discharge shall provide the employee with notice that electronic monitoring will occur prior to conducting each specific form of electronic monitoring. Notice shall include, at a minimum, the following elements:*

*1. Whether the data gathered through electronic monitoring will be used to make or inform disciplinary or discharge decisions, and if so, the nature of that decision, including any associated benchmarks or performance standards;*

*2. Whether the data gathered through electronic monitoring will be used to assess employees' productivity performance or to set productivity standards, and if so, how;*

*3. The names of any vendors conducting electronic monitoring on the employer's behalf;*

*4. A description of the dates, times, and frequency that electronic monitoring will occur;*

*5. An explanation for why there is no other practical means of tracking or assessing employee performance and how the specific monitoring practice is the least invasive means available;*

*6. The employees' right to access or correct the data; and*

*7. The administrative and judicial mechanisms available to challenge the use of electronic monitoring.*

*g. 1. Notice of the specific form of electronic monitoring shall be clear and conspicuous. A notice that states electronic monitoring "may" take place or that the employer "reserves the right" to monitor shall not be considered clear and conspicuous.*

*2. An employer who engages in periodic electronic monitoring of employees for the purposes of discipline or discharge shall inform the affected employees of the specific events which are being monitored at the time the monitoring takes place.*

*3. Notice of periodic electronic monitoring may be given after electronic monitoring has occurred only if necessary to preserve the integrity of an investigation of illegal activity or protect the immediate safety of employees, customers or the public.*

*5. An employer shall provide additional notice to employees when an update or change is made to the electronic monitoring or in how the employer is using it.*

*h. Employers shall provide a copy of the disclosures required by this section to the department at the time they are required to be disseminated to employees.*

*§ 20-1627 Data access and accuracy. a. An employer shall ensure that any data collected through electronic monitoring that may be used for the purposes of discipline or discharge is accurate and, where relevant, kept up to date.*

*b. A current employee shall have the right to request a copy of employee work speed data that may be used for the purposes of discipline and termination at least once every 7 days.*

*c. 1. Employers using electronic monitoring to collect employee work speed data for the purposes of discipline or discharge must provide employees the opportunity to supplement that data to record any increments of time during which they are not performing work-related tasks and to record the reason that they are not performing work-related tasks during that time.*

*2. Such opportunity must be made available to employees both at the time of data collection and after.*

*3. Employers must give employees the option to record reasons for not performing tasks that include, at a minimum, the following: using the bathroom, taking meal breaks, responding to an emergency, injury, illness,*

*fear of injury, disability, complying with local, state or federal laws or exercising workplace rights under local, state or federal laws.*

*d. 1. Employers using electronic monitoring to collect employee work speed data for the purposes of discipline or discharge must provide employees with the opportunity to review and request correction of such data both at the time of its collection and after.*

*2. An employer that receives an employee request to correct inaccurate data that was collected through electronic monitoring shall investigate and determine whether such data is inaccurate.*

*3. If an employer, upon investigation, determines that such data is inaccurate, the employer shall:*

*(a) Promptly correct the inaccurate data and inform the employee of the employer's decision and action.*

*(b) Review and adjust, as appropriate, any disciplinary or discharge decisions that were partially or solely based on the inaccurate data and inform the employee of the adjustment.*

*(c) Inform any third parties with which the employer shared the inaccurate data, or from which the employer received the inaccurate data, and direct them to correct it, and provide the employee with a copy of such action.*

*4. If an employer, upon investigation, determines that the data is accurate, the employer shall inform the employee of the following:*

*(a) The decision not to amend the data; and*

*(b) The steps taken to verify the accuracy of the data and the evidence supporting the decision not to amend the data.*

§ 5. This local law takes effect 120 days after it becomes law, except that subdivision a of section 20-565.2 of the administrative code of the city of New York, as added by section one of this local law, takes effect 1 year after it becomes law, and the commissioners of consumer and worker protection and transportation shall take such measures as are necessary for the implementation of this local law, including promulgation of rules, within 120 days after this local law becomes law.

Referred to the Committee on Consumer and Worker Protection.

Int. No. 1055

By Council Members Cabán, Fariás, Stevens, Louis, Hanif, Restler, Hudson and Ossé

**A Local Law to amend the administrative code of the city of New York, in relation to menstrual products**

*Be it enacted by the Council as follows:*

Section 1. Section 1-113 of the administrative code of the city of New York, as added by local law number 42 for the year 2002, is amended by adding a new subdivision f to read as follows:

*f. All laws, documents and materials generated by the city shall be drafted using the term “menstrual products” when referring to products such as menstrual cups, tampons, and sanitary napkins for use in connection with the menstrual cycle.*

§ 2. Section 21-968 of the administrative code of the city of New York, as added by local law number 84 for the year 2016, is amended to read as follows:

§ 21-968 Provision of [feminine hygiene] *menstrual* products in schools.

a. Definitions. [For the purposes of] *As used in this section*, the following terms have the following meanings[.]:

[Feminine hygiene] *Menstrual* products. The term “[feminine hygiene] *menstrual* products” means *menstrual cups, tampons, and sanitary napkins for use in connection with the menstrual cycle.*

School building. The term “school building” means any facility that is leased by the department or over which the department has care, custody, and control, in which there is a public school, including a charter school, serving female students in grades six through twelve.

b. The department shall make [feminine hygiene] *menstrual* products available at no cost to students in bathrooms of school buildings.

*c. No later than 90 days after the effective date of the local law that added this subdivision, and annually thereafter, the department shall submit to the mayor and the speaker of the council and post on its website a report on schools' compliance with the requirements of this section. The report shall include, but need not be limited to, the following for the previous year:*

- 1. The total number of schools that provided only one type of menstrual product to students, including the brand names and types of products provided;*
- 2. The total number of schools that provided two or more types of menstrual products to students, including the brand names and types of products provided;*
- 3. For schools that have provided menstrual products to students, the total number of bathrooms or areas in each school where the products were made available to students, including how they were dispensed and made available; and*
- 4. The total number of schools that did not provide menstrual products to students, and the reasons why the products were not provided.*

§ 3. This local law takes effect immediately.

Referred to the Committee on Women and Gender Equity.

Int. No. 1056

By Council Member De La Rosa, the Speaker (Council Member Adams), and Council Members Brooks-Powers, Farías, Stevens, Louis, Hanif, Restler, Hudson and Ossé.

**A Local Law to amend the administrative code of the city of New York, in relation to the provision of feminine hygiene products in schools**

*Be it enacted by the Council as follows:*

Section 1. The definition of “school building” set forth in subdivision a of section 21-968 of the administrative code of the city of New York, as added by local law number 84 for the year 2016, is amended to read as follows:

School building. The term "school building" means any facility that is leased by the department or over which the department has care, custody and control, in which there is a public school, including a charter school, serving female students in *any combination of grades from grade [six]4 through [twelve] grade 12.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Women and Gender Equity.

Int. No. 1057

By Council Members Farías, Menin, Stevens, Louis, Hanif, Restler, Hudson, Ossé, Ayala, Narcisse, Velázquez, Krishnan, Brannan, Schulman and Brewer.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of correction to report on its distribution of feminine hygiene products to female incarcerated individuals and female individuals arrested and detained in the custody of the department for at least 48 hours**

*Be it enacted by the Council as follows:*

Section 1. Section 9-141 of the administrative code of the city of New York, as amended by chapter 322 of the laws of 2021, is amended to read as follows:

§ 9-141 Feminine hygiene products. *a.* All female incarcerated individuals in the custody of the department shall be provided, at the department's expense, with feminine hygiene products as soon as practicable upon request. All female individuals arrested and detained in the custody of the department for at least 48 hours shall be provided, at the department's expense, with feminine hygiene products as soon as practicable upon request. For purposes of this section, "feminine hygiene products" means tampons and sanitary napkins for use in connection with the menstrual cycle.

*b. Reporting on provision of feminine hygiene products. 1. No later than 1 year after the effective date of the local law that added this subdivision, and annually thereafter, the commissioner of correction shall submit to the mayor and the speaker of the council and post on the department's website a report on its provision of feminine hygiene products in response to requests made during the preceding 12 months pursuant to subdivision a. Such report shall include a table in which each row references an individual feminine hygiene product request. Each such row shall include the following information, set forth in separate columns:*

*(a) A unique identifier for each female incarcerated individual and each female individual arrested and detained in the custody of the department for at least 48 hours who made such request;*

*(b) The date such request was made;*

*(c) The type of such product requested on such date;*

*(d) The quantity of such product requested on such date;*

*(e) The date on which the department provided such product in response to such request;*

*(f) The quantity of such product provided by the department on such date in response to such request;*

*(g) The facility of the department where the request was made; and*

*(h) If the department did not completely fulfill such request, an explanation from the department for the unfulfilled request.*

*2. Such report shall include another table presenting the following information, disaggregated by each facility of the department:*

*(a) The total number of requests made during the preceding 12 months pursuant to subdivision a that the department completely fulfilled;*

*(b) The information required under subparagraph (a), expressed as a percentage of the total number of requests made during the preceding 12 months pursuant to subdivision a;*

*(c) The total number of requests made during the preceding 12 months pursuant to subdivision a that the department did not fulfill; and*

*(d) The information required under subparagraph (c), expressed as a percentage of the total number of requests made during the preceding 12 months pursuant to subdivision a.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Women and Gender Equity.

Int. No. 1058

By Council Members Fariás, Menin, Stevens, Louis, Hanif, Restler, Hudson, Ossé, Ayala, Narcisse, Velázquez, Krishnan, Brannan, Schulman and Brewer.

**A Local Law to amend the administrative code of the city of New York, in relation to education on feminine hygiene products**

*Be it enacted by the Council as follows:*

Section 1. Subdivision a of section 21-968 of the administrative code of the city of New York, as added by local law number 84 for the year 2016, is amended to read as follows:

*a. Definitions. [For purposes of] As used in this section, the following terms have the following meanings[.]:*

Feminine hygiene products. The term "feminine hygiene products" means *menstrual cups*, *tampons* and sanitary napkins for use in connection with the menstrual cycle.

School building. The term “school building” means any facility that is leased by the department or over which the department has care, custody and control, in which there is a public school, including a charter school, serving female students in grades six through twelve.

§ 2. Chapter 8 of title 21-a of the administrative code of the city of New York is amended by adding a new section 21-968.1 to read as follows:

*§ 21-968.1 Education on feminine hygiene products in schools. a. Definitions. As used in this section, the following terms have the following meanings:*

*Feminine hygiene products. The term “feminine hygiene products” means menstrual cups, tampons and sanitary napkins for use in connection with the menstrual cycle.*

*School. The term “school” means a school of the city school district or any public school or charter school located in a facility that is leased by the department or over which the department has care, custody and control serving students in grades 6 through 12.*

*b. No later than October 1, 2023, the department of health and mental hygiene shall develop written materials containing information about feminine hygiene products, including:*

- 1. A description of each product;*
- 2. Information on how to use each product;*
- 3. Any health risks associated with each product;*
- 4. Typical costs of each product; and*
- 5. Where each product can be purchased or obtained by students at no cost.*

*The department of health and mental hygiene shall post the written materials on its website and update the materials as necessary.*

*c. No later than November 1, 2023, and annually thereafter, the department of health and mental hygiene shall provide the written materials required by subdivision b of this section to the department for distribution to each school, to be shared with every student in grades 6 through 12 in each school. The department of health and mental hygiene shall consult with the department to ensure that the written materials are provided in hard copy to all schools in sufficient quantity to satisfy the requirements of this section.*

§ 3. This local law takes effect immediately.

Referred to the Committee on Women and Gender Equity.

Int. No. 1059

By Council Member Farías, the Public Advocate (Mr. Williams) and Council Members Menin, Stevens, Louis, Hanif, Restler, Hudson, Ossé, Ayala, Narcisse, Velázquez, Krishnan, Brannan, Schulman and Brewer.

**A Local Law to amend the administrative code of the city of New York, in relation to including menstrual cups in the definition of feminine hygiene products and the provision of such products**

*Be it enacted by the Council as follows:*

Section 1. Section 1-112 of the administrative code of the city of New York is amended by adding a new subdivision 23 to read as follows:

*23. “Feminine hygiene products.” Menstrual cups, tampons, and sanitary napkins for use in connection with the menstrual cycle.*

§ 2. Chapter 1 of title 1 of the administrative code of the city of New York is amended by adding a new section 1-115 to read as follows:

*§ 1-115 Feminine hygiene products. Any law, rule, order, or other document, or material created by the city which uses the term “feminine hygiene product” or “menstrual hygiene product” shall be deemed to include menstrual cups, tampons, pads, or any other products in relation to the menstrual cycle in the use of such term.*

§ 3. Section 9-141 of the administrative code of the city of New York, as amended by chapter 322 of the laws of 2021, is amended to read as follows:

§ 9-141 Feminine hygiene products. *a. Definitions. As used in this section, the following terms have the following meanings:*

*Feminine hygiene products. The term “feminine hygiene products” means menstrual cups, tampons, and sanitary napkins for use in connection with the menstrual cycle.*

*Menstrual cup. The term “menstrual cup” means a funnel-shaped device made of a reusable material such as silicone or rubber for use in connection with the menstrual cycle.*

*b. Distribution of feminine hygiene products.* All female incarcerated individuals in the custody of the department shall be provided, at the department’s expense, with feminine hygiene products as soon as practicable upon request. All female individuals arrested and detained in the custody of the department for at least 48 hours shall be provided, at the department’s expense, with feminine hygiene products as soon as practicable upon request. [For purposes of this section, “feminine hygiene products” means tampons and sanitary napkins for use in connection with the menstrual cycle.]

§ 4. The definition of “feminine hygiene products” set forth in subdivision a of section 12-207 of the administrative code of the city of New York, as added by local law number 83 for the year 2016, is amended to read as follows:

Feminine hygiene products. The term “feminine hygiene products” means *menstrual cups*, tampons, and sanitary napkins for use in connection with the menstrual cycle.

§ 5. Subdivision a of section 12-207 of the administrative code of the city of New York, as added by local law number 83 for the year 2016, is amended by adding a new definition of “menstrual cup” in alphabetical order to read as follows:

*Menstrual cup. The term “menstrual cup” means a funnel-shaped device made of a reusable material such as silicone or rubber for use in connection with the menstrual cycle.*

§ 6. This local law takes effect immediately.

Referred to the Committee on Women and Gender Equity.

Res. No. 638

**Resolution calling on the New York State Legislature to pass, and the New York State Governor to sign, legislation that would create a surcharge that would go towards funding the expansion of wheelchair accessible and all-electric for-hire vehicles**

By Council Members Farías, Louis and Hanif.

**Whereas**, A surcharge is an additional payment that is added to the cost of a good or service beyond the initially quoted price, sometimes imposed due to a governing body’s need to dedicate additional revenue, sometimes for a specific purpose related to the good or service but not otherwise funded by the transaction; and

**Whereas**, In New York State (NYS), there are several examples of a surcharge related to transportation, and particularly related to New York City’s (NYC) standard metered taxi fare, including the: 50 cent Metropolitan Transportation Authority (MTA) State Surcharge for all trips that end in NYC or Nassau, Suffolk, Westchester, Rockland, Dutchess, Orange or Putnam Counties; \$1 Improvement Surcharge; \$1 overnight surcharge related to rides from eight pm to six am; \$2.50 rush hour surcharge for trips from four pm to eight pm on weekdays, excluding holidays; and NYS Congestion Surcharge for all trips that begin, end or pass through Manhattan south of 96<sup>th</sup> Street and vary from 75 cents for shared rides, \$2.50 for yellow taxi rides, and \$2.75 for green taxi and for-hire vehicles (FHV); and

**Whereas**, The existing surcharges added onto a taxi fare are implemented in part to fund transit and related improvements, likewise an additional surcharge added to the taxi fare could be beneficial in order to provide financial aid for FHV drivers in transitioning their vehicles to be wheelchair accessible and all-electric; and

**Whereas**, In NYC, for calendar year 2022, the NYC Taxi and Limousine Commission (TLC) reported that there were 95,129 total vehicle licenses for FHVs, both affiliated and not affiliated with high volume for-hire services, of which only 4,858 were wheelchair accessible vehicles (WAVs); and

**Whereas**, In addition, according to the TLC, as of 2022, only one of every one hundred, or 1%, of TLC vehicles were all-electric; and

**Whereas**, As the number of WAVs and all-electric FHV's are relatively low in number, and the TLC is committed to transitioning the majority of its licensed fleet to all-electric vehicles by 2030 and expanding accessibility in electric vehicles through making them WAVs, a surcharge added to taxi fares in NYC could provide financial aid for FHV drivers to make the, at-times costly, transition to these types of vehicles and would improve the way in which New Yorkers, particularly those with disabilities and who are elderly, travel in the City; 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, legislation that would create a surcharge that would go towards funding the expansion of wheelchair accessible and all-electric for-hire vehicles.

Referred to the Committee on Transportation and Infrastructure.

Res. No. 639

**Resolution declaring July annually as Muslim-American Heritage Month 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, Hudson and Ossé.

**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 in July 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 annually as Muslim-American Heritage Month 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. 1060

By Council Members Menin, Velázquez and Brooks-Powers.

**A Local Law to amend the administrative code of the city of New York, in relation to prohibiting vending or vendor-related activity in bicycle lanes**

*Be it enacted by the Council as follows:*

Section 1. Section 17-315 of the administrative code of the city of New York is amended by adding a new subdivision g to read as follows:

*g. No food vending vehicle, pushcart, goods or any other item related to the operation of a food vending business shall be placed on or within a bicycle lane. For purposes of this section, the term “bicycle lane” means a portion of the roadway that has been marked off or separated for the preferential or exclusive use of bicycles.*

§ 2. Section 20-465 of the administrative code of the city of New York is amended by adding a new subdivision h to read as follows:

*h. No vending vehicle, pushcart, stand, goods or any other item related to the operation of a vending business shall be placed on or within a bicycle lane. For purposes of this section, the term “bicycle lane” means a portion of the roadway that has been marked off or separated for the preferential or exclusive use of bicycles.*

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

Referred to the Committee on Consumer and Worker Protection.

Res. No. 640

**Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation that would expand the federal *No Surprises Act* by including ambulance transportation costs.**

By Council Members Menin, Schulman, Riley, Louis, Hanif and Ossé.

**Whereas**, In New York City, the Fire Department (“FDNY”) responds to fires, public safety and medical emergencies, natural disasters and terrorist acts; and

**Whereas**, The FDNY's Emergency Medical Services (“EMS”) is the largest provider of emergency medical services in New York City and across the nation, responding to more than 1.5 million medical emergencies during Fiscal Year 2022, which included 564,412 life-threatening medical emergencies; and

**Whereas**, The two main types of ambulances that operate in New York City are Advanced Life Support ambulances (“ALS”), which are staffed by two paramedics, and Basic Life Support ambulances (“BLS”), which are staffed by two emergency medical technicians; and

**Whereas**, ALS incidents include such calls as cardiac arrest, choking, difficulty breathing, unconsciousness, and other serious life threatening medical emergencies and BLS incidents include a wide variety of non-life threatening conditions; and

**Whereas**, According to FDNY, when an individual experiences a medical emergency and requires an EMS ambulance, the current billing rate is \$900 for a BLS ambulance and \$1,525 for an ALS ambulance; and

**Whereas**, According to the FDNY, these rates are expected to increase in 2023 to \$1,385 for a BLS ambulance and \$1,680 for an ALS ambulance; and

**Whereas**, In 2020, the 116<sup>th</sup> Congress passed the *No Surprises Act*, which was signed into law on December 27, 2020 by then President Trump and subsequently went into effect on January 1, 2022; and

**Whereas**, The *No Surprises Act* established federal protections against surprise medical bills that may arise when insured individuals inadvertently receive care from out-of-network hospitals, doctors, and/or other providers who they did not select; and

**Whereas**, The *No Surprises Act* prohibits doctors, hospitals, and other covered providers from billing patients more than the in-network cost sharing amount for surprise medical bills; and Whereas, However, the *No Surprises Act* does not include ground ambulance services; and

**Whereas**, Ambulance services can be extremely costly, especially for those individuals that live paycheck to paycheck and cannot afford additional medical costs; and

**Whereas**, The City and State should offer expansive medical protections for all New Yorkers that include ambulance costs; now, therefore, be it

**Resolved**, That the Council of the City of New York calls calling on the New York State Legislature to pass, and the Governor to sign, legislation that would expand the federal *No Surprises Act* by including ambulance transportation costs.

Referred to the Committee on Fire and Emergency Management.

Res. No. 641

**Resolution calling upon the New York State Legislature to pass, and the Governor to sign, A.2913, which would require New York Police Department officers to live within the five boroughs of New York City.**

By Council Member Moya, the Public Advocate (Mr. Williams), and Council Members Restler, Hudson and Ossé.

**Whereas**, A.2913, sponsored by Assembly Member Catalina Cruz, was introduced in the New York State Assembly to establish a residency requirement for police officers in cities with a population of one million or more residents, which includes New York City; and

**Whereas**, A companion version of this bill has yet to be introduced in the New York State Senate; and

**Whereas**, A.2913, if passed, would require newly hired New York Police Department (NYPD) officers to live within one of the five boroughs of New York City within a year of appointment; and

**Whereas**, According to the NYPD Patrol Guide, NYPD officers are currently allowed to live in the five boroughs or the counties of Nassau, Suffolk, Rockland, Westchester, Putnam, or Orange; and

**Whereas**, Data from the NYPD indicates that as of 2022, 48 percent of NYPD officers live in New York City, down from 49 percent in 2020, and 58 percent in 2016; and

**Whereas,** A city residency requirement for NYPD officers has the potential to improve community-police relations, with officers having more of a stake in the city they patrol, and would increase the likelihood New York City taxpayer dollars, which pay for officers' salaries, remain in the communities served by the NYPD; now therefore, be it

**Resolved,** That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, A.2913, which would require New York Police Department officers to live within the five boroughs of New York City.

Referred to the Committee on Public Safety.

Res. No. 642

**Resolution calling on New York State to extend eligibility for the New York Medication Aide Certification to certified nursing assistants.**

By Council Members Narcisse and Louis.

**Whereas,** According to the United States (U.S.) Department of Labor's Bureau of Labor Statistics (BLS), 3,130,600 registered nurses were employed in the U.S. in 2021; and

**Whereas,** Per BLS, employment of registered nurses is projected to increase 6 percent nationally between 2021 and 2031, to an estimated total of 3,326,000 registered nurses; and

**Whereas,** The U.S. Census Bureau data show that the number of Americans aged 65 years and older expanded from 41 million in 2011 to 71 million in 2019; and

**Whereas,** BLS forecasts that demand for nurses in the U.S. will grow in tandem with the size of the U.S. population aged 65 years and older, because it is the age of increased need for healthcare services; and

**Whereas,** BLS estimates that, on average, there will be approximately 203,200 job openings for registered nurses in the U.S. annually between 2021 and 2031; and

**Whereas,** Per a report by the New York State Department of Health (NYS DOH), as of August 2020, in New York State, there was a need for an estimated additional 34,239 registered nurses and 15,727 licensed practical nurses; and

**Whereas,** A 2018 study published in the American Journal of Medical Quality projected that by 2030, New York State will have a shortage of 20,017 registered nurses; and

**Whereas,** As reported by NYS DOH, as of August 2020, in New York City, there was a need for an estimated additional 15,769 registered nurses and 7,747 licensed practical nurses; and

**Whereas,** Numerous drivers contribute to the nursing shortage, including a strain of treating the aging population with its co-morbidities and chronic conditions, aging nursing workforce, nursing faculty shortage, emotional and physical abuse in healthcare setting, burnout, and family responsibilities such as childcare; and

**Whereas,** The nursing shortage may contribute to higher patient mortality rates, higher hospital readmission rates, higher rates of infection, and longer hospital stays; and

**Whereas,** One approach to addressing the aforesaid concerns is to expand the scope of practice for certified nursing assistants, who are usually tasked with duties of monitoring the health status, feeding, bathing, dressing, grooming, toileting, or ambulation of patients in a hospital or a nursing facility; and

**Whereas,** Currently, NYS DOH, in partnership with Pearson VUE, administers the New York Medication Aide Certification Examination (MACE), but only to certified home health aides who have successfully completed an approved Advanced Home Health Aide Training Program; and

**Whereas,** Successful completion of MACE qualifies a certified home health aide to perform certain advanced tasks, including dispensing medication and monitoring reaction to it, as an Advanced Home Health Aide under the direct supervision of a registered professional nurse employed by the same hospice, home care agency, or enhanced assisted living residence; and

**Whereas**, Certified nursing assistants’ scope of practice could be expanded to include medication administration and management, if they were eligible for the New York Medication Aide Certification, which would help mitigate the nursing shortage by reducing nurses’ workload; now, therefore, be it

**Resolved**, That the Council of the City of New York calls on New York State to extend eligibility for the New York Medication Aide Certification to certified nursing assistants.

Referred to the Committee on Health.

Res. No. 643

**Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.5714/A.4912 to increase access to resources by culturally diverse arts and cultural organizations that advocate for diversity, equity, inclusion, cultural preservation, and racial and social justice.**

By Council Members Ossé, Louis, Hanif, Hudson, Farías and Rivera.

**Whereas**, Arts and cultural education, activities, performances, and presentations can be an important set of tools in the fight for equity, inclusion, and justice for diverse New York State (“State”) residents and the arts and cultural organizations that serve and represent them; and

**Whereas**, Arts and cultural organizations that are capable of and interested in joining this fight have not historically had equitable access to State resources to support their work; and

**Whereas**, The current State arts and cultural affairs law governing the State’s “council on the arts”—now known as the New York State Council on the Arts (NYSCA)—focuses NYSCA on grant making to individuals and organizations that promote tourism through the arts; and

**Whereas**, Most organizations that serve and represent underserved communities and people of color do not just promote tourism, but also use arts and culture to promote the social good, cultural identity and preservation, and community health and welfare in their diverse communities; and

**Whereas**, These organizations that serve and represent diverse communities have had to compete for funding against organizations with different and sometimes more commercial missions and have had a difficult time doing so; and

**Whereas**, A.4912, introduced on February 24, 2023, by State Assembly Member Brian Cunningham, representing the 43rd State Assembly District in Brooklyn, would amend the State arts and cultural affairs law to increase access to resources by culturally diverse arts and cultural organizations that advocate for diversity, equity, inclusion, cultural preservation, and racial and social justice; and

**Whereas**, Companion bill S.5714, introduced on March 15, 2023, by State Senator Cordell Cleare, representing the 30th State Senate District in Manhattan, would provide for the same increase in access to resources by those organizations; and

**Whereas**, S.5714/A.4912 would direct NYSCA to “stimulate and encourage...the study and presentation of cultural preservation and development, racial and social justice, the performing and fine arts and public interest and participation therein”; and

**Whereas**, S.5714/A.4912 would provide that, when issuing grants to applicants for “council funds in the area of cultural preservation and development, racial and social justice, and the performing arts,” NYSCA may consider the applicant’s demonstrated ability to “use arts and culture as a tool to address racial and social justice issues”; and

**Whereas**, S.5714/A.4912 would require that the 21 members of NYSCA be “broadly representative of all fields of cultural preservation and development, racial and social justice, [and] the performing and fine arts”; and

**Whereas**, S.5714/A.4912 would require the governor to make appointments to NYSCA with consideration given to recommendations from “representative civic, educational and professional associations and groups, concerned with or engaged in the equitable production or presentation of cultural preservation and development [activities], racial and social justice [activities], and the performing and fine arts generally”; and

**Whereas**, If passed, S.5714/A.4912 would take effect immediately; 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.5714/A.4912 to increase access to resources by culturally diverse arts and culture organizations that advocate for diversity, equity, inclusion, cultural preservation, and racial and social justice.

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

Res. No. 644

**Resolution calling on the United States Congress to pass, and the President to sign, legislation to support arts and humanities programs that address and fight systemic racism.**

By Council Members Ossé, Louis, Hanif, Hudson, Farías and Rivera.

**Whereas**, Access to arts and cultural resources is important to the well-being of all communities, but access is too often blocked in low-income communities and communities of color; and

**Whereas**, The University of Pennsylvania’s Social Impact of the Arts Project (SIAP) researched community access to arts and cultural resources in a three-year study in New York City (NYC), which concluded with a 2017 report entitled “The Social Wellbeing of New York City’s Neighborhoods: The Contribution of Culture and the Arts”; and

**Whereas**, The SIAP report noted that if “culture is an intrinsic element of wellbeing, the unequal distribution of cultural resources stands out as a major challenge to social justice” and that this unequal distribution “is deeply etched into the contours of social class, race, and ethnic inequality”; and

**Whereas**, The SIAP study found, for example, that the presence of cultural resources in a neighborhood was correlated with an 18 percent decrease in serious crime and a 14 percent decrease in child abuse and neglect cases; and

**Whereas**, The SIAP study informed CreateNYC, the 10-year comprehensive cultural plan adopted in 2017 that guides the work of NYC’s Department of Cultural Affairs (DCLA) in its outreach to fund cultural organizations serving historically underserved neighborhoods and to address racial and ethnic disparity in accessing arts and cultural resources; and

**Whereas**, Dennis Inhulsen, Chief Learning Officer for the National Arts Education Association, commented that exposure to arts and cultural resources outside of school is important for young people because the arts are “about community and culture and understanding how people live and celebrate life”; and

**Whereas**, According to the National Assessment of Educational Progress’s 2017 study, entitled “New NAEP Data: Deep Rifts in Access to Arts Education,” test results for nearly 9,000 eighth grade students nationwide showed statistically significant differences for Black students and white students, with Black students scoring 29 points lower in music and 30 points lower in visual arts; and

**Whereas**, According to a 2012 study by the National Endowment for the Arts (NEA), entitled “The Arts and Achievement in At-Risk Youth: Findings from Four Longitudinal Studies,” high school students of low socioeconomic status, but with high arts participation, have a dropout rate of only 4 percent, which is five times lower than the dropout rate of their peers with low arts participation and comparable socioeconomic status; and

**Whereas**, According to the NEA study, 71 percent of young adults of low socioeconomic status, but with high arts participation, attended college, compared to only 48 percent of their peers with low arts participation and comparable socioeconomic status; and

**Whereas**, According to PolicyLink’s 2017 report, entitled “Creating Change through Arts, Culture, and Equitable Development: A Policy and Practice Primer,” arts organizations serving communities of color are typically much smaller and less financially secure than arts organizations in predominantly white communities; and

**Whereas**, According to PolicyLink’s report, a study found that NYC’s population was 67 percent people of color, but that only 38 percent of the staff and board members of cultural organizations were people of color; and

**Whereas**, Since the establishment of the NEA and the National Endowment for the Humanities (NEH) in 1965, their programs have sought to support the arts in communities of color and to “address funding disparities that overwhelmingly favored mainstream arts and cultural groups,” according to PolicyLink’s report; and

**Whereas**, Federal legislation, entitled Advancing Equity Through the Arts and Humanities Act (H.R. 3239), was introduced in May 2023 in the U.S. House of Representatives by Representative Barbara Lee to support arts and humanities projects that would directly fight systemic racism and would be funded through a competitive grants program carried out by the NEA and NEH; and

**Whereas**, H.R. 3239 would require the NEA and NEH to collaborate on anti-racism initiatives with public and nonprofit entities, including government agencies, universities, museums, and nonprofit, faith-based, and community-based organizations that serve and are led by people of color; and

**Whereas**, H.R. 3239 would require the NEA and NEH to review their existing programs in order to include strategies to fight systemic racism in current and future arts and cultural programs; and

**Whereas**, H.R. 3239 would require the NEA and NEH to provide free grant writing assistance as well as culturally and linguistically appropriate technical assistance for organizations interested in applying for competitive grants and technical support; and

**Whereas**, H.R. 3239 would require the NEA and NEH to prioritize in their grant making public and nonprofit organizations that are led by BIPOC individuals (Black, Indigenous, and People of Color); that have a majority of BIPOC executive staff and board members; and that have a history of effective and ongoing antiracism work; and

**Whereas**, Representative Lee commented that H.R. 3239 “recognizes the countless advantages of engaging in the arts, particularly for young people” and “acknowledges the cultural and social importance of representation in the arts and the obstacles that prevent marginalized communities from accessing these resources regularly”; and

**Whereas**, Representative Lee noted the role of the arts historically in the fight for equity worldwide and remarked that “[c]reative expressions such as music, poetry, paintings, and other forms of art have been instrumental in conveying emotions, communicating complex ideas, inspiring action, and achieving impossible goals”; and

**Whereas**, H.R. 3239 was endorsed by more than 150 national, state, and local arts organizations, including organizations in NYC, such as Carnegie Hall, New Yorkers for Culture & Arts, Dance/NYC, New York City Arts in Education Roundtable, and Kinding Sindaw Heritage Foundation; and

**Whereas**, According to the Siena College Research Institute in its survey supporting the development of CreateNYC, 97 percent of NYC residents believe arts and culture are important to the overall quality of life in NYC; and

**Whereas**, In the 2019 Action Plan update of CreateNYC, DCLA’s Commissioner Tom Finkelpearl wrote that “ensuring that our cultural community is open, equitable, and accessible to all is something that will require ongoing collective effort”; and

**Whereas**, The objectives and strategies in NYC’s Action Plan, which guides DCLA’s work in the NYC arts and cultural community, are in harmony with the spirit of H.R. 3239; now, therefore, be it

**Resolved**, That the Council of the City of New York calls on the United States Congress to pass, and the President to sign, legislation to support arts and humanities programs that address and fight systemic racism.

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

## Int. No. 1061

By Council Members Restler, Ung, De La Rosa, Powers, Brannan, Hanif and Hudson.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of citywide administrative services to maintain an interactive webpage providing information on the city government workforce and to publish semiannual reports aggregating and summarizing such information**

*Be it enacted by the Council as follows:*

Section 1. Chapter 2 of title 12 of the administrative code of the city of New York is amended by adding a new section 12-214 to read as follows:

*§ 12-214 City government workforce information. a. The department of citywide administrative services shall maintain on its website an interactive webpage on the city government workforce. The webpage shall include a public hiring tracker that is updated every 2 weeks to reflect the (i) number of new employees hired by each agency within the last 2 weeks, (ii) number of employees that separated from employment with each agency within the last 2 weeks, (iii) current headcount for each agency, and (iv) percentage of each agency's personal service budget that has been spent since the start of the fiscal year. All other information on the webpage shall be updated every 6 months. The webpage shall present data on the city government workforce, citywide and disaggregated by agency, in a data table with the following information reported by fiscal year and set forth in separate columns:*

- 1. The number of employees, in total and disaggregated by:
 
  - (a) Full-time and part-time status;*
  - (b) Gender;*
  - (c) Race or ethnicity;*
  - (d) Age band;*
  - (e) Salary band;*
  - (f) Years of service band;*
  - (g) Civil service status;*
  - (h) Union representation;*
  - (i) Managerial status;*
  - (j) Uniform status; and*
  - (k) Job category;**
- 2. The mean, median, fifth, fiftieth, and ninety-fifth percentiles of employee age, salary, and years of service;*
- 3. The number of employees eligible for retirement as of the reporting date and within the 5 years following the reporting date;*
- 4. The number of employees hired, in total and disaggregated by the categories set forth in paragraph 1 of this subdivision and by whether the employees were previously employed by the city and by the same agency;*
- 5. The number of employees that separated from employment, in total and disaggregated by the categories set forth in paragraph 1 of this subdivision and by type of separation; and*
- 6. The number of employees living in each zip code with at least 1 employee resident, in total and disaggregated by the categories set forth in paragraph 1 of this subdivision.*

*b. The interactive webpage maintained pursuant to subdivision a shall, to the extent practicable, include historical data on the city workforce, beginning no later than fiscal year 2012, presented in the same manner as the information required by subdivision a.*

*c. No later than January 1, 2024, and every 6 months thereafter, the commissioner of citywide administrative services shall submit a report on the aggregated citywide government workforce to the mayor and the speaker of the council and make such report available on the website of the department of citywide administrative services. Such report shall include, but need not be limited to, summaries of the data reported in subdivision a, provided that such data may be presented as percentages of the aggregated citywide workforce rather than number of employees.*

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

Referred to the Committee on Governmental Operations.

Res. No. 645

**Resolution designating June as Fatherhood Recognition Month annually in the City of New York to honor and support the contributions of fathers to family and community life.**

By Council Members Riley, Menin, Louis, Avilés, Hanif, Restler, Brooks-Powers, Gennaro, Hudson, Krishnan, Barron, Ossé, Hanks, Brewer, Farías, Williams, Sanchez, Rivera and Nurse.

**Whereas**, Fathers can play a profound role in the lives of their children; and

**Whereas**, According to research cited by the National Fatherhood Initiative, children with involved fathers are more likely to do better in school academically, to behave appropriately in the community, to live in a safe household with adequate financial support, and to be socially, emotionally, and physically healthy; and

**Whereas**, One remedy to 2016 data showing that one in three children in New York City (NYC) was growing up in a household without a father is The Fatherhood Initiative, launched by NYC's Department of Youth and Community Development (DYCD) to help fathers who do not live with their children to maintain strong relationships with them; and

**Whereas**, DYCD provides fathers in the program with individual and family counseling, assistance with child support and child visitation, employment referrals, and father-to-father mentoring; and

**Whereas**, DYCD's program is based on research that finds that "children with involved fathers are less likely to get into trouble at home, school, or in the neighborhood, and that an active and nurturing style of fathering is associated with better verbal skills for infants, greater patience for toddlers, and better intellectual functioning and academic achievement among adolescents"; and

**Whereas**, The Real Dads Network, which grew out of the award-winning documentary *Real Dads-Black Men on Fatherhood*, now offers a workshop series on building generational wealth, a voting initiative to encourage Black men to vote in all elections, a book club to discuss topics that are important to fathers, a support group for fathers who are trying to navigate the family court system, philanthropic activities to serve others, and more; and

**Whereas**, The Real Dads Network will celebrate NYC fathers all week long from June 3 to June 10, 2023, including with a basketball skills clinic and panel discussion with the fathers of National Basketball Association players, a comedy night, and a culminating spoken word performance and tribute to fathers; and

**Whereas**, The Dad Gang, founded by Brooklynite Sean Williams, is an organization active in NYC and other major U.S. cities seeking to "defy stereotypes [and] shatter myths" about Black fatherhood as well as to "encourage, teach, support, and share tips" to help fathers "become better dads"; and

**Whereas**, The Dad Gang describes its members as "our children's fiercest advocates" and notes that its members are husbands, "partners, soulmates, co-parents or just parents"; and

**Whereas**, The Dad Gang will hold its annual Father's Day and Juneteenth March of Dads in Brooklyn on June 19, 2023, to honor Black fathers and help dispel the stereotype that Black fathers are absent fathers; and

**Whereas**, U.S. President Joseph R. Biden, Jr., issued a statement marking the observation of Father's Day on June 19, 2022, saying that his own father had taught him "to treat all people with dignity, and that there is no higher calling than to be a good parent"; and

**Whereas**, It is fitting that NYC recognize the indispensable role that fathers play in neighborhoods of all demographics in shaping the lives of NYC's children and nurturing the next generation of NYC's leaders, especially in underserved neighborhoods where fathers are critical to the social, emotional, educational, and future career success of their children; now, therefore, be it

**Resolved**, That the Council of the City of New York designate June as Fatherhood Recognition Month annually in the City of New York to honor and support the contributions of fathers to family and community life.

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



## Res. No. 646

**Resolution calling on the New York State Legislature to pass, and the voters to approve, an amendment to the New York State Constitution to move New York City elections to even-numbered years to coincide with Gubernatorial elections.**

By Council Members Ung, Louis, Ossé, Restler, Rivera and Brewer.

**Whereas**, In New York City elections for Mayor, Public Advocate, Comptroller, City Council and Borough Presidents are held on odd-numbered years; and

**Whereas**, New York City elections have been held in odd-numbered years since 1894; and

**Whereas**, In New York elections for all statewide officials, Assembly Members and State Senators are held on even-numbered years; and

**Whereas**, Presidential elections are held on even-numbered years; and

**Whereas**, Elections for United States Congress are held on even-numbered years; and

**Whereas**, In 2021, a year where New Yorkers were electing a new Mayor, a new Comptroller, four new Borough Presidents and new Council members in many districts only 23% of registered voters cast a ballot; and

**Whereas**, Over the past 20 years, turnout in New York City for state elections has averaged 35.6%; and

**Whereas**, Over the past 20 years, turnout in New York City in municipal elections has averaged less than 30%; and

**Whereas**, Over the past 20 years, turnout in New York City for Presidential elections has averaged 60.7%; and

**Whereas**, According to Citizens Union, cities that have moved local elections from odd- to even-years have all seen increased turnout; and

**Whereas**, Moving municipal elections in New York City to even-numbered to coincide with Gubernatorial elections would likely increase voter turnout; and

**Whereas**, Voters in Gubernatorial elections tend to be more demographically representative of the electorate as a whole; and

**Whereas**, Data suggests that turnout would increase the most for younger voters and voters of color if municipal elections were to be moved to even-numbered years; and

**Whereas**, Additional election cycles require voters to expend additional resources to learn how and where to vote and to make an additional trip to the polls; and

**Whereas**, When Representatives are elected by a small number of voters they are only accountable to a limited portion of their constituents; and

**Whereas**, Consolidating elections into even-numbered years to coincide with Gubernatorial elections will greatly decrease the cost of election administration; 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 voters to approve, an amendment to the New York State Constitution to move New York City elections to even-numbered years to coincide with Gubernatorial elections.

Referred to the Committee on Governmental Operations.

## Int. No. 1062

By Council Members Velázquez and Menin.

**A Local Law to amend the administrative code of the city of New York, in relation to vendor display and storage of goods, and to repeal sections 17-313 and 20-463 of such code, relating to bookkeeping requirements**

*Be it enacted by the Council as follows:*

Section 1. Subdivision c of section 17-315 of the administrative code of the city of New York, as amended by local law number 39 for the year 2006, is amended to read as follows:

c. All items relating to the operation of a food vending business shall be kept in, on, or under the vending vehicle or pushcart[, except that samples of the non-perishable items sold may be displayed on the vending vehicle or pushcart]. No items relating to the operation of a food vending business other than an adjoining acceptable waste container shall be placed upon any public space adjacent to the vending vehicle or pushcart, and no food shall be sold except from an authorized vehicle or pushcart.

§ 2. Subdivision n of section 20-465 of the administrative code of the city of New York, as added by local law number 112 for the year 1989, is amended to read as follows:

n. No general vendor shall vend using the surface of the sidewalk, or a blanket or board placed immediately on the sidewalk or on top of a trash receptacle or cardboard boxes to display merchandise. No general vendor display may exceed five feet in height from ground level[. The display may not be less than twenty-four inches above the sidewalk where the display surface is parallel to the sidewalk, and may not be less than twelve inches above the sidewalk where the display surface is vertical. Where a rack or other display structure is placed on top of or above a table or other base, the size of the base shall not be less than the size of the display structure placed thereon. Nothing shall be placed on the base so as to exceed the size limitations contained in this section. No general vendor shall use any area other than that area immediately beneath the surface of the display space for the storage of items for sale.], *except that a general vendor may use an umbrella that exceeds such height.*

§ 3. Section 17-313 of the administrative code of the city of New York is REPEALED.

§ 4. Section 20-463 of the administrative code of the city of New York is REPEALED.

§ 5. Section 20-473 of the administrative code of the city of New York, as amended by chapter 11 of the laws of 2004, is amended to read as follows:

§ 20-473 Exemptions for general vendors who exclusively vend written matter. General vendors who exclusively vend written matter are exempt from the following provisions of this subchapter: sections 20-454, 20-455, 20-456, 20-457, 20-459, 20-461, 20-462[, 20-463] and 20-464; paragraph one of subdivision g of section 20-465; subdivision j of section 20-465, except that nothing herein shall be construed to deprive the commissioner of the department of parks and recreation of the authority to regulate the vending of written matter in a manner consistent with the purpose of the parks and the declared legislative intent of this subchapter; section 20-465.1 and any rules promulgated thereunder, except that on any street where both general vending is prohibited pursuant to section 20-465.1 of this subchapter and any rules promulgated thereunder and food vending is prohibited pursuant to section 20-465.1 of this subchapter and any rules promulgated thereunder or pursuant to subdivision l of section 17-315 of this code, general vendors who exclusively vend written matter shall not be permitted to vend with the use of any vehicle, pushcart or stand; sections 20-466 and 20-467; subdivisions c and d of section 20-468; sections 20-469 and 20-470; and subdivision a, and paragraph one of subdivision c of section 20-472.

§ 6. This local law takes effect immediately.

Referred to the Committee on Small Business.

Res. No. 647

**Resolution calling on the New York State Legislature to pass, and the Governor to sign, the Crypto Regulation, Protection, Transparency, and Oversight Act to strengthen regulation of the cryptocurrency industry and protect investors.**

By Council Members Won, Louis, Hanif and Hudson.

**Whereas**, Cryptocurrency is a digital currency in which virtual coins are minted, transactions are verified and records maintained by a decentralized system using cryptography principles, rather than a central bank; and

**Whereas**, The cryptocurrency sector has grown dramatically since its inception in 2009 and there are now more than 24,000 different cryptocurrencies with a market capitalization of over one trillion dollars, according to CoinMarketCap; and

**Whereas,** Companies market cryptocurrency to low-income, Black, and Latino or Hispanic communities as a means of financial inclusion and wealth generation by emphasizing low barriers to entry and promises of high returns, according to the Brookings Institution; and

**Whereas,** According to a survey by NORC at the University of Chicago, nearly 44 percent of Americans who own and are trading crypto are people of color and over 35 percent have household incomes under \$60,000 annually; and

**Whereas,** Compared with the traditional financial system, cryptocurrency is very lightly regulated, and U.S. Securities and Exchange Commission Chairman Gary Gensler has characterized the sector as a “Wild West” due to its lack of investor protections; and

**Whereas,** The lack of regulation makes cryptocurrency investors vulnerable to fraud, hacks, scams and abuse and enables illicit activity by cybercriminals, drug cartels, money launderers, and terrorist organizations; and

**Whereas,** Conflicts of interest are widespread in the cryptocurrency sector and many operators of virtual currency trading platforms are themselves heavily invested in virtual currencies and trade on their own platforms without oversight; and

**Whereas,** Many cryptocurrency trading exchanges have few, if any, rules about insider trading and are not appropriately monitored for market manipulation or other harmful trading activity; and

**Whereas,** The cryptocurrency market is extremely volatile, with dramatic price fluctuations in 2022 causing two trillion dollars in losses and leading numerous firms in the sector to file for bankruptcy, losing billions of dollars in investments with no recourse for customers, according to Bloomberg; and

**Whereas,** According to the Joint Economic Committee, 2022 set records for the scale of cryptocurrency theft and fraud, with more than \$3 billion lost in hacks of exchanges and even more lost through digital asset versions of securities schemes such as “pump and dumps” and “rug pulls;” and

**Whereas,** At a February 2023 City Council hearing, Queens District Attorney Melinda Katz testified that her office has seen an increase in cryptocurrency crimes and scams, prompting her to create a Cyber Crime Unit within the Major Economic Crimes Bureau; and

**Whereas,** New York City is the financial center of the world, and likewise is a hub for innovation in the cryptocurrency industry with many companies and startups focused on cryptocurrency operating within the city; and

**Whereas,** Greater regulation of the cryptocurrency sector could help reduce speculation, protect investors, improve consumer confidence, and provide a safe space for innovation to continue; and

**Whereas,** On May 5, 2023, New York State Attorney General announced the Crypto Regulation, Protection, Transparency, and Oversight (CRPTO) Act; and

**Whereas,** The CRPTO Act would require cryptocurrency companies to meet many of the same registration, disclosure, audit and business conduct rules as the traditional finance industry; and

**Whereas,** The CRPTO Act would help eliminate conflicts of interest by prohibiting common ownership of cryptocurrency issuers, marketplaces, brokers, and investment advisers as well as banning brokers from borrowing or lending customer assets; and

**Whereas,** The CRPTO Act would better protect investors and prevent money laundering or other illegal activity by requiring brokers to know essential facts about their customers and requiring platforms to reimburse customers who are the victims of unauthorized asset transfers and transfers resulting from fraud; 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, the Crypto Regulation, Protection, Transparency, and Oversight Act to strengthen regulation of the cryptocurrency industry and protect investors.

Referred to the Committee on Consumer and Worker Protection.

## Preconsidered L.U. No. 211

By Council Member Salamanca:

**Application number G 230031 CCX (784 Courtlandt Avenue Project Revision) submitted by the New York City Department of Housing Preservation and Development to modify the uses of an Urban Development Action Area Project (UDAAP) approval and related Project Summary pursuant to Article 16 of the General Municipal Law, for property located at 784 Courtlandt Avenue (Block 2404, Lot 1), and which were approved in 2019 by Council Resolution 1014, Borough of the Bronx, Community District 1, Council District 17.**

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings, and Dispositions).

NEW YORK CITY COUNCIL

**A N N O U N C E M E N T S**

**Tuesday, May 30, 2023**

Committee on Criminal Justice jointly with the  
Committee on Oversight and Investigations

Carlina Rivera, Chairperson  
Gale A. Brewer, Chairperson

**Oversight** - DOC’s Transportation of Detained Individuals to Court.  
Council Chambers – City Hall..... 10:00 a.m.

**Wednesday, May 31, 2023**

Committee on Civil Service and Labor

Carmen De La Rosa, Chairperson

**Proposed Int 877-A** - By Council Members Abreu, De La Rosa, Menin, Louis, Stevens, Hanif, Ung and Richardson Jordan - **A Local Law** to amend the administrative code of the city of New York, in relation to exit surveys for resigning and retiring employees of city agencies.

**Res 27** - By the Public Advocate (Mr. Williams) and Council Members Hanif, Cabán and Louis - **Resolution** calling on the New York State Legislature to pass, and the New York State Governor to sign, S. 1828 /A. 3103, which would eliminate the subminimum wage for employees based on their disability or age.

**Res 393** - By Council Members De La Rosa, Hanif, Restler, Hudson, Farías and Brewer - **Resolution** calling on the New York State Legislature to pass, and the Governor to sign, A.9398/S.8166, to establish the Nail Salon Minimum Standards Act.

**Res 547** - By Council Members De La Rosa, Ung, Krishnan, Gennaro, Farías, Won, Brewer, Powers, Narcisse, Ossé, Bottcher, Abreu, Holden, Schulman, Marte, Moya, Hudson, Brannan, Ayala, Riley, Hanks, Menin and Hanif - **Resolution** calling upon the New York City School Construction Authority (SCA) and the New York City Department of Design and Construction (DDC) to reconsider their decision to substitute precast concrete wall panels in place of traditional handset brick and block walls in public projects in New York City.

Council Chambers – City Hall.....10:00 a.m.

Committee on Environmental Protection,  
Resiliency and Waterfronts

James F. Gennaro, Chairperson

**Oversight** - The City's new sustainability plan pursuant to Local Law 84 of 2013.

**Int 611** - By Council Members Brannan, Hanif, Won, Nurse, Gutiérrez, Joseph, Restler, Ossé, Cabán and Richardson Jordan (by request of the Queens Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to carbon accounting.

**Int 898** - By Council Members Avilés, Cabán, Hanif, Restler, Dinowitz, Farías, Brannan, Velázquez, Abreu, Krishnan, Hudson, Nurse, Williams, Riley, Brewer, Richardson Jordan, Stevens, Louis, Schulman, Narcisse, Won, Sanchez, Marte, Bottcher, Gutiérrez, Menin, Joseph, Ung, Hanks, Barron, Ossé, Salamanca, Moya and De La Rosa - **A Local Law** to amend the administrative code of the city of New York, in relation to translating the citizen’s air complaint program portal into the designated citywide languages.

**Int 983** - By Council Members Brannan, Restler, Hudson, Hanif, Ung and Cabán (by request of the Queens Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to mandating the construction of solar canopies in certain parking lots.

Council Chambers – City Hall.....1:00 p.m.

**Monday, June 5, 2023**

Committee on Fire and Emergency Management

Joann Ariola, Chairperson

**Oversight** - EMS Career Paths and FDNY Promotional Opportunities.

Committee Room – City Hall.....10:00 a.m.

**Tuesday, June 6, 2023**

Committee on Housing and Buildings

Pierina Ana Sanchez, Chairperson

**Oversight** - Vacant and Neglected Properties.

**Proposed Int 195-A** - By Council Members Rivera, Brewer, Cabán, Nurse, Hanif, Farías, Avilés, Brooks-Powers, Ayala, Krishnan, Won, Richardson Jordan, Restler, Ossé, Gutiérrez, Hudson, Abreu, Bottcher, Williams, Louis, Schulman, Sanchez, Dinowitz, Joseph, De La Rosa, Feliz, Riley, Stevens, Barron, Powers, Narcisse and The Speaker (Council Member Adams) - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring inspection of unoccupied dwelling units.

**Int 352** - By Council Members Restler, Hanks, Moya, Farías, Louis, Joseph, Ayala, De La Rosa, Marte, Abreu, Richardson Jordan, Sanchez, Williams, Riley and Nurse - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the registration of owners of vacant property.

**Res 563** - By Council Members Sanchez, Restler and Hudson - **Resolution** calling on the New York State Legislature to pass, and the Governor to sign, S.2985 in relation to affordable housing in cities having a population of one million or more.

Council Chambers – City Hall.....1:00 p.m.

**Wednesday, June 7, 2023**

Committee on Cultural Affairs, Libraries & International Intergroup Relations

Chi A. Ossé, Chairperson

**Oversight** - The Schomburg Center and the Role of Libraries and Cultural Organizations in Preserving New York City’s History.

**Res 346** - By Council Members Williams, Riley, Stevens, Restler, Joseph, Farías and Abreu - **Resolution** recognizing the contributions of Hip Hop to arts and culture by designating August 2023 as Hip Hop Recognition and History Month and August 11, 2023 as Hip Hop Celebration Day in the City of New York.

**Res 450** - By Council Members Williams, Stevens, Riley, Louis, Joseph, Farías and Hudson - **Resolution** recognizing the contributions of Def Jam to the music industry and to music lovers everywhere by designating December 2023 as Def Jam Recognition Month in the City of New York.

**Res 621** - By Council Members Ossé, Cabán and Riley - **Resolution** designating November 15 annually as Ol’ Dirty Bastard Day in the City of New York and honoring his legacy as a founder of the legendary Wu-Tang Clan and as a unique MC.

**Res 622** - By Council Members Ossé, Cabán and Riley - **Resolution** designating September 10 annually as Big Daddy Kane Day in the City of New York and celebrating his influence on generations of Hip Hop MCs.

**Res 623** - By Council Members Ossé, Cabán and Riley - **Resolution** designating May 21 annually as Christopher “Biggie Smalls” Wallace Day in the City of New York and recognizing his contributions to the cultural landscape of his home borough of Brooklyn and to Hip Hop worldwide.

**Res 624** - By Council Members Ossé, Cabán and Riley - **Resolution** designating July 8 annually as Reggie “Combat Jack” Ossé Day in the City of New York and honoring his multifaceted contributions to the Hip Hop industry as a lawyer, executive, editor, and podcaster.

**Res 643** - By Council Member Ossé - **Resolution** calling on the New York State Legislature to pass, and the Governor to sign, S.5714/A.4912 to increase access to resources by culturally diverse arts and cultural organizations that advocate for diversity, equity, inclusion, cultural preservation, and racial and social justice.

**Res 644** - By Council Member Ossé - **Resolution** calling on the United States Congress to pass, and the President to sign, legislation to support arts and humanities programs that address and fight systemic racism.  
Council Chambers – City Hall.....10:00 a.m.

[Committee on Youth Services](#) jointly with the Althea V. Stevens, Chairperson  
[Committee on Health](#) Lynn C. Schulman, Chairperson

**Oversight** - Addressing the DOHMH Childcare Clearance Backlog.  
**Int 931** - By Council Members Menin, Schulman, Cabán, Brewer and Ung - **A Local Law** to amend the New York city charter, in relation to clarifying the health code where approvals from multiple agencies are required.  
Committee Room – City Hall.....10:00 a.m.

[Committee on Governmental Operations](#) Sandra Ung, Chairperson

**Oversight** – Improving Voter Turnout in Municipal Elections.  
**Int 348** - By Council Members Powers, Yeger, Joseph, Abreu, Sanchez and Ung - **A Local Law** to amend the administrative code of the city of New York, in relation to classifying credit card processing fees and bank fees as exempt expenditures.  
**Int 743** - By Council Members Salamanca and Joseph - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring certain city employees to identify themselves during encounters with the public.  
**Res 646** - By Council Member Ung - **Resolution** calling on the New York State Legislature to pass, and the voters to approve, an amendment to the New York State Constitution to move New York City elections to even-numbered years to coincide with Gubernatorial elections.  
Committee Room – City Hall.....1:00 p.m.

[Committee on Technology](#) Jennifer Gutiérrez, Chairperson

**Oversight** - LinkNYC: Deployment of 5G Infrastructure and Wi-Fi Connectivity across the City.  
Council Chambers – City Hall.....1:00 p.m.

**Thursday, June 8, 2023**

**Stated Council Meeting**

***Council Chambers – City Hall.....Agenda – 1:30 p.m.***

The following comments were among the remarks made by the Speaker (Council Member Adams) during the Communication from the Speaker segment of this meeting:

The Speaker (Council Member Adams) asked for a moment to honor the life of former Council Member Bill Perkins who passed away on May 16, 2023 at the age of 74. She praised Council Member Perkins as a dedicated and hard-working public servant and elected official who had served his community for decades. The Speaker (Council Member Adams) noted that he had fought tirelessly to improve the health of his Harlem community with his fight against lead poisoning. She added that he had also advocated for more equitable educational funding for city scholars, fair wages for workers, and equal rights for all New Yorkers. She pointed out that he was one of the first leaders to question the efforts to accuse, charge, and later convict those who would come to be known as the Central Park Five. The Speaker (Council Member Adams) noted that Council Member Perkin's funeral was held earlier in the day where his life and legacy were celebrated. On behalf of the Council, she offered her thoughts and condolences to his family, his loved ones, and his beloved Harlem community.

The Speaker (Council Member Adams) acknowledged the death of two individuals who had recently perished in deadly fires: one year old Jason Eli lost his life in a fire which took place on May 14, 2023 in the Speaker's district in Queens; and 67-year old Janice Ross died in a blaze on May 15, 2023 in Council Member Mealy's district in Brooklyn. On behalf of the Council, the Speaker (Council Member Adams) offered her thoughts and condolences to Jason's and Ms. Ross's families.

The Speaker (Council Member Adams) acknowledged the death of 31-year old software engineer Kevin Rawlings who lost his life on May 4, 2023 in Council Member Bottcher's district in Manhattan. On behalf of the Council, the Speaker (Council Member Adams) offered her thoughts and condolences to Mr. Rawling's family during this difficult time.

The Speaker (Council Member Adams) acknowledged the death of singer and legendary Queen of Rock and Roll, Tina Turner. Ms. Turner passed away on May 24, 2023 at the age of 83. She noted that Ms. Turner's life journey had taken her from poverty in Tennessee to becoming one of the legendary musical icons of our time. She praised her talent and spoke of how Ms. Turner's story of resiliency had inspired countless individuals around the world to fight for a better world.

The Speaker (Council Member Adams) acknowledged, along with the Majority Leader (Council Member Powers), that May 25<sup>th</sup> was Foster Youth Shadow Day in the Council. She noted that the goal of Shadow Day was to give foster youth an opportunity to learn about the Council, to become more civically engaged, and to be introduced to new career pathways. She welcomed all the young people who were participating this year. The Speaker (Council Member Adams) thanked the Deputy Speaker (Council Member Ayala) and the Council staff for their work in helping set up 2023's Foster Shadow Day.

The Speaker (Council Member Adams) acknowledged the presence in the balcony of members of the M.S. 127 middle-school basketball team from Council Member Farías's district in the Bronx. She congratulated them on winning the Bronx-wide basketball championship as those assembled in the Chambers applauded and cheered in appreciation.

*Editor's Note:* For the transcript of these proceedings, please refer to the respective attachment section of items introduced or adopted at this Stated Meeting of May 25, 2023 on the New York City 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 on Thursday, June 8, 2023.

MICHAEL M. McSWEENEY, City Clerk  
Clerk of the Council

*Editor's Local Law Note: Int. No. 273-B, adopted by the Council at the April 27, 2023 Stated Meeting, was signed into law by the Mayor on May 11, 2023 as Local Law No. 53 of 2023.*

*Int. Nos. 4-A, 8-A, 128-A, 239-A, 606-A, and 675-A, all adopted at the April 11, 2023 Stated Meeting, were returned unsigned by the Mayor on May 16, 2023. These items had become law on May 12, 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. 54 to 59 of 2023, respectively,*

*Int. No. 891-A, adopted by the Council at the April 27, 2023 Stated Meeting, was signed into law by the Mayor on May 25, 2023 as Local Law No. 60 of 2023.*

