

**LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 2016**

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**No. 96**

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Introduced by Council Members Kallos, Rose, Chin, Koo, Vallone, Cohen and Levin.

**A LOCAL LAW**

**To amend the New York city charter, in relation to the waterfront management advisory board, and to repeal section 1303 of such charter in relation thereto**

*Be it enacted by the Council as follows:*

Section 1. Section 31 of the New York city charter, as amended by local law number 20 for the year 2009, is amended to read as follows:

§ 31. Power of advice and consent. Appointment by the mayor of the commissioner of investigation and of the members of the art commission, board of health (other than the chair), board of standards and appeals, city planning commission (other than the chair), civil service commission, landmarks preservation commission, tax commission, taxi and limousine commission[,] *and* the public members of the environmental control board[, and the public members of the waterfront management advisory board] shall be made with the advice and consent of the council after a public hearing. Within [thirty] 30 days after the first stated meeting of the council after receipt of a nomination, the council shall hold a hearing and act upon such nomination and in the event it does not act within such period, the nomination shall be deemed to be confirmed.

§ 2. Section 1303 of the New York city charter is REPEALED and a new section 1303 is added to read as follows:

§ 1303. *Waterfront management advisory board. a. There shall be a waterfront management advisory board, which shall consist of one member from within the office of the mayor as designated by the mayor; the commissioner of small business services; the chairperson of the city planning commission; the commissioner of environmental protection; the commissioner of parks and recreation; the commissioner of housing preservation and development; two city council members to be designated by the speaker of the city council; nine members to be appointed by the mayor and nine members to be appointed by the speaker, provided that the mayor and the speaker each appoint at least one member from each borough. Appointed members shall include representatives of various organizations, industries and advocates interested in the industrial, commercial, residential, recreational or other use or development of the waterfront. The mayor, after consultation with the speaker, shall designate from among the ex officio members a chairperson. The mayor may designate additional members of the mayor's office or any mayoral agency as non-voting members of the board.*

*b. Appointed members of the board shall not hold any other public office or employment and shall be appointed for terms of three years without compensation, except that of the members first appointed, three mayoral and three speaker appointees shall be appointed for terms of one year, three mayoral and three speaker appointees shall be appointed for terms of two years and three mayoral and three speaker appointees shall be appointed for terms of three years. No appointed member may be removed other than for cause to be determined after a hearing before the office of administrative trials and hearings.*

*c. In the event of a vacancy on the board during the term of office of an appointed member, the officer that appointed such member shall appoint a successor to serve the balance of the unexpired term.*

*d. The ex officio and council members of the board may designate a representative who shall be counted as a member for the purpose of determining the existence of a quorum and who may vote on behalf of such member. The designation of a representative shall be made by a written notice of the ex officio or council member served upon the chairperson prior to the designee participating in any meeting of the board, but such designation may be rescinded or revised by the member at any time. The commissioner of small business services may designate as his or her representative the president of the economic development corporation or the designee of the president.*

*e. The board shall (i) hold at least one meeting every quarter; (ii) consult with and, upon request of the mayor or any city agency, advise the mayor or such agency on any matter relating to the industrial, commercial, residential, recreational or other use or development of wharves, waterfront property and waterfront infrastructure in the city, and on other matters as may be requested by the chairperson; (iii) create any committees or subcommittees consisting of at least one board member or their designated representative as the board deems appropriate to carry out the board's responsibilities, provided that there shall be a committee on recreational uses of the waterfront; (iv) invite, at the discretion of the chairperson, representatives of federal, state, or multi-state agencies, authorities or other instrumentalities to participate as non-voting members; (v) assist, upon request of the director of city planning, and provide advice in the drafting of the comprehensive waterfront plan pursuant to section 205 of the charter; (vi) prepare and submit reports to the mayor and speaker, when deemed appropriate by the chairperson, on any issue relating to the industrial, commercial, residential, recreational or other use or development of wharves, waterfront property and waterfront infrastructure in the city; and (vii) by January 31 of each year, issue a report to the mayor and speaker, and post on the website of the city, that*

*describes each meeting held by the board and any other activities undertaken by the board for the immediately preceding year.*

§ 3. This local law takes effect 120 days after it becomes law, except that the mayor and the speaker of the city council may appoint members to the board created by section 1303 of the New York city charter, as added by section two of this local law, prior to the effective date of this local law.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on August 16, 2016 and approved by the Mayor on August 31, 2016.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 96 of 2016, Council Int. No. 507-A of 2014) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council and approved by the Mayor.

STEPHEN LOUIS, Acting Corporation Counsel