

## **THE COUNCIL**

---

*Minutes of the Proceedings for the*  
**STATED MEETING**

*of*  
Thursday, July 18, 2024, 2:04 p.m.

### Council Members

Adrienne E. Adams, *The Speaker*

Amanda C. Farías, *The Majority Leader*  
*and Acting President Pro Tempore*

Shaun Abreu	Robert F. Holden	Lincoln Restler
Joann Ariola	Crystal Hudson	Yusef Salaam
Alexa Avilés	Rita C. Joseph	Rafael Salamanca, Jr
Diana I. Ayala	Shekar Krishnan	Pierina A. Sanchez
Chris Banks	Linda Lee	Lynn C. Schulman
Erik D. Bottcher	Farah N. Louis	Althea V. Stevens
Justin L. Brannan	Kristy Marmorato	Sandra Ung
Gale A. Brewer	Darlene Mealy	Nantasha M. Williams
Selvena N. Brooks-Powers	Julie Menin	Julie Won
Tiffany L. Cabán	Francisco P. Moya	Kalman Yeger
Carmen N. De La Rosa	Mercedes Narcisse	
Eric Dinowitz	Sandy Nurse	
Oswald J. Feliz	Chi A. Ossé	
Jennifer Gutiérrez	Vickie Paladino	
Shahana K. Hanif	Keith Powers	

Absent: Council Members Hanks, Marte, and Riley;

Excused: Council Members Carr, Vernikov and the Minority Leader (Council Member Borelli);

Medical Leave: Council Members Gennaro and Zhuang;

Parental Leave: Council Member Rivera.

The Majority Leader (Council Member Farías) 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 Farías).

*There were 42 Council Members marked present at this Stated Meeting held in the Council Chambers at City Hall, New York, N.Y. (including Council Members Moya and Salamanca who participated remotely).*

### INVOCATION

The Invocation was delivered by: Rabbi Yirmi Levy, Sephardic Congregation of Mill Basin located at 2133 64th Street, Brooklyn, N.Y. 11234.

Before we start, I just want to acknowledge and to thank,  
from the bottom of my heart,  
to the Speaker of the House,  
Madam Adrienne Adams,  
thank you so much for welcoming me,  
so beautifully, so graciously,  
and of course my beloved Councilwoman of the 46th District,  
the one and only Council Member Mercedes Narcisse.

I just want to say one thing,  
when we get together in such a beautiful place,  
I call it a sacred place, this momentous occasion,  
with the honorable Council Members, distinguished guests,  
something comes to my mind from the Bible –  
it says when God was looking for a vessel, a vessel that contained,  
that could contain all these blessings,  
he was searching for a vessel,  
he found one vessel called Peace, *Shalom; Salaam*  
that's what he found, a vessel called Peace.  
I look at everybody around here in this beautiful place,  
it's a diverse city, diverse Council,  
but when God said, the vessel, my vessel is Peace,  
we can have different opinions,  
we can argue every once in a while, yeah, right –  
every second of every moment,  
but the end of the day, we leave this place  
as friends as brothers and sisters.  
When Moses was about to depart, to leave the world,  
he was about to say farewell  
to his nation, to his people,  
*Sefer Bamidbar*, The Book of Numbers  
chapter 27, verse 16,  
he prayed to God and he said:  
*(speaking in a phrase in a foreign language at this point)*

Please, the God of the Winds,  
he did not say the God of Wind in singular,  
God of Winds in plural.  
Why he said that, if you take few people,

10 people in one room,  
one would say, it's very cold in here;  
the other one would say it's crazy hot.  
It's very hard to please everyone.  
Moses said please, God Almighty,  
I'm about to perish,  
I'm about to leave the world;  
I'm begging of you,  
I'm pleading you, I'm pleading with you,  
appoint a leader that can contain,  
and observe, and care,  
and love each and every person  
that lives in the world, that is in the world.  
Please, so many winds,  
so many people, so many directions,  
so many states of mind, so many opinions.  
You need a leader that can handle everything,  
that can love each, and everyone  
and give him special attention.  
As I see in my district, my leader, my beloved leader,  
Council Member Mercedes Narcisse,  
she works day and night,  
every moment of every single day.  
She sees diversity, different religions,  
but she cares and, she works  
with every leader, of single religion  
to put everybody together, to love everyone,  
and to be there for every single one.  
There are a lot of problems around the world,  
but we are here in New York,  
we have to take care of our neck of the woods,  
we have to take care of every single New Yorker,  
young or old, men, women, doesn't make a difference,  
Jewish, not Jewish, Christians, Muslims,  
We're All God's Children.  
As Council leaders and members,  
I plead with each and every one of you,  
you have to pay so many bills every single day,  
care about every single New Yorker over here,  
do whatever it takes to obey God's command  
to take into yourself every single person with his own needs.  
We have so much that unite us than divides us.  
We need peace. We need love, a lot of TLC,  
and I do not mean Taxi and Limousine Commission;  
I mean tender love and care.  
And I want to tell you something I saw not too long ago,  
a valedictorian wrote something and said something so beautiful.  
He said, my mother taught me  
that negativity has 10 letters,  
but so has positivity.  
Cry has three letters but so has joy.  
Enemies has seven letters, but so has friends.  
Hate has four letters, but so does love.

I pray to God that may he grant all of you,  
and all of us, with much love.  
I pray for a true love. I pray for a true unity.  
I pray that we break all the walls between us.  
I pray for a lot of peace in the world.  
May God grant all of you  
with a strength, the power, the love,  
the care, the wisdom, and the courage  
to move this beautiful city forward.  
We have so much to do,  
this is the greatest city, the greatest city.  
It's in your hands to make it even greater.  
May God bless all of you;  
may God bless the Speaker of the House, Madam Adrienne E. Adams.  
May God bless the Mayor of the City of New York, Eric Adams.  
May God bless my favorite Councilwoman, Mercedes Narcisse.  
May God bless each and everyone of you.  
May God bless this beautiful city,  
remarkable city of New York,  
and may God bless the United States of America.  
Amen.

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

#### **ADOPTION OF MINUTES**

Council Member Schulman moved that the Minutes of the Stated Meeting of June 20, 2024 be adopted as printed.

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

M-58

**Communication from the Bronx Borough President - Submitting their 2023 Bronx Community Board Demographics Report, pursuant to Section 82 Subdivision 17 of the New York City Charter.**

**(For text of report, please refer to the Community Boards section of the Bronx Borough President's website at <https://bronxboropres.nyc.gov/community-boards/> )**

Received, Ordered, Printed and Filed.

**LAND USE CALL-UPS**

M-59

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

**Pursuant to Sections 11.20(b-d) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Application Nos. C 240157 MMX, C 240158 MMX, C 240159 MMX, C 240160 MMX and C 240163 MMX (Bronx Metro-North Station Area Study) shall be subject to Council review. These items are related to Application Nos. C 240015 ZMX and N 240016 ZRX.**

Coupled on Call-Up Vote.

M-60

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

**Pursuant to Sections 11.20(b-d) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Application Nos. C 230294 ZSK and C 230296 ZSK (500 Kent Avenue) shall be subject to Council review. These items are related to Application No. C 230293 ZMK.**

Coupled on Call-Up Vote.

M-61

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

**Pursuant to Sections 11.20(b-d) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Application Nos. C 230172 MMR (Prince's Point Development) shall be subject to Council review. This item is related to Application No. N 240120 ZRR.**

Coupled on Call-Up Vote.

M-62

By Council Member Holden:

**Pursuant to Rule 11.20(b) of the Council Rules and Section 19-160.2 of the New York City Administrative Code, the Council resolves that the action of the Department of Transportation approving a sidewalk café located at 785 Fairview Avenue, Borough of Queens, Council District 30, Community District 5, related to Application No. D 2450087057 SWQ (Wings & Seafood), shall be subject to review by the Council.**

Coupled on Call-Up Vote.

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

**Affirmative** – Abreu, Ariola, Avilés, Ayala, Banks, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Feliz, Gutiérrez, Hanif, Holden, Hudson, Joseph, Krishnan, Lee, Louis, Marmorato, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Powers, Restler, Salaam, Salamanca, Sanchez, Schulman, Stevens, Ung, Williams, Won, Yeger, the Majority Leader (Council Member Farías) and the Speaker (Council Member Adams) - **42**.

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

## REPORT OF THE STANDING COMMITTEES

### Report of the Committee on Contracts

Report for Int. No. 863-A

**Report of the Committee on Contracts in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to expanding the application of procurement procedures for certain service contracts, and enhancing public notice requirements for changes to planned contract actions.**

The Committee on Contracts, to which the annexed amended proposed local law was referred on May 16, 2024 (Minutes, page 2008), respectfully

#### REPORTS:

#### I. INTRODUCTION

On July 18, 2024, the New York City Council's Committee on Contracts, chaired by Council Member Julie Won, held a vote on Introduction Number 863-A (Int. 863-A), sponsored by Council Member Justin Brannan, a Local Law to amend the New York city charter, in relation to expanding the application of procurement procedures for certain service contracts, and enhancing public notice requirements for changes to planned contract actions. The bill passed the committee vote with four votes in the affirmative, zero votes in the negative and zero abstentions.

#### II. LEGISLATIVE ANALYSIS

*Int. 863-A - A Local Law to amend the New York city charter, in relation to expanding the application of procurement procedures for certain service contracts, and enhancing public notice requirements for changes to planned contract actions*

Int. 863-A would amend Section 312 of the New York City Charter to modify procurement procedures for certain service contracts. The bill would increase the threshold for review of a contract's potential displacement of city workers from \$200,000 to \$1,000,000 for service contracts.

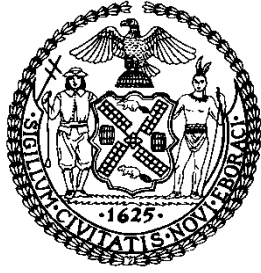
Int. 863-A would remove exceptions from competitive procurement requirements for required source procurements, contracts valued over \$1 million where the services portion is \$1 million or less, and noncompetitive small purchases from businesses certified as M/WBEs.

Int. 863-A expands the scope of Section 312 review to include contract amendments, subjecting amendments that would increase a contract's value to over \$1 million to the same review and notice requirements as new contracts.

Int. 863-A would also require additional evidence that certain service contracts would not displace City workers and mandate public notice at least ten days prior to certain unplanned contract actions.

Int. 863-A would go into effect 45 days after it bill becomes law.

**(The following is the text of the Fiscal Impact Statement for Int. No. 863-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: 863-A**

**COMMITTEE: Contracts**

**TITLE:** A Local Law to amend the New York city charter, in relation to expanding the application of procurement procedures for certain service contracts, and enhancing public notice requirements for changes to planned contract actions

**SPONSOR(S):** Council Member Brannan, Louis and Brewer.

**SUMMARY OF LEGISLATION:** This bill would modify procurement procedures for certain service contracts and update public notice requirements for contract actions subject to Local Law 63 of 2011 (LL63) requiring agencies to publish an annual procurement plan to prevent displacement of City employees. Specifically, the bill would increase the threshold for review of contracts outside an agency procurement plan from \$200,000 to \$1,000,000; require additional evidence that certain service contracts would not displace City workers; mandate public notice at least ten days prior to certain unplanned contract actions; and apply LL63 rules to contract amendments in addition to new contracts and renewals.

**EFFECTIVE DATE:** This local law takes effect 45 days after enactment.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal Year 2026

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY25</b>	<b>Succeeding FY26</b>	<b>Full Fiscal Impact FY26</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 impact on expenditures resulting from the enactment of this legislation, as the agency responsible for carrying out its requirements will utilize existing resources to fulfill its requirements.

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

**SOURCE OF INFORMATION:** New York City Council Finance Division  
New York City Office of Management and Budget



**ESTIMATE PREPARED BY:** Danielle Heifetz, Financial Analyst

**ESTIMATE REVIEWED BY:** Florentine Kabore, Unit Head  
Chima Obichere, Deputy Director  
Eisha Wright, Deputy Director  
Jonathan Rosenberg, Managing Deputy Director  
Michael Twomey, Assistant Counsel

**LEGISLATIVE HISTORY:** This legislation was first introduced to the full Council on May 16, 2024, as Proposed Intro. No. 863 and was referred to the Committee on Contracts (the Committee). The legislation was considered by the Committee at a hearing on June 4, 2024, and the bill was laid over. The legislation has been amended and the amended version, Proposed Intro. No. 863-A will be considered by the Committee on July 18, 2024. Upon a successful vote by the Committee, Proposed Intro. No. 863-A will be submitted to the full Council for a vote on July 18, 2024.

**DATE PREPARED:** July 17, 2024.

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

**(The following is the text of Int. No. 863-A:)**

Int. No. 863-A

By Council Members Brannan, Louis, Brewer, Bottcher, Won, Abreu and Rivera.

**A Local Law to amend the New York city charter, in relation to expanding the application of procurement procedures for certain service contracts, and enhancing public notice requirements for changes to planned contract actions**

*Be it enacted by the Council as follows:*

Section 1. Subdivision a of section 312 of the New York city charter, as amended by local law number 63 for the year 2011, is amended to read as follows:

a. Prior to entering into, renewing, or [extending] *amending* a contract valued at more than [two hundred thousand] *one million* dollars to provide standard or professional services, *or prior to renewing or amending a contract to provide standard or professional services that, following such renewal or amendment, would have a value of more than one million dollars*, including agency task orders pursuant to multi-agency task order contracts, but excluding emergency procurements, government-to-government purchases, *required source procurements as described in paragraph (2) of subdivision (d) of section 1-02 of title 9 of the rules of the city of New York, contracts that have a total value of more than one million dollars but for which the value of standard or professional services included in such contract is one million dollars or less, small purchases from businesses certified as minority or women-owned business enterprises pursuant to section thirteen hundred four of the charter*, and the procurement of legal services or consulting services in support of current or anticipated litigation, investigative or confidential services, an agency shall follow the procedure established herein and the mayor shall comply with the reporting requirements set forth in paragraph 8. *A contract or agency task order shall not be artificially divided in order to reduce the value of such contract or agency task order to avoid the requirements of this section.*

1. Prior to issuing an invitation for bids, request for proposals, or other solicitation, or renewing or [extending] *amending* an existing contract, the agency shall determine whether such contract is the result of or would result in the displacement of any city employee within the agency. For the purpose of this section, *the term “displacement” shall mean a reduction in the number of funded positions, including but not limited to, that resulting from the attrition; layoff; demotion; bumping; involuntary transfer to a new class, title, or location; time-based reductions, or reductions in customary hours of work, wages, or benefits of any city employee.*

[a.] (a) There shall be a presumptive determination that a proposed contract is the result of or would result in displacement if any of the following events occurred in the three year period preceding the date the agency intends to issue an invitation for bids, request for proposal, or other solicitation, or *to renew or [extend] amend* an existing contract:

(1) the displacement of a city employee within the agency who performs or has performed the services sought by the proposed contract [and/or] *or* services of a substantially similar nature or purpose; or

(2) the announcement of spending reductions in connection with a budgetary program, including but not limited to a Program to Eliminate the Gap, that could result or has resulted in the displacement of a city employee within the agency who performs or has performed the services sought by the proposed contract [and/or] *or* services of a substantially similar nature or purpose; or

(3) any other statement by an agency or the mayor of a specific anticipated employment action that could result or has resulted in the displacement of a city employee within the agency who performs or has performed the services sought by the proposed contract [and/or] *or* services of a substantially similar nature or purpose.

[b.] (b) If the agency determines that displacement would not occur, it shall include a certification to that effect, signed by the agency head, in any invitation for bids, request for proposals, or other solicitation, or with any contract renewal or [extension] *amendment*. Such certification shall detail the basis upon which the agency determined that displacement would not occur, construing broadly the nature of the services sought and providing information including but not limited to: (i) whether any civil service title [and/or] *or* job title within the agency currently performs the services solicited [and/or] *or* services of a substantially similar nature or purpose, the names of such titles, and the extent to which agency employees within such titles currently perform such services; (ii) whether the solicited services expand, supplement, or replace existing services, and a detailed description comparing the solicited services with such existing services; (iii) whether there is capacity within the agency to perform the services solicited and, if there is no such capacity, a detailed description specifying the ways in which the agency lacks such capacity; (iv) for the term of the proposed contract, the projected headcount of employees within such titles or employees who perform such services [and/or] *or* services of a substantially similar nature or purpose; and (v) confirmation that none of the events set forth in subparagraph a of this paragraph occurred within the agency in the three year period preceding the date such agency intends to issue an invitation for bids, request for proposal, or other solicitation, or *to renew or [extend] amend* an existing contract.

[c.] (c) If the agency determines that displacement would occur, the agency shall determine the costs incurred and the benefits derived in performing the service, consistent with the scope and specifications within the solicitation, renewal, or [extension] *amendment*, with city employees, and shall submit such analysis, with all supporting documentation, prior to issuance of any solicitation or entry into any contract renewal or [extension] *amendment*, to the comptroller.

2. Immediately upon receipt of bids, proposals, and other solicitation responses, or prior to the renewal or [extension] *amendment* of an existing contract, the agency shall submit such determination, analysis, and supporting documentation to the council and to the appropriate collective bargaining representatives representing employees who would be affected pursuant to paragraph 1 of subdivision a of this section.

3. Prior to award of a contract, a renewal, or an [extension] *amendment*, the agency shall perform a comparative analysis of the costs expected to be incurred and the benefits expected to be derived from entering into, renewing, or [extending] *amending* a contract with the proposed vendor, based on such vendor's best and final offer, and such agency's analysis of the costs incurred and the benefits derived from providing the service with city employees. If the agency head intends to award, renew, or [extend] *amend* the contract, he or she shall submit the reasons therefor, together with such analysis, and all supporting documentation, to the comptroller, the council, and the appropriate collective bargaining representatives representing employees who would be affected pursuant to paragraph 1 of subdivision a of this section.

4. The council may, within thirty days after receipt of such reasons, analysis, and supporting documentation hold a hearing on this matter. No contract award, renewal, or [extension] *amendment* shall be made prior to the expiration of this thirty-day period or a council hearing, whichever is sooner.

5. [a.] (a) All cost and comparative analyses required under this section shall be conducted in accordance with standard methodology of the office of management and budget, and consistent with the rules of the procurement policy board, as both are modified herein, subject to further modification by local law. Such analyses shall include all reasonable costs associated with performing the service using city employees and all

reasonable costs associated with performing the service under the proposed contract or contract renewal or [extension] *amendment*.

[b.] (b) Such analyses shall further include the total number, qualifications, job descriptions, and titles of all personnel to be employed by the vendor under the proposed contract or contract renewal or [extension] *amendment*, as well as the nature and cost of salaries and benefits to be provided to such personnel.

[c.] (c) Such analyses shall further include, but not be limited to, the cost of employee supervision directly related to the provision of the service, vendor solicitation, contract preparation, contract administration, monitoring and evaluating the contractor, capitalization of equipment over the period such equipment shall be in use, supplies, the cost of providing the equivalent quantity and quality of service by city employees compared to the cost of providing such service by contract, based upon the best and final offer of the proposed vendor, and such other factors as will assist in arriving at full and accurate cost determinations and comparisons.

6. The reasons given to award, renew, or [extend] *amend* the contracts shall include all factors that have been considered in determining whether contracting for this service is in the best interest of the city, whether or not such reasons are contained within the cost or comparative analyses. Such factors shall include, but not be limited to, the potential for contractor default, the time required to perform the service, and the quality of the service to be delivered.

7. The mayor or his or her designee may prepare and implement a plan of assistance for displaced city employees, which may include, but need not be limited to, training to place such employees in comparable positions within the contracting agency or any other agency. The cost of such assistance plan may be included within the cost of contracting-out in the cost and comparative analyses.

8. [a.] (a) For the purposes of this paragraph, *the term* “agency” means a city, county, borough or other office, position, administration, department, division, bureau, board, commission, authority, corporation, advisory committee or other agency of government, the expenses of which are paid in whole or in part from the city treasury, and shall include but not be limited to, the department of education, the health and hospitals corporation, and the New York city housing authority, but shall not include any court, or any local development corporation or other not for profit corporation or institution, including such a corporation or institution maintaining or operating a public library, museum, botanical garden, arboretum, tomb, memorial building, aquarium, zoological garden or similar facility.

[b.] (b) The mayor shall, no later than July 31st of each year, produce and publish on the mayor's office of contract services website a plan and schedule for each agency detailing the anticipated contracting actions of each such agency for the upcoming fiscal year. The plan and schedule shall include: (i) information specific to each prospective invitation for bids, request for proposal, or other solicitation, including, but not limited to, the nature of services sought, the term of the proposed contract, the method of the solicitation the agency intends to utilize, the anticipated fiscal year quarter of the planned solicitation, the civil service [and/or] *or* job titles within the agency who perform the services sought [and/or] *or* services of a substantially similar nature or purpose, if any, and the headcount of employees within such titles who perform such services; and (ii) information specific to each proposed contract renewal or [extension] *amendment*, including, but not limited to, any modifications sought to the nature of the services performed under the contract, the term of the proposed renewed or [extended] amended contract, the reason(s) the agency intends to renew or [extend] *amend* such contract, the month and year of the expiration of the existing contract, the civil service [and/or] *or* job titles within the agency who perform the services sought [and/or] *or* services of a substantially similar nature or purpose, if any, and the headcount of employees within such titles who perform such services.

[c.] (c) If an agency intends to issue an invitation for bids, request for proposal, or other solicitation, or to renew or [extend] *amend* an existing contract, but the mayor fails to include such prospective invitation, request, solicitation, renewal or [extension] *amendment* in the plan and schedule *or such invitation, request, solicitation, renewal or amendment provides a longer contract term than the term provided in the plan and schedule or otherwise differs from the information included in the plan and schedule with respect to the nature of the services sought, the civil service or job titles within the agency that perform the services sought or services of a substantially similar nature or purpose, or the headcount of employees within such titles*, the mayor shall provide public notice [sixty] *ten* days before such agency issues such invitation, request, or solicitation, or enters into such renewal or [extension] *amendment*. Such notice, which shall be posted on the *website of the mayor's office of contract services [website]* and in the city record, shall include: (i) information specific to the prospective invitation for bids, request for proposal, or other solicitation, including, but not limited to, the nature of services

sought, the term of the proposed contract, the method of the solicitation the agency intends to utilize, the civil service [and/or] *or* job titles within the agency who perform the services sought [and/or] *or* services of a substantially similar nature or purpose, if any, and the headcount of employees within such titles who perform such services; or (ii) information specific to the proposed contract renewal or [extension] *amendment*, including, but not limited to, any modifications sought to the nature of the services performed under the contract, the term of the proposed renewed or [extended] *amended* contract, the reason(s) the agency intends to renew or [extend] *amend* such contract, the civil service [and/or] *or* job titles within the agency who perform the services sought [and/or] *or* services of a substantially similar nature or purpose, if any, and the headcount of employees within such titles who perform such services.

§ 2. Paragraph 1 of subdivision c of section 312 of the New York city charter, as added by a vote of the electors on November 7, 1989, is amended to read as follows:

1. For the purposes of this chapter, the term "special case" shall be defined as a situation in which it is either not practicable or not advantageous to the city to use competitive sealed bidding for one of the following reasons:

[i.] (a) specifications cannot be made sufficiently definite and certain to permit selection based on price alone;

[ii.] (b) judgment is required in evaluating competing proposals, and it is in the best interest of the city to require a balancing of price, quality, and other factors;

[iii.] (c) the good, service or construction to be procured is available only from a single source;

[iv.] (d) testing or experimentation is required with a product or technology, or a new source for a product or technology, or to evaluate the service or reliability of such product or technology; or

[v.] (e) such other reasons as defined by rule of the procurement policy board.

§ 3. This local law takes effect 45 days after it becomes law.

JULIE WON, *Chairperson*; ERIK D. BOTTCHER, SANDY NURSE, ALTHEA V. STEVENS; 4-0-0; *Absent*: Inna Vernikov; Committee on Contracts, July 18, 2024.

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. 118-A

**Report of the Committee on Education 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 posting information and reporting on dress code policies in New York city public schools, and to repeal section two of such local law upon the expiration thereof.**

The Committee on Education, to which the annexed proposed amended local law was referred on February 28, 2024 (Minutes, page 403), respectfully

### **REPORTS:**

#### **I. INTRODUCTION**

On July 17, 2024, the Committee on Education, chaired by Council Member Rita Joseph, will consider Proposed Introduction Number (Int. No.) 118-A, sponsored by Council Member Diana Ayala, related to posting

information and reporting on dress code policies in New York city public schools, and to repeal section two of such local law upon the expiration thereof; and Resolution Number (Res. No.) 292, sponsored by Council Member Althea Stevens, calling on the New York City Department of Education to create an inclusive school dress code policy that complies with Title IX of the Federal Education Amendments Act and accounts for diverse cultures, gender expressions and body diversity.

The Committee previously held a hearing on Int. No. 118 and Res. No. 292 on June 18, 2024. At that hearing, the Committee heard testimony from the New York City (NYC) Department of Education (DOE), non-profits, community-based organizations, advocates, and members of the public.

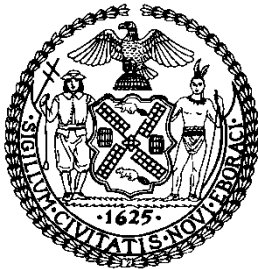
## II. BILL ANALYSIS

### **Proposed Int. No. 118-A – A Local Law to amend the administrative code of the city of New York, in relation to posting information and reporting on dress code policies in New York city public schools, and to repeal section two of such local law upon the expiration thereof**

This bill would require the DOE to post dress code policies on its website and report on dress code policies in DOE schools, including information about whether each school has a dress code policy and data on dress code violations and penalties, broken down by month, week, and student race and gender. The reporting required in this bill would cease after 5 years.

Since it was heard, reporting requirements related to how dress code policies address gender and gender presentation, and whether dress code policies create different gender expectations were removed from this bill. Additionally, this bill was amended to require reporting on dress code violations and penalties disaggregated by race. This bill also received technical edits.

**(The following is the text of the Fiscal Impact Statement for Int. No. 118-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: 118-A**

**COMMITTEE: Education**

---

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to posting information and reporting on dress code policies in New York City public schools, and to repeal section two of such local law upon the expiration thereof.

**SPONSOR(S):** By Council Member Ayala, the Public Advocate (Mr. Williams) and Council Members Restler, Won, Schulman, Hanif, Hudson, Stevens, Joseph, Cabán, Louis, Ossé and Sanchez.

**SUMMARY OF LEGISLATION:** This bill would require the Department of Education (DOE) to post dress code policies on its website and report on dress code policies in DOE schools, including information about whether each school has a dress code policy and data on dress code violations and penalties, broken down by month, week, and student race and gender. The reporting required by this legislation shall be posted by the department on its website and submitted to the City Council Speaker no later than January 31, 2025 and by August 1<sup>st</sup>, each year thereafter and would cease after five years.

**EFFECTIVE DATE:** This local law takes effect immediately and is deemed repealed 5 years after the effective date.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2026

**FISCAL IMPACT STATEMENT:**

	Effective FY25	FY Succeeding Effective FY26	Full Fiscal Impact FY26
<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 impact on expenditures resulting from the enactment of this legislation, as DOE 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:** Grace Amato, Financial Analyst, NYC Council Finance Division

**ESTIMATE REVIEWED BY:** Aliya Ali, Unit Head, NYC Council Finance Division  
 Chima Obichere, Deputy Director, NYC Council Finance Division  
 Jonathan Rosenberg, Managing Deputy Director, NYC Council Finance Division  
 Michael Twomey, Assistant Counsel, NYC Council Finance Division

**LEGISLATIVE HISTORY:** The legislation was introduced to the full Council on February 28, 2024, as Intro. No. 118 and referred to the Committee on Education (Committee). The Committee heard the legislation at a hearing on June 18, 2024, and the legislation was laid over. The legislation was subsequently amended, and the amended version, Proposed Intro. No. 118-A, will be considered by the Committee on July 17, 2024. Upon successful vote by the Committee, Proposed Intro. No. 118-A will be submitted to the full Council for a vote on July 18, 2024.

**DATE PREPARED:** July 15, 2024.

**(For text of Res. No. 292, please see the Report of the Committee on Education for Res. No. 292 printed in the voice-vote Resolution Calendar section of these Minutes; for text of Int. No. 118-A, please see below)**

*Accordingly, this Committee recommends the adoption of Int. No. 118-A and Res. No. 292.*

**(The following is the text of Int. No. 118-A:)**

Int. No. 118-A

By Council Member Ayala, the Public Advocate (Mr. Williams) and Council Members Restler, Won, Schulman, Hanif, Hudson, Stevens, Joseph, Cabán, Louis, Ossé, Sanchez, Bottcher, Narcisse and Rivera

**A Local Law to amend the administrative code of the city of New York, in relation to posting information and reporting on dress code policies in New York city public schools, and to repeal section two of such local law upon the expiration thereof**

*Be it enacted by the Council as follows:*

Section 1. Title 21-A of the administrative code of the city of New York is amended by adding a new chapter 35 to read as follows:

*CHAPTER 35*

*POSTING OF INFORMATION REGARDING SCHOOL DRESS CODE POLICIES*

*§ 21-1006 Posting of information regarding school dress code policies. a. For purposes of this section, the following terms have the following meanings:*

*Dress code. The term “dress code” means any policy established by a school, consistent with applicable department policies and guidelines, pertaining to attire that students wear to school.*

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

*b. No later than January 31, 2025, and by each August 1 thereafter, for schools with a dress code, the department shall post conspicuously on its website the following information:*

*1. The school’s dress code;*

*2. Any email addresses designated by the department through which students, parents, or staff may report issues related to each such code; and*

*3. Information on how to request an exemption from a dress code, as applicable.*

*§ 2. Reporting on school dress code policies. a. For the purposes of this section, the following terms have the following meanings:*

*Chancellor. The term “chancellor” means the chancellor of the city school district of the city of New York.*

*Dress code. The term “dress code” means any policy established by a school, consistent with applicable department of education policies and guidelines, pertaining to attire that students wear to school.*

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

*b. No later than January 31, 2025, and by each August 31 thereafter, the chancellor shall submit to the speaker of the council and post conspicuously on the department of education’s website a report that shall include, but need not be limited to, the following information:*

*1. For each school, the school name, school district borough number, and whether such school has implemented a dress code;*

*2. The number of disciplinary infractions issued the previous academic year based on school dress codes, and any related consequences or penalties, disaggregated by month and week, and further disaggregated by student gender and race, as reported by the student; and*

*3. The number of schools that have implemented a dress code and the number of schools that have not implemented a dress code.*

*c. The information required to be reported pursuant to subdivision b shall be aggregated by community school district, borough, and citywide.*

d. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state, or local law relating to the privacy of student information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If a category contains between 1 and 5 students, or contains a number that would allow the number of individuals in another category that is 5 or fewer to be deduced, the number shall be replaced with a symbol.

§ 3. This local law takes effect immediately and section two of this local law expires and is deemed repealed 5 years after the effective date of this local law.

RITA C. JOSEPH, *Chair*; ERIC DINOWIZ, SHAHANA K. HANIF, SHEKAR KRISHNAN, LINDA LEE, FARAH N. LOUIS, MERCEDES NARCISSE, PIERINA A. SANCHEZ, LYNN C. SCHULMAN; 9-0-0; *Absent*: Jennifer Gutiérrez, Kamillah M. Hanks and Althea V. Stevens; *Medical*: James F. Gennaro; Committee on Education, July 17, 2024.

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

### **Report of the Committee on Finance**

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

Report for L.U. No. 105

### **Report of the Committee on Finance in favor of a Resolution approving Fulton Street South, Block 1861, Lot 20, Brooklyn, Community District No. 3, Council District No. 36.**

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on July 18, 2024, and which same Land Use item was coupled with the resolution shown below, respectfully

### **REPORTS:**

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

### **THE COUNCIL OF THE CITY OF NEW YORK**

July 18, 2024

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

FROM: Michael Twomey, Assistant Counsel, Finance Division

RE: Finance Committee Agenda of July 18, 2024 – Resolution approving a tax exemption for one Land Use item (Council District 36)



## 1. Fulton Street South

An amendment of an existing partial 40-year Article V exemption for one building in Council Member Ossé's district. The building contains 28 one-bedrooms and 37 two-bedrooms, including one superintendent unit.

The exemption is set to expire July 2025 and the amendment will extend the Article V for another 40 years. All units are capped at 50% AMI. As part of the extension, the building will reserve 30% of its units for formerly homeless persons and complete identified capital work under a Physical Needs Assessment and HPD's Aging-in-Place initiative, including repairs to the sidewalks, curbs, and boiler room piping.

### Summary:

- Borough – Brooklyn
- Block 1861, Lot 20
- Council District – 36
- Council Member – Ossé
- Council Member approval – Yes
- Number of buildings – 1
- Number of units – 65 residential
- Type of exemption – Article V, partial, 41 years from date of closing
- Population – Rental
- Sponsors – Metropolitan Realty Group
- Purpose – preservation
- Cost to the city – \$2.21 million (net present value)
- Housing Code Violations
  - Class A – 2
  - Class B – 0
  - Class C – 0

Anticipated AMI Targets: 50% for all units

*Accordingly, this Committee recommends its adoption.*

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

Preconsidered Res. No. 509

**Resolution approving an amendment to a previously approved real property tax exemption pursuant to Section 125(1)(a) of the Private Housing Finance Law for property located at (Block 1861, Lot 20), Brooklyn (Preconsidered L.U. No. 105).**

By Council Member Brannan.

**WHEREAS**, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated June 26, 2024 that the Council amend a previously approved tax exemption for real property located at (Block 1861, Lot 20), Brooklyn (“Exemption Area”) pursuant to Section 125(1)(a) of the Private Housing Finance Law;

**WHEREAS**, the HPD’s request for amendments is related to a previously approved Board of Estimate Resolution adopted on September 10, 1981 (Cal. No. 2) (the “Prior Resolution”), granting the Exemption Area a real property tax exemption pursuant to Section 125(1)(a) of the Private Housing Finance Law;

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

**RESOLVED:**

The Council approves the amendments to the Prior Resolution requested by HPD for the Exemption Area pursuant to Section 125(1)(a) of the Private Housing Finance Law as follows:

Paragraph 1 of the Prior Resolution is deleted in its entirety and replaced with the following:

1. That the Board of Estimate, pursuant to subdivision 1(a) of Section 125 of the PHFL does hereby approve the exemption from local and municipal taxes, other than assessments for local improvements, of all of the value of the property included in the Project (excluding, however, those portions authorized to be used for business and commercial use, if any), provided that the amount of such taxes to be paid shall be as follows: (a) for all tax years prior to the tax year commencing on July 1, 2024, in the annual aggregate amount of \$23,806, representing the Minimum Annual Ten Percent of Shelter Rent taxes for the residential portion of the Project, plus an additional amount after the tax exemption first becomes effective, which additional amount shall equal twenty-five percent (25%) of the amount by which the Contract Rent applicable to the Project annually exceeds the Contract Rent in effect as of the date of occupancy of the Project by eligible tenants; and (b) for the period commencing upon July 1, 2024 and terminating upon June 30, 2025, in the sum of \$267,564, provided, however, that the Housing Company enters into a new regulatory agreement with HPD establishing certain controls upon the operation of the Project on or after May 1, 2024. Contract Rent is defined in the regulations promulgated pursuant to Section 8 of the United States Housing Act of 1937, as amended or supplemented. However, taxes paid annually shall not exceed the lesser of either seventeen percent (17%) of the Contract Rent for that year or the amount of local and municipal property taxes that would be due in the absence of any form of tax exemption or abatement provided for by existing or future Local or State Legislation.

The exemption granted herein shall operate and continue for so long as a federally-aided and/or assisted mortgage is outstanding, but in no event for a period of more than forty (40) years, commencing on the date on which the benefits of such exemption first become available and effective.

The tax exemption shall first become available and effective on July 1, 1985.

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

JUSTIN L. BRANNAN, *Chairperson*; DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, SELVENA N. BROOKS-POWERS, GALE A. BREWER, AMANDA C. FARIAS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA A. SANCHEZ, ALTHEA V. STEVENS; 11-0-0; *Absent*: David M. Carr, Kamillah M. Hanks, Farah N. Louis and Yusef Salaam; *Medical*: Nantasha M. Williams *Parental*: Julie Won. Committee on Finance, July 18, 2024.

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 Health

Report for Int. No. 435-A

### Report of the Committee on Health 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 availability of rapid testing for sexually transmitted infections.

The Committee on Health, to which the annexed proposed amended local law was referred on February 28, 2024 (Minutes, page 887), respectfully

#### REPORTS:

##### I. INTRODUCTION

On July 18, 2024, the Committee on Health, chaired by Council Member Lynn Schulman, voted on Introduction Number 435-A (Int. No. 435-A), sponsored by Council Member Pierina Ana Sanchez, in relation to expanding availability of rapid testing for sexually transmitted infections. Int. No. 435-A passed with 9 votes in the affirmative, with no nays or abstentions.

The Committee on Health heard this legislation previously at a hearing on June 18, 2024. Witnesses who testified included representatives from the New York City Department of Health and Mental Hygiene (DOHMH), as well as advocacy groups, organizations, and other interested stakeholders.

##### II. BACKGROUND

###### A. AVAILABILITY OF TESTING FOR SEXUALLY TRANSMITTED INFECTIONS

Based on the most recently available data from DOHMH, cases of sexually transmitted infections (STIs), such as syphilis, gonorrhea, and chlamydia, rose significantly from 2021 to 2022, with Black and Hispanic individuals seeing notably higher rates of infections.<sup>1</sup> Many STIs have no symptoms or may only cause mild symptoms, therefore, it is possible to have an infection and not know it.<sup>2</sup> Thus, individuals who are sexually active are advised to get tested for STIs regularly.<sup>3</sup> HIV, the virus that causes AIDS, can also be detected through testing.<sup>4</sup> Sexual health clinics operated by DOHMH offer free or low-cost HIV tests for individuals 12 and older, regardless of immigration status.<sup>5</sup> In June 2019, DOHMH established a “Quickie Lab” in Chelsea, Manhattan with capability to provide patients with rapid testing for HIV, syphilis, chlamydia, and gonorrhea.<sup>6</sup> Rapid testing can be done in a clinical setting or at home, and rapid tests provide results within hours.<sup>7</sup> Soon after, DOHMH established another “Quickie Lab” site in Fort Greene, Brooklyn, and currently these are the only 2 locations where DOHMH provides these rapid testing services full-time.<sup>8</sup> During June of 2024, the Corona Sexual Health Clinic in Queens will offer express STI testing services every Thursday, from 3:30 to 6 p.m. The clinic will

<sup>1</sup> Aidan Graham, *Why are sexually transmitted infections spiking in New York City? NYC Health Dept. breaks it down*, AM New York (Feb. 13, 2024), <https://www.amny.com/lifestyle/health/sexually-transmitted-infections-spike-nyc>.

<sup>2</sup> *About Sexually Transmitted Infections (STIs)*, Centers for Disease Control and Prevention, <https://www.cdc.gov/sti/about/index.html>.

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

<sup>4</sup> *HIV Testing*, NYC Department of Health and Mental Hygiene, <https://www.nyc.gov/site/doh/health/health-topics/hiv-be-hiv-sure.page>.

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

<sup>6</sup> *Health Department Announces State-of-the-Art “Quickie Lab” for Fast and Easy Chlamydia and Gonorrhea Testing*, NYC Department of Health and Mental Hygiene (June 12, 2019), <https://www.nyc.gov/site/doh/about/press/pr2019/health-department-opens-quickie-lab.page>. The opening of the lab came after DOHMH released data showing increases in syphilis and gonorrhea cases in NYC, similar to a national trend. *Id.*

<sup>7</sup> *Sexual Health Clinics*, NYC Department of Health and Mental Hygiene, <https://www.nyc.gov/site/doh/services/sexual-health-clinics.page>.

<sup>8</sup> *FPHNYC Awarded \$750,000 to Provide Rapid & Confidential Sexual Health Testing to Fort Greene*, Fund for Public Health NYC (January 9, 2020), <https://fphnyc.org/blog/fphnyc-quickie-lab-fort-greene/>.

provide HIV, chlamydia, gonorrhea, and syphilis testing on a walk-in basis for people who have no symptoms of an STI.<sup>9</sup> DOHMH currently does not offer full-time rapid testing services in the Bronx, Queens, or Staten Island.<sup>10</sup>

### III. LEGISLATIVE ANALYSIS

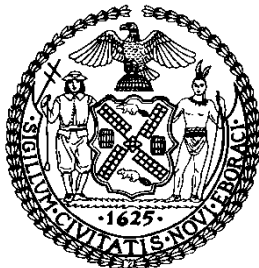
#### a. Int. No. 435-A

This bill would require DOHMH to make rapid testing sites for sexually transmitted infections available in at least four boroughs in the city. The bill would require that three sites be operational by February 15, 2026, and the fourth site by February 15, 2027. DOHMH would be required to determine the locations for such rapid testing services based on certain factors and to report to the Council on the considerations that went into making such determinations. DOHMH would also be required to conduct an outreach and education campaign in consultation or in partnership with relevant community-based organizations to inform communities of the locations and availability of rapid testing services. DOHMH would be required to submit to the Mayor and the Council a report detailing the availability of all rapid testing services in the city by August 15, 2025, and by each August 15 thereafter for 3 years. DOHMH would also be required to describe any concerns with opening and operating any of the sites by the deadlines required by the bill in such reports, as well as any progress.

Since its initial hearing, this bill was amended to include exact dates as deadlines for the opening of rapid testing sites and to clarify the reporting requirements—specifically—that DOHMH must report to the Mayor and Council by a specific date on any concerns with implementation. The bill was also amended to make clear what factors DOHMH should consider when determining the locations of the rapid testing sites and that they should work with relevant community-based organizations to perform outreach and education.

This bill would take effect immediately.

**(The following is the text of the Fiscal Impact Statement for Int. No. 435-A:)**



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

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

**RICHARD LEE, DIRECTOR  
FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO: 435-A**

**COMMITTEE: Health**

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to expanding availability of rapid testing for sexually transmitted infections.

**SPONSOR(S):** Council Member Sanchez, the Public Advocate (Mr. Williams) and Council Members Restler, Farías, Cabán, Menin, Ossé, Ayala, Louis, Rivera, Salaam, Brewer, Schulman, Hanif, Won, Bottcher, Gennaro, Hudson, Avilés, Krishnan, Nurse, Stevens, Banks, Marte, Gutiérrez, Brannan, Narcisse and Riley.

<sup>9</sup> *Supra* note 5.

<sup>10</sup> *Supra* note 7.

**SUMMARY OF LEGISLATION:** This bill would require the Department of Health and Mental Hygiene (DOHMH) to make available rapid testing services for sexually transmitted infections in at least 4 boroughs. DOHMH would be required to determine the locations for such rapid testing services and report to the Council on the considerations that went into making such determinations. DOHMH would also be required to conduct an education campaign to inform communities of the locations and availability of rapid testing services and would be required to report to the Council annually for three years on the availability of rapid testing services throughout New York City.

**EFFECTIVE DATE:** This local law would take effect immediately.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2026

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY25</b>	<b>FY Succeeding Effective FY26</b>	<b>Full Fiscal Impact FY26</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$2,797,000	\$3,844,000	\$3,844,000
<b>Net</b>	\$2,797,000	\$3,844,000	\$3,844,000

**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 estimated that the annual fiscal impact of this legislation would be \$3.8 million when fully implemented. The cost estimate consists of Personal Services (PS) of approximately \$2.2 million, to fund 23 positions that include public health advisors, lab associates, microbiologists, and management, as well as Other Than Personal Services (OTPS) costs of approximately \$1.6 million for testing kits and materials. For Fiscal 2025, the prorated cost would be \$2.8 million of which \$1.1 million is for PS costs and \$1.7 million is for OTPS costs. These costs are dependent on where the rapid testing sites are located. If the Department can collocate the testing sites with sites where it provides existing services, it is likely that the cost would be diminished.

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

**SOURCE OF INFORMATION:** New York City Council Finance Division  
New York City Office of Management and Budget

**ESTIMATE PREPARED BY:** Danielle Heifetz, Financial Analyst

**ESTIMATE REVIEWED BY:** Florentine Kabore, Unit Head  
Chima Obichere, Deputy Director  
Michael Twomey, Assistant Counsel  
Jonathan Rosenberg, Managing Deputy Director

**LEGISLATIVE HISTORY:** The legislation was introduced to the full Council on February 28, 2024, as Intro. 435 and referred to the Committee on Health (the Committee). A hearing was held by the Committee on June 18, 2024, and the bill was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 435-A will be considered by the Committee on July 18, 2024. Upon successful vote by the Committee, Proposed Intro. No. 435-A will be submitted to the full Council for a vote on July 18, 2024.

**DATE PREPARED:** July 15, 2024.

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

**(The following is the text of Int. No. 435-A:)**

## Int. No. 435-A

By Council Member Sanchez, the Public Advocate (Mr. Williams) and Council Members Restler, Farías, Cabán, Menin, Ossé, Ayala, Louis, Rivera, Salaam, Brewer, Schulman, Hanif, Won, Bottcher, Gennaro, Hudson, Avilés, Krishnan, Nurse, Stevens, Banks, Marte, Gutiérrez, Brannan, Narcisse and Riley.

**A Local Law to amend the administrative code of the city of New York, in relation to expanding availability of rapid testing for sexually transmitted infections**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-184.2 to read as follows:

§ 17-184.2 *Availability of rapid testing for sexually transmitted infections. a. Definitions. For the purposes of this section, the term “rapid testing” means testing for chlamydia, gonorrhea, or HIV that produces results in the same day.*

*b. Availability. The department shall make rapid testing available at sites in at least 4 boroughs. Three such sites shall be operational by February 15, 2026, and the fourth such site shall be operational by February 15, 2027. In determining the location of rapid testing sites, the department shall consider community and geographic factors including rates of sexually transmitted infections, availability of other testing services, social determinants of health, including, but not limited to, race, ethnicity, sexual orientation, and gender identity, and other factors the department deems relevant. Within 30 days of determining each such location, the commissioner shall notify in writing the mayor and speaker of the council of the considerations that went into such determination.*

*c. Outreach. Upon the establishment of any rapid testing site required pursuant to subdivision b of this section, the department shall consult or partner with relevant community-based organizations and shall conduct an education campaign in English and the designated citywide languages as defined in section 23-1101 to inform communities of the locations and availability of rapid testing services. In determining relevant community-based organizations to consult or partner with, the department shall consider community and geographic factors including rates of sexually transmitted infections, availability of other testing services, social determinants of health, including, but not limited to, race, ethnicity, sexual orientation, and gender identity, and other factors the department deems relevant.*

*d. Disclaimer. Nothing in this section shall require the department to provide rapid testing services to a patient for whom the department or the medical provider administering such services does not find such rapid testing to be clinically appropriate.*

§ 2. a. No later than August 15, 2025 and each August 15 thereafter for 3 years, the commissioner of health and mental hygiene shall submit to the mayor and the speaker of the council and post publicly on the department of health and mental hygiene’s website a report detailing the availability of rapid testing services throughout the 5 boroughs, including services provided directly by the department of health and mental hygiene and through cooperative agreements or contracts with the department.

b. In the reports due August 15, 2025, and August 15, 2026, pursuant to this section, such commissioner shall describe any concerns in implementing the requirements of subdivision b of section 17-184.2 of the administrative code of the city of New York, as added by section one of this local law. If any rapid testing site required pursuant to such subdivision b is not operational by February 15, 2027, the commissioner of health and mental hygiene shall notify the mayor and speaker of the council of the department of health and mental hygiene’s progress implementing the requirements of such subdivision b and describe any concerns regarding such implementation in each report required by this section, or in a writing submitted August 15 annually, until such rapid testing sites are operational.

§ 3. This local law takes effect immediately.

LYNN C. SCHULMAN, *Chairperson*; KALMAN YEGER, JAMES F. GENNARO, OSWALD J. FELIZ, CARMEN N. De La ROSA, JULIE MENIN, MERCEDES NARCISSE, JOANN ARIOLA, KRISTY MARMORATO; 9-0-0; *Medical*: Susan Zhuang; Committee on Health, July 18, 2024. *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. 90

**Report of the Committee on Land Use in favor of approving Application number C 230351 ZMK (2118 Avenue U) submitted by 2118 Avenue U, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 29a, eliminating from within an existing R4 District a C1-3 District, changing from an R4 District to an R6A District, and establishing within the proposed R6A District a C2-4 District, Borough of Brooklyn, Community District 15, Council District 48.**

The Committee on Land Use, to which the annexed Land Use item was referred on June 6, 2024 (Minutes, page 2377) and which same Land Use item was coupled with the resolution shown below, respectfully

#### **REPORTS:**

#### **SUBJECT**

**BROOKLYN CB-15 – TWO APPLICATIONS RELATED TO 2118 AVENUE U**

**C 230351 ZMK (L.U. No. 90)**

City Planning Commission decision approving an application submitted by 2118 Avenue U LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 29a:

1. eliminating from within an existing R4 District a C1-3 District bounded by Avenue U, East 22nd Street, a line 150 feet southerly of Avenue U, and East 21st Street;
2. changing from an R4 District to an R6A District property bounded by Avenue U, East 22nd Street, a line 100 feet southerly of Avenue U, and East 21st Street; and
3. establishing within the proposed R6A District a C2-4 District bounded by Avenue U, East 22nd Street, a line 100 feet southerly of Avenue U, and East 21st Street;

Borough of Brooklyn, Community District 15, as shown on a diagram (for illustrative purposes only) dated February 5, 2024, and subject to the conditions of CEQR Declaration E-746.

**N 230352 ZRK (L.U. No. 91)**

City Planning Commission decision approving an application submitted by 2118 Avenue U LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

**INTENT**

To rezone the project area from a R4 residential zoning district with C1-3 commercial overlay to R6A and R4 residential zoning districts with a C2-4 commercial overlay and amend the zoning text to establish the project area as a Mandatory Inclusionary Housing (MIH) area to facilitate the development of a five-story, approximately 20,450-square-foot mixed-use development containing 15,650 square feet of residential space with 10 dwelling units, approximately three of which would be affordable units, as well as approximately 4,800 square feet of ground-floor commercial space at 2118 Avenue U (Block 7354, Lot 8) in the Sheepshead Bay neighborhood of Brooklyn, Community District 15.

**PUBLIC HEARING**

**DATE:** June 11, 2024

**Witnesses in Favor:** One

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** June 26, 2024

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission on L.U. Nos. 90 and 91.

**In Favor:**

Riley  
Moya  
Abreu  
Hanks  
Schulman  
Salaam  
Carr

**Against:**

None

**Abstain:**

None



**COMMITTEE ACTION****DATE:** June 27, 2024

The Committee recommends that the Council approve the attached resolutions.

<b>In Favor:</b>	<b>Against:</b>	<b>Abstain:</b>
Salamanca	None	None
Moya		
Rivera		
Riley		
Brooks-Powers		
Abreu		
Farias		
Hanks		
Hudson		
Sanchez		
Borelli		

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

Res. No. 510

**Resolution approving the decision of the City Planning Commission on ULURP No. C 230351 ZMK, a Zoning Map amendment (L.U. No. 90).**

By Council Members Salamanca and Riley.

**WHEREAS**, 2118 Avenue U 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. 29a, by eliminating from within an existing R4 District a C1-3 District, changing from an R4 District to an R6A District, and establishing within the proposed R6A District a C2-4 District, which in conjunction with the related action for a zoning text amendment, would facilitate the development of a five-story, approximately 20,450-square-foot mixed-use development containing 15,650 square feet of residential space with 10 dwelling units, approximately three of which would be income restricted, as well as approximately 4,800 square feet of ground-floor commercial space at 2118 Avenue U (Block 7354, Lot 8) in the Sheepshead Bay neighborhood of Brooklyn, Community District 15 (ULURP No. C 230351 ZMK) (the "Application");

**WHEREAS**, the City Planning Commission filed with the Council on May 31, 2024 its decision dated May 15, 2024 (the "Decision") on the Application;

**WHEREAS**, the Application is related to application N 230352 ZRK (L.U. No. 91), 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 197d of the City Charter;

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on June 11, 2024;

**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 February 2, 2024 (CEQR No. 24DCP013K), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials and air quality (E-746) (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-746) 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 City Planning Commission report, C 230351 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. 29a:

1. eliminating from within an existing R4 District a C1-3 District bounded by Avenue U, East 22nd Street, a line 150 feet southerly of Avenue U, and East 21st Street;
2. changing from an R4 District to an R6A District property bounded by Avenue U, East 22nd Street, a line 100 feet southerly of Avenue U, and East 21st Street; and
3. establishing within the proposed R6A District a C2-4 District bounded by Avenue U, East 22nd Street, a line 100 feet southerly of Avenue U, and East 21st Street;

Borough of Brooklyn, Community District 15, as shown on a diagram (for illustrative purposes only) dated February 5, 2024, and subject to the conditions of CEQR Declaration E-746.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 11-0-0; Committee on Land Use, June 27, 2024.

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. 91

**Report of the Committee on Land Use in favor of approving Application number N 230352 ZRK (2118 Avenue U) submitted by 2118 Avenue U, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 15, Council District 48.**

The Committee on Land Use, to which the annexed Land Use item was referred on June 6, 2024 (Minutes, page 2377) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Land Use for L.U. No. 90 printed above in these Minutes)**

*Accordingly, this Committee recommends its adoption.*

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

Res. No. 511

**Resolution approving the decision of the City Planning Commission on Application No. N 230352 ZRK, for an amendment of the text of the Zoning Resolution (L.U. No. 91).**

By Council Members Salamanca and Riley.

**WHEREAS**, 2118 Avenue U LLC, filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area which in conjunction with the related action for a zoning map amendment (C 230351 ZMK), would facilitate the development of a five-story, approximately 20,450-square-foot mixed-use development containing 15,650 square feet of residential space with 10 dwelling units, approximately three of which would be income restricted, as well as approximately 4,800 square feet of ground-floor commercial space at 2118 Avenue U (Block 7354, Lot 8) in the Sheepshead Bay neighborhood of Brooklyn, Community District 15 (ULURP No. N 230352 ZRK) (the "Application");

**WHEREAS**, the City Planning Commission filed with the Council on May 31, 2024, its decision dated May 15, 2024 (the "Decision") on the Application;

**WHEREAS**, the Application is related to application C 230351 ZMK (L.U. No. 90), a zoning map amendment to change an R4/C1-3 zoning district to R6A/C2-4 and R4 zoning districts;

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on June 11, 2024;

**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 February 2, 2024 (CEQR No. 24DCP013K), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials and air quality (E-746) (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-746) 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 City Planning Commission report, N 230352 ZRK, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

Matter underlined is new, to be added;

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

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

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

\* \* \*

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

\* \* \*

BROOKLYN

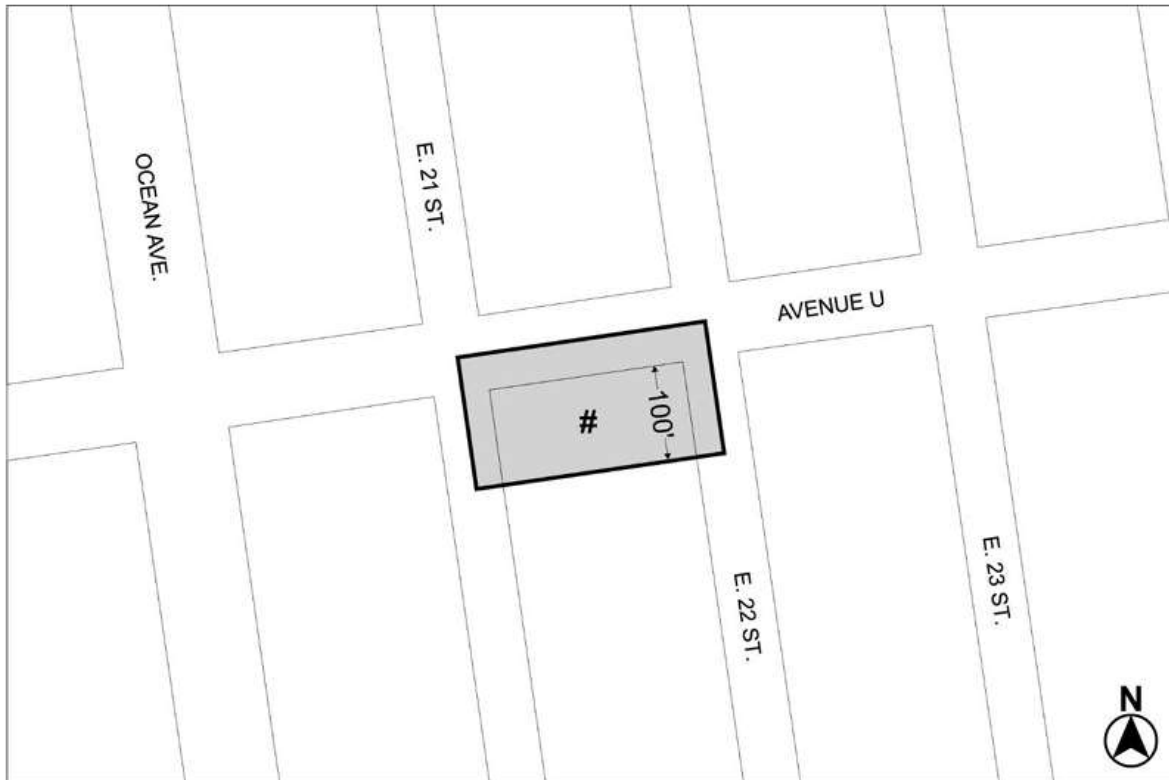
\* \* \*

Brooklyn Community District 15

\* \* \*

[PROPOSED MAP]

Map 6 – [date of adoption]



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

## Portion of Community District 15, Brooklyn

\* \* \*

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 11-0-0; Committee on Land Use, June 27, 2024.

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. 92

**Report of the Committee on Land Use in favor of approving Application number C 230276 ZMQ (58-75 Queens Midtown Expressway Rezoning) submitted by Lucky Supply Holding, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 13c, by changing from an M1-1 District to an M1-4 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 June 6, 2024 (Minutes, page 2377) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:****SUBJECT****QUEENS CB - 2****C 230276 ZMQ**

City Planning Commission decision approving an application submitted by Lucky Supply Holding, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 13c, by changing from an M1-1 District to an M1-4 District property bounded by 54th Avenue, a line 560 feet northwesterly of Maurice Avenue, Queens Midtown Expressway, and 58th Street, Borough of Queens, Community District 2, as shown on a diagram (for illustrative purposes only) dated February 20, 2024, and subject to the conditions of CEQR Declaration E-755.

**INTENT**

To rezone the project area from an M1-1 manufacturing zoning district to an M1-4 manufacturing zoning district, which would facilitate the enlargement of an existing one-story warehouse building that contains the applicant's existing business located at 58-75 Queens Midtown Expressway (Block 2656, Lot 64) in the Maspeth neighborhood of Queens, Community District 2.

**PUBLIC HEARING****DATE:** June 11, 2024**Witnesses in Favor:** One**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** June 26, 2024

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

**In Favor:**

Riley  
Moya  
Abreu  
Hanks  
Schulman  
Salaam  
Carr

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION****DATE:** June 27, 2024

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Salamanca  
Moya  
Rivera  
Riley  
Brooks-Powers  
Abreu  
Farias  
Hanks  
Hudson  
Sanchez  
Borelli

**Against:**

None

**Abstain:**

None

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

## Res. No. 512

**Resolution approving the decision of the City Planning Commission on ULURP No. C 230276 ZMQ, a Zoning Map amendment (L.U. No. 92).**

By Council Members Salamanca and Riley.

**WHEREAS**, Lucky Supply Holding, 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. 13c, by changing from an M1-1 District to an M1-4 District, which would facilitate the enlargement of an existing one-story warehouse building containing the applicant's existing business for continued industrial use at 58-75 Queens Midtown Expressway (Block 2656, Lot 64) in the Maspeth neighborhood of Queens, Community District 2 (ULURP No. C 230276 ZMQ) (the "Application");

**WHEREAS**, the City Planning Commission filed with the Council on May 31, 2024 its decision dated May 15, 2024 (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 June 11, 2024;

**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 February 20, 2024 (CEQR No. 24DCP014Q), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials (E-755) (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-755) 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 City Planning Commission report, C 230276 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. 13c, by changing from an M1-1 District to an M1-4 District property bounded by 54th Avenue, a line 560 feet northwesterly of Maurice Avenue, Queens Midtown Expressway, and 58th Street, Borough of Queens, Community District 2, as shown on a diagram (for illustrative purposes only) dated February 20, 2024, and subject to the conditions of CEQR Declaration E-755.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 11-0-0; Committee on Land Use, June 27, 2024.

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. 93

**Report of the Committee on Land Use in favor of approving Application number C 220185 ZMQ (27-24 College Point Boulevard Commercial Overlay) submitted by Bacele Realty Corp., pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 10a, by establishing within an existing R4 District a C2-3 District and establishing within an existing R5B District a C2-3 District, Borough of Queens, Community District 7, Council District 19.**

The Committee on Land Use, to which the annexed Land Use item was referred on June 6, 2024 (Minutes, page 2378) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:****SUBJECT****QUEENS CB - 7****C 220185 ZMQ**

City Planning Commission decision approving an application submitted by Bacele Realty Corp., pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 10a:

1. establishing within an existing R4 District a C2-3 District bounded by a line midway between 27<sup>th</sup> Avenue and 28<sup>th</sup> Avenue, a line perpendicular to the northerly street line of 28<sup>th</sup> Avenue distant 100 feet westerly (as measured along the street line) from the point of intersection of the northerly street line of 28<sup>th</sup> Avenue and the southwesterly street line of College Point Boulevard, 28<sup>th</sup> Avenue, and a line perpendicular to the northerly street line of 28<sup>th</sup> Avenue distant 135 feet westerly (as measured along the street line) from the point of intersection of the northerly street line of 28<sup>th</sup> Avenue and the southwesterly street line of College Point Boulevard; and
2. establishing within an existing R5B District, a C2-3 District bounded by a line midway between 27<sup>th</sup> Avenue and 28<sup>th</sup> Avenue, College Point Boulevard, 28<sup>th</sup> Avenue, and a line perpendicular to the northerly street line of 28<sup>th</sup> Avenue distant 100 feet westerly (as measured along the street line) from the point of intersection of the northerly street line of 28<sup>th</sup> Avenue and the southwesterly street line of College Point Boulevard,

as shown on a diagram (for illustrative purposes only) dated January 2, 2024, and subject to the conditions of CEQR Declaration E-741.

**INTENT**

To approve the amendment to replace an existing R5B zoning district with an R5B/C2-3 zoning to facilitate the development of a new, one-story drive-thru commercial building with a total floor area of approximately 2,500 square feet located at 27-24 College Point Boulevard (Block 4292, p/o Lots 10, 11, 12, 60 and 75) in the College Point neighborhood of Queens, Community District 7.



**PUBLIC HEARING****DATE:** June 11, 2024**Witnesses in Favor:** One**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** June 26, 2024

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

**In Favor:**

Riley  
Moya  
Abreu  
Hanks  
Schulman  
Salaam  
Carr

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION****DATE:** June 27, 2024

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Salamanca  
Moya  
Rivera  
Riley  
Brooks-Powers  
Abreu  
Farias  
Hanks  
Hudson  
Sanchez  
Borelli

**Against:**

None

**Abstain:**

None

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

## Res. No. 513

**Resolution approving the decision of the City Planning Commission on ULURP No. C 220185 ZMQ, a Zoning Map amendment (L.U. No. 93).**

By Council Members Salamanca and Riley.

**WHEREAS**, Bacele 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. 10a, by establishing within an existing R4 District a C2-3 District and establishing within an existing R5B District a C2-3 District, which would facilitate the development of a new, one-story commercial building with a total floor area of approximately 2,500 square feet located at 27-24 College Point Boulevard (Block 4292, p/o Lots 10, 11, 12, 60 and 75) in the College Point neighborhood of Queens, Community District 7 (ULURP No. C 220185 ZMQ) (the "Application");

**WHEREAS**, the City Planning Commission filed with the Council on May 31, 2024 its decision dated May 15, 2024 (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 June 11, 2024;

**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 January 2, 2024 (CEQR No. 23DCP106Q), which includes an (E) designation on the development site (Block 4292, Lot 12) to avoid the potential for significant adverse impacts related to hazardous materials and air quality (E-741) (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-741) 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 City Planning Commission report, C 220185 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. 10a:

3. establishing within an existing R4 District a C2-3 District bounded by a line midway between 27<sup>th</sup> Avenue and 28<sup>th</sup> Avenue, a line perpendicular to the northerly street line of 28<sup>th</sup> Avenue distant 100 feet westerly (as measured along the street line) from the point of intersection of the northerly street line of 28<sup>th</sup> Avenue and the southwesterly street line of College Point Boulevard, 28<sup>th</sup> Avenue, and a line perpendicular to the northerly street line of 28<sup>th</sup> Avenue distant 135 feet westerly (as measured along the street line) from the point of intersection of the northerly street line of 28<sup>th</sup> Avenue and the southwesterly street line of College Point Boulevard; and

4. establishing within an existing R5B District, a C2-3 District bounded by a line midway between 27<sup>th</sup> Avenue and 28<sup>th</sup> Avenue, College Point Boulevard, 28<sup>th</sup> Avenue, and a line perpendicular to the northerly street line of 28<sup>th</sup> Avenue distant 100 feet westerly (as measured along the street line) from the point of intersection of the northerly street line of 28<sup>th</sup> Avenue and the southwesterly street line of College Point Boulevard,

as shown on a diagram (for illustrative purposes only) dated January 2, 2024, and subject to the conditions of CEQR Declaration E-741.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 11-0-0; Committee on Land Use, June 27, 2024.

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. 98

**Report of the Committee on Land Use in favor of approving Application number N 240327 HIX (Old Croton Aqueduct Walk, DL-538/LP-2673) submitted by the Landmarks Preservation Commission, pursuant to the provisions Section 3020 of the Charter of the City of New York and Chapter 3 of Title 25 of the Administrative Code of the City of New York, for the designation of the Old Croton Aqueduct Walk located along Aqueduct Avenue between West Kingsbridge Road and West Burnside Avenue (Tax Map Block 3210, Lots 1 and 7; Block 3211, Lot 1 in part; Block 3212, Lots 1, 67, 71; Block 3213, Lots 27, 48, 49, 70; Block 3214, Lot 33; Block 3215 Lot 31), Borough of the Bronx, Community District 5 & 7, Council District 14.**

The Committee on Land Use, to which the annexed Land Use item was referred on June 20, 2024 (Minutes, page 2569) and which same Land Use item was coupled with the resolution shown below, respectfully

#### **REPORTS:**

#### **SUBJECT**

**BRONX CBs – 5 and 7**

**N 240327 HIX**

Designation by the Landmarks Preservation Commission [DL-538/LP-2673], pursuant to Section 3020 of the New York City Charter, of the Old Croton Aqueduct Walk (Tax Map Block 3210 Lots 1 and 7; Block 3211, p/o Lot 1; Block 3212 Lots 1, 67, and 71; Block 3213, Lots 27, 48, 49, and 70; Block 3214, Lot 33; and Block 3215, Lot 31), as an historic landmark.

#### **PUBLIC HEARING**

**DATE:** June 12, 2024

**Witnesses in Favor:** Two

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION****DATE:** June 26, 2024

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

**In Favor:**Hanks  
Brannan  
Farias  
Marte  
Salaam**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION****DATE:** June 27, 2024

The Committee recommends that the Council approve the attached resolution.

**In Favor:**Salamanca  
Moya  
Rivera  
Riley  
Brooks-Powers  
Abreu  
Farias  
Hanks  
Hudson  
Sanchez  
Borelli**Against:**

None

**Abstain:**

None

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

Res. No. 514

**Resolution affirming the designation by the Landmarks Preservation Commission of the Old Croton Aqueduct Walk located at 2200 Aqueduct Avenue (Tax Map Block 3210 Lots 1 and 7; Block 3211, p/o Lot 1; Block 3212 Lots 1, 67, and 71; Block 3213, Lots 27, 48, 49, and 70; Block 3214, Lot 33; and Block 3215, Lot 31), Borough of the Bronx, Designation List No. 538/LP-2673 (L.U. No. 98; N 240327 HIX).**

By Council Members Salamanca and Hanks.

**WHEREAS**, the Landmarks Preservation Commission filed with the Council on April 24, 2024 a copy of its designation report dated April 16, 2024 (the "Designation"), designating the Old Croton Aqueduct Walk, located at 2200 Aqueduct Avenue, Community Districts 5 and 7, Borough of the Bronx, as a landmark and Tax Map Block 3210 Lots 1 and 7; Block 3211, p/o Lot 1; Block 3212 Lots 1, 67, and 71; Block 3213, Lots 27, 48, 49, and 70; Block 3214, Lot 33; and Block 3215, Lot 31, as its landmark site, pursuant to Section 3020 of the New York City Charter;

**WHEREAS**, the Designation is subject to review by the Council pursuant to Section 3020 of the New York City Charter and Section 25-303 of the Administrative Code of the City of New York;

**WHEREAS**, the City Planning Commission submitted to the Council on June 14, 2024, its report on the Designation dated June 12, 2024 (the "Report");

**WHEREAS**, upon due notice, the Council held a public hearing on the Designation on June 12, 2024; and

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

**RESOLVED:**

Pursuant to Section 3020 of the City Charter and Section 25-303 of the Administrative Code of the City of New York, and on the basis of the information and materials contained in the Designation and the Report, and the record before the Council, the Council affirms the Designation.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 11-0-0; Committee on Land Use, June 27, 2024.

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. 99

**Report of the Committee on Land Use in favor of approving Application No. G 240054 NUR (Resilient Homes Staten Island) submitted by the New York City Department of Housing Preservation and Development, pursuant to Article 16 of the General Municipal Law for approval of a real property tax exemption, urban development action area project, and waiver of the area designation requirement and Section 197-c and 197-d of the New York City Charter, for fifteen properties (Tax Map Block 3124, Lot 116; Block 3728, Lot 20; Block 3734, Lots 38, 39, and 41; Block 3736, Lot 20; Block 3738, Lots 5 and 6; Block 3795, Lot 37 (Tentative Lots 37 and 38); Block 3802, Lot 5; Block 3873, Lot 28; Block 3881, Lot 1 (Tentative Lots 1 and 3); Block 3884, Lots 14 and 15 (Tentative Lot 14)) located in the Borough of Staten Island, Community District 2, Council District 50.**

The Committee on Land Use, to which the annexed Land Use item was referred on June 20, 2024 (Minutes, page 2569) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**STATEN ISLAND CB-2 – TWO APPLICATIONS RELATED TO RESILIENT HOMES STATEN ISLAND**

**G 240054 NUR (L.U. No. 99)**

Application submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Article 16 of the General Municipal Law for the approval of an Urban Development Action Area Project (UDAAP) for property located at 123 Father Capodanno Blvd. (Block 3124, Lot 116), 398 Hamden Avenue (Block 3728, Lot 20), 181-187 Moreland Street (Block 3734, Lots 38, 39, and 41), 176 Kiswick Street (Block 3736, Lot 20), 455-457 Lincoln Avenue (Block 3738, Lots 5 and 6), 111-113 Grimsby Street (Block 3795, Lot 37 (Tentative Lots 37 and 38)), 521 Lincoln Avenue (Block 3802, Lot 5), 770 Patterson Avenue (Block 3873, Lot 28), 527-529 Greeley Avenue (Block 3881, Lot 1 (Tentative Lots 1 and 3)), 1142-1144 Olympia Blvd. (Block 3884, Lots 14 and 15 (Tentative Lot 14)), Borough of Staten Island, Community District 2, Council District 50.

**G 240055 XAR (L.U. No. 100)**

Application submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Section 577 of Article XI of the Private Housing Finance Law, for approval of an exemption from real property taxation for property located at 123 Father Capodanno Blvd. (Block 3124, Lot 116), 398 Hamden Avenue (Block 3728, Lot 20), 181-187 Moreland Street (Block 3734, Lots 38, 39, and 41), 176 Kiswick Street (Block 3736, Lot 20), 455-457 Lincoln Avenue (Block 3738, Lots 5 and 6), 111-113 Grimsby Street (Block 3795, Lot 37 (Tentative Lots 37 and 38)), 521 Lincoln Avenue (Block 3802, Lot 5), 770 Patterson Avenue (Block 3873, Lot 28), 527-529 Greeley Avenue (Block 3881, Lot 1 (Tentative Lots 1 and 3)), 1142-1144 Olympia Blvd. (Block 3884, Lots 14 and 15 (Tentative Lot 14)), Borough of Staten Island, Community District 2, Council District 50.

**INTENT**

To approve UDAAP designation, project approval, and a real property tax exemption for the project to provide the new construction of about 7 single-family and 8 two-family homes containing about (23) housing dwelling units.

**PUBLIC HEARING**

**DATE:** June 12, 2024

**Witnesses in Favor:** Four

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** June 26, 2024

The Subcommittee recommends that the Land Use Committee approve the requests made by the New York City Department of Housing Preservation and Development on L.U. Nos. 99 and 100.

**In Favor:**  
Hanks  
Brannan  
Farias  
Marte  
Salaam

**Against:**  
None

**Abstain:**  
None

**COMMITTEE ACTION****DATE:** June 27, 2024

The Committee recommends that the Council approve the attached resolutions.

<b>In Favor:</b>	<b>Against:</b>	<b>Abstain:</b>
Salamanca	None	None
Moya		
Rivera		
Riley		
Brooks-Powers		
Abreu		
Farias		
Hanks		
Hudson		
Sanchez		
Borelli		

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

Res. No. 515

**Resolution approving an Urban Development Action Area Project and a real property tax exemption pursuant to Article 16 of the General Municipal Law for properties located at 123 Father Capodanno Blvd. (Block 3124, Lot 116), 398 Hamden Avenue (Block 3728, Lot 20), 181-187 Moreland Street (Block 3734, Lots 38, 39, and 41), 176 Kiswick Street (Block 3736, Lot 20), 455-457 Lincoln Avenue (Block 3738, Lots 5 and 6), 111-113 Grimsby Street (Block 3795, Lot 37 (Tentative Lots 37 and 38)), 521 Lincoln Avenue (Block 3802, Lot 5), 770 Patterson Avenue (Block 3873, Lot 28), 527-529 Greeley Avenue (Block 3881, Lot 1 (Tentative Lots 1 and 3)), 1142-1144 Olympia Blvd. (Block 3884, Lots 14 and 15 (Tentative Lot 14), Borough of Staten Island; and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, Community District 2, Borough of Staten Island (L.U. No. 99; G 240054 NUR).**

By Council Members Salamanca and Hanks.

**WHEREAS**, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on June 7, 2024, its request dated June 7, 2024, that the Council take the following action regarding the proposed Urban Development Action Area Project (the "Project") located at 123 Father Capodanno Blvd. (Block 3124, Lot 116), 398 Hamden Avenue (Block 3728, Lot 20), 181-187 Moreland Street (Block 3734, Lots 38, 39, and 41), 176 Kiswick Street (Block 3736, Lot 20), 455-457 Lincoln Avenue (Block 3738, Lots 5 and 6), 111-113 Grimsby Street (Block 3795, Lot 37 (Tentative Lots 37 and 38)), 521 Lincoln Avenue (Block 3802, Lot 5), 770 Patterson Avenue (Block 3873, Lot 28), 527-529 Greeley Avenue (Block 3881, Lot 1 (Tentative Lots 1 and 3)), 1142-1144 Olympia Blvd. (Block 3884, Lots 14 and 15 (Tentative Lot 14)), Community District 2, Borough of Staten Island (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 of Section 691 of the General Municipal Law;
2. Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to Section 693 of the General Municipal Law;

3. Waive the requirements of Sections 197-c and 197-d of the Charter pursuant to Section 694 of the General Municipal Law; and
4. Approve the project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law.
5. Approve the exemption of the project from real property taxes pursuant to Section 696 of the General Municipal Law (“UDAAP Exemption”).

**WHEREAS**, the Application is related to application G 240055 XAR (L.U. No. 100), a real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law (the “Article XI Exemption”);

**WHEREAS**, the proposed project is to be developed on land that is an eligible area as defined in Section 692 of the General Municipal Law, consists solely of the rehabilitation or conservation of existing private or multiple dwellings or the construction of one to four unit dwellings, and does not require any change in land use permitted under the New York City Zoning Resolution;

**WHEREAS**, upon due notice, the Council held a public hearing on the proposed project on June 12, 2024; and

**WHEREAS**, the Council has considered the land use and financial implications and other policy issues relating to the proposed 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 City of New York and that a designation of the proposed project as an Urban Development Action Area Project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law.

The Council waives the designation requirement of the Disposition Area as an Urban Development Action Area pursuant to Section 693 of the General Municipal Law.

The Council waives the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law.

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

The proposed project shall be developed in a manner consistent with the Project Summary that HPD has submitted to the Council on June 7, 2024, a copy of which is attached hereto.

The exemption from real property taxes pursuant to Section 696 of the General Municipal Law is approved as follows:

- a. All of the value of the buildings, structures, and other improvements situated on the Disposition Area shall be exempt from local and municipal taxes, other than assessments for local improvements and land value, for a period of 20 years commencing on the date of reconveyance of the Disposition Area to an owner which is not a housing development fund company (“UDAAP Commencement Date”); provided, however, that such exemption shall decrease in



ten equal annual decrements commencing upon the July 1st immediately preceding the tenth anniversary of the UDAAP Commencement Date.

- b. In consideration of the UDAAP Exemption, the owner of the Disposition Area shall waive the benefits, if any, of any Alternative Tax Benefit for so long as the UDAAP Exemption shall remain in effect.
- c. The UDAAP Exemption shall terminate with respect to all or any portion of the Disposition Area if the Department of Housing Preservation and Development (“HPD”) determines that such real property has not been, or is not being, developed, used, and/or operated in compliance with the requirements of all applicable agreements made by the transferee or any subsequent owner of such real property with, or for the benefit of, the City of New York. HPD shall deliver written notice of any such determination of noncompliance to the owner of such real property and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than 90 days. If the noncompliance specified in such notice is not cured within the time period specified therein, the UDAAP Exemption shall prospectively terminate with respect to the real property specified therein.
- d. Notwithstanding any other provision to the contrary, the combined duration of the Article XI Exemption and the UDAAP Exemption shall not exceed 25 years.
- e. The provisions of the UDAAP Exemption shall apply separately to each individual property comprising the Disposition Area, and a sale or other event which would cause the expiration, termination, or revocation of the UDAAP Exemption with respect to one property in the Disposition Area shall not affect the continued validity of the UDAAP Exemption with respect to other properties in the Disposition Area.

**ATTACHMENT:**

**PROJECT SUMMARY**

<b>1. PROGRAM:</b>	OPEN DOOR PROGRAM
<b>2. PROJECT:</b>	URBAN ECOSPACES RESILIENCY HOMES A
<b>3. LOCATION:</b>	
<b>a. BOROUGH:</b>	STATEN ISLAND
<b>b. COMMUNITY DISTRICT:</b>	2
<b>c. COUNCIL DISTRICT:</b>	50
<b>d. DISPOSITION AREA:</b>	<u>BLOCKS</u> <u>LOTS</u>
	3124.... 116
	3728      20
	3734      38, 39, 41
	3736      20
	3738      5, 6

3795	37 (Tentative Lots 37 and 38)
3802	5
3873	28
3881	1 (Tentative Lots 1 and 3)
3884	14, 15 (Tentative Lot 14)

- 4. BASIS OF DISPOSITION PRICE:** Nominal. Sponsor will pay one dollar per tax lot and deliver an enforcement note and mortgage for the remainder of the appraised value (“Land Debt”).
- 5. TYPE OF PROJECT:** New Construction
- 6. APPROXIMATE NUMBER OF BUILDINGS:** Seven Single-Family and Eight Two-Family Homes
- 7. APPROXIMATE NUMBER OF UNITS:** Twenty-three
- 8. HOUSING TYPE:** Single-Family and Two-Family Homes. If homes remain unsold at the end of the Marketing Period and HPD determines in writing that (i) sale is not feasible within a reasonable time, and (ii) a rental fallback is the best available alternative, then the unsold homes may be rented in accordance with the written instructions of HPD.
- 9. ESTIMATE OF INITIAL PRICE:** Sales prices will be affordable to families with annual household incomes between 80% and 130% of the area median income (AMI).
- 10. LIENS FOR LAND DEBT/CITY SUBSIDY:** Each of the Land Debt and the amount of any construction financing provided through loans from the City (“City Subsidy”) will be secured by a mortgage on the Disposition Area. Upon the sale of each homeownership unit to an initial purchaser, the Land Debt and City Subsidy, if any, will be apportioned pro rata to each unit. At such time, HPD may unsecure or forgive all or a portion of the Land Debt, and unsecure, but not forgive, all or a portion of the City Subsidy, based on the appraised value of a homeownership unit and/or, in the case of forgiveness of Land Debt, if HPD determines that the forgiveness is necessary to reduce the taxable consideration for a unit. The sum evidenced by the note and secured by the mortgage will be reduced to zero upon maturity of the Land Debt and City Subsidy, respectively, if the owner has complied with the program’s restrictions.
- 11. INCOME TARGETS:** Families with annual household incomes between 80% and 130% of AMI.
- 12. PROPOSED FACILITIES:** None
- 13. PROPOSED CODES/ORDINANCES:** None

- 14. ENVIRONMENTAL STATUS:** Negative Declaration
- 15. 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, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 11-0-0; Committee on Land Use, June 27, 2024.

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

Report for L.U. No. 100

**Report of the Committee on Land Use in favor of approving Application No. G 240055 XAR (Resilient Homes Staten Island) submitted by the New York City Department of Housing Preservation and Development, pursuant to Section 577 of the Private Housing Finance Law for approval of a real property tax exemption for fifteen properties (Tax Map Block 3124, Lot 116; Block 3728, Lot 20; Block 3734, Lots 38, 39, and 41; Block 3736, Lot 20; Block 3738, Lots 5 and 6; Block 3795, Lot 37 (Tentative Lots 37 and 38); Block 3802, Lot 5; Block 3873, Lot 28; Block 3881, Lot 1 (Tentative Lots 1 and 3); Block 3884, Lots 14 and 15 (Tentative Lot 14)) located in the Borough of Staten Island, Community District 2, Council District 50.**

The Committee on Land Use, to which the annexed Land Use item was referred on June 20, 2024 (Minutes, page 2570) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Land Use for L.U. No. 99 printed above in these Minutes)**

*Accordingly, this Committee recommends its adoption.*

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

Res. No. 516

**Resolution approving a tax exemption pursuant to Article XI of the Private Housing Finance Law for properties located at 123 Father Capodanno Blvd. (Block 3124, Lot 116), 398 Hamden Avenue (Block 3728, Lot 20), 181-187 Moreland Street (Block 3734, Lots 38, 39, and 41), 176 Kiswick Street (Block 3736, Lot 20), 455-457 Lincoln Avenue (Block 3738, Lots 5 and 6), 111-113 Grimsby Street (Block 3795, Lot 37 (Tentative Lots 37 and 38)), 521 Lincoln Avenue (Block 3802, Lot 5), 770 Patterson Avenue (Block 3873, Lot 28), 527-529 Greeley Avenue (Block 3881, Lot 1 (Tentative Lots 1 and 3)), 1142-1144 Olympia Blvd. (Block 3884, Lots 14 and 15 (Tentative Lot 14), Community District 2, Borough of Staten Island (L.U. No. 100; Non-ULURP No. G 240055 XAR).**

By Council Members Salamanca and Hanks.

**WHEREAS**, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council on June 7, 2024, its request dated June 7, 2024, that the Council approve a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law (the “Article XI Exemption”) for property located at 123 Father Capodanno Blvd. (Block 3124, Lot 116), 398 Hamden Avenue (Block 3728, Lot 20), 181-187 Moreland Street (Block 3734, Lots 38, 39, and 41), 176 Kiswick Street (Block 3736, Lot 20), 455-457 Lincoln Avenue (Block 3738, Lots 5 and 6), 111-113 Grimsby Street (Block 3795, Lot 37 (Tentative Lots 37 and 38)), 521 Lincoln Avenue (Block 3802, Lot 5), 770 Patterson Avenue (Block 3873, Lot 28), 527-529 Greeley Avenue (Block 3881, Lot 1 (Tentative Lots 1 and 3)), 1142-1144 Olympia Blvd. (Block 3884, Lots 14 and 15 (Tentative Lot 14), Community District 10, Borough of Staten Island, Council District 50 (the “Exemption Area”, or “Disposition Area”);

**WHEREAS**, the Tax Exemption Request is related to application G 240054 NUR (L.U. No. 99), for approval of an Urban Development Action Area Project (“UDAAP”) and related UDAAP property tax exemption (“UDAAP Exemption”);

**WHEREAS**, upon due notice, the Council held a public hearing on the Article XI Exemption on June 12, 2024; and

**WHEREAS**, the Council has considered the land use and financial implications and other policy issues relating to the Article XI Exemption.

**RESOLVED:**

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

- a. All of the value of the property in the Disposition Area, including both the land and any improvements, (excluding those portions, if any, devoted to business, commercial, or community facility use), shall be exempt from real property taxes, other than assessments for local improvements, for a period commencing upon the date of conveyance of the Disposition Area to a housing development fund company (“Article XI Commencement Date”) and terminating upon the earlier to occur of (i) the fifth anniversary of the Article XI Commencement Date, or (ii) the date of reconveyance of the Disposition Area to an owner which is not a housing development fund company (“Article XI Expiration Date”).
- b. In consideration of the Article XI Exemption, the owner of the Disposition Area shall waive the benefits, if any, of additional or concurrent real property tax abatement and/or tax exemption which may be authorized under any existing or future local, state, or federal law, rule, or regulation (“Alternative Tax Benefit”), for so long as the Article XI Exemption shall remain in effect.
- c. The Article XI Exemption shall terminate if HPD determines at any time that (i) the Disposition Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, or (ii) the Disposition Area is not being operated in accordance with the requirements of any agreement with, or for the benefit of, the City of New York. HPD shall deliver written notice of any such determination to the property owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than 60 days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Article XI Exemption shall prospectively terminate.
- d. The provisions of the Article XI Exemption shall apply separately to each individual property comprising the Disposition Area, and a sale or other event which would cause the expiration, termination, or revocation of the Article XI Exemption with respect to one property in the Disposition Area shall not affect the continued validity of the Article XI Exemption with respect to other properties in the Disposition Area.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 11-0-0; Committee on Land Use, June 27, 2024.

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****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:

*Approved New Applicants*

<i>Name</i>	<i>Address</i>	<i>District #</i>
JAKE NATHAN STEINHAUER	345 8th Ave, Apt. 14J New York, New York 10001	3
VIRGINIA ALBA	334 Thieriot Ave, Apt. 1 Bronx, New York 10473	18
AMBAR Z. RODRIGUEZ GONZALEZ	132-43 114th Place South Ozone Park, New York 11420	28
GASPAR A. VALLE	116 Suydam St Brooklyn, New York 11221	34
SAUL AQUINO	14 Shepherd Ave, Apt. 2 Brooklyn, New York 11208	37

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 Orders Calendar)**

- (1) **Int. No. 118-A -** Posting information and reporting on dress code policies in New York city public schools.
- (2) **Int. No. 435-A -** Expanding availability of rapid testing for sexually transmitted infections.
- (3) **Int. No. 863-A -** Expanding the application of procurement procedures for certain service contracts.
- (4) **L.U. No. 90 & Res. No. 510 -** **App. C 230351 ZMK (2118 Avenue U)**, Borough of Brooklyn, Community District 15, Council District 48.
- (5) **L.U. No. 91 & Res. No. 511 -** **App. N 230352 ZRK (2118 Avenue U)**, Borough of Brooklyn, Community District 15, Council District 48.
- (6) **L.U. No. 92 & Res. No. 512 -** **App. C 230276 ZMQ (58-75 Queens Midtown Expressway Rezoning)**, Borough of Queens, Community District 2, Council District 26.
- (7) **L.U. No. 93 & Res. No. 513 -** **App. C 220185 ZMQ (27-24 College Point Boulevard Commercial Overlay)**, Borough of Queens, Community District 7, Council District 19.
- (8) **L.U. No. 98 & Res. No. 514 -** **App. N 240327 HIX (Old Croton Aqueduct Walk, DL-538/LP-2673)**, Borough of the Bronx, Community District 5 & 7, Council District 14.
- (9) **L.U. No. 99 & Res. No. 515 -** **App. G 240054 NUR (Resilient Homes Staten Island)**, Borough of Staten Island, Community District 2, Council District 50.
- (10) **L.U. No. 100 & Res. No. 516 -** **App. G 240055 XAR (Resilient Homes Staten Island)**, Borough of Staten Island, Community District 2, Council District 50.

- |  |  |
|--|--|
| <p>(11) <b>Preconsidered</b><br/><b>L.U. No. 105 &amp;</b><br/><b>Res. No. 509 -</b></p> | <p>Fulton Street South, Block 1861, Lot<br/>20, Brooklyn, Community District<br/>No. 3, Council District No. 36.</p> |
| <p>(12) <b>Resolution approving various persons Commissioners of Deeds.</b></p>          |  |

The Majority Leader and Acting President Pro Tempore (Council Member Farías) 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, Banks, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Feliz, Gutiérrez, Hanif, Holden, Hudson, Joseph, Krishnan, Lee, Louis, Marmorato, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Powers, Restler, Salaam, Salamanca, Sanchez, Schulman, Stevens, Ung, Williams, Won, Yeger, the Majority Leader (Council Member Farías) and the Speaker (Council Member Adams) - **42**.

**The General Order vote recorded for this Stated Meeting was 42-0-0 as shown above.**

*The following Introductions were sent to the Mayor for his consideration and approval:  
Int. Nos. 118-A, 435-A, and 863-A.*



## RESOLUTIONS

*Presented for voice-vote on the Resolutions Calendar*

**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. 10

**Report of the Committee on Veterans in favor of approving a Resolution recognizing July 27 annually as Korean War Veterans Armistice Day in the City of New York to honor the courage and sacrifice of those who served.**

The Committee on Veterans, to which the annexed resolution was referred on February 8, 2024 (Minutes, page 241), respectfully

### REPORTS:

On Thursday, July 18, 2024, the Committee on Veterans, chaired by Council Member Robert Holden, held a vote on Resolution Number (Res. No.) 10, sponsored by Council Member Holden, recognizing July 27 annually as Korean War Veterans Armistice Day in the City of New York to honor the courage and sacrifice of those who served. The Committee originally heard Res. No. 10 on April 2, 2024. At that hearing, the Committee received testimony from the Department of Veterans' Services and community members.

The Committee on Veterans passed the resolution by a vote of five in the affirmative, zero in the negative, and zero abstentions.

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 10:)**

Res. No. 10

**Resolution recognizing July 27 annually as Korean War Veterans Armistice Day in the City of New York to honor the courage and sacrifice of those who served.**

By Council Members Holden, Brooks-Powers, Gennaro, Farías, Louis, Won, Dinowitz, Yeger, Narcisse, Bottcher, Rivera, Schulman, Ariola, Marmorato, Carr and Paladino.

**Whereas**, After World War II, the Korean Peninsula was split into a Soviet-backed government in the North and a United States (U.S.)-backed government in the South; and

**Whereas**, On June 25, 1950, North Korean soldiers attacked along the 38th parallel, which divided the North and South, and invaded South Korea; and

**Whereas**, After the attack was condemned by the United Nations (UN) Security Council, the U.S. and other member nations sent troops to aid South Korea; and

**Whereas**, The ensuing three-year war cost the lives of millions of Korean civilians and soldiers from many countries and forever changed the lives of hundreds of thousands of those who were wounded and those who were brutally treated as prisoners of war; and

**Whereas**, On July 27, 1953, the Korean Armistice Agreement was signed by military delegates from the U.S., on behalf of the UN Command, the Korean People's Army, and the Chinese People's Volunteer Army, which had aided North Korea, thus bringing an end to armed conflict; and

**Whereas**, This longest negotiated armistice agreement in history, spanning two years and 17 days, was not and is not a formal peace treaty signed by nations, but rather a military truce, which separated the two parts of the Korean Peninsula by a Demilitarized Zone, which exists today; and

**Whereas**, On the National Mall in Washington, D.C., in 1995, U.S. President William J. Clinton and South Korea’s President Kim Young-sam dedicated the Korean War Veterans Memorial, described by President Clinton as an “enduring testament to [the veterans’] valor and generosity of spirit”; and

**Whereas**, The haunting Memorial includes 19 “On Patrol” stainless steel standing sculptures of servicemembers in a triangular “field of service,” a wall with more than 36,000 names of Americans killed in the War, a pool of remembrance, a UN wall with the engraved names of the 21 countries that fought with the U.S., and a black granite mural wall with etchings of more than 2,400 candid photographs of servicemembers; and

**Whereas**, President Clinton wrote in Proclamation 6812 on July 26, 1995, that “we look back in awe and gratitude at what our Armed Forces and allies accomplished in Korea” and that “[u]nder the banner of the United Nations, they fought to defend freedom and human dignity in the Korean peninsula, demonstrating to the world’s totalitarian regimes that men and women of goodwill were ready to pay the ultimate price so that others might enjoy the blessings of liberty”; and

**Whereas**, President Joseph R. Biden, Jr., in a Proclamation on July 26, 2022, to commemorate National Korean War Veterans Armistice Day, wrote that the 1.8 million Americans who served “faced enormous challenges—often outnumbered by the enemy, facing extreme heat and cold while fighting in the mountains and valleys and in the rice paddies and rocky terrain of the Korean Peninsula”; and

**Whereas**, President Biden said in his Proclamation that thousands of soldiers remain unaccounted for even today and that he is committed to accounting for all U.S. prisoners of war and servicemembers still missing in action;

**Whereas**, In his Proclamation, President Biden also remarked on almost 70 years of “ensuing peace and the abiding relationship between the Korean and American people [that] has been the foundation for the thriving democracy and incredible economic progress of the Republic of Korea”; and

**Whereas**, In his Proclamation, President Biden encouraged all Americans on July 27, 2022, “to reflect on the strength, sacrifices, and sense of duty of our Korean War Veterans and bestow upon them the high honor they deserve” and further “to observe this day with appropriate ceremonies and activities that honor and give thanks” to those Veterans; and

**Whereas**, July 27, 2023, was the 70th anniversary of the signing of the Korean Armistice Agreement, which heralded decades of peace after the bitter conflict; now, therefore, be it

**Resolved**, That the Council of the City of New York recognizes July 27 annually as Korean War Veterans Armistice Day in the City of New York to honor the courage and sacrifice of those who served.

ROBERT F. HOLDEN, *Chairperson*; SANDY NURSE, JOANN ARIOLA, VICKIE PALADINO, KRISTY MARMORATO; 5-0-0; Committee on Veterans, July 18, 2024.

Pursuant to Rule 8.50 of the Council, the Majority Leader and Acting President Pro Tempore (Council Member Farías) called for a voice vote. Hearing no objections, the Majority Leader and Acting President Pro Tempore (Council Member Farías) declared the Resolution to be adopted.

Adopted unanimously by the Council by voice-vote.

Report for voice-vote item Res. No. 292

**Report of the Committee on Education in favor of approving a Resolution calling on the New York City Department of Education to create an inclusive school dress code policy that complies with Title IX of the Federal Education Amendments Act and accounts for diverse cultures, gender expressions and body diversity.**

The Committee on Education, to which the annexed resolution was referred on March 19, 2024 (Minutes, page 1487), respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Education for Int. No. 118-A printed in the Reports of the Standing Committees section of these Minutes)**

*Accordingly, this Committee recommends its adoption.*

RITA C. JOSEPH, *Chair*; ERIC DINOWIZ, SHAHANA K. HANIF, SHEKAR KRISHNAN, LINDA LEE, FARAH N. LOUIS, MERCEDES NARCISSE, PIERINA A. SANCHEZ, LYNN C. SCHULMAN; 9-0-0; *Absent*: Jennifer Gutiérrez, Kamillah M. Hanks and Althea V. Stevens; *Medical*: James F. Gennaro; Committee on Education, July 17, 2024.

Pursuant to Rule 8.50 of the Council, Majority Leader and Acting President Pro Tempore (Council Member Farías) called for a voice vote. Hearing those in favor, the Majority Leader and Acting President Pro Tempore (Council Member Farías) declared the Resolution to be adopted.

The following 4 Council Members formally noted their intention to vote in the **negative** on this item: Council Members Ariola, Holden, Marmorato, and Paladino.

The following Council Member formally noted his intention to **abstain** from voting on this item: Council Member Yeger.

Adopted by the Council by voice-vote.

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

Report for voice-vote item Res. No. 504

**Report of the Committee on Criminal Justice in favor of approving a Resolution authorizing the Speaker to commence legal action on behalf of the Council of the City of New York to oppose the Department of Correction's efforts to suspend Local Law 42 of 2024.**

The Committee on Criminal Justice, to which the annexed preconsidered resolution was referred on July 18, 2024, respectfully

**REPORTS:**

On July 18, 2024, the Committee on Criminal Justice, chaired by Council Member Sandy Nurse, will consider Preconsidered Resolution Number T2024-2259, sponsored by Council Member Nurse, authorizing the

Speaker to commence legal action on behalf of the Council of the City of New York to oppose the Department of Correction's efforts to suspend Local Law 42 of 2024.

*Accordingly, this Committee recommends its adoption.*

**(For text of the preconsidered resolution, please see the Introduction and Reading of Bills section printed in these Minutes)**

SANDY NURSE, *Chairperson*; DIANA I. AYALA, TIFFANY L. CABAN, SHAUN ABREU, SHAHANA K. HANIF, MERCEDES NARCISSE, ALTHEA V. STEVENS; 7-0-0; *Absent*: Christopher Marte and Lincoln Restler; Committee on Criminal Justice, July 18, 2024.

Pursuant to Rule 8.50 of the Council, the Majority Leader and Acting President Pro Tempore (Council Member Farías) called for a voice vote. Hearing those in favor, the Majority Leader and Acting President Pro Tempore (Council Member Farías) declared the Resolution to be adopted.

The following 5 Council Members formally noted their intention to vote in the **negative** on this item: Council Members Ariola, Holden, Marmorato, Paladino, and Yeger.

Adopted by the Council by voice-vote.

## INTRODUCTION AND READING OF BILLS

Res. No. 497

**Resolution calling on the NYPD Protest Response Oversight Committee to examine and prevent nuanced ways in which protestors may be silenced when monitoring NYPD’s compliance of new reforms established in a recent legal settlement.**

By Council Members Avilés and Cabán.

**Whereas**, In September 2023, The New York Police Department (“NYPD”) agreed to a settlement to reform its handling of demonstrations after the New York Attorney General sued the NYPD over alleged abuses during protests following George Floyd's killing in 2020; and

**Whereas**, The settlement includes an overhaul of the NYPD's response to protests, shifting from a command-and-control approach to a graduated response, which includes a tiered system of de-escalation before deploying officers, banning the tactic of kettling where protesters are boxed in and arrested, restrictions on arrest discretion, press protections, and stricter penalties for officers abusing protestors; and

**Whereas**, The settlement establishes a monitoring committee composed of representatives from various organizations, including a new position called the First Amendment Activity (“FAA”) Senior Executive to oversee the department's response to all public demonstrations, to oversee the implementation and compliance of the new reforms by the NYPD in three phases over a multi-year period; and

**Whereas**, The City Council applauds the recent settlement aimed at reforming the NYPD's response to protests and protecting 1<sup>st</sup> Amendment rights and the right to protest free from threats of invasive surveillance, and physical and legal aggression from law enforcement; and

**Whereas**, The NYPD’s protest response oversight committee can play a crucial role in safeguarding protestors' rights and preventing abuses as they can be called upon to thoroughly examine and prevent nuanced ways in which protestors may be silenced, including but not limited to the use of violence and confiscation of protest tools; and

**Whereas**, The recent settlement represents a significant step towards improving the NYPD's response to protests and protecting the rights of protestors through collaborative efforts and oversight, ensuring a City where peaceful assembly is respected, dissent is heard, and justice is upheld for all; now, therefore, be it

**Resolved**, That the Council of the City of New York calls on the NYPD Protest Response Oversight Committee to examine and prevent nuanced ways in which protestors may be silenced when monitoring NYPD’s compliance of new reforms established in a recent legal settlement.

Referred to the Committee on Public Safety.

Int. No. 981

By Council Members Brewer, Powers, Brooks-Powers and Restler.

**A Local Law to amend the administrative code of the city of New York, in relation to reporting on enforcement of unlicensed sellers of cigarettes, electronic cigarettes, tobacco products and illicit cannabis**

*Be it enacted by the Council as follows:*

Section 1. Section 7-517 of the administrative code of the city of New York is amended to read as follows:

§ 7-517 Report on enforcement against unlicensed [controlled substance and tobacco product sellers] *sellers of cigarettes, electronic cigarettes, tobacco products and illicit cannabis*. a. Definitions. For the purposes of this section the following terms have the following meanings:

Cigarette. The term “cigarette” has the same meaning as set forth in section 20-201.

Electronic cigarette. The term “electronic cigarette” has the same meaning as set forth in section 20-560.

Illicit cannabis. The term “illicit cannabis” *means any cannabis, sold or offered for sale, for which the seller does not possess a license pursuant to the state cannabis law [has the same meaning as set forth in section 136 of the cannabis law]*.

Owner. The term “owner” means the owner or owners of a premises or lesser estate therein, a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee, agent, or any other person, firm, corporation, or other entity directly or indirectly in control of a premises.

Tobacco product. The term “tobacco product” has the same meaning as set forth in section 20-201.

Unlicensed seller. The term “unlicensed seller” means a retailer, distributor, or other seller of *illicit cannabis, or cigarettes, electronic cigarettes[,] or tobacco products[, or illicit cannabis]* operating without a license to sell such cigarettes, electronic cigarettes[,] *or tobacco products[, or illicit cannabis]*.

b. [An agency designated by the mayor to compile the information detailed in this subdivision,] *By October 15, 2024, and within 15 days following the end of each subsequent quarter, the sheriff's department, in consultation with the new york city police department and department of consumer and worker protection, shall provide a [quarterly] report to the mayor and the speaker of the council, and post such report on each agency's respective website, with respect to inspections and enforcement relating to unlicensed sellers [of cigarettes, electronic cigarettes, tobacco products and illicit cannabis in commercial locations in the previous year]. Such report shall include information on the following items for the reporting period:*

1. The total number of *locations where inspections related to the sale of cigarettes, electronic cigarettes, tobacco products or illicit cannabis occurred and for each such location, its address, whether the location had an active tobacco retail dealer license and whether an inspection revealed the sale of illegal tobacco products or illicit cannabis at such location, and which agency or agencies conducted such inspection, including but not limited to the sheriff's department, the new york city police department, and the department of consumer and worker protection;*

2. *For each inspection of an unlicensed seller: whether [The number of inspections in each borough in which] any cigarettes, electronic cigarettes, tobacco products, or illicit cannabis were seized [from an unlicensed seller], disaggregated by the type and aggregate weight of product seized; the amount of currency seized; and whether such location had been previously inspected and the date of such inspection;*

3. The total number of civil summonses issued to unlicensed sellers, *disaggregated by the specific violations cited in such summonses;*

4. The total number of criminal summonses issued to unlicensed sellers, *disaggregated by the specific violations cited in such summonses;*

5. The total number of arrests made, *disaggregated by top arrest charge;*

6. *What, if any, agency has been designated by the sheriff to implement powers granted pursuant to subdivision e of section 7-552 of the administrative code, and the length of such designation;*

7. The total number of written notices or civil summonses issued to owners of the commercial premises pursuant to section 10-186; [and

7] 8. The total number of owners found to have violated subdivision b of section 10-186 in each council district [during the period]; *and*

9. *The total number of commercial locations that were subject to each of the following enforcement actions: (i) temporary closing orders; (ii) temporary orders to seal; (iii) closing orders; and (iv) orders to seal..*

[c. This section shall expire and be deemed repealed on December 31, 2024.]

§ 3. This local law takes effect immediately.

Referred to the Committee on Finance.

Int. No. 982

Council Members Cabán, Farías, Brooks-Powers and Restler.

**A Local Law to amend the administrative code of the city of New York, in relation to compliance with equal pay laws**

*Be it enacted by the Council as follows:*

Section 1. Chapter 12 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 8 to read as follows:

**SUBCHAPTER 8  
COMPLIANCE WITH EQUAL PAY LAWS**

*§ 20-1281 Definitions. As used in this section, the following terms have the following meanings:*

*Covered employee. The term “covered 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 subsection (e) of section 203 of title 29 of the United States code and who is employed within the city and who performs work on a full-time or part-time basis, but not including work performed in a transitional jobs program pursuant to section 336-f of the social services law, or work performed as a participant in a work experience program pursuant to section 336-c of the social services law.*

*Covered employer. The term “covered employer” means any person or entity covered by the definition of “employer” set forth in subdivision 6 of section 651 of the labor law or any person or entity covered by the definition of “employer” set forth in subsection (d) of section 203 of title 29 of the United States code. This term does not include a temporary help firm as such term is defined by subdivision 5 of section 916 of the labor law.*

*§ 20-1282 Report. No later than February 1, 2025, and annually thereafter, each covered employer that employs more than 25 covered employees shall submit to the department a report on its covered employees. Such report shall not include any names of employees, or any other personally identifiable information, and shall include, but not be limited to, the following information for each covered employee:*

- 1. Total salary or wages earned for the previous calendar year;*
- 2. The borough in which such covered employee works;*
- 3. The month and year such covered employee was hired;*
- 4. Job title;*
- 5. Gender, race and ethnicity;*
- 6. Birth year;*
- 7. Whether such covered employee is a member of a labor union;*
- 8. Whether such covered employee works more than 35 hours per week, works less than 35 hours per week, or works on a temporary or seasonal basis not based on the numbers of hours worked per week;*
- 9. Whether such covered employee is a manager; and*
- 10. Any additional information required by the department to be reported.*

*§ 20-1283 Digital affirmation. a. No later than November 1, 2024, the commissioner, in collaboration with the commission on gender equity and the New York city commission on human rights, shall develop a method for a covered employer to submit a digital affirmation in which such employer self-certifies that it (i) understands federal, state and local equal pay laws as they apply to such employer, and (ii) complies with such federal, state and local equal pay laws.*

*b. No later than February 1, 2025, and every three years thereafter, each covered employer shall submit to the department the digital affirmation created pursuant to subdivision a of this section.*

*c. Each covered employer shall maintain records of every digital affirmation submitted to the department pursuant to subdivision b of this section, and upon request shall furnish such affirmations to the department.*

*d. The department shall keep and maintain digital affirmations received by each covered employer for at least 15 years.*

§ 20-1284 Publication. No later than May 1, 2025, and every three years thereafter, the department shall publish on its website a list of the covered employers that submitted a digital affirmation pursuant to section 20-1283 certifying compliance with federal, state and local equal pay laws.

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

Referred to the Committee on Consumer and Worker Protection.

Preconsidered Int. No. 983

By Council Members De La Rosa and Restler.

**A Local Law to amend the administrative code of the city of New York, in relation to the administration of employee benefits**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 12 of the administrative code of the city of New York is amended by adding a new section 12-143 to read as follows:

§ 12-143 Administration of certain employee benefits. a. Definitions. As used in this sections, the following terms have the following meanings:

*Benefit.* The term “benefit” includes the supplemental benefits provided to the non-unionized employees of the city through the management benefits fund, and the benefits provided to employees through the flexible spending accounts program.

*Help center.* The term “help center” means the city benefits help center required by section 12-144.

b. Claims processing; minimum standards. Subject to applicable federal and state laws and regulations, claims for benefits shall be determined as expeditiously as practicable and within 14 calendar days of filing. Upon any denial of benefits claimed, the basis for denial, the opportunity to appeal such denial, and, if applicable, the opportunity to correct or supplement such claim shall be communicated to the claimant immediately by mail and electronically, if such claimant has elected to receive such communication electronically. Any corrected or supplemented claim shall be determined within 5 calendar days of receipt of such corrected or supplemented claim. Claimants shall have the option to communicate with benefits administrators, in relation to claims for benefits, electronically and by phone. Inquiries from claimants regarding claims for benefits shall be responded to within 24 business hours.

c. Claims tracking application. 1. No later than March 1, 2025, the office of labor relations or another agency designated by the mayor to administer benefits shall establish an online application designed to streamline the administration of benefits and provide a single portal to employees who register for access for the purpose of tracking claims for benefits. Such portal shall be accessible remotely from a computer terminal with intranet or internet access in compliance with any local, state, and federal laws, regulations and rules, including those related to privacy protection.

2. Through such portal, employees shall be permitted to:

(a) Submit claims for benefits, including any required documentation, electronically;

(b) Track the status of each claim for benefits submitted, which may include “under review,” “approved,” “denied,” and such other plain descriptors;

(c) Obtain the details of determinations of claims and plain instructions to correct or supplement claims, as applicable;

(d) Receive electronic notification of claims status changes;

(e) Identify whether a claim for benefits submitted is subject to a processing standard set forth in subdivision b of this section, which shall include an indication whether such claim has been determined in accordance with subdivision b of this section;

(f) Access information in relation to the process for submitting and processing claims; and

(g) Communicate electronically with claims administrators in relation to claims submitted and with the help center.



*d. Annual reporting. No later than April 1, 2026, and no later than every April 1 thereafter, the commissioner of the office of labor relations or another agency designated by the mayor to administer employee benefits shall submit to the speaker of the council a report summarizing the following information:*

- 1. The number of employees who registered to access the claims tracking application required by subdivision c of this section as of March 1 of the year in which such report is submitted;*
- 2. The number of claims for benefits submitted, disaggregated by agency and the type of benefit, for the preceding year;*
- 3. The number of such claims that were finally determined;*
- 4. The number of such claims that were denied, whether upon an initial review or subsequent review, disaggregated by the general reason for denial;*
- 5. The average number of days between the submission of such claims and the final determination of such claims;*
- 6. The number of such claims that were denied after an initial review, but that were approved after submission of additional information or documentation;*
- 7. The number of such claims that were not timely processed in accordance with the minimum standards set forth in subdivision b of this section; and*
- 8. A description of the most common questions regarding benefits posed to administrators of such benefits in the preceding year.*

§ 2. Chapter 1 of title 12 of the administrative code of the city of New York is amended by adding a new section 12-144 to read as follows:

§ 12-144 *City benefits help center. a. Definitions. As used in this section, the following terms have the following meanings:*

*Benefit. The term “benefit” means all benefits offered by the city to employees.*

*Help center. The term “help center” means the city benefits help center required by this section.*

*b. The office of labor relations or another agency designated by the mayor to administer benefits shall operate a help center to offer information and guidance to employees in relation to all benefits programs and the processing of claims for benefits. Such help center may be established within the office of labor relations or another agency designated by the mayor. Such help center shall maintain a webpage that includes information in relation to services offered by such help center, and information in relation to benefits, including, but not limited to: the availability of the claims tracking portal required by section 21-143; the requirements for submitting a claim for benefits; applicable claims processing standards; grounds for a claim for benefits to be denied; and contact information for each benefit provider.*

*c. The help center shall have the duty to address employee inquiries regarding the administration of employee benefits within 24 business hours from the receipt of any such inquiry. The help center shall offer, and an employee shall indicate their preference of, lines of communication through email, live chat, phone, or mail. Staff of such center shall have comprehensive knowledge of benefits, including the interrelationship of benefits, and shall competently address inquiries from employees that relate to benefits.*

*d. The help center may operate entirely remotely.*

§ 3. City benefits utilization and satisfaction survey. *a. Definitions. As used in this section, the following terms have the following meanings:*

*Benefit. The term “benefit” includes the supplemental benefits provided to the non-unionized employees of the city through the management benefits fund, and the benefits provided to employees through the flexible spending accounts program.*

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

*Employee. The term “employee” means any person whose salary in whole or in part is paid out of the city treasury.*

*b. No later than March 1, 2025, the office of labor relations or another agency designated by the mayor to administer benefits shall create a benefits utilization and satisfaction survey, to be administered online, the responses to which shall be voluntary and confidential. Such survey shall be designed to elicit information in relation to employee utilization of benefits and satisfaction with benefits and benefits administration. Survey instructions shall emphasize that employee responses will be confidential.*

*c. Such survey shall include, but need not be limited to, the following inquiries:*

1. Whether, prior to taking such survey, the employee was aware of all available benefits and the processes by which such benefits could be obtained;
  2. Which benefits the employee has used in the past or currently uses, and why or why not;
  3. Whether the employee has participated in an information session related to the utilization of a benefit;
  4. Any challenges the employee has encountered when applying for benefits or filing or processing a claim for reimbursement; and
  5. Any recommended or requested improvements the employee requests in the substance or administration of benefits.
- d. No later than June 1, 2025, the commissioner of the office of labor relations shall submit to the speaker of the council and post conspicuously on its website a report summarizing the survey responses to questions described in subdivision c of this section.
- § 4. This local law takes effect 180 days after it becomes law.

Referred to the Committee on Civil Service and Labor (preconsidered but laid over by the Committee on Civil Service and Labor).

Int. No. 984

By Council Members Farías, Cabán, Brooks-Powers, Williams, Menin and Restler

**A Local Law to amend the administrative code of the city of New York, in relation to a study on pay and employment equity for private employees**

*Be it enacted by the Council as follows:*

Section 1. Subchapter 7 of chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-172 to read as follows:

§ 3-172 *Pay and employment equity study on covered employers. a. Definitions. For purposes of this section, the following terms have the following meanings:*

*Covered employee. The term “covered 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 subsection (e) of section 203 of title 29 of the United States code and who is employed within the city and who performs work on a full-time or part-time basis, but not including work performed in a transitional jobs program pursuant to section 336-f of the social services law or work performed as a participant in a work experience program pursuant to section 336-c of the social services law. Notwithstanding any other provision of this section, the term “covered employee” does not include any person who is employed by: (i) the United States government; (ii) the state of New York, including any office, department, independent agency, authority, institution, association, society, or other body of such state, including the legislature and the judiciary; or (iii) the city, or any local government, municipality, or county, or any entity governed by section 92 of the general municipal law or section 207 of the county law.*

*Covered employer. The term “covered employer” means any person or entity covered by the definition of “employer” set forth in subdivision 6 of section 651 of the labor law or any person or entity covered by the definition of “employer” set forth in subsection (d) of section 203 of title 29 of the United States code. Notwithstanding any other provision of this section, the term “covered employer” does not include a temporary help firm as such term is defined by subdivision 5 of section 916 of the labor law and does not include: (i) the United States government; (ii) the state of New York, including any office, department, independent agency, authority, institution, association, society, or other body of such state, including the legislature and the judiciary; or (iii) the city, or any local government, municipality, or county, or any entity governed by section 92 of the general municipal law or section 207 of the county law.*

*b. Study. No later than 1 year after the effective date of the local law that added this section, and annually thereafter, the director, in coordination with the commissioner of consumer and worker protection and chairperson of the New York city commission on human rights, shall conduct a pay and employment equity study on covered employers that employ 150 or more covered employees. Such study shall focus on the identification*

*of disparities among covered employees of such employers based on gender, race, or other protected classes in employment under the city's human rights law in the following areas:*

1. *Pay and employee benefits;*
2. *Employment rates; and*
3. *Retention rates.*

*c. Report. 1. No later than 1 year after the effective date of the local law that added this section, and annually thereafter, the director, in coordination with the commissioner of consumer and worker protection and the chairperson of the New York city commission on human rights, shall submit to the mayor and speaker of the council and post on the open source analytics library a report on the findings of the study required by subdivision b of this section. Such report shall include, at a minimum:*

*(a) An analysis of the data collected pursuant to such study, including but not limited to a statement of any disparities identified through such study;*

*(b) A description of every statistical methodology used to analyze such data; and*

*(c) Recommendations on the development and implementation of pay, employment, and retention equity action plans for addressing and decreasing any disparities identified through such study.*

*2. The commissioner of consumer and worker protection and the chairperson of the New York city commission on human rights shall, on an annual basis, publicize to covered employers that employ 150 or more covered employees the recommendations required to be included in such report under subparagraph (c) of paragraph 1 of this subdivision.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Civil and Human Rights.

Res. No. 498

**Resolution calling on the Metropolitan Transportation Authority (MTA) to create a program that provides New York City's first responder agencies with real-time Global Positioning System (GPS) data for all MTA buses.**

By Council Members Farías, Brooks-Powers and Restler.

**Whereas**, The Metropolitan Transportation Authority (MTA) is the largest public transportation agency in North America; and

**Whereas**, Among the MTA's operating agencies are New York City Transit (NYCT), which manages, maintains, and runs subway and bus services in New York City (NYC), and MTA Bus Company, which operates local, express, and Select Bus Service routes in the Bronx, Brooklyn, and Queens; and

**Whereas**, According to MTA ridership data, for 2023, the average weekday bus ridership for NYCT and MTA Bus Company buses was 1,082,428 and 279,247, respectively; and

**Whereas**, In addition, the annual total bus ridership for 2023 for NYCT and MTA Bus Company buses was 340,766,398 and 82,216,666, respectively; and

**Whereas**, While the MTA, through NYCT and MTA Bus Company, provides an invaluable service to New Yorkers daily, in recent years, concerns regarding the safety of passengers and employees within the MTA systems, including its bus network, have received significant attention; and

**Whereas**, This has been particularly true for workers on MTA buses, as according to the MTA, there were 76 assaults on MTA bus workers in 2022, and 70 assaults in 2023; and

**Whereas**, Although data for passenger assaults is not available, these concerns undermine the public's perception of the safety of mass transit; and

**Whereas**, According to the MTA, it trains with local and national emergency response partners and regularly reviews its processes to keep customers safe; and

**Whereas**, MTA buses are equipped with a number of safety features, including roof hatches, emergency window exits, emergency rear door exit releases, and bus numbers, which are three- or four-digit numbers inside

and outside the bus that allow for passengers to identify each vehicle, which is particularly useful in an emergency or if a crime is being committed on board; and

**Whereas,** In addition, MTA bus operators can call the Bus Command Center, as well as 911, if there is an emergency or crime on board; and

**Whereas,** To build upon the safety features and processes that already exist, the MTA could create a program to regularly share real-time Global Positioning System (GPS) data for its buses with NYC's first responder agencies, such as the Police Department and the Fire Department; and

**Whereas,** With real-time GPS data for every MTA bus, responders would be able to address emergencies and crimes that occur on board more efficiently, as they would have clear and reliable information on exactly where the bus is; and

**Whereas,** Ensuring that the NYC agencies that respond to emergencies and crimes receive real-time and accurate GPS data for all MTA buses could save MTA passengers' and MTA workers' lives, while restoring the public's sense of peace on public transportation; now, therefore, be it

**Resolved,** That the Council of the City of New York calls upon the Metropolitan Transportation Authority (MTA) to create a program that provides New York City's first responder agencies with real-time Global Positioning System (GPS) data for all MTA buses.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 985

By Council Members Hanks, Zhuang, Restler and Farías.

**A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the sale of electronic cigarettes that resemble school supplies**

*Be it enacted by the Council as follows:*

Section 1. The heading of subchapter 2 of chapter 7 of title 17 of the administrative code of the city of New York, as amended by local law number 228 for the year 2019, is amended to read as follows:

SUBCHAPTER 2

REGULATION OF THE SALE OF FLAVORED TOBACCO PRODUCTS, [FLAVORED] *PROHIBITED* ELECTRONIC CIGARETTES AND FLAVORED E-LIQUID, AND REGULATION OF AGE OF ENTRY TO NON-TOBACCO HOOKAH ESTABLISHMENTS

§ 2. Section 17-715 of the administrative code of the city of New York, as amended by local law number 228 for the year 2019, is amended to read as follows:

§ 17-715 Sale of flavored tobacco products, flavored electronic cigarettes [and], flavored e-liquid, *and electronic cigarettes resembling school supplies* prohibited.

a. 1. It shall be unlawful for any person to sell or offer for sale, or to possess with intent to sell or offer for sale, any flavored tobacco product except in a tobacco bar.

2. There shall be a presumption that a retail dealer, as defined in section 17-702, in possession of [four] 4 or more flavored tobacco products, which shall include individual tobacco products, packages of tobacco products, or any combination thereof, possesses such tobacco products with intent to sell or offer for sale.

b. 1. It shall be unlawful for any person to sell or offer for sale, or to possess with intent to sell or offer for sale, any flavored electronic cigarette or flavored e-liquid.

2. There shall be a presumption that an electronic cigarette retail dealer, as defined in section 20-560, in possession of [six] 6 or more flavored electronic cigarettes, or more than 12 fluid ounces (354.882 mL) of flavored e-liquid, possesses such flavored electronic cigarettes or flavored e-liquid with intent to sell or offer for sale.

*c. 1. It shall be unlawful for any person to sell or offer for sale, or to possess with intent to sell or offer for sale, any electronic cigarette that resembles a school supply, including, but not limited to, an electronic cigarette designed to resemble or be disguised as a highlighter, stapler, eraser, writing pen, or pencil.*

*2. There shall be a presumption that an electronic cigarette retail dealer, as defined in section 20-560, in possession of 6 or more electronic cigarettes prohibited by paragraph 1 of this subdivision, possesses such electronic cigarettes with intent to sell or offer for sale.*

§ 3. Subdivision a-1 of section 17-716 of the administrative code of the city of New York, as added by local law number 228 for the year 2019, is amended to read as follows:

a-1. Any person who violates subdivision b or c of section 17-715 shall be liable for a civil penalty of not more than one thousand dollars for the first violation, and not more than one thousand dollars for each additional violation found on that day; and not more than two thousand dollars for the second violation at the same place of business within a three-year period, and not more than two thousand dollars for each additional violation found on that day; and not more than five thousand dollars for the third and all subsequent violations at the same place of business within a three-year period. In addition, for a third violation occurring on a different day and all subsequent violations occurring on different days at the same place of business within a three-year period, any person who engages in business as an electronic cigarette retail dealer, as such term is defined in section 20-560, shall be subject to the mandatory suspension of his or her license, issued pursuant to section 20-561, for such place of business, for a period not to exceed one year. Such license shall be suspended at the same hearing at which an electronic cigarette retail dealer is found liable for a third violation or subsequent violations at the same place of business within a three-year period.

§ 4. Section 11-4024 of the administrative code of the city of New York, as amended by local law number 228 for the year 2019, is amended to read as follows:

§ 11-4024 Seizure and forfeiture of taxed and lawfully stamped cigarettes sold or possessed by unlicensed retail or wholesale dealers, flavored tobacco products, [flavored] *prohibited* electronic cigarettes, and flavored e-liquid.

[(a)] a. Whenever a police officer designated in section 1.20 of the criminal procedure law or a peace officer employed by the department of finance, including but not limited to the sheriff, undersheriff or deputy sheriffs of the city of New York designated as peace officers in subdivision two of section 2.10 of the criminal procedure law, shall discover (1) any cigarettes subject to any tax provided by chapter thirteen of this title, and upon which the tax has been paid and the stamps affixed as required by such chapter, but such cigarettes are sold, offered for sale or possessed by a person in violation of section 11-1303, 17-703 or 20-202 of this code, [or] (2) any flavored tobacco product that is sold, offered for sale or possessed with intent to sell in violation of *subdivision a or b of section 17-715* [of this code], or (3) *any electronic cigarette that is sold, offered for sale, or possessed with intent to sell in violation of subdivision c of section 17-715*, he or she is hereby authorized and empowered forthwith to seize and take possession of such cigarettes [or], flavored tobacco product, or *electronic cigarettes prohibited pursuant to subdivision c of section 17-715*, together with any vending machine or receptacle in which such cigarettes [or], flavored tobacco product, or *electronic cigarettes prohibited pursuant to subdivision c of section 17-715* are held for sale. Such cigarettes [or], flavored tobacco product, *electronic cigarettes prohibited pursuant to subdivision c of section 17-715*, vending machine or receptacle seized by such police officer or such peace officer shall be turned over to the commissioner of finance.

[(b)] b. The seized cigarettes [or], flavored tobacco product, or *electronic cigarettes prohibited pursuant to subdivision c of section 17-715*, and any vending machine or receptacle seized therewith, but not the money contained in such vending machine or receptacle, shall thereupon be forfeited to the city, unless the person from whom the seizure is made, or the owner of such seized cigarettes, flavored tobacco product, *electronic cigarettes prohibited pursuant to subdivision c of section 17-715*, vending machine or receptacle, or any other person having an interest in such property, shall within ten days of such seizure, apply to the commissioner of finance for a hearing to determine the propriety of the seizure, or unless the commissioner of finance shall on his own motion release the seized cigarettes, flavored tobacco product, *electronic cigarettes prohibited pursuant to subdivision c of section 17-715*, vending machine or receptacle. After such hearing the commissioner of finance shall give notice of his decision to the petitioner. The decision of the commissioner shall be reviewable for error, illegality, unconstitutionality or any other reason whatsoever by a proceeding under article seventy-eight of the civil practice law and rules.

[(c)] c. The commissioner of finance may, within a reasonable time after the forfeiture to the city of such vending machine or receptacle under this section, upon publication of a notice to such effect for at least five successive days, in a newspaper published or circulated in the city, sell such forfeited vending machine or receptacle at public sale and pay the proceeds into the general fund of the city. Such seized vending machine or receptacle may be sold prior to forfeiture if the owner of the seized property consents to the sale. Cigarettes [or], flavored tobacco product, *or electronic cigarettes prohibited pursuant to subdivision c of section 17-715* forfeited to the city under this section shall be destroyed or used for law enforcement purposes, except that cigarettes that violate, or are suspected of violating, federal trademark laws or import laws shall not be used for law enforcement purposes. If the commissioner determines the cigarettes forfeited under this section may not be used for law enforcement purposes, the commissioner of finance must, within a reasonable time after the forfeiture to the city of such cigarettes, upon publication of a notice to such effect for at least five successive days, prior to destruction, in a newspaper published or circulated in the city, destroy such forfeited cigarettes.

[(d)] d. In the alternative, the commissioner of finance, on reasonable notice by mail or otherwise, may permit the person from whom a seizure of cigarettes [or], flavored tobacco product, *or electronic cigarettes prohibited pursuant to subdivision c of section 17-715* under this section was made, to redeem any vending machine or receptacle seized with such cigarettes [or], flavored tobacco product, *or electronic cigarettes prohibited pursuant to subdivision c of section 17-715*, or may permit the owner of any such vending machine or receptacle to redeem the same, upon the payment of any civil penalty imposed pursuant to chapter seven of title seventeen or subchapter one of chapter two of title twenty of this code and the costs incurred in such proceeding.

[(e)] e. For purposes of this section, a flavored tobacco product means a flavored tobacco product, flavored electronic cigarette, or flavored e-liquid.

§ 5. The definition of “good standing” set forth in section 20-560 of the administrative code of the city of New York, as amended by local law number 228 for the year 2019, is amended to read as follows:

Good standing. The term “good standing” means any electronic cigarette retail dealer that has not been found to have violated subdivision b of section 17-704.1 [or], subdivision a-1 of section 17-706, *or subdivision b or c of section 17-715* on more than one day during the previous three consecutive years.

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

Referred to the Committee on Health.

Int. No. 986

By Council Members Joseph, Restler, Cabán and Banks.

**A Local Law in relation to a pilot program to involve mental health professionals and professional candidates in student wellness clubs in public middle and high schools**

*Be it enacted by the Council as follows:*

Section 1. Pilot program to involve mental health professionals and professional candidates in student wellness clubs. a. Definitions. For purposes of this section, the following terms have the following meanings:

Commissioner. The term “commissioner” means the commissioner of health and mental hygiene.

Department. The term “department” means the department of health and mental hygiene.

Mental health professional. The term “mental health professional” means an individual licensed to provide mental health services in the state of New York, including but not limited to a licensed master social worker, a licensed clinical social worker, a licensed mental health counselor, a licensed marriage and family therapist, a psychiatric-mental health registered nurse or advanced practice nurse, a psychiatrist, and a psychologist.

Middle and high school. The term “middle and high school” means any school of the city school district that contains any combination of grades from grade 6 through grade 12.

Professional candidate. The term “professional candidate” means an individual enrolled in an accredited training program leading to licensure as a mental health professional.

Student. The term “student” means any pupil under the age of 21 as of September 1 of the relevant academic year who does not have a high school diploma and who is enrolled in grade 6 or higher.

Student wellness club. The term “student wellness club” means an extracurricular student group meeting after school or during designated time set aside for school extracurricular activities that provides a peer-led space for students to focus on their wellbeing and underlying factors influencing their wellbeing, including mental health.

b. Development and establishment of program. 1. The commissioner shall develop a pilot program to involve mental health professionals and professional candidates in student wellness clubs in middle and high schools. Through this program, the commissioner shall, at a minimum:

(a) Make best efforts to recruit mental health professionals for voluntary participation in this program;

(b) Make best efforts to develop partnerships with universities to recruit professional candidates for voluntary participation in this program; and

(c) Facilitate the leading of discussions and workshops by mental health professionals and professional candidates for middle and high school students on mental health topics, including but not limited to mental health coping skills, recognizing signs of mental distress, and strategies for maintaining mental well-being.

2. The commissioner shall make best efforts to coordinate with the chancellor of the city school district to establish this program within student wellness clubs in middle and high schools.

c. Implementation. The pilot program developed and established under subdivision b of this section shall commence no later than 120 days after the effective date of this local law. The duration of this program shall be 2 years.

d. Reporting. 1. No later than 1 year after the effective date of this local law, the commissioner, in coordination with the chancellor of the city school district, shall submit to the mayor and the speaker of the council, and post on the department’s website, a report on the pilot program developed and established under subdivision b of this section. This report shall include, but need not be limited to, the following information:

(a) An overview of the services provided by mental health professionals and professional candidates through this program;

(b) The total number of mental health professionals and professional candidates who provided services through this program;

(c) The total number of middle and high school students who participated in this program;

(d) A table in which each row references each middle and high school student who participated in this program, indicated by a unique identification number, and that includes the name of the middle or high school attended by the student and the borough in which the student attended middle or high school at the time of participation in this program set forth in separate columns;

(e) An evaluation of this program’s effectiveness in improving mental health support within middle and high schools;

(f) A description of any challenges encountered during the implementation of this program; and

(g) Recommendations for the future of the program, including any proposals for continuation, expansion, or modification based on the program’s outcomes.

2. No information that is otherwise required to be reported pursuant to this subdivision shall be reported in a manner that would violate any applicable provision of federal, state, or local law relating to the privacy of student information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If a category contains between 1 and 5 students, or contains an amount that would allow another category that contains between 1 and 5 students to be deduced, the number shall be replaced with a symbol. A category that contains zero shall be reported as zero, unless such reporting would violate any applicable provision of federal, state, or local law relating to the privacy of student information. For the purposes of subparagraph (d) of paragraph 1 of this subdivision, if the table contains between 1 and 5 students, the table shall not display any information.

§ 2. This local law takes effect immediately.

Referred to the Committee on Mental Health, Disabilities and Addiction.

## Int. No. 987

By Council Members Joseph, Restler, Avilés, Banks and Paladino (in conjunction with the Manhattan Borough President).

**A Local Law in relation to a pilot program to develop and distribute educational materials regarding the reduction of surplus food in public schools**

*Be it enacted by the Council as follows:*

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

Chancellor. The term “chancellor” means the chancellor of the city school district of the city of New York.

Commissioner. The term “commissioner” means the commissioner of sanitation.

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

Staff. The term “staff” means principals, assistant principals, teachers, kitchen and food preparation staff, and facility maintenance staff employed by the New York city department of education.

Student. The term “student” means any pupil under the age of 21 as of September 1 of the academic period, who does not have a high school diploma and who is enrolled in a district school or charter school within the city district, not including pre-kindergarten students.

Surplus food. The term “surplus food” means any food purchased by the New York city department of education that is not used for the purpose for which it was purchased and that would otherwise be discarded.

b. Program development and materials distribution. 1. The commissioner, in coordination with the chancellor, shall establish a pilot program to develop and distribute educational materials to students and staff regarding the reduction of surplus food in public schools, the benefits of diversion of food waste from landfills, and the role of students and staff at public schools in diverting unused food and other organic matter from landfills.

2. The commissioner shall develop such materials and deliver them to the chancellor for distribution to staff and students no later than August 1, 2025. In developing such materials, the commissioner shall, at a minimum:

(a) Consult with the sustainability director appointed by the chancellor pursuant to subdivision a of section 16-307.1 of the administrative code of the city of New York;

(b) Consult with the New York city public schools office of energy and sustainability, or any successor office; and

(c) Produce multiple versions of the materials required by this subdivision to ensure that such materials can be understood by and are useful to students of all ages and staff of all professions.

3. On September 1, 2025, February 1, 2026, September 1, 2026, and February 1, 2027, the chancellor shall distribute to each school, for distribution to all staff and every student of such school, the educational materials produced by the commissioner pursuant to this subdivision, in hard copy or electronically if distribution of other similar documents occurs electronically.

c. Reporting. No later than September 1, 2027, the chancellor shall submit to the mayor and the speaker of the council, and post on the New York city department of education’s website, a report on the pilot program established pursuant to subdivision b of this section. The chancellor shall consult the commissioner in preparing such report. Such report shall include, but need not be limited to, the following information:

1. An overview of the educational materials provided through the pilot program;

2. An evaluation of the cycle of surplus food from the time such food is ordered by department staff until it is disposed, and any methods identified to reduce the instances in which ordered food becomes surplus food;

3. A description of any challenges encountered during the pilot program’s implementation; and

4. Recommendations for the future of the pilot program, including any proposals for expansion, continuation, or modification based on the pilot program’s outcomes.

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

Referred to the Committee on Education.



Res. No. 499

**Resolution calling on the United States Congress to pass, and the President to sign, the Protecting Consumers from Deceptive AI Act.**

By Council Members Joseph, Farías, Avilés, Cabán, Salaam and Banks.

**Whereas**, The advancement of generative artificial intelligence (AI) models has led to a significant increase in the creation of convincing “deepfakes,” or computationally created media that falsely represent reality; and

**Whereas**, It is difficult to tell real and AI-generated images, audio, and videos apart, and multiple studies have shown that people cannot reliably detect deepfakes; and

**Whereas**, Bad actors can use deepfakes to deceive, misrepresent, and influence people, and researchers at cybersecurity company Mandiant have documented a number of instances of illicit actors using AI and deepfake technology for phishing scams, misinformation, and other illicit purposes; and

**Whereas**, Deceptive deepfakes have robbed millions of dollars from companies and individuals worldwide, including scams involving parents getting calls from cloned versions of their child’s voice asking for money, according to a 2023 *Bloomberg* report; and

**Whereas**, Deepfake celebrity endorsements of various products and scams have proliferated in the past year, including ads in which a deepfake of Tom Hanks endorsed a dental insurance plan and a deepfake of Taylor Swift promoted a cookware giveaway, as reported by *The New York Times*; and

**Whereas**, Deepfakes are also being used to influence politics, including an audio recording featuring a voice deepfake of Manhattan Democratic leader and former state Assemblyman Keith Wright disparaging Harlem Assemblywoman Inez Dickens posted online in 2023; and

**Whereas**, AI-generated content has led to numerous instances of harm to minors, particularly through the sharing of fake sexually explicit media; and

**Whereas**, Clear labeling of AI-generated content would help protect New Yorkers from deception; and

**Whereas**, As part of the Fiscal Year 2025 state budget, New York amended section 14-106 of the Election Law to require any entity that distributes or publishes any political communication altered with AI technology that could reasonably be perceived as authentic include a disclaimer that the material has been manipulated; and

**Whereas**, The Protecting Consumers from Deceptive AI Act, introduced in Congress by Representatives Anna Eshoo and Neal Dunn, attempts to mitigate the risks posed by deepfakes by requiring disclosures of all AI-generated content; and

**Whereas**, H.R.7766, the Protecting Consumers from Deceptive AI Act, would direct the National Institute of Standards and Technology to facilitate the development of standards for identifying and labeling AI-generated content; and

**Whereas**, The Protecting Consumers from Deceptive AI Act would require generative AI developers to include machine-readable disclosures such as watermarks within content generated by their AI applications; and

**Whereas**, The Protecting Consumers from Deceptive AI Act would require online platforms to use these disclosures to label AI-generated content; 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, the Protecting Consumers from Deceptive AI Act.

Referred to the Committee on Consumer and Worker Protection.

## Res. No. 500

**Resolution calling on the New York State Legislature to introduce and pass, and the Governor to sign, legislation entitled The New York State College Safety Act to require that all campuses of The State University of New York and The City University of New York permit autoimmune and immunocompromised students and faculty to learn and teach via remote instruction in as many courses as feasible whenever students or faculty are dealing with an unpredictable or temporarily debilitating impact of their condition.**

By Council Members Joseph, Schulman, Avilés, Cabán, Salaam and Banks.

**Whereas**, According to the National Institutes of Health's Office of Autoimmune Disease Research, approximately 8 percent of Americans, or more than 25 million individuals, have an autoimmune disease, with almost 80 percent of those affected being women; and

**Whereas**, According to the Workers with Autoimmune Ailments Alliance, about 1.5 million of those individuals affected are college students; and

**Whereas**, There are between 80 and 150 conditions that are classified by various sources as autoimmune diseases, which produce chronic and sometimes debilitating symptoms and which have no known cure; and

**Whereas**, Some autoimmune diseases, such as Addison's disease or type 1 diabetes or Hashimoto's thyroiditis, target a specific organ while others produce symptoms throughout the body, such as rheumatoid arthritis and lupus; and

**Whereas**, In addition to being diagnosed with an autoimmune disease, individuals can become immunocompromised as a result of a variety of medical situations, such as being treated for some cancers or receiving an organ transplant; and

**Whereas**, Autoimmune and immunocompromised individuals who take or teach college courses can find themselves, at least from time to time, in need of remote instructional arrangements to protect their health, such as during flare-ups of an autoimmune illness or when dealing with the side effects of necessary medications; and

**Whereas**, Putting pressure on college students to attend class on campus or on college faculty to come to campus to teach class when they are dealing with a serious immediate impact of their condition is both inhumane and potentially dangerous to their well-being; and

**Whereas**, If introduced in and passed by the New York State Legislature, The New York State College Safety Act, initially proposed as a broader piece of federal legislation by the Workers with Autoimmune Ailments Alliance, would alleviate that pressure on both students and faculty and would ensure that their health is not further jeopardized by coming to a class in person; and

**Whereas**, The New York State College Safety Act would require that all campuses of The State University of New York and The City University of New York permit autoimmune and immunocompromised students and faculty to learn and teach via remote instruction in as many courses as feasible whenever students or faculty are dealing with an unpredictable or temporarily debilitating impact of their condition; and

**Whereas**, The New York State College Safety Act would require that The State University of New York and The City University of New York adopt clear regulations and policies regarding how remote instructional arrangements would be made for students and faculty on their campuses, including the length of time any such accommodation may last and an explanation for any courses in which class sessions cannot from time to time be taken or taught remotely; and

**Whereas**, The New York State College Safety Act would include an annual reporting mechanism to the State Legislature and a delineation of penalties to be incurred by The State University of New York and The City University of New York for noncompliance with the Act's provisions; now, therefore, be it

**Resolved**, That the Council of the City of New York calls on the New York State Legislature to introduce and pass, and the Governor to sign, legislation entitled The New York State College Safety Act to require that all campuses of The State University of New York and The City University of New York permit autoimmune and immunocompromised students and faculty to learn and teach via remote instruction in as many courses as feasible whenever students or faculty are dealing with an unpredictable or temporarily debilitating impact of their condition.

Referred to the Committee on Higher Education.

Int. No. 988

By Council Members Krishnan, Menin, Restler, Cabán, Rivera, Hanks, Brooks-Powers, Riley, Won, Schulman, Banks and Carr.

**A Local Law to amend the administrative code of the city of New York, in relation to an interactive map for the posting of information regarding swimming pools under the jurisdiction of the department of parks and recreation**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 18 of the administrative code of the city of New York is amended by adding a new section 18-165 to read as follows:

*§ 18-165 Interactive map for swimming pool information. The department shall maintain an interactive map on its website that shall include regularly updated information related to each swimming pool under its jurisdiction. Such map shall display where each pool is located throughout the city and allow a user to filter information including, but not limited to:*

- 1. The address, operational times and contact information;*
- 2. A listing of each event or program offered, the time when each event or program occurs and how each event or program may be accessed by the public; and*
- 3. Whether there is any planned maintenance work, capital project or other construction project that may impact the operation and accessibility of such pool and the availability of events and programs offered at such pool.*

§ 2. This local law takes effect 90 days after it becomes law.

Referred to the Committee on Parks and Recreation.

Res. No. 501

**Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.2545A/A.4846 to require school districts to send water safety informational materials home to students' parents or guardians and to permit school districts to provide water safety instruction in school for K-12 students.**

By Council Members Krishnan, Menin, the Public Advocate (Mr. Williams) and Council Members Cabán, Rivera, Hanks, Brooks-Powers, Riley, Won, Schulman, Banks and Paladino.

**Whereas**, According to the Centers for Disease Control, drowning is the leading cause of death for children aged one to four and the second leading cause of death for children under the age of 14; and

**Whereas**, Children who can swim are 88 percent less likely to drown than those who cannot swim, thus making the availability of swimming lessons for children an important strategy in preventing deaths by drowning; and

**Whereas**, For every child's death by drowning, five more children face brain and spinal cord injuries resulting from water accidents; and

**Whereas**, New York City has experienced tragic drowning deaths of teens this summer, including teenagers Elyjah Chandler and Christian Perkins, who drowned in the waters off Jacob Riis Park in Rockaway on June 21; and

**Whereas**, New York City also tragically lost teenaged sisters Zainab and Aisha Mohammed, who drowned at Coney Island Beach on July 5; and

**Whereas**, As a result of the recent drownings, elected officials from Queens and Brooklyn have called for more lifeguards to be hired, for lifeguards to work longer hours to protect swimmers who are tempted to swim after the beaches close, and for more free swimming lessons and other safety measures to be made available; and

**Whereas**, S.2545A, introduced on January 23, 2023, by State Senator Joseph Addabbo, Jr., representing the 15th State Senate District in Queens, would amend the State education law to allow school districts to provide water safety instruction to K-12 students in school and to require that schools send home to students' parents or guardians asynchronous water safety informational materials annually; and

**Whereas**, S.2545A also would permit the Commissioner of Education to provide technical assistance in developing age-appropriate water safety instructional curricula for students for grades K-12 and to make model curricula and resource materials available on the State Education Department's website; and

**Whereas**, Companion bill A.4846, introduced on February 23, 2023, by State Assembly Member Stacey Pheffer Amato, representing the 23rd State Assembly District in Queens, would provide for the same water safety instructional measures; and

**Whereas**, S.2545A/A.4846 would require that appropriate water safety instruction for use in schools and for use by parents and guardians at home be defined by the Commissioner of Education in regulations, after consulting with the Department of Health; and

**Whereas**, Such water safety instruction would include "the proper use of flotation devices, awareness of water conditions, how to respond if caught in a rip current, the proper lifeguarded supervision of swim areas, [and] safe behaviors in and around water"; and

**Whereas**, Such water safety instruction would include material on the importance of pool barriers and fencing, swim lessons, the avoidance of alcohol and drugs when swimming, cardiopulmonary resuscitation for drowning victims, and the order of administering first aid; and

**Whereas**, S.2545A/A.4846 would require each school district to notify the Commissioner of Education before the beginning of each school year as to whether the school district chooses to provide water safety instruction; and

**Whereas**, If passed, S.2545A/A.4846 would take effect on the following July 1; 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.2545A/A.4846 to require school districts to send water safety informational materials home to students' parents or guardians and to permit school districts to provide water safety instruction in school for K-12 students.

Referred to the Committee on Education.

Int. No. 989

By Council Members Lee and Restler.

**A Local Law to amend the administrative code of the city of New York, in relation to student wellness club toolkits**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.25 to read as follows:

§ 17-199.25 *Student wellness club toolkit. a. Definitions. For purposes of this section, the following terms have the following meanings:*

*Middle and high school. The term "middle and high school" means any school of the city school district that contains any combination of grades from grade 6 through grade 12.*

*Student. The term "student" means any pupil under the age of 21 as of September 1 of the relevant academic year who does not have a high school diploma and who is enrolled in grade 6 or higher.*

*Student wellness club.* The term “student wellness club” means an extracurricular student-led group that holds meetings for students to focus on student wellbeing and the factors influencing student wellbeing, including mental health.

*Student wellness club toolkit.* The term “student wellness club toolkit” means materials, in both electronic and paper form, designed to guide students on creating and maintaining a student wellness club.

b. No later than 120 days after the effective date of the local law that added this section, the commissioner, or another agency head designated by the mayor and who has appropriate subject matter expertise, in consultation with relevant experts, shall create a student wellness club toolkit.

c. The student wellness club toolkit required by this section shall include guidance in relation to:

1. How to seek approval from the school administration for establishing a student wellness club;
2. How to choose an appropriate faculty advisor for such club;
3. How to select a mental health professional to advise such club;
4. How to encourage student attendance in such club; and
5. Suggestions for club activities.

d. The department shall make paper copies of such toolkits available to the department of education at the beginning of each academic year.

e. The department shall make such toolkits available on the department's website in English and in each of the designated citywide languages as defined in section 23-1101.

f. Middle and high schools shall make available a faculty member and a mental health professional on the school faculty to serve as advisors to student wellness clubs formed in such schools. Subject to appropriation, a non-faculty qualified mental health professional may also be made available to advise student wellness clubs.

§ 2. Chapter 8 of title 21-a of the administrative code of the city of New York is amended by adding a new section 21-969.1 to read as follows:

§ 21-969.1 *Distribution of student wellness club toolkits and reporting on student wellness clubs.* a. *Definitions.* For purposes of this section, the following terms have the following meanings:

*Middle and high school.* The term “middle and high school” means any school of the city school district that contains any combination of grades from grade 6 through grade 12.

*Student.* The term “student” means any pupil under the age of 21 as of September 1 of the relevant academic year who does not have a high school diploma and who is enrolled in grade 6 or higher.

b. *Distribution of student wellness club toolkits.* Each academic year, the department shall make available the student wellness club toolkit developed by the department of health and mental hygiene pursuant to section 17-199.25 to each student at each middle and high school. The department shall make available such educational materials in English and in each of the designated citywide languages as defined in section 23-1101 in each middle and high school, on the department's website, and on any online student portal. Each middle and high school shall publicize the availability of such toolkit to its students.

c. *Reporting requirement.* 1. By June 30 of each year, the chancellor shall submit to the speaker of the council and shall post conspicuously on the department's website a report regarding the distribution of student wellness club toolkits and the formation of student wellness clubs for students at each middle and high school.

2. The report shall include but need not be limited to the following information and any additional information the chancellor deems appropriate:

(a) A list of all middle and high schools, if any, where such student wellness club toolkit was not distributed, and the reason such toolkit was not distributed; and

(b) A table in which each row references each individual student wellness club and that includes the following information set forth in separate columns:

- (1) The school where such club operates;
- (2) The year such club was founded;
- (3) The faculty advisor and mental health professional advisor of such club, if applicable;
- (4) The frequency of meetings of such club, if applicable; and
- (5) The number of student members and the average number of attendees at meetings.

3. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state, or local law relating to the privacy of student information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If a category contains between 1 and 5 students, or contains an amount that would

*allow another category that contains between 1 and 5 students to be deduced, the number shall be replaced with a symbol. A category that contains zero shall be reported as zero, unless such reporting would violate any applicable provision of federal, state, or local law relating to the privacy of student information.*

§ 3. This local law takes effect immediately.

Referred to the Committee on Mental Health, Disabilities and Addiction.

Int. No. 990

By Council Member Menin.

**A Local Law to amend the administrative code of the city of New York, in relation to establishing a decorative manhole cover program**

*Be it enacted by the Council as follows:*

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

*§ 24-370 Decorative manhole cover program. a. Definitions. For purposes of this section, the following terms have the following meanings:*

*Department. The term “department” means the department of environmental protection.*

*Manhole cover. The term “manhole cover” means a removable metal plate forming a lid over a manhole.*

*b. The department, in consultation with the art commission pursuant to section 854 of the charter, shall establish a decorative manhole cover program. Pursuant to such program, the department shall establish a procedure to accept submissions from the public for decorative manhole cover designs. Of the designs submitted, the department shall select no less than 10 decorative manhole cover designs each year. Decorative manhole cover designs should be specific to the city of New York or to neighborhoods or boroughs within the city of New York, and may incorporate local culture, famous persons, symbols, and other elements as determined by the department.*

*c. Decorative manhole covers must comply with all applicable laws and sewer design standards prepared by the department, as well as any other specifications stipulated by the department.*

*d. Decorative manhole covers selected pursuant to this program shall comprise no less than 10% of the manhole covers installed by the department in each fiscal year for 5 years following the effective date of this section.*

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

Referred to the Committee on Environmental Protection, Resiliency and Waterfronts.

Int. No. 991

By Council Members Menin, Hudson, De La Rosa, Abreu, Feliz, Won, Banks, Schulman, Krishnan, Lee, Gutiérrez, Moya, Brannan, Gennaro, Williams, Ung, Ossé, Zhuang, Joseph, Powers, Sanchez, Bottcher, Avilés, Restler, Marte and Ariola.

**A Local Law to amend the administrative code of the city of New York, in relation to licensing hotels**

*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  
HOTELS

§ 20-565 Definitions.

§ 20-565.1 Hotel license; application; fee.

§ 20-565.2 Issuance, denial, renewal, suspension and revocation of license.

§ 20-565.3 Display of license; facilities and inspections.

§ 20-565.4 Service requirements and prohibitions.

§ 20-565.7 Direct Employment

§ 20-565.8 Panic buttons.

§ 20-565.9 Chemical injury prevention.

§ 20-565.10 Records.

§ 20-565.11 Required postings.

§ 20-565.12 Retaliatory actions by hotels; prohibition.

§ 20-565.13 Penalties.

§ 20-565.14 Rulemaking.

§ 20-565 Definitions. As used in this subchapter, the following terms have the following meanings:

*Affected hotel.* The term "affected hotel" means a hotel or discrete portion of a hotel that has been the subject of a change in control or a change in controlling interest or identity.

*Airport hotel.* The term "airport hotel" means a hotel within one mile of either LaGuardia Airport or John F. Kennedy International Airport.

*Bona fide third party.* The term "bona fide third party" means a business located on hotel premises that:

1. is not affiliated with the hotel except that the business may lease its premises from the hotel;
2. does not enter guest rooms or maintain hotel facilities;
3. does not share common management with the hotel; and
4. does not provide public access to the hotel through its premises.

*Change in control.* The term "change in control" means any sale, assignment, transfer, contribution or other disposition of all or substantially all of the assets used in the operation of a hotel or a discrete portion of a hotel. A change in control shall be defined to occur on the date of execution of the document effectuating such change.

*Change in controlling interest or identity.* The term "change in controlling interest or identity" means (i) any sale, assignment, transfer, contribution or other disposition of a controlling interest, including by consolidation, merger or reorganization, of a hotel employer or any person who controls a hotel employer; or (ii) any other event or sequence of events, including a purchase, sale or lease termination of a management contract or lease, that causes the identity of the hotel employer at a hotel to change. A change in controlling interest or identity shall be defined to occur on the date of execution of the document effectuating such change.

*Continuous coverage.* The term "continuous coverage" means staffing 24 hours a day every day that the hotel is occupied by a guest.

*Core employee.* The term "core employee" means any employee whose job classification is related to housekeeping, front desk, front service, or engineering at a hotel. Such classifications include, but are not limited to, room attendants, house persons, bell or door staff, and engineers and maintenance employees.

*Critical employee.* The term "critical employees" means any employee whose job classification is related to food preparation, food service, or security. Such classifications include, but are not limited to, cooks, stewards, bartenders, servers, and security guards.

*Eligible hotel service employee.* The term "eligible hotel service employee" means a hotel service employee employed by a hotel employer at an affected hotel.

*Former hotel employer.* The term "former hotel employer" means any hotel employer who owns, controls or operates a hotel prior to a change in control or change in controlling interest or identity of a hotel or of a discrete portion of a hotel that continues to operate as a hotel after such change.

*Front desk.* The term "front desk" means the physical location in a hotel where guests may check-in or reserve a room.

*Guest room.* The term "guest room" means a room made available by a hotel for occupancy by guests. A single guest room may be comprised of several interconnected rooms, such as a bathroom, a living room, or multiple bedrooms in the case of suites.

*Hotel.* The term “hotel” means a transient hotel as defined in section 12-10 of the New York city zoning resolution or any successor provision of such resolution.

*Hotel employer.* The term “hotel employer” means any person who owns, controls or operates a hotel, and includes any person or contractor who, in a managerial, supervisory or confidential capacity, employs one or more hotel service employees.

*Hotel service.* The term “hotel service” means work performed in connection with the operation of a hotel.

*Hotel service employee.* The term “hotel service employee” means (i) any person employed to perform a hotel service at an affected hotel during the 365-day period immediately preceding the change in control or change in controlling interest or identity of such hotel, or (ii) any person formerly employed to perform a hotel service at an affected hotel who retains recall rights under the former hotel employer's collective bargaining agreement, if any, or under any comparable arrangement established by the former hotel employer, on the date of the change in control or change in controlling interest or identity of such hotel. Notwithstanding the preceding sentence, the term “hotel service employee” shall not include persons who are managerial, supervisory or confidential employees or who otherwise exercise control over the management of the hotel.

*Hotel service employee retention period.* The term “hotel service employee retention period” means the 90-day period beginning on the date of a change in control or change in controlling interest or identity of the hotel or of a discrete portion of the hotel that continues to operate as a hotel after such change, provided that if such hotel is not open to the public on such date, such 90-day period shall begin on the first day that such hotel is open to the public after such change.

*Large hotel.* The term “large hotel” means a hotel with more than 100 guest rooms.

*Occupied.* The term “occupied” means that a guest is currently checked-in to the room.

*Panic button.* The term “panic button” means a help or distress signaling system a person may activate in order to that alert hotel security staff that such person is in danger and which provides the hotel security staff with the location of such person.

*Person.* The term “person” means any individual, proprietorship, partnership, joint venture, corporation, limited liability company, trust, association, trustee in bankruptcy, receiver or other entity that may employ persons or enter into service contracts, but does not include the city of New York, the state of New York, and the federal government or any other governmental entity, or any individual or entity managing real property for a governmental entity.

*Room.* The term “room” means a room available or let out for use or occupancy in a hotel.

*Security guard.* The term “security guard” means a person that is licensed by and registered in New York state to work as a security guard under article 7-a of the general business law.

*Service disruption.* The term “service disruption” means any of the following conditions where such condition substantially affects or is likely to substantially affect any guest's use of a room or utilization of a hotel service:

(i) construction work in or directly related to the hotel that creates excessive noise that is substantially likely to disturb a guest, other than construction that is intended to correct an emergency condition or other condition requiring immediate attention;

(ii) conditions of which the hotel is aware, indicating the presence in the hotel of any infestation by bed bugs, lice or other insects, rodents or other vermin capable of spreading disease or being carried, including on one's person, if such infestation has not been fully treated within 24 hours of identifying it;

(iii) the unavailability, for a period of 48 hours or more, of any advertised hotel amenity, including, but not limited to, a pool, spa, shuttle service, internet access, or food and beverage service;

(iv) the unavailability, for a period of 48 hours or more, of any advertised room appliances or technology, including but not limited to, in-room refrigerators, or internet or Wi-Fi services;

(v) the unavailability of any advertised or legally required accessibility feature, including, but not limited to, an elevator, wheelchair lift, ramp, or accessible bathroom in such room or in any common area of the hotel;

(vi) the unavailability for a period of 24 hours or more, of any utility, including, but not limited to, gas, water or electricity when the unavailability affects only the location of the hotel; or

(vii) any strike, lockout or picketing activity, or other demonstration or event for a calendar day or more at or immediately adjacent to such hotel.



*Successor hotel employer. The term "successor hotel employer" means a hotel employer who owns, controls or operates a hotel after a change in control or change in controlling interest or identity of the hotel or of a discrete portion of the hotel that continues to operate as a hotel after such change.*

*Third-party vendor. The term "third-party vendor" means a vendor with which a hotel has an arrangement for third-party room reservations, or any other entity that has reserved or entered into an agreement or booking for the use or occupancy of one or more rooms in a hotel in furtherance of the business of reselling such rooms to guests.*

*§ 20-565.1 Hotel license; application; fee. a. License required. It shall be unlawful for any person to operate a hotel without a valid license as herein prescribed for such hotel. All licenses issued pursuant to this subchapter shall be valid for no more than one year and expire on the date the commissioner prescribes by rule.*

*b. Construction documents, as defined in chapter 1 of title 28 of this code, for a hotel shall not be approved by the department of buildings until the commissioner makes an initial determination relating to the fitness of the hotel owner.*

*c. A certificate of occupancy for the use or occupancy of a building as a hotel shall not be issued until a license pursuant to this chapter is issued for such hotel. Such certificate shall expire by operation of law upon the expiration, suspension or revocation of such license.*

*d. License application. An application for a license required under this subchapter or for any renewal thereof shall be made to the commissioner in such form or manner as the commissioner shall prescribe by rule, provided that such application shall include, but need not be limited to:*

- 1. The name and address of the applicant;*
- 2. An email address that the applicant monitors where the department can send license application materials, official notifications, and other correspondence;*
- 3. If the applicant does not reside in the city, the name and address of a registered agent within the city upon whom process or other notification may be served;*
- 4. A sanitation policy detailing hygiene and sanitation procedures to be followed at the hotel, inclusive of chemical cleaner usage, surface sanitization frequency, and protocols to be followed in case of vermin or pest infestation with specific reference to bedbugs and rodents; and*
- 5. A signed statement certifying compliance with all applicable laws, regulations and rules including:*
  - (a) that the applicant is in compliance with section 205 of the general business law; and*
  - (b) that the applicant is in compliance with section 7-703 or any rules promulgated thereunder; and*
  - (c) that the applicant is in compliance with section 8-107, or any rules promulgated thereunder.*

*e. Fee. The fee for such license and the renewal therefor shall be \$200.*

*§ 20-565.2 Issuance, denial, renewal, suspension and revocation of license. a. A license to operate a hotel shall be granted in accordance with the provisions of this subchapter, chapter 1 of this title, and applicable rules of the commissioner.*

*b. The commissioner may consider whether the applicant for a license or renewal thereof has demonstrated, to the satisfaction of the commissioner, that the applicant has been reasonably responsive to communications concerning the condition of the hotel from the community board, council member, and borough president representing the locale of the hotel, in addition to communications from agencies and departments. The commissioner may also consider any illegal activity found to have taken place at the applicant hotel as well as any consumer complaints regarding the hotel received by the department.*

*c. Such license shall be issued to an applicant that is the hotel owner of the hotel to be licensed or that will be the hotel owner upon grant of the license.*

*d. A hotel license shall not be assignable and shall be valid only for the person to whom it was issued and for the operation of a hotel in the place designated therein and shall at all times be conspicuously displayed at the place for which it is issued.*

*e. In addition to any powers of the commissioner and not in limitation thereof, the commissioner may deny or refuse to renew any license required under this subchapter and may suspend or revoke such license, after due notice and opportunity to be heard, if the applicant or licensee, or, where applicable, any of its officers or principals, directors, members, managers, employees or other ownership interest of the organization, is found to have:*

- 1. Committed any violation of any provision of (a) this subchapter or any rules promulgated thereunder in the preceding year, (b) section 205 of the general business law or any rules promulgated in the preceding year,*

(c) section 7-703 or any rules promulgated thereunder in the preceding year, or (d) section 8-107 or any rules promulgated thereunder in the preceding year; or

2. Made a material false statement or concealed a material fact in connection with the filing of any application pursuant to this subchapter; or

3. Failed to adhere to the sanitation policy submitted to the commissioner at the time of the hotel owner's application; or

4. Not paid, within the time permitted by law, any civil penalty or judgment duly imposed pursuant to the provisions of this subchapter or any rules promulgated thereunder.

f. Pursuant to this subchapter, the commissioner may investigate any matter related to the issuance, denial, renewal, or revocation of a license to operate a hotel, and shall have full power to compel the attendance, examine and take testimony under oath of such persons as it may deem necessary in relation to such investigation, and to require the production of books, accounts, papers, and other evidence relevant to such investigation.

§ 20-565.3 Display of license; facilities and inspections. a. Each licensee shall conspicuously display a true copy of the license issued pursuant to this subchapter in close proximity to the main entrance door of each licensee's hotel in such a manner that the license is visible from outside the building where such hotel is located.

b. The commissioner may inspect a hotel for violations of this subchapter and rules promulgated pursuant to this subchapter.

§ 20-565.4 Service requirements and prohibitions. a. Front desk staffing. 1. Each hotel must maintain continuous coverage of a front desk that is staffed by at least one core employee, and by at least one additional core employee for every 200 guest rooms in such hotel while the hotel is occupied, except during the work shift covering the period between 10 pm and 2 am when the front desk need only be staffed by at least one additional employee for every 500 guest rooms in such hotel.

2. The front desk staff must confirm the identity of each guest upon the guest checking in.

b. Security staffing. 1. Each hotel must maintain safe conditions for guests and hotel workers.

2. Each large hotel must have at least one security guard on premises for every 100 guest rooms while any guest room in such hotel is occupied.

c. Guest room cleanliness. 1. Each hotel must maintain the cleanliness of guest rooms, sanitary facilities, and common areas.

2. Every guest room must be provided with clean towels, sheets, and pillowcases prior to occupancy by a new guest.

3. An occupied guest room's towels, sheets, and pillowcases must be replaced daily with clean towels, sheets, and pillowcases upon request by the occupying guest.

4. An occupied guest room must be cleaned and trash must be removed daily.

d. Prohibition against short duration bookings. A hotel, other than an airport hotel, may not book guest rooms for durations less than 8 hours.

e. Prohibition against facilitating illegal prostitution or human trafficking. A hotel may not suffer or permit its premises to be used for the purposes of prostitution or human trafficking.

§ 20-565.7 Direct employment a. Direct employment required for core and critical employees. A hotel owner must directly employ all core and critical employees.

b. All core and critical employees must undergo human trafficking recognition training in accordance with section 205 of the general business law. Hotel owners must submit the certificate of training to the department within 90 days of employment.

c. Contracting to any third parties for core and critical employees, including staffing agencies or other contractors or subcontractors, is not permitted except that:

1. a hotel owner may retain a single management company to manage all hotel operations at a hotel on the hotel owner's behalf so long as the hotel owner is the sole employer or joint employer of all core and critical employees; and

2. a hotel owner may additionally contract out the management of critical employees provided that a majority of all core and critical employees performing work in any classification at the hotel are covered by a valid, active, and unexpired collective bargaining agreement with a labor organization.

d. Bona fide third parties. This section shall not apply to bona fide third parties located on the hotel's premises or their employees.

§ 20-565.8 *Panic buttons.* Hotel employers must provide panic buttons to all employees that enter occupied guest rooms.

§ 20-565.9 *Chemical injury prevention.* Each hotel employer shall provide all employees with information on hazardous chemicals in their work area at the time of their initial job assignment and whenever a new physical or health hazard related to chemical exposure is introduced into work areas. Such information shall be provided in each language spoken by ten or more employees with limited English proficiency.

§ 20-565.10 *Records.* a. Each hotel employer shall maintain for three years, for each employee and former employee, by name, a record showing the employee's regular hourly rate of pay for each week of the employee's employment.

b. Each hotel employer shall make an employee's or former employee's records available in full to such employee or former employee upon request, and make all employees' and former employees' records available in full to the department for inspection and copying, in accordance with the law, upon the issuance of an administrative subpoena.

c. Each hotel employer shall submit an annual employee compensation report to the department upon such form as prescribed by the commissioner. Such report shall include information on its employees, disaggregated by job classification including room attendants, house persons, food preparation or food service staff, front desk staff, bell or door staff, engineers and maintenance, and any other classifications the commissioner requires. The information provided shall include the:

1. average non-tipped wage of its employees in each such job classification, or maximum contract wage rate if all employees in such job classification are covered by a collective bargaining agreement;
2. the lowest cost of individual and family ACA-qualifying healthcare plans provided to its employees in each such job classification;
3. whether a defined benefit pension plan is offered to its employees in each such job classification;
4. whether its employees in each such job classification are represented by a union; and
5. any other information the commissioner requires.

d. Commencing on July 1, 2025 and every twelve months thereafter, the department shall issue an annual report to the council with respect to hotel employee compensation. Each report shall include the aggregated information provided by hotel employers to the department as required by this section, disaggregated by the size of the hotel.

§ 20-565.11 *Required postings.* a. The commissioner shall publish and make available a notice for a hotel employer to provide to hotel employees informing them of the findings of the report required in subdivision c of 20-565.10, including the average non-tipped wages and benefits in each named classification, disaggregated by whether or not employees are represented by a union. Such notice shall be made available in a downloadable format on the city's website and shall be updated annually or as otherwise deemed appropriate by the commissioner.

b. A hotel employer shall post such notice in a conspicuous location easily accessible to hotel employees. Such notice shall be in English and any language spoken as a primary language by at least five percent of the hotel employees hired, retained, or engaged by such hotel employer, provided that the commissioner has made the notice available in such language.

§ 20-565.12 *Retaliatory actions by hotels; prohibition.* a. A hotel employer shall not take any retaliatory action against an employee, whether or not within the scope of the employee's job duties, because such employee does any of the following:

1. discloses, or threatens to disclose to a supervisor or to a public body an activity, policy, or practice of the employer that the employee believes in violation of this chapter or that the employee reasonably believes poses a substantial and specific danger to the public health or safety; or
2. provides information to, or testifies before, any public body conducting an investigation, hearing, or inquiry into any such activity, policy, or practice by such employer; or
3. objects to, or refuses to participate in any such activity, policy, or practice.

b. Any person alleging a violation of the provisions of this section may bring a civil action, in accordance with applicable law, in any court of competent jurisdiction.

c. Such court may order compensatory, injunctive and declaratory relief, and reasonable attorney's fees.

*d. A civil action under this section shall be commenced within two years of the date the person knew or should have known of the alleged violation.*

*e. 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 person's cause of action.*

*§ 20-565.13 Penalties. a. A licensee who violates or causes another person to violate a provision of this subchapter or any rule promulgated pursuant to such subchapter, shall be subject to a civil penalty as follows:*

*1. for the first violation, a civil penalty of \$500;*

*2. for the second violation issued for the same offense within a period of two years of the date of the first violation, a civil penalty of \$1,000;*

*3. for the third violation issued for the same offense within a period of two years of the date of the first violation, a civil penalty of \$2,500; and*

*4. for the fourth and any subsequent violations issued for the same offense within a period of two years of the date of the first violation, a civil penalty of \$5,000.*

*b. For purposes of this subchapter, there shall be a rebuttable presumption that any violation by a hotel employee, management agency, contractor or other agent affiliated with a hotel, was caused by the hotel licensee.*

*c. A proceeding to recover any civil penalty pursuant to this section shall be commenced by the service of a summons or notice of violation, which shall be returnable to the office of administrative trials and hearings.*

*§ 20-565.14 Rulemaking. The commissioner shall promulgate such rules as the commissioner deems necessary to effectuate the provisions of this subchapter.*

*§ 2. Sections 20-851 and 22-510 are renumbered as sections 20-565.5 and 20-565.6, respectively.*

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

Referred to the Committee on Consumer and Worker Protection.

Res. No. 502

**Resolution calling on the Department of Education to provide the necessary funding and resources to support the development and implementation of conflict resolution centers in New York City Public Schools.**

By Council Members Menin, Schulman, Stevens, Krishnan and Joseph.

**Whereas**, conflict resolution centers are beneficial in reducing violence, promoting student well-being in schools, and improving academic scores; and

**Whereas**, the San Dieguito Union High School district in northern San Diego County, California has successfully partnered with the National Conflict Resolution Center to improve communication and create a productive inclusive learning environment; and

**Whereas**, the principles of restorative justice, including: accountability, respect and empathy, are essential in creating a positive school environment and culture in addition to addressing the root cause of conflict; and

**Whereas**, the Department of Education is committed to providing a safe, inclusive, and supportive learning environment for all students; and

**Whereas**, The Department of Education plays a critical role in providing necessary funding and resources to support the development and implementation of conflict resolution, promoting safety, supporting learning and inclusivity in public schools; and

**Whereas**, the Department of Education working in partnership with advocacy groups, community organization, and other stakeholders ensures that conflict resolution centers are adept and responsive to the needs of the students and the communities they serve; now therefore, be it

**Resolved**, That The Council of the City of New York calls on the Department of Education to provide the necessary funding and resources to support the development and implementation of conflict resolution centers in New York City Public Schools.

Referred to the Committee on Education,

Res. No. 503

**Resolution calling on the New York State Legislature to pass, and the Governor to sign, S. 1148/A. 10504, providing that public schools not be used as early voting polling sites.**

By Council Members Menin and Powers.

**Whereas**, In 2019 the New York State Legislature passed a law requiring a minimum of 9 days of early voting in addition to Election Day; and

**Whereas**, As public spaces New York City public schools, including elementary, middle and high schools are used as poll sites; and

**Whereas**, In the 2023 election cycle there were 140 early voting sites; and

**Whereas**, In the 2023 election, 33 early voting sites were located in New York City public schools; and

**Whereas**, New York City public schools are closed on Election Day; and

**Whereas**, Classes are in session at New York City public schools for five of the nine early voting days; and

**Whereas**, During most years there is at least one primary election and one general election, and often more; and

**Whereas**, Most years there are at minimum of ten days of early voting going on while New York City public schools are in session; and

**Whereas**, Poll sites in city schools are most often located in the school's gym or cafeteria; and

**Whereas**, When a public school gym is used as a polling site, the students lose access to physical education for at least two weeks, and often longer; and

**Whereas**, When a public school cafeteria is used as a polling site, students can lose access to what may be their only hot meal of the day for two weeks, and often longer; and

**Whereas**, After school programs that take place in the school gym or cafeteria of schools that serve as early voting polling sites are displaced during the early voting period; and

**Whereas**, Over the last few years, many New York City schools have implemented increasingly stringent security measures; and

**Whereas**, Voters entering poll sites located in schools do not have to adhere to the same stringent security measures that other visitors to the schools normally have to adhere to; and

**Whereas**, Allowing potentially thousands of adults access to public school facilities while students are present creates a safety risk; and

**Whereas**, There have been multiple incidents where voters have gained access to areas where students and staff were present; and

**Whereas**, New York City public schools do not have the options to opt-out of serving as early voting polling sites; and

**Whereas**, Other publicly-supported institutions are required to allow the New York City Board of Elections to use them as early voting sites, but are allowed to opt-out of serving as polling locations; and

**Whereas**, Only one county outside of New York city uses schools as early voting sites; and

**Whereas**, S.1148, introduced in the New York State Senate by Liz Kreuger and pending in the Senate, and its companion bill A.10504, introduced by Assembly Member Alex Bores and pending in the New York State Assembly, prohibit the use of school buildings as early voting sites; and

**Whereas**, S.1148/A.10504 requires that if necessary any building that is exempt from taxation or receives more than a million dollars in state grant funding can be used as a polling place unless the owner can show that the entity's function is incompatible with its use as a poll site; 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. 1148/A. 10504, providing that public schools not be used as early voting polling sites.

Referred to the Committee on Governmental Operations, State & Federal Legislation.

Int. No. 992

By Council Member Narcisse.

**A Local Law to amend the New York city charter, in relation to requiring the office for neighborhood safety and the prevention of gun violence to provide notice and report on the crisis management system**

*Be it enacted by the Council as follows:*

Section 1. Section 13-f of the New York city charter is amended by adding new subdivisions f and g to read as follows:

*f. The office shall publish and maintain on its website the following information:*

*1. the name of each service provider as defined in paragraph 3 of subdivision e of this section, and the geographic areas to which each such service provider is contracted to serve; and*

*2. the criteria used to determine the specific geographic areas each service provider is contracted to serve, and an explanation of how such service provider is specifically equipped to serve such area.*

*g. 1. Upon entering into a contractual agreement with a service provider to serve a geographic area under the city's crisis management system, the office shall notify all relevant council members, community boards, and police department precincts serving such geographic area with a letter providing information about such service provider, including but not limited to contact information for such service provider, and a summary of the contractual obligations of such service provider for such geographic area, as well as such service provider's responsibilities to the office and to any other parties as applicable. Upon the office or a service provider terminating or otherwise declining to renew a contractual agreement for a service provider to serve a geographic area under the city's crisis management system, the office shall notify all relevant council members, community boards, and police department precincts serving such geographic area with a letter notifying each such recipient of such termination and the reason for such termination.*

*2. No later than 1 year after the effective date of the local law that added this section and annually thereafter, the office shall provide to the speaker of the council and post on the office's website a report providing an update on the progress of the office towards each service provider's contractual obligations to serve a geographic area under the city's crisis management system. Such report shall include, at minimum, the following information:*

*(a) the name of each service provider and the geographic area it is contracted to serve;*

*(b) any goals each such service provider is contractually obligated by the office to achieve;*

*(c) any timelines established by the office for each service provider to achieve such goals;*

*(c) any strategies utilized by each service provider to achieve such goals; and*

*(d) any identified obstacles to achieving any established goals, and any proposed solutions or next steps identified to achieve such goals in light of such obstacles.*

§ 2. This local law takes effect 90 days after it becomes law.

Referred to the Committee on Public Safety.

## Preconsidered Res. No. 504

**Resolution authorizing the Speaker to commence legal action on behalf of the Council of the City of New York to oppose the Department of Correction's efforts to suspend Local Law 42 of 2024.**

By Council Members Nurse and Rivera.

**Whereas**, Prolonged solitary confinement is recognized as torture by the United Nations; and

**Whereas**, Research by scholars at Cornell University found that solitary confinement, even only for a few days, increases the likelihood a person in custody will die by suicide, violence, or overdose; and

**Whereas**, A large body of research has established that solitary confinement leads to anxiety, depression, psychosis, and other impairments that reduce a person in custody's ability to reintegrate into society when they are released, including studies published by the U.S. Department of Justice Bureau of Justice Statistics; and

**Whereas**, Several people have died after being held in solitary confinement at the Rikers Island jail complex over the last decade; and

**Whereas**, The Council of the City of New York ("Council") has a responsibility to New Yorkers who have been persistently harmed and failed by Department of Correction ("DOC") policies that maintain the status quo; and

**Whereas**, After extensive public debate and consultation with corrections experts, impacted families, advocates, and labor unions, on January 30, 2024, the Council passed Local Law 42 of 2024, over a Mayoral veto, to address these problems; and

**Whereas**, Local Law 42 effectively bans solitary confinement in City jails and establishes standards for the use of restrictive housing and emergency lock-ins; and

**Whereas**, Local Law 42 enhances fairness, transparency, and accountability by, among other things, providing individuals in DOC's custody due process protections prior to being placed in restrictive housing or in continued use of restraints; and

**Whereas**, Local Law 42 goes into effect on July 28, 2024; and

**Whereas**, On June 25, 2024 the Board of Correction voted unanimously to approve its rules for the implementation of Local Law 42; and

**Whereas**, The DOC seeks to suspend the requirements of Local Law 42, as made clear by its June 5, 2024 letter in *Nunez, et al. v. City of New York et al.*; and

**Whereas**, Seeking suspension of Local Law 42 prior to its effective date is premature and inappropriate; and

**Whereas**, Local Law 42 is a vital piece of legislation that will save lives and improve safety and security in City jails for both detained individuals and staff; and

**Whereas**, The DOC is duty bound to implement valid local laws like Local Law 42; now, therefore, be it

**Resolved**, That the Council of the City of New York authorizes the Speaker to engage in legal action on behalf of the Council to defend Local Law 42 of 2024.

Adopted by the Council by voice-vote (preconsidered and approved by the Committee on Criminal Justice).

Int. No. 993

By Council Member Nurse.

**A Local Law to amend the administrative code of the city of New York, in relation to creating lock change procedures in response to illegal lockouts**

*Be it enacted by the Council as follows:*

Section 1. Chapter 5 of title 26 of the administrative code of the city of New York is amended by adding a new section 26-529.1 to read as follows:

*§ 26-529.1 Illegal lockouts. a. Definitions. For purposes of this section, the term “illegal lockout” means an instance in which a person who has legally occupied a dwelling for at least 30 days is forcibly removed or locked out of such dwelling without an order from a court of competent jurisdiction.*

*b. The police commissioner shall establish procedures under which the police department shall change the door locks on dwellings to allow lawful occupants to reoccupy such dwellings in cases where the police department has probable cause to believe that an illegal lockout has taken place.*

*c. When dwelling locks are changed pursuant to such procedures, the police department shall make reasonable efforts to identify all lawful occupants of the dwelling and shall provide a key that opens the changed locks to all such lawful occupants and to the dwelling owner.*

*d. The police commissioner shall add such lock change procedures to the police department’s patrol guide.*

§ 2. This local law takes effect 120 days after it becomes law, except that the police commissioner shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Housing and Buildings.

Res. No. 505

**Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation to convert the School Construction Authority from a public benefit corporation to a New York City agency.**

By Council Member Paladino.

**Whereas**, The New York City School Construction Authority (SCA) was established by the New York State Government in December 1988 under Title 6 of the New York State Public Authorities Law, known as The New York City School Construction Authority Act (the Act); and

**Whereas**, The Act established the SCA as a public benefit corporation governed by a 3-member board of trustees consisting of the chancellor, or acting chancellor, and 2 other members, to be appointed by the mayor; and

**Whereas**, The SCA was created to build new public schools and manage the design, construction, and renovation of capital projects in New York City's (NYC) public school buildings; and

**Whereas**, Further, the SCA manages the NYC Department of Education's Capital Plan and is solely accountable for planning, real estate, and budgeting, as well as the scoping, design, and construction of new schools and additions, as well as capital improvements to existing schools; and

**Whereas**, According to its website, SCA’s mission is to design and construct safe, attractive, and environmentally sound public schools for children throughout New York City, and the SCA is dedicated to building and modernizing schools in a responsible, cost-effective manner while achieving the highest standards of excellence in safety, quality, and integrity; and

**Whereas**, The SCA has sole authority over NYC public school buildings, including design and construction of new schools and additions, as well as renovations and capital improvements to existing schools; and

**Whereas**, NYC school administrators, parents, and elected officials have complained of a lack of transparency and reporting, and poor performance on projects under control of the SCA; and

**Whereas**, Further, there have been complaints about a lack of respect for deadlines, with some projects taking much longer than expected, and facing funding shortfalls; and

**Whereas**, Particularly concerning are claims of a lack of supervision over underperforming subcontractors by SCA on some projects; and

**Whereas**, Converting the SCA into a NYC agency could consolidate local control over the SCA and improve accountability and transparency, as well as overall efficiency and effectiveness of school construction and capital projects in New York City; now, therefore, be it



**Resolved**, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, legislation to convert the School Construction Authority from a public benefit corporation to a New York City agency.

Referred to the Committee on Education.

Int. No. 994

By Council Members Restler, Nurse, Joseph, Hudson, Ossé, Krishnan, Avilés, Cabán, Abreu, Hanif, Stevens, Williams, Hanks and Marte (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 that tenant-occupied dwellings be provided with cooled and dehumidified air**

*Be it enacted by the Council as follows:*

Section 1. The article heading of article 8 of subchapter 2 of chapter 2 of title 27 of the administrative code of the city of New York is amended to read as follows:

ARTICLE 8  
HEAT, COOLING, AND HOT WATER

§ 2. Article 8 of subchapter 2 of chapter 2 of title 27 of the administrative code of the city of New York is amended by adding a new section 27-2030 to read as follows:

§ 27-2030 *Maximum indoor temperature to be maintained; provision of cooling systems. a. Definitions. For purposes of this section, the term “covered dwelling” means a multiple dwelling or a tenant-occupied one- or two-family dwelling.*

*b. Cooling-related requirements. 1. During the period from June 15 through September 15, in any covered dwelling in which centrally-supplied cooling is provided, such cooling shall be furnished so as to maintain, in every interior space of such covered dwelling intended for human occupancy, an indoor temperature no greater than 78 degrees Fahrenheit at 50 percent relative humidity when the outdoor air temperature is 82 degrees Fahrenheit or higher and the coincident wet bulb temperature is 73 degrees Fahrenheit or higher.*

*2. (a) Except as otherwise provided in subparagraph (b) of this paragraph, the owner of a covered dwelling in which centrally-supplied cooling is not provided shall provide and install in each living room of each dwelling unit of such dwelling a cooling and dehumidifying system capable of maintaining an indoor temperature of 78 degrees Fahrenheit at 50 percent relative humidity when the outdoor air temperature is 82 degrees Fahrenheit or higher and the coincident wet bulb temperature is 73 degrees Fahrenheit or higher.*

*(b) The owner of a covered dwelling shall not be required to provide and install a cooling and dehumidifying system pursuant to subparagraph (a) of this paragraph where such a system is already installed, provided that if a tenant of a dwelling unit in a covered dwelling notifies the owner of such covered dwelling that a cooling and dehumidifying system already installed in such dwelling unit is not capable of maintaining the temperature specified in subparagraph (a) of this paragraph, such owner shall then be required to provide and install a cooling and dehumidifying system in such dwelling unit pursuant to subparagraph (a) of this paragraph.*

*(c) No later than 30 days before June 15 of each year, the owner of a covered dwelling shall inspect any cooling and dehumidifying system installed pursuant to this paragraph to ensure that it is capable of maintaining the temperature specified in subparagraph (a) of this paragraph.*

*3. For purposes of determining compliance with paragraphs 1 and 2 of this subdivision, indoor temperature and relative humidity are to be measured 3 feet above the floor and at least 3 feet away from any exterior wall.*

*4. The owner of a covered dwelling shall ensure that every dwelling unit in such dwelling has a device capable of displaying the ambient temperature and relative humidity.*

*5. Owners of covered dwellings shall be subject to the requirements of this subdivision beginning 4 years after the effective date of the local law that added this section.*

*c. 1. Disclosure. Each owner of a covered dwelling shall include in any lease offered to a tenant or prospective tenant a notice, conspicuously set forth therein, which advises such tenant of the obligations of such owner under subdivision b of this section. The department shall determine the form of such notice. Such owner shall provide such notice in, at a minimum, English and the designated citywide languages as such term is defined by section 23-1101.*

*2. Owners of covered dwellings shall be subject to the requirements of this subdivision beginning 4 years after the effective date of the local law that added this section.*

*d. Extension. Where the owner of a covered dwelling is unable to comply with paragraph 1 of subdivision b of this section or with subparagraph (a) or (b) of paragraph 2 of such subdivision because of undue hardship, including but not limited to financial hardship, the need to make major capital improvements, or designation of such covered dwelling as a landmark, as a landmark site, as an interior landmark, or within a historic district pursuant to chapter 3 of title 25, such owner may submit to the department, in a form established by the department, an application for additional time to comply with such paragraph or subparagraph. Such owner shall submit such application to the department along with supporting documents indicating the basis for a claim of undue hardship. After reviewing such application and documents, the department may grant such owner an extension of time to comply with such paragraph or subparagraph, provided that any extension granted under this subdivision not exceed 2 years.*

*e. Pre-enforcement reporting. 1. No later than 2 years after the effective date of the local law that added this section, the owner of a covered dwelling shall report to the department, on an electronic form established by the department, the following information about such covered dwelling:*

*(a) The street address;*

*(b) The number of existing dwelling units;*

*(c) The number of existing dwelling units for which such owner is required to provide and install a cooling and dehumidifying system pursuant to subparagraph (a) or (b) of paragraph 2 of subdivision b of this section; and*

*(d) Whether such owner has submitted or plans to submit under subdivision d of this section an application for additional time to comply with paragraph 1 or subparagraph (a) or (b) of paragraph 2 of subdivision b of this section, and if so, such owner's basis for a claim of undue hardship under subdivision d of this section.*

*2. The department shall make each report submitted under this subdivision available on the department's website no later than 30 days after the department's receipt of such report.*

*f. Post-enforcement reporting. 1. No later than 5 years after the effective date of the local law that added this section, and annually thereafter, the owner of a covered dwelling shall report to the department, on an electronic form established by the department, the following information about such covered dwelling:*

*(a) The street address;*

*(b) The number of existing dwelling units;*

*(c) If applicable, (i) whether such covered dwelling is compliant with paragraph 1 of subdivision b of this section, and (ii) if such covered dwelling is not compliant with such paragraph, the reason for non-compliance;*

*(d) The number of existing dwelling units for which such owner provided and installed a cooling and dehumidifying system pursuant to subparagraph (a) of paragraph 2 of subdivision b of this section during the previous year;*

*(e) The number of existing dwelling units for which such owner provided and installed a cooling and dehumidifying system pursuant to subparagraph (b) of paragraph 2 of subdivision b of this section during the previous year; and*

*(f) Whether such owner completed an annual inspection under subparagraph (c) of paragraph 2 of subdivision b of this section, and if not, the reason such inspection was not completed.*

*2. For each covered dwelling, the department shall make each most recent report submitted under this subdivision available on the department's website no later than 30 days after the department's receipt of such report.*

*g. Outreach and education. 1. Beginning no later than 3 years after the effective date of the local law that added this section, the department shall establish and implement an outreach and education program to raise awareness for tenants of covered dwellings of the obligations of owners of such dwellings under subdivision b of this section. The department shall increase its outreach and education efforts under this paragraph during*

the 90 days leading up to June 15 of each year and during the period of June 15 through September 15 of each year.

2. The department shall establish and implement an outreach and education program to inform owners of covered dwellings of their obligations under subdivisions b, c, e, and f of this section. Through such program, the department shall also provide such owners with the following information to assist in their compliance with the requirements of subdivision b of this section:

(a) The types of cooling and dehumidifying systems that have the capacity specified in subparagraph (a) of paragraph 2 of subdivision b of this section that are available;

(b) The cost, size, and energy efficiency of such cooling and dehumidifying systems; and

(c) Any government programs, including those involving financial resources and incentives, which are available to such owners to assist in their compliance with the requirements of subdivision b of this section.

h. Violations. Notwithstanding any other provision of law, an owner of a covered dwelling that violates paragraph 4 of subdivision b or subdivision c of this section is liable for a civil penalty of \$250 per violation. An owner of a covered dwelling that violates paragraph 1 or 2 of subdivision b of this section is liable for civil penalties as set forth in subdivision (k) of section 27-2115.

§ 3. Subdivision (k) of section 27-2115 of the administrative code of the city of New York, paragraph (1) of such subdivision as amended by local law number 65 for the year 2011, subparagraph (i) of such paragraph as amended by local law number 71 for the year 2023, and paragraph 3 of such subdivision as amended by local law number 16 for the year 2011, is amended to read as follows:

(1) (i) Notwithstanding any other provision of law, a person who violates section 27-2028, subdivision a of section 27-2029, *paragraph 1 or 2 of subdivision b of section 27-2030*, section 27-2031 or section 27-2032 [of this chapter] shall be subject to a civil penalty of not less than three hundred fifty nor more than one thousand two hundred fifty dollars per day for each violation from and including the date the notice is affixed pursuant to paragraph [two] 2 of this subdivision until the date the violation is corrected, and not less than five hundred nor more than one thousand five hundred dollars per day for each subsequent violation [of such sections] at the same dwelling or multiple dwelling that occurs (i) in the case of section 27-2028, *paragraph 2 of subdivision b of section 27-2030, section 27-2031 or section 27-2032*, within two consecutive calendar years [or,]; (ii) in the case of subdivision a of section 27-2029, during two consecutive periods of October [first] 1 through May [thirty-first] 31; or (iii) in the case of *paragraph 1 of subdivision b of section 27-2030, during two consecutive periods of June 15 through September 15*. A person who violates subdivision b of section 27-2029 of this chapter shall be subject to a civil penalty of fifty dollars per day from and including the date the notice is affixed pursuant to paragraph [two] 2 of this subdivision until the date the violation is corrected but not less than two thousand dollars. There shall be a presumption that the condition constituting a violation continues after the affixing of the notice.

(ii) Notwithstanding the provisions of subparagraph (i) of this paragraph and section 27-2116 [of this chapter], the civil penalties set forth in subparagraph (i) of this paragraph shall be deemed satisfied for a first violation of section 27-2028, subdivision a of section 27-2029, *paragraph 1 or paragraph 2 of subdivision b of section 27-2030*, section 27-2031 or section 27-2032 [of this chapter] if a notice, in a form prescribed by the department, that such violation has been corrected by the owner or an agent or employee of the owner within twenty-four hours of the affixing of the notice of such violation pursuant to paragraph [two] 2 of this subdivision, and a payment of two hundred fifty dollars, are submitted to the department within ten days of affixing the notice of such violation. A person who submits a false notice of correction shall be subject to a civil penalty of not less than two hundred fifty dollars for each false notice of correction, in addition to the other penalties herein provided. If the notice of correction and payment are not received within such ten-day period then the penalties set forth in subparagraph (i) of this paragraph shall be applicable to such violations and the department may commence a proceeding for an order to correct and to recover such penalties in accordance with this section and section 27-2116 [of this chapter]. A person who has violated section 27-2028, subdivision a of section 27-2029, *paragraph 1 or paragraph 2 of subdivision b of section 27-2030*, section 27-2031 or section 27-2032 [of this chapter] may allege as a defense or in mitigation of liability for civil penalties, compliance with the notice of correction and payment requirements of this subparagraph in any proceeding brought by the department seeking civil penalties under this subdivision. The process for submission of the notice of correction and payment set forth in this subparagraph shall not be available (i) if a violation of section 27-2028, *paragraph 2 of subdivision b of section 27-2030*, section 27-2031 or section 27-2032 [of this chapter] occurred at the same dwelling or

multiple dwelling during the prior calendar year [or,]; (ii) in the case of subdivision a of section 27-2029 [of this chapter], if a violation of such subdivision occurred at the same dwelling or multiple dwelling during the prior period of October [first] 1 through May [thirty-first] 31; or (iii) in the case of paragraph 1 of subdivision b of section 27-2030, if a violation of such paragraph occurred at the same dwelling or multiple dwelling during the prior period of June 15 through September 15.

(iii) Notwithstanding any other provision of law, within five business days from the date of receipt of the notice of correction by the department, the department shall mail to the occupant of any dwelling unit for which such violation was issued notification that the owner has submitted a notice of correction for such violation. The notification to the occupant shall include information on when the violation was reportedly corrected and how the occupant may object to such notice of correction. In addition, the provisions of paragraphs 4 and 5 of subdivision f of this section shall also be applicable to a notice of correction submitted in compliance with subparagraph (ii) of this paragraph.

(iv) Notwithstanding any other provision of law, a person who, after inspection by the department, is issued an immediately hazardous violation for a third or any subsequent violation of (i) section 27-2028, paragraph 2 of subdivision b of section 27-2030, section 27-2031 or section 27-2032 [of this chapter] at the same dwelling or multiple dwelling within the same calendar year [or, in the case of]; (ii) subdivision a of section 27-2029 [of this chapter,] at the same dwelling or multiple dwelling within the same period of October [first] 1 through May [thirty-first,] 31; or (iii) paragraph 1 of subdivision b of section 27-2030 at the same dwelling or multiple dwelling within the same period of June 15 through September 15 shall be subject to a fee of two hundred dollars for each inspection that results in the issuance of such violation as well as any civil penalties that may be due and payable for the violation, provided, however, that such fee shall not be applicable to inspections performed in a multiple dwelling that is included in the alternative enforcement program pursuant to article [ten] 10 of subchapter [five] 5 of this chapter. All fees that remain unpaid shall constitute a debt recoverable from the owner and a lien upon the premises, and upon the rents and other income thereof. The provisions of article [eight] 8 of subchapter [five] 5 of this chapter shall govern the effect and enforcement of such debt and lien.

(2) Notwithstanding any other provision of law, the department shall serve a notice upon the owner, his or her agent or other person responsible for the correction of violations by affixing such notice in a conspicuous place on the premises. The notice shall identify the condition constituting the violation, the provision of law applicable thereto, the date the violation was reported and set the penalty attendant thereto.

(3) Notwithstanding any other provision of law, the owner shall be responsible for the correction of all violations placed pursuant to article [eight] 8 of subchapter [two] 2 of this code, but in an action for civil penalties pursuant to this article may in defense or mitigation of such owner's liability for civil penalties show:

(i) That the condition which constitutes the violation did not exist at the time the violation was placed; or

(ii) That he or she began to correct the condition which constitutes the violation promptly upon discovering it but that full correction could not be completed expeditiously because of technical difficulties, inability to obtain necessary materials, funds or labor, or inability to gain access to the dwelling unit wherein the violation occurs, or such other portion of the building as might be necessary to make the repair; or

(iii) That he or she was unable to obtain a permit or license necessary to correct the violation, provided that diligent and prompt application was made therefor; or

(iv) That the violation giving rise to the action was caused by the act or negligence, neglect or abuse of another not in the employ or subject to the direction of the owner; or

(v) That in addition to any other defense or mitigation set forth in subparagraphs (i) through (iv) of this paragraph, with respect to an owner who may be subject to the penalty of not less than five hundred nor more than one thousand dollars per day with respect to a subsequent violation pursuant to paragraph [one] 1 of this subdivision, documentation of prompt and diligent efforts to correct the conditions that gave rise to an initial violation and that such conditions were corrected. Where demonstrated, such subsequent violation shall be treated as though it was an initial violation. However, this defense or mitigation may not be asserted or demonstrated where the initial and subsequent violations occurred (i) in the case of violations of section 27-2028, paragraph 2 of subdivision b of section 27-2030, section 27-2031 or section 27-2032, in the same calendar year [or,]; (ii) in the case of violations of subdivision a of section 27-2029, during the same period of October [first] 1 through May [thirty-first] 31; or (iii) in the case of violations of paragraph 1 of subdivision b of section 27-2030, during the same period of June 15 through September 15.

Where the aforesaid allegations are made by way of mitigation of penalties, the owner shall show, by competent proof, pertinent financial data, and efforts made to obtain necessary materials, funds or labor or to gain access, or to obtain a permit or license and such other evidence as the court may require.

If the court finds that sufficient mitigating circumstances exist, it may remit all or part of any penalties arising from the violation, but may condition such remission upon a correction of the violation within a time period fixed by the court.

§ 4. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 995

By Council Member Schulman.

**A Local Law in relation to a feasibility study of carbon capture and sequestration of certain byproducts of the anaerobic digestion process used to break down compost, sewage, and other organic matter**

*Be it enacted by the Council as follows:*

Section 1. The department of environmental protection, in consultation with the department of sanitation, shall study and report on the feasibility of capturing and sequestering greenhouse gas emissions produced as a byproduct of the department's anaerobic digestion process for compost, sewage, and other organic matter, where less than 100 percent of the byproduct will be repurposed for beneficial use. No later than one year after the effective date of this local law, the department of environmental protection shall submit to the mayor and speaker of the council and shall post conspicuously on its website a report on the findings of such study. Such study shall consider the following:

1. The methods by which capture and sequestration might be achieved depending on whether the byproduct not repurposed is in a solid, liquid, or gaseous state;
2. The capacity for capturing and sequestering byproduct not repurposed depending on the volume of such byproduct;
3. The challenges in ensuring that captured and sequestered byproduct not repurposed will remain sequestered and not enter the atmosphere as fugitive emissions; and
4. The costs of capture and sequestration compared to other methods of disposal.

§ 2. Ninety days after completion of the study required by section two of this local law, the commissioner of environmental protection shall inform the speaker of the council in writing whether the department will implement capture and sequestration programs wherever practicable according to the results of the feasibility study. Such notification shall include a detailed written framework of the timeline for such capture and sequestration programs, including relevant milestones and implementation deadlines. If the department is not able to meet the implementation deadlines laid out, it shall promptly submit to the mayor and speaker of the council a memorandum detailing why the target will not be met and identify remedial steps the department has the authority to take to achieve the implementation timeframe. If the department will not implement capture and sequestration programs the commissioner of environmental protection shall inform the speaker of the council and the mayor in writing of such determination and the reasons therefor.

§ 3. This local law takes effect immediately.

Referred to the Committee on Environmental Protection, Resiliency and Waterfronts.

## Res. No. 506

**Resolution calling on Congress to pass, and the President to sign, S.1302/H.R.2389, the “Resident Physician Shortage Reduction Act of 2023,” to increase the number of residency positions eligible for graduate medical education payments under Medicare for qualifying hospitals, including hospitals in rural areas and health professional shortage areas.**

By Council Member Schulman.

**Whereas**, According to the Association of American Medical Colleges, it is estimated that by 2034, the United States (U.S.) will experience a shortage of between 37,800 and 124,000 physicians, including 48,000 primary care physicians and 77,100 specialists, with occupational burnout serving as a primary driver of the shortage; and

**Whereas**, Researchers at the American Medical Association, the Mayo Clinic, and Stanford Medicine found that the incidence of occupational burnout among U.S. physicians was 62.8 percent in 2021, as compared with 38.2 percent in 2020 and 43.9 percent in 2017; and

**Whereas**, Per the same research by the American Medical Association, the Mayo Clinic, and Stanford Medicine, 1 in 5 U.S. physicians intended to leave medicine within the next two years, while 1 in 3 U.S. physicians planned to reduce their hours; and

**Whereas**, Moreover, per the American Medical Association, as of October 2023, almost half of all practicing U.S. physicians were over the age of 55 years; and

**Whereas**, Furthermore, the American Medical Association stressed that as of 2023, the average medical school graduate was burdened with more than \$250,000 in student loan debt, which often compels new physicians to bypass primary care and less populated, rural areas in favor of more lucrative specialties in or near large metropolitan areas; and

**Whereas**, The American Medical Association emphasized that as of October 2023, over 83 million Americans resided in areas without adequate access to a primary care physician; and

**Whereas**, In addition, per the American Medical Association, as of October 2023, among U.S. counties, 90 percent had no pediatric ophthalmologist, 80 percent had no infectious disease specialist, and over 33 percent of Black Americans resided in cardiology care deserts; and

**Whereas**, According to an analysis by the Center for Health Workforce Studies at the School of Public Health at the State University of New York (SUNY), it is projected that by 2030, there will be a shortage of between 2,500 and 17,000 physicians in New York State, representing between 3 percent and 15 percent of the number of physicians necessary to meet the expected demand for physician services in 2030; and

**Whereas**, Per the same analysis by the Center for Health Workforce Studies at the SUNY, it is forecasted that by 2030, New York City will experience a deficit of physicians across multiple specialties, with the overall gap at around 10 percent, among adult primary care physicians at more than 12 percent, and among such specialties as urology, pathology, and ophthalmology at over 33 percent; and

**Whereas**, With the intent of addressing the shortage of physicians in the U.S., U.S. Senator Robert Menendez introduced S.1302 in the U.S. Senate, and U.S. Representative Terri A. Sewell introduced companion bill H.R.2389 in the U.S. House of Representatives, known as the “Resident Physician Shortage Reduction Act of 2023,” which would increase the number of residency positions eligible for graduate medical education payments under Medicare for qualifying hospitals, including hospitals in rural areas and health professional shortage areas; and

**Whereas**, The “Resident Physician Shortage Reduction Act of 2023” would focus on rectifying the negative effect of provisions included in the “Balanced Budget Act of 1997,” which imposed caps on the number of federally-funded residency positions, and would build upon the 1,200 new Medicare-supported graduate medical education (GME) slots enacted by Congress through the “Consolidated Appropriations Act of 2021” and the “Consolidated Appropriations Act of 2023;” and

**Whereas**, Specifically, S.1302/H.R.2389 would provide 2,000 new Medicare-supported GME positions per fiscal year from FY 2025 to FY 2031, for a total of 14,000 new GME positions, and would stipulate that at least 10 percent of the GME slots must be distributed to hospitals that are within rural or noncontiguous areas, such as Alaska and Hawaii, to hospitals training over their GME positions cap, to hospitals located in states with new

medical schools or branch campuses, and to hospitals serving designated health professional shortage areas, with priority given to hospitals affiliated with historically Black medical schools; now, therefore, be it

**Resolved**, That the Council of the City of New York calls on Congress to pass, and the President to sign, S.1302/H.R.2389, the “Resident Physician Shortage Reduction Act of 2023,” to increase the number of residency positions eligible for graduate medical education payments under Medicare for qualifying hospitals, including hospitals in rural areas and health professional shortage areas.

Referred to the Committee on Health.

Res. No. 507

**Resolution calling on the New York State Assembly to pass, and the Governor to sign, S.4786/A.8345A, to enact the “New York affordable drug manufacturing act”.**

By Council Members Schulman, Ariola, Riley and Fariás.

**Whereas**, In the United States (U.S.), prescription drug prices and shortages have been on the rise, making it difficult for many Americans to access and afford their medications; and

**Whereas**, A 2024 study by the RAND Corporation, commissioned by ASPE (the principal advisor to the Secretary of the U.S. Department of Health and Human Services (HHS) on policy development) found that in 2022, drug prices in the U.S. were nearly three times higher than in 33 other Organisation for Economic Co-operation and Development (OECD) countries, with U.S. consumers paying an average of \$2.78 for every dollar spent on the same drugs abroad; and

**Whereas**, In 2019, 3.5 million adults aged 65 and older and 1.8 million Medicare beneficiaries under 65 had difficulty affording their medications, according to the 2022 “Prescription Drug Affordability among Medicare Beneficiaries” report by the ASPE; and

**Whereas**, Drug cost variations for prescription drugs are significant on both national and local levels, with New York being the third most expensive U.S. state for prescription drugs, where residents pay 17.6% above the national average for their medications, according to GoodRx Health; and

**Whereas**, The 2020 Drug Pricing report by the New York Public Interest Research Group Fund (NYPIRG) highlighted substantial prescription drug price variations within New York State (NYS) counties and New York City (NYC), with drugs such as Spiriva, a medication for asthma and COPD, costing around \$308.92 in Onondaga and ranging from \$224.95 to \$698.72 in NYC, creating a \$473.77 price difference within the five boroughs; and

**Whereas**, Despite high and varying drug prices, critical medication shortages continue to escalate, including those used in hospital emergency rooms, cancer treatments, prescription drugs, and even common over-the-counter medicines like children's cold and flu remedies; and

**Whereas**, According to the American Society of Health-System Pharmacists (ASHP), active drug shortages rose to 301 at the end of the first quarter (Q1) of 2023, up from 271 at the close of Q1 2021; and

**Whereas**, The U.S. Senate Committee on Finance reported that generic drugs comprised 67% of drug shortages between 2013 and 2017; and

**Whereas**, The U.S. Food and Drug Administration (FDA) estimates that 91% of all prescriptions in the U.S. are filled with generic drugs; and

**Whereas**, Despite the high demand for generic drugs, manufacturers often face intense pressure to reduce prices from purchasers or Pharmacy Benefit Managers (PBMs), depleting manufacturers’ revenue and leading them to offshore production and cut costs on equipment and quality control, thereby jeopardizing drug quality and increasing vulnerability to unexpected shortages, as detailed in the 2024 Senate Committee on Finance report on generic drug shortages; and

**Whereas**, PBMs serve as intermediaries between health insurance companies, pharmacies, and drug manufacturers, playing a significant role in the prescription drug distribution chain by developing formularies

(covered medications lists) for health insurers, leveraging their purchasing power over drug manufacturers, and supplying drugs to individuals pharmacies; and

**Whereas**, Due to PBMs' influence over the prescription drug industry, drug manufacturers lower their prices or offer higher rebates to secure favorable formulary positions, ensuring their products are included in insurance-covered lists to maintain competitiveness and increase sales volume; and

**Whereas**, The three largest PBMs in the U.S.—OptumRx, CVS Caremark, and Express Scripts—control about 80% of prescription drug sales in America, according to the Kaiser Family Foundation; and

**Whereas**, HHS has identified a lack of competition as a key factor in the varying and high drug costs, advocating for measures to improve market conditions and promote generics and biosimilars; and

**Whereas**, In response, NYS Senator Rivera and Assemblymember Rajkumar, have introduced S.4786/A.8345A, which aims to address drug affordability by directing the commissioner of health to establish partnerships with FDA-approved drug manufacturers to produce and distribute prescription generic drugs that are high cost or prone to shortages to increase availability and reducing prices; and

**Whereas**, The New York Affordable Drug Manufacturing Act includes provisions for transparency in drug pricing, which can help prevent price gouging and ensure that cost savings are passed on to consumers; and

**Whereas**, This initiative aligns with successful models in other states, such as California's Cal Rx program, which aims to produce generic drugs to address shortages and high prices, demonstrating a viable path forward for New York; and

**Whereas**, This bill has already garnered the support of numerous advocates, community leaders, and policymakers, and was passed by the NYS Senate with an overwhelming majority of 52 to 10, earlier this year; and

**Whereas**, Implementing this act would support local economies by creating jobs in the pharmaceutical manufacturing sector and fostering partnerships with existing New York-based pharmaceutical companies; and

**Whereas**, The availability of affordable medications through a state-run program supports the NYC Healthy NYC goals by ensuring consistent access to necessary medications, promoting healthcare quality and equity, reducing hospitalizations and emergency room visits, and ultimately lowering overall healthcare costs while improving the health and life expectancy of New Yorkers; now, therefore, be it

**Resolved**, That the Council of the City of New York calls on the New York State Assembly to pass, and the Governor to sign, S.4786/A.8345A, to enact the "New York affordable drug manufacturing act."

Referred to the Committee on Consumer and Worker Protection.

Int. No. 996

By Council Members Stevens and Restler.

**A Local Law to amend the administrative code of the city of New York, in relation to the creation of a peer-to-peer mental health training program**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.26 to read as follows:

*§ 17-199.26 Peer-to-peer mental health training program. a. Definitions. For purposes of this section, the following terms have the following meanings:*

*Middle and high school. The term "middle and high school" means any school of the city school district that contains any combination of grades from grade 6 through grade 12.*

*Student. The term "student" means any pupil under the age of 21 as of September 1 of the relevant academic year who does not have a high school diploma and who is enrolled in grade 6 or higher.*



*b. Program established. 1. No later than 120 days after the effective date of the local law that added this section, the commissioner, in consultation with relevant experts, shall establish a peer-to-peer mental health training program. Such program shall involve:*

*(a) The training of middle and high school students to identify and assist peers experiencing mental health struggles, including but not limited to training on how to recognize signs of mental distress in others and apply mental health coping skills effectively within peer interactions;*

*(b) Instruction of middle and high school students in the essential aspects of mental health, including but not limited to the definition of mental health, the importance of mental health to overall human health, how to employ strategies to maintain mental wellbeing, the range of common mental health disorders, how to recognize signs of mental distress in oneself, and mental health coping skills for managing personal mental health challenges; and*

*(c) Informing middle and high school students of opportunities to seek help in addressing mental health challenges and to access other mental health resources, including such opportunities available through and outside of middle and high schools.*

*2. The commissioner shall offer such program to middle and high school students.*

*c. Reporting. 1. No later than 1 year after the effective date of the local law that added this section and annually thereafter, the commissioner, in coordination with the chancellor of the city school district, shall submit to the mayor and the speaker of the council, and post on the department's website, a report on the peer-to-peer mental health training program required under subdivision b of this section. Such report shall include, but need not be limited to, the following information:*

*(a) An overview of such program, including the scope of topics covered;*

*(b) The total number of middle and high school students who participated in such program in the previous year;*

*(c) A table in which each row references each middle and high school student who participated in such program in the previous year, indicated by a unique identification number, and that includes the name of the middle or high school attended by the student and the borough in which the student attended middle or high school at the time of participation in such program set forth in separate columns;*

*(d) An evaluation of such program's effectiveness in enhancing middle and high school students' ability to assist their peers experiencing mental health challenges and their mental health literacy;*

*(e) A description of any challenges encountered during the implementation of such program; and*

*(f) Recommendations for the future of such program, including any proposals for expansion or modification based on such program's outcomes.*

*2. No information that is otherwise required to be reported pursuant to this subdivision shall be reported in a manner that would violate any applicable provision of federal, state, or local law relating to the privacy of student information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If a category contains between 1 and 5 students, or contains an amount that would allow another category that contains between 1 and 5 students to be deduced, the number shall be replaced with a symbol. A category that contains zero shall be reported as zero, unless such reporting would violate any applicable provision of federal, state, or local law relating to the privacy of student information. For the purposes of subparagraph (c) of paragraph 1 of this subdivision, if the table contains between 1 and 5 students, the table shall not display any information.*

*§ 2. Chapter 8 of title 21-a of the administrative code of the city of New York is amended by adding a new section 21-969.1 to read as follows:*

*§ 21-969.1 Distribution of informational materials on peer-to-peer mental health training program. a. Definitions. For purposes of this section, the following terms have the following meanings:*

*Middle and high school. The term "middle and high school" means any school of the city school district that contains any combination of grades from grade 6 through grade 12.*

*Student. The term "student" means any pupil under the age of 21 as of September 1 of the relevant academic year who does not have a high school diploma and who is enrolled in grade 6 or higher.*

*b. 1. Each academic year, the department shall distribute to each middle and high school, for distribution to each student of such school, materials containing information on the peer-to-peer mental health training program established by the commissioner of health and mental hygiene pursuant to section 17-199.26.*

*2. Such materials shall include, but need not be limited to, the following information:*

- (a) An overview of such program, including its purpose and the scope of topics covered;*
  - (b) Details on where middle and high school students can participate in such program and any steps such students need to take in order to participate in such program; and*
  - (c) Contact information for relevant staff at the department of health and mental hygiene who can provide additional information on such program.*
- 3. The department shall post such materials on its website.*
  - 4. The department shall make all such materials available in English and in each of the designated citywide languages, as such term is defined in section 23-1101.*
- § 3. This local law takes effect immediately.

Referred to the Committee on Mental Health, Disabilities and Addiction.

Int. No. 997

By Council Members Ung, Borelli and Paladino.

**A Local Law to amend the administrative code of the city of New York, in relation to a voluntary notice program and registry for temporarily vacant homes**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 14 of the administrative code of the city of New York is amended by adding a new section 14-169.1 to read as follows:

§ 14-169.1 *Home vacancy notice program and registry. a. Notice program. 1. The commissioner shall establish a program in which dwelling owners and their tenants may provide notice to the department that their dwellings will be vacant for 21 consecutive days or more.*

*2. Such notice shall be provided on a form prescribed by the commissioner and shall include the date the vacancy begins; the date the vacancy is expected to end, if applicable; the address of the dwelling; the telephone number and e-mail address of the person providing the notice; the telephone number and e-mail address of the dwelling owner; the date such vacancy notice was provided to the department; and any other information the commissioner requires.*

*3. The commissioner shall make such form available on paper and electronically and shall accept such notice on paper and electronically.*

*4. The department shall provide such notice to the police precinct in which the dwelling is located. Upon receiving such notice, the precinct shall provide the owner or tenant with a paper or electronic confirmation of receipt.*

*5. The program established under this subdivision shall be made available to all dwelling owners and tenants, including mortgagees of foreclosed properties.*

*b. Registry. 1. The commissioner shall keep a registry of all dwellings for which notice of vacancy has been provided to the department pursuant to subdivision a of this section. Such registry shall include copies of all vacancy notices provided pursuant to subdivision a of this section.*

*2. The information in such registry shall be used by the department only and, except where expressly required by applicable law, shall not be shared with the mayor or any other agency and shall not be subject to public disclosure.*

*3. The commissioner shall make available copies of the vacancy notice filed for a dwelling upon the request of the owner of such dwelling.*

*4. Following the expiration of a vacancy notice, the department shall dispose of such notice in accordance with applicable document retention schedules.*

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

Referred to the Committee on Public Safety.

Res. No. 508

**Resolution designating October 10 annually as Casey Benjamin Day in the City of New York and celebrating the genius of his music and his unique contributions to a variety of music genres.**

By Council Members Williams, Riley and Farías.

**Whereas**, Casey Bryon Benjamin was born on October 10, 1978, in Brooklyn to Gentle Benjamin, a television producer from Grenada, and Julieta McAlmon Benjamin, a nursing assistant from Panama; and

**Whereas**, Benjamin then moved to South Jamaica, Queens, where he grew up surrounded by Caribbean and Latin culture and musical influences, including the Jamaica Funk Crew; and

**Whereas**, Having become interested in jazz at the young age of four, Benjamin began playing the saxophone at the age of eight and was performing by the age of 12; and

**Whereas**, Benjamin graduated from Manhattan’s prestigious Fiorello H. LaGuardia High School of Music & Art and Performing Arts in 1996 and went on to study music at the New School’s School of Jazz and Contemporary Music, where he met Robert Glasper, who would become an important part of his music career; and

**Whereas**, Beginning their formal collaboration in 2004, Benjamin became a founding member of the Robert Glasper Experiment, led by keyboardist Glasper and later described by *The New York Times* critic Nate Chinen in 2012 as “specializ[ing] in deep, immersive grooves, nourished as much by hip-hop and R&B as any known species of jazz”; and

**Whereas**, Nominated for five GRAMMY Awards during his career, Benjamin won a GRAMMY in 2012 with the Robert Glasper Experiment for best R&B album for *Black Radio*, which featured Erykah Badu, Lupe Fiasco, and Yasiin Bey (Mos Def); and

**Whereas**, In 2015, Benjamin won another GRAMMY Award for best traditional R&B performance for the Robert Glasper Experiment’s cover of Stevie Wonder’s “Jesus Children”; and

**Whereas**, Benjamin was known for his vibrant stage presence and his swirl of braided hair, often streaked with color, gathered on top of his head; and

**Whereas** Benjamin’s “energy exuded freedom” before he even played a note, according to bass player and composer Derrick Hodge, who collaborated with him in the Robert Glasper Experiment and in Stefon Harris’s band Blackout; and

**Whereas**, Benjamin also collaborated, recorded, and toured with a long list of well-known jazz, Hip Hop, and R&B solo artists and groups, including Betty Carter, Drake, Nas, Kendrick Lamar, A Tribe Called Quest, Common, Wyclef Jean, Solange, Mary J. Blige, John Legend, Lady Gaga, and Beyoncé; and

**Whereas**, As an associate music producer working alongside rapper and producer Q-Tip, Benjamin lent his talents to *Ali*, a musical about the life of Muhammad Ali; and

**Whereas**, Although Benjamin was an acclaimed alto, tenor, and soprano saxophonist, *The New York Times* noted that “he never let himself be limited, by genre, style or even instrument” and that “he created a rainbow of sounds using not only reeds and woodwinds but also a vocal synthesizer manipulated with a keytar (a keyboard instrument worn with a strap around the neck), along with other synthesizers and effects pedals”; and

**Whereas**, In a 2018 interview on the *HighBreedMusic* website, Benjamin described his own style as “creat[ing] this lane for myself...this sort of thing that, you know, only I can do” and noted that “99 percent of my career, I have been hired to be myself...[people say] just let him do what he does; and

**Whereas**, In that same interview, Benjamin described the key to success as “find[ing] something that...nobody else does and, when you find it, do it every single time”; and

**Whereas**, On March 30, 2024, Benjamin died of a pulmonary thromboembolism at the age of 45, prior to the release of his new solo album; and

**Whereas**, According to his obituary in *DownBeat*, a jazz and blues music magazine, Benjamin “possessed a fluid, round sound on the alto saxophone and a unique sense of phrasing” and was described as “most recognizable by the layers of electronic effects” and for his distinctive “use of vocoder-processed vocals, often manipulated through the keytar he played onstage”; and

**Whereas**, His longtime collaborator Glasper told *Rolling Stone* magazine that Benjamin was the “epitome of what it means to be unique and one of a kind” and “the true meaning of a genius at his craft”; and

**Whereas**, In a recent tribute at a concert by Fall Out Boy frontman Patrick Stump, one of his collaborators, Stump said of Benjamin that “to be in his presence is to understand that music is supposed to be joy [and that] we are supposed to share this together”; now, therefore, be it

**Resolved**, That the Council of the City of New York designates October 10 annually as Casey Benjamin Day in the City of New York and celebrates the genius of his music and his unique contributions to a variety of music genres.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Int. No. 998

By Council Members Yeger, Powers, Vernikoy, Holden, Carr, Brannan, Hanks, Restler, Avilés, Abreu, Banks and Ossé.

**A Local Law to amend the administrative code of the city of New York, in relation to cooling centers**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.7 to read as follows:

*§ 17-199.7 Cooling centers. a. For the purposes of this section, the following terms shall mean:*

*1. “Air quality index” means the index established by the United States environmental protection agency for the purpose of reporting daily air quality.*

*2. “Cooling center” means any facility that is designated by the city to provide air-conditioned relief to the public whenever there is an occurrence or a forecast of a heat-related emergency.*

*3. “Heat index” means a measurement of the combined air temperature and relative humidity that attempts to determine the human-perceived equivalent temperature.*

*4. “Heat-related emergency” means the level at which the heat index is deemed to be unsafe or unhealthy for vulnerable populations as determined by the department by rule.*

*5. “Poor air quality index” means the level at which the air quality index is deemed to be unsafe or unhealthy for vulnerable populations as determined by the department by rule.*

*6. “Vulnerable population” means any group of persons that are sensitive to or otherwise at a greater health risk than the general population from a heat-related emergency or a poor air quality index.*

*b. The department, in consultation with the New York city office of emergency management, shall open, maintain and operate cooling centers when there is a heat-related emergency or a poor air quality index in the city. The department shall determine by rule the number and locations of cooling centers to be located in the city, provided, however, that there shall be no fewer than the median number of locations that were operated on any given day that cooling centers were operated under the city’s previous program during the year ending in 2017. When determining establishing the locations of such centers, the department shall take into account the areas in which vulnerable populations reside and make best efforts to locate such centers in areas where such vulnerable populations would likely use such centers when they are in operation pursuant to this section.*

*c. The department shall post information on its website that contains information including, but not limited to, any health alerts triggered by heat-related emergencies or a poor air quality index, and the availability, hours of operation, and locations of cooling centers. The website shall list the availability, hours of operation, and locations of such cooling centers on or by May 1 of every year.*

*d. The department shall conduct a public education campaign on heat-related emergencies and poor air quality indexes, and how to prevent health risks associated with such conditions. Such education shall include, but not be limited to, encouraging vulnerable populations to limit exposure and to remain inside an air conditioned building or dwelling during heat-related emergencies and to minimize being outdoors on days where there is a poor air quality index. The department shall display written educational materials in buildings*

*designated by the department to be cooling centers and conduct outreach to communities where vulnerable populations are likely to reside.*

*e. On or before June 1 of 2025 and every year thereafter, the department shall conduct a citywide survey to determine public awareness of the cooling centers.*

*f. On or before December 31 of 2025 and each year thereafter, the department shall submit an annual report to the council and the mayor detailing the department's efforts to inform the public of the availability and value of cooling centers.*

*1. Such annual report shall include: (i) the median number of cooling centers made available on days that such centers are open and intended for use pursuant to subdivision b; (ii) an estimate of the number of persons seeking relief at each cooling center over the course of each year covered by such report, disaggregated by age group and community board; (iii) the results from the citywide survey conducted pursuant to subdivision e of this section; and (iv) a discussion of any measures taken by the department for the education and/or outreach to the public regarding the health hazards posed by heat-related emergencies and the presence of a poor air quality index, the need to limit exposure to such conditions, and the availability, hours of operations, and locations of cooling centers.*

*2. Such report shall also include (i) an evaluation of the effectiveness of the department's programs or initiatives to inform the public of the availability and value of cooling centers; (ii) recommendations for new programs and/or strategies that could be implemented by the department, non-governmental organizations or other entities to improve public outreach and the utilization of cooling centers; and an estimate of any additional funding needed for the implementation of any such recommendations.*

§ 2. This local law takes effect 60 days after it becomes law, provided that the commissioner of the department of health and mental hygiene, in consultation with the commissioner of the New York city office of emergency management, shall take such actions, including the promulgation of rules, as are necessary for timely implementation of this local law, prior to such effective date.

Referred to the Committee on Health.

Preconsidered L.U. No. 105

By Council Member Brannan:

**Fulton Street South, Block 1861, Lot 20, Brooklyn, Community District No. 3, Council District No. 36.**

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered L.U. No. 106

By Council Member Salamanca:

**Application number C 240015 ZMX (Bronx Metro-North Station Area Study) submitted by the NYC Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 4a & 4b: eliminating from within an R4 District a C1-2 District, eliminating from within an existing R6 District a C1-2 District, eliminating from within an existing R4 District a C2-2 District, eliminating from within an existing R6 District a C2-2 District, eliminating a Special Planned Community Preservation District (PC), changing from a C8-1 District to an R4 District, changing from an R4 District to an R6-1 District, changing from an R5 District to an R6-1 District, changing from an R6 District to an R6-1 District, changing from a C8-1 District to an R6-1 District, changing from an M1-1 District to an R6-1 District, changing from an R5 District to**

an R6A District, changing from an R4 District to an R7-2 District, changing from a C8-1 District to an R7-2 District, changing from an M1-1 District to an R7-2 District, changing from an R6 District to an R8X District, changing from a C8-1 District to an R8X District, changing from a C8-4 District to an R8X District, changing from an R4 District to a C4-3 District, changing from an M1-1 District to a C4-3 District, changing from an M1-1 District to a C4-4 District, changing from a C8-1 District to a C8-2 District, changing from an M1-1 District to a C8-2 District, changing from an M1-1 District to an M1-1A/R7-3 District, establishing within an existing R4 District a C2-4 District, establishing within an existing R6 District a C2-4 District, establishing within a proposed R6-1 District a C2-4 District, establishing within an existing R6A District a C2-4 District, establishing within a proposed R7-2 District a C2-4 District, establishing within a proposed R8X District a C2-4 District, and establishing a Special Eastchester – East Tremont Corridor District (ETC), related to property in the Parkchester/Van Nest and Morris Park neighborhoods, Borough of the Bronx, Community Districts 9, 10 & 11, Council Districts 13, 17, and 18.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises (preconsidered but laid over by the Subcommittee on Zoning and Franchises).

Preconsidered L.U. No. 107

By Council Member Salamanca:

**Application number N 240016 ZRX (Bronx Metro-North Station Area Study) submitted by New York City Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York establishing the Special Eastchester – East Tremont Corridor District (Article XIV, Chapter 5), and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, APPENDIX I for the purpose of expanding an existing Transit Zone, and related Sections, Borough of the Bronx, Community Districts 9, 10 & 11, Council Districts 13, 17, and 18.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises (preconsidered but laid over by the Subcommittee on Zoning and Franchises).

L.U. No. 108

By Council Member Salamanca:

**Application number N 240374 HIM, for the proposed designation by the Landmarks Preservation Commission of the Heckscher Building (now the Crown Building), located at 730 Fifth Avenue (Block 1272, Lot 7503), as an historic landmark (DL-539/LP-2678), submitted pursuant to Section 3020 of the New York City Charter and Section 25-303 of the Administrative Code of the City of New York, Borough of Manhattan, Community District 5, Council District 4.**

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

L.U. No. 109

By Council Member Salamanca:

**Application number C 240157 MMX (Bronx Metro-North Station Area Study) submitted by the New York City Department of City Planning pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code for an amendment to the City Map involving the elimination, discontinuance, and closing of a portion of Unionport Road between East Tremont Avenue and Guerlain Street and the adjustment of grades and block dimensions necessitated thereby; including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 13153 dated January 20, 2024 and signed by the Borough President, Borough of the Bronx, Community Districts 9, 10 & 11, Council Districts 13, 17, and 18.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 110

By Council Member Salamanca:

**Application number C 240158 MMX (Bronx Metro-North Station Area Study) submitted by the New York City Department of City Planning pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving: the widening of Marconi Street north of Waters Place; and the adjustment of grades and block dimensions necessitated thereby; including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 13151 dated January 20, 2024 and signed by the Borough President, Borough of the Bronx, Community Districts 9, 10 & 11, Council Districts 13, 17, and 18.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 111

By Council Member Salamanca:

**Application number C 240159 MMX (Bronx Metro-North Station Area Study) submitted by the New York City Department of City Planning pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving: the establishment of Morris Park Station Plaza south of Morris Park Avenue and west of Bassett Avenue; and the adjustment of grades and block dimensions necessitated thereby; including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 13152 dated January 20, 2024 and signed by the Borough President, Borough of the Bronx, Community Districts 9, 10 & 11, Council Districts 13, 17, and 18.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

## L.U. No. 112

By Council Member Salamanca:

**Application number C 240160 MMX (Bronx Metro-North Station Area Study) submitted by the New York City Department of City Planning pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving: the establishment of a street volume from the northern terminus of Marconi Street to Pelham Parkway to facilitate a future bridge connection between these two streets; and the future adjustment of grades and block dimensions necessitated thereby; including authorization for any acquisition or disposition of real property related thereto, in accordance with an alteration map to be prepared pursuant to the appropriate resolutions of approval, Borough of the Bronx, Community Districts 9, 10 & 11, Council Districts 13, 17, and 18.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

## L.U. No. 113

By Council Member Salamanca:

**Application number C 240163 MMX (Bronx Metro-North Station Area Study) submitted by 1601 Bronxdale Property Owner LLC pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving: the establishment of Pierce Avenue west of Bronxdale Avenue; and the adjustment of grades and block dimensions necessitated thereby; including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 13150 dated January 20, 2024 and signed by the Borough President, Borough of the Bronx, Community Districts 9, 10 & 11, Council Districts 13, 17, and 18.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

## L.U. No. 114

By Council Member Salamanca:

**Application number C 230293 ZMK (500 Kent Avenue) submitted by 500 Kent LLC and United Jewish Organizations of Williamsburg, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12d, changing from an M3-1 District to an M1-5 District, property bounded by Division Avenue, Kent Avenue, the easterly prolongation of the N.Y.C. Pierhead Line, and the U.S. Pierhead and Bulkhead Line, Borough of Brooklyn, Community District 2, Council District 33.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.



## L.U. No. 115

By Council Member Salamanca:

**Application number C 230294 ZSK (500 Kent Avenue) submitted by 500 Kent LLC and United Jewish Organizations of Williamsburg, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 62-837(a) of the Zoning Resolution to modify the height and setback, and the maximum width of walls facing the shoreline requirements of Section 62-34 (Height and Setback Regulations on Waterfront Blocks), in connection with a proposed commercial development on property bounded by Division Avenue, Kent Avenue, the easterly prolongation of the N.Y.C. Pierhead Line, and the U.S. Pierhead and Bulkhead Line (Block 2023, Lot 10), Borough of Brooklyn, Community District 2, Council District 33.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

## L.U. No. 116

By Council Member Salamanca:

**Application number C 230296 ZSK (500 Kent Avenue) submitted by 500 Kent LLC and United Jewish Organizations of Williamsburg, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permit pursuant to Section 74-52 of the Zoning Resolution to allow an attended public parking garage with a maximum capacity of 234 parking spaces, in connection with a proposed commercial development on property bounded by Division Avenue, Kent Avenue, the easterly prolongation of the N.Y.C. Pierhead Line, and the U.S. Pierhead and Bulkhead Line (Block 2023, Lot 10), Borough of Brooklyn, Community District 2, Council District 33.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

## L.U. No. 117

By Council Member Salamanca:

**Application number C 240131 ZMK (3033 Avenue V Rezoning) submitted by Ford Coyle Properties Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 29a, eliminating from within an existing R4 District a C1-2 District, changing from an R4 District to an R7D District, and establishing within the proposed R7D District a C2-4 District, property bounded by a line 100 feet northerly of Avenue V, Coyle Street, Avenue V, and Ford Street, Borough of Brooklyn, Community District 15, Council District 46.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 118

By Council Member Salamanca:

**Application number N 240132 ZRK (3033 Avenue V Rezoning) an application submitted by Ford Coyle Properties 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 15, Council District 46.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 119

By Council Member Salamanca:

**Application number C 240072 ZMK (197 Berry St Rezoning) submitted by Bensing 250 LLC pursuant to Sections 197- c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 12c and 12d, by changing from an M1-2/R6B District to an M1-4/R6B District, property bounded by Berry Street, a line midway between North 4th Street and North 3rd Street, Bedford Avenue, and North 3rd Street, Borough of Brooklyn, Community District 1, Council District 34.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 120

By Council Member Salamanca:

**Application number C 230258 ZMK (712 Myrtle Avenue) submitted by Joel Berkowitz pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 13b, changing from an M1-2 District to an R7D District and establishing within the proposed R7D District a C2-4 District, property bounded by Myrtle Avenue, Walworth Street, a line 100 feet southerly of Myrtle Avenue, and Spencer Street, Borough of Brooklyn, Community District 3, Council District 33.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 121

By Council Member Salamanca:

**Application number N 230259 ZRK (712 Myrtle Avenue) submitted by Joel Berkowitz, 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 3, Council District 33.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 122

By Council Member Salamanca:

**Application number C 230172 MMR (Prince's Point Development) submitted by PMBL LLC pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving: the establishment of Coastal Loop, Dune Lane, Schooner Lane, and Anchorage Lane and the adjustment of grades and block dimensions necessitated thereby, including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 4274 dated February 21, 2024 and signed by the Borough President, Borough of Staten Island, Community District 3, Council District 51.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 123

By Council Member Salamanca:

**Application number N 240120 ZRR (Prince's Point Vesting Amendment) submitted by the NYC Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article I, Chapter 1 (Title, Establishment of Controls and Interpretation of Regulations) and Article X, Chapter 7 (Special South Richmond Development District), Borough of Staten Island, Community District 3, Council District 51.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 124

By Council Member Salamanca:

**Application number D 2450087057 SWQ Wings & Seafood, pursuant to Section 19-160.2 of the Administrative Code of the City of New York, for a revocable consent to establish, maintain, and operate a sidewalk café located at 785 Fairview Avenue, Borough of Queens, Community District 5, Council District 30.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

NEW YORK CITY COUNCIL

**A N N O U N C E M E N T S**

**Wednesday, July 24, 2024**

Subcommittee on Zoning & Franchises

Kevin C. Riley, Chairperson

**See Land Use Calendar**

Committee Room – 250 Broadway, 16th Floor..... 11:00 a.m.

**Tuesday, July 30, 2024**

Committee on Land Use

Rafael Salamanca, Jr., Chairperson

**All items reported out of the Subcommittees**

**AND SUCH OTHER BUSINESS AS MAY BE NECESSARY**

Committee Room – City Hall.....11:00 a.m.

**Tuesday, August 6, 2024**

Subcommittee on Zoning & Franchises

Kevin C. Riley, Chairperson

**See Land Use Calendar**

Committee Room – 250 Broadway, 16th Floor..... 11:00 a.m.

Committee on Land Use

Rafael Salamanca, Jr., Chairperson

**All items reported out of the Subcommittees**

**AND SUCH OTHER BUSINESS AS MAY BE NECESSARY**

Committee Room – 250 Broadway, 16th Floor..... 12:00 p.m.

**Thursday, August 15, 2024**

**Stated Council Meeting**

***Council Chambers – City Hall.....Agenda – 1:30 p.m.***

The following comments were among the remarks made by the Speaker (Council Member Adams) during the Communication from the Speaker segment of this meeting:

The Speaker (Council Member Adams) acknowledged the recent passing of several New Yorkers who died during the course of their employment while on the job: Naveed Afzal, a ride share driver in Council Member Hudson's district; Efrain Patino Guerra, a hotel cab dispatcher in Council Member Bottcher's district; and Shigosh Chupa (*phonetic*) a construction worker in Deputy Speaker Ayala's district.

The Speaker (Council Member Adams) acknowledged the deaths of Luciano and Maria Tavares, a married couple who lost their lives during a deadly fire in Council Member De La Rosa's district on June 25, 2024. She also acknowledged the death of four teenagers who tragically drowned at New York City beaches in early July 2024: Zainab Mohammed and Aisha Mohammed who died at Coney Island; and Elyjha Chandler and Christian Perkins who died at Jacob Riss Park. The Speaker (Council Member Adams) reminded all New Yorkers and visitors to take precautions and to swim at the city's beaches only when a lifeguard is present.

The Speaker (Council Member Adams) acknowledged the death of NYPD recruit Edgar Ordonez who passed away at Rodman's Neck in Council Member Marmorato's district. She noted that recruit Ordonez, whose funeral was held earlier on the day of the Stated Meeting, had passed away five days before his graduation from the Police Academy.

On behalf of the Council, the Speaker (Council Member Adams) offered her thoughts and prayers to the loved ones of all of the deceased mentioned above.

\* \* \*

The Speaker (Council Member Adams) acknowledged the recent tenth anniversary of the killing of Eric Garner at the hands of police officers in Staten Island on July 17, 2014. She noted how Mr. Garner's tragic death had sparked a mass movement demanding a more just and equitable world where all communities are safe. The Speaker (Council Member Adams) pointed out that his mother Gwen and his entire family had spent the past decade fighting for accountability in regard to Mr. Garner's death.

Whereupon on motion of the Speaker (Council Member Adams), the Majority Leader and Acting President Pro Tempore (Council Member Farías) adjourned these proceedings to meet again for the Stated Meeting on Thursday, August 15, 2024.

MICHAEL M. McSWEENEY, City Clerk  
Clerk of the Council

*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 Thursday, July 18, 2024 on the New York City Council website at <https://council.nyc.gov>.

*Editor's Local Law Note:* Int. Nos. 84-A, 85-A, 743-A, 767-A, and 809-A, all adopted at the June 6, 2024 Stated Meeting, were **returned unsigned** by the Mayor on July 8, 2024. These items had become law on July 6, 2024 due to the lack of Mayoral action within the Charter-prescribed thirty day time period. These bills were assigned subsequently as Local Laws Nos. 73 through 77 of 2024, respectively.

Int. No. 908-A, adopted at the June 6, 2024 Stated Meeting, was also returned unsigned by the Mayor on July 8, 2024. This item was enacted on July 6, 2024 due to the lack of Mayoral action within the Charter-prescribed thirty day time period. This bill, however, is **subject to a mandatory referendum** under Section 23 of the New York State Municipal Home Rule Law. Int. No. 908-A will not go into effective and will not be assigned a local law number for filing with the New York State Secretary of State in Albany until said referendum is held and the proposal is accepted by a majority of qualified voters.