

THE COUNCIL

Minutes of the Proceedings for the

STATED MEETING

of

Wednesday, September 14, 2022, 2:06 p.m.

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

Council Members

Adrienne E. Adams, Speaker

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

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

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

There were 51 Council Members marked present at this Stated Meeting held in the Council Chambers at City Hall, New York, N.Y. (Council Member Gennaro participated remotely via video-conference).

INVOCATION

The Invocation was delivered by Rabbi Hayim Schwartz, Rabbinical Seminary of America, located at 76-01 147 Street, Flushing, New York 11367.

Avinu Shebashamayim.

O Heavenly-Father,
 grant wisdom, sensitivity,
 and understanding to the men and women
 of this great assemblage,
 the City Council of the City of New York.
 It is these 51 members who debate what is good
 and who make the laws for the residents of this great city.
 Please help them to debate honestly
 and with the best of intentions for their constituents.
 Please guide their hands and their hearts
 to craft proper legislation that will ensure
 the safety and prosperity
 of all who dwell in our five boroughs.
 Provide inspiration and creativity
 to the members of this great Council
 as they chart a new direction forward
 for all the citizens of New York.
 Grant safety and security to our municipal workers,
 to the brave members of
 the New York City Police and Fire Departments,
 Sanitation, Corrections, and Parks Departments,
 who venture forth into the city each day
 to carry out the will and direction of this Council.
 Protect them from harm in the performance of their duties.
 Indeed, protect all the millions of residents of this great city
 as they go about their business
 and as they raise their families,
 hopefully in safety and in peace.
 May the words of King David in *Psalms 145*
 ring true for all New Yorkers:
Poteach et Yadecha u'masbiah l'chol chai ratzon -
 "You open your hand and satisfy
 the desire of every living thing".
 May all our wishes, hopes, and desires
 be fulfilled for the ultimate good of all and let us say
 Amen.

On behalf of Council Member Gennaro, Council Member Yeger moved to spread the Invocation in full upon the record.

ADOPTION OF MINUTES

Council Member Velázquez moved that the Minutes of the Stated Meetings of July 14, 2022 and August 11, 2022 be adopted as printed.

MESSAGES & PAPERS FROM THE MAYOR

Preconsidered M-86

Communication from the Mayor - Submitting the name of Milton L. Williams to the Council for its advice and consent concerning his appointment to the New York City Conflicts of Interest Board, pursuant to Section 2602 of the New York City Charter.

August 18, 2022

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

Dear Speaker Adams:

Pursuant to Section 2602 of the New York City Charter, I am pleased to present the name of Milton L. Williams, Esq. to the City Council for advice and consent concerning his appointment to the New York City Conflicts of Interest Board.

If appointed to the Board, Mr. Williams would serve the remainder of a six-year term that will expire March 31, 2024.

I send my thanks to you and all Council members for reviewing this Conflicts of Interest Board appointment.

Sincerely,

Eric Adams
Mayor

EA:kw

cc: Milton L. Williams, Esq.
Fernando Bohorquez, Jr, Acting Chair, Conflicts of Interest Board
Carolyn Miller, Executive Director, Conflicts of Interest Board
Jessica Carrano, Director, Mayor's Office of City Legislative Affairs

Referred to the Committee on Rules, Privileges and Elections.

Preconsidered M-87

Communication from the Mayor - Submitting the name of Elisa Velazquez to the Council for its advice and consent regarding her appointment as a member of the New York City Taxi and Limousine Commission, pursuant to Sections 31 and 2301 of the City Charter.

August 18, 2022

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

Dear Speaker Adams:

Pursuant to Sections 31 and 2301 of the New York City Charter, I am pleased to present the name of Elisa Velazquez to the City Council for advice and consent regarding her appointment as a member of the New York City Taxi and Limousine Commission.

If appointed, Ms. Velazquez will serve for the remainder of a seven-year term expiring on January 31, 2026.

I send my thanks to you and all Council members for reviewing this Commission appointment.

Sincerely,

Eric Adams
Mayor

EA:ml

cc: Elisa Velazquez
David Do, Commissioner and Chair of Taxi and Limousine Commission
Meera Joshi, Deputy Mayor for Operations
Jessica Carrano, Director, Mayor's Office of City Legislative Affairs

Referred to the Committee on Rules, Privileges and Elections.

Preconsidered M-88

Communication from the Mayor - Submitting the name of Anthony Crowell for appointment as a member of the New York City Planning Commission pursuant to Section 192 of the New York City Charter.

August 18, 2022

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

Dear Speaker Adams:

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

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

Sincerely,

Eric Adams
Mayor

EA: ad

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

Referred to the Committee on Rules, Privileges and Elections.

Preconsidered M-89

Communication from the Mayor - Submitting the name of Gail Benjamin for appointment as a member of the New York City Planning Commission pursuant to Section 192 of the New York City Charter.

August 18, 2022

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

Dear Speaker Adams:

Pursuant to Section 192 of the New York City Charter, I am pleased to present the name of Gail Benjamin to the City Council for advice and consent regarding her appointment as a member of the City Planning Commission. If appointed, Ms. Benjamin will serve the remainder of a five-year term that will expire on June 30, 2025.

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

Sincerely,

Eric Adams
Mayor

EA: ad

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

Referred to the Committee on Rules, Privileges and Elections.

Preconsidered M-90

Communication from the Mayor - Submitting the name of Sarah Carroll to the Council for its advice and consent regarding her re-appointment as Chair of the Landmarks Preservation Commission, pursuant to Sections 31 and 3020 of the City Charter.

August 18, 2022

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

Dear Speaker Adams:

Pursuant to Sections 31 and 3020 of the New York City Charter, I am pleased to present the name of Sarah Carroll to the City Council for advice and consent regarding her re-appointment as Chair of the Landmarks Preservation Commission. If re-appointed, Ms. Carroll will serve the remainder of a three-year term that will expire on June 28, 2025.

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

Sincerely,

Eric Adams
Mayor

ELA:kw

cc: Sarah Carroll
Lisa Kersavage, Executive Director
Maria Torres-Springer, Deputy Mayor for Economic and Workforce Development
Jessica Carrano, Director, Mayor's Office of City Legislative Affairs

Referred to the Committee on Rules, Privileges and Elections.

LAND USE CALL-UPS

M-91

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 No. C 210350 ZSK (Ninth Street Rezoning) shall be subject to Council review. This item is related to Application Nos. C 210348 ZMK and N 210349 ZRK.

Coupled on Call-Up Vote.

M-92

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

Pursuant to Sections 11.20(b-d) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the actions of the City Planning Commission on Application Nos. C 220337 ZSM and C 220338 ZSM (705 10th Avenue-DEP Site) shall be subject to Council review. These items are related to Application No. C 220340 HAM.

Coupled on Call-Up Vote.

The Majority Leader and Acting President Pro Tempore (Council Member Powers) 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, Barron, Bottcher, Brannan, Brewer, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Vernikov, Williams, Won, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **49**.

Present, Not Voting - Brooks-Powers and Mealy.

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

REPORTS OF THE STANDING COMMITTEES

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. 97

Report of the Committee on Finance in favor of a Resolution approving 3300 Palmer Avenue, Block 5228, Lots 12 and 41, Bronx, Community District No. 12, Council District No. 12.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on September 14, 2022 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

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

September 14, 2022

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

FROM: Jim Caras, Special Counsel

RE: Finance Committee Agenda of September 14, 2022 – Resolutions approving tax exemptions for three Land Use item (Council Districts 8 (1 Item), and 14 (2 items))

Item 1: 3300 Palmer Avenue

The project consists of two buildings with a total of 135 residential units located in the Coop City neighborhood of the Bronx. Of the 135 units, there are seven one-bedroom units, 83 two-bedroom units, and 45 three-bedroom units (one of which is reserved for the superintendent). The units are all rent stabilized and four are vacant.

The project was built in 1999 with construction financing from HDC and a 421-a tax exemption. That same year, HDC entered into a 25-year Regulatory Agreement with the sponsor. The regulatory agreement will expire in 2025 with the expiration of the 421-a tax exemption, after which the owner would have the opportunity to destabilize the units.

The New York City Department of Housing Preservation and Development (HPD) is requesting that the Council approve a 40-year partial tax exemption to preserve long term-affordability and viable operations. The regulatory agreement will require all units to be rent stabilized and rent restricted during the 40-year term. Upon approval of an Article XI tax exemption, the 421-a tax exemption would expire.

Summary

- Borough – Bronx
- Block 5228, Lots 12 and 41
- Council District – 12
- Council Member – Riley
- Council Member approval – Yes
- Number of buildings – 2
- Number of units – 135
- Type of exemption – Article XI, partial 40-years
- Population – affordable rental housing
- Sponsor – YMY Acquisitions, LLC
- Purpose – preservation
- Cost to the City – \$10.76 (present value)
- Housing Code Violations:
 - Class A – 16
 - Class B – 31
 - Class C - 20
- AMI targets – 80 units at 75% AMI; 16 units at 80% AMI; and 38 units at 100% AMI.

Item 2: 1700 Harrison Avenue:

The project consists of one six-story walk-up building with 79 units located in the West Tremont neighborhood of the Bronx. The building contains eight one-bedrooms, 48 two-bedrooms, and 22 three-bedrooms, plus one two-bedroom superintendent unit.

This building and 1730 Harrison Avenue (Item 3 below) have been owned by one legal entity, 1700 Harrison LLC, but they have had separate regulatory agreements and currently hold separate mortgages. HPD considers each a separate project and is seeking separate Article XI tax exemptions for each.

Under the proposed project, a new HDFC will acquire title to the building, with 1700 Harrison LLC being the beneficial owner and operating the property.

HPD is requesting the Council approve a partial 40-year tax exemption with a 40-year Regulatory Agreement expanding rent restrictions to all units in the building from the current restriction of 48% of units. The Regulatory Agreement will also add a 10 percent homeless set-aside and there will be a requirement on the owner to provide certain in-unit accommodations pursuant to HPD's Aging-in-place initiative.

The project currently has a J-51 property tax exemption which will remain for rent stabilization purposes but the Exemption will be reduced by the amount of the J-51 benefits.

Summary:

- Borough – Bronx
- Block 2867, Lot 60
- Council District – 14
- Council Member – Sanchez
- Council Member approval – Yes
- Number of buildings – 1
- Number of units – 79 (including one superintendent unit)
- Type of exemption – Article XI partial, 40 years
- Population – affordable rental housing

- Sponsor – Langsom Property Services
- Purpose – preservation
- Cost to the city – \$3.8 million (present value)
- Housing Code Violations
 - o Class A – 14
 - o Class B – 11
 - o Class C – 0
- AMI targets – 21 units at 50% of AMI; 33 units at 60% of AMI; 21 units at 70% of AMI; and 3 units at 80% of AMI.

Item 3: 1730 Harrison Avenue

The project consists of one five-story elevator building located in the West Tremont area of the Bronx. The building has 77 units, including one superintendent unit. It contains one studio, 28 one-bedrooms, 43 two-bedrooms, and four three-bedrooms, plus one three-bedroom superintendent unit. The project has commercial spaces used as a barber shop and health center which would remain taxable.

This building and 1700 Harrison Avenue (Item 2 above) have been owned by one legal entity, 1700 Harrison LLC, but they have had separate regulatory agreements and hold separate mortgages. HPD considers each a separate project and is seeking separate Article XI tax exemptions for each.

Under the proposed project, a new HDFC will acquire title to the building, with a new LLC as the beneficial owner which will operate the building. As with Item 2, both beneficial owners are affiliates of the same sponsor, Langsom Property Services.

HPD is requesting the Council approve a partial 40-year tax exemption with a 40-year Regulatory Agreement expanding rent restrictions to all units in the building from the current restriction of 48% of units. The Regulatory Agreement will also add a 10 percent homeless set-aside and there will be a requirement on the owner to provide certain in-unit accommodations pursuant to HPD's Aging-in-place initiative.

The project currently has a J-51 property tax exemption which will remain for rent stabilization purposes but the Exemption will be reduced by the amount of the J-51 benefits.

Summary:

- Borough – Bronx
- Block 2867, Lot 60
- Council District – 14
- Council Member – Sanchez
- Council Member approval – Yes
- Number of buildings – 1
- Number of units – 77 (including one superintendent unit)
- Type of exemption – Article XI partial, 40 years
- Population – affordable rental housing
- Sponsor – Langsom Property Services
- Purpose – preservation
- Cost to the city – \$3.1 million (present value)
- Housing Code Violations
 - o Class A – 21
 - o Class B – 10
 - o Class C – 12

- AMI targets – 14 units at 50% of AMI; 50 units at 60% of AMI; 11 units at 70% of AMI; and 1 unit at 80% of AMI.

(For text of the coupled resolutions for L.U. Nos. 98 and 99, please see the Report of the Committee on Finance for L.U. Nos. 98 and 99, respectively, printed in these Minutes; for the coupled resolution for L.U. No. 97, please see below:)

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

Res. No. 317

Resolution approving an exemption from real property taxes for property located at (Block 5228, Lots 12 and 41) Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 97).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated August 1, 2022 that the Council take the following action regarding a housing project located at (Block 5228, Lots 12 and 41) Bronx (“Exemption Area”):

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

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

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

RESOLVED:

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

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Company” shall mean Palmer Ave Estates, LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
 - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDPC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - c. “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 5228, Lots 12 and 41 on the Tax Map of the City of New York.
 - d. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by

either a housing development fund company or an entity wholly controlled by a housing development fund company.

- e. “Gross Rent” shall mean the gross potential rents from all residential, commercial, and community facility units on the Exemption Area without regard to whether such units are occupied or vacant, including, but not limited to, Section 8, rent supplements, rental assistance, or any other subsidy.
 - f. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
 - g. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to two and eight-tenths percent (2.8%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
 - h. “HDFC” shall mean Palmer Estates Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - i. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - j. “New Exemption” shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
 - k. “Owner” shall mean, collectively, the HDFC and the Company.
 - l. “Prior Exemption” shall mean the existing tax exemption of the Exemption Area pursuant to Section 421-a(1-15) of the Real Property Tax Law.
 - m. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner, that is executed on or after May 1, 2022, establishes certain controls upon the operation of the Exemption Area during the term of the New Exemption and provides, inter alia, for the termination of the Prior Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use) shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross Rent Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state or federal law, rule, or regulation.

4. Notwithstanding any provision hereof to the contrary:
 - a. The New Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the New Exemption shall prospectively terminate.
 - b. The New Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that exist on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.

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

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, DAVID M. CARR; 14-1-0; *Negative*: Charles Barron; *Absent*: Marjorie Velázquez; *Maternity*: Julie Won; Committee on Finance, September 14, 2022. *Other Council Members Attending*: Council Members Stevens and Williams.

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

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. 98

Report of the Committee on Finance in favor of a Resolution approving 1700 Harrison LLC.YR15.FY23, Block 2867, Lot 60, Bronx, Community District No. 5, Council District No. 14.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on September 14, 2022 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. 97 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 318

Resolution approving an exemption from real property taxes for property located at (Block 2867, Lot 60) Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 98).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated August 15, 2022 that the Council take the following action regarding a housing project located at (Block 2867, Lot 60) Bronx (“Exemption Area”):

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

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

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

RESOLVED:

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

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Company” shall mean 1700 Harrison LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
 - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.

- c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - d. “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 2867, Lot 60 on the Tax Map of the City of New York.
 - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. “Gross Rent” shall mean the gross potential rents from all residential, commercial, and community facility units on the Exemption Area without regard to whether such units are occupied or vacant, including, but not limited to, Section 8, rent supplements, rental assistance, or any other subsidy.
 - g. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
 - h. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to five percent (5%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
 - i. “HDFC” shall mean 1700 Harrison Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - j. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - k. “J-51 Benefits” shall mean any tax benefits pursuant to Section 489 of the Real Property Tax Law which are in effect on the Effective Date.
 - l. “Owner” shall mean, collectively, the HDFC and the Company.
 - m. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner that is executed on or after May 1, 2022 and that establishes certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross Rent Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from

or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation.

4. Notwithstanding any provision hereof to the contrary:
 - a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
 - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that exists on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
5. In consideration of the Exemption, the owner of the Exemption Area shall, for so long as the Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, (a) nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities, and (b) the J-51 Benefits shall remain in effect, but the Exemption shall be reduced by the amount of such J-51 Benefits.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, DAVID M. CARR; 14-1-0; *Negative*: Charles Barron; *Absent*: Marjorie Velázquez; *Maternity*: Julie Won; Committee on Finance, September 14, 2022. *Other Council Members Attending*: Council Members Stevens and Williams.

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

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. 99

Report of the Committee on Finance in favor of a Resolution approving 1730 Harrison LLC.YR15.FY23, Block 2867, Lot 70, Bronx, Community District No. 5, Council District No. 14.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on September 14, 2022 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. 97 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 319

Resolution approving an exemption from real property taxes for property located at (Block 2867, Lot 70) Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 99).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated August 15, 2022 that the Council take the following action regarding a housing project located at (Block 2867, Lot 70) Bronx (“Exemption Area”):

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

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

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

RESOLVED:

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

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Company” shall mean 1730 Harrison LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
 - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.

- c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - d. “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 2867, Lot 70 on the Tax Map of the City of New York.
 - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. “Gross Rent” shall mean the gross potential rents from all residential, commercial, community facility units on the Exemption Area without regard to whether such units are occupied or vacant, including, but not limited to, Section 8, rent supplements, rental assistance, or any other subsidy.
 - g. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
 - h. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to five percent (5%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
 - i. “HDFC” shall mean 1730 Harrison Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - j. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - k. “J-51 Benefits” shall mean any tax benefits pursuant to Section 489 of the Real Property Tax Law which are in effect on the Effective Date.
 - l. “Owner” shall mean, collectively, the HDFC and the Company.
 - m. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner that is executed on or after May 1, 2022 and that establishes certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross Rent Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from

or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation.

4. Notwithstanding any provision hereof to the contrary:
 - a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
 - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that exists on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.

5. In consideration of the Exemption, the owner of the Exemption Area shall, for so long as the Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, (a) nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities, and (b) the J-51 Benefits shall remain in effect, but the Exemption shall be reduced by the amount of such J-51 Benefits.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, DAVID M. CARR; 14-1-0; *Negative*: Charles Barron; *Absent*: Marjorie Velázquez; *Maternity*: Julie Won; Committee on Finance, September 14, 2022. *Other Council Members Attending*: Council Members Stevens and Williams.

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

Report of the Committee on Land Use

Report for L.U. No. 88

Report of the Committee on Land Use in favor of approving Application number C 220171 ZMX (1959 Strang Avenue Rezoning) submitted by 1959 Strang Ave LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 2b, by establishing within an existing R4 District a C2-3 District, Borough of the Bronx, Community District 12, Council District 12.

The Committee on Land Use, to which the annexed Land Use item was referred on August 11, 2022 (Minutes, page 2028) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX CB - 12

C 220171 ZMX

City Planning Commission decision approving an application submitted by 1959 Strang Avenue, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 2b, by establishing within an existing R4 District a C2-3 District bounded by a line 100 feet northerly of Strang Avenue, Baychester Avenue, Strang Avenue, and a line midway between Edson Avenue and Baychester Avenue, Borough of the Bronx, Community District 12, as shown on a diagram (for illustrative purposes only) dated March 14, 2022, and subject to the conditions of CEQR Declaration E-666.

INTENT

To approve the amendment to rezone the project area from an R4 zoning district to an R4/C2-3 district to facilitate the development of a one-story commercial building located at 1959 Strang Avenue (Block 4981, Lot 94) in the Edenwald section of the Bronx, Community District 12.

PUBLIC HEARING

DATE: July 28, 2022

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION**DATE:** September 7, 2022

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

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

COMMITTEE ACTION**DATE:** September 13, 2022

The Committee recommends that the Council approve the attached resolution.

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

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

Res. No. 320

Resolution approving the decision of the City Planning Commission on ULURP No. C 220171 ZMX, a Zoning Map amendment (Preconsidered L.U. No. 88).

By Council Members Salamanca and Riley.

WHEREAS, 1959 Strang Avenue, 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. 2b, by establishing within an existing R4 District a C2-3 District in the Edenwald Section of the Bronx, Community District 12 (ULURP No. C 220171ZMX) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on July 27, 2022 its decision dated July 13, 2022 (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 July 28, 2022;

WHEREAS, the Council has considered the land use and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued March 14th, 2022 (CEQR No. 22DCP069X), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-666) (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-666) and Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 220171 ZMX, 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. 2b, by establishing within an existing R4 District a C2-3 District bounded by a line 100 feet northerly of Strang Avenue, Baychester Avenue, Strang Avenue, and a line midway between Edson Avenue and Baychester Avenue, Borough of the Bronx, Community District 12, as shown on a diagram (for illustrative purposes only) dated March 14, 2022, and subject to the conditions of CEQR Declaration E-666.

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, JOSEPH C. BORELLI; 10-0-0; *Absent*: Farah N. Louis and Francisco P. Moya; *Maternity*: Pierina Ana Sanchez; Committee on Land Use, September 13, 2022). *Other Council Members Attending: Council Member Caban.*

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. 89

Report of the Committee on Land Use in favor of approving, as modified, Application number C 210394 ZMQ (231-06 Northern Boulevard Commercial Overlay) submitted by Kenfa Madison LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 11a, establishing within an existing R1-2 District a C2-2 District, Borough of Queens, Community District 11, Council District 19.

The Committee on Land Use, to which the annexed Land Use item was referred on August 11, 2022 (Minutes, page 2028) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:**SUBJECT****QUEENS CB - 11****C 210394 ZMQ**

City Planning Commission decision approving an application submitted by Kenfa Madison, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 11a, establishing within an existing R1-2 District a C2-2 District bounded by Northern Boulevard, 234th Street, a northwesterly boundary line of a Park (Alley Park) and its northeasterly prolongation, a northeasterly boundary line of a Park (Alley Park), a northwesterly boundary line of a Park (Alley Park), and the northwesterly prolongation of a former Park boundary line, as shown on a diagram (for illustrative purposes only) dated March 14, 2022.

INTENT

To approve the amendment to establish a C2-2 commercial overlay on an existing R1-2 zoning district to facilitate the two-story horizontal enlargement of an existing one-story restaurant at 231-06 Northern Boulevard (Block 8164, Lots 15, 22, 30, 43, 122, 130 and 230) in the Douglaston neighborhood of Queens, Community District 11.

PUBLIC HEARING**DATE:** July 28, 2022**Witnesses in Favor:** Three**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** September 7, 2022

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

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

COMMITTEE ACTION

DATE: September 13, 2022

The Committee recommends that the Council approve the attached resolution.

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

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, JOSEPH C. BORELLI; 10-0-0; *Absent*: Farah N. Louis and Francisco P. Moya; *Maternity*: Pierina Ana Sanchez; Committee on Land Use, September 13, 2022). *Other Council Members Attending: Council Member Caban.*

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

Report for L.U. No. 90

Report of the Committee on Land Use in favor of approving, as modified, Application number C 220196 ZMQ (Halletts North) submitted by Astoria Owners LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 9a, changing from an M1-1 District to an R7-3 District; and establishing within the proposed R7-3 District a C2-4 District; Borough of Queens, Community District 1, Council District 22.

The Committee on Land Use, to which the annexed Land Use item was referred on August 11, 2022 (Minutes, page 2029) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:**SUBJECT****QUEENS CB-1 – FIVE APPLICATIONS RELATED TO HALLETTS NORTH****C 220196 ZMQ (Pre. L.U. No. 90)**

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

1. changing from an M1-1 District to an R7-3 District property bounded by the northwesterly streetline of the former 3rd Street, the U.S. Pierhead and Bulkhead Line, a line 280 feet southeasterly of former 3rd Street, and 26th Avenue; and
2. establishing within the proposed R7-3 District a C2-4 District bounded by the northwesterly streetline of the former 3rd Street, the U.S. Pierhead and Bulkhead Line, a line 280 feet southeasterly of former 3rd Street, and 26th Avenue;

as shown on a diagram (for illustrative purposes only) dated March 28, 2022 and subject to the conditions of CEQR Declaration E-671.

N 220197 ZRQ (Pre. L.U. No. 91)

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

C 220198 ZSQ (L.U. No. 94)

City Planning Commission decision approving an application submitted by Astoria Owners, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to the Section 62-837(a) of the Zoning Resolution to modify the height and setback, the maximum residential tower size 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 mixed use development, within a general large-scale development, on property generally bounded by the westerly streetline of the former 3rd Street, the U.S. Pierhead and Bulkhead Line, a line 330 feet southeasterly of the westerly streetline of the former 3rd Street,

a line 228.5 feet northeasterly of 26th Avenue, a line 179 feet southeasterly of the westerly streetline of the former 3rd Street, and 26th Avenue (Block 911, Lots 1, and the demapped portion of 3rd Street, in an R7-3/C2-4 District, Borough of Queens, Community District 1, as shown on a diagram (for illustrative purposes only) dated March 28, 2022 and subject to the conditions of CEQR Declaration E-671.

C 220206 MMQ (L.U. No. 95)

City Planning Commission decision approving an application submitted by Astoria Owners, LLC, pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving:

- the elimination of 3rd Street within the area bounded by 8th Street, 26th Avenue, 2nd Street and the U.S Pierhead and Bulkhead line;
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in Community District 1, Borough of Queens, in accordance with Map No. 5037 dated March 14, 2022 and signed by the Borough President.

INTENT

To approve the amendment to rezone the project area from M1-1 zoning district to a R7-3/C2-4 zoning district; amend zoning text to establish the project area as a Mandatory Inclusionary Housing (MIH) area; grant an approval of the waterfront special permit to modify bulk requirements; and approve a City Map change to demap a segment of Third Street north of 26th Avenue to facilitate the proposed Halletts North mixed-use development and waterfront public access area (WPAA) at 3-15 26th Avenue (Block 911, Lots 1 and 49) in the Astoria neighborhood of Queens, Community District 1.

PUBLIC HEARING

Mandatory Items – Pre. L.U. Nos. 90 and 91

DATE: July 28, 2022

Witnesses in Favor: Eleven

Witnesses Against: None

Discretionary Items – L.U. Nos. 94 and 95

DATE: September 7, 2022

Witnesses in Favor: None

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION**DATE:** September 7, 2022

The Subcommittee recommends that the Land Use Committee approve the decisions of the City Planning Commission on Pre. L.U. No. 90 and L.U. No. 95; and approve with modifications of the City Planning Commission on Pre. L.U. No. 91 and L.U. No. 94.

In Favor:

Riley
Moya
Louis
Abreu
Bottcher
Hanks
Schulman
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** September 13, 2022

The Committee recommends that the Council approve the attached resolutions.

In Favor:

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

Against:

None

Abstain:

None

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, JOSEPH C. BORELLI; 10-0-0; *Absent*: Farah N. Louis and Francisco P. Moya; *Maternity*: Pierina Ana Sanchez; Committee on Land Use, September 13, 2022). *Other Council Members Attending: Council Member Caban.*

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

Report for L.U. No. 91

Report of the Committee on Land Use in favor of approving, as modified, Application number N 220197 ZRQ (Halletts North) submitted by Astoria Owners LLC pursuant to Section 201 of the New York City Charter for an amendment to the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Community District 1, Council District 22.

The Committee on Land Use, to which the annexed Land Use item was referred on August 11, 2022 (Minutes, page 2029), respectfully

REPORTS:

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

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, JOSEPH C. BORELLI; 10-0-0; *Absent*: Farah N. Louis and Francisco P. Moya; *Maternity*: Pierina Ana Sanchez; Committee on Land Use, September 13, 2022). *Other Council Members Attending: Council Member Caban.*

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

Report for L.U. No. 94

Report of the Committee on Land Use in favor of approving, as modified, Application number C 220198 ZSQ (Halletts North) submitted by Astoria Owners, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to the Section 62-837(a) of the Zoning Resolution to modify the height and setback, the maximum residential tower size 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 mixed use development, within a general large-scale development, on property generally bounded by the westerly streetline of the former 3rd Street, the U.S. Pierhead and Bulkhead Line, a line 330 feet southeasterly of the westerly streetline of the former 3rd Street, a line 228.5 feet northeasterly of 26th Avenue, a line 179 feet southeasterly of the westerly streetline of the former 3rd Street, and 26th Avenue (Block 911, Lots 1, and the demapped portion of 3rd Street), in an R7-3/C2-4 District, Borough of Queens, Community District 1, Council District 22.

The Committee on Land Use, to which the annexed Land Use item was referred on August 11, 2022 (Minutes, page 2030), respectfully

REPORTS:

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

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, , KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, JOSEPH C. BORELLI; 10-0-0; *Absent*: Farah N. Louis and Francisco P. Moya; *Maternity*: Pierina Ana Sanchez; Committee on Land Use, September 13, 2022). *Other Council Members Attending: Council Member Caban.*

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

Report for L.U. No. 95

Report of the Committee on Land Use in favor of approving, as modified, Application number C 220206 MMQ (Halletts North) submitted by Astoria Owners, LLC, pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving: the elimination of 3rd Street within the area bounded by 8th Street, 26th Avenue, 2nd Street and the U.S Pierhead and Bulkhead line; the adjustment of grades and block dimensions necessitated thereby; and authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 5037 dated March 14, 2022 and signed by the Borough President, Borough of Queens, Community District 1, Council District 22.

The Committee on Land Use, to which the annexed Land Use item was referred on August 11, 2022 (Minutes, page 2030), respectfully

REPORTS:

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

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, JOSEPH C. BORELLI; 10-0-0; *Absent*: Farah N. Louis and Francisco P. Moya; *Maternity*: Pierina Ana Sanchez; Committee on Land Use, September 13, 2022). *Other Council Members Attending: Council Member Caban.*

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

Report for L.U. No. 96

Report of the Committee on Land Use in favor of approving, as modified, Application number N 220353 ZAQ (Halletts North) submitted by Astoria Owners, LLC, for the grant of an authorization pursuant to Section 62-822(a) of the Zoning Resolution to modify the requirements of Section 62-50 (General Requirements for Visual Corridors and Waterfront Public Access Areas) for location, area and minimum dimensions of waterfront public access areas and visual corridor, in connection with a proposed mixed use development, within a general large-scale development, on property generally bounded by the northwesterly streetline of the former 3rd Street, the U.S. Pierhead and Bulkhead Line, a line 330 feet southeasterly of the westerly streetline of the former 3rd Street, a line 228.5 feet northeasterly of 26th Avenue, a line 179 feet southeasterly of the westerly streetline of the former 3rd Street, and 26th Avenue (Block 911, Lots 1, 100, and the demapped portion of 3rd Street, in an R7-3/C2-4 District, Borough of Queens, Community District 1, Council District 22.

The Committee on Land Use, to which the annexed Land Use item was referred on August 11, 2022 (Minutes, page 2031) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:**SUBJECT****QUEENS CB - 1****N 220353 ZAQ**

City Planning Commission decision approving an application submitted by Astoria Owners, LLC, for the grant of an authorization pursuant to Section 62-822(a) of the Zoning Resolution to modify the requirements of Section 62-50 (General Requirements for Visual Corridors and Waterfront Public Access Areas) for location, area and minimum dimensions of waterfront public access areas and visual corridor, in connection with a proposed mixed use development, within a general large-scale development, on property generally bounded by the northwesterly streetline of the former 3rd Street, the U.S. Pierhead and Bulkhead Line, a line 330 feet southeasterly of the westerly streetline of the former 3rd Street, a line 228.5 feet northeasterly of 26th Avenue, a line 179 feet southeasterly of the westerly streetline of the former 3rd Street, and 26th Avenue (Block 911, Lots 1, 100, and the demapped portion of 3rd Street, in an R7-3/C2-4 District.

INTENT

To grant a waterfront authorization to modify requirements of the waterfront public access area pursuant to ZR 62-822(a) to facilitate the proposed Halletts North mixed-use development and waterfront public access area (WPAA) at 3-15 26th Avenue (Block 911, Lots 1 and 49) in the Astoria neighborhood of Queens, Community District 1.

PUBLIC HEARING**DATE:** September 7, 2022**Witnesses in Favor:** None**Witnesses Against:** None

SUBCOMMITTEE RECOMMENDATION**DATE:** September 7, 2022

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

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

COMMITTEE ACTION**DATE:** September 13, 2022

The Committee recommends that the Council approve the attached resolution.

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

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

Res. No. 321

Resolution approving with modifications the decision of the City Planning Commission for the grant of an authorization, pursuant to Section 62-822(a) of the Zoning Resolution to modify the requirements of Section 62-50 (General Requirements for Visual Corridors and Waterfront Public Access Areas) for location, area and minimum dimensions of waterfront public access areas and visual corridor, in connection with a proposed mixed use development, within a general large-scale development, on property generally bounded by the northwesterly streetline of the former 3rd Street, the U.S. Pierhead and Bulkhead Line, a line 330 feet southeasterly of the westerly streetline of the former 3rd Street, a line 228.5 feet northeasterly of 26th Avenue, a line 179 feet southeasterly of the westerly streetline of the former 3rd Street, and 26th Avenue (Block 911, Lots 1, 100, and the demapped portion of 3rd Street, in an R7-3/C2-4 District, Borough of Queens (Non-ULURP No. N 220353 ZAQ; L.U. No. 96).

By Council Members Salamanca and Riley.

WHEREAS, the City Planning Commission filed with the Council on July 26, 2022 its decision dated July 25, 2022 (the "Decision"), on the application submitted by Astoria Owners, LLC, in the City of New York for the grant of an authorization pursuant to Section 62-822(a) of the Zoning Resolution to modify the requirements of Section 62-50 (General Requirements for Visual Corridors and Waterfront Public Access Areas) for location, area and minimum dimensions of waterfront public access areas and visual corridor, in connection with a proposed mixed use development, within a general large-scale development, on property generally bounded by the northwesterly streetline of the former 3rd Street, the U.S. Pierhead and Bulkhead Line, a line 330 feet southeasterly of the westerly streetline of the former 3rd Street, a line 228.5 feet northeasterly of 26th Avenue, a line 179 feet southeasterly of the westerly streetline of the former 3rd Street, and 26th Avenue (Block 911, Lots 1, 100), and the demapped portion of 3rd Street, in an R7-3/C2-4 District, which in conjunction with the related actions would facilitate the proposed Halletts North mixed-use development and waterfront public access area (WPAA) at 3-15 26th Avenue (Block 911, Lots 1 and 49) in an R7-3/C2-4 zoning district, Borough of Queens, Community District 1 (Non-ULURP No. N 220353 ZAQ) (the "Application");

WHEREAS, the Application is related to applications C 220196 ZMQ (Pre. L.U. No. 90), a zoning map amendment to rezone an M1-1 zoning district to a R7-3/C2-4 zoning district; N 220197 ZRQ (Pre. L.U. No. 91), a zoning text amendment to Appendix F to establish a Mandatory Inclusionary Housing (MIH) area; C 220198 ZSQ (L.U. No. 94), a waterfront special permit to modify bulk requirements; and C 220206 MMQ (L.U. No. 95), a city map change to demap a segment of Third Street north of 26th Avenue;

WHEREAS, the Authorization is subject to review and action by the Council pursuant to Section 62-822 of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 7, 2022;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 62-822(a)(1) of the Zoning Resolution of the City of New York;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Authorization and Application; and

WHEREAS, the Council has considered the relevant environmental issues, including the Positive Declaration issued February 19th, 2021 (CEQR No. 21DCP138Q) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on July 14, 2022, in which potential significant adverse impacts related to hazardous materials, air quality, and noise would be avoided through the placement of (E) designations (E-671) on Projected Development Sites 1 and 2 (Block 911, Lots 1 and 49, respectively). The FEIS determined that the proposed actions could have significant adverse impacts with respect to community facilities (elementary schools and early childhood programs), open space, transportation (transit, traffic, pedestrians, and noise), noise, and construction (transportation and noise); and the identified significant adverse impacts and proposed mitigation measures are summarized in Chapter 18, "Mitigation" of the FEIS, and are included in the Restrictive Declaration. The technical Memorandum dated July 22, 2022 concludes that the application as modified would not result in any significant adverse impacts that were not already identified in the FEIS issued on July 14, 2022 (the "Technical Memorandum").

RESOLVED:

Having considered the FEIS and Technical Memorandum with respect to the Decision and Application, the Council finds that:

1. The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;

2. The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the actions that are set forth in this report; and
3. Consistent with social, economic and other essential considerations from among the reasonable alternatives thereto, the action, with the modifications set forth and analyzed in the Technical Memorandum dated July 22, 2022, is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
4. The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating, as conditions to the approval, pursuant to the restrictive declaration attached as Exhibit A to City Planning Commission report for C 220198 ZSQ, those project components related to environment and mitigation measures that were identified as practicable.

The Decision, together with the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Section 62-822(a) of the Zoning Resolution of the City of New York and on the basis of the Authorization and Application, the Council approves the Decision with the following modifications and subject to the following terms and conditions:

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

1. The properties that are the subject of this application (N 220353 ZAQ) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications, and zoning computations indicated on the following plans prepared by Studio V Architects and Ken Smith Workshop, filed with this application and incorporated in this resolution:

<u>Dwg No.</u>	<u>Title</u>	<u>Last Date Revised</u>
	Survey	06/25/2018
L-100.00	Waterfront Access Area Plan/Zoning Lot Plan	07/25/2022 [09/13/2022]
L-110.00	WPAA Zoning Compliance Chart 1/2	07/25/2022 [09/13/2022]
L-111.00	WPAA Zoning Compliance Chart 2/2	07/25/2022 [09/13/2022]
L-200.00	Dimension Plan	07/25/2022 [09/13/2022]
L-210.00	Materials Plan	07/25/2022 [09/13/2022]
L-220.00	Grading Plan	07/25/2022 [09/13/2022]
L-230.00	Planting Plan	07/25/2022 [09/13/2022]
L-231.00	Plant Images	03/24/2022
L-240.00	Seating and Furnishings Plan	07/25/2022 [09/13/2022]
L-250.00	Exercise Equipment Plan	07/25/2022 [09/13/2022]
L-300.00	Sections 1	07/25/2022 [09/13/2022]

L-301.00	Sections 2	07/25/2022 [09/13/2022]
L-302.00	Sections 3	07/25/2022 [09/13/2022]
L-400.00	Landscape Details	07/25/2022
L-401.00	Furnishing Details	07/25/2022
L-402.00	Furnishing Details	07/25/2022
LT-100	Lighting Plan	07/25/2022 [09/13/2022]
LT-101	Lighting Photometric Plan	07/25/2022 [09/13/2022]
LT-102	Lighting Cutsheets	07/25/2022

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance
4. Development pursuant to this resolution shall be allowed only after (a) the restrictive declaration attached as Exhibit A to the report on the related special permit action (C 220198 ZSQ), with such administrative changes as are acceptable to Counsel to the Department of City Planning, has been executed and recorded in the Office of the Register, Queens County; and (b) the WPAA Maintenance Agreement associated with such declaration and attached as Exhibit F thereto shall have been executed. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.
5. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution and the restrictive declaration whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted or of the restrictive declaration.
6. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city or such employees or agents failure to act in accordance with the provisions of this special permit.

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, JOSEPH C. BORELLI; 10-0-0; *Absent*: Farah N. Louis and Francisco P. Moya; *Maternity*: Pierina Ana Sanchez; Committee on Land Use, September 13, 2022). *Other Council Members Attending*: Council Member Cabán.

Approved with Modifications and Coupled on GO.

Report of the Committee on Mental Health, Disabilities and Addiction

Report for Int. No. 56-A

Report of the Committee on Mental Health, Disabilities and Addiction in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to establishing a nightlife opioid antagonist program.

The Committee on Mental Health, Disabilities and Addiction, to which the annexed proposed amended local law was referred on February 24, 2022 (Minutes, page 226), respectfully

REPORTS:

I. Introduction

On September 13, 2022, the Committee on Mental Health, Disabilities and Addiction (the Committee), chaired by Council Member Linda Lee, held a vote on Introduction Number 56-A (Int. 56-A) sponsored by Council Member Ossé, which would establish a nightlife opioid antagonist program. The legislation was previously heard at a hearing of the Committee on April 21, 2022, at which the Committee received testimony from the Office of Community Mental Health (OCMH), the NYC Department of Health and Mental Hygiene (DOHMH), mental health professionals, community-based organizations, and other interested parties. At the vote on September 13, 2022, the Committee passed Int. 65-A by a vote of 8 in the affirmative, 0 in the negative, with zero abstentions.

II. Background

In recent years, drug usage and overdose deaths have been on the rise. Most drug overdoses involve opioids, such as heroin and prescription painkillers. The presence of fentanyl – a potent opioid that can be mixed into illicitly sold substances – in drugs like cocaine is contributing to an overall increase in drug overdose deaths.¹ In New York City in 2015, just 17 of the city’s overdose deaths involved cocaine and fentanyl, without heroin; that number rose to 183 in 2019.² And although rates of drug overdose deaths were similar in 2016 to 2017, there was a dramatic shift in the demographics of those impacted: from 2016 to 2017, Black New Yorkers had the largest increase in the rate of overdose deaths.³ In the first two quarters of 2021, there were a total of 1,233 overdose deaths in New York City, compared to 965 deaths during that same period in 2020.⁴ If this trend continues, the New York City Department of Health and Mental Hygiene (DOHMH) expects the number of overdose deaths in 2021 to exceed those in 2020, which saw the highest number of overdoses in New York City since records began in 2000.⁵

¹ NYC Health, *Presence of Fentanyl in Cocaine Contributing to Increase in Drug Overdose Deaths*, NYC DOHMH (June 1, 2017), <https://www1.nyc.gov/assets/doh/downloads/pdf/han/advisory/fentanyl-advisory10.pdf>.

² Sarah Maslin Nir, *Inside Fentanyl’s Mounting Death Toll: ‘This is Poison,’* NY Times (Nov. 22, 2021), <https://www.nytimes.com/2021/11/20/nyregion/fentanyl-opioid-deaths.html>.

³ Rates increased 26% among Black New Yorkers from 20.3 per 100,000 in 2016 to 25.5 per 100,000 in 2017. <https://www1.nyc.gov/assets/doh/downloads/pdf/epi/databrief104.pdf>

⁴ NYC Health, *Epi Data Brief: Unintentional Drug Poisoning (Overdose) Deaths in New York City, 2000 to 2017*, NYC DOHMH (Sept. 2018), <https://www1.nyc.gov/assets/doh/downloads/pdf/basas/provisional-overdose-report-second-quarter-2021.pdf>.

⁵ NYC Health, *Overdose Continues to Rise in NYC as Harm Reduction Programming Scales Up*, NYC DOHMH (April 14, 2022), <https://www1.nyc.gov/site/doh/about/press/pr2022/overdose-increases-as-harm-reduction-program-scales-up.page>.

III. Bill Analysis

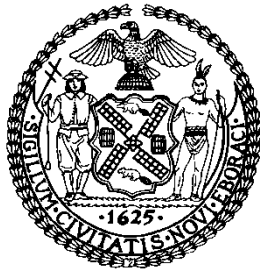
Int. No. 0056-A – A Local Law to amend the administrative code of the city of New York, in relation to establishing a nightlife opioid antagonist program

This bill would require DOHMH to create the Nightlife Opioid Antagonist Program to help prevent opioid overdoses in nightlife establishments. The program would permit nightlife establishments in the City to request and retain up to 5 opioid antagonist kits at a time, free of charge, to keep on premises for administration to patrons, staff or individuals on the premises experiencing an opioid overdose. This bill would also require DOHMH to offer free resources and training to staff of participating nightlife establishments on the administration of opioid antagonists. The bill would also require DOHMH to report annually to the Mayor and the Speaker of the Council on the program established under this bill. If passed, this bill would take effect 120 days after it became law.

Since it was heard, the bill was amended to remove potential barriers for establishments that are looking to participate in the program.

UPDATE: At the vote on September 13, 2022, the Committee passed Int. 65-A by a vote of 8 in the affirmative, 0 in the negative, with zero abstentions.

(The following is the text of the Fiscal Impact Statement for Int. No. 56-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
FISCAL IMPACT STATEMENT**

PROPOSED INTRO. NO: 56-A

COMMITTEE: Mental Health

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to establishing a nightlife opioid antagonist program.

SPONSOR(S): By Council Members Ossé, Powers, Hanif, Hudson, Nurse, Salamanca, Cabán, Restler, Joseph, Farías, Gutiérrez, Schulman, Dinowitz, Louis, Moya, Williams, Krishnan, Bottcher, Stevens, Sanchez, Lee, Hanks, Menin, Narcisse, Won, Abreu, Velázquez, De La Rosa, Feliz, Rivera, Riley, Richardson Jordan, Gennaro, Brannan, Ayala, Marte, Avilés, and Carr.

SUMMARY OF LEGISLATION: The proposed legislation would the Department of Health and Mental Hygiene (DOHMH) to create the Nightlife Opioid Antagonist Program to help prevent opioid overdoses in nightlife establishments. The program would permit nightlife establishments in the City to request and retain up to five opioid antagonist kits at a time, free of charge, to keep on premises for administration to patrons, staff or individuals on the premises experiencing an opioid overdose. This bill would also require DOHMH to offer free resources and training to staff of participating nightlife establishments on the administration of opioid antagonists.

EFFECTIVE DATE: This local law takes effect 120 days after it becomes law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024

FISCAL IMPACT STATEMENT:

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

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of Proposed Intro. 56-A because DOHMH would utilize existing resources to fulfill the requirements.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division
Mayor’s Office of Management and Budget

ESTIMATE PREPARED BY: Crilhien R. Francisco, Unit Head, NYC Council Finance Division

ESTIMATE REVIEWED BY: Eisha Wright, Deputy Director, NYC Council Finance Division
Jonathan Rosenberg, Managing Deputy Director, NYC Council Finance Division

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on February 24, 2022, as Intro. 56 and referred to the Committee on Mental Health. The legislation was considered by the Committee on Mental Health and the Committee on State and Federal Legislation at a hearing held on April 21, 2022, and was subsequently amended, and the amended version Proposed Intro. 56-A will be considered by the Committee on Mental Health on September 13, 2022. Upon successful vote by the Committee on Mental Health, Proposed Intro. No. 56-A will be submitted to the full Council for a vote on September 14, 2022.

DATE PREPARED: August 5, 2022.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 56-A:)

Int. No. 56-A

By Council Members Ossé, Powers, Hanif, Hudson, Nurse, Salamanca, Cabán, Restler, Joseph, Farías, Gutiérrez, Schulman, Dinowitz, Louis, Moya, Williams, Krishnan, Bottcher, Stevens, Sanchez, Lee, Hanks, Menin, Narcisse, Won, Abreu, Velázquez, De La Rosa, Feliz, Rivera, Riley, Richardson Jordan, Gennaro, Brannan, Ayala, Marte, Avilés, Mealy and Carr.

A Local Law to amend the administrative code of the city of New York, in relation to establishing a nightlife opioid antagonist program

Be it enacted by the Council as follows:

Section 1. Title 17 of the administrative code of the city of New York is amended by adding a new chapter 21 to read as follows:

CHAPTER 21
NIGHTLIFE OPIOID ANTAGONIST PROGRAM

§ 17-2101 *Definitions.* As used in this chapter, the following terms have the following meanings:

Nightlife establishment. The term “nightlife establishment” means an establishment in the city that is open to the public for entertainment or leisure and serves alcohol or where alcohol is consumed on the premises. Such term includes, but is not limited to, bars, entertainment venues, clubs and restaurants.

Opioid antagonist. The term “opioid antagonist” means naloxone, naran or any other medication approved by the New York state department of health and the federal food and drug administration that, when administered, negates or neutralizes in whole or in part the pharmacological effects of an opioid in the human body.

§ 17-2102 *Nightlife opioid antagonist program.* The commissioner shall coordinate with the director of the office of nightlife to establish a program whereby an employee of a nightlife establishment may request an opioid antagonist from the department that is intended to be administered to individuals on the premises of such establishment. Such program shall be operated in compliance with existing federal, state and local laws, rules and regulations relating to the distribution of an opioid antagonist.

§ 17-2103 *Terms and conditions.* a. An employee of a nightlife establishment may request up to 5 kits of an opioid antagonist at one time.

b. To request an opioid antagonist, such employee shall provide the following information to the department:

1. Name, mailing address, zip code and contact information of such employee or establishment;

2. Number and type of opioid antagonist kits requested; and

3. Any other information the department determines is required to provide an opioid antagonist to such employee.

c. The department shall not charge a fee for receiving an opioid antagonist.

d. Such employee shall comply with all applicable federal, state and local laws, rules and regulations, including the requirements of this chapter.

§ 17-2104 *Training and administration of an opioid antagonist.* The department shall offer a nightlife establishment resources and training for employees on opioid overdose prevention and administration of an opioid antagonist. An employee of a nightlife establishment who has received such training, who has received training from another opioid overdose prevention program approved pursuant to section 3309 of the public health law, or who is otherwise in compliance with relevant federal, state and local laws, rules, and regulations regarding the administration of opioid antagonists may administer an opioid antagonist to a person such employee reasonably believes is experiencing an opioid overdose.

§ 17-2105 *Disclaimer of liability for nightlife establishments and their employees.* The administration of an opioid antagonist pursuant to this chapter shall be considered first aid or emergency treatment for the purpose of any statute relating to liability. A nightlife establishment or an employee of such establishment, acting reasonably and in good faith in compliance with this section and section 3309 of the public health law, shall not be subject to criminal, civil or administrative liability solely by reason of such action. Nothing contained in this chapter or in the administration or application hereof shall be construed as creating any private right of action against a nightlife establishment or an employee of such establishment for use of or failure to use an opioid antagonist in the event of an overdose.

§ 17-2106 *Construction.* Nothing in this chapter prohibits any other program or policy to provide an opioid antagonist to any person allowed to obtain and use an opioid antagonist in accordance with federal, state and local laws, rules and regulations.

§17-2107 *Report.* a. No later than March 1, 2023, and annually thereafter, the department shall submit a report to the mayor and the speaker of the council on the program established by this chapter.

b. Such report shall include, but need not be limited to, the following information for the previous calendar year:

1. The total number of opioid antagonist trainings offered by the department to an employee of a nightlife establishment; and

2. The total number of opioid antagonist kits provided to an employee of a nightlife establishment, disaggregated by zip code.

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

LINDA LEE, *Chairperson*; DIANA I. AYALA, TIFFANY CABÁN, SHAUN ABREU, ERIK D. BOTTCHEER, SHAHANA K. HANIF, DARLENE MEALY, NANTASHA M. WILLIAMS; 8-0-0; *Absent*: Vickie Paladino; Committee on Mental Health, Disabilities and Addictions, September 13, 2022. *Other Council Members Attending: Council Member Ossé.*

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

Report of the Committee on Public Safety

Report for Int. No. 518-A

Report of the Committee on Public Safety in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to a study and report on the trafficking of illegal firearms.

The Committee on Public Safety, to which the annexed proposed amended local law was referred on June 16, 2022 (Minutes, page 1499), respectfully

REPORTS:

I. INTRODUCTION

On September 13, 2022, the Committee on Public Safety, chaired by Council Member Kamillah Hanks, will vote on Proposed Introduction Number 518-A (“Prop. Int. No. 518-A”), sponsored by Council Member Abreu, in relation to a report on the trafficking of illegal firearms. The Committee previously heard this legislation on June 24, 2022, and received testimony from the New York City Police Department (“NYPD” or “the Department”), the Mayor’s Office for Criminal Justice (“MOCJ”), advocates, legal service providers and members of the public.

II. BACKGROUND

Following nearly a decade of relatively low rates of gun violence, New York City has experienced a rise in shooting incidents in recent years. Generally, this increase mirrors nationwide trends, which may indicate causes not unique to New York City—such as, the massive societal and economic disruptions from the COVID-19 pandemic. Nevertheless, high rates of gun violence persist in certain areas of the city and significant public discourse has focused on how to reverse these trends and improve public safety for all New Yorkers.

a. Historical Trends in Crime Rates

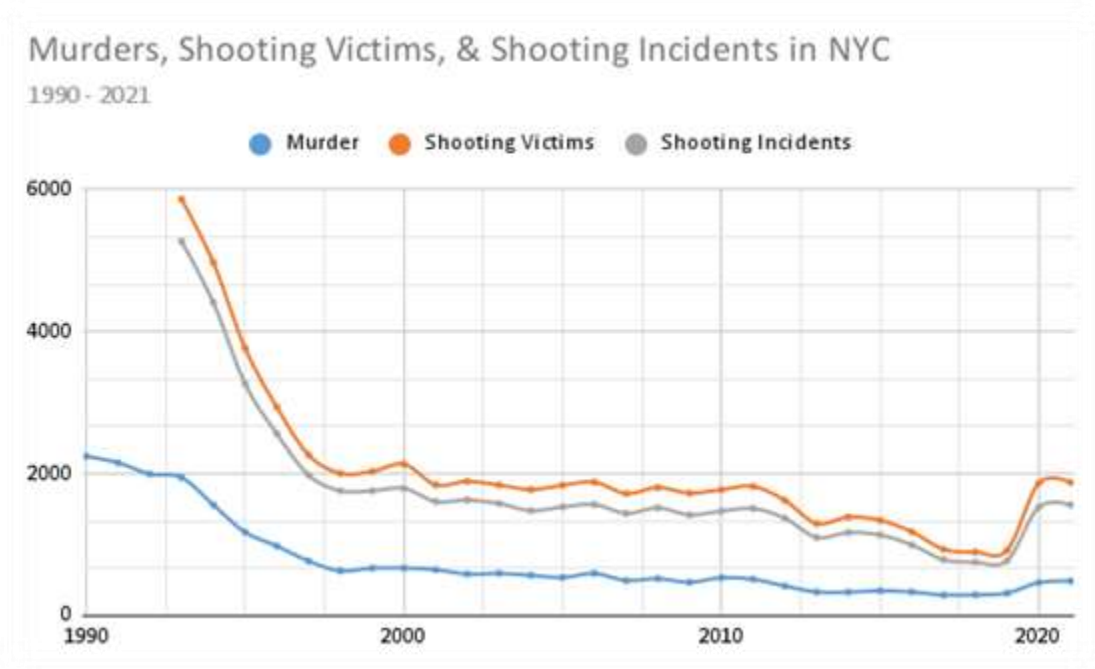
The rates of gun violence and murder decreased steadily and dramatically in NYC beginning in the early-1990s, before stabilizing at relatively low rates throughout the 2000s and 2010s. Shooting incidents dropped from 5,269 in 1993, to 1,794 in 2000, to 776 in 2019.¹ In 1993, there were 1,946 murders in NYC, which decreased to 613 in 2000, and 319 in 2019.² However, New York City experienced a notable increase in shooting incidents, and similar increases in murders beginning in 2020. For example, in 2021 there were 1,559 shooting

¹ Data provided by the New York City Police Department. See also <https://www1.nyc.gov/site/nypd/stats/crime-statistics/historical.page>.

² Id.

incidents, which is nearly double the number of shootings recorded in 2019; and 485 murders, which represents a 52% increase from 2019.

3



³ Id.

Murder & Shooting Data⁹

1990 through 2021

YEAR	Murder	Shooting Victims	Shooting Incidents
1993	1946	5862	5269
1994	1561	4973	4411
1995	1177	3769	3265
1996	983	2938	2563
1997	770	2264	1980
1998	633	2004	1759
1999	671	2030	1759
2000	673	2135	1794
2001	649	1844	1608
2002	587	1892	1629
2003	597	1840	1580
2004	570	1776	1479
2005	539	1837	1532
2006	596	1881	1566
2007	496	1720	1442
2008	523	1806	1519
2009	471	1727	1420
2010	536	1775	1473
2011	515	1821	1510
2012	419	1624	1373
2013	335	1299	1103
2014	333	1391	1172
2015	352	1344	1138
2016	335	1182	998
2017	292	936	789
2018	295	897	754
2019	319	922	776
2020	468	1868	1531
2021	488	1876	1561

⁹ Id.

b. Nationwide Spike in Gun Violence

For national context, despite recent increases in shootings and murders, New York City is still relatively safe compared to other large U.S. cities;¹⁰ and increases in rates of shootings during the pandemic have been reported throughout the country.¹¹ Record increases in gun sales, masses of homebound schoolchildren, social isolation, and economic struggles due to COVID-19 placed many people at increased risk for gun violence. Researchers have cited such factors as potential causes for the gun crime spike during the last two years.¹² In fact, 2020 was one of the deadliest years on record for the United States; gun homicides and non-suicide-related shootings took approximately 19,300 lives, a 25% increase from 2019.¹³ There were 3,906 additional firearm deaths and 9,278 additional firearm injuries in 2020 compared to 2019,¹⁴ and three in four big cities saw increases in firearm homicides.

Moreover, gun sales have surged nationally during the COVID-19 pandemic. Industry data and firearms background checks show that nearly 23 million guns were purchased in 2020, according to Small Arms Analytics, representing a 65 percent increase from the 13.9 million guns purchased in 2019.¹⁵ Unintentional shooting deaths by children also increased by nearly one-third when comparing March to December of 2020 with the same period in 2019.¹⁶ The pandemic saw millions of children out of school while gun sales hit record highs, bringing more guns into homes. This resulted in a surge in the number of children accessing firearms and unintentionally shooting themselves or someone else. Lastly, stay-at-home orders and reduced capacity in shelters left domestic violence victims trapped with abusive partners. Data from over 40 states showed about half of domestic violence service providers surveyed saw an increase in gun threats toward survivors of intimate partner violence in their communities during the pandemic.¹⁷

III. ANALYSIS OF PROP. INTRO. NO. 518-A

This legislation will require the Mayor’s Office for Criminal Justice to coordinate with the NYPD to study how to reduce the flow of firearms into the city. Such report will include information regarding each illegal firearm seized in New York City. More particularly, the report will include: (i) where the firearm originated; (ii) the location the firearm was seized or surrendered; (iii) whether the firearm was connected to a crime in NYC; (iv) the type of firearm and manufacturer or importer; (v) the firearm’s point of entry into the City; (vi) the date the firearm was last sold; (vii) the dealer of the firearm, and whether the dealer is licensed; (viii) whether the firearm is registered; and (ix) is a ghost gun or 3-D printed. Public disclosure of certain firearm trace data gathered from the Bureau of Alcohol, Tobacco and Firearms (“ATF”) is limited by federal law and instances where such information would otherwise be included in such report will be omitted.

Additionally, the report will include a review of ways firearms are illegally transported into the City; ways states and municipalities can better coordinate to prevent the illegal transportation of firearms; and recommendations for policies to prevent access to firearms by individuals likely to harm themselves or others; recommendations for youth programming to discourage use of firearms; and recommendations for crime prevention through environmental design improvements.

¹⁰ Everytown Gun Safety, *Murder and Gun Homicide Data Tracker*; available at: <https://everytownresearch.org/report/city-data/#murder-and-gun-homicide-trends-by-city>.

¹¹ Ssentongo, P., Fronterre, C., Ssentongo, A.E. *et al.* Gun violence incidence during the COVID-19 pandemic is higher than before the pandemic in the United States. *Sci Rep* 11, 20654 (2021); available at: <https://doi.org/10.1038/s41598-021-98813-z>. (Although, nationwide data on shooting incidents is inconsistently reported, available data indicates significantly higher rates of gun violence once the pandemic began, in Arizona, California, Colorado, Connecticut, Delaware, District of Columbia, Georgia, Idaho, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Montana, Nevada, New Jersey, New York, North Carolina, Ohio, Oregon, Pennsylvania, Tennessee, Texas, Utah, and Wisconsin).

¹² Everytown for Gun Safety. (2021, May). Gun Violence and COVID-19 in 2020: A Year of Colliding Crises. <https://everytownresearch.org/report/gun-violence-and-covid-19-in-2020-a-year-of-colliding-crises/>

¹³ *Id.*

¹⁴ *Id.*

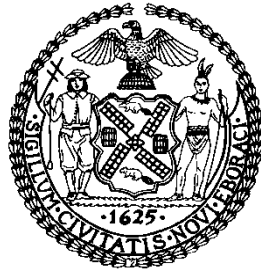
¹⁵ Cartaya, M. C. S. A. M. (2021, March 14). *US record guns sales: Americans bought guns in record numbers in 2020 during a year of unrest*. CNN. <https://edition.cnn.com/2021/03/14/us/us-gun-sales-record/index.html>

¹⁶ *Supra* note 10.

¹⁷ *Id.*

Since introduction, the legislation has been amended as follows. First, the study and report will be conducted by the Mayor’s Office for Criminal Justice, rather than the Mayor’s Office to Combat Gun Violence, due to MOCJ being better situated to conduct such work due to its existing research staff and expertise. Additionally, the legislation being voted on includes provisions to permit the Administration to withhold disclosure of certain gun trace information that is prohibited from being disclosed by Federal law; and requires the report to indicate the reason why any such information was withheld.

(The following is the text of the Fiscal Impact Statement for Int. No. 518-A:)



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

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

FISCAL IMPACT STATEMENT

PROPOSED INT. NO. 518-A

COMMITTEE: Public Safety

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

Sponsors: Council Members Abreu, Hanks, Ayala, Powers, Brooks-Powers, Feliz, Salamanca, Riley, Williams, Velázquez, Brewer, Louis, Schulman, Marte, Ung, Joseph, Hudson, Restler, Dinowitz, Narcisse, Nurse, Lee, Rivera, Bottcher, Won and Menin.

SUMMARY OF LEGISLATION: Proposed Intro. 518-A would require the Mayor’s Office of Criminal Justice (MOCJ) to coordinate with the New York City Police Department (NYPD) to conduct a study and issue an annual report to the Mayor and the City Council Speaker on the trafficking of illegal firearms into New York City. Such report would be required to include information on each firearm seized or surrendered to the NYPD; such at the date and location the firearm was seized, the type of firearm, whether the firearm was connected to a crime, and other information relevant to tracking that trafficking of illegal firearms. Additionally, the study and report would include a review of the ways firearms are illegally transported into New York City; and recommendations on how municipalities, states and the federal government can better collaborate to prevent the transportation of illegal firearms; and other recommendation on efforts to reduce gun violence.

EFFECTIVE DATE: Immediately

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023

FISCAL IMPACT STATEMENT:

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

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

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

ESTIMATE PREPARED BY: Owen Kotowski

ESTIMATE REVIEWED BY: Crilhien Francisco

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 518 on May 16, 2022 and was referred to the Committee on Public Safety (Committee). The Committee heard the legislation on May 24, 2022 and the legislation was laid over. The legislation was subsequently amended, and the amended legislation. Proposed Intro. 518-A, will be considered by the Committee on September 13, 2022. Upon a successful vote by the Committee, Proposed Intro. 518-A will be submitted to the full Council for a vote on September 14, 2022.

DATE PREPARED: September 8th, 2022.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 518-A:)

Int. No. 518-A

By Council Members Abreu, Hanks, Ayala, Powers, Brooks-Powers, Feliz, Salamanca, Riley, Williams, Velázquez, Brewer, Louis, Schulman, Marte, Ung, Joseph, Hudson, Restler, Dinowitz, Narcisse, Nurse, Lee, Rivera, Bottcher, Won, Menin, Mealy and De La Rosa.

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

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 10 of the administrative code of the city of New York is amended by adding a new section 10-316 to read as follows:

§ 10-316 Firearm trafficking report. a. The mayor's office of criminal justice shall coordinate with the police department to conduct a study on reducing the flow of firearms into the city and shall submit a report to the mayor and the speaker of the council no later than December 1, 2022, and annually thereafter. Such study and report shall include the following information for the preceding calendar year:

1. For each firearm seized or surrendered in the city and obtained by the police department:

(a) Whether the firearm was connected to a crime;

(b) Where the firearm originated, including where it was first sold, manufactured, imported or assembled;

(c) The date such firearm was seized or surrendered and the date such firearm was last sold legally;

(d) The location of such seizure, including latitude and longitude if available, but in all cases at least as specific as the nearest intersection;

(e) The type of such firearm;

(f) The manufacturer or importer of such firearm;

(g) Whether the firearm was a ghost gun or a firearm created using a three-dimensional printer, and if so, the entities that produced such firearm or parts thereof;

(h) The dealer of such firearm and whether such dealer was licensed; and

(i) Whether the firearm was registered in any registry, including the national firearms registration and transfer record.

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

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

(a) Recommendations for strengthening collaboration between the mayor's office of criminal justice, the police department, the bureau of alcohol, tobacco, firearms and explosives and other relevant state and federal agencies;

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

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

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

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

5. Recommendations for youth-related programs to discourage the use of firearms by minors;

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

7. Impediments to reporting additional relevant data related to illegal firearms, including any legal restrictions on such reporting or the use of such data for such reporting.

b. Limitations on disclosure. If disclosure of any information specified in paragraph one of subdivision a of this section is prohibited by law, such study and report shall identify the information being withheld and the reason therefor, and shall, instead of such withheld information, include aggregate data to the extent available. Such study and report need not include information about any firearm obtained through a gun buy-back program or where disclosure would compromise the safety of the public or police officers or could otherwise compromise law enforcement investigations or operations. Such report shall include the total number of seizures for which reporting was withheld due to a pending criminal investigation, and upon completion of such investigations the information relating to such seizures shall be reflected in a subsequent report.

§ 2. This local law takes effect immediately.

KAMILLAH HANKS, *Chairperson*; JUSTIN L. BRANNAN, ROBERT F. HOLDEN, ERIK D. BOTTCHEER, CARMEN N. De La ROSA, RITA C. JOSEPH, DARLENE MEALY, ALTHEA V. STEVENS, JOANN ARIOLA; 9-0-0; *Absent*: Tiffany Cabán; Committee on Public Safety, September 13, 2022.

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

Report for Int. No. 602-A

Report of the Committee on Public Safety in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to determining and identifying the area commonly known as Times Square.

The Committee on Public Safety, to which the annexed proposed amended local law was referred on August 11, 2022 (Minutes, page 1970), respectfully

REPORTS:

I. INTRODUCTION

On September 13, 2022, the Committee on Public Safety, chaired by Council Member Kamillah Hanks, will vote on Proposed Introduction Number 602-A (“Prop. Int. No. 602-A”), sponsored by Speaker Adrienne Adams, in relation to determining and identifying the area commonly known as Times Square. The Committee previously heard this legislation on August 30, 2022, and received testimony from the New York City Police Department (“NYPD” or “the Department”), business owners, advocates, and members of the public.

II. BACKGROUND

a. *New York State Rifle & Pistol Association, Inc. v. Bruen*

On June 23, 2022, the United States Supreme Court struck down a century-old New York State law that restricted the concealed carry of firearms to those applicants who demonstrated a “proper cause” for possessing a concealed weapon in public.¹ In a 6-3 decision, the Court held that the U.S. Constitution protects an individual’s right to carry a firearm for self-defense outside the home, finding that New York’s regulatory scheme, which granted “public-carry licenses only when an applicant demonstrates a special need for self-defense . . .”, violated Constitutional protections guaranteed by the Second Amendment. In making this determination, the Court ruled that proper judicial review of government regulations that abridge Second Amendment rights, requires a “demonstrate[ion] that [such regulation] is consistent with the Nation’s historical traditional of firearm regulations.”² The “proper cause” language invalidated by the Court, is also incorporated in the Rules of the City of New York governing NYPD concealed firearm permitting procedures.³

b. *New York State Legislative Action*

Responding to the Supreme Court invalidating the New York’s concealed carry statute, on July 1, 2022, Governor Kathy Hochul signed legislation aimed to strengthen New York State’s gun laws and maintain constitutional validity as set out in the Supreme Court decision.⁴ The law, which goes into effect on September 1, 2022, includes provisions to regulate the issuance of firearm licenses and increase restrictions on the carrying of a concealed firearm. These provisions include standardized training and safe storage requirements for firearm licensees, creating a statewide license and ammunition database, and establishing so-called “sensitive locations,” geographic areas and categories of locations whereby individuals are restricted from carrying a concealed weapon. In addition to defining specific categories of buildings as “sensitive locations,” such as schools, government buildings, or religious institutions, the law established a sensitive location in the area commonly known as Times Square in Manhattan, “as such is determined and identified by the City of New York . . .”⁵ Any individual, regardless of whether licensed for concealed carry of a firearm, would face criminal liability for possessing a weapon in such defined “sensitive location.”⁶

¹ *New York State Rifle and Pistol Association v. Bruen*, 597 U. S. ____ (2022); available at: https://www.supremecourt.gov/opinions/21pdf/20-843_7j80.pdf.

² Id. at 8.

³ 38 RCNY §5-03

⁴ S.51001/A.41001; available at: <https://www.nysenate.gov/legislation/bills/2021/S51001>.

⁵ See Penal Law §265.01-E (2)(T).

⁶ Penal Law §265.01-E.

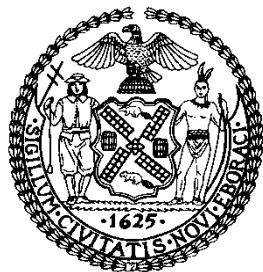
On August 30, 2022, the Council held its first hearing on Introduction Number 602. During that hearing, the Council received testimony in support of the boundaries of Times Square established in the legislation, including the following statement from the NYPD which captures the need for and intent of this law: "[We] would like to recognize the importance of Times Square. Times Square is the "Crossroads of the World," an iconic piece of New York City and one of its most representative symbols. It is a location where people from every part of the globe can come together in a communal gathering. Located in the heart of Manhattan, it is home to some of the city's most famous attractions and is one of the world's most visited areas with over 50 million tourists visiting annually. In a typical year, over 360,000 people pass through Times Square each day . . . The state law and this introduction recognize that Times Square is a dense, complex and highly trafficked area, and the state and city are right to act to protect this iconic piece of New York City while at the same time recognizing the particular interests of those who live or work in the area by authorizing the Department to promulgate rules with respect to those licensees."⁷

III. ANALYSIS OF INT. 602

This legislation would define the geographical boundaries of Times Square for the purposes of establishing such area as a "sensitive location" pursuant to New York State Penal Law. In doing so, the parameters largely follow the area identified as Times Square by the official NYC Tourism website and City's Times Square Business Improvement District;⁸ covering an area bounded by W. 40th Street to W. 53rd Street and Sixth Avenue to Eighth Avenue, and part of Ninth Avenue and the Port Authority Bus Terminal. Additionally, provisions clarify that the Times Square restricted area does not include the interiors of buildings within the geographic boundaries; except, as such buildings might otherwise be categorized as restricted or "sensitive location" per State law due to their specific use. Finally, the legislation directs the Department to promulgate rules for implementation of the provisions; including, specifically requiring the NYPD to establish rules that address persons with firearms licenses who live and work in Times Square, in order to prevent violation and potential arrest of individuals who live and work in the area. If enacted, the legislation would be effective immediately.

Since introduction, the legislation has been amended as follows. First, the geographical area of Times Square described in the bill remains the same; however, instead of describing the area as two adjoining tracts, the amended legislation describes one-tract of land utilizing a metes-and-bounds description of the area. This change was made to comport with the description of the area provided in a related NYPD emergency rule published and in effect prior to Council hearing the legislation. Additionally, the legislation clarifies that the area described includes the sidewalks of all streets and avenues that define the boundaries of the area.

(The following is the text of the Fiscal Impact Statement for Int. No. 602-A:)



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
TANISHA EDWARDS, CHIEF FINANCIAL OFFICER
AND DEPUTY CHIEF OF STAFF TO THE SPEAKER**

FISCAL IMPACT STATEMENT

PROPOSED INT. 602-A

COMMITTEE: Public Safety

⁷ See Hearing testimony for Int. 602-2022, Committee on Public Safety, August 30, 2022; available at: <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=5755025&GUID=EC3DF91B-EC00-44DA-A9C2-333FB77D9D40&Options=ID|Text|Search=602>.

⁸ The Times Square Alliance, *About the Alliance*; available at: <https://www.timessquarenyc.org/about-the-alliance>.

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to determining and identifying the area commonly known as Times Square.

Sponsors: The Speaker (Council Member Adams) and Council Members Powers, Bottcher, Hanks, Hanif, Menin, Ossé, the Public Advocate (Mr. Williams), Brewer, Williams, Won, Nurse and Joseph.

SUMMARY OF LEGISLATION: This bill would define the geographical boundaries of Times Square as an area encompassing W. 40th Street to W. 53rd Street and Sixth Avenue to Eighth Avenue and part of Ninth Avenue and the Port Authority Bus Terminal (as more specifically set forth in the legislation) for the purposes of establishing such area as a “sensitive location” pursuant to New York State Penal Law. Also authorizes the New York City Police Department (NYPD) to promulgate such rules as may be necessary to implement the bill, including rules applicable, as appropriate, to persons with a firearms license who live or work in the area commonly known as Times Square.

EFFECTIVE DATE Immediately

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FISCAL 2023

FISCAL IMPACT STATEMENT:

	Effective FY23	FY Succeeding Effective FY24	Full Fiscal Impact FY24
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$30,000	\$0	\$0
Net	\$30,000	\$0	\$0

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

IMPACT ON EXPENDITURES: It is estimated that the impact on expenditures of this legislation would be approximately \$30,000. To promulgate such rules as required by this legislation with signage, the Department of Transportation (DOT) estimates that it would require 150 permanent signs at a cost of approximately \$200 per sign.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Funds

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

ESTIMATE PREPARED BY: Owen Kotowski, Financial Analyst

ESTIMATE REVIEWED BY: Crilhien Francisco, Unit Head

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 602 on August 11, 2022 and was referred to the Committee on Public Safety (Committee). The Committee heard the legislation on August 30, 2022, and the legislation was laid over. The legislation was subsequently amended, and the amended legislation, Proposed Intro. 602-A, will be considered by the Committee on September 13, 2022. Upon a successful vote by the Committee, Proposed Int. 602-A will be submitted to the full Council for a vote on September 14, 2022.

DATE PREPARED: SEPTEMBER 7, 2022.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 602-A:)

Int. No. 602-A

By The Speaker (Council Member Adams) and Council Members Powers, Bottcher, Hanks, Hanif, Menin, Ossé, the Public Advocate (Mr. Williams), Brewer, Williams, Won, Nurse, Joseph, Louis, Hudson, Riley, Abreu, Mealy and De La Rosa.

A Local Law to amend the administrative code of the city of New York, in relation to determining and identifying the area commonly known as Times Square

Be it enacted by the Council as follows:

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

§ 10-315 *Times Square sensitive location zone.* a. *For the purposes of paragraph (t) of subdivision 2 of section 265.01-e of the penal law, the area commonly known as Times Square means and includes the following tract in Manhattan, bounded and described as follows: (i) BEGINNING at the point of intersection of the north side of West Forty-eighth Street and the west side of Ninth Avenue; (ii) thence southerly along the west side of Ninth Avenue to the point of intersection where the west side of Ninth Avenue meets the south side of West Fortieth Street; (iii) thence easterly along the south side of West Fortieth Street to the point of intersection where the south side of West Fortieth Street meets the east side of Sixth Avenue; (iv) thence northerly along the east side of Sixth Avenue to the point of intersection where the east side of Sixth Avenue meets the north side of West Fifty-third Street; (v) thence westerly along the northern side of West Fifty-third Street to the point of intersection where the north side of West Fifty-third Street meets the west side of Eighth Avenue; (vi) thence southerly along the west side of Eighth Avenue to the point of intersection where the west side of Eighth Avenue meets the north side of West Forty-eighth Street; and (vii) thence westerly along the north side of West Forty-eighth Street until the point of intersection where the north side of West Forty-eighth Street meets the west side of Ninth Avenue (the point of beginning). Where the area described in this subdivision is bounded and described by a side of a street or avenue, it shall be deemed to include the sidewalk of such side. For the purposes of paragraph (t) of subdivision 2 of section 265.01-e of the penal law, the area commonly known as Times Square does not include the interior of any building or other enclosed structure; provided, however, that such a building or structure may otherwise constitute a restricted or sensitive location pursuant to section 265.01-d or 265.01-e of the penal law.*

b. *The police department shall promulgate such rules as may be necessary to implement subdivision a of this section in accordance with applicable law, including rules applicable, as appropriate, to persons with a firearms license who live or work in the area commonly known as Times Square as described in such subdivision.*

§ 2. This local law takes effect immediately.

KAMILLAH HANKS, *Chairperson*; JUSTIN L. BRANNAN, ERIK D. BOTTCHER, CARMEN N. De La ROSA, RITA C. JOSEPH, DARLENE MEALY, ALTHEA V. STEVENS; 7-2-0; *Negative*: Joann Ariola and Robert F. Holden; *Absent*: Tiffany Cabán; Committee on Public Safety, September 13, 2022.

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

Report of the Committee on Rules, Privileges and Elections

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

Report for M-86

Report of the Committee on Rules, Privileges and Elections approving the appointment of Milton L. Williams as a member of the New York City Conflicts of Interest Board.

The Committee on Rules, Privileges and Elections, to which the annexed preconsidered Mayor's Message was referred on September 14, 2022 and which same Mayor's Message was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Briefing Paper, please see the Report of the Committee on Rules, Privileges and Elections for M-89, printed below in these Minutes)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to pursuant to Section 2602 of the New York City Charter, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of Milton L. Williams as a member of the New York City Conflicts of Interest Board to serve for the remainder of a six-year term that expires on March 31, 2024.

This matter was heard preconsidered on September 7, 2022.

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

Res. No. 322

RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF MILTON L. WILLIAMS AS A MEMBER OF THE NEW YORK CITY CONFLICTS OF INTEREST BOARD.

By Council Member Powers.

RESOLVED, Pursuant to Section 2602 of the New York City Charter, the Council hereby approves the appointment by the Mayor of Milton L. Williams as a member of the New York City Conflicts of Interest Board to serve for the remainder of a six-year term that expires on March 31, 2024.

KEITH POWERS, *Chairperson*; RAFAEL SALAMANCA, Jr.; SELVENA N. BROOKS-POWERS, JUSTIN L. BRANNAN, GALE BREWER, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI, THE SPEAKER (COUNCIL MEMBER ADRIENNE E. ADAMS); 8-0-0; *Absent*: Gale A. Brewer; Committee on Rules, Privileges and Elections, September 14, 2022.

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

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

Report for M-87

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

The Committee on Rules, Privileges and Elections, to which the annexed preconsidered Mayor's Message was referred on September 14, 2022 and which same Mayor's Message was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Briefing Paper, please see the Report of the Committee on Rules, Privileges and Elections for M-99, printed below in these Minutes)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to Sections 31 and 2301 of the New York City Charter, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of Elisa Velazquez as a member of the New York City Taxi and Limousine Commission to serve for the remainder of a seven-year term that will expire on January 31, 2026.

This matter was heard preconsidered on September 7, 2022.

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

Res. No. 323

RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF ELISA VELAZQUEZ AS A MEMBER OF THE NEW YORK CITY TAXI AND LIMOUSINE COMMISSION.

By Council Member Powers.

RESOLVED, Pursuant to Sections 31 and 2301 of the New York City Charter, the Council hereby approves the appointment by the Mayor of Elisa Velazquez as a member of the New York City Taxi and Limousine Commission to serve for the remainder of a seven-year term that will expire on January 31, 2026.

KEITH POWERS, *Chairperson*; RAFAEL SALAMANCA, Jr.; JUSTIN L. BRANNAN, GALE BREWER, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI, THE SPEAKER (COUNCIL MEMBER ADRIENNE E. ADAMS); 7-0-1; *Abstain*: Selvena N. Brooks-Powers; *Absent*: Gale A. Brewer; Committee on Rules, Privileges and Elections, September 14, 2022.

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

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

Report for M-88

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

The Committee on Rules, Privileges and Elections, to which the annexed preconsidered Mayor's Message was referred on September 14, 2022 and which same Mayor's Message was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Briefing Paper, please see the Report of the Committee on Rules, Privileges and Elections for M-89, printed below in these Minutes)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to pursuant to Sections 31 and 192 of the New York City Charter, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of Anthony Crowell as a member of the New York City Planning Commission to serve for the remainder of a five-year term that will expire on June 30, 2024.

This matter was heard preconsidered on September 7, 2022.

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

Res. No. 324

RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF ANTHONY CROWELL AS A MEMBER OF THE NEW YORK CITY PLANNING COMMISSION.

By Council Member Powers.

RESOLVED, Pursuant to Sections 31 and 192 of the New York City Charter, the Council hereby approves the appointment by the Mayor of Anthony Crowell as a member of the New York City Planning Commission to serve for the remainder of a five-year term that will expire on June 30, 2024.

KEITH POWERS, *Chairperson*; RAFAEL SALAMANCA, Jr.; SELVENA N. BROOKS-POWERS, JUSTIN L. BRANNAN, GALE BREWER, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI, THE SPEAKER (COUNCIL MEMBER ADRIENNE E. ADAMS); 8-0-0; *Absent*: Gale A. Brewer; Committee on Rules, Privileges and Elections, September 14, 2022.

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

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

Report for M-89

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

The Committee on Rules, Privileges and Elections, to which the annexed preconsidered Mayor’s Message was referred on September 14, 2022 and which same Mayor’s Message was coupled with the resolution shown below, respectfully

REPORTS:

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

- **Gail Benjamin [Preconsidered M-89]**
- **Anthony Crowell [Preconsidered M-88]**

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

The *Charter* provides that CPC members shall serve for staggered five-year terms, except for the Chair, who as Director of the Department of City Planning (*Charter* §191), serves at the pleasure of the Mayor. [*Charter* §192(a)]

For purposes of Chapter 68 of the *Charter* (Conflicts of Interest), CPC members, other than the Chair, shall not be considered regular employees of the City. [*Charter* §192(b)]

There is no limitation on the number of terms a CPC member may serve. [*Charter* §192(a)] CPC members are prohibited from holding any other City office while they serve on the CPC. [*Charter* §192(b)] The Chair receives an annual salary of \$222,326.00. The member who is designated as Vice-Chair receives an annual salary of \$73,855.00. The other members receive an annual salary of \$64,224.00.

CPC is responsible for the following:

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

- CPC must review, and either approve or deny, any City proposal involving the City's request to make acquisitions for office space and any requests for existing buildings for office use. [*Charter* §195]

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

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

If appointed to the CPC by the Mayor, Ms. Benjamin, a resident of Manhattan, will serve the remainder of a five-year term that expires on June 30, 2025. A copy of the candidate's résumé as well as the related associated message is attached to this briefing paper.

If appointed to the CPC by the Mayor, Mr. Anthony Crowell, a resident of Brooklyn, will serve the remainder of a five-year term that expires on June 30, 2024. A copy of the candidate's résumé as well as the related associated message is attached to this briefing paper.

The Committee held a public hearing on the nominations on September 7, 2022.

Topic II: New York City Conflicts of Interest Board (Candidate for appointment by the Mayor with the advice and consent of the City Council)

- **Milton Williams [Preconsidered M-86]**

The New York City Conflicts of Interest Board (COIB) promulgates rules as necessary to implement and interpret the provisions of Chapter 68 of the New York City Charter, Conflicts of Interest (Chapter 68). COIB is required to inform public servants and City employees of Chapter 68 and other related interpretive rules. COIB is furthermore required to administer an on-going program to educate public servants on Chapter 68.

COIB shall also provide training to all individuals who become public servants, to inform them of Chapter 68 and assist City agencies in conducting on-going training programs regarding Chapter 68.

COIB is also authorized to hear and decide violations of Chapter 68, impose fines of up to \$25,000 per violation and recommend penalties, including suspensions or removal from office, to the appointing authority or the body charged with the responsibility of imposing such penalties, where COIB deems it appropriate.

COIB is moreover required to issue and publish advisory opinions regarding matters covered under Chapter 68 that address proposed future conduct. COIB is furthermore required to issue report of the board, annually.

COIB's mandate covers the Council as well as mayoral agency employees. COIB also collects and reviews financial disclosure reports.¹

COIB consists of five members: Three appointed by the Mayor; one appointed by the New York City Comptroller; and one appointed by the New York City Public Advocate. All five appointments are subject to the advice and consent of the City Council. The mayor must also designate one of these members as the Chair. COIB members serve a six (6) year term. COIB members are prohibited from serving more than two consecutive six-year terms.² Two members of COIB constitute a quorum and all actions of COIB must be by the affirmative vote of at least two members.³

COIB members are mandated to meet at least once per month. The *Charter* states that these members should be chosen for their "independence, integrity, civic commitment and high ethical standards. Members are prohibited from holding public office, seeking election to any public office, being a public employee in any jurisdiction, holding political party office, or appearing as a lobbyist before the city."⁴

COIB members are compensated on a per diem basis, for each calendar day, when performing work for COIB. Pursuant to Chapter 68, the compensation shall be no less than the highest amount paid to an official appointed to a board or commission, with the advice and consent of the Council.

The mayor has the authority to remove COIB members for substantial neglect of duty, gross misconduct of office, inability to discharge powers or duties of the office or violation of this section, following written notice of such removal and an opportunity for the member to reply.⁵

Pursuant to the *Charter*, COIB is authorized to appoint a Counsel to serve at its pleasure and employ or retain other such officers, employees and consultants as are necessary to exercise its powers and fulfill its obligations. The authority of the Counsel may be defined in writing, provided that neither the Counsel, nor any other officer, employee or consultant of COIB, shall be authorized to issue advisory opinions, promulgate rules, issue subpoenas, issue final determinations concerning violations of Chapter 68 of the *Charter*, or recommend or impose penalties. Also, COIB may, and has, delegated its authority to issue advisory opinions under *Charter* § 2604(e) to its Chair [*Charter* § 2602(g), and as per COIB's Executive Director].

If appointed to COIB by the Mayor, Mr. Williams will serve the remainder of a six-year term that expires on March 31, 2024. A copy of the candidate's résumé as well as the related associated message is attached to this briefing paper.

The Committee held a public hearing on the nomination on September 7, 2022.

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

- **Elisa Velazquez [Preconsidered M-87]**

The TLC was created pursuant to Local Law 12 of 1971 in Chapter 65 of the Charter. Section 2300 of the *Charter* provides that there shall be a TLC, which shall have the purpose of further developing and improving the taxi and limousine service in the City. The purpose of the TLC shall also remain consistent with the promotion and protection of the public comfort and convenience, adopting and establishing an overall public

¹ *Charter* §§ 2602 and 2603.

² *Charter* § 2602(c).

³ *Charter* § 2602 (h)

⁴ *Charter* § 2602(b).

⁵ *Charter* § 2602(f).

transportation policy governing taxi, coach, limousine, and wheelchair accessible van services, as it relates to the overall public transportation network of the City. The TLC shall also be responsible for establishing certain rates, standards, and criteria for the licensing of vehicles, drivers, chauffeurs, owners, and operators engaged in such services. The TLC also authorizes individuals who wish to operate commuter van services within the City.

The TLC consists of nine members appointed by the Mayor, all subject to the advice and consent of the Council. Five of said members must be a resident from each of the five boroughs of the City, and are recommended for appointment by a majority vote of the Council Members from the respective borough. TLC members are appointed for seven year terms, and can serve until the appointment and qualification of a successor. Vacancies, other than those that occur due to an expiration of a term, shall be filled for the unexpired term. The mayor may remove any such member for cause, upon stated charges.

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

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

If Ms. Velazquez, a resident of the borough of Queens, is appointed as a member of the TLC by the Mayor, she will serve the remainder of a seven-year term that will expire on January 31, 2026. A copy of the candidate's résumé as well as the related associated message is attached to this briefing paper.

The Committee held a public hearing on the nomination on September 7, 2022.

Topic IV: Landmarks Preservation Commission – (Candidate for re-appointment as Chair by the Mayor upon the advice and consent of the Council)

- **Sarah Carroll [Preconsidered M-90]**

Pursuant to the *New York City Charter* (“*Charter*”) § 3020, the New York City Landmarks Preservation Commission (“LPC”) is responsible for establishing and regulating landmarks, portions of landmarks, landmark sites, interior landmarks, scenic landmarks, and historic districts. The LPC also regulates alterations to designated buildings.

The LPC consists of eleven (11) members. The membership of this commission must include at least three architects, one historian qualified in the field, one city planner or landscape architect, and one realtor; and shall include at least one resident from each of the five boroughs. The mayor appoints the members of the LPC with the advice and consent of the Council. When appointing a member of this commission, who must be an architect, historian, city planner, or landscape architect; the mayor may consult with the Fine Arts Federation of New York or any other similar organization, in the course of making this appointment. These members are appointed for staggered three-year terms. Each member continues to serve as a commissioner until his or her successor is appointed and qualified. The mayor also designates one of the members to serve as Chair of the LPC, and designates another member to serve as Vice Chair of the LPC. These members of the LPC shall serve until a

successor is designated. The members of the LPC, with the exception of the Chair, serve without compensation, but are reimbursed for necessary expenses incurred in the course of performing their duties. The current Chair's salary is \$223,319.00.

The LPC must appoint a full-time executive director, to perform duties of the LPC. The LPC may also employ technical experts and other employees, necessary to perform its duties, within the appropriations therefor.

As enumerated in the *Charter*, the LPC is required to provide opportunities for comment in advance of any hearing, regarding a proposed landmark designation, landmark site, interior landmark, scenic landmark, or historic district. Notices of proposed designations must be sent to the New York City Planning Commission (“CPC”), all affected Community Boards, and the Office of the Borough President, whose borough, which the property or district is located.

The LPC also has a duty to provide certain notices to the New York City Council (“the Council”). The LPC is required to file a copy of any designation with the Council and the CPC, within ten days of making the designation. Furthermore, within 60 days after such filing, CPC must hold a public hearing on any such designation of a historic district and must submit a report to the Council, with respect to the relation of any such designation to the *Zoning Resolution*, projected public improvements, and any plans for the development, growth, improvement or renewal of the area involved, whether it relates to the designation of a historic district or a landmark. The CPC must include in this report, its recommendation, if any, for the Council’s action with respect to the historic district designation.

The Council may modify or disapprove of any LPC designation by a majority vote, within 120 days, from date that a copy of such designation is filed with the Council, provided that either CPC has submitted the required report on the designation or at least sixty days has elapsed since the filing of the designation with the Council. The Council’s vote shall be filed with the mayor by the Council. The mayor has five days following the filing of the Council’s vote to disapprove of the Council’s action. If the mayor fails to disapprove of the Council’s action during this time, the Council’s action becomes final. If the mayor disapproves of the Council’s action, the mayor must file his/her disapproval, with the Council. Thereafter, the Council may choose to override the mayor’s disapproval, within ten days of the filing of the mayor’s disapproval, with a two-thirds vote of the Council.

In addition to the designation of landmarks, pursuant to *Administrative Code* § 25-303(i), the LPC also has the ability to make recommendations to the CPC, at any time, regarding amendments to the provisions in the *Zoning Resolution*, which are applicable to improvements in the historic districts. Moreover, pursuant to *Administrative Code* § 25-307, the LPC is also responsible for determining whether a proposed alteration or demolition, affecting a landmark, is consistent with the *Landmarks Preservation and Historic Districts* chapter of the *Administrative Code*. In instances where the LPC determines that the proposed change complies with the *Code*, it may grant a *Certificate of Appropriateness*. Otherwise, LPC may deny the applicant’s request.

A Hardship Appeals Panel also exists, which consisting of five members, whom are also appointed by the mayor, with the Council’s advice and consent. This panel operates independently of the LPC and reviews appeals from LPC determinations denying applications for *Certificates of Appropriateness*, on the grounds of hardship, to demolish, alter, or reconstruct improvements. However, this panel only has the power to review applications involving tax-exempt properties.

If re-appointed to the as Chair of the LPC, Ms. Carroll, a resident of the Borough of Queens, will serve the remainder of a three-year term that expires on June 28, 2025. A copy of the candidate’s résumé as well as the related associated message is attached to this briefing paper.

The Committee held a public hearing on the nomination on September 7, 2022.

Topic V: Preconsidered Res. No. 315 by Council Member Powers - Resolution approving a technical correction to Resolution 265-2022 related to the appointment by the Mayor of Rasmia Kirmani-Frye as a member of the New York City Planning Commission.

The Committee will vote on a preconsidered resolution approving a technical correction to Resolution 265-2022 related to the appointment by the Mayor of Rasmia Kirmani-Frye as a member of the New York City Planning Commission.

On June 13, 2022, the Mayor filed with the Council a letter nominating Rasmia Kirmani-Frye as a member of the City Planning Commission to serve the remainder of a five-year term expiring on June 30, 2024.

The nomination was to replace outgoing member Larisa Ortiz, whose term expired on June 30, 2022. Pursuant to Section 192 of the Charter, a new five-year term began on July 1, 2022.

Notwithstanding this fact, on June 14, 2022, the Council adopted Resolution 265-2022, granting its advice and consent for the appointment to serve the remainder of a five-year term expiring on June 30, 2024.

On July 29, 2022, the Mayor sent a letter noting that the remainder of the five-year appointment would expire on June 30th, 2027.

Accordingly, the proposed resolution would amend Resolution 265-2022 to correct the expiration date of the appointment to be consistent with Section 192 of the Charter.

(For text of Res. No. 315, please see the Report of the Committee on Rules, Privileges and Elections for Res. No. 315 printed below in these Minutes)

(After interviewing the candidates and reviewing the submitted material, the Committee decided to approve the appointment of the nominees. For nominees Milton Williams [M-86], Eliza Velazquez [M-87], Anthony Crowell [M-88], and Sarah Carroll [M-90], please see, respectively, the Reports of the Committee on Rules, Privileges and Elections for M-86, 87, 88, and 90; for nominee Gail Benjamin [M-89], please see immediately below:)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to Sections 31 and 192 of the New York City Charter, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of Gail Benjamin as a member of the New York City Planning Commission to serve the remainder of a five-year term that will expire on June 30, 2025.

This matter was heard preconsidered on September 7, 2022.

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

Res. No. 325

RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF GAIL BENJAMIN AS A MEMBER OF THE NEW YORK CITY PLANNING COMMISSION.

By Council Member Powers.

RESOLVED, that pursuant to Sections 31 and 192 of the New York City Charter, the Council does hereby approve the appointment by the Manhattan Borough President of Gail Benjamin as a member of the New York City Planning Commission to serve for the remainder of a five-year term that will expire on June 30, 2025.

KEITH POWERS, *Chairperson*; RAFAEL SALAMANCA, Jr.; SELVENA N. BROOKS-POWERS, JUSTIN L. BRANNAN, GALE BREWER, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI, THE SPEAKER (COUNCIL MEMBER ADRIENNE E. ADAMS); 8-0-0; *Absent*: Gale A. Brewer; Committee on Rules, Privileges and Elections, September 14, 2022.

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

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

Report for M-90

Report of the Committee on Rules, Privileges and Elections in favor of approving the re-appointment of Sarah Carroll as the chair of the New York City Landmarks Preservation Commission.

The Committee on Rules, Privileges and Elections, to which the annexed preconsidered Mayor's Message was referred on September 14, 2022 and which same Mayor's Message was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Briefing Paper, please see the Report of the Committee on Rules, Privileges and Elections for M-89, printed above in these Minutes)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to Sections 31 and 3020 of the New York City Charter, the Committee on Rules, Privileges and Elections, hereby approves the re-appointment by the Mayor of Sarah Carroll as the chair of the New York City Landmarks Preservation Commission to serve for the remainder of a three-year term that expires on June 28, 2025.

This matter was heard preconsidered on September 7, 2022.

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

Res. No. 326

RESOLUTION APPROVING THE RE-APPOINTMENT BY THE MAYOR OF SARAH CARROLL AS CHAIR OF THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION.

By Council Member Powers.

RESOLVED, Pursuant to Sections 31 and 3020 of the New York City Charter, the Council hereby approves the re-appointment by the Mayor of Sarah Carroll as chair of the New York City Landmarks Preservation Commission to serve for the remainder of a three-year term that will expire on June 28, 2025.

KEITH POWERS, *Chairperson*; RAFAEL SALAMANCA, Jr.; SELVENA N. BROOKS-POWERS, JUSTIN L. BRANNAN, GALE BREWER, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI, THE SPEAKER (COUNCIL MEMBER ADRIENNE E. ADAMS); 7-0-1; *Abstain*: Crystal Hudson; *Absent*: Gale A. Brewer; Committee on Rules, Privileges and Elections, September 14, 2022.

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

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

Report for Res. No. 315

REPORT OF THE COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS IN FAVOR OF A RESOLUTION APPROVING A TECHNICAL CORRECTION TO RESOLUTION NUMBER 265-2022 RELATED TO THE APPOINTMENT BY THE MAYOR OF RASMIA KIRMANI-FRYE AS A MEMBER OF THE NEW YORK CITY PLANNING COMMISSION.

The Committee on Rules, Privileges and Elections, to which the annexed preconsidered resolution was referred on September 14, 2022, respectfully

REPORTS:

(For text of the Briefing Paper, please see the Report of the Committee on Rules, Privileges and Elections for M-89, printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 315:)

Preconsidered Res. No. 315

RESOLUTION APPROVING A TECHNICAL CORRECTION TO RESOLUTION NUMBER 265-2022 RELATED TO THE APPOINTMENT BY THE MAYOR OF RASMIA KIRMANI-FRYE AS A MEMBER OF THE NEW YORK CITY PLANNING COMMISSION.

By Council Member Powers.

WHEREAS, pursuant to Section 192 of the New York City Charter, the Mayor filed with the Council on June 13, 2022, his letter dated June 13, 2022 (the “Letter”), nominating Rasmia Kirmani-Frye (the “Nominee”) as a member of the City Planning Commission to serve the remainder of a five-year term (the “Term”) expiring on June 30, 2024 (the “Nomination”);

WHEREAS, Pursuant to Section 31 of the New York City Charter, the Council held a public hearing on the Nomination on July 14, 2022;

WHEREAS, on July 14, 2022, the Council adopted Resolution Number 265-2022, confirming the appointment of the Nominee (the “Resolution”);

WHEREAS, the Nominee was appointed to succeed City Planning Commission Member Larisa Ortiz;

WHEREAS, the 5-year term of City Planning Commission Member Larisa Ortiz expired on June 30, 2022;

WHEREAS, pursuant to Section 192 of the New York City Charter, the next five-year term begins on the date following the expiration date of the preceding term.

WHEREAS, a five-year term beginning on July 1, 2022, expires on June 30, 2027;

WHEREAS, by letter dated July 29, 2022, the Mayor corrected the term of the Nomination, providing that the expiration of the Nominee's term is June 30, 2027; and

WHEREAS, the Resolution erroneously states that the Term expires on June 30, 2024

NOW THEREFORE BE IT

RESOLVED, that Resolution Number 265-2022 is amended to read as follows:

RESOLVED pursuant to § 192 of the *New York City Charter*, the Council does hereby approve the appointment by the Mayor of Rasmia Kirmani-Frye as a member of the New York City Planning Commission to serve for the remainder of a five-year term that will expire on June 30, [2024] 2027.

KEITH POWERS, *Chairperson*; RAFAEL SALAMANCA, Jr.; SELVENA N. BROOKS-POWERS, JUSTIN L. BRANNAN, GALE BREWER, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI, THE SPEAKER (COUNCIL MEMBER ADRIENNE E. ADAMS); 8-0-0; *Absent*: Gale A. Brewer; Committee on Rules, Privileges and Elections, September 14, 2022.

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

Report of the Committee on Women and Gender Equity

Report for Int. No. 458-A

Report of the Committee on Women and Gender Equity 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 supporting language access through a needs assessment examining language access services used by abortion providers and clients, and related recommendations.

The Committee on Women and Gender Equity, to which the annexed proposed amended local law was referred on June 2, 2022 (Minutes, page 1287), respectfully

REPORTS:

I. INTRODUCTION

On Wednesday, September 14, 2022, the Committee on Women and Gender Equity, chaired by Council Member Tiffany L. Cabán, will consider Proposed Introduction Number (Proposed Int. No.) 458-A, sponsored

by Speaker Adrienne Adams, a Local Law to amend the administrative code of the city of New York, in relation to supporting language access through a needs assessment examining language access services used by abortion providers and clients, and related recommendations. This legislation was originally heard at an oversight hearing of this Committee on July 1, 2022, at which the Committee heard testimony from the New York City (NYC) Department of Health and Mental Hygiene (DOHMH), advocacy groups, health professionals, and other interested parties.

II. BACKGROUND

Reproductive Health

Reproductive health, broadly defined, refers to the health and social conditions of human reproductive systems during all life stages.¹ This includes, but is not limited to:

- Family planning services and counseling, terminating a pregnancy (also known as abortion), birth control, emergency contraception, sterilization and pregnancy testing;
- Fertility-related medical procedures;
- Sexual health education;
- Access to medical services and information; and
- Sexually transmitted disease prevention, testing and treatment.²

While this Committee Report adopts a broader definition in the interest of understanding the full spectrum of issues relating to reproductive health, it should be noted and is perhaps not surprising that many definitions of reproductive health focus more narrowly on addressing the reproductive health needs of women.³ These definitions include, but are not limited to, those addressing reproductive decisions—whether a woman seeks to reproduce or avoid reproduction, the impact of the process of reproduction on health and the associated issues related to a woman’s autonomy, privacy and agency over such decisions.⁴

The World Health Organization (WHO) identifies 17 “Reproductive Health Indicators” which further provide a framework for assessing the state of reproductive health.⁵ These WHO indicators include:

1. The total fertility rate;
2. Contraceptive prevalence;
3. The maternal mortality ratio;
4. The percentage of women attended by health personnel during pregnancy;

¹ National Institute of Environmental Health Sciences, *Reproductive Health*, the National Institute of Health (n.d.), available at <https://www.niehs.nih.gov/health/topics/conditions/repro-health/index.cfm>; See NYC Commission on Human Rights, *FACT SHEET: Protections Against Employment Discrimination Based on Sexual and Reproductive Health Decisions* (n.d.), available at https://www1.nyc.gov/assets/cchr/downloads/pdf/publications/SexualReproHealthDecisions_KYR_8.20.2019.pdf; See, e.g., Mahmoud Fathalla, *Promotion of Research in Human Reproduction: Global Needs and Perspectives*, 3 HUM. REPROD. 7, 7 (1988) (defining reproductive health as requiring, among other things, “that people have the ability to reproduce and the ability to regulate their fertility”).

² NYC Commission on Human Rights, *FACT SHEET: Protections Against Employment Discrimination Based on Sexual and Reproductive Health Decisions* (n.d.), available at https://www1.nyc.gov/assets/cchr/downloads/pdf/publications/SexualReproHealthDecisions_KYR_8.20.2019.pdf.

³ See Rebecca Cook, Bernard Dickens & Mahmoud Fathalla, *Reproductive Health and Human*

Rights: Integrating Medicine, Ethics and Law, 14-18 (2003) (explaining the importance of gender differences in the context of reproductive health).

⁴ See, e.g., Ruth Bader Ginsburg, *Some Thoughts on Autonomy and Equality in Relation to Roe v. Wade*, 63 N.C. L. REV. 375, 383 (1985) (noting that a woman’s ability to control her reproductive capacity is equivalent to her ability to take autonomous charge of her life); Lance Gable, *Reproductive Health as a Human Right*, 60 Case W. Res. L. Rev. 957, 957 (Summer 2020).

⁵ World Health Organization [hereinafter “WHO”], *Reproductive Health Indicators for Global Monitoring*, WHO Second Interagency Meeting, Geneva, Switz., 20-23 (July 17-19, 2000), available at http://whqlibdoc.who.int/hq/2001/WHO_RHR_01.19.pdf; See also, Ritu Sadana, *Definition and Measurement of Reproductive Health*, 80 BULL. WHO. 407 (2002); Lance Gable, *Reproductive Health as a Human Right*, 60 Case W. Res. L. Rev. 957, 957 (Summer 2020).

5. The percentage of births attended by skilled health personnel;
6. The number of facilities with basic obstetric care;
7. The number of facilities with comprehensive obstetric care;
8. The perinatal mortality rate;
9. The percentage of live births with low birth weight;
10. The positive syphilis serology in pregnant women;
11. The percentage of anemia in pregnant women;
12. The percentage of obstetric admissions owing to abortion;
13. The percentage of women with genital cutting, also known as female genital mutilation or female circumcision (“FGM/C”)⁶;
14. The percentage of women who report trying for a pregnancy for two years or more;
15. The incidence of urethritis in men;
16. HIV prevalence in pregnant women; and
17. Knowledge of HIV-prevention practices.⁷

Research has shown that deficiencies in these indicators are largely conditions that can be alleviated with a combination of better access to health services, improvement in economic and social conditions and increased protections for those seeking reproductive health care services.⁸ Accordingly, in recent years, important measures have been established at the federal, state and local levels to ensure that the right to receive reproductive health services are protected, a process often referred to as reproductive justice.⁹ Generally speaking, reproductive justice seeks to ensure reproductive rights,¹⁰ or the rights of individuals to have access to sexual and reproductive healthcare and autonomy in sexual and reproductive decision-making.¹¹

Reproductive Rights

Reproductive rights comprise a range of civil, economic, political and social rights, including the rights to health and life, the rights of equality and non-discrimination, privacy, information, and the right to be free from torture or ill-treatment.¹² This may include an individual’s right to plan a family, terminate a pregnancy (also

⁶ *Note:* This paper utilizes the term “female genital cutting,” rather than “female genital mutilation” to give deference to the affected women and girls, often migrants, who live in the midst of a dominant discourse categorizing them as “mutilated” and sexually disfigured. While “female circumcision” is another common term, “female genital mutilation” is also referenced in recognition of the fact that it is the most commonly used term, including in terms of usage in legislation and treaties. Further, while this paper also utilizes the acronym FGC, FGM is also often shortened to FGM/C in recognition of updated and current language. See S. Johnsdotter, *The Impact of Migration on Attitudes to Female Genital Cutting and Experiences of Sexual Dysfunction Among Migrant Women with FGC*, 10(1) CURRENT SEXUAL HEALTH REPORTS 18-24 (2018), available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5840240/>; S. Fried, A. Mahmoud Warsame, V. Berggren, E. Isman & A. Johansson, *Outpatients’ Perspectives on Problems and Needs Related to Female Genital Mutilation/Cutting: a Qualitative Study from Somaliland*, 2013(1) OBST. AND GYN. INTL (2013), available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3784275/>; U.S. Department of Health and Human Services, Office on Women’s Health, *Female Genital Mutilation or Cutting* (n.d.), available at <https://www.womenshealth.gov/a-z-topics/female-genital-cutting>; New York Department of Health, *Female Genital Mutilation/Female Circumcision Reference Card for Health Care Providers* (n.d.), available at https://www.health.ny.gov/community/adults/women/female_circumcision/providers.htm (explaining why it is “more appropriate” to use FGC/FC than FGM).

⁷ WHO, *Reproductive Health Indicators for Global Monitoring*, WHO Second Interagency Meeting, Geneva, Switz., 20-23 (July 17-19, 2000), available at http://whqlibdoc.who.int/hq/2001/WHO_RHR_01.19.pdf; See also, Ritu Sadana, *Definition and Measurement of Reproductive Health*, 80 BULL. WHO. 407, 407 (2002).

⁸ Lance Gable, *Reproductive Health as a Human Right*, 60 Case W. Res. L. Rev. 957, 957 (Summer 2020).

⁹ See, e.g., Elizabeth Nash, Lizamarie Mohammed, Zohra Ansari-Thomas, and Olivia Cappello, *Laws Affecting Reproductive Health and Rights: State Policy Trends at Midyear, 2018*, Guttmacher Institute (July 2018), available at <https://www.guttmacher.org/article/2018/07/laws-affecting-reproductive-health-and-rights-state-policy-trends-midyear-2018>.

¹⁰ See, e.g., National Council of Jewish Women, *Understanding Reproductive Health, Rights, and Justice* (n.d.), available at <https://www.ncjw.org/wp-content/uploads/2017/12/RJ-RH-RR-Chart.pdf>.

¹¹ Amnesty International USA, *Reproductive Rights: A Fact Sheet* (2007), available at <https://web.archive.org/web/20070714111432/http://www.amnestyusa.org/women/pdf/reproductiverights.pdf>.

¹² Center for Reproductive Rights, *Breaking Ground 2018: Treaty Monitoring Bodies on Reproductive Rights*, 3 (Feb. 2018), available at <https://www.reproductiverights.org/sites/crr.civicactions.net/files/documents/Breaking-Ground-2018.pdf>; Carmel Shalev, *Rights to Sexual and Reproductive Health: The ICPD and the Convention on the Elimination of All Forms of Discrimination Against Women*, Health and Human Rights, Vol. 4, No. 2, 1, 38 (2000), available at www.jstor.org/stable/4065196.

known as abortion), and use contraceptives as well as to have access to reproductive health services and sex education in public schools.¹³ In fact, studies have shown that women and girls¹⁴ who are afforded such rights have better maternal/reproductive health outcomes, reducing rates of maternal morbidity and empowering women.¹⁵ Accordingly, comprehensive healthcare for women should include reproductive care.

Reproductive rights are fundamental to an individual's control over their own life, and are therefore crucial to achieving gender equity.¹⁶ They are founded upon the promise of human dignity, self-determination and equality;¹⁷ including those enshrined in and endowed by numerous international and national doctrines.¹⁸ The UDHR, the foundational document of international human rights law adopted by the United Nations General Assembly (UNGA) in 1948, affirms an individual's right to not be "subjected to torture or to cruel, inhuman, or degrading treatment or punishment."¹⁹ The International Covenant on Economic, Social and Cultural Rights (ICESCR), a multilateral treaty adopted by UNGA in 1966,²⁰ recognizes "the right of everyone to the enjoyment of the highest attainable standard of physical and mental health"²¹ as well as "to enjoy the benefits of scientific progress and its applications."²² Other examples of the enshrinement of reproductive rights are present in many other international doctrines which have been built on and affirmed over the years.²³ These include the right to access to educational information related to family planning and the right to safe, effective, affordable, and acceptable methods of family planning of their choice, such as the regulation of fertility.²⁴ However, comprehensive healthcare for women that even broadly includes reproductive healthcare is not yet the standard.²⁵

III. BILL ANALYSIS

Proposed Int. No. 458-A: A Local Law to amend the administrative code of the city of New York, in relation to supporting language access through a needs assessment examining language access services used by abortion providers and clients, and related recommendations

Proposed Int. 458-A would require DOHMH to create and maintain information and resources – available in all designated citywide languages – for a potential patient of an abortion provider, such as information outlining methods used to provide an abortion, attendant health risks, and recovery from an abortion. Additionally, the bill would require DOHMH to conduct a language access service needs assessment, which would survey abortion providers in the city to assess the availability of language access services for abortion, the demand for such services, any funding available, preferred methods of delivery of language access, and any

¹³ United Nations Foundation Universal Access Project, *Briefing Cards: Sexual and Reproductive Health and Rights (SHSR) and the Post-2015 Development Agenda*, 3 (Sept. 2014), available at <http://www.unfoundation.org/what-we-do/campaigns-and-initiatives/universal-access-project/briefing-cards-srhr.pdf>.

¹⁴ Hereinafter, the term "women" is intended to include both women and girls, as well as non-binary/genderqueer people dealing with pregnancy, childbirth, nursing and parenting. See Chamindra Weerawardhana, *Reproductive Rights and Trans rights: Deeply Interconnected Yet too often Misunderstood*, MEDIUM (Feb. 9, 2016) available at <https://medium.com/@fremancourt/reproductive-rights-and-trans-rights-deeply-interconnected-yet-too-often-misunderstood-8b3261b1b0de>.

¹⁵ Center for Reproductive Rights, *supra* note 2; Impassioned Advocates for Women and Girls, *Making the Connection between Maternal Health and Reproductive Rights* (Jul. 2015), available at <https://pai.org/wp-content/uploads/2015/07/Maternal-Health-Policy-Brief.pdf>.

¹⁶ United Nations General Assembly, *The Road to Dignity by 2030: Ending Poverty, Transforming All Lives and Protecting the Planet—Synthesis Report of the Secretary-General on the Post-2015 Sustainable Development Agenda* (Dec. 4, 2015), 21-2, available at http://www.un.org/disabilities/documents/reports/SG_Synthesis_Report_Road_to_Dignity_by_2030.pdf.

¹⁷ Amnesty International USA, *Reproductive Rights: A Fact Sheet* (2007), available at <https://web.archive.org/web/20070714111432/http://www.amnestyusa.org/women/pdf/reproductiverights.pdf>.

¹⁸ See Amnesty International USA, *supra* note 7.

¹⁹ United Nations, *Universal Declaration of Human Rights/General Assembly Resolution 217A*, Article 5 (Dec. 10, 1948), available at <http://www.un.org/en/universal-declaration-human-rights/index.html>.

²⁰ United Nations, *International Covenant on Economic, Social and Cultural Rights*, Article 10.1 (Dec. 13, 1966), available at https://treaties.un.org/doc/Treaties/1976/01/19760103%2009-57%20PM/Ch_IV_03.pdf.

²¹ *Id.* at Article 12.1.

²² *Id.* at Article 15.1(b).

²³ See Amnesty International USA, *supra* note 7.

²⁴ *Id.*

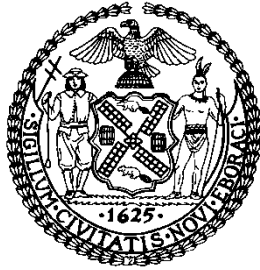
²⁵ Karen Freund and Chloe Bird, *Comprehensive Healthcare: Why is the Inclusion of Reproductive Health Controversial for Women but Not Men?*, WOMEN'S HEALTH ISSUES, Vol. 22, No. 4 (Apr. 2012), available at [https://www.whijournal.com/article/S1049-3867\(12\)00034-5/pdf](https://www.whijournal.com/article/S1049-3867(12)00034-5/pdf).

challenges for implementation. DOHMH would be required to report its findings to the Speaker and the Mayor with recommendations and any role the City can play in assisting abortion providers with language access services, including the feasibility of providing a City grant program.

Since introduction, this legislation was amended to give providers access to common information and resources in multiple languages and to also require DOHMH to assess the availability of language access services for abortion and the demand for such services, so that the City may better understand, and therefore effectively and efficiently respond to, the needs of abortion providers in the city.

This bill would take effect 120 days after it becomes law.

(The following is the text of the Fiscal Impact Statement for Int. No. 458-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**

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 458-A

COMMITTEE: Women and Gender Equity

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to supporting language access through a needs assessment examining language access services used by abortion providers and patients, and related recommendations.

SPONSOR(S): The Speaker (Council Member Adams) and Council Members Louis, Hudson, Brannan, Hanif, Brooks-Powers, Brewer, Joseph, Nurse, Ung, Gutiérrez, Abreu, Restler, Won, Bottcher, Avilés, Cabán, Fariás, Ossé, De La Rosa, Dinowitz, Narcisse, Marte, Krishnan, Ayala, Williams, Rivera, Powers, Menin, Sanchez, Riley and the Public Advocate (Mr. Williams).

SUMMARY OF LEGISLATION: This bill would require the Department of Health and Mental Hygiene (DOHMH) to provide abortion information and resources - available in all designated citywide languages – for a potential patient of an abortion provider, such as information outlining methods used to provide an abortion, attendant health risks, and recovery from an abortion. In addition, DOHMH shall post abortion information resources online with translations available in multiple languages no later than March 1, 2023 and shall conduct a language access service needs assessment by surveying abortion providers regarding the availability and demand for language access services no later than July 1, 2023. DOHMH shall submit a report with recommendations from the assessment to the Mayor and the Speaker of the Council, which will also be included online, no later than 30 days after the survey’s completion. Report shall include recommendations and any role the City can play in assisting abortion providers with language access services, including the feasibility of providing a City grant program.

EFFECTIVE DATE: This local law would take effect 120 days after it becomes a law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024

FISCAL IMPACT STATEMENT:

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

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

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

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: Crilhien R. Francisco, Unit Head, NYC Council Finance Division

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

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on June 2, 2022 as Intro. 458 and referred to the Committee on Women and Gender Equity. The legislation was considered by the Committee on Women and Gender Equity at a hearing held on July 1, 2022 and was subsequently amended, and the amended version Proposed Intro. 458-A will be considered by the Committee on Women and Gender Equity on September 14, 2022. Upon successful vote by the Committee on Women and Gender Equity, Proposed Intro. No. 458-A will be submitted to the full Council for a vote on September 14, 2022.

DATE PREPARED: September 9, 2022.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 458-A:)

Int. No. 458-A

By The Speaker (Council Member Adams) and Council Members Louis, Hudson, Brannan, Hanif, Brooks-Powers, Brewer, Joseph, Nurse, Ung, Gutiérrez, Abreu, Restler, Won, Bottcher, Avilés, Cabán, Farías, Ossé, De La Rosa, Dinowitz, Narcisse, Marte, Krishnan, Ayala, Williams, Rivera, Powers, Menin, Sanchez, Riley and the Public Advocate (Mr. Williams).

A Local Law to amend the administrative code of the city of New York, in relation to supporting language access through a needs assessment examining language access services used by abortion providers and clients, and related recommendations

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 17-174.1 to read as follows:

§ 17-174.1 a. Definitions. For purposes of this section, the following terms have the following meanings:

Abortion. The term “abortion” means (i) a procedure to terminate a pregnancy for purposes other than producing a live birth, including, but not limited to, a termination using pharmacological agents, and (ii) any services related to such procedure, including, but not limited to, any counseling before and after such procedure.

Abortion provider. The term “abortion provider” means a person who provides abortion procedures in accordance with New York state law, including, but not limited to, a hospital or a licensed medical provider.

Designated citywide languages. The term “designated citywide languages” has the same meaning as such term is defined in section 23-1101.

Healthcare provider. The term “healthcare provider” means a person who provides healthcare procedures in the city in accordance with New York state law, including, but not limited to, a hospital or a licensed medical provider.

Language access services. The term “language access services” means services provided in order to convey information to, or facilitate communication with, an individual whose preferred language is not English, and may include, but need not be limited to, interpretation services, translation services or communication by a person who is fluent in both English and the non-English speaker’s preferred language.

b. *Online abortion resource.* No later than March 1, 2023, the department shall post on its website, and update as appropriate, information and resources for a potential patient of an abortion provider, which shall include, but need not be limited to, information outlining methods used to provide an abortion, attendant health risks and recovery from an abortion. Such information and resources shall be translated into the designated citywide languages.

c. *Language access services needs assessment.* No later than July 1, 2023, the department shall survey abortion providers in the city to assess the availability of language access services for abortion and the demand for such services. Such needs assessment shall include, but need not be limited to, a survey of:

1. Language access services used in connection with providing abortions;
2. Preferred methods for delivery of language access services used in connection with providing abortions;
3. Public and private funding for language access services used in connection with providing abortions;

and

4. Implementation challenges with language access services used in connection with providing abortions.

d. *Language access services needs report.* No later than 30 days after completion of the needs assessment required by subdivision c of this section, the department shall submit a report to the mayor and the speaker of the council with recommendations resulting from such needs assessment and shall post such report on its website. Such report shall include, but not be limited to, the following information:

1. A summary of the findings of such needs assessment;
2. Recommendations for language access services based on such findings;
3. In consultation with the mayor’s office of immigrant affairs, recommended best practices for language access services and for identifying providers of language access services; and
4. An assessment of actions the city could take to assist abortion providers with access to language access services, including, but not limited to, the practicability of providing grants to abortion providers to assist in such access, and methods of connecting abortion providers with healthcare providers that have implemented language access services.

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

TIFFANY CABÁN, *Chairperson*; KEVIN C. RILEY, JAMES F. GENNARO, KRISTIN RICHARDSON JORDAN, ALTHEA STEVENS; 5-0-0; Absent: Jennifer Gutiérrez; Committee on Women and Gender Equity, September 14, 2022.

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

GENERAL ORDERS CALENDAR

Report for Int. No. 179-A

Report of the Committee on Women and Gender Equity in favor of approving and adopting, as amended, a Local Law in relation to a report on the role of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers.

The Committee on Women and Gender Equity, to which the annexed proposed amended local law was referred on April 14, 2022 (Minutes, page 592) and laid over by the Council since June 2, 2022 (Minutes, page 1260), respectfully

REPORTS:

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

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 179-A:)

Int. No. 179-A

By Council Members Moya, Cabán, Stevens, Farías, Richardson Jordan, Menin, Won, De La Rosa, Nurse, Bottcher, Williams, Hudson, Narcisse and Krishnan.

A Local Law in relation to a report on the role of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers

Be it enacted by the Council as follows:

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

Nontraditional careers. The term “nontraditional careers” means industries that have traditionally hired a higher proportion of male employees, including, but not limited to, fields such as the construction, utilities, maintenance, green, and transportation industries.

Sustained negative work environment. The term “sustained negative work environment” means a negative, toxic, or hostile work environment or culture due to harassment, assault, or discrimination on the basis of sexual orientation or gender.

b. No later than July 1, 2023, a city office to be designated by the mayor shall submit to the council and publish online a report containing the following information about the role of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers:

1. A comprehensive review of the role of such individuals, including, but not limited to:

i. Issues related to recruitment and retention of such individuals;

ii. Issues related to sustained negative work environments for such individuals;

iii. How these environments value diversity, equity, and inclusion; and

iv. Other significant barriers to success for such individuals, where success is indicated by factors including, but not limited to, promotions, raises, continued employment, and reasonable accommodations;

2. Where feasible and to the extent possible without revealing personally identifiable information, demographic data related to the status of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers, including, but not limited to, the following information:

- i. The total number of individuals working in nontraditional careers in the city and the number of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers, for the past ten years, disaggregated by year, gender, sexuality, race, ethnicity, zip code, and age;
 - ii. The total number of individuals in management positions who identify as women or gender non-binary, non-conforming, and intersex workers in nontraditional careers, for the past ten years, disaggregated by year;
 - iii. The average salary of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers, for the past ten years, disaggregated by year, gender, sexuality, race, ethnicity, zip code, and age; and
 - iv. Current actions being taken to promote the inclusion of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers, in each industry;
3. An overview of city resources and information available to such individuals, and an overview of any actions and efforts underway to support such individuals in pursuing, obtaining, succeeding in, and staying in nontraditional careers; and
 4. Recommendations for potential mechanisms, resources, and avenues to build upon existing resources, strengthen support, and to empower women and gender non-binary, non-conforming, and intersex workers to pursue and succeed in nontraditional careers, including, but not limited to, recommendations for policy and legislation.
- c. Such report shall be created in consultation with the commission on gender equity, the city commission on human rights, the economic development corporation, the department of small business services, the department of consumer and worker protection, at least three individuals who are currently employed in a nontraditional career, at least two individuals who work at unions or organizations conducting work or research related to women and gender non-binary, non-conforming, and intersex workers in nontraditional careers, and at least one representative from a university or similar academic institution with academic experience and expertise in the study and analysis of labor markets and policy.
- § 2. This local law takes effect immediately.

TIFFANY CABÁN, *Chair*; KEVIN C. RILEY, JAMES F. GENNARO, JENNIFER GUTIÉRREZ, KRISTIN RICHARDSON JORDAN, ALTHEA V. STEVENS; 6-0-0; Committee on Women and Gender Equity, June 1, 2022 (Remote Hearing).

Laid Over by the Council.

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>
Cynthia Garay	560 West 43rd Street, Apt. 8E New York, New York 10036	3
Ricardo Rivera	405 East 92nd Street, Apt. HB New York, New York 10128	5
Margaret McDermott	247 East 118th Street, Apt. 4 New York, New York 10035	8
Leah Armas	245 West 113th Street, Apt. 1B New York, New York 10026	9
Alma Meza	1957 Edison Avenue, Apt. 2R Bronx, New York 10461	13
Cindy McDonald	2198 Cruger Avenue Bronx, New York 10461	13
Juan Infante	263 Kearney Street Bronx, New York 10465	13
Sheila Marinez	320 East 197th Street, Apt. 6F Bronx, New York 10458	15
Mashud Rahman	2346 Newbold Avenue, 1st Floor Bronx, New York 10462	18
Anika O'Neil	119-43 165th Street Queens, New York 11434	27
Christopher Collander	168-09 116th Avenue Queens, New York 11434	27
Justine Harricharan	11653 121st Street Queens, New York 11420	28
Janiece Delgado	185 Nevins Street, Apt. 2J Brooklyn, New York 11217	32

Liliya Bushuyev	181 Beach 117th Street, 3rd Floor Queens, New York 11694	32
Megan Trentacosta	136 Willow Street, Apt. 3R Brooklyn, New York 11201	33
Kenia Perez	1223 Broadway, Apt. 4B Brooklyn, N.Y. 11221	34
Saraswathi Kowdley	1140 St. Johns Place, Apt. 21 Brooklyn, New York 11213	35
Ada Rivera	166 Bleecker Street, Apt. 3R Brooklyn, New York 11221	37
Noelle Kim	197 Stockholm Street, Apt. 3L Brooklyn, New York 11237	37
Benjamin Azinge	182 Amity Street, Apt. 9P Brooklyn, New York 11201	39
Rachel Tillman	1050 Ocean Avenue, Apt. B51 Brooklyn, New York 11226	40
Ashley Goodman	1498 Saint Marks Avenue Brooklyn, New York 11233	41
Blanca Mejia	986 Putnam Avenue, Apt. 4B Brooklyn, New York 11221	41
Krystal Weekes-Cannon	937 Hancock Street, Apt. 2 Brooklyn, New York 11223	41
Carol Hakim-Warren	741 Pine Street Brooklyn, New York 11208	42
Celeste Keyes	200 Bethel Loop, Apt. 4B Brooklyn, New York 11239	42
Flovon Alexander	1162 Willmohr Street, Apt. 2R Brooklyn, New York 11212	42
Jeneen Scott	1520 Hornell Loop, Apt. 2G Brooklyn, New York 11239	42
Grace Stephen	362 Doubleday Lane, Apt. 6D Brooklyn, New York 11209	43
Richard Salamon	245 88th Street Brooklyn, New York 11209	43
Ana Beriashvili	14-15 West 8th Street Brooklyn, New York 11204	44

Erida Metaliaj	1083 East 15th Street Brooklyn, New York 11230	44
Donna Williams	2020 East 41 Street, Apt. 5F Brooklyn, New York 11234	45
Michelle Braun	1214 East 36th Street Brooklyn, New York 11210	45
Anna Smirnova	2005 East 8th Street, Apt. 6 Brooklyn, New York 11223	47
Nataliya Kovtsun	49 Bokee Ct., Apt. 5E Brooklyn, New York 11223	47
Amanda Bruno	27 Doreen Dr. Staten Island, New York 10303	49
Tamecka Murray	961 Victory Boulevard, Apt. 1P Staten Island, New York 10301	49
Mehdi Righi	402 Manhattan Street Staten Island, New York 10307	51

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

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

- | | |
|---|--|
| (1) Preconsidered
M-86 & Res 322 - | Milton L. Williams, Esq. to the Council for its advice and consent regarding his appointment to the New York City Conflicts of Interest Board. |
| (2) Preconsidered
M-87 Res 323 - | Elisa Velazquez to the Council for its advice and consent regarding her appointment to the New York City Taxi and Limousine Commission. |
| (3) Preconsidered
M-88 Res 324 - | Anthony Crowell to the Council for its advice and consent regarding his appointment to the City Planning Commission, pursuant to Sections 31 and 192 of the City Charter. |
| (4) Preconsidered
M-89 Res 325 - | Gail Benjamin to the Council for its advice and consent regarding her appointment to the City Planning Commission, pursuant to Sections 31 and 192 of the City Charter. |
| (5) Preconsidered
M-90 Res 326 - | Sarah Carroll for its advice and consent regarding her re-appointment as Chair of the Landmarks Preservation Commission. |
| (6) Int 56-A - | Establishing a nightlife opioid antagonist program. |
| (7) Int 458-A - | Supporting language access through a needs assessment examining language access services used by abortion providers and clients. |
| (8) Int 518-A - | Study and report on the trafficking of illegal firearms. |
| (9) Int 602-A - | Determining and identifying the area commonly known as Times Square. |
| (10) Preconsidered
Res 315 - | TECHNICAL CORRECTION THE APPOINTMENT BY THE MAYOR OF RASMIA KIRMANI-FRYE AS A MEMBER OF THE NEW YORK CITY PLANNING COMMISSION. |

- (11) **L.U. 88 & Res 320 –** **App. C 220171 ZMX (1959 Strang Avenue Rezoning)** Borough of the Bronx, Community District 12, Council District 12.
- (12) **L.U. 96 & Res 321 –** **App. N 220353 ZAQ (Halletts North)** Borough of Queens, Community District 1, Council District 22 (**Approved with Modification**).
- (13) **Preconsidered L.U. 97 & Res 317 -** 3300 Palmer Avenue, Block 5228, Lots 12 and 41, Bronx, Community District No. 12, Council District No. 12.
- (14) **Preconsidered L.U. 98 & Res 318 -** 1700 Harrison LLC.YR15.FY23, Block 2867, Lot 60, Bronx, Community District No. 5, Council District No. 14.
- (15) **Preconsidered L.U. 99 & Res 319 -** 1730 Harrison LLC.YR15.FY23, Block 2867, Lot 70, Bronx, Community District No. 5, Council District No. 14.
- (16) **Resolution approving various persons Commissioners of Deeds.**

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

Affirmative – Abreu, Ariola, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Vernikov, Williams, Won, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **51**.

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

The following was the vote recorded for **Preconsidered M-86 & Res. No. 322:**

Affirmative – Abreu, Ariola, Avilés, Ayala, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Vernikov, Williams, Won, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **50**.

Abstention – Barron – **1**.

The following was the vote recorded for **Preconsidered M-87 & Res. No. 323**:

Affirmative – Abreu, Ariola, Avilés, Ayala, Bottcher, Brannan, Brewer, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Vernikov, Williams, Won, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **49**.

Abstention – Barron and Brooks-Powers - **2**

The following was the vote recorded for **Preconsidered M-88 & Res. No. 324**:

Affirmative – Abreu, Ariola, Ayala, Bottcher, Brannan, Brewer, Brooks-Powers, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Hanks, Holden, Hudson, Joseph, Kagan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Paladino, Restler, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Vernikov, Williams, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **41**.

Negative – Aviles, Barron, Caban, Gutiérrez, Hanif, Krishnan, Nurse, Osse, Richardson Jordan, and Won **10**.

The following was the vote recorded for **Preconsidered M-90 & Res. No. 326**:

Affirmative – Abreu, Ariola, Avilés, Ayala, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Hanif, Hanks, Holden, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Vernikov, Williams, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **46**.

Negative – Gutiérrez, Osse, and Won - **3**

Abstention – Barron and Hudson - **2**.

The following was the vote recorded for **Int. No. 458-A**:

Affirmative – Abreu, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Williams, Won, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **44**.

Negative – Ariola, Carr, Holden, Paladino, Vernikov, Yeger, and the Minority Leader (Council Member Borelli) - **7**.

The following was the vote recorded for **Int. No. 518-A**:

Affirmative – Abreu, Ariola, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Vernikov, Williams, Won, Yeger, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **50**.

Negative – The Minority Leader (Council Member Borelli) - **1**.

The following was the vote recorded for **Int. No. 602-A**:

Affirmative – Abreu, Avilés, Ayala, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Williams, Won, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **43**.

Negative – Ariola, Barron, Carr, Holden, Paladino, Vernikov, Yeger, and the Minority Leader (Council Member Borelli) - **8**.

The following was the vote recorded for **L.U. No. 96 & Res. No. 321**:

Affirmative – Abreu, Ariola, Avilés, Ayala, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Vernikov, Williams, Won, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **50**.

Negative – Barron - **1**.

The following was the vote recorded for **Preconsidered L.U. No. 97 & Res. No. 317; Preconsidered L.U. No. 98 & Res. No. 318; and Preconsidered L.U. No. 99 & Res. No. 319**:

Affirmative – Abreu, Ariola, Avilés, Ayala, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Vernikov, Williams, Won, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **50**.

Negative – Barron - **1**.

*The following Introductions were sent to the Mayor for his consideration and approval:
Int. Nos. 56-A, 458-A, 518-A, and 602-A.*

INTRODUCTION AND READING OF BILLS

Int. No. 645

By The Speaker (Council Member Adams) and Council Members Louis, Brewer, Sanchez, Restler and Won.

A Local Law to amend the administrative code of the city of New York, in relation to civil service exams in department of correction facilities

Be it enacted by the Council as follows:

Section 1. Chapter 1 of Title 9 of the administrative code of the city of New York is amended by adding a new section 9-163 to read as follows:

§ 9-163 Civil service exams. a. The commissioner, in consultation with the commissioner of the department of citywide administrative services, shall ensure all civil service exams being administered for the public are also administered in city correctional facilities. Any incarcerated individual that meets the minimum qualifications required to sit for a civil service exam may sit for such civil service exam.

b. The department, in consultation with the department of citywide administrative services, shall provide civil service exam preparation programming to all incarcerated individuals. Such programming must include guided instruction, study materials, practice tests and civil service employment application counseling.

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

§ 12-212 Civil service exams for justice-involved individuals. a. The commissioner, in consultation with the commissioner of the department of correction, shall ensure all civil service exams being administered for the public are also administered in city correctional facilities. Any incarcerated individual who is in custody of the department of correction that meets the minimum qualifications required to sit for a civil service exam may sit for such civil service exam.

b. The department shall waive the fee for a civil service exam for any incarcerated individual taking a civil service exam while in custody of the department of correction and for any individual enrolled in reentry services or services related to alternatives to incarceration through an organization that is contracted with the office of criminal justice to provide such services.

c. The department shall provide written information regarding civil service exams and the appointment process to all individuals in custody of the department of correction. The department shall conduct presentations with information regarding civil service exams and the appointment process to individuals in custody of the department of correction every three months.

d. The department shall provide written information regarding civil service exams and the appointment process to the office of criminal justice to distribute to organizations the office contracts with for reentry services or services related to alternatives to incarceration. The department shall coordinate with organizations contracted with the office of criminal justice for reentry services or services related to alternatives to incarceration to conduct presentations with information regarding civil service exams and the appointment process to individuals enrolled in such services.

e. No later than January 31, 2024, and annually thereafter, the commissioner shall submit to the mayor and the speaker of the council and shall post conspicuously on the department's website an annual report regarding civil service exams for justice-involved individuals. Each report must include:

1. The number of individuals that sat for a civil service exam in the previous calendar year while in the custody of the department of correction, disaggregated by which civil service title the exams were testing for;

2. The number of individuals that participated in civil service exam preparation programming while in the custody of the department of correction;

3. The number of individuals enrolled in reentry services or services related to alternatives to incarceration through an organization that is contracted with the office of criminal justice to provide such services that sat for a civil service exam in the previous calendar year, disaggregated by which civil service title the exams were testing for; and

4. The number of individuals enrolled in reentry services or services related to alternatives to incarceration through an organization that is contracted with the office of criminal justice to provide such services that participated in civil service exam preparation programming.

§ 3. Chapter 3 of Title 9 of the administrative code of the city of New York is amended by adding a new section 9-310 to read as follows:

§ 9-310 Civil service exams. The office shall provide all organizations the office contracts with for reentry services or for services related to alternatives to incarceration with information regarding civil service exams administered by the department of citywide administrative services and information regarding the appointment process. The office, in coordination with the department of citywide administrative services, shall immediately forward all civil service exam announcements to all organizations the office contracts with for reentry services or for services related to alternatives to incarceration upon receipt of information about such civil service exams from such department.

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

Referred to the Committee on Civil Service and Labor.

Int. No. 646

By Council Members Avilés, Louis, Cabán, Velázquez, Restler, Won, Hanif, Ossé, Ayala, Nurse, De La Rosa, Fariás and Hudson.

A Local Law in relation to a report on the permanent affordability commitment together program

Be it enacted by the Council as follows:

Section 1. Not later than one year after the effective date of the local law that added this section, the mayor, or an agency designated by the mayor, shall make publicly available online and submit to the council a report relating to outcomes of the New York city housing authority's implementation of the federal rental assistance demonstration program, as authorized by public law 112-55, or successor program. In developing this report, the mayor, or such designated agency, shall seek cooperation and assistance from the New York city housing authority. Such report shall not include the personally identifiable information of any public housing resident. Such report shall include, at a minimum, the following information for each public housing development, or bundle of public housing developments including the name of each development in such bundle, selected for conversion through such program:

1. The date such development or bundle of developments was selected for conversion under such program;
2. The date such development or bundle of developments was converted under such program;
3. The name of the development partner selected to serve as the property manager for such development or bundle of developments;
4. A description of how the New York city housing authority conducted outreach and resident engagement prior to and throughout the conversion process;
5. A description of how the New York city housing authority conducts oversight over the development partner or property manager described in paragraph 3;
6. A description of the rights retained by residents of such development or bundle of developments and a description of how those rights differ from those held by such tenants prior to conversion;
7. A description of major repairs and upgrades made in such development or bundle of developments following conversion including the cost of each such repair and upgrade;
8. Annually for each of the three calendar years prior to conversion, the number of eviction proceedings initiated against tenants of such development and the number of evictions executed prior to conversion;
9. The number of eviction proceedings initiated against tenants of such development and the number of evictions executed following conversion; and
10. The amount of private financing received by such development following conversion, including all financing available under section 8 of the housing act of 1937.

§ 2. This local law takes effect immediately and expires and is deemed repealed upon the issuance of the report required by this local law.

Referred to the Committee on Public Housing.

Int. No. 647

By Council Members Avilés, Abreu, Louis, Velázquez, Restler, Won, Brewer, Ossé, Ayala, Nurse, De La Rosa, Sanchez, Brannan, Powers, Schulman and Hudson.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to requiring sheriffs and city marshals to report housing displacement to the department of social services/human resources administration to evaluate eligibility for legal counsel

Be it enacted by the Council as follows:

Section 1. Section 808 of the New York city charter, as added by local law number 43 for the year 2018, is renumbered section 809.

§ 2. Chapter 34 of the New York city charter is amended by adding a new section 809-a to read as follows:

§ 809-a. Reporting housing displacement. Where the sheriff or city marshal executing a warrant of eviction or any order or judgment granting legal possession has informed the department that a court order will result in housing displacement, the department shall notify the department of social services/human resources administration within 48 hours of receiving such information.

§ 3. Chapter 5 of title 7 of the administrative code of the city of New York is amended by adding a new section 7-517 to read as follows:

§ 7-517 Reporting housing displacement. Where the sheriff executing a warrant of eviction or any order or judgment granting legal possession will result in housing displacement, the sheriff shall notify the department of social services/human resources administration within 48 hours of receiving such information.

§ 4. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-138.1 to read as follows:

§ 21-138.1 Housing displacement response. Where the department is informed that the sheriff or city marshal executing a warrant of eviction or any order or judgment granting legal possession will result in housing displacement, the department shall review such individual's eligibility for legal counsel pursuant to section 26-1301 of the administrative code within 48 hours of receiving such information. The department shall inform the individual of their eligibility for legal counsel and provide the contact information for such counsel prior to the execution of a warrant of eviction. The department shall provide such information in plain language and in the language that is most appropriate for the individual.

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

Referred to the Committee on General Welfare.

Int. No. 648

By Council Members Avilés, Feliz, Louis, Velázquez, Restler, Won, Hanif, Hudson, Brewer, Ossé, Farías, Ayala, Nurse, De La Rosa, Sanchez, Powers, Narcisse, Schulman and Bottcher.

A Local Law to amend the administrative code of the city of New York, in relation to reporting on vacant public housing dwelling units

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new subchapter 9 to read as follows:

*SUBCHAPTER 9
REPORTS RELATED TO PUBLIC HOUSING*

§ 3-190 General.

§ 3-191 Report on vacant public housing dwelling units.

§ 3-190 General. As used in this subchapter:

Dwelling unit. The term “dwelling unit” has the meaning ascribed to such term in the housing maintenance code.

Public housing. The term “public housing” has the meaning ascribed to such term in section 1437a of title 42 of the United States code.

Vacant. The term “vacant” means, with respect to a dwelling unit, that such dwelling unit is not occupied for use as a residence.

§ 3-191 Report on vacant public housing dwelling units. a. No later than 60 days after the end of each calendar year, beginning with the first calendar year that commences after the effective date of the local law that added this section, the New York City housing authority shall make publicly available online and submit to the council a report on public housing dwelling units that were vacant for more than 30 continuous days during such year. Such report shall include, at a minimum, the following information, disaggregated by public housing development, borough and council district:

1. The number of public housing dwelling units that have been vacant for more than 30 continuous days during such year;

2. For each such unit:

(a) The reason such unit was vacant for more than 30 continuous days during such year;

(b) Whether, during such vacancy, such unit was habitable, available for use as a residence and being offered to prospective occupants for such use; and

(c) The number of days such unit was vacant during such year and, if such unit was vacant for the whole year, the number of days since such unit was last occupied.

b. Such information shall be posted on the city’s website in a non-proprietary format that permits automated processing.

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Housing.

Int. No. 649

By Council Members Avilés, Feliz, Louis, Velázquez, Restler, Won, Hanif, Ossé, De La Rosa, Sanchez, Fariás, Powers and Hudson

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the department of sanitation from charging the New York city housing authority for sanitation services

Be it enacted by the Council as follows:

Section 1. Section 16-114 of the administrative code of the city of New York, as amended by local law number 41 for the year 1992, is amended to read as follows:

§ 16-114 Rates for collection and disposal. a. The commissioner may charge for the collection and disposal of ashes, street sweepings, garbage, refuse, rubbish, dead animals, night soil and offal, and all wastes, including trade waste from business, industrial, manufacturing, or other establishments conducted for profit, at rates

established by the council by local law, upon recommendation of the commissioner, and on such terms and conditions as the commissioner shall prescribe and subject to rules of the department governing such collection and disposal.

b. Notwithstanding subdivision a of this section and notwithstanding any memorandum of understanding or other agreement to the contrary, the commissioner shall not charge the New York city housing authority for the collection and disposal of solid waste or any other sanitation service provided by the department to a project operated by such authority.

§ 2. This local law takes effect July 1 of the year succeeding the year in which it becomes law.

Referred to the Committee on Sanitation and Solid Waste Management.

Res. No. 304

Resolution calling upon the New York State Legislature to pass and the Governor to sign A.9414/S.5806, in relation to authorizing the New York City Council to oversee the activities of the New York City Housing Authority.

By Council Members Avilés, Louis, Velázquez, Restler, Won, Hanif, Hudson, Ossé, Farías, Ayala, De La Rosa, Brooks-Powers, Schulman and Bottcher.

Whereas, The New York City Housing Authority ("NYCHA") is a public housing authority with 335 developments, and 177,611 units that are home to 547,891 authorized residents, through public housing, section 8, and NYCHA's implementation of the federal rental assistance demonstration ("RAD") program; and

Whereas, For the past decade, there have been numerous articles that have reported on the frequent service interruptions to heat and hot water, and to gas services at NYCHA developments; and

Whereas, On January 2019, federal and city officials agreed to the appointment of a federal monitor to help address the history of maintenance issues that have created health and safety hazards at NYCHA; and

Whereas, The federal monitor has been charged with approving action plans that require NYCHA to meet certain benchmarks to resolve reoccurring lead, mold, heat, elevator and sanitation issues, but tenants are still struggling to get repairs; and

Whereas, According to The City, an online publication, nearly four years after New York City committed \$2 billion dollars to make building improvements, 92 percent of the 336 projects NYCHA intended to work on have yet to begin; and

Whereas, The same report stated that of the 24 projects that are underway, 92 percent of them have already had major postponements; and

Whereas, Some of the delayed projects included upgrades to heating systems, testing and cleaning for lead, upgrades to trash compactors and elevator repairs; and

Whereas, Tenants pay rent to NYCHA with a reasonable expectation for habitability and basic services, and NYCHA should be held accountable when it fails to make repairs; and

Whereas, Whereas, A.9414, sponsored by Assembly Member Edward Gibbs in the New York State Assembly, and companion bill, S.5806, introduced by State Senator Leroy Comrie in the New York State Senate, would increase the New York City Council's ability to mandate NYCHA to produce reports and provide information the Council; and

Whereas, Allowing local elected officials to have more oversight over NYCHA's operations would allow for more analysis over the effectiveness of programs, increase the transparency of NYCHA's operations and help respond to conditions in a more timely matter; 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, A.9414/S.5806, in relation to authorizing the New York City Council to oversee the activities of the New York City Housing Authority.

Referred to the Committee on Public Housing.

Int. No. 650

By Council Members Ayala, Louis, Hanif, Hudson, Ung, Sanchez, Brannan and Won.

A Local Law to amend the administrative code of the city of New York, in relation to the provision of counsel at the first point of contact during an ACS investigation

Be it enacted by the Council as follows:

Section 1. Chapter 9 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-922 to read as follows:

§ 21-922 *Legal services for parents. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Brief legal assistance. The term “brief legal assistance” means individualized legal assistance provided in a single consultation by a designated organization to a covered individual in connection with a covered proceeding.

Covered individual. The term “covered individual” means a parent or other person legally responsible for the care of a child.

Covered proceeding. The term “covered proceeding” means ACS’s first point of contact with a parent or other personal legally responsible for the care of a child during an ACS child protective investigation following an indicated report in such investigation pursuant to section 424 of the New York state social services law.

Designated citywide languages. The term “designated citywide languages” has the meaning ascribed to such term in section 23-1101.

Designated organization. The term “designated organization” means a not-for-profit organization or association that has the capacity to provide legal services.

Legal services. The term “legal services” means brief legal assistance or full legal representation.

b. Provision of legal services. Subject to appropriation, ACS shall establish a program to provide access to legal services for all covered individuals in covered proceedings and shall ensure that, no later than January 31, 2023, all covered individuals receive access to such legal services from a designated organization no later than immediately after a covered proceeding.

c. ACS shall annually review the performance of designated organizations and shall require each designated organization to identify the geographic areas for which such organization will provide legal services. For each such geographic area, ACS shall maintain a list of such organizations that provide such legal services.

d. Any legal services performed by a designated organization pursuant to this chapter shall not supplant, replace, or satisfy any obligations or responsibilities of such designated organization pursuant to any other program, agreement, or contract.

e. Nothing in this chapter or the administration or application thereof shall be construed to create a private right of action on the part of any person or entity against the city or any agency, official, or employee thereof.

§ 2. This local law takes effect immediately.

Referred to the Committee on General Welfare.

Int. No. 651

By Council Members Ayala, Louis, Restler, Stevens, Hanif, Hudson, Brewer, Ung, Sanchez and Won.

A Local Law to amend the administrative code of the city of New York, in relation to precluding the department of homeless services from requiring a child's presence at an intake center when a family with children applies for shelter

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-329 to read as follows:

§ 21-329 Shelter application process for families with children. a. Definitions. For the purposes of this section, the following terms have the following meanings:

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

Family with children. The term "family with children" means a family with at least one adult and at least one child.

Intake center. The term "intake center" means a department facility that accepts and processes applications for shelter from families with children.

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

b. The department shall not require any child who is a member of a family with children to be present at an intake center when that family applies or reapplies for shelter. Nothing in this section precludes a family with children from bringing a child to an intake center when applying or reapplied for shelter.

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

Referred to the Committee on General Welfare.

Int. No. 652

By Council Members Ayala, Louis, Stevens, Brewer and Sanchez.

A Local Law to amend the administrative code of the city of New York, in relation to inspections of apartments rented with city rental assistance vouchers

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-151 to read as follows:

§ 21-151 Definitions. a. For purposes of this section, the following terms have the following meanings:

Rental assistance voucher. The term "rental assistance voucher" means financial assistance provided by the department of the purpose of paying a recipient's rent on an ongoing basis.

Vacate order. The term "vacate order" means any vacate order issued by the department of buildings, the department of housing preservation and development, or the fire department.

b. Apartment inspections. The department shall conduct an inspection of every apartment or room prior to such apartment or room being approved for usage of a rental assistance voucher. Such inspection shall include the following:

1. A review of whether the building has open vacate orders affecting either the entire building or the individual apartment or room;

2. Whether the building has a stop work order in effect that affects either the entire building or the individual apartment or room intended for use;
 3. Whether there are any relevant complaints to the department of buildings about either the entire building or the individual apartment or room;
 4. Whether the unit appears to be a legal apartment as per its certificate of occupancy issued by the department of buildings;
 5. Whether there is a building owner listed for the unit;
 6. Whether the unit has any open lead-based paint violations;
 7. Whether the building has open litigation for heat and hot water;
 8. Whether the building is subject to comprehensive litigation;
 9. Whether the entire building or the individual apartment or room has any health and safety issues including excess garbage, a clear path to egress and sufficient lighting in halls and stairwells, adequate number of windows, evidence of rats, mice, roaches or other vermin, evidence of leaks, presence of smoke and carbon monoxide detectors; and
 10. Any other health or safety issues or concerns the department deems relevant.
- § 3. This local law takes effect 120 days after it becomes law.

Referred to the Committee on General Welfare.

Int. No. 653

By Council Members Ayala, Louis, Riley, Restler, Hanif, Hudson, Ung, Sanchez and Won.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of social services and the department of homeless services to provide drug treatment services

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-129.2 to read as follows:

§ 21-129.2 *Drug treatment services. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Buprenorphine. The term “buprenorphine” means a semi-synthetic opioid medication used to treat opioid addiction that can be prescribed for take home use.

HASA facility. The term “HASA facility” means single room occupancy hotels or congregate facilities managed by a provider under contract or similar agreement with the department.

b. The department shall provide drug treatment services at all HASA facilities.

c. Such services shall include, but not be limited to:

1. Individual counseling by a certified mental health professional;

2. Group counseling by a certified peer educator;

3. On-site access to buprenorphine or other widely accepted medication to combat opioid addiction pursuant to state and federal law; and

4. On-site access to at least one physician or physician assistant familiar with treating opioid misuse and certified to prescribe buprenorphine or other widely accepted medication to combat opioid addiction pursuant to state and federal law, unless a HASA facility can demonstrate that a nearby healthcare facility can provide access to such physician, by demonstrating that:

(a) Healthcare providers from the healthcare facility regularly visit the HASA facility and provide treatment services to its residents; and

(b) A coordinator is designated to communicate between the HASA facility and the healthcare facility to ensure ease of service to residents seeking treatment.

d. The department shall post conspicuously on its website, in simple and understandable terms, the drug treatment and counseling services available at each HASA facility.

Section 2. Chapter 3 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-329 to read as follows:

§ 21-329 Drug treatment services. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Buprenorphine. The term “buprenorphine” means a semi-synthetic opioid medication used to treat opioid addiction that can be prescribed for take home use.

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

b. The department shall provide drug treatment services at all shelters.

c. Such services shall include, but not be limited to:

1. Individual counseling by a certified mental health professional;

2. Group counseling by a certified peer educator;

3. On-site access to buprenorphine or other widely accepted medication to combat opioid addiction pursuant to state and federal law; and

4. On-site access to at least one physician or physician assistant familiar with treating opioid misuse and certified to prescribe buprenorphine or other widely accepted medication to combat opioid addiction pursuant to state and federal law, unless a shelter can demonstrate that a nearby healthcare facility can provide access to such physician, by demonstrating that:

(a) Healthcare providers from the facility regularly visit the shelter and provide treatment services to its residents; and

(b) A coordinator is designated to communicate between the shelter and the healthcare facility to ensure ease of service to residents seeking treatment.

d. The department shall post conspicuously on its website, in simple and understandable terms, the drug treatment and counseling services available at each shelter.

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

Referred to the Committee on General Welfare.

Res. No. 305

Resolution calling on New York state to create a program to provide food benefits for those not eligible for existing benefits, including anyone over 55 meeting income eligibility.

By Council Members Ayala, Louis, Restler, Hanif, Hudson, Brewer and Farías

Whereas, The Supplemental Nutrition Assistance Program (SNAP) is the Country’s largest benefit program geared toward eliminating hunger; and

Whereas, According to the most recent data, there were more than 41 million people, and more than 21 million households, utilizing SNAP in fiscal year 2022; and

Whereas, This is well above the pre-pandemic figures of over 35 million people and nearly 18 million households in fiscal year 2019; and

Whereas, Despite increases to SNAP benefits, many Americans face food insecurity, meaning that they lack consistent access to enough food to support a healthy and active life; and

Whereas, Prior to the COVID-19 pandemic, more than 37.2 million United States residents, or 11.5 percent, were food insecure, according to Food Bank NYC; and

Whereas, Meanwhile, in New York state, nearly 2.2 million New York state residents, or 11.1 percent, were food insecure; and

Whereas, In New York City nearly 1.1 million New York City residents, or 12.9 percent, were food insecure; and

Whereas, New York City's food insecurity rate is 12 percent higher than the national rate, and 16 percent higher than the New York state rate; and

Whereas, New York City residents make up half (50 percent) of all food insecure people living in New York state; and

Whereas, According to City Harvest, the pandemic has exacerbated the hunger crisis and food insecurity in New York City has increased an additional 36 percent of pre-pandemic levels; and

Whereas, According to City Meals on Wheels, one in ten older (over 60 years old) New York City residents face hunger; and

Whereas, However, according to a December 2021 report from the United Hospital Fund, around 40 percent of food insecure New Yorkers have incomes too high to be eligible for SNAP; and

Whereas, Due to the SNAP program being funded by federal funds, undocumented immigrants are also excluded from the program; and

Whereas, To address this, California established its own, state-funding food assistance program called the California Food Assistance Program (CFAP); and

Whereas, This program offers broader eligibility standards for immigrants, and covers lawful permanent residents, refugees, and asylum seekers, even if they have not lived in the Country for at least five years, in comparison to SNAP which requires at least five years of legal status; and

Whereas, Although the broad eligibility does not cover undocumented individuals, California recently passed a budget initiative to cover undocumented residents of the state over the age of 55; and

Whereas, New York state has previously established funds to help provide benefits to those excluded from federal programs; and

Whereas, For example, in 2021, New York state established an Excluded Workers Fund, which provided benefits to New Yorkers who lost income during the COVID-19 pandemic and were left out of various federal relief programs, including unemployment and pandemic benefits; and

Whereas, New York state could establish a similar program to CFAP to cover New Yorkers ineligible for the federal SNAP program; and

Whereas, Research has shown that reducing food insecurity has a profound and positive impact on the health of recipients; and

Whereas, According to research from the United Hospital Fund, decreasing food insecurity by 20 percent would reduce the State's healthcare burden by \$550 million; and

Whereas, The COVID-19 pandemic has exacerbated food insecurity and while programs like SNAP are useful in addressing the issue, too many New Yorkers fall outside of the eligibility requirements; now, therefore, be it

Resolved, That the Council of the city of New York calls on New York state to create a program to provide food benefits for those not eligible for existing benefits, including anyone over 55 meeting income eligibility.

Referred to the Committee on General Welfare.

Int. No. 654

By Council Members Barron, Louis, Riley and Farías..

A Local Law to amend the New York city charter, in relation to disbursement of awards for contracts under ten million dollars immediately upon registration by the comptroller

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 332 of the New York city charter, as amended by local law number 192 for the year 2017, is amended to read as follows:

b. The procurement policy board shall promulgate rules for the expeditious processing of payment vouchers by city agencies and departments including (i) the maximum amount of time allowed for the processing and payment of such vouchers from the later of (a) the date such vouchers are received by the agency, or (b) the date on which the goods, services or construction to which the voucher relates have been received and accepted by the agency, *except that any such payment voucher that relates to a contract award for goods, services or construction in an amount less than ten million dollars shall be processed and paid immediately upon registration by the comptroller*, (ii) *a process for reclaiming any funds that were paid immediately upon registration by the comptroller pursuant to this subdivision in instances in which the agency does not ultimately receive and accept the applicable goods, services or construction*, (iii) a program for the payment of interest, at a uniform rate, to vendors on vouchers not paid within the maximum amount of time pursuant to clause i of this subdivision, [(iii)] (iv) a process for the allocation and charging of any such interest payments to the budget of the agency responsible for the delay leading to the interest payments and [(iv)] (v) agency reporting on the promptness of such payments in such form and containing such information as the board shall prescribe. The board shall coordinate and publish such agency prompt payment reports. Such rules shall facilitate the development and implementation of programs pursuant to subdivision a of this section.

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

Referred to the Committee on Contracts.

Int. No. 655

By Council Members Brannan and Restler (by request of the Mayor).

A Local Law to amend the administrative code of the city of New York, in relation to authorizing an increase in the amount to be expended annually in six business improvement districts

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 25-431.1 of the administrative code of the city of New York, as amended by local law number 209 for the year 2019, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the Fifth Avenue Association business improvement district beginning on July 1, [2019] 2022, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [six million four hundred fourteen thousand dollars (\$6,414,000)] *eight million fifty-four thousand six hundred sixty-three dollars (\$8,054,663)*.

§ 2. Subdivision a of section 25-437.1 of the administrative code of the city of New York, as amended by local law number 223 for the year 2018, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount be expended annually in the 125th Street business improvement district beginning on July 1, [2018] 2022, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [one million two hundred forty thousand four hundred sixty-two dollars (\$1,240,462)] *one million six hundred eighty-seven thousand twenty-eight dollars (\$1,687,028)*.

§ 3. Subdivision a of section 25-445 of the administrative code of the city of New York, as amended by local law number 235 for the year 2017, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount be expended annually in the Kings Highway business improvement district beginning on July 1, [2017] 2022, and the council having determined

further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [four hundred thousand dollars (\$400,00)] *five hundred thousand dollars (\$500,000)*.

§ 4. Subdivision a of section 25-461 of the administrative code of the city of New York, as amended by local law number 3 for the year 2015, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount be expended annually in the Columbus/Amsterdam business improvement district beginning on July 1, [2014] 2022, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [three hundred fifty thousand dollars (\$350,00)] *six hundred fifty thousand dollars (\$650,000)*.

§ 5. Subdivision a of section 25-469.1 of the administrative code of the city of New York, as amended by local law number 235 for the year 2017, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount be expended annually in the DUMBO business improvement district beginning on July 1, [2017] 2022, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [one million two hundred fifty thousand dollars (\$1,250,000)] *two million five hundred thousand dollars (\$2,500,000)*.

§ 6. Subdivision a of section 25-472.1 of the administrative code of the city of New York, as amended by local law number 223 for the year 2018, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount be expended annually in the Court-Livingston-Schermerhorn business improvement district beginning on July 1, [2018] 2022, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [one million four hundred thousand dollars (\$1,400,000)] *one million eight hundred thousand dollars (\$1,800,000)*.

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

Referred to the Committee on Finance.

Res. No. 306

Resolution concerning the increase in the annual expenditure for the Fifth Avenue Association, 125th Street, Kings Highway, Columbus/Amsterdam, DUMBO, and Court-Livingston-Schermerhorn Business Improvement Districts and the setting of the date, time and place for the hearing of the local law increasing the annual expenditure for such districts.

By Council Members Brannan, Louis and Restler.

Whereas, Pursuant to Chapter 4 of Title 25 of the Administrative Code of the City of New York or the predecessor of such Chapter (the "BID Law"), the City established the Fifth Avenue Association, 125th Street, Kings Highway, Columbus/Amsterdam, DUMBO, and Court-Livingston-Schermerhorn Business Improvement Districts in the City of New York; and

Whereas, Pursuant to Local Law No. 82 for the year 1990, the City Council assumed responsibility for adopting legislation relating to Business Improvement Districts; and

Whereas, Pursuant to Section 25-410(b) of the BID Law, an increase in the amount to be expended annually may be adopted by local law, provided that the City Council determines, after a public hearing, that it is in the public interest to authorize the increase and that the tax and debt limits prescribed in Section 25-412 of the BID Law will not be exceeded; and

Whereas, The six Business Improvement Districts wish to increase the amount to be expended annually beginning on July 1, 2022 as follows: Fifth Avenue Association, \$8,054,663; 125th Street, \$1,687,028; Kings Highway, \$500,000; Columbus/Amsterdam, \$650,000; DUMBO, \$2,500,000; and Court-Livingston-Schermerhorn, \$1,800,000; and

Whereas, Pursuant to Section 25-410(b) of the BID Law, the City Council is required to give notice of the public hearing by publication of a notice in at least one newspaper having general circulation in the districts specifying the time when and the place where the hearing will be held and stating the proposed amount to be expended annually; now, therefore, be it

Resolved, That the Council of the City of New York, pursuant to Section 25-410(b) of the BID Law, hereby directs that October 12, 2022 is the date and the City Council Committee Room, 2nd Floor, City Hall is the place and 10:00 a.m. is the time for a public hearing (the “Public Hearing”) to hear all persons interested in the legislation, which would increase the amount to be expended annually in the six Business Improvement Districts; and be it further

Resolved, That on behalf of the City Council and pursuant to Section 25-410(b) of the BID Law, the District Management Associations of the Fifth Avenue Association, 125th Street, Kings Highway, Columbus/Amsterdam, DUMBO, and Court-Livingston-Schermerhorn Business Improvement Districts are hereby authorized to publish in a newspaper of general circulation in each district, not less than ten (10) days prior to the Public Hearing, a notice stating the time and place of the Public Hearing and setting forth the proposed increase in the amount to be expended annually in each of the six Business Improvement Districts.

Referred to the Committee on Finance.

Int. No. 656

By Council Members Brewer, Avilés, Gutiérrez, Feliz, Louis, Hanif, Hudson, Joseph, Ung, Sanchez, Nurse and Won.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the fire department to develop an informational campaign to educate the public on fire risks posed by powered mobility devices

Be it enacted by the Council as follows:

Section 1. Title 15 of the administrative code of the city of New York is amended to add a new section 15-142 to read as follows:

§ 15-142. *Powered mobility device education and outreach. a. Definition. The term “powered mobility devices” means motorized bicycles, motorized scooters and other personal mobility devices powered by a lithium-ion or other storage battery. The term does not include motor vehicles or motorcycles or other mobility devices that must be registered with the New York State Department of Motor Vehicles.*

b. The department, in consultation with the department of consumer and worker protection, shall develop an informational campaign to educate the public on the fire risks posed by powered mobility devices and safety measures that mitigate such risks. Such campaign shall address both commercial and personal use of powered mobility devices and include, but not be limited to, guidance on: (i) purchasing mobility devices and battery equipment that meet established fire safety standards; (ii) maintenance and care information for powered mobility devices and lithium-ion batteries; and (iii) storage and charging precautions for powered mobility devices and lithium-ion batteries. Such outreach campaigns shall include but not be limited to the use of print, radio, and television advertisements as well as public forums.

§ 2. This local law takes effect immediately.

Referred to the Committee on Fire and Emergency Management.

Res. No. 307

Resolution calling on United States Citizenship and Immigration Services to process I-765 Employment Authorization Documents within 30 days and quickly clear the backlog of applications.

By Council Members Brewer, Louis, Hanif, Hudson, Ung, Sanchez and Velázquez.

Whereas, Asylum seekers are arriving in sanctuary cities like New York in increasing numbers; and

Whereas, Individuals seeking asylum in the United States are required to obtain an employment authorization document (I-766) in order to work in the United States while their asylum claim is pending; and

Whereas, in order to obtain an I-766 employment authorization, asylum seekers must file an application for employment authorization (I-765); and

Whereas, Asylum seekers are ready and able to work and contribute to New York City's economy; and

Whereas, The United States Citizen and Immigration Service ("USCIS") is required to process employment authorization documents for asylum seekers within 30 days; and

Whereas, The COVID pandemic, lack of funding, and staffing vacancies at the United States Citizenship and Immigration Service have caused processing delays for I-765 applications; and

Whereas, In March of 2022 USCIS announced that it was setting goal times for processing I-765 applications at three months, which is significantly longer than the required 30-day timeframe; and

Whereas, Current processing times for I-765 applications average between 11.5 and 13 months, depending on processing location for those with a pending application, and

Whereas, The extended processing times for I-765 applications have led to a large backlog of applications; and

Whereas, According to testimony given by the USCIS Director at a Congressional hearing in April of 2022 there were 1.5 million pending work authorization applications; now, therefore, be it

Resolved, That the Council of the City of New York Calls on the United States Citizenship and Immigration Services to process I-765 Employment Authorization Documents within 30 days and quickly clear the backlog of applications.]

Referred to the Committee on Immigration.

Res. No. 308

Resolution calling on the United States Congress to pass, and the president to sign, H.R. 389, known as the *Safe and Quiet Skies Act of 2021*.

By Council Members Brewer, Hanif, Hudson and Joseph.

Whereas, New York City, one of the most densely populated areas in the world, experiences hundreds of daily commercial helicopter flights; and

Whereas, Helicopter-related noise complaints to New York City's 3-1-1 increased from 10,359 in 2020 to 25,821 in 2021 and 7,654 complaints from January through April 2022, with a vast majority of the complaints coming from Manhattan; and

Whereas, During the past 5-years, 3-1-1 has experienced a 2,329% increase in noise complaints related to helicopters; and

Whereas, According to the Federal Aviation Administration, not only do commercial helicopter tours create incessant noise pollution but they can also create health effects, such as hearing loss, stress, and memory impairments; and

Whereas, H.R. 389, also known as the *Safe and Quiet Skies Act of 2021*, was introduced during the 117th Congress by United States Congressman Ed Case, to better regulate commercial air tour flights; and

Whereas, The *Safe and Quiet Skies Act of 2021* seeks to limit the scope of commercial helicopter tour flights in certain areas; and

Whereas, The *Safe and Quiet Skies Act of 2021* would prohibit tour flights within a half mile of military installations, national cemeteries, national wilderness areas, national parks, and national wildlife refuges; and

Whereas, Specifically relating to New York City, the *Safe and Quiet Skies Act of 2021* would prohibit tour flights from: (i) operating at an altitude of less than 1,500 feet; (ii) require tour flights over residential, commercial, and recreational areas to be no louder than 55 decibels; and (iii) permit states and localities to impose additional requirements that are stricter than the minimum federal requirements; and

Whereas, The *Safe and Quiet Skies Act of 2021* would help reduce air and noise pollution that affect the millions of residents in our great City; 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, H.R. 389, known as the *Safe and Quiet Skies Act of 2021*.

Referred to the Committee on State and Federal Legislation.

Int. No. 657

By Council Members Cabán, Stevens, Gutiérrez, Hanif, Louis, Restler, Hudson, Brewer, Sanchez, Marte, Farías and Won.

A Local Law to amend the administrative code of the city of New York, in relation to requiring district attorneys to report on retained and seized property

Be it enacted by the Council as follows:

Section 1. Title 9 of the administrative code of the city of New York is amended by adding a new chapter 5 to read as follows:

**CHAPTER 5
DISTRICT ATTORNEYS**

§ 9-501 Definitions. As used in this chapter, the following terms have the following meanings:

Office. The term “office” means an office of a district attorney or the special narcotics prosecutor.

Retained property. The term “retained property” means: (i) property other than U.S. currency that the office has obtained an ownership interest in; or (ii) U.S. currency that the office has obtained an ownership interest in that has been transferred to the general fund of the city pursuant to section 14-140, either because the ownership interest in such currency has been waived or forfeited or because such. currency remains unclaimed after the applicable legal period for claiming such currency has expired.

Seized property. The term “seized property” means property over which the office has obtained custody pursuant to section 14-140, the ownership of which has not been adjudicated, that is held for safekeeping, as arrest evidence, for forfeiture or as investigatory evidence.

§ 9-502 Reporting.

a. Each office shall submit an annual report to the council and the office of criminal justice, and post such report on such office’s website. Such reports shall be submitted within 30 days of January 1 each year, starting in 2023, and shall include the following information for retained and seized property during the previous calendar year:

1. The dollar amount of U.S. currency that has become property retained by the office after a settlement agreement entered into between the office and claimants for such currency;

2. The dollar amount of U.S. currency that has become property retained by the office after a judgment in a civil forfeiture proceeding;

3. *The dollar amount of U.S. currency returned by the office to the claimant following a dismissal, judgment, or settlement in a civil forfeiture proceeding pursuant to section 14-140;*

4. *The number of registered motor vehicles that have become property retained by the office after a settlement or judgement in a civil forfeiture proceeding;*

5. *The revenue generated by liquidation of registered motor vehicles that have become retained property, the number of such vehicles liquidated, and the entity contracted to liquidate such vehicles on behalf of the office;*

6. *The revenue generated by liquidation of retained property, other than registered motor vehicles and U.S. currency, and the entity contracted to liquidate such property on behalf of the office; and*

7. *The total amount of seized property in the form of U.S. currency, disaggregated by:*

(a) *The dollar amount of such U.S. currency classified and held for safekeeping, disaggregated by the police precinct and month in which such property was vouchered, and also disaggregated by the dollar amount returned to claimants;*

(b) *The dollar amount of such U.S. currency classified and held as arrest evidence, disaggregated by the police precinct and month in which such property was vouchered, and also disaggregated by the dollar amount returned to claimants;*

(c) *The dollar amount of such U.S. currency held for forfeiture, disaggregated by the police precinct and month that such property was vouchered, and also disaggregated by the dollar amount returned to claimants;*

(d) *The dollar amount of such U.S. currency held as investigatory evidence, disaggregated by the borough, police precinct and month that such property was vouchered, and also disaggregated by the dollar amount returned to claimants;*

b. Reports required pursuant to subdivision a of this section shall be stored permanently and accessible from each office's website, and shall be provided in a format that permits automated processing.

§ 2. Title 9 of the administrative code of the city of New York is amended by adding a new section 9-310 to read as follows:

§ 9-310 *District attorney reporting. No later than 45 days from January 1 of each year, starting in 2023, the office shall provide to the council and publish on its website an annual report on district attorneys. This report shall consist of the information required pursuant to section 9-402 aggregated for all district attorneys, and published in a manner that permits the comparison of such information for such district attorneys.*

§ 3. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Res. No. 309

Resolution calling on the New York State Legislature to pass and the Governor to sign S.2832B/A.4558B, the Promote Pre-Trial (PromPT) Stability Act, to ensure judicial review of orders of protection.

By Council Members Cabán, Avilés, Gutiérrez, Hanif, Louis, Restler, Hudson and Won.

Whereas, According to the New York State Office for the Prevention of Domestic Violence, an order of protection is a court order issued in cases involving domestic violence, requiring one person to do, or not do, certain things if a crime is committed; and

Whereas, Orders of protection often require the person charged to stay away from the protected person and children and anywhere they frequent like work or school; and

Whereas, A temporary order of protection (TOPs) is issued the same day that a complainant files for an order of protection and lasts only until the next court date, at which point it may be extended; and

Whereas, A full order of protection means that the subject of the order of protection must stay completely away from the complainant, their home, job and school, and must not abuse, harass, or threaten them; and

Whereas, A final order of protection is issued when the case results in a conviction (whether by plea or after a trial) in criminal court or in family court after a judge finds that a family offense was committed; and.

Whereas, According to the Battered Women Justice Program, orders of protection can be critical to survivor safety, however, orders will not be effective if survivors are not presented with an understandable, just and clear process to obtain an order; and

Whereas, According to the New York Civil Liberties Union (NYCLU), during New York Criminal Court arraignment, judges issue full temporary orders of protection as a matter of course on nearly every case if there is a complainant; and

Whereas, Prosecutors ask for TOPs based almost entirely on the representation of law enforcement officers who sometimes act with incomplete information and bias; and

Whereas, As a result, TOPs are also issued against survivors of intimate partner violence, with women of color, especially Black women, frequently criminalized even when defending themselves according to NYCLU; and

Whereas, According to NYCLU, unnecessary TOPs do not make New Yorkers safe, rather, they disfranchise the most marginalized New Yorkers by making housing, employment and education more difficult to obtain; and

Whereas, These orders exclude people from their homes and jobs, which has immense consequences for the most marginalized New Yorkers, according to NYCLU; and

Whereas, Unlike many other states and the District of Columbia, New York does not have a codified process for accused persons or protected parties to be heard when these orders are issued; and

Whereas, Recognizing this, the New York Appellate Division recently ruled in the matter of Crawford v. Ally (June 24th, 2021), that when a temporary stay-away order is issued which implicates defendant's due process rights, the Criminal Court should conduct a "prompt evidentiary hearing," thereafter; and

Whereas, The case bears the name of Shamika Crawford, who was removed from her own New York City Housing Authority apartment by a stay-away order, rendered homeless and separated from her children for nearly three months; and

Whereas, A hearing in her case would have offered an opportunity for a judge to examine the facts more closely than they could at arraignment to decide if the order should remain in place, or be limited; and

Whereas, However, the Crawford decision leaves numerous details open to interpretation by the courts, and as a result the ruling has been undermined and applied in an inconsistent manner; and

Whereas, According to The Bronx Defenders, Ms. Crawford's experience is a microcosm of the systemic harms that low-income people of color often face when issued a full order of protection in the absence of procedural due process in a way that violates their human right to housing and further perpetuates the poverty and homelessness crisis; and

Whereas, S.2832B, introduced by Senator Jessica Ramos, and A.4558B, introduced by Assembly Member Dan Quart, would give the charged parties the right to a hearing to determine whether a full TOP is necessary and appropriate during the pendency of a criminal proceeding; and

Whereas, The Promoting Pre-Trial (PromPT) Stability Act codifies Crawford's holding into law while clarifying key details of hearings; and

Whereas, It ensures that due process is complied with and that there is uniform application of the decision across the state; and

Whereas, The PromPT Stability Act allows judges to respond to the unique needs of a particular case while also allowing families to work out their differences, and teenagers and young adults to stay in their family's homes; and

Whereas, This legislation will allow judges to make decisions as to the appropriateness of a stay-away order based upon more complete information than they have at arraignment; and

Whereas, According to the Human Rights Watch, pretrial reform has made New York's system fairer by limiting punishment prior to a conviction, allowing people to contest charges against them without the pressure of being in jail and allowing people to keep their jobs and homes, maintain family connections, and access health care while contesting accusations against them; and

Whereas, We must continue the fight to reinforce one of the most basic tenets of justice to ensure that everyone is given the right to a prompt evidentiary hearing so courts will not impose punishments without first reviewing evidence; 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.2832B/A.4558B, the Promote Pre-Trial (PromPT) Stability Act, and ensure judicial review of orders of protection.

Referred to the Committee on Public Safety.

Int. No. 658

By Council Members De La Rosa, Louis, Restler, Joseph, Ung and Sanchez.

A Local Law in relation to requiring the department of citywide administrative services to develop a civil service ambassador program

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 12 of the administrative code of the city of New York is amended by adding a new section 12-204 to read as follows:

§ 12-204 Civil service ambassador program. a. Definitions. For the purposes of this section, the following terms have the following meanings:

City agency. The term “city agency” means any agency, office, department, division, bureau or institution of government, the expenses of which are paid in whole or in part from the city treasury.

Civil service. The term “civil service” means the competitive class as defined by section 44 of the civil service law.

Civil service exam. The term “civil service exam” means those examinations conducted by the commissioner pursuant to section 50 of the civil service law.

Civil service pathway. The term “civil service pathway” means high schools, colleges, universities, trade schools, mental health or social work programs, juvenile justice facilities and foster care programs subject to the administration for children’s services, shelters and other facilities subject to the department of homeless services, and any facilities or programs managed by a city agency which serve a population which the commissioner believes has insufficient or reduced access to information regarding the civil service exam and which would benefit from improved access to such information.

Commissioner. The term “commissioner” means the commissioner of the department of citywide administrative services.

Department. The term “department” means the department of citywide administrative services.

b. The department shall establish and implement a civil service ambassador program to provide education and outreach at civil service pathways. Such education and outreach shall include presentations conducted by current members of the civil service on a quarterly basis and provide, at a minimum, the following information:

- 1. the benefits of joining the civil service;*
- 2. instructions, timelines, and advice for taking the civil service exams; and*
- 3. the post-exam process through which employment offers to join the civil service are made.*

c. The department shall conduct the presentations in subdivision b in at least 10 different civil service pathways and in at least one civil service pathway in each of the five boroughs each quarter.

d. The department shall develop and produce educational materials on the civil service and civil service exam to be distributed as part of the education and outreach conducted pursuant to subdivision b of this section. The commissioner shall make best efforts to make these educational materials available at every civil service pathway. These materials shall also be made available on the department’s website. The commissioner shall review these materials on an annual basis and updated the materials as needed.

e. No later than one year after the effective date of this local law, and annually thereafter, the department shall submit to the mayor and the speaker of the council a report on education and outreach performed as part of the civil service ambassador program, including the number of presentations conducted, disaggregated by the type of civil service pathway and borough, and any other factors that may be appropriate.

Referred to the Committee on Civil Service and Labor.

Res. No. 310

Resolution calling on the State Legislature to pass, and the Governor to sign S.3062C/A.7503, raising the minimum wage annually by a percentage based on the rate of inflation.

By Council Members De La Rosa, Restler, Hanif, Hudson, Joseph, Brewer, Sanchez and Won.

Whereas, Beginning in 2012, the nationwide Fight for Fifteen movement publicized the inadequacy of the minimum wage, and played a role in leading former-Governor Cuomo to pass an Executive Order gradually increasing the minimum wage from \$7.25 an hour, at the end of 2013, to \$15.00 at the end of 2018; and

Whereas, However, According to the Bureau of Labor Statistics, the rate of inflation has remained at 7% or higher since December of 2021, decreasing the value of the minimum wage and reducing workers' purchasing power, leading to hardship for many; and

Whereas, Adjusted for consumer price inflation from the fourth quarter of 2018 through the first quarter of 2022, the purchasing power of New York City's \$15 minimum wage has declined by 13.6% and is now worth just \$12.96; and

Whereas, Each year that inflation increases and wages remain stagnant, workers in the lowest-paying sectors including food service, retail, and customer service, struggle with the rising cost of necessities; and

Whereas, According to estimates by the Economic Policy Institute, tying minimum wage to the rate of inflation, a practice known as indexing, would deliver raises to over 2 million workers, including 1.4 million workers of color and 1.1 million women, populations that also face significant barriers to advancement; and

Whereas, Dozens of high-cost cities are already raising their minimum wages above \$15, and many are reaching or exceeding \$17 in 2022; and

Whereas, By joining eighteen other states that have indexed their minimum wages, workers in New York State can maintain their purchasing power without yearly legislative action; and

Whereas, New York State Senate Bill S.3062C, sponsored by Senator Jessica Ramos, and Assembly Bill A.7503, sponsored by Assemblywoman Latoya Joyner, amends Labor Law Section 652, requiring the Commissioner of Labor to publish a new, increased minimum wage on or before October first of each year; and

Whereas, According to the bill, the new wage would be the current minimum wage increased by the June through June rate of inflation as measured by the consumer price index for all urban consumers (CPI-U) and would take effect on December 31st of each year; and

Whereas, The bill requires small and large New York City employers to pay their employees \$17.00 after January 2023, \$18.80 after January 1, 2024, and \$20.45 after January 1, 2025; and

Whereas, With prices rising at the fastest pace in 40 years, New Yorkers need livable wages and can no longer afford to wait; now therefore, be it

Resolved, That the Council of the City of New York calls on the State Legislature to pass, and the Governor to sign S.3062C/A.7503, raising the minimum wage annually by a percentage based on the rate of inflation.

Referred to the Committee on Civil Service and Labor.

Res. No. 311

Resolution calling on New York State to offer civil service exams, training materials, and assistance, at all Department of Corrections and Community Supervision (DOCCS) facilities.

By Council Members De La Rosa, Louis, Restler, Hudson, Joseph, Brewer and Sanchez.

Whereas, America has the highest incarceration rate in the world – 629 per 100,000 people – compared to Rwanda, the second highest with a rate of 580 per 100,000; and

Whereas, In 2019, there were approximately two million people behind bars in this country; and

Whereas, In New York State’s prison system, there were more than 7,500 people incarcerated as of March 2021; and

Whereas, Reentry into the workforce after release from jail or prison is crucial for those formerly incarcerated, their families, and society at large; and

Whereas, For instance, research shows that a steady job and regular income reduces recidivism, thereby increasingly public safety; and

Whereas, Meanwhile, the national economy is harmed when these individuals are excluded from the workforce; and

Whereas, Data from 2016, for example, showed that the country’s “annual gross domestic product (GDP) was reduced \$78-87 billion due to the exclusion of people with felony convictions from the workforce. When accounting for the exclusion from entrepreneurial opportunities and the exclusion of those with misdemeanor convictions, the impact to GDP is likely to be higher”; and

Whereas, Furthermore, with employment often being a condition of parole, those reentering the workforce after incarceration, even if they find employment, are vulnerable to exploitation, feeling forced to accept low-paying jobs or poor working conditions; and

Whereas, Alternatively, employment in the civil service offers job security, health and labor benefits and long-term career opportunities; and

Whereas, In order to ensure people are suitable for positions within the public service, the process involves taking an exam and being entering onto a hiring list; and

Whereas, The exams protect against nepotism and favoritism, but the process can be long and burdensome; and

Whereas, Offering assistance, information and training materials to those in DOCCS facilities would allow more incarcerated people the opportunity to join the civil service; and

Whereas, The Biden Administration recently recognized this important pathway and have developed a Guide to Federal Employment for Second Chance Applicants, and held webinars and briefing seminars in order to boost recruitment of previously incarcerated individuals into the federal workforce; and

Whereas, California is also taking steps to expand the opportunities of the civil service to those previously incarcerated; and

Whereas, In November 2021, the California State Prison in Solano held a civil service workshop and hiring event, the second time it has done so; and

Whereas, After the event, a number of incarcerated individuals took the entry-level Highway Maintenance Worker or Landscape Maintenance Worker exam; and

Whereas, Nearly all of the applicants were successful on the exam and secured conditional job offers; and

Whereas, In addition to making the civil service more diverse, helping formerly incarcerated individuals find secure, well-paying jobs that can lead to long-term careers is important; and

Whereas, Secure employment is a cornerstone of successful reentry and the civil service offers this foundation; now, therefore, be it

Resolved, That the Council of the city of New York calls on New York State to offer civil service exams, training materials, and assistance, at all Department of Corrections and Community Supervision (DOCCS) facilities.

Referred to the Committee on Civil Service and Labor.

Int. No. 659

By Council Members Dinowitz, Louis, Riley, Hanif, Farías and Sanchez.

A Local Law to amend the administrative code of the city of New York, in relation to a teacher retention reporting requirement and task force

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 29 to read as follows:

CHAPTER 29
TEACHER RETENTION

§ 21-1000 Definitions

§ 21-1001 Reporting

§ 21-1002 Task force

§ 21-1000. Definitions. For the purposes of this chapter, the following terms have the following meanings:

Career development. The term “career development” means professional development opportunities for teachers provided by the department, including but not limited to the teacher career pathways programs and the graduate scholarship program.

Non-teaching staff member. The term “non-teaching staff member” means a school-based department employee who does not have a teacher title.

School survey. The term “school survey” means the survey administered annually by the department to teachers, students and parents to collect information about each school’s ability to support student success.

Teacher. The term “teacher” means a school-based department employee who has a teacher title.

Type of classroom. The term “type of classroom” means the setting in which a teacher is placed, including but not limited to general education, special education, integrated co-teaching classrooms and any other types of classrooms, which may include additional services or supplementary aids.

Unique employee identification. The term “unique employee identification” means a sequentially assigned indicator that represents an individual department employee.

§ 21-1001. Reporting. a. Annual report. No later than November 30 of the year following the effective date of this chapter and annually thereafter, the department shall submit to the speaker of the council information for the prior school year pursuant to subdivisions c, d and e of this section. The first report provided pursuant to this section shall include data from the 1999-2000 school year through the most recent completed school year, to the extent practicable.

b. School level reports. Beginning November 30 of the year following the effective date of this section and annually thereafter, the department shall post on each school’s website:

1. The information for teachers at such school required by paragraphs 1 through 5 of subdivision c of this section; and

2. Such school’s average numbers for paragraphs 4 and 5 of subdivision c of this section.

c. Teacher tenure data. Each row in this dataset shall be an individual teacher and, to the extent practicable, the corresponding columns shall include but not be limited to:

1. Unique employee identification;

2. School year;

3. Date of hire;

4. Length of time teaching in total;

5. Length of time teaching at school for reported school year;

6. Gender identity;

7. Race;

8. Ethnicity;

9. Age;

10. Title;

11. Provisional status;

12. Highest level of education;

13. Area(s) of teaching certification;

14. Any career development the teacher has attained;

15. Salary;

16. School name;

17. School district borough number;

18. Grade(s) taught;

19. Subject(s) taught;

20. *Language(s) of instruction;*
21. *Type of classroom(s);*
22. *Percentage of white students;*
23. *Percentage of black students;*
24. *Percentage of hispanic students;*
25. *Percentage of asian students;*
26. *Percentage of students in multiple race categories not otherwise specified;*
27. *Percentage of students in economic need as determined by the department;*
28. *Percentage of students with individualized education plans;*
29. *Percentage of students in temporary housing;*
30. *Average number of students in classroom;*
31. *Number of student removals;*
32. *Number of students sent to principal;*
33. *Number of students sent to superintendent;*
34. *Number of students expelled;*
35. *Number of students with removals or suspensions;*
36. *Number of students with multiple removals and/or suspensions;*
37. *Number of students transported by EMS;*
38. *Number of students with removals or suspensions resulting from incidents involving NYPD;*
39. *Average student academic grade;*
40. *Average student personal behaviors grade;*
41. *Whether teacher experienced emotional trauma while working; and*
42. *Whether teacher experienced physical trauma while working.*

d. School survey data. Each row in this dataset shall be an individual teacher and, to the extent practicable, the corresponding columns shall include but not be limited to the teacher's unique employee identification, school year, school name, school district borough number and the teacher's responses to the school survey questions. If, after the effective date of this subchapter, the survey questions administered to teachers change, the department shall continue to report teacher responses to questions in the areas of effective leadership, safety, program coherence, peer support for academic work and supportive environment. This dataset shall include for each teacher the following school survey responses:

1. *Students in class listen carefully when teacher gives directions;*
2. *Students in class follow the rules in class;*
3. *Students in class do their work when they are supposed to;*
4. *Students in class feel it is important to come to school every day;*
5. *Students in class feel it is important to pay attention in class;*
6. *Students in class think doing homework is important;*
7. *Students in class try hard to get good grades;*
8. *Students are safe outside and around school;*
9. *Students are safe traveling between home and school;*
10. *Students are safe in the hallways, bathrooms, locker rooms, and cafeteria of school;*
11. *Students are safe in class and/or classes;*
12. *Discipline is applied to students fairly in school;*
13. *Principal/school leader makes clear to staff expectations for meeting instructional goals;*
14. *Principal/school leader communicates a clear vision for the school;*
15. *Principal/school leader understands how children learn;*
16. *Principal/school leader sets high standards for student learning;*
17. *Principal/school leader sets clear expectations for teachers about implementing what they have learned in professional development;*
18. *Principal/school leader carefully tracks student academic progress;*
19. *Principal/school leader knows what is going on in their classroom;*
20. *Principal/school leader participates in instructional planning with teams of teachers;*
21. *When the school starts a new program, there is follow-up to make sure the program is working;*
22. *It is clear how all of the programs offered are connected to school's instructional vision; and*

23. *School curriculum, instruction and learning materials are all well-coordinated across different grade levels.*

e. Non-teaching staff member data. Each row in the dataset shall be an individual non-teaching staff member and the corresponding columns shall include but not be limited to:

- 1. Unique employee identification;*
- 2. School year;*
- 3. School name;*
- 4. School district borough number;*
- 5. Date of hire;*
- 6. Length of time employed in this area in total;*
- 7. Length of time employed at school for reported school year;*
- 8. Gender identity;*
- 9. Race;*
- 10. Ethnicity;*
- 11. Age;*
- 12. Title; and*
- 13. Provisional status.*

§ 21-1002. Task force. a. There shall be a task force convened for the purpose of improving retention of department teachers.

b. Composition. The task force shall consist of at least 13 members as follows:

- 1. The mayor, or the mayor's designee;*
- 2. The speaker of the council, or the speaker's designee;*
- 3. The chancellor, or the chancellor's designee;*
- 4. Five members appointed by the mayor, including one member who is a member of a union representing teachers, one member who is a member of a union representing principals, one member who is an expert in the field of study that examines education and the creation of effective teacher development, one member who is a behavioral scientist who studies learning and assessment and one member who is an expert in assessment, evaluation, testing and other aspects of educational measurement; and*

5. Five members appointed by the speaker of the council, including one member who is a member of a union representing teachers, one member who is a member of a union representing principals, one member who is an expert in the field of study that examines education and the creation of effective teacher development, one member who is a behavioral scientist who studies learning and assessment and one member who is an expert in assessment, evaluation, testing and other aspects of educational measurement.

c. Member appointment. All members shall be appointed no later than 30 days after the department submits its first report pursuant to subdivision a of section 21-1001. No member shall be removed except for cause by the appointing authority. In the event of a vacancy during the term of an appointed member, a successor shall be selected in the same manner as the original appointment.

d. Terms of membership. Members of the task force shall not be required to take or file oaths of office before serving on the task force. Each member of the task force shall serve without compensation.

e. Task force meeting and hearing requirements. The task force shall meet no later than 45 days after the department submits its first report pursuant to subdivision a of section 21-1001. The task force shall meet no less than monthly. The task force shall hold at least one public hearing every quarter to solicit public comment and recommendations about improving retention of department teachers.

f. Report. The task force shall submit a report of its findings and recommendations to the mayor and the speaker of the council no later than one year after its first meeting. The report shall also be posted to the department's website. The report shall include but not be limited to a review of the datasets submitted pursuant to section 21-1001, recommendations to improve teacher retention and suggestions of additional data needed to analyze teacher turnover. The task force shall dissolve upon submission of the report required by this subdivision.

g. This section expires and is deemed repealed after the submission of the report required by subdivision f of this section.

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

Referred to the Committee on Education.

Int. No. 660

By Council Members Dinowitz, Louis, Riley, Stevens, Hanif, Velázquez, Brewer, Ung, Farías, Sanchez, Lee and Won.

A Local Law to amend the administrative code of the city of New York, in relation to establishing a program to provide transition services for students with disabilities entering higher education

Be it enacted by the Council as follows:

Section 1. Chapter 10 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-1004 to read as follows:

§ 23-1004 *Transition services for students with disabilities entering higher education. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Accommodation. The term “accommodation” means an adjustment or a modification that enables a student at an institution of higher education with a documented disability to participate as fully as possible in such institution, including, but not limited to, recording lectures or extended time for test-taking.

Higher education. The term “higher education” has the same meaning as is ascribed to such term in subdivision 8 of section 2 of the education law.

Individualized education program. The term “individualized education program” has the same meaning as set forth in section 200.1 of title 8 of the New York codes, rules and regulations.

Section 504 plan. The term “section 504 plan” means an accommodation plan provided to a student pursuant to section 504 of the rehabilitation act of 1973.

Special education services. The term “special education services” means services that a student receives through an individualized education program or a section 504 plan.

Student advocate. The term “student advocate” means an advocate designated by the mayor’s office for people with disabilities who provides information and support to students with disabilities regarding obtaining accommodations at institutions of higher education.

Student with a disability. The term “student with a disability” means a student who receives special education services and will graduate from high school in the current school year.

b. Program established. The mayor’s office for people with disabilities, in consultation with the department of education and relevant stakeholders, shall develop and manage a program, consistent with any applicable federal, state or local laws, to help students with disabilities obtain accommodations at institutions of higher education. As part of such program, the mayor’s office for people with disabilities shall:

1. In consultation with the mayor’s office of information technology and telecommunications, develop and implement a system to share information about such students’ special education services with institutions of higher education, including, but not limited to, developing and implementing a system in which a student, a student’s parent or a student’s person in parental relation, as defined in subdivision 10 of section 2 of the education law, may provide consent for the department of education to share such information;

2. Utilize student advocates to assist such students;

3. Educate such students about the process to obtain accommodations at institutions of higher education; and

4. Ensure such program complies with any applicable federal, state or local laws, including, but not limited to, those related to the education and privacy of such students.

c. Outreach. Not later than 30 days after the effective date of the local law that added this section, and continuing thereafter, the mayor’s office for people with disabilities, in consultation with relevant agencies and relevant stakeholders, shall conduct culturally appropriate outreach on the program established by subdivision b of this section to enhance awareness of such program. Such outreach shall include, but need not be limited to, the following:

1. *Creating a website to provide up to date information on such program, including, but not limited to, a description of such program, contact information, eligibility information and enrollment information, and made available in the designated citywide languages, as defined in section 23-1101;*

2. *Conducting culturally appropriate outreach regarding such program to each student with a disability who will be graduating from high school in the current school year and such student's parent or person in parental relation; and*

3. *Collaborating with relevant agencies and relevant stakeholders to enhance awareness of such program, including, but not limited to, posting culturally appropriate information about such program on the websites of such agencies and stakeholders.*

d. *Reporting. 1. No later than one year after the effective date of the local law that added this section, and annually thereafter, the mayor's office for people with disabilities shall report on the program established by subdivision b of this section to the mayor and the speaker of the council and post such report on the office's website. Such annual reports shall include, but need not be limited to, the following information for the previous year:*

(a) The number of students with disabilities who participated in such program;

(b) A description of the assistance that such program provided such students;

(c) A description of the system established to provide consent for the department of education to share information regarding such students' special education services with institutions of higher education;

(d) A description of the duties of student advocates; and

(e) An evaluation of the outreach as required by subdivision c of this section, including, but not limited to, recommendations to improve such outreach, recommendations to improve utilization of such program and any resources needed to implement such recommendations.

2. *No information that is 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 information.*

§ 2. This local law takes effect 150 days after it becomes law, except that the commissioner of the office for people with disabilities 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 Higher Education.

Int. No. 661

By Council Members Dinowitz, Louis, Riley, Joseph, Brewer, Ung and Sanchez.

A Local Law to amend the administrative code of the city of New York, in relation to 311 transmitting image and video data for service requests or complaints

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-308 to read as follows:

§ 23-308 Service requests or complaints by video or photograph. Any website or mobile device application used by the 311 customer service center for the intake of 311 requests from the public shall be capable of receiving image and video data in connection with all requests for service or complaints other than those relating to housing. Such data shall be transmitted to an agency as appropriate and be made available to inspectors or other relevant persons within such agencies.

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

Referred to the Committee on Technology.

Int. No. 662

By Council Members Farías, Richardson Jordan, Restler, Louis, Hudson, Joseph and Won.

A Local Law to amend the administrative code of the city of New York, in relation to the establishment of a parking permit enforcement unit within the department of transportation

Be it enacted by the Council as follows:

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

§ 19-175.8 *Parking permit enforcement unit. a. The department shall establish a parking permit enforcement unit, which shall consist of enforcement agents who are specially trained in local laws and rules related to improper use of city-issued parking permits. Such unit shall have the power and duty to:*

- 1. Enforce all local laws and rules related to improper use of a parking permit;*
- 2. Investigate complaints alleging improper use of a parking permit submitted to the 311 citizen center; and*
- 3. Engage in such other activities related to enforcement of local laws and rules related to improper use of a parking permit, or related to improving compliance with such laws and rules.*

b. The parking permit enforcement unit shall be fully operational on or before the date six months following the effective date of the local law that added this section and shall commence enforcement activities on or before such date. The department may promulgate such rules as it deems necessary to implement the provisions of this section.

§ 2. This local law takes effect immediately.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 663

By Council Members Feliz, Brewer, Abreu, Salamanca, Williams, Ariola, Joseph, Menin, Nurse, Riley and Ung.

A Local Law to amend the administrative code of the city of New York, in relation to the sale of storage batteries for powered mobility devices

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 2 to read as follows:

**SUBCHAPTER 2
BATTERIES FOR POWERED MOBILITY DEVICES**

§ 20-609 *Definitions. For purposes of this subchapter, the following terms have the following meanings:*
Powered mobility device. The term “powered mobility device” means a light electric-powered vehicle or personal electric mobility device such as an electric bicycle or scooter.

Stock keeping unit. The term “stock keeping unit” means each group of items offered for sale of the same brand name, quantity of contents, retail price and variety.

§ 20-610 *Sale of batteries for powered mobility devices. a. No person shall distribute, sell or offer for sale a storage battery for a powered mobility device unless it has been listed and labeled by a nationally recognized testing laboratory or other approved organization and such labeling is disclosed on packaging for such battery.*

b. Penalty. A person who violates subdivision a of this section or any rule promulgated thereunder is liable for a civil penalty as follows:

- 1. For the first violation, a civil penalty of zero dollars; and*

2. For each subsequent violation issued for the same offense within two years of the date of a first violation, a civil penalty of not more than one thousand dollars.

c. Each failure to comply with subdivision a of this section with respect to any one stock keeping unit constitutes a separate violation.

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

Referred to the Committee on Fire and Emergency Management.

Int. No. 664

By Council Members Gutiérrez, Louis, Restler, Hanif, Hudson, Brewer, Ung and Sanchez.

A Local Law in relation to requiring the department of citywide administrative services to donate surplus city-owned computers, computer software, and computer equipment to public and private institutions for secular educational use and to not-for-profit institutions for use by individuals with disabilities, senior citizens, or low income individuals

Be it enacted by the Council as follows:

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

§ 12-212 *Donation of surplus computing equipment and software. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Beneficial use. The term “beneficial use” means the use of computer software and computer equipment for secular educational use, or for use by individuals with disabilities, senior citizens, or low income individuals.

City agency. The term “city agency” means any agency, office, department, division, bureau or institution, of the New York city government, the expenses of which are paid in whole or in part from the city treasury.

Computer. The term “computer” means a desktop computing device, a laptop or other portal computing device, containing a central processing unit and any peripheral components that are connected to the central processing unit such that they may reasonably be viewed functionally as a single unit, including but not limited to motherboards, RAM, hard drives or other storage devices, video or sound cards, and computer cases.

Commissioner. The term “commissioner” means the commissioner of the department of citywide administrative services.

Department. The term “department” means the department of citywide administrative services.

Donate. The term “donate” means transferring surplus software or equipment to an eligible organization without cost except that the department may charge reasonable shipping and handling fees for the delivery of such software and equipment.

Eligible organization. The term “eligible organization” means public schools, public libraries, and other public or private educational programs that provide a secular education, not-for-profit institutions which serve persons with disabilities, senior citizens, or low income individuals, and other public facing not-for-profit institutions which serve marginalized groups.

Equipment. The term “equipment” means computers and their associated peripheral components, and other electronic devices that operate with or can be operated by a computer, including but not limited to floppy disk drives, CD drives, USB drives, printers, modems, networking devices, scanners, monitors, and the cables or wiring required to connect a computer with the computer equipment.

Software. The term “software” means executable computer programs and related data files on computer-readable media, including but not limited to floppy disks, hard disks, optical and magneto-optical computer data storage devices.

Surplus. The term “surplus” means computer software or computer equipment that is no longer in use, and not needed for use, by any city agency.

b. The commissioner shall set out by a rule a process through which the department shall donate surplus software and equipment to eligible organizations for beneficial uses. The process shall include, at a minimum:

1. Public notification of the department's intent to donate surplus software and equipment, a description of such surplus software and equipment, and the total shipping and handling fees, if any, for the delivery of such software and equipment; and

2. opportunity for eligible organizations to submit competitive proposals for the beneficial use of such software and equipment.

c. The department shall not donate surplus software and equipment to an eligible organization unless such eligible organization has demonstrated a need and specific plans for the beneficial use of such surplus software and equipment. If multiple eligible organizations demonstrate a need and specific plan for the beneficial use of the same surplus software and equipment, the department shall donate such software and equipment to the eligible organization whose need and beneficial use of such software and equipment will result in the greatest public good according to such factors to be set out by rule which shall include, but are not limited to:

1. whether the beneficial use of such software and equipment will provide or facilitate services to the public for low or no cost;

2. whether the beneficial use of such software and equipment will serve marginalized communities or other communities which are under-served or have difficulty receiving services;

3. whether the eligible organization has received a donation of surplus software and equipment in the past and has satisfactorily utilized such software and equipment to fulfill the beneficial use for which it was donated; and

4. whether the eligible organizations claiming a need for such software and equipment has a smaller operating budget than other eligible organizations claiming such a need.

d. Notwithstanding subdivision c of this section, if surplus equipment is in need of repair or restoration, the department shall prioritize the donation of such equipment to an eligible organization, if any, which offers to use the repair or restoration of such equipment in the training of its students, to be returned to the department upon repair or restoration to then be donated by the department to an eligible organization through the process established in subdivision b above.

e. The department shall not auction off nor dispose of surplus software or equipment unless no eligible organization has responded to the public notification process with a need and specific plan for the beneficial use of such surplus software and equipment over the course of one year.

f. No software shall be donated, auctioned, or otherwise have its ownership transferred if such transfer would cause a breach of a computer software license agreement or an infringement of a copyright.

g. No later than one year after the effective date of this local law, and annually thereafter, the department shall submit to the mayor and the speaker of the council a report on its donations of surplus software and equipment, including a list of each donation made in the year leading up to the report, the number and type of surplus software and equipment comprising each donation, the estimated free market value of each donation, the identity and location of the recipient of the donation, the need and specific plan the donation was made to satisfy, and if multiple eligible organizations submitted a need and specific plan for such surplus software and equipment, the needs and specific plans of all such competing eligible organizations and the factors that weighed in favor of the eligible organization that received the donation. The report shall be disaggregated by the borough of each donation recipient and by any other factors that may be appropriate.

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

Referred to the Committee on Technology.

Int. No. 665

By Council Members Gutiérrez, Hudson, Louis, Restler, Hanif, Brewer, Ung, Farías, Sanchez, Velázquez, Barron, Stevens, Avilés and Won.

A Local Law to amend the administrative code of the city of New York, in relation to establishing a digital literacy program for older adults

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-210 to read as follows:

§ 21-210 Digital literacy program for older adults. a. By no later than December 1, 2023, the commissioner of information technology and telecommunications, in collaboration with the commissioner of aging and any relevant stakeholders deemed necessary by the mayor, shall design and implement a digital literacy training program to serve older adults. Such training program shall be offered at no cost and shall, at minimum, include educational information regarding the following topics:

- 1. accessing and navigating telehealth services;*
- 2. accessing and navigating an online platform which offers technology classes, lectures, workshops and other programming and activities designed to help older adults learn and use technology, develop skills, and connect and socialize with other older adults;*
- 3. using social media platforms;*
- 4. using online or web-based calendar applications;*
- 5. accessing and navigating the website and mobile application in which individuals obtain information on and apply for some human resources administration benefits, and human resources administration clients obtain certain benefits case information;*
- 6. identifying and avoiding online fraud or scams; and*
- 7. accessing and navigating other programs or applications designed to support older adults in accessing services, as deemed appropriate by the commissioner of information technology and telecommunications or the commissioner of aging.*

b. At least once every two years, the commissioner of information technology and telecommunications, in collaboration with the commissioner of aging and any relevant stakeholders deemed necessary by the mayor, shall evaluate the program established pursuant to subdivision a of this section for updates to best practices, educational materials, curricula, resources and any other program components, and make updates to any such components as necessary. Such evaluation shall at minimum include a survey for older adults who participate in such program to provide feedback regarding such program.

c. The program established pursuant to subdivision a of this section shall be made available in all designated citywide languages as defined in section 23-1101.

d. The program established pursuant to subdivision a of this section shall be offered in all department of homeless services facilities and in any other facilities deemed appropriate by the commissioner of information technology and telecommunications or the commissioner of aging.

e. Nothing in this section shall be construed to invalidate any existing contract or other agreement between any department and any entity that provides digital literacy programming on behalf of any such department.

§ 2. This local law takes effect immediately.

Referred to the Committee on Technology.

Res. No. 312

Resolution calling upon the New York State Department of Environmental Conservation to deny National Grid's permit request for gas vaporizers at Newtown Creek, the New York State Public Service Commission to oppose rate recovery for gas vaporizers or any associated infrastructure, and opposing any "emergency" variance request to truck LNG that National Grid might make.

By Council Members Gutiérrez, Restler, Cabán, Won, Hudson, Ossé, Nurse, Avilés, Hanif, Joseph, Barron, Louis, Narcisse and Sanchez.

Whereas, According to the International Panel on Climate Change (IPCC), substantial reductions in greenhouse gas emissions will be required by mid-century in order to limit the global average increase in temperature to 1.5 degrees Celsius, and no more than 2 degrees Celsius, to minimize the worst impacts of climate change; and

Whereas, The IPCC’s most recent report found that “without immediate and deep emissions reductions across all sectors, limiting global warming to 1.5°C is beyond reach,” stating that no new fossil fuel infrastructure must be built; and

Whereas, In May 2020, National Grid applied to the New York State Department of Environmental Conservation for a permit to add two new Liquefied Natural Gas (LNG) vaporizers to its Newtown Creek facility; and

Whereas, The utility states that the vaporizers are necessary for heating up liquefied gas, enabling it to be pumped into the system during periods of peak demand, in order to maintain reliability for National Grid customers; and

Whereas, Environmental advocates and community advocates representing residents of Cooper Park Houses, a New York City Housing Authority development, have expressed concerns about the effect that the additional vaporizers would have on the already environmentally burdened neighborhood, citing the neighborhood’s historically poor air quality, status as an ozone nonattainment zone; and

Whereas, In March of 2021, Cooper Park Resident Council, other affected residents, and Sane Energy Project filed a lawsuit against the New York State Department of Environmental Conservation and National Grid alleging that expansion of National Grid’s Newtown Creek facility with the addition of two new LNG vaporizers would violate New York State’s Environmental Quality Review Act and Climate Leadership and Community Protection Act;

Whereas, In their lawsuit, Cooper Park Resident Council and Sane Energy asserted that data National Grid provided in its environmental assessment forms shows that the additional vaporizer infrastructure has the potential to increase vaporizer emissions from the Newtown Creek facility by 31%;

Whereas, In August of 2021, community and environmental advocates filed a complaint with the U.S. Department of Justice, the United States Environmental Protection Agency, Department of Transportation, and Department of Energy, alleging that National Grid breached the federal Civil Rights Act by purposefully building the North Brooklyn pipeline through Black and Latinx Brooklyn communities, while circumventing predominantly white neighborhoods; and

Whereas, The complaint estimated that approximately 70% of the community surrounding National Grid’s North Brooklyn pipeline is non-white, with Black and Latinx residents disproportionately more likely to live within a 1,275-foot proximity to the pipeline; and

Whereas, Advocates have noted that National Grid chose to route the pipeline through neighborhoods already burdened by the highest rates of asthma in the City and lower life expectancy rates, due in part to local pollution levels, ignoring proposed alternative routes through neighborhoods less burdened with environmental justice issues, with higher proportions of white residents, and without sufficient explanation for such routing; and

Whereas, Concerns have also been raised about the safety of National Grid expanding the gas delivery system without addressing widespread leakage, noting that the Brooklyn backbone of the utility’s gas delivery system has had over 22,000 leaks since 2016, and a backlog of 1,944 unaddressed leaks in 2020; and

Whereas, Advocates allege that the proposed addition of the vaporizers to the facility is part of a larger whole action that includes the North Brooklyn Pipeline, the new LNG trucking station at the Newtown Creek facility, and trucking operations that would enable the transport of LNG to the facility via truck, further increasing local emissions levels; and

Whereas, Advocates have also cited recent declines in natural gas usage and the natural gas industry’s own forecasts to call into question the need to build out new infrastructure, expressing concerns that ratepayers will be paying for the cost of the project well after it has become a stranded asset and that National Grid should therefore not be permitted to construct or recover costs of the vaporizers, Phase 5 of the Metropolitan Reliability Infrastructure (MRI), or the trucking station; and

Whereas, The New York City Mayor’s Office of Climate and Environmental Justice acknowledges that the City must reduce its reliance on fossil fuels in order to meet the goal of a 100% zero emissions grid by 2040; and

Whereas, On May 22, 2022, The New York State Department of Environmental Conservation delayed a decision on National Grid’s permit request for the vaporizers for the fifth time, citing proceedings before the state Public Service Commission evaluating whether the utility can prove the project is actually needed for reliability; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Department of Environmental Conservation to deny National Grid's permit request for gas vaporizers at Newtown Creek, the New York State Public Service Commission to oppose rate recovery for gas vaporizers or any associated infrastructure, and opposing any “emergency” variance request to truck LNG that National Grid might make.

Referred to the Committee on Environmental Protection.

Int. No. 666

By Council Members Holden, Louis and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to the examination, survey and mapping of all methane leaks in New York City

Be it enacted by the Council as follows:

Section 1. Section 24-424 of title 24 of the administrative code of the city of New York is amended by adding a new subdivision d to read as follows:

d. An office or agency designated by the mayor shall examine, survey and map all methane leaks, both hazardous and nonhazardous annually within the city. The mayor shall also provide written notification to any relevant gas utility of the city's intent or the city's grant of consent, to any other entity to open the ground on any public way for any nonemergency purpose including to survey or map leaking natural gas infrastructure. Such notification may also allow the gas utility to survey the area to be opened for the presence of natural gas and to repair or replace any aging, leak-prone or leaking natural gas infrastructure located on or in any public way. Where any leaking natural gas infrastructure is the source of a large volumetric leak, having a migration area of five hundred square feet or more, that is not repaired within ninety days after notice to the relevant gas utility, the designated agency shall repair the leak and seek cost recovery on behalf of the city.

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

Referred to the Committee on Environmental Protection.

Int. No. 667

By Council Members Holden and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to reporting on the last known address of those in city-administered temporary emergency housing facilities and technical amendments in relation thereto

Be it enacted by the Council as follows:

Section 1. The subchapter heading of subchapter 1 of chapter 1 of title 3 of the administrative code of the city of New York, as designated by local law number 52 for the year 2011, is amended to read as follows:

**SUBCHAPTER 1
OFFICE OF THE MAYOR**

§ 2. The section heading of section 3-111 of subchapter 1 of chapter 1 of title 3 of the administrative code of the city of New York, as added by local law number 58 for the year 1986, is amended to read as follows:

§ 3-111 *Drug enforcement and drug abuse task force.*

§ 3. Section 3-113 of subchapter 1 of chapter 1 of title 3 of the administrative code of the city of New York, as added by local law number 25 for the year 2011, is renumbered section 3-112, and the section heading of section 3-113 of such subchapter, as added by local law number 37 for the year 2011, is amended to read as follows:

§ 3-113 *Reporting on utilization of city-administered temporary emergency housing facilities.*

§ 4. Section 3-121 of subchapter 1 of chapter 1 of title 3 of the administrative code of the city of New York, as added by local law number 75 of the year 2018, is renumbered section 3-119.7.

§ 5. Subchapter 1 of chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-119.8 to read as follows:

§ 3-119.8 *Reporting on last known address of those in city-administered temporary emergency housing facilities. a. Definitions. As used in this section, the following terms have the following meanings:*

City-administered facility. The term “city-administered facility” means a hotel, shelter or other accommodation or associated service, managed by or provided under contract or similar agreement with, the department of homeless services, the human resources administration, the department of housing preservation and development or the department of youth and community development, which is provided to individuals or families who need temporary emergency housing or assistance finding or maintaining stable housing.

Last known address. The term “last known address” means the address that a household in a city-administered facility reported as residing at, before entering such facility, and which is not an address of a city-administered facility.

b. Reporting required. By no later than December 1, 2023, and annually thereafter, the mayor’s office of operations shall report to the speaker of the council on the last known address of individuals in city-administered facilities, and shall post such report on the mayor’s office of operations’ website. The report shall include the following, for each city-administered facility:

1. The number and percentage of households and individuals in each such facility whose last known address is within the state of New York;

2. The number and percentage of households and individuals in each such facility whose last known address is outside the state of New York;

3. The number and percentage of households and individuals in each such facility whose last known address is within the city;

4. The number and percentage of households and individuals in each such facility whose last known address is outside the city;

5. The number and percentage of households and individuals in each such facility whose last known address is within the city, disaggregated by council district and community district; and

6. The number and percentage of households and individuals in each such facility whose last known address is an unknown location.

c. In the report required by subdivision b, the mayor’s office of operations shall define the term “unknown location” and any other such term that the office deems appropriate.

d. The reports required by this section shall not contain any personally identifiable information of any individual.

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

Referred to the Committee on General Welfare.

Int. No. 668

By Council Members Holden and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to the issuance of building permits for areas in which a certified rezoning application is pending

Be it enacted by the Council as follows:

Section 1. Section 28-103.11 of the administrative code of the city of New York, as amended by local law number 10 for the year 2016, is amended to read as follows:

§28-103.11 Applications and permits. The department shall receive and review applications, construction documents, and other related documents and shall issue permits, in accordance with the provisions of this code. The department shall, on a weekly basis, send council members and community boards, by electronic mail, a copy of all completed applications for a new building or an alteration that will require a new certificate of occupancy for a building, received during the prior week, disaggregated by community board. In addition, the department shall post such information on its website on a weekly basis. *Notwithstanding the foregoing, upon certification by the city planning commission of an application for rezoning any area of the city, the department shall not issue any permits for construction on a site located in such area that would not be in compliance with the zoning for such area provided for in the certified rezoning application.*

§2. This local law takes effect October 1, 2023.

Referred to the Committee on Housing and Buildings.

Int. No. 669

By Council Member Holden.

A Local Law to amend the administrative code of the city of New York, in relation to creating an interagency task force on illegal conversions and occupancies

Be it enacted by the Council as follows:

Section 1. Article 210 of chapter 2 of Title 28 of the administrative code of the city of New York is amended by adding a new section 28-210.5 to read as follows:

§ 28-210.5 *Illegal conversions and occupancies task force. a. For the purposes of this section, “illegal conversion” means a modification, alteration or otherwise unlawful action taken with regard to an existing building with the intent to create additional housing units without prior department approval.*

b. There shall be an interagency task force to facilitate cooperation on the issue of illegal conversions and occupancies. Such task force shall, at minimum, study and report on the forces contributing to the demand for illegally converted housing units and the prevalence of such illegal housing in the city, the effects such housing arrangements have on the health, safety and welfare of residents and landlords, and the enforcement of existing laws and regulations related to illegal conversions. The task force shall propose changes to the laws, rules, regulations and policies with regard to illegal conversions where appropriate.

c. The task force shall consist of the following members:

- 1. The director of the office of special enforcement, or their designee;*
- 2. The fire commissioner, or their designee;*
- 3. The commissioner of housing and preservation development, or their designee;*
- 4. The commissioner of buildings, or their designee;*
- 5. The commissioner of health and mental hygiene, or their designee;*
- 6. The director of city planning, or their designee;*
- 7. One member appointed by the public advocate; and*
- 8. Three members appointed by the speaker of the council.*

d. Unless otherwise determined by the mayor, the chair of such committee shall be the director of the office of special enforcement or such director’s designee.

e. The task force shall invite representatives from relevant city and state agencies, elected officials and advocacy organizations, as identified by the task force, to participate in the development of task force reports.

f. All members shall be appointed to the task force within 60 days of the effective date of the local law that added this section. The members shall serve without compensation, except that each member shall be allowed actual and necessary expenses to be audited in the same manner as other city expenses. Each member shall

serve for a term of two years to commence after the final member is appointed, and any vacancies shall be filled in the same manner as the original appointment.

g. Such task force shall meet at least five times a year and shall convene a public hearing in each of the five boroughs.

h. No later than 180 days after the effective date of the local law that added this section, and annually thereafter, the task force shall issue a report to the mayor and the council detailing its activities and recommendations, which shall be made publicly available on the city's website and the website of the council.

§ 2. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 670

By Council Members Holden, Joseph and Brewer.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the installation of cameras on street sweepers to photograph and report parking, stopping or standing violations

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-111.2 to read as follows:

§ 16-111.2 Cameras on street sweepers and parking violations. a. Definitions. For purposes of this section, the following terms have the following meanings:

Parking violation. The term "parking violation" means a violation for which a notice of liability is authorized to be issued to an operator of a motor vehicle for violation of any local law, rule or regulation provided for or regulating the parking, stopping or standing of a motor vehicle.

Street sweeper. The term "street sweeper" means a vehicle under the jurisdiction of the department that is equipped with a mechanical broom to clean a street.

b. Installation of cameras on street sweepers. The commissioner shall install cameras on all street sweepers and ensure such cameras are functioning during street cleaning operations. Such installation shall be completed within one year of the effective date of this section until all street sweepers are equipped with such cameras.

c. Photographing and reporting of parking violations. Starting one year after the effective date of this section, each street sweeper shall photograph parking violations and report such violations to the commissioner. The commissioner shall report such violations to the commissioner of finance and the police commissioner who may enforce such violations. Reports required by this subdivision shall include:

1. Two or more photographs, two or more microphotographs, a videotape or other recorded images of the vehicle at the time it is in violation a local law, rule or regulation provided for or regulating the parking, stopping or standing of a motor vehicle;

2. The date, time and location at which the photographs, microphotographs, videotape or other recorded images were taken;

3. The identification number or other reference of the camera, street sweeper and operator that recorded the violation; and

4. Any other information necessary and appropriate for the enforcement and adjudication of such violations.

d. Report. Not later than 180 days after the effective date of this section, and monthly thereafter, the commissioner, in consultation with the commissioner of finance and the police commissioner, shall submit a report on each unique parking violation photographed and reported as required by subdivision c of this section to the mayor and the speaker of the council and shall post such report on the department's website. Such report shall include, but not be limited to, a table in which each separate row references a unique parking violation

and shall include, but not be limited to, the following information about each such parking violation for the previous month, set forth in separate columns:

1. *The date of such violation;*
2. *The street and sanitation district where such violation occurred;*
3. *Whether such violation was enforced, and the date of such enforcement, if applicable; and*
4. *Any explanation as to why such violation was not enforced, if applicable.*

§ 2. This local law takes effect 180 days after it becomes law, except that the commissioner of sanitation, the commissioner of finance and 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 Sanitation and Solid Waste Management.

Int. No. 671

By Council Members Holden, Louis, Brewer and Farías.

A Local Law in relation to establishing a task force on vehicles registered out-of-state

Be it enacted by the Council as follows:

Section 1. Task force on vehicles registered out-of-state. a. The department of transportation shall establish an interagency task force to conduct a study on ways to address the issue of New York city residents who own motor vehicles registered out-of-state that are required to be registered in New York.

b. The task force shall consist of 5 members, as follows:

1. the commissioner of the department of transportation, or their designee, who shall serve as chair;
2. the commissioner of the police department, or their designee;
3. the commissioner of the department of finance, or their designee;
4. one member appointed by the mayor with relevant expertise in the area of vehicle and traffic violation enforcement; and
5. one member appointed by the speaker of the council.

c. The task force shall invite representatives from the New York state department of motor vehicles, the New York state department of transportation, and representatives of any other relevant state agency or state elected official, as identified by the task force, to participate in the development of the task force report pursuant to subdivision g of this section.

d. Members of the task force shall serve for a term of 1 year, to commence after the appointment of the final member of the task force. All members shall be appointed to the task force within 60 days of the enactment of this local law.

e. All members of the task force shall serve without compensation and shall meet, at a minimum, on a quarterly basis.

f. No member of the task force shall be removed except for cause and upon notice and hearing by the appropriate appointing official. In the event of a vacancy, a successor shall be appointed in the same manner as the original appointment to serve the balance of the unexpired term.

g. The task force shall issue and submit a report of its findings and recommendations to the mayor and the speaker of the city council no later than 12 months after the effective date of the local law that added this section. Such report shall include, but need not be limited to, the following information:

1. the number of motor vehicles owned by residents of New York city, disaggregated by the number that are registered in New York state and the number that are registered in any state other than New York;
2. the number of motor vehicles that have been issued citations for violation of the requirement that they be registered in New York state; and
3. recommendations on ways to increase compliance with the requirement that city residents register their motor vehicles in New York state.

h. The task force shall terminate upon the issuance of its final report.

§ 2. This local law takes effect immediately.

Referred to the Committee on Transportation and Infrastructure.

Preconsidered Int. No. 672

By Council Members Hudson, Lee, Schulman, Richardson Jordan, Brewer, Avilés, Menin, Louis, Dinowitz, Hanif, Sanchez, Restler, Velázquez, Barron, Stevens and Won.

A Local Law to amend the administrative code of the city of New York, in relation to culturally responsive and competent programming at older adult centers

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-210 to read as follows:

§ 21-210 *Diversity programming at older adult centers. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Older adult. The term “older adult” means a person sixty years of age and older.

Older adult center. The term “older adult center” means facilities operated by the city of New York or operated by an entity that has contracted with the department to provide services to senior citizens on a regular basis including, but not limited to meals, recreation and counseling.

b. The commissioner shall require each older adult center to conduct a survey of the languages spoken by older adults within a one-mile radius of such center every three years. The format and distribution of such survey shall be determined by the department.

c. The commissioner shall require each older adult center to develop and conduct specific programming for older adults in each language spoken by 20 percent or more of the older adults responding to the survey required by subdivision a of this section. Such programming shall be culturally responsive to the communities represented by each program. For purposes of this section, “culturally responsive” means including cultural and ethnic events relevant to linguistic communities.

§ 2. This local law shall take effect 120 days after enactment, except that the commissioner of the department for the aging may take all actions necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Aging (preconsidered but laid over by the Committee on Aging).

Preconsidered Int. No. 673

By Council Members Hudson, Richardson Jordan, Lee, Schulman, Brewer, Avilés, Menin, Louis, Dinowitz, Restler, Hanif, Farías, Sanchez, Velázquez, Barron, Stevens and Won.

A Local Law to amend the administrative code of the city of New York, in relation to promoting housing stability for seniors by entitling any person who is 60 years of age or older to full legal representation in eviction or termination of tenancy proceedings in housing court, expanding rental arrears assistance for persons 60 years of age or older and establishing a housing support program for persons 60 years of age or older who are at risk of eviction or foreclosure

Be it enacted by the Council as follows:

Section 1. The definition of the term “income-eligible individual” in section 26-1301 of the administrative code of the city of New York, as added by local law number 136 for the year 2017, is amended to read as follows:

Income-eligible individual. The term “income-eligible individual” means a covered individual *who is 60 years of age or older or whose annual gross household income is not in excess of 200 percent of the federal poverty guidelines as updated periodically in the federal register by the United States department of health and human services pursuant to subsection (2) of section 9902 of title 42 of the United States code.*

§ 2. Chapter 2 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-210 to read as follows:

§ 21-210 *Financial assistance for rental arrears. a. Subject to appropriation and any applicable requirements of the social services law, the department shall provide financial assistance for the purpose of paying rental arrears to persons 60 years of age or older who are ineligible to receive other forms of rental arrears assistance. Such assistance shall be given at the discretion of the commissioner upon consideration of need and other factors the commissioner determines are relevant to an applicant’s inability to pay rent.*

b. The commissioner shall make rules to carry out this section, which shall include, but need not be limited to, provisions establishing eligibility criteria for persons applying for financial assistance, whether and under what circumstances any financial assistance provided must be repaid, and any other terms and conditions of receiving financial assistance.

§ 3. Chapter 2 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-211 to read as follows:

§ 21-211 *Housing support. a. The department shall establish a housing support program for the purpose of helping persons 60 years of age or older who are at risk of eviction or foreclosure identify and access relevant aid and other support to remain in their residence.*

b. Such program shall provide case management services designed to provide situation-specific advice and support to each participating person. Such services shall be provided at no cost and, at minimum, include:

1. An intake session, which may be conducted at the participating person’s residence, for the purpose of identifying and assessing the factors contributing to such person’s risk of eviction or foreclosure, and how such factors could be addressed under relevant assistance, services or programs;

2. Referrals for assistance, services or programs that could address factors contributing to such person’s risk of eviction or foreclosure;

3. Assistance completing applications for financial assistance or enrollment in services or programs; and

4. Ongoing support to monitor such person’s risk of eviction or foreclosure, the effect of referred assistance, services or programs on reducing or eliminating such risk and any factors contributing to such risk that could be ameliorated with further advice and support.

c. In assessing a person’s risk for eviction or foreclosure to administer the program required in this section, the department shall consider any relevant factor, including, but not limited to, such person’s health status and whether other persons, including family members, also live in such person’s residence.

d. In administering the program required in this section, the department shall:

1. Maintain an online portal, accessible to program participants, for the purpose of tracking events and progress of individual cases and storing information relevant to each case;

2. Operate a help center, accessible to the public, for the purpose of providing in person assistance to persons seeking to enroll or enrolled in such program; and

3. Establish a phone number for the purpose of taking questions about the department’s housing support services and providing assistance to persons seeking to enroll or enrolled in such program.

e. The department shall conduct ongoing outreach and education to promote awareness of the program required in this section. Such outreach shall include, but not be limited to, an annual mailing to persons who may benefit from enrollment in such program or who may care for or serve such persons.

f. The department shall administer the program required in this section in accordance with section 23-1102.

§ 4. This local law takes effect immediately.

Referred to the Committee on Aging (preconsidered but laid over by the Committee on Aging).

Preconsidered Int. No. 674

By Council Members Hudson, Schulman, Lee, Richardson Jordan, Avilés, Menin, Louis, Dinowitz, Riley, Restler, Hanif, Sanchez, Velázquez, Barron, Stevens and Won.

A Local Law to amend the administrative code of the city of New York, in relation to requiring a know your rights pamphlet for older adults

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-210 to read as follows:

§ 21-210 *Older adults know your rights pamphlet. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Designated citywide languages. The term “designated citywide languages” means (i) the top six limited English proficiency languages spoken by the population of New York city as determined by the department of city planning and the office of the language services coordinator, based on United States census data; and (ii) the top four limited English proficiency languages spoken by the population served or likely to be served by the agencies of the city of New York as determined by the office of the language services coordinator, based on language access data collected by the department of education, excluding the languages designated based on United States census data.

Naturally occurring retirement community. The term “naturally occurring retirement community” means an apartment building, a housing complex or a housing development, as identified by the department, (i) that was not originally built for older adults, (ii) that is not restricted in admissions solely to older adults and (iii) where at least 2,500 older adults reside or at least 50 percent of the dwelling units are occupied by one or more older adults.

Older adult. The term “older adult” means an adult who is 60 years of age or older.

Relevant agencies. The term “relevant agencies” means the commission on human rights, the department of consumer and worker protection, the department of health and mental hygiene, the department of housing preservation and development, the department of parks and recreation, the department of social services, the department of youth and community development, the mayor’s office for people with disabilities, the mayor’s office of immigrant affairs and any other agency that the commissioner deems relevant.

b. Pamphlet. The commissioner, in consultation with relevant agencies and relevant community-based organizations, shall create and maintain a culturally appropriate pamphlet written in plain English to educate older adults about their rights in topics including, but not limited to, age discrimination, deed theft, digital resources, elder abuse, emergency preparedness and response, food security, health care and insurance, home care, housing accommodations, living wills and transportation. Such pamphlet shall (i) describe each such topic and the rights of older adults regarding such topic and (ii) provide the name, address, contact information and website of the relevant agency and the relevant community-based organization that an older adult may contact to obtain additional information to address such rights. The commissioner shall post, and update as necessary, such pamphlet on the department’s website and make it available in the designated citywide languages. Such pamphlet shall also be posted on the website of each relevant agency, the 311 citizen center website, and other city websites or platforms as appropriate.

c. Outreach. Beginning no later than 30 days after the commissioner publishes the pamphlet as required by subdivision b of this section, and continuing thereafter, the commissioner, in collaboration with relevant agencies and relevant community-based organizations, shall conduct culturally appropriate outreach on such pamphlet in the designated citywide languages. Such outreach shall include, but need not be limited to, the following:

1. Mailing such pamphlet to each older adult in the city who receives services from a relevant agency, to the extent feasible;

2. Conducting informational sessions on such pamphlet;

3. Providing such pamphlet to organizations and institutions in the city serving older adults, including, but not limited to, community centers, food pantries, medical facilities, naturally occurring retirement communities,

New York city housing authority buildings, relevant agencies, relevant community-based organizations and older adult centers; and

4. Conducting targeted outreach regarding such pamphlet to paid care workers and informal caregivers of older adults.

d. Report. Beginning no later than one year after the commissioner publishes the pamphlet as required by subdivision b of this section, and annually thereafter, the commissioner shall report on the department's outreach efforts as required by subdivision c of this section. The commissioner shall submit such report to the mayor and the speaker of the council and post such report on the department's website. The annual report shall include, but need not be limited to, the following information for the previous year:

- 1. The number of downloads of the pamphlet from the department's website;*
 - 2. The number of pamphlets mailed to older adults;*
 - 3. The number of informational sessions conducted on the pamphlet;*
 - 4. The number of pamphlets provided to organizations and institutions serving older adults;*
 - 5. The targeted outreach regarding the pamphlet to paid care workers and informal caregivers of older adults; and*
 - 6. Any recommendations to improve such outreach efforts.*
- § 2. This local law takes effect 60 days after it becomes law.

Referred to the Committee on Aging (preconsidered but laid over by the Committee on Aging).

Int. No. 675

By Council Members Hudson, Louis, Restler, Hanif, Brewer, Sanchez, Velázquez, Barron, Stevens, Avilés and Won (by request of the Manhattan Borough President).

A Local Law in relation to requiring the department of health and mental hygiene to create a telemedicine accessibility plan

Be it enacted by the Council as follows:

Section 1. Section 17-2001 of the administrative code of the city of New York, as added by local law number 107 for the year 2021, is amended to read as follows:

§ 17-2001 Definitions. For purposes of this chapter, the following terms have the following meanings:

Department. The term “department” means the department of health and mental hygiene or such other agency or entity as the mayor may designate.

Epic care link. The term “epic care link” means a web based application that connects organizations to their community affiliates and allows for referrals into the city's public health care system.

Primary care services. The term “primary care services” means medical services for which participants shall have a primary care physician or primary care practitioner, as such terms are defined in section 901 of the public health law, to help develop, direct and coordinate their plan and course of care and health management, including referrals for testing and specialty services and management of chronic conditions and diseases.

Patient navigator program. The term “patient navigator program” means a program which assists patients in accessing primary care and specialty services and in coordinating such care.

Portable monitoring device. The term “portable monitoring device” means portable equipment that is designed to measure vital signs, such as blood pressure, glucose level, pulse rate, or blood oxygen level, and display the value or transmit the value to a remote device, including but not limited to blood pressure monitors, glucometers, and pulse oximeters.

Telehealth device. The term “telehealth device” means an electronic device capable of audio and visual telecommunication between a patient and a health care professional, including but not limited to tablet devices, laptops, and similar portable devices.

Telemedicine service. The term “telemedicine service” means a system that allows health care professionals to evaluate, diagnose and treat patients using telecommunications technology.

Telepatient population. The term “telepatient population” means persons who would benefit from telemedicine services, or for whom regular in-person access to healthcare professionals is not reasonably feasible, including but not limited to elderly persons, persons with disabilities, and incarcerated persons.

§ 2. Chapter 20 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-2003 to read as follows:

§ 17-2003 *Telemedicine accessibility plan.* a. The department shall develop a telemedicine accessibility plan to improve the availability and accessibility of telemedicine services for the telepatient population. Such plan shall include, but need not be limited to, the following:

1. Providing or making available portable monitoring devices to telepatient populations.
2. Providing or making available needed telehealth devices to telepatient populations.
3. Conducting outreach to telepatient populations to provide information on telemedicine services.
4. Conducting outreach to health care professionals to improve the availability of telemedicine services and implement best practices for providing such services.

b. No later than one year after the effective date of this local law, and annually thereafter, the department shall submit to the mayor and the speaker of the council a report on its telemedicine plan, including the number and type of portable monitoring devices and telehealth devices it has provided or made available, and the location each portable monitoring device and telehealth device was provided to, or made available at, the report shall be disaggregated by the borough of each location, the type of portable monitoring device or telehealth device, and by any other factors that may be appropriate.

§ 3. This local law shall take effect immediately after it becomes law.

Referred to the Committee on Health.

Int. No. 676

By Council Members Hudson, Lee, Schulman, Richardson Jordan, Louis, Sanchez, Velázquez, Barron, Stevens, Avilés, Brewer and Won.

A Local Law to amend the administrative code of the city of New York, in relation to requiring a percentage of dwelling units receiving city financial assistance to be universal design units

Be it enacted by the Council as follows:

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

**CHAPTER 34
UNIVERSAL DESIGN UNITS**

§ 26-3401 *Definitions.* As used in this chapter, the following terms have the following meanings:

Age group. The term “age group” means the range of ages of the head of household residing in a universal design unit, as determined by the department.

City financial assistance. The term “city financial assistance” means any loans, grants, tax credits, tax exemptions, tax abatements, subsidies, mortgages, debt forgiveness or land conveyances for less than appraised value or other thing of value allocated, conveyed or expended by the city other than as-of-right assistance, tax abatements or benefits, including but not limited to, benefits approved in accordance with sections 421-a or 489 of the real property tax law, or any assistance provided to a developer for a housing development project or a housing preservation project, the amount of which is based on an evaluation of as-of-right assistance, tax abatement or benefits for which such developer would have been eligible.

Class A dwelling unit. The term “class A dwelling unit” means a dwelling unit in a class A multiple dwelling, as defined in section 4 of the multiple dwelling law.

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

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

Dwelling unit offered for rent. The term “dwelling unit offered for rent” means a class A dwelling unit that is (i) occupied on a rental basis or (ii) required pursuant to a regulatory agreement with a federal, state or local government agency to be offered for occupancy on a rental basis, regardless of whether such unit has been constructed.

Housing development project. The term “housing development project” means construction of any multiple dwelling of no less than 41 new dwelling units offered for rent, provided that such multiple dwelling (i) is subject to a regulatory agreement with a federal, state or local government agency and (ii) shall not include any rehabilitation of a multiple dwelling, any construction of any multiple dwelling that is owned by a limited-profit housing company organized pursuant to article 2 of the private housing finance law or any construction of any multiple dwelling located on HUD restricted land.

Housing preservation project. The term “housing preservation project” means rehabilitation or alteration of any multiple dwelling by a developer that preserves at least one dwelling unit offered for rent; provided that such multiple dwelling is (i) subject to a regulatory agreement with a federal, state or local government agency and (ii) shall not include any rehabilitation or alteration of any multiple dwelling that is owned by a limited-profit housing company organized pursuant to article 2 of the private housing finance law or that is located on HUD restricted land.

HUD restricted land. The term “HUD restricted land” means land that was subject to a declaration of trust or restrictive covenant in favor of the United States department of housing and urban development for the purpose of public housing.

Income group. The term “income group” means a group of households eligible to rent a dwelling unit, based on such household’s income and size, and includes extremely low-income, very low-income, low-income, moderate-income and middle-income income groups.

Receives. The term “receives” means the execution of a written instrument that sets forth the provision of city financial assistance to a developer.

Rehabilitation. The term “rehabilitation” means correction and restoration to a better condition, including, but not limited to, projects involving demolition of (i) a multiple dwelling, reconstruction of a multiple dwelling in place of the demolished multiple dwelling and provision to tenants of such demolished multiple dwelling an opportunity to occupy the reconstructed multiple dwelling and (ii) dwelling units in a multiple dwelling and reconstruction of new dwelling units in such multiple dwelling.

Universal design. The term “universal design” means the design of a dwelling unit that fits into the comprehensive design of such unit so that such unit is accessible to all individuals.

Universal design unit. The term “universal design unit” means a dwelling unit that incorporates the principles of universal design from the universal design list required by this chapter.

§ 26-3402 Universal design list. Not later than 30 days after the effective date of the local law that added this chapter, the department, in consultation with the mayor’s office for people with disabilities and the department for the aging, shall develop a list of the principles of universal design that a developer, at a minimum, shall incorporate in a universal design unit. Such list shall include, but not be limited to, bright lighting throughout such unit, easy-to-open doors with door levers instead of door knobs, grab bars in bathrooms, non-slip walking surfaces, stepless entryways and wide interior doors and hallways.

§ 26-3403 Universal design units. The department shall require that any developer who receives city financial assistance incorporates universal design units in at least 10 percent of the dwelling units offered for rent in a housing development project or a housing preservation project. Such universal design units shall be distributed throughout each such project so there is at least one such unit available in each bedroom size and among each income group in each such project, if applicable. Such universal design units shall be located on the ground floor or the lower levels of each such project without an elevator and distributed throughout each such project with an elevator.

2. The provisions of this section shall not apply to any written agreement between a city agency or a city economic development entity and a covered developer providing for financial assistance executed prior to the enactment of the local law that added this chapter, except that extension, renewal, amendment or modification

of such written agreement, occurring on or after the enactment of the local law that added this chapter that results in the grant of any additional financial assistance to the financial assistance recipient shall make the project subject to the conditions specified in this section.

3. The department may promulgate such rules as may be necessary to carry out the purposes of this section.

§ 26-3404 Report required. No more than one year after the effective date of the local law that added this chapter, and annually thereafter, the department shall issue a report on the universal design units pursuant to this chapter, which the department shall submit to the mayor and the speaker of the council and post on the department's website. Such annual reports shall include, but need not be limited to, the following:

1. The principles of universal design that the department included on the list required by this chapter and an explanation as to why the department included such principles;

2. Whether each developer who received city financial assistance incorporated universal design units in at least 10 percent of the dwelling units offered for rent in a housing development project or a housing preservation project;

3. The following information for each housing development project constructed that year in which a developer received city financial assistance:

(a) The name of such project;

(b) The address and the borough-block-lot of such project;

(c) The total number of dwelling units in such project;

(d) The number of floors, the bedroom sizes and the income groups available in each such project; and

(e) The total number of such dwelling units that are universal design units;

4. The following information for each housing preservation project preserved that year in which a developer received city financial assistance:

(a) The name of such project;

(b) The address and the borough-block-lot of such project;

(c) The total number of dwelling units in such project;

(d) The number of floors, the bedroom sizes and the income groups available in each such project; and

(e) The total number of such dwelling units that are universal design units; and

5. The following anonymized information about each universal design unit constructed or preserved that year:

(a) The name of the housing development project or housing preservation project that such unit is located in;

(b) The floor on which such unit is located;

(c) The bedroom size of such unit; and

(d) The age group and income group of the head of household residing in such unit.

§ 2. This local law takes effect 240 days after it becomes law, except that the commissioner of housing preservation and development shall take such measures as are necessary for the implementation of this local law, including the promulgation of any rules, before such date.

Referred to the Committee on Housing and Buildings.

Int. No. 677

By Council Members Joseph, Louis, Restler and Won.

A Local Law to amend the administrative code of the city of New York, in relation to health insurance for city employees

Be it enacted by the Council as follows:

Section 1. Section 12-126.3 of the administrative code of the city of New York, as added by local law number 4 for the year 2000, is redesignated section 12-126.4.

§ 2. Chapter 1 of title 12 of the administrative code of the city of New York is amended by adding a new section 12-126.5 to read as follows:

§ 12-126.5 *Continuation of health insurance for city employees. a. Definitions. As used in this section, the following terms have the following meanings:*

Agency. The term “agency” means a city, county, borough or other office, position, administration, department, division, bureau, board or commission, or a corporation, institution or agency of government, the expenses of which are paid in whole or in part from the city treasury.

City employee. The term “city employee” means a person who is employed by an agency and paid from the city treasury.

b. Health insurance coverage. Each agency shall make best efforts to expedite all processes related to providing and continuing health insurance coverage for city employees who transfer employment from one agency to another, in order to prevent any lapses in health insurance coverage during such transfer of employment.

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

Referred to the Committee on Civil Service and Labor.

Int. No. 678

By Council Members Joseph, Louis, Restler, Hanif, Hudson and Brewer (by request of the Brooklyn Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to notification of intent to alter or demolish certain rent regulated housing accommodations

Be it enacted by the Council as follows:

Section 1. Article 104 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-104.8.1.1 to read as follows:

§28-104.8.1.1 Notification to appropriate community board and council member. *Within ten business days after receiving an application containing a statement described by item 3 of section 28-104.8.2, the department shall notify in writing the community board of the community district in which the site of the building to be altered or demolished is located and the council member in whose district such site is located.*

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

Referred to the Committee on Housing and Buildings.

Int. No. 679

By Council Members Joseph, Mealy, Louis, Restler, Hanif, Hudson, Sanchez and Won.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the installation of traffic calming devices adjacent to senior centers and naturally occurring retirement communities.

Be it enacted by the council as follows:

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

§ 19-183.1 Installation of traffic calming devices on streets adjacent to senior centers and naturally occurring retirement communities. a. Definitions. For the purposes of this section:

Senior center. The term “senior center” has the same meaning as in section 21-201 of this code.

Naturally occurring retirement community. The term “naturally occurring retirement community” means an apartment building, housing complex, or housing development (i) not originally built for senior citizens; (ii) not restricted in admissions solely to the elderly; and (iii) with an occupant who is a senior citizen in at least fifty percent of the units or with at least two thousand five hundred residents who are senior citizens.

b. The commissioner shall annually install at least one traffic calming device on not less than fifty block segments that are adjacent to a senior center or naturally occurring retirement community, as determined by the commissioner in consultation with the department for the aging.

c. After evaluating areas adjacent to every senior center and naturally occurring retirement community in the city for the installation of traffic calming devices pursuant to subdivision b of this section, the commissioner may, consistent with subdivision d of this section, determine not to install any further traffic calming devices and shall inform the speaker of the council in writing of such determination and the reasons therefore; provided, however, that the commissioner shall evaluate the need to install one or more traffic calming devices on roadways adjacent to any senior center or naturally occurring retirement community created after such determination. The commissioner shall provide to the council, on or before August 1, 2023, and annually thereafter, a report detailing the locations at which such devices have been placed.

d. The commissioner may decline to install any traffic calming device that is otherwise required by this section if such installation would, in the commissioner’s judgment, endanger the safety of motorists or pedestrians or not be consistent with the department’s guidelines regarding the installation of traffic calming devices.

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

Referred to the Committee on Transportation and Infrastructure.

Int. No. 680

By Council Members Krishnan, Louis, Yeger, Riley, Restler, Hanif, Hudson, Ung and Won.

A Local Law in relation to a survey to determine the feasibility of creating micro parks and green spaces on vacant city owned land near dead ends and highway entrance and exit ramps

Be it enacted by the Council as follows:

Section 1. The department of transportation, in conjunction with the department of environmental protection and the department of parks and recreation shall identify locations that are suitable for the planting of trees or other vegetation, for the purpose of establishing bioswales, micro parks or other green spaces, by conducting a survey of: streets with dead ends located in residential zones in each borough; parcels of vacant land owned by the city in proximity to such streets; and land that abuts highway entrances and exits. Such survey shall be submitted to the mayor and speaker of the council no later than July 1, 2023 and include but not be limited to the following information:

1. The location of each street containing a dead end or terminating in proximity to a vacant lot owned by the city;
2. An analysis on the condition of each such dead end or vacant lot and the feasibility of whether such dead end or vacant lot can be converted into a bioswale, micro park or other green space that would support the planting of trees or other vegetation;
3. For each such dead end or vacant lot that the survey found to be suitable for conversion into a bioswale, micro park or other green space, a plan to convert such dead end or vacant lot and a description of the cost of

such plan, provided that such plan provides for the conversion of each suitable dead end and vacant lot owned by the city no later than July 1, 2027.

4. The locations of any area abutting highway entrance and exit ramps under the jurisdiction of the department of transportation that currently has no trees or other vegetation planted and an analysis of whether each such highway entrance and exit ramp is suitable for the planting of trees or other vegetation and;

5. For each such highway entrance and exit ramp that the survey found to be suitable for planting of trees or other vegetation, a plan to conduct such planting on each such highway entrance and exit ramp and a description of the cost of such plan, provided that such plan provides for the planting of trees or other vegetation on each suitable highway entrance and exit ramp no later than July 1, 2027.

§ 2. This local law takes effect immediately.

Referred to the Committee on Parks and Recreation.

Int. No. 681

By Council Members Lee, Powers, Gennaro, Louis, Riley, Hudson, Brewer, Ung, Sanchez, Hanif, Williams, Cabán and Won.

A Local Law to amend the administrative code of the city of New York, in relation to workforce development for persons with disabilities

Be it enacted by the Council as follows:

Section 1. Title 22 of the administrative code of the city of New York is amended by adding a new chapter 13 to read as follows:

CHAPTER 13
WORKFORCE DEVELOPMENT FOR PERSONS WITH DISABILITIES

§ 22-1301 Definitions. For purposes of this chapter, the following terms have the following meanings:

Commissioner. The term “commissioner” means the commissioner of small business services.

Department. The term “department” means the department of small business services.

Mayor’s office for persons with disabilities. The term “mayor’s office for persons with disabilities” means the office established under executive order number 17 for the year 1990 or any successor office or agency that carries out the same or substantially similar functions.

§ 22-1302 Workforce development program. a. The department and the mayor’s office for persons with disabilities shall collaborate to administer a workforce development program for persons with disabilities.

b. Such program shall be designed to facilitate employment for persons with disabilities in all sectors of employment.

c. In administering such program, the department and the mayor’s office for persons with disabilities shall:

1. Maintain an online portal accessible to persons with disabilities who seek employment and employers for the purpose of connecting such persons with employment opportunities;

2. Create and make publicly available a list of employers participating in the program described by this chapter;

3. Create and make publicly available resources for persons with disabilities to support such persons throughout the job search process and after they have obtained employment, including guidance on writing resumes and cover letters, doing interviews, making disclosures and communicating with prospective employers about the terms and conditions of employment;

4. Work individually with persons with disabilities to offer tailored guidance and support before and after such persons obtain employment;

5. Coordinate with other programs and services that offer support to persons with disabilities who seek employment and educate such persons about such other programs and services;
6. Create and make publicly available resources for employers to facilitate employment of persons with disabilities, including guidance on making accommodations and material support;
7. At the request of employers, conduct informational sessions on accommodating persons with disabilities in the workplace;
8. Provide direct support to employers who seek information and resources on making accommodations for persons with disabilities in the workplace; and
9. Perform any other function or offer any other service within the power of the department or the mayor's office for persons with disabilities that in the determination of the commissioner will advance the purpose of this chapter.

§ 22-1303 Public awareness campaign. a. The department and the mayor's office for persons with disabilities shall collaborate to carry out a public awareness campaign designed to target potential employers of persons with disabilities, make such employers aware of the opportunity to employ persons with disabilities and educate such employers on the resources available to facilitate employment of persons with disabilities, including the program required in section 22-1302.

b. Such campaign shall begin no later than six months after the effective date of the local law that added this chapter, and shall continue for no less than one year or for such longer duration as the commissioner determines will further the goals of the campaign and promote employment of persons with disabilities in all sectors of employment.

§ 2. This local law takes effect immediately.

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

Int. No. 682

By Council Members Lee, Louis, Riley, Hanif, Hudson, Sanchez, Williams, Cabán and Won.

A Local Law in relation to requiring the mayor's office for people with disabilities to collect from each New York city office, department or agency a comprehensive five-year accessibility plan

Be it enacted by the Council as follows:

Section 1. a. Five-year accessibility plan. The mayor's office for people with disabilities, or another agency or office designated by the mayor, shall collect a five-year accessibility plan from each department, office and agency of the city of New York. Such plan shall include, at a minimum:

1. The steps the department, office or agency is currently taking and will be taking over the next five years to ensure that the office, department or agency's workplace, services, programs and activities are accessible to and accommodating of persons with disabilities; and

2. Budgetary allocations, prioritizations and timelines for implementation over the next five years of capital projects that are related to improving access for persons with disabilities, including, but not limited to: any alterations or structural changes to facilities or premises that are owned and operated by the office, department or agency or contracted for use by the office, department or agency or otherwise under the office, department or agency's jurisdiction; any planned upgrades or investments in technology or tools that will improve accessibility within the office, department or agency or access to such office, department or agency's services and programs; and any other steps the office, department or agency is taking or plans to take to improve compliance with federal, state and local disability laws.

b. Input from stakeholders. In collecting five-year accessibility plans from each office, department or agency, the mayor's office for people with disabilities, or another agency or office designated by the mayor, shall ensure that stakeholders, community-based organizations, providers and all other appropriate individuals or entities have an adequate opportunity to provide input on the content to be included in each five-year accessibility plan.

c. Website. No later than July 31, 2023, the mayor's office for people with disabilities shall post online and submit to the mayor and the speaker of the council all collected five-year accessibility plans from each office, department or agency. If any office, department or agency fails to create a plan, the mayor's office for people with disabilities shall create and submit a plan on the office, department or agency's behalf.

§ 2. Effective date. This local law takes effect immediately and is deemed repealed 180 days after the accessibility plans described by this local law are posted online.

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

Int. No. 683

By Council Members Marte, Louis, Ayala, Cabán, Hudson, Barron and Velázquez.

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

Be it enacted by the Council as follows:

Section 1. Chapter 33 of title 26 of the administrative code of the city of New York, as added by local law number 169 for the year 2021, is redesignated chapter 34 of such title, and sections 26-3301 and 26-3302 are redesignated 26-3401 and 26-3402, respectively.

§ 2. Title 26 of the administrative code of the city of New York is amended by adding a new chapter 35 to read as follows:

*CHAPTER 35
INFORMATION ON AFFORDABLE HOUSING UNITS*

§ 26-3501 Definitions. As used in this section, the term "affordable housing unit" has the same meaning ascribed to such term in section 26-2201.

§ 26-3502 Affordable housing units. The commissioner of buildings shall require applicants applying to perform proposed work or alterations to a building to indicate on the department of buildings' PW1 application form, and any other application form required for proposed work or alterations, the following information:

- a. The total number of affordable housing units in the building;*
- b. The total number of additional affordable housing units that will be constructed as part of the proposed work or alteration, if any; and*
- c. The income eligibility criteria for each affordable housing unit in the building and each additional affordable housing unit that will be constructed, if any.*

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

Referred to the Committee on Housing and Buildings.

Int. No. 684

By Council Members Menin, Avilés, Louis, Nurse, Restler, Hanif, Hudson, Joseph, Ung, Marte, Velázquez, De La Rosa, Holden, Farías, Williams, Cabán, Powers, Narcisse, Bottcher, Schulman, Richardson Jordan, Ayala and Won.

A Local Law to amend the administrative code of the city of New York, in relation to increasing civil penalties for idling infractions by trucks and buses

Be it enacted by the Council as follows:

Section 1. Section 24-104 of the administrative code of the city of New York, as amended by local law number 119 for the year 2016, is amended by adding new definitions of “bus” and “truck” in alphabetical order to read as follows:

Bus. The term “bus” has the same meaning as set forth in section 4-01 of title 34 of the rules of the city of New York.

Truck. The term “truck” has the same meaning as set forth in section 4-01 of title 34 of the rules of the city of New York.

§ 2. Subdivision a of section 24-163 of the administrative code of the city of New York, as amended by local law number 58 for the year 2018, is amended to read as follows:

(a) No person shall cause or permit the engine of a motor vehicle, *including a bus or truck*, other than a legally authorized emergency motor vehicle, to idle for longer than three minutes, except as provided in subdivision (f) of this section, while parking as defined in section one hundred twenty-nine of the vehicle and traffic law, standing as defined in section one hundred forty-five of the vehicle and traffic law, or stopping as defined in section one hundred forty-seven of the vehicle and traffic law, unless the engine is used to operate a loading, unloading or processing device. When the ambient temperature is in excess of forty degrees Fahrenheit, no person shall cause or permit the engine of a bus as defined in section one hundred four of the vehicle and traffic law to idle while parking, standing, or stopping (as defined above) at any terminal point, whether or not enclosed, along an established route.

(1) A person operating a bus or truck in violation of this subdivision shall receive a civil penalty of not less than \$1,000 nor more than \$2,000 for the first violation.

(2) A person operating a bus or truck in violation of this subdivision shall receive a civil penalty of not less than \$2,000 nor more than \$4,000 for the second violation.

(3) A person operating a bus or truck in violation of this subdivision shall receive a civil penalty of not less than \$3,000 nor more than \$6,000 for the third and subsequent violations.

§ 3. The line beginning 24-163 in the table of civil penalties following subparagraph (i) of paragraph (3) of subdivision (a) of section 24-178 of the administrative code of the city of New York, as amended by local law 154 for the year 2021, is amended and three new rows, 24-163(a)(1), 24-163(a)(2), and 24-163(a)(3), are added to read as follows:

[24-163] 24-163(a)	\$350	\$2,000
24-163(a)(1)	\$1,000	\$2,000
24-163(a)(2)	\$2,000	\$4,000
24-163(a)(3)	\$3,000	\$6,000

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

Referred to the Committee on Environmental Protection.

Int. No. 685

By Council Members Menin, Gutiérrez, Stevens, Schulman, Marte, Feliz, Hanks, Salamanca, Lee, Ossé, Ung, Dinowitz, the Public Advocate (Mr. Williams), Louis, Riley, Restler, Hudson, Brewer, Sanchez and Won.

A Local Law to amend the New York city charter, in relation to establishing an office of small business digitalization and technical amendments in relation thereto

Be it enacted by the Council as follows:

Section 1. Section 20-m of chapter 1 of the New York city charter, as added by local law number 164 for the year 2021, is renumbered section 20-o.

§ 2. Chapter 1 of the New York city charter is amended by adding a new section 20-p to read as follows:

§ 20-p. *Office of small business digitalization. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Designated citywide languages. The term “designated citywide languages” means (i) the top six limited English proficiency languages spoken by the population of New York city as determined by the department of city planning and the office of the language services coordinator, based on United States census data; and (ii) the top four limited English proficiency languages spoken by the population served or likely to be served by the agencies of the city of New York as determined by the office of the language services coordinator, based on language access data collected by the department of education, excluding the languages designated based on United States census data.

Digitalization. The term “digitalization” means the process of moving towards a digital business, including, but not limited to, developing a digital presence and using digital technologies to update a business model and obtain new opportunities and revenue.

Director. The term “director” means the director of the office of small business digitalization.

Office. The term “office” means the office of small business digitalization.

b. Office established. The mayor shall establish an office of small business digitalization to coordinate and facilitate the digitalization of small businesses in the city. Such office may be established within the executive office of the mayor or as a separate office or within any other agency or office the head of which is appointed by the mayor. Such office shall be headed by a director, who shall be appointed by the mayor or by the head of such other agency or office.

c. Powers and duties of director. The director shall have the power and duty to:

1. Promote the digitalization of small businesses, including, but not limited to, developing and implementing culturally appropriate programs and policies regarding digitalization;

2. Provide culturally responsive technical assistance and mentoring to small business owners regarding digitalization on topics, including, but not limited to, creating websites, developing effective online practices and understanding digital privacy issues;

3. Develop and implement a culturally appropriate small business digitalization plan, which shall do the following:

(a) Outline a path to digitalization for small businesses;

(b) Assess the challenges small businesses face and the assistance small businesses need to digitalize; and

(c) Develop and monitor a set of metrics to assess the digitalization of small businesses;

4. Conduct outreach regarding the digitalization of small businesses in the designated citywide languages to limited English proficiency small business owners;

5. Assess programs and policies regarding the digitalization of small businesses adopted in the city and in other jurisdictions;

6. Advise the mayor on the digitalization of small businesses, including, but not limited to, the office’s efforts and progress on the small business digitalization plan as required by paragraph 3 of this subdivision; and

7. Consult with relevant agencies and stakeholders in carrying out the powers and duties set forth in this subdivision.

d. Reports. No later than one year after the effective date of this section, and annually thereafter, the director shall submit a report regarding the office as established by subdivision b of this section to the mayor and the

speaker of the council and post such report on the office's website. Such reports shall summarize the activities of the office and assess the digitalization of small businesses. The annual report shall include, but not be limited to, the following information for the previous year:

1. A summary of the office's efforts to promote the digitalization of small businesses;
 2. A description of the technical assistance and mentoring the office provided to small business owners regarding digitalization;
 3. An update on the small business digitalization plan as required by paragraph 3 of subdivision c of this section; and
 4. A summary of any new programs or policies implemented by the office to help small businesses digitalize.
- § 3. This local law takes effect 180 days after it becomes law.

Referred to the Committee on Small Business.

Int. No. 686

By Council Members Menin, Stevens, Louis, Riley, Restler, Hudson, Ung, Farías and Sanchez.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to the expansion of the youth employment program and establish public-private partnerships for youth employment

Be it enacted by the Council as follows:

Section 1. Chapter 56 of the New York city charter is amended by adding a new section 1309 to read as follows:

§ 1309. *Summer youth employment. a. Definitions. For the purposes of this section the following terms have the following meanings:*

Eligible youth. The term "eligible youth" means an individual from the ages of 14 to 24 who resides within New York City.

Sponsoring organization. The term "sponsoring organization" means a community-based organization or local private business entity selected by the commissioner to employ or facilitate summer youth employment program participants.

Summer youth employment program. The term "summer youth employment program" means the employment program administered by the department, in conjunction with the department of youth and community development, to provide eligible youth with opportunities for paid summer employment.

b. The department shall:

1. Annually coordinate and administer a summer youth employment program at sponsoring organizations, in consultation with the department of youth and community development.

2. Develop and administer a year-long mentorship program for summer youth employment program participants. Such program shall include a plan to increase the number of paid summer employment opportunities offered by sponsoring organizations for the summer youth employment program.

c. On or before September 30, 2023, and annually thereafter, the commissioner, in consultation with the commissioner of youth and community development, shall submit to the mayor and the speaker of the council an annual report regarding the implementation of the youth employment program. Such report shall include the following information:

- 1. The number of positions created by the program each year;*
- 2. The number of positions created since the program began;*
- 3. How the program is being implemented in each sector; and*
- 4. Recommendations on how to grow the program, including whether any previous recommendations were implemented.*

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

§ 21-414 Summer youth employment. a. Definitions. For the purposes of this section the following terms have the following meanings:

Eligible youth. The term “eligible youth” means an individual from the ages of 14 to 24 who resides within New York City.

Summer youth agency employment program. The term “summer youth agency employment program” means the employment program administered by the department of youth and community development to provide eligible youth with opportunities for paid summer employment at agencies.

b. The department shall:

1. Annually coordinate and administer the summer youth agency employment program.

2. Coordinate with all agencies to annually set aside a certain number of summer youth employment opportunities for participants in the summer youth agency employment program. The number of positions shall be proportionate to the total number of full and part-time employees of each agency.

3. Develop and administer a year-long mentorship program for summer youth agency employment program participants. Such program shall include a plan to increase the number of paid summer employment opportunities offered by all appropriate agencies for the summer youth agency employment program.

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

Referred to the Committee on Small Business.

Res. No. 313

Resolution calling on the United States Congress to Pass, and the President to sign, H.R. 8152, the “American Data Privacy and Protection Act,” which would limit the personally identifiable data that companies can collect, and give consumers expanded control over their own data.

By Council Members Menin, Gutiérrez, Hudson, Joseph, Brewer and Sanchez.

Whereas, In the wake of the Supreme Court’s decision in *Dobbs v. Jackson Women’s Health Organization* reproductive rights are under attack in the United States; and

Whereas, Many states are seeking to criminalize women seeking abortions; and

Whereas, New York State and City law protects access to reproductive care for all of its residents; and

Whereas, The internet is an essential tool for individuals seeking reproductive healthcare, whether it is using a search engine to find a practitioner or using an online system to make an appointment with a healthcare provider; and

Whereas, An investigation by *The Wall Street Journal* found, and the New York State Attorney General later confirmed, that certain websites including Facebook are collecting personal reproductive health data without the user’s knowledge or approval, and

Whereas, Some of the websites that collect personal healthcare data include password protected hospital appointment portals; and

Whereas, This personal reproductive health information may be shared with third parties without the user’s consent or approval; and

Whereas, This personal health data is being made available to anti-abortion groups; and

Whereas, Anti-abortion groups are using this personal reproductive health data to deliver targeted information aimed at deterring individuals from obtaining abortion; and

Whereas, Anti-abortion groups have frequently spread false and misleading information about abortion, contraception and other reproductive health topics to deter women from obtaining abortions; and

Whereas, Personal reproductive health information should remain personal between a patient and her doctor; and

Whereas, H.R. 8152 would prevent the collection of personal health data except under certain specific circumstances; and

Whereas, H.R. 8152 would require users to give their affirmative consent for their data to be shared with a third party and allow them to withdraw the consent once given; now, therefore, be it

Resolved, That the Council of the City of New York calls on the United State Congress to pass, and the President to sign, H.R. 8152, the “American Data Privacy and Protection Act,” which would limit the personally identifiable data that companies can collect, and give consumers expanded control over their own data.

Referred to the Committee on Consumer and Worker Protection.

Res. No. 314

Resolution calling on the New York State Governor to sign A.7661/S.6655A, an act to amend the social services law, providing that public welfare officials shall not be required to limit authorized child care services strictly based on the work, training, or educational schedule of the parents

By Council Members Menin, Cabán, Louis, Riley, Restler, Hudson and Sanchez.

Whereas, Equitable access to affordable, high quality child care and early learning can be life changing for the youngest New Yorkers, equipping them with a strong foundation for life; and

Whereas, Studies of at-risk children found that, by the age of 40, children who had received high quality early child care experienced fewer arrests, less drug abuse, higher earnings, more home ownership and greater educational achievement than a group of similarly situated children who did not receive high quality early care, according to the Center for American Progress; and

Whereas, In addition to the positive long-term impacts that high-quality child care have on children, early child care programs provide important benefits to working parents; and

Whereas, With access to affordable, quality child care options, families can pursue employment and educational opportunities that contribute to family stability and financial security, according to the Alliance for Quality Education; and

Whereas, While access to child care has long been an issue for New York’s working families, the COVID-19 pandemic and the economic crisis it caused have illustrated how essential child care is and shined a light on the devastating impact the lack of child care has on families and our economy; and

Whereas, Current New York law only allows social service districts to provide child care to those receiving public assistance when a parent is unable to provide care and supervision during a substantial part of the day, and limits care to the hours the parent is at work, in an educational or vocational activity, or seeking employment or housing; and

Whereas, Federal Child Care and Development Fund regulations (45 CFR 98.21(g)), state that the hours of child care are not required to be limited based strictly on the work, training, or educational schedule of the parent or the number of hours the parent spends in work, training or educational activities; and

Whereas, A.7661/S.6655A, sponsored by Senator Jabari Brisport and Assembly Member Andrew Hevesi, would amend the social services law to give counties the option to decouple child care subsidies from the exact hours a caregiver is working or engaged in an approved training, educational or other activity; and

Whereas, This legislation, which has passed in both the New York State Assembly and Senate, would help low-income families receiving public assistance who are working part time, have rotating schedules, have seen their work hours involuntarily reduced due to the economic impacts of the pandemic or who are participating in educational and vocational activities benefit from child care; and

Whereas, According to New York State of Politics, in NYC alone it is estimated that 12,000 families could benefit from this law; and

Whereas, Supporting parents and other caregiver’s ability to participate in the workforce, coursework, job training or workforce development while taking care of their children should be a fundamental right; now, therefore, be it

Resolved that the Council of the City of New York calls on the New York State Governor to sign A.7661/S.6655A, an act to amend the social services law, providing that public welfare officials shall not be required to limit authorized child care services strictly based on the work, training, or educational schedule of the parents.

Referred to the Committee on General Welfare.

Int. No. 687

By Council Members Powers, Schulman, Narcisse, Ung, Brooks-Powers, Ayala, Hudson, Brewer, Abreu, De La Rosa, Velázquez, Bottcher, Menin, Holden, Restler, Gutiérrez, Brannan, Riley Lee, Gennaro, Louis, Nurse, Joseph, Sanchez, Williams, Marte, Cabán, Krishnan, Hanks and Barron (by request of Manhattan Borough President)

A Local Law to amend the administrative code of the city of New York, in relation to requiring added sugar notifications for menu items in chain restaurants

Be it enacted by the Council as follows:

Section 1. Section 17-199.18 of the administrative code of the city of New York, as added by local law number 33 for the year 2022, is amended to read as follows:

§ 17-199.18 Added sugar notifications. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Added sugars. The term “added sugars” has the same meaning as used in title 21, section 101.9 (c)(6)(iii) of the code of federal regulations, or any successor regulations.

Chain menu developer. The term “chain menu developer” means the person that owns and licenses the brand name under which the covered establishment does business, or any other person responsible for determining the formula or recipe for items displayed on the menu of a covered establishment.

Covered establishment. The term “covered establishment” means any food service establishment inspected pursuant to the restaurant grading program established pursuant to subdivision a of section 81.51 of the New York city health code that is part of a chain with 15 or more locations doing business under the same name and offering for sale substantially the same food items.

Daily value. The term “daily value” means the daily reference value established in title 21, section 101.9 (c)(9) of the code of federal regulations, or any successor regulations.

Food service establishment. The term “food service establishment” has the same meaning as in section 81.03 of the New York city health code.

Icon. The term “icon” means a graphic or illustrated image, with or without accompanying text.

Menu or menu board. The term “menu or menu board” has the same meaning as in section 81.49 of the New York city health code.

Menu item. The term “menu item” means any food item, including a prepackaged food item, listed on a menu or menu board.

Prepackaged food item. The term “prepackaged food item” means a food item that is packaged by the manufacturer and required to have a nutrition facts label pursuant to title 21, part 101 of the code of federal regulations, or any successor regulations.

Prepackaged item on display. The term “prepackaged item on display” means a prepackaged food item that is visible to the customer before the customer makes a selection.

b. Warning statement. [The] *No later than one year after the effective date of the local law that last amended this subdivision, the department shall issue a rule designating an icon to be displayed in a clear and conspicuous manner [on] (i) on_menus or menu boards adjacent to the [listed prepackaged food items] menu items and (ii) on or near_prepackaged [food] items on display, that exceed a specified level of added sugars, including, but not limited to, 100 percent or more of the daily value for added sugars, as determined by the federal food and drug*

administration, or exceed another amount specified in rules of the department. Such rule shall also provide a factual warning statement about high added sugars intake.

c. No later than one year after the department issues the rule required pursuant to subdivision b of this section, a covered establishment that offers one or more [prepackaged food] *menu* items or prepackaged items on display *that qualify for an icon pursuant to subdivision b* shall, in accordance with rules promulgated by the department:

1. Post a clearly visible icon on or near the prepackaged item on display;
2. Post a clearly visible icon on the menu or menu board next to the [prepackaged food] *menu* item wherever such item appears *on the menu*; and
3. Post the factual warning statement required pursuant to subdivision b of this section prominently and conspicuously at the point of purchase *for such items and, for self-serve items dispensed directly to the consumer, at the dispensing point.*

d. Any covered establishment that violates any of the provisions of this section shall be liable for a civil penalty of not less than \$200 nor more than \$500 for a violation thereof.

e. No later than three months after the department issues the rule required by subdivision b of this section, the department shall conduct public outreach to educate covered establishments about the requirements of this local law.

f. Nothing in this local law prohibits the department from requiring an icon or warning statement regarding additional foods, ingredients, or nutrients of concern.

g. Reporting Requirement. Once every 90 days, the chain menu developer shall report to the department the amount of added sugars and sodium in each menu item offered for sale in a covered establishment, or that no changes to the menu information have been made since the last report.

§ 2. This local law takes effect on the same date that local law number 33 for the year 2022 takes effect.

Referred to the Committee on Health.

Preconsidered Res. No. 315

RESOLUTION APPROVING A TECHNICAL CORRECTION TO RESOLUTION NUMBER 265-2022 RELATED TO THE APPOINTMENT BY THE MAYOR OF RASMIA KIRMANI-FRYE AS A MEMBER OF THE NEW YORK CITY PLANNING COMMISSION.

By Council Member Powers.

WHEREAS, pursuant to Section 192 of the New York City Charter, the Mayor filed with the Council on June 13, 2022, his letter dated June 13, 2022 (the “Letter”), nominating Rasmia Kirmani-Frye (the “Nominee”) as a member of the City Planning Commission to serve the remainder of a five-year term (the “Term”) expiring on June 30, 2024 (the “Nomination”);

WHEREAS, Pursuant to Section 31 of the New York City Charter, the Council held a public hearing on the Nomination on July 14, 2022;

WHEREAS, on July 14, 2022, the Council adopted Resolution Number 265-2022, confirming the appointment of the Nominee (the “Resolution”);

WHEREAS, the Nominee was appointed to succeed City Planning Commission Member Larisa Ortiz;

WHEREAS, the 5-year term of City Planning Commission Member Larisa Ortiz expired on June 30, 2022;

WHEREAS, pursuant to Section 192 of the New York City Charter, the next five-year term begins on the date following the expiration date of the preceding term.

WHEREAS, a five-year term beginning on July 1, 2022, expires on June 30, 2027;

WHEREAS, by letter dated July 29, 2022, the Mayor corrected the term of the Nomination, providing that the expiration of the Nominee's term is June 30, 2027; and

WHEREAS, the Resolution erroneously states that the Term expires on June 30, 2024

NOW THEREFORE BE IT

RESOLVED, that Resolution Number 265-2022 is amended to read as follows:

RESOLVED pursuant to § 192 of the *New York City Charter*, the Council does hereby approve the appointment by the Mayor of Rasmia Kirmani-Frye as a member of the New York City Planning Commission to serve for the remainder of a five-year term that will expire on June 30, [2024] 2027.

Adopted by the Council (preconsidered and approved by the Committee on Rules, Privileges and Elections).

Res. No. 316

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation that would expand the Senior Citizen Rent Increase Exemption (SCRIE) program and Disability Rent Increase Exemption (DRIE) program to New York City tenants who reside in market rate units.

By Council Members Powers, Louis, Bottcher, Restler, Hanif, Hudson, Joseph, Brewer, Ung, Sanchez and Menin.

Whereas, The New York City Department of Finance administers the Senior Citizen Rent Increase Exemption (SCRIE) program and the Disability Rent Increase Exemption (DRIE) program for rent stabilized and rent control tenants; and

Whereas, Seniors and tenants with disabilities who live in cooperatives that were incorporated under Article XI of the Private Housing Finance Law, federally assisted cooperatives, or Mitchell-Lama and Redevelopment Company developments may be eligible for SCRIE or DRIE; and

Whereas, The SCRIE program also requires senior citizens to be 62 years old or older, have a combined household income of \$50,000 or less and spend more than one third of their monthly income on rent; and

Whereas, The DRIE program also requires tenants to be over the age of 18, have an annual household income of \$50,000 or less, spend more than one third of their monthly income on rent and receive one of the following: federal supplemental security income (SSI), federal social security disability insurance (SSDI), United States Department of Veterans Affairs Disability Pension or Compensation, Disability-related Medicaid, if the applicant has received either SSI or SSDI in the past, or United States Postal Service (USPS) disability pension or disability compensation; and

Whereas, Tenants who have been approved for SCRIE and DRIE will have their rent frozen at the current rate and exempt from future rent increases; and

Whereas, Property owners who have SCRIE tenants or DRIE tenants would receive a credit towards New York real property taxes on the building where the tenant lives, which is the difference between the legal rent and the amount the tenant is required to pay under the SCRIE or DRIE program; and

Whereas, Senior citizens and tenants with disabilities who lease apartments that are not regulated are not eligible for SCRIE or DRIE benefits; and

Whereas, According to a report from the Center for an Urban Future titled, "New York's Older Adult Population is Booming Statewide," nearly 1 in 7 older New Yorkers are living in poverty, and an October 2019 report from New York State Comptroller Thomas DiNapoli titled "Employment Trends for People with

Disabilities in New York City” brought attention to how working age New York City residents with a disability are more than twice as likely to live in poverty as people without a disability; and

Whereas, New York State should expand the SCRIE and DRIE programs to include eligible tenants who reside in market rate units; and

Whereas, Low-income older adults and tenants with disabilities who live in market rate units should have the same benefits as low-income adults and tenants with disabilities who live in other types of affordable housing; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, legislation that would expand the Senior Citizen Rent Increase Exemption (SCRIE) program and Disability Rent Increase Exemption (DRIE) program to New York City tenants who reside in market rate units.

Referred to the Committee on Aging.

Int. No. 688

By the Public Advocate (Mr. Williams) and Council Members Hanks, Louis and Hudson.

A Local Law to amend the administrative code of the city of New York, in relation to requiring reporting on crime statistics in shelters

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-328 to read as follows:

§ 21-328 Crime statistics in shelters. a. For the purposes of this section, the following terms have the following meanings:

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

Adult families. The term "adult families" means families comprised of adults and no children.

Children. The term "children" means any person 21 years of age or younger and part of a family with children.

Cluster site. The term "cluster site" means an individual unit, which is being utilized as shelter for a family with children, within a private building.

Critical incident. The term "critical incident" means occurrences in shelters tracked and designated by the department as such that shall include but not be limited to assault, sexual assault, domestic violence, child abuse or neglect, weapons possession, arson, and theft.

Families with children. The term "families with children" means families comprised of adults and children, couples including at least one pregnant person, single pregnant person, or parents or grandparents with a pregnant person.

Hotel. The term "hotel" means a building that historically operated as a hotel prior to its use as shelter and is currently used by the department as shelter or a building that continues to operate as a commercial hotel and also provides a number of units to the department for shelter residents.

Peace officer. The term "peace officer" means an individual as established by article 2 of chapter 11-a of the criminal procedure law working for the department charged with promoting security within department facilities.

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

Single adult. The term "single adult" means an individual without an accompanying adult or child;

Tier II shelter. The term "tier II shelter" means a shelter facility subject to the provisions of part 900 of the codes, rules, and regulations of the state of New York which provides shelter and services to 10 or more homeless

families including, at a minimum, private rooms, access to three nutritional meals a day, supervision, assessment services, permanent housing preparation services, recreational services, information and referral services, health services, and child-care services.

b. Beginning no later than July 31, 2022, and no later than every July 31 annually thereafter, the commissioner shall submit to the speaker of the council and post on the department's website an annual report containing information regarding critical incidents occurring in shelters. Each such report shall include but not be limited to: (i) the number of critical incidents occurring in shelters, disaggregated by the type of such incident; (ii) efforts to improve security measures in shelters; (iii) any agreements, made between the department and the New York city police department or any other law enforcement entities, for the purpose of enhancing security in shelters throughout the city; and (iv) the type of security present in shelters, including but not limited to the number of peace officers, private security guards, or whether a shelter has no security measures, disaggregated by individual shelters. Such data shall be disaggregated by the shelter population including single adults, adult families, and families with children, and shelters for families shall be further disaggregated by tier II shelters, cluster sites, and hotels.

c. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement.

§ 2. This local law takes effect immediately.

Referred to the Committee on General Welfare.

Int. No. 689

By the Public Advocate (Mr. Williams) and Council Members Nurse, Louis, Restler, Hanif, Hudson, Joseph and Velázquez.

A Local Law to amend the administrative code of the city of New York, in relation to elimination of permit and or filing fees for green building projects undertaken on one to four family homes

Be it enacted by the Council as follows:

Section 1. Section 28-101.5 of the administrative code of the city of New York, as added by local law number 33 for the year 2007, is amended by adding, in appropriate alphabetical order, a new definition of "GREEN BUILDING PROJECT" to read as follows:

GREEN BUILDING PROJECT. A building project or renovation undertaken on one to four family homes that, when implemented, will produce an increase in energy efficiency or water efficiency. This may include installation of renewable energy sources such as biomass, solar energy, geothermal ground source heat pumps or wind energy systems, and/or the use of natural building materials and passive designs but shall not include the use of coal, natural gas, oil or propane.

§ 2. Section 28-112. 1 of the administrative code of the city of New York, as added by local law number 33 for the year 2007, is amended by adding a new exception 3 to read as follows:

3. No fee shall be required in connection with an application for a building permit for a green building project.

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

Referred to the Committee on Housing and Buildings.

Int. No. 690

By the Public Advocate (Mr. Williams) and Council Members Louis, Hanif, Hudson and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to creating a three-digit mental health emergency hotline

Be it enacted by the Council as follows:

Section 1. Chapter 21 of title 17 of the administrative code of the city of New York is amended by adding a new chapter section 17-2108 to read as follows:

§ 17-2108 *Mental health emergency hotline. a. Three-digit hotline. The office shall establish a three-digit hotline for individuals experiencing a mental health emergency. Such hotline:*

1. Shall direct calls to a centralized call center operated by the office and staffed by mental health call operators;

2. Shall not direct calls to the 911 system unless the mental health call operator determines that there is a public safety emergency;

3. Shall be capable of receiving calls originating through the 911 and 311 systems; and

4. Shall be available for use no later than December 31, 2022.

b. Mental health emergency response protocol. In accordance with the mental health emergency response protocol established pursuant to section 17-2103 of this chapter, the office shall establish guidelines for call operators of the three-digit hotline established pursuant to subdivision a of this section, to identify calls as potential mental health emergencies.

c. Public outreach. The office shall conduct public outreach and education publicizing the three-digit hotline established pursuant to subdivision a of this section.

§ 3. This local law takes effect on the same date as a local law amending the administrative code of the city of New York, relating to creating an office of community mental health and a citywide mental health emergency response protocol, as proposed in introduction number ___ for the year 2022, takes effect.

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

Int. No. 691

By the Public Advocate (Mr. Williams) and Council Members Louis, Restler, Hanif and Hudson (by request of the Queens Borough President).

A Local Law in relation to requiring the New York city housing authority to report on outside legal expenditures

Be it enacted by the Council as follows:

Section 1. a. Definitions. For the purposes of this section, the term “authority” means the New York city housing authority.

b. No later than April 1, 2023, and then in April and October of each year thereafter, the chair of the authority shall submit to the mayor and the speaker of the council, and make publicly available online, a report regarding outside legal expenditures, which shall include the following information, at a minimum:

1. For the April report, the amount of money that the authority allocated and expended on legal fees for legal counsel services not provided by in-house counsel during the months of July through December of the prior calendar year, disaggregated by each legal matter and each authority property named in such legal matter;

2. For the October report, the amount of money that the authority allocated and expended on legal fees for legal counsel services not provided by in-house legal counsel during the months of January through June of that

calendar year, disaggregated by each legal matter and by each authority property named in such legal matter; and

3. For both the April and the October reports, a description of each instance in which the authority retained an outside law firm to provide it with legal counsel services, including:

- (a) The name of such law firm that provided such services;
- (b) The scope of such services provided;
- (c) The cause of action that the authority retained such law firm for;
- (d) The total amount of money that the authority paid to such law firm for such services up to the last date of such reporting period;
- (e) The date or timeframe during which such outside law firm provided or has been providing such services; and
- (f) The dates that the authority approved any contract for such services.

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Housing.

Int. No. 692

By the Public Advocate (Mr. Williams) and Council Members Hanks, Louis and Ayala.

A Local Law to amend the administrative code of the city of New York, in relation to requiring that New York city police department vehicles be equipped with bulletproof glass

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 10 of the administrative code of the city of New York is amended by adding a new section 10-184 to read as follows:

§ 10-184 Bulletproof glass. a. All patrol vehicles utilized by the department shall be equipped with bulletproof glass.

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

Referred to the Committee on Public Safety.

Int. No. 693

By the Public Advocate (Mr. Williams) and Council Members Nurse, Louis, Restler, Hanif, Hudson, Brewer and Won.

A Local Law to amend the administrative code of the city of New York, in relation to the provision of sufficient receptacles for the storage of solid waste

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 16-120 of title 16 of the administrative code of the city of New York, as amended by local law 22 for the year 2002, is amended to read as follows:

a. The owner, lessee, agent, occupant or other person who manages or controls a building or dwelling shall provide and maintain in accordance with this section separate receptacles for the deposit of incinerator residue and ashes[;], refuse[,], and liquid waste. *Any such owner, lessee, agent, occupant or other person who manages or controls a building with 100 units or more shall also provide a dumpster of not less than 20 yards in length for the deposit of refuse.* The receptacles shall be provided for the exclusive use of each building or dwelling and shall be of sufficient size and number to contain the wastes accumulated in such building or dwelling during a period of [seventy-two] 72 hours. The receptacles shall be made of metal or other material of a grade and type

acceptable to the department, the department of health and mental hygiene and the department of housing preservation and development. Receptacles used for liquid waste shall be constructed so as to hold their contents without leakage. Metal containers shall be provided with tight fitting metal covers.

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

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 694

By the Public Advocate (Mr. Williams) and Council Members Powers, Louis, Restler, Hanif, Hudson, Sanchez and Won.

A Local Law to amend the administrative code of the city of New York, in relation to the provision of interest-free loans to small businesses, non-profits and freelance workers following certain emergency circumstances

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 8 of title 22 of the administrative code of the city of New York is amended by adding a new section 22-1007 to read as follows:

§ 22-1007 *Emergency loan programs. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Freelance worker. The term “freelance worker” means any natural person or any organization composed of no more than one natural person, whether or not incorporated or employing a trade name, that is hired or retained as an independent contractor by a hiring party to provide services in exchange for compensation.

Interest-free loan. The term “interest-free loan” means a loan with terms including interest rates of zero percent.

Operating expenses. The term “operating expenses” means money spent during the normal operation of business, including but not limited to rent, payroll, insurance, equipment, inventory costs, and other expenses as determined by the commissioner.

Small business. The term “small business” means a small business as defined by the United States small business administration pursuant to part 121 of title 13 of the code of federal regulations.

b. During emergencies declared by the mayor or governor, the department shall establish and operate a program to provide interest-free loans to partially or fully fund the operating expenses of small businesses, non-profit organizations, or freelance workers and independent contractors not otherwise eligible for unemployment insurance, that are required to substantially limit their operations by, or which are otherwise substantially negatively impacted financially by, such state of emergency.

c. The commissioner shall establish eligibility criteria and procedures for the application for, disbursement of, and repayment of interest-free loans pursuant to this section. Such information established pursuant to this subdivision shall be made publicly available on the department’s website. Such criteria must ensure that loans are: (i) made available to individuals and entities regardless of immigration status or prior contractual relationships with the City, and (ii) distributed in a manner that focuses on individuals and entities that have been excluded from state and federal small business loan programs, if any.

d. The commissioner shall establish the terms and conditions of such loans, including: (i) the amount to be loaned, (ii) the length of the repayment term, (iii) procedures in the event of default, and (iv) circumstances upon which a borrower would be released from the obligation to repay part or all of a loan received pursuant to this section.

§ 2. This local law takes effect 1 year after it becomes law, except that the commissioner of small business services shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Small Business.

Int. No. 695

By Council Members Rivera, Louis, Restler, Brewer, Sanchez and Schulman.

A Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to defining the term key and requiring building owners to provide keys to residential tenants

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 27-2004 of the administrative code of the city of New York is amended by adding a new paragraph 49 to read as follows:

49. The term “key” shall mean a piece of shaped metal with incisions cut to fit the wards of a particular lock, which is inserted into such lock and turned to open or close such lock.

§ 2. Section 27-2043 of the administrative code of the city of New York is amended to read as follows:

§ 27-2043 *Door locks* [Locks in dwelling unit doors]. a. The owner of a dwelling shall provide a key lock in the entrance door to each dwelling unit and at least one key[.] *for each entrance door key lock to each person lawfully entitled to occupancy of such dwelling unit. Such entrance door key lock must be operable at all hours without the use of technology including, but not limited to, a mobile phone application, a keypad, facial recognition technology, biometric scanning, a radio-frequency identification card or other such similar technology. Such owner shall not require such person to utilize such technology if such technology is present in such dwelling.* In a class A multiple dwelling such door shall be equipped with a heavy duty latch set and a heavy duty dead bolt operable by a key from the outside and a thumb-turn from the inside. *Such owner shall provide each such person with at least one key for each heavy duty dead bolt set for such dwelling unit.*

b. Each dwelling unit entrance door in a class A multiple dwelling shall also be equipped with a chain door guard so as to permit partial opening of the door.

c. *The owner of a dwelling shall provide key locks in the building entrance doors and other exterior exit doors to such building and shall provide at least one key for each entrance door key lock to each person lawfully entitled to occupancy of a dwelling in such building. Such entrance door key locks must be operable at all hours without the use of technology including, but not limited to, a mobile phone application, a keypad, facial recognition technology, biometric scanning, a radio-frequency identification card or other such similar technology. Such owner shall not require such person to utilize such technology if such technology is present in such building.*

§ 3. Section 1002.1 of the New York city building code, as amended by local law 141 for the year 2013 and local law number 126 for the year 2021, is amended by adding a new definition of “KEY” in alphabetical order to read as follows:

KEY. *A piece of shaped metal with incisions cut to fit the wards of a particular lock, which is inserted into such lock and turned to open or close such lock.*

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

Referred to the Committee on Housing and Buildings.

Int. No. 696

By Council Members Ung, Louis, Restler, Hudson, Joseph, Nurse, Williams, Bottcher, Hanif, Stevens, Velázquez, Cabán, Avilés, Farías, Gutiérrez, De La Rosa, Ayala, Krishnan, Powers and Brewer.

A Local Law to amend the New York city charter, in relation to the design of the ballot and content of ballot instructions for ranked choice elections

Be it enacted by the Council as follows:

Section 1. Subdivision d of section 1057-g of the New York city charter, as added by a vote of the electors on November 5, 2019, is amended to read as follows:

1. All candidates in a ranked choice election shall be listed on the ballot. The ballot shall permit a voter to rank five candidates, inclusive of any write-in candidate permitted by law, in order of preference for a ranked choice office, unless there are fewer than five candidates on the ballot for such office, in which case the ballot shall permit a voter to rank the total number of such candidates for such office inclusive of any write-in candidate permitted by law.

2. The sections of the ballot containing ranked choice elections shall be organized in the form of a grid, with dimensions and spacing sufficient to facilitate a ranked choice election pursuant to the requirements set forth in this subdivision. The title of the office shall be arranged horizontally in a row at the top of such grid, with columns underneath. The leftmost column shall contain the names of the candidates for such office and the slot or device for write-in candidates for such office, arranged vertically. For any election for a ranked choice office in which all candidates are nominated by independent nominating petition, the names selected for the independent bodies making the nomination of the candidates shall be included on the ballot in accordance with the election law. The subsequent columns shall contain ovals or squares, with one oval or square per each column and row. Each column containing ovals or squares shall be labeled [consecutively] with [the rankings] *a consecutive numeral*, starting from ["1st choice"] "1" and going up to a maximum of ["5th choice."] "5," representing the ranking for that column. The word "choice" shall appear once above the set of ranking columns.

3. (a) The ballot shall, in plain language, set forth instructions that indicate how to mark a ballot so as to be read by the voting equipment used to tabulate results or manually, as applicable, and how to rank candidates in order of the voter's preference, and any other information deemed necessary by the board of elections in the city of New York. Such instructions [and ballot heading information] shall be presented above or next to the first [election of each type] *ranked choice election on such ballot. The board shall also provide line drawing illustrations to supplement such instructions.* At a minimum, [the text for] *such ballot instructions and supplemental illustrations* shall be substantially as follows so that [it] *they accurately reflect* [reflects] the ballot layout:

INSTRUCTIONS

(The board shall provide an illustration here of correctly marked voting positions with multiple candidates ranked.)

Rank candidates in the order of your choice.

Use the (insert "ovals" or "squares") in the columns marked 1, 2, 3, and so on.

(The board may, in its discretion, provide an illustration here of incorrectly marked voting positions with more than one oval or square marked in the same column. Such illustration, if included, shall be overlaid with a large "X" or similar symbol to indicate that the depicted marking is incorrect.)

DO NOT mark more than one (insert "oval" or "square") in any column.

You may rank as many or as few candidates as the columns allow.

(The board may, in its discretion, provide an illustration here of incorrectly marked voting positions with more than one oval or square marked for the same candidate. Such illustration, if included, shall be overlaid with a large "X" or similar symbol to indicate that the depicted marking is incorrect.)

DO NOT mark more than one (insert "oval" or "square") for the same candidate.

Ranking more candidates will not hurt your first-choice candidate.

Any mark or writing outside the (insert "ovals" or "squares") for voting may void your ballot.

You have a right to a replacement ballot. If you make a mistake, or want to change your vote, (insert "ask a poll worker for a new ballot" or, for absentee ballots, "call the board of elections at (insert phone number here) for instructions on how to obtain a new ballot").

[INSTRUCTIONS Rank candidates in the order of your choice. Mark the (insert "oval" or "square") in the "1st choice" column for your first-choice candidate. Mark the (insert "oval" or "square") in the "2nd choice" column for your second-choice candidate, and so on. (Provide illustration of correctly marked voting positions here.) To rank a candidate whose name is not printed on the ballot, mark (insert "an oval" or "a square") next to the box labeled "write-in" and print the name clearly, staying within the box. You may mark as many or as few candidates as the numbered columns allow, but do not mark more than one (insert "oval" or "square") per candidate. Ranking a second-choice candidate, third-choice candidate, and so on will not hurt your first-choice candidate. Do not mark more than one (insert "oval" or "square") in any column. If you do, your vote may not count. Any mark or writing outside the spaces provided for voting may void the entire ballot. You have a right to a replacement ballot. If you make a mistake, or want to change your vote, (insert "ask a poll worker for a new ballot" or, for absentee ballots, "call the board of elections at (insert phone number here) for instructions on how to obtain a new ballot").

The board shall also provide line drawing illustrations to supplement these instructions. At a minimum, an illustration of the correct way to mark the ballot shall be provided, but nothing in this section shall be construed to limit the board in providing additional illustrations.]

(b) In addition to the instructions included pursuant to subparagraph (a) of this paragraph, the ballot shall also include brief instructions within the area for each ranked choice election. Such instructions shall be substantially as follows so that they accurately reflect the ballot layout for the relevant ranked choice election:

Rank up to (insert "5" or, if there are fewer than five candidates, the number of permitted rankings) candidates. Mark only one oval in each column.

(c) Nothing in this section shall be construed to prevent the board from providing additional instructions or illustrations as may be necessary to further the purposes of this section.

4. To the greatest extent practicable, the ballot design shall allow for electronic tabulation of all rankings and electronic detection of ballot marking in order to allow a voter to correct a ballot that assigns equal rank to two or more candidates.

5. If a ranked choice election is on the ballot with one or more elections using other methods of voting, to the extent practicable, the ranked choice elections shall be grouped together and presented either on a separate ballot page from the non-ranked choice elections, or on one side of a combined ranked choice and non-ranked choice ballot page.

6. *If a ballot page includes multiple ranked choice elections, each ranked choice election on such page shall be separated by a bold black line.*

7. *If the ballot includes text in multiple languages, any text included pursuant to this section shall be arranged, to the extent practicable, to ensure that non-English text can be easily compared to the corresponding English text and that each language is clearly separated and visually distinct.*

8. *To the extent practicable:*

(a) The text of any instructions included pursuant to this section shall be in black font set against a white background; and

(b) In the case of a primary ballot that uses coloring to indicate the relevant party, such coloring shall not cover the area of any instructions included pursuant to this section.

9. The final ballot design shall be based on the space and design limitations of the ballot design software, while following the best practices for ballot design to the greatest extent possible.

§ 2. This local law takes effect immediately and applies to any ranked choice election, as such term is defined in subdivision a of section 1057-g of the New York city charter, held on or after June 27, 2023.

Referred to the Committee on Governmental Operations.

Int. No. 697

By Council Members Ung, Hanif, Hudson, Sanchez, Louis and Won.

A Local Law to amend the administrative code of the city of New York, in relation to requiring translations into languages that are not included in the language access law

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 23-1101 of the administrative code of the city of New York is amended by adding a new definition in alphabetical order to read as follows:

Specialty languages. The term “specialty languages” means languages commonly spoken, as determined by the office of the language services coordinator, by New York city residents who:

- (1) Have processing priority levels 1, 2 or 3 according to the federal department of state; or*
- (2) Are from a country designated for temporary protected status by the federal department of homeland security; or*
- (3) Are from a region for which the United Nations High Commissioner for Refugees declared a level 3 emergency; or*
- (4) Are geographically concentrated in an area of the city that is subject to an emergency or disaster declaration and do not speak any of the designated citywide languages.*

§ 2. The opening paragraph of subdivision a of section 23-1102 of the administrative code of the city of New York is amended to read as follows:

a. Every covered agency shall provide language access services for all designated city languages *and all specialty languages*. Such language access services shall include, but not be limited to:

§ 3. Paragraph 4 of subdivision b of section 23-1102 of the administrative code of the city of New York is amended to read as follows:

4. incorporate an evaluation of the language access needs of the service population, or likely service population, of such agency, and consider under what circumstances some or all of the direct public services of such agency should be provided in a language or languages supplemental to the designated citywide languages *and specialty languages*. Such evaluation should consider any available data on the service population of such agency, including but not limited to (i) relevant survey data collected pursuant to paragraph 1 of subdivision i of section 15 of the charter, (ii) language data collected by such agency through intake processes or other processes for collecting client, applicant or participant information, and (iii) the data collected by such agency on language access services rendered or requested. Such evaluation should also consider any information collected pursuant to paragraph 3 of subdivision c of section 15 of the charter.

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

Referred to the Committee on Governmental Operations.

Int. No. 698

By Council Members Ung, Stevens, Restler and Joseph.

A Local Law to amend the administrative code of the city of New York, in relation to establishing a public service corps program

Be it enacted by the Council as follows:

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

§ 12-212 *Public service corps program. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Commissioner. The term “commissioner” means the commissioner of citywide administrative services.

Department. The term “department” means the department of citywide administrative services.

Public service corps program. The term “public service corps program” means the program established pursuant to subdivision b of this section.

b. The department shall establish and implement a public service corps program pursuant to which undergraduate and graduate students may complete internships at agencies.

c. In implementing such program, the department shall make efforts to recruit students from diverse backgrounds and offer internships at a broad range of agencies.

d. No later than August 1 of each year, beginning in the year 2024, the commissioner shall submit a report to the speaker of the council regarding the implementation of the public service corps program over the preceding fiscal year. Such report shall include, but need not be limited to:

1. A description of the steps the department took to recruit students from diverse backgrounds;
 2. A description of the steps the department took to identify internship opportunities and offer internships at a broad range of agencies;
 3. The total number of students who participated in the program;
 4. The number of students who participated in the program disaggregated by race or ethnicity, gender and academic institution; and
 5. For each agency to which an intern was assigned, the total number of interns assigned to such agency.
- § 2. This local law takes effect 90 days after becoming law.

Referred to the Committee on Governmental Operations.

Int. No. 699

By Council Members Ung, Menin, Brooks-Powers, Krishnan, Hanif, Hudson, Joseph, Brewer, Sanchez, Louis and Won.

A Local Law to amend the New York city charter and administrative code of the city of New York, in relation to enhancing language access for small business owners

Be it enacted by the Council as follows:

Section 1. Subdivision f of section 15 of the New York city charter, as amended by local law number 132 for the year 2013, is amended to read as follows:

f. 1. The office of operations shall develop a business owner's bill of rights. The bill of rights shall be in the form of a written document, drafted in plain language, that advises business owners of their rights as they relate to agency inspections. Such written document shall include translations of the bill of rights into at least the [six] *ten* languages most commonly spoken by limited English proficient individuals, as those languages are determined by the department of city planning. The bill of rights shall include, but not be limited to, notice of every business owner's right to: i) consistent enforcement of agency rules; ii) compliment or complain about an inspector or inspectors online, anonymously, if desired, through a customer service survey, and information sufficient to allow a business owner to do so, including but not limited to the url of such survey; iii) contest a notice of violation before the relevant local tribunal, if any; iv) an inspector who behaves in a professional and courteous manner; v) an inspector who can answer reasonable questions relating to the inspection, or promptly makes an appropriate referral; vi) an inspector with a sound knowledge of the applicable laws, rules and regulations; vii) access information in languages other than English; and viii) request language interpretation services for agency inspections *and any subsequent administrative hearings and trials, including pre-trial conferences and settlement negotiations.*

2. [To the extent practicable, the] *The* office of operations shall develop and implement a plan to distribute the bill of rights to all relevant business owners, including via electronic publication on the internet, and to notify such business owners if the bill of rights is subsequently updated or revised. The office of operations shall also develop and implement a plan in cooperation with all relevant agencies to [facilitate] *require* the distribution of a physical copy of the bill of rights to business owners, [or] managers, *or relevant employee* at the [time]

beginning of [an] every inspection, except that if the inspection is an undercover inspection [or if the business owner or manager is not present at the time of the inspection], then a copy of the bill of rights shall be provided as soon as practicable. In the event that the business owner or manager is not present at the time of inspection, an electronic copy of the bill of rights shall be provided as soon as practicable in addition to the physical copy provided at the time of inspection.

3. [To the extent practicable, the] *The* office of operations shall develop and implement a plan for each business owner to indicate the language in which such owner would prefer that agency inspections of the business be conducted *and agency procedural and informational documents be translated into*. [To the extent practicable, the] *The* office of operations shall also develop and implement a plan to inform all relevant agencies of such respective language preference.

4. The bill of rights shall serve as an informational document only and nothing in this subdivision or in such document shall be construed so as to create a cause of action or constitute a defense in any legal, administrative, or other proceeding.

§2. Section 17-1502 of the administrative code of the city of New York is amended to read as follows:

§ 17-1502 Food Service Establishment Inspection Code of Conduct. a. The commissioner shall develop a code of conduct pertaining to sanitary inspections. The inspection code of conduct shall inform owners and operators of food service establishments of their rights as they relate to sanitary inspections.

b. The inspection code of conduct shall be in the form of a written document, drafted in plain language. The department shall distribute the inspection code of conduct to all food service establishment inspectors and food service establishments. Food service establishment inspectors shall also distribute the inspection code of conduct to food service establishment owners or operators prior to the beginning of [an initial] *each* inspection. *Such written document shall include translations of the inspection code of conduct into at least the ten languages most commonly spoken by limited English proficient individuals, as those languages are determined by the department of city planning.* The department shall make the inspection code of conduct available on the department's website in the covered languages.

c. The code of conduct shall include, but not be limited to, the following requirements:

(1) the food service establishment inspector shall behave in a professional and courteous manner;

(2) upon arriving at the food service establishment to perform a sanitary inspection, the food service establishment inspector shall immediately identify himself or herself to the staff of the food service establishment, [and] note the type of inspection, *and disclose the availability of free interpretation services*, in a manner that does not unreasonably interfere with the dining experience of patrons;

(3) the food service establishment inspector shall be as unobtrusive as possible during the inspection while conducting the inspection;

(4) the food service establishment inspector shall return any equipment he or she moved back to its original location, and reassemble any equipment he or she disassembled, during the course of the inspection;

(5) the food service establishment inspector shall have a sound knowledge of all relevant health code provisions and any other applicable laws and regulations.

(6) the food service establishment inspector shall meaningfully communicate with the food service establishment owner or operator, and if necessary, utilize language assistance services to facilitate meaningful communication;

(7) the food service establishment inspector shall answer reasonable questions relating to the inspection;

(8) the food service establishment inspector shall enforce agency rules in a fair and impartial manner;

(9) the food service establishment inspector shall, upon finding a violation, explain to the food service establishment owner or operator how to remedy such violation.

(10) the food service establishment inspector must provide information informing the food service establishment owner or operator how such owner or operator may contest a notice of violation before the relevant local tribunal, *including information about the right to access language interpretation services*; and

(11) the food service establishment inspector shall provide information on how the food service establishment owner or operator may file a comment, compliment, or complaint about an inspector[.], *including information about filing in a language other than English.*

d. The commissioner shall regularly, but no less frequently than every two years, review and update the inspection code of conduct, as necessary.

e. Nothing in this section or in the inspection code of conduct shall be construed to create a cause of action or constitute a defense in any legal, administrative, or other proceeding.

§ 3. Section 17-1505 of the administrative code of the city of New York is amended to read as follows:

§ 17-1505. a. Food service establishment inspections ombuds office; office established. There is hereby established within the food safety program of the department a food service establishment inspections ombuds office.

b. Food service establishment inspections ombuds office; duties and responsibilities. The food service establishment inspections ombuds office shall have, but not be limited by, the following duties and responsibilities:

1. establishing a system to receive questions, comments, complaints, and compliments with respect to any food service establishment inspection, including but not limited to, the establishment, operation, and dissemination of a central telephone hotline and website to receive such questions, comments, complaints, and compliments;

2. investigating complaints received pursuant to paragraph one of this subdivision and taking any action it deems appropriate regarding such complaints, including but not limited to, withdrawing violations that concern the physical layout and/or major fixtures within a food service establishment where the department finds that such physical layout or fixture existed at the time of a prior inspection but was not the subject of a violation and the condition has not been altered since the time of such prior inspection, and identifying egregious inspection errors that ought to be rectified by the department in lieu of submission to the administrative tribunal, including the lack of adequate language access;

3. issuing guidance letters providing informal advisory opinions on matters pertaining to food service establishment inspections, including but not limited to appropriate inspection methods and food handling techniques and best practices when engaging individuals with limited English proficiency during inspections, either upon request or the department's own initiative. Any such guidance letter issued by the ombuds office shall be posted on the department's website upon issuance and, to the greatest extent practicable, distributed to all food service establishment operators;

4. monitoring inspection results for trends and inconsistencies, including but not limited to, via the compilation and analysis on a quarterly basis of the type and number of violations issued by each inspector, *and whether interpretation services were utilized during the inspection*; and

5. making recommendations to the commissioner regarding improvements to the food service establishment inspection process.

c. Food service establishment inspections ombuds office; annual report. No later than July 1, 2014, and every July 1 thereafter, the ombuds office shall submit to the commissioner an annual report regarding its activities during the previous twelve months. The ombuds office shall forward a copy of such report to the mayor and the speaker of the council. Such report shall include, but not be limited to:

1. the number, nature, and resolution of questions, comments, complaints, and compliments received by the ombuds office;

2. the number and nature of guidance letter requested;

3. a copy of each guidance letter issued;

4. an analysis of trends and inconsistencies across inspection results; [and]

5. *an analysis of the existing language access tools and policies and whether they effectively serve the needs of food service establishment operators and recommendations on how to improve and expand such services; and*

[5] 6. recommendations for improvements to the food service establishment inspection process in accordance with paragraph five of subdivision b of this section.

§ 4. Chapter 56 of the New York city charter is amended by adding a new section 1309 to read as follows:

§ 1309. *Language Access Enhancement. a. The department shall coordinate with the relevant agencies to increase the number of inspectors who speak English and at least one of the designated citywide languages, as defined in section 23-1102 of the administrative code, or any language spoken by at least ten percent of small business owners or managers such that a small business owner may request a bilingual inspector for all inspections beginning on July 1, 2024. For purposes of this subdivision, relevant agencies shall include the department of buildings, the department of consumer and worker protection, the department of health and mental hygiene, the department of environmental protection, the department of sanitation, the fire department, and the department of small business services.*

b. By March 1, 2023, the department, in consultation with the office of administrative trials and hearings, shall develop and implement a plan to provide a business owner with a matter pending before the office of administrative trials and hearings with a written translation of the final decision of any matter before the tribunal. Such written translation shall contain a disclaimer stating that it shall serve only as an informational document and that nothing within the translated document shall be construed so as to create a cause of action or constitute a defense in any legal, administrative, or other proceeding. Such translation shall be issued at the same time as the tribunal's final decision.

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

Referred to the Committee on Small Business.

Int. No. 700

By Council Members Won, Restler, Hanif, Hudson, Sanchez and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to translation services for compliance materials

Be it enacted by the Council as follows:

Section 1. Paragraph 1 of subdivision a of section 23-1102 of the administrative code of the city of New York is amended read as follows:

1. identifying and translating;

(a) those documents most commonly distributed to the public that contain or elicit important and necessary information regarding the provision of basic city services; and

(b) documents distributed to the public that contain or elicit important and necessary information regarding enforcement of the laws and rules enforced by such agency;

§ 2. Paragraphs 7 and 8 of subdivision b of section 23-1102 of the administrative code of the city of New York are amended to read as follows:

7. incorporate plain language principles for documents most commonly distributed to the public that contain or elicit important and necessary information regarding the provision of basic city services, enforcement actions, and for other public communications, by using plain language, where possible, in place of technical, legal, or specialized terms, and by using layout and design strategies to make such documents and communications easier to read, understand, and act upon;

8. incorporate the training of frontline workers and managers, *and inspectors and other enforcement staff*, on language access policies and procedures;

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

Referred to the Committee on Governmental Operations.

Preconsidered L.U. No. 97

3300 Palmer Avenue, Block 5228, Lot 12 and 41, Bronx, Community District No. 12, Council District No. 12.

Adopted by the Council (preconsidered and adopted by the Committee on Finance).

Preconsidered L.U. No. 98

1700 Harrison LLC.YR15.FY23, Block 2867, Lot 60, Bronx, Community District No. 5, Council District No. 14.

Adopted by the Council (preconsidered and adopted by the Committee on Finance).

Preconsidered L.U. No. 99

1730 Harrison LLC.YR15.FY23, Block 2867, Lot 70, Bronx, Community District No. 5, Council District No. 14.

Adopted by the Council (preconsidered and adopted by the Committee on Finance).

Preconsidered L.U. No. 100

By Council Member Salamanca:

Application number C 210174 ZMK (2080 McDonald Avenue) submitted by Jackson Ex 2 Avenue S, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 28c, changing from an R5B District to a C4-4L District and changing from an M1-1 District to a C4-4L District, Borough of Brooklyn, Community District 11, Council District 44.

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. 101

By Council Member Salamanca:

Application number N 210175 ZRK (2080 McDonald Avenue) submitted by Jackson Ex 2 Avenue S, 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 11, Council District 44.

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. 102

By Council Member Salamanca:

Application number C 220007 ZMX (Bruckner Sites Rezoning) submitted by Throggs Neck Associates, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 4b, eliminating from within an existing R4-1 District a C1-2 District, eliminating from within an existing R4A District a C1-2 District, eliminating from within an existing R4A District, a C2-2 District, changing from an R4-1 District to an R5B District, changing from an R4-1 District to an R6A District, changing from an R4A District to an R6A District, establishing within the proposed R5B District a C2-4 District, establishing within the proposed R6A District a C2-4 District, Borough of the Bronx, Community District 10, Council District 13.

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. 103

By Council Member Salamanca:

Application number N 220008 ZRX (Bruckner Sites Rezoning) submitted by Throggs Neck Associates, 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 the Bronx, Community District 10, Council District 13.

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. 104

By Council Member Salamanca:

Application number C 220337 ZSM (705 10th Avenue-DEP Site) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution to allow that portion of a railroad or transit right right-of-way which will be completely covered over by a permanent platform to be included in the lot area, in connection with a proposed 8-story mixed-use building, on property located at 705 10th Avenue (Block 1077, Lot 29), in R8 and R8/C2-5 Districts, partially within the Preservation and partially within the Other Areas (C2), within the Special Clinton District, Borough of Manhattan, Community District 4, Council District 3.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

L.U. No. 105

By Council Member Salamanca:

Application number C 220338 ZSM (705 10th Avenue-DEP Site) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 96-112* of the Zoning Resolution to modify the height and setback requirements of Section 96-104* (Height and setback regulations) and the rear yard regulations of Section 23-532 (Required rear yard equivalents), on a zoning lot that has an area of greater than 40,000 square feet, occupies a frontage of a wide street, and contains existing public infrastructure, in connection with a proposed 8-story mixed-use building, on property located at 705 10th Avenue (Block 1077, Lot 29), in R8 and R8/C2-5 Districts, partially within the Preservation and partially within the Other Areas (C2), within the Special Clinton District, Borough of Manhattan, Community District 4, Council District 3.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

L.U. No. 106

By Council Member Salamanca:

Application number C 220340 HAM (705 10th Avenue-DEP Site) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Article 16 of the General Municipal Law of New York State for the designation of an Urban Development Action Area and an Urban Development Action Area Project, and pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD, for property located at 705 10th Avenue (Block 1077, Lot 29), Borough of Manhattan, Community District 4, Council District 3.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

L.U. No. 107

By Council Member Salamanca:

Application No. G 220017 XAM (705 10th Avenue-DEP Site/Rialto West-UDAAP/Article XI) submitted by the New York City Department of Housing Preservation and Development, pursuant to Article 16 of the General Municipal Law and Section 577 of Article XI of the Private Housing Finance Law for an amendment of a previously approved portion of the Disposition Area located at Block 1077, p/o Lot 29 for approval of a real property tax exemption, Borough of Manhattan, Community District 4, Council District 3.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

L.U. No. 108

By Council Member Salamanca:

Application number N 230007 HKQ (DL-527/LP-2655) (Cambria Heights-222nd Street Historic District) submitted by the Landmarks Preservation Commission, pursuant to Section 3020 of the New York City Charter, for the historic district designation of the Cambria Heights-222nd Street Historic District, consisting of 46 houses located in southeastern Queens adjoining the Nassau County border, Borough of Queens, Community District 13, Council District 27.

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 N 230008 HKQ (DL-527/LP-2656) (Cambria Heights-227th Street Historic District) submitted by the Landmarks Preservation Commission, pursuant to Section 3020 of the New York City Charter, for the historic district designation of the Cambria Heights-227th Street Historic District, consisting of 50 houses located in southeastern Queens adjoining the Nassau County border, Borough of Queens, Community District 13, Council District 27.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

L.U. No. 110

By Council Member Salamanca:

Application number C 210348 ZMK (Ninth Street Rezoning) submitted by Angelina Gatto Trust, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c, changing from an M2-1 District to an M1-4/R7A District and establishing a Special Mixed Use District (MX-25), Borough of Brooklyn, Community District 6, Council District 39.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 111

By Council Member Salamanca:

Application number N 210349 ZRK (Ninth Street Rezoning) submitted by Angelina Gatto Trust, 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 XII, Chapter 3 (Special Mixed Use District) for the purpose of establishing a new Special Mixed Use District (MX-25) and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 6, Council District 39.

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 210350 ZSK (Ninth Street Rezoning) submitted by Angelina Gatto Trust, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-533 of the Zoning Resolution to waive all required accessory off-street parking spaces, for dwelling units in a development within a Transit Zone, that includes at least 20 percent of all dwelling units as income-restricted housing units, in connection with a proposed mixed use development, on property located at 153-157 9th Street and 124 8th Street (Block 1002, Lots 48, 49, 50 & 16), in M1-4/R7A* and M2-1 Districts, partially within a Special Mixed Use District (MX-25)*, Borough of Brooklyn, Community District 6, Council District 39.

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

Thursday, September 15, 2022

Committee on Parks and Recreation

Shekar Krishnan, Chairperson

Oversight - Review of Trump’s License to Operate a Public Golf Course at Ferry Point Park.

Committee Room – City Hall.....11:00 a.m.

Monday, September 19, 2022

Committee on Consumer and Worker Protection

Marjorie Velázquez, Chairperson

Int 613 - By Council Members De La Rosa, Velázquez, Krishnan, Menin, Brewer, Restler, Hanif, Ung, Won, Dinowitz, Nurse, Hudson, Brannan, Joseph, Bottcher and Abreu - **A Local Law** to amend the administrative code of the city of New York, in relation to increasing civil penalties and prohibiting issuance of the food service establishment permit for outstanding penalties for violations of the fair work week law.

Int 640 - By Council Members Velázquez, De La Rosa, Menin, Krishnan, Brewer, Hanif, Ung, Won, Dinowitz, Nurse, Hudson, Brannan, Joseph and Abreu - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring a workers’ rights training for certain fast food employees.

Committee Room – 250 Broadway, 16th Floor.....10:00 a.m

Committee on Fire and Emergency Management

Joann Ariola, Chairperson

Oversight - Evaluating Diversity and Inclusion in the FDNY.

Int 516 - By The Speaker (Council Member Adams) and Council Members Abreu, Ung, Avilés, Restler, Won and Bottcher - **A Local Law** to amend the administrative code of the city of New York, in relation to demographic diversity within the fire department.

Int 519 - By Council Members Ariola, Hanif, Brewer, Avilés, Hudson and Velázquez - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring permanent firehouse facility upgrades to ensure a safe working environment for a mixed gender workforce.

Int 552 - By Council Members Riley, Cabán, Marte, Hudson, Restler and Won (by request of the Bronx Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to reporting demographic information of members of the fire department at firehouses.

Int 553 - By Council Members Riley, Cabán, Abreu, Marte, Avilés, Hudson, Restler and Won (by request of the Bronx Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the fire department to implement training on diversity, inclusion, and harassment.

Int 560 – By Council Members Williams, Cabán, Abreu, Avilés and Restler - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the fire department to annually report on equal employment opportunity complaints.

Committee Room – City Hall.....11:00 a.m.

Committee on Health jointly with the
Committee on Hospitals and the
Committee on Land Use

Lynn C. Schulman, Chairperson
Mercedes Narcisse, Chairperson
Rafael Salamanca, Jr., Chairperson

Oversight - The Current State of Access to Hospitals and Healthcare.

Council Chambers – City Hall.....1:00 p.m.

Committee on Technology jointly with the
Subcommittee on Zoning & Franchises

Jennifer Gutiérrez, Chairperson
Kevin C. Riley, Chairperson

Oversight - Broadband and Equal Access to the Internet in New York City.

Int 112 - By Council Members Holden, Riley and Yeger - **A Local Law** to amend the New York city charter, in relation to establishing a cable franchise agreements website.

Int 241 - By Council Members Gutiérrez, Hanif, Joseph, Brooks-Powers, Stevens, Menin, Williams, Schulman, Riley, Narcisse, Ung, Barron, Ossé, Ayala, Restler, Cabán, Abreu, Krishnan, Richardson Jordan, Nurse and Won - **A Local Law** to amend the administrative code of the city of New York, in relation to providing public school students with mobile hotspot devices.

Int 440 - By Council Members Won, Menin, Gutiérrez, Hanif, Brewer, Louis, Joseph, Ung, Nurse, Schulman, Velázquez, Krishnan, Sanchez, Abreu and Restler - **A Local Law** to amend the New York city charter, in relation to a program to provide public access to wireless networks.

[Committee on Technology](#) jointly with the
[Subcommittee on Zoning & Franchises \(Cont.\)](#)

Int 599 - By Council Members Won, Gutiérrez, Menin, Cabán, Hanif, Marte, Yeger and Nurse - **A Local Law** to amend the New York city charter, in relation to information on affordable internet programs for students and families.

Committee Room – 250 Broadway, 14th Floor.....1:00 p.m

Tuesday, September 20, 2022

[Committee on Contracts](#) jointly with the
[Committee on Public Housing](#)

Julie Won, Chairperson
Alexa Avilés, Chairperson

Oversight - Examining NYCHA’s Contracting and Hiring Processes

Res 190 - By Council Members Avilés, Louis, Hanif, Brewer, Joseph, Nurse, Abreu, Restler and Won - **Resolution** calling upon the New York State Legislature and Governor to provide their share of the additional three billion dollars annually, that must be reinvested into NYCHA in order to address capital needs resulting from decades of disinvestment in its building stock.

Council Chambers – City Hall.....10:00 a.m.

[Subcommittee on Landmarks, Public Sitings and Dispositions](#)

Farah N. Louis, Chairperson

See Land Use Calendar

Committee Room – 250 Broadway, 16th Floor.....10:00 a.m.

[Committee on Mental Health, Disabilities & Addiction](#)

Linda Lee, Chairperson

Oversight - Pilot Buyback Program to Address Improperly Discarded Syringes and Increase Harm Reduction in NYC.

Committee Room – City Hall.....10:00 a.m.

[Committee on Sanitation and Solid Waste Management](#)

Sandy Nurse, Chairperson

Oversight - The State of NYC Recycling.

Int 494 - By Council Members Nurse, Joseph, Abreu, Restler, Cabán, Holden, Bottcher, De La Rosa, Sanchez, Stevens, Richardson Jordan, Dinowitz, Menin, Won, Powers, Marte, Hudson, Barron, Louis, Gennaro, Ossé, Schulman, Avilés, Ayala, Ung, Riley, Salamanca, Velázquez, Brooks-Powers and Rivera (by request of the Manhattan Borough President) - **A Local Law** in relation to a study of single-use plastics.

Committee Room – City Hall.....1:00 p.m.

Wednesday, September 21, 2022

[Committee on Education](#)

Rita Joseph, Chairperson

Oversight - Meeting the Needs of All Students with Disabilities.

Chambers – City Hall.....1:00 p.m.

[Committee on Environmental Protection](#)

James F. Gennaro, Chairperson

Oversight - Renewable Energy and New York City’s Climate Adaptation.

Int 315 - By Council Members Brannan, Louis, Hanif, Yeger, Ayala, Dinowitz, Restler and Abreu - **A Local Law** to amend the administrative code of the city of New York, in relation to identifying all vacant and underutilized municipally-owned sites that would be suitable for the development of renewable energy and assessing the renewable-energy generation potential and feasibility of such sites.

Int 330 - By Council Members Gennaro, Restler, Abreu and Won (by request of the Queens Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the creation of a database of subsurface conditions to support better engineering of geothermal heat pumps.

Res 169 - By Council Members Restler, Hanif, De La Rosa, Gutiérrez, Riley, Gennaro, Hudson, Joseph, Avilés, Brewer, Louis, Dinowitz, Won, Krishnan, Nurse, Schulman, Menin, Williams, Ossé, Brannan, Cabán, Rivera, Powers, Bottcher, Marte, Hanks, Abreu, Sanchez, Velázquez, Narcisse, Farías, Brooks-Powers, Salamanca, Ung, Ayala, Moya and Lee (by request of the Queens Borough President) - **Resolution** calling for the Climate Action Council to draft, and the Governor to implement, a final Climate Action Council Scoping Plan that commits to meeting CLCPA targets and bold climate & environmental justice action in New York.

Res 189 - By Council Members Avilés, Louis, Hudson, Brannan, Hanif, Joseph, Nurse, Abreu, Restler, Won, Gutiérrez, Cabán, Schulman, Menin and Marte - **Resolution** calling upon the New York State Legislature to pass, and Governor to sign, Senate Bill S.6453 and Assembly Bill A.1466C, the “NYS Build Public Renewables Act” enabling the New York Power Authority to own and build new renewable generation, storage, and transmission.

Committee Room – City Hall.....1:00 p.m.

Thursday, September 22, 2022

[Committee on Higher Education](#)

Eric Dinowitz, Chairperson

Oversight - Online Degree Programs: Past, Present, and Future.

Committee Room – City Hall.....10:00 a.m.

[Committee on Transportation and Infrastructure](#) jointly with the
[Committee on Economic Development](#)

Selvena N. Brooks-Powers, Chairperson
Amanda Farías, Chairperson

Oversight - The New York City Ferry System.

Int 236 - By Council Members Farías, Stevens, Hanif, Sanchez, Yeger, Velázquez, Ayala, Restler, Abreu, Krishnan, Nurse, Won and Powers - **A Local Law** to amend the administrative code of the city of New York, in relation to providing ferry service at reduced cost to individuals under the age of 18 or enrolled in a high school located with New York city.

Council Chambers – City Hall.....10:00 a.m.

[Subcommittee on Zoning & Franchises](#)

Kevin C. Riley, Chairperson

See Land Use Calendar

Committee Room – 250 Broadway, 16th Floor.....11:00 a.m.

[Committee on Civil Service and Labor](#) jointly with the
[Committee on Civil & Human Rights](#)

Carmen De La Rosa, Chairperson
Nantasha Williams, Chairperson

Oversight - Pay Equity in the Municipal Workforce.

Int 515 - By The Speaker (Council Member Adams) and Council Members Cabán, Hanif, Abreu, Brewer, Louis, Ung, Gutiérrez, Hudson, Restler, Won and Bottcher - **A Local Law** to amend the New York city charter, in relation to agency diversity plans, salary data and comparable worth analyses.

Int 527 - By Council Members De La Rosa, Louis, Hanif, Abreu, Gutiérrez, Hudson and Restler - **A Local Law** to amend the New York city charter, in relation to the evaluation and expansion of diverse recruitment and retention within the municipal government.

Int 541 - By Council Members Louis, Gutiérrez and Hudson - **A Local Law** to amend the administrative code of the city of New York, in relation to amending the reporting of pay and employment equity data.
Committee Room – City Hall.....1:00 p.m.

Thursday, September 22 2022

[Committee on Women and Gender Equity](#) jointly with the Tiffany Cabán, Chairperson
[Subcommittee on Covid Recovery and Resiliency](#) Francisco P. Moya, Chairperson
Oversight - The Gendered Impact of Long-COVID
Committee Room – 250 Broadway, 16th Floor.....1:00 p.m.

Friday, September 23, 2022

[Committee on Criminal Justice](#) Carlina Rivera, Chairperson
Int 549 - By the Public Advocate (Mr. Williams) and Council Members Rivera, Cabán, Hudson, Won, Restler, Hanif, Avilés, Nurse, Sanchez, Narcisse, Krishnan, Abreu, Louis, Farías, De La Rosa, Ung, Ossé, Gutiérrez, Richardson Jordan, Joseph, Brannan, Menin, Schulman, Barron, Moya, Williams, Powers, Marte, Stevens, Brooks-Powers, Bottcher, Dinowitz, Ayala, Riley and The Speaker (Council Member Adams) (by request of the Brooklyn Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to banning solitary confinement in city jails.
Council Chambers – City Hall.....10:00 a.m.

★ Note Committee Deferred

[Committee on Public Housing](#) jointly with the Alexa Avilés, Chairperson
[Committee on Oversight and Investigations](#) and the Gale A. Brewer, Chairperson
~~★[Committee on Environmental Protection](#)~~ James F. Gennaro, Chairperson
Oversight – Water Testing at Jacob Riis Houses
Committee Room – City Hall.....1:00 p.m.

Wednesday, September 28, 2022

[Committee on Cultural Affairs, Libraries & International Intergroup Relations](#) Chi A. Ossé, Chairperson
Oversight - Safe Spaces in New York City Libraries and Cultural Institutions.
Council Chambers – City Hall.....10:00 a.m.

[Committee on Veterans](#) jointly with the Robert F. Holden, Chairperson
[Committee on Small Business](#) Julie Menin, Chairperson
Oversight - Veteran Entrepreneurship and Public Contract Opportunities.
Int 476 - By Council Members Holden and Nurse - **A Local Law** to amend the administrative code of the city of New York, in relation to procurement opportunities for veteran owned business enterprises.
Committee Room – City Hall.....10:00 a.m.

Committee on Land Use

Rafael Salamanca, Jr., Chairperson

All items reported out of the Subcommittees

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – City Hall.....1:00 p.m.

Committee on Mental Health, Disabilities & Addiction

Linda Lee, Chairperson

Oversight - Making NYC More Accessible for Individuals and Employees with Disabilities.

Committee Room – 250 Broadway, 16th Floor.....1:30 p.m

Thursday, September 29, 2022

Stated Council Meeting

Council Chambers – City Hall.....Agenda – 1:30 p.m

The following comments were among the remarks made by the Speaker (Council Member Adams) during the Communication from the Speaker segment of this meeting:

The Speaker (Council Member Adams) acknowledged the 21st anniversary of the attacks of September 11, 2001. She asked that we continue to honor the memory of those who were lost. She added that it was equally important to support the survivors of the attack as well as those who had lost family members to this tragedy. The Speaker (Council Member Adams) also asked that we remember the brave first responders who risked their lives in their official capacity to save their fellow New Yorkers as well as those who had sacrificed to serve simply because of their heroic humanity. She also acknowledged those first responders who came from all over the country to help New York City. She added that we must ensure that everyone who was impacted by 9/11 and its aftermath receive the health care that they need and deserve.

The Speaker (Council Member Adams) acknowledged the annual New York City Labor Day Parade that was held recently where labor and leaders of the labor movement were celebrated. She noted that she herself was the daughter of two long time union workers and was raised in a home and a community that understood the importance of organized labor. She added that it was important to recognize the continuing fight taking place in the present day for fair wages, safer workplaces, improved benefits, and for the right of all workers to organize without fear of retaliation.

The Speaker (Council Member Adams) acknowledged that it soon would be five years since Hurricane Maria devastated the Caribbean, and in particular, the islands of Dominica, Saint Croix, and Puerto Rico. She asked that we remember the victims and the people of these islands who were still being affected by this tragedy.

The Speaker (Council Member Adams) acknowledged that September is a month when many of the city’s diverse cultural communities are recognized and celebrated. She noted that the Council had marched down Eastern Parkway on September 5th for the 55th Annual West Indian Day Parade for the first time in three years. The Speaker (Council Member Adams) also noted that the city’s Asian-American communities had recently celebrated the Mid-Autumn Festival with friends and family. She added that the upcoming Hispanic Heritage Month will be the time when the contributions and achievements of Latino communities across the country are uplifted. The Speaker (Council Member Adams) additionally noted that black health professionals would be honored at the upcoming 53rd Annual African-American Day Parade in Harlem.

The Speaker (Council Member Adams) acknowledged that September 21st would mark Black Women’s Equal Pay Day. She noted that the first woman-majority Council was committed to narrowing existing disparities and achieving the equity which women deserve. She reiterated that the Council would not rest until women, especially women of color, were paid what they were owed.

Whereupon on motion of the Speaker (Council Member Adams), the Majority Leader and Acting President Pro Tempore (Council Member Powers) adjourned these proceedings to meet again for the Stated Meeting of Thursday, September 29, 2022.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor's Local Law Note: Int. Nos. 86-A, 409-A, 472-A, 478-A, 482-A, 490-A, and 509-A, all adopted by the Council at the August 11, 2022 Stated Meeting, were signed into law by the Mayor on September 6, 2022 as, respectively, Local Law Nos. 83 to 89 of 2022.