

THE COUNCIL

*Minutes of the Proceedings for the
STATED MEETING
of
Monday, June 13, 2022, 8:52 p.m.
Meeting of the Budget Adoption
(held in a hybrid meeting format)*

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

Council Members

Adrienne E. Adams, Speaker

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

Absent: Council Member Mealy.

The Majority Leader (Council Member Powers) assumed the chair as the Acting President Pro Tempore and Presiding Officer for these hybrid 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 50 Council Members marked present at this Stated Meeting held in the Council Chambers at City Hall, New York, N.Y.

MESSAGES & PAPERS FROM THE MAYOR

M-74

Communication from the Mayor - Submitting amended certificate setting forth the maximum amount of debt and reserves which the City, and the NYC Municipal Water Finance Authority and the New York City Transitional Finance Authority may soundly incur for capital projects for Fiscal Year 2023 and the ensuing three fiscal years, and the maximum amount of appropriations and expenditures for capital projects which may soundly be made during each fiscal year, pursuant to Section 250 of the New York City Charter.

June 13, 2022

Honorable Members of the Council

Honorable Brad Lander, Comptroller

Honorable Vanessa L. Gibson, Bronx Borough President
 Honorable Antonio Reynoso, Brooklyn Borough President
 Honorable Mark D. Levine, Manhattan Borough President
 Honorable Donovan Richards, Queens Borough President
 Honorable Vito Fossella, Staten Island Borough President

Honorable Members of the City Planning Commission

Ladies and Gentlemen:

This certificate amends my previous certificate submitted to you, dated April 26, 2022. I hereby certify that, as of this date, in my opinion, the City of New York (the "City"), the New York City Municipal Water Finance Authority and the New York City Transitional Finance Authority may soundly issue debt and expend reserves to finance total capital expenditures of the City for fiscal year 2023 and the ensuing three fiscal years, in maximum annual amounts as set forth below:

2023	\$11,096	Mill
2024	12,561	Mill
2025	14,106	Mill
2026	14,600	Mill

Certain capital expenditures are herein assumed to be financed from the proceeds of sale of bonds by the City and the New York City Transitional Finance Authority. Amounts of expenditures to be so

financed have been included in the total amounts listed above and are estimated to be as follows in fiscal years 2023 — 2026:

2023	\$9,211	Mill
2024	10,490	Mill
2025	11,819	Mill
2026	12,159	Mill

Certain water and sewer capital expenditures are herein assumed to be financed from the proceeds of the sale of bonds by the New York City Municipal Water Finance Authority. Amounts of expenditures to be so financed have been included in the total amounts listed in the first paragraph hereof and are estimated to be as follows in fiscal years 2023 — 2026:

2023	\$1,885	Mill
2024	2,071	Mill
2025	2,287	Mill
2026	2,441	Mill

I further certify that, as of this date, in my opinion, the City may newly appropriate in the Capital Budget for fiscal year 2023, and may include in the capital program for the ensuing three fiscal years, amounts to be funded by City debt, New York City Transitional Finance Authority debt or, with respect to water and sewer projects, debt of the New York City Municipal Water Finance Authority, not to exceed the following:

2023	\$13,774	Mill
2024	17,174	Mill
2025	15,999	Mill
2026	14,418	Mill

Sincerely,

Eric Adams Mayor

Received, Ordered, Printed and Filed.

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

Preconsidered M-71

Communication from the Office of Management & Budget - Transfer City funds between various agencies in Fiscal Year 2022 to implement changes to the City's expense budget, pursuant to Section 107(b) of the New York City Charter (MN-7).

(For text of the report and the accompanying resolution, please see the Report of the Committee on Finance for M-71 & Res. No. 229 printed in the Reports of the Standing Committees section of these Minutes)

Referred to the Committee on Finance.

Preconsidered M-72

Communication from the Office of Management & Budget - Appropriation of new City revenues in Fiscal Year 2022, pursuant to Section 107(e) of the New York City Charter (MN-8).

(For text of the report and the accompanying resolution, please see the Report of the Committee on Finance for M-72 & Res. No. 230 printed in the Reports of the Standing Committees section of these Minutes)

Referred to the Committee on Finance.

REPORTS OF THE STANDING COMMITTEES

Report of the Committee on Finance

Report for Int. No. 347

Report of the Committee on Finance in favor of approving and adopting a Local Law to amend the administrative code of the city of New York, in relation to suspending the tax imposed by chapter 24 of title 11 of such code for the tax year beginning on June 1, 2022.

The Committee on Finance, to which the annexed proposed local law was referred on May 5, 2022 (Minutes, page 922), respectfully

REPORTS:

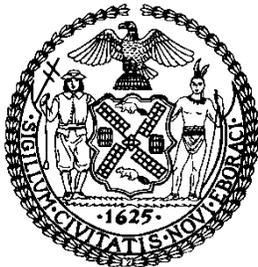
Introduction

Today, the Committee on Finance will conduct a hearing on Int. No. 347 *a Local Law to amend the administrative code of the city of New York, in relation to suspending the tax imposed by chapter 24 of title 11 of such code for the tax year beginning on June 1, 2022*. This bill would suspend the annual tax on State licensed retailers selling liquor, wine or beer at retail, for on or off premises consumption, within the city of New York for the tax year beginning in June 2022. It is paid by all establishments in the City that are required to have on-premise and off-premise liquor license, including restaurants, pubs, hotels, grocery stores, liquor and wine stores, entertainment venues, etc. The surcharge is imposed on the license fees paid to the State, at a rate of 25 percent. The surcharge is expected to generate \$5.5 million in Fiscal 2022.

Analysis of Int. No. 347

OMB projects that suspending the surcharge would cost the City \$6 million in tax revenues in Fiscal 2023. The Finance Division estimates that the suspension would save establishments anywhere between \$28 and \$490 a year depending on the type of license they require. The suspension of the surcharge is only for one fiscal year.

(The following is the text of the Fiscal Impact Statement for Int. No. 347:)



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

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

FISCAL IMPACT STATEMENT

INT. NO. 347

COMMITTEE: Finance

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to suspending the tax imposed by chapter 24 of title 11 of such code for the tax year beginning on June 1, 2022.

SPONSOR: Council Members Powers, Brannan, Yeger and Abreu (by request of the Mayor) Passed Under a Message of Necessity from the Mayor.

SUMMARY OF LEGISLATION: The liquor license surcharge is paid by establishments in the City that require State-issued licenses to sell liquor, wine or beer at retail, for on or off premises consumption. The tax, which is levied at a rate of 25 percent, is imposed on the fees paid for the State license. Int. No. 347 would suspend the tax for one year beginning in June 2022.

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023.

FISCAL IMPACT STATEMENT:

	Effective FY22	FY Succeeding Effective FY23	Full Fiscal Impact FY23
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is projected that the enactment of this legislation would result in \$6 million in foregone tax revenues for Fiscal 2023. However, the estimated revenue reduction has already been assumed in the Fiscal 2023 Financial Plan. Consequently, the passage of this legislation would have no further impact on revenue projection; it would simply codify the existing assumption therein. Hence, there is no assumed fiscal impact despite the aforementioned revenue reduction.

IMPACT ON EXPENDITURES: There is no expenditure attached to this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: William Kyeremateng, Principal Economist

ESTIMATE REVIEWED BY: Raymond Majewski, Deputy Director and Chief Economist
Malcom Butehorn, Senior Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Int. No. 347 on May 5, 2022 and was referred to the Committee on Finance to be heard on June 13, 2022. Upon a successful vote by the Committee, the bill will be submitted to the full Council for a vote on June 13, 2022.

DATE PREPARED: June 08, 2022.

Accordingly, this Committee recommends its adoption.

(The following is the text of Int. No. 347:)

Int. No. 347

By Council Members Powers, Brannan, Yeger and Abreu (by request of the Mayor).

A Local Law to amend the administrative code of the city of New York, in relation to suspending the tax imposed by chapter 24 of title 11 of such code for the tax year beginning on June 1, 2022

Be it enacted by the Council as follows:

Section 1. Chapter 24 of title 11 of the administrative code of the city of New York is amended by adding a new section 11-2402.1 to read as follows:

§ 11-2402.1 *Suspension of tax for the tax year beginning in 2022. Notwithstanding any other provision to the contrary, the tax authorized by this chapter shall not be imposed for the tax year beginning on June 1, 2022.*

§ 2. This local law takes effect immediately.

(The following is the text of a Message of Necessity from the Mayor for the Immediate Passage of Int. No. 347:)

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

Pursuant to authority invested in me by section twenty of the Municipal Home Rule and by section thirty-six of the New York City Charter, I hereby certify to the necessity for the immediate passage of a local law, entitled:

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to suspending the tax imposed by chapter 24 of title 11 of such code for the tax year beginning on June 1, 2022

Given under my hand and seal this 13th day of
June, 2022 at City Hall in the City of New York.

Eric Adams
Mayor

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, CHARLES BARRON, GALE A. BREWER, AMANDA FARIAS, KAMILLAH HANKS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, JULIE WON; 17-0-0; Committee on Finance, June 13, 2022. *Other Council Members Attending: The Speaker (Council Member Adams).*

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 Res. No. 221

Report of the Committee on Finance in favor of a approving a Resolution Computing and Certifying Base Percentage, Current Percentage and Current Base Proportion of Each Class of Real Property for Fiscal 2023 to the State Board of Real Property Tax Services Pursuant to Section 1803-a of the Real Property Tax Law.

The Committee on Finance, to which the annexed preconsidered resolution was referred on June 13, 2022, respectfully

REPORTS:

Introduction. Section 1803-a of the Real Property Tax Law requires the City Council to certify to the State Board of Real Property Tax Services ("SBRPTS") certain calculations used in the process of updating the class shares from the previous year. These calculations are made every year by the Council to reflect the following changes in each class of real property:

- a. Changes in the market value of taxable real property (as determined by SBRPTS sample studies),
- b. Physical changes as a result of new construction or demolitions,
- c. Changes in taxable status, and
- d. Transfers of real property among the four classes of real property as a result of changes in use or for other reasons.

Under SBRPTS regulations, the Council must update the class shares by making two separate certifications. The action to be taken in the above-referenced resolution constitutes the first step of establishing the class shares of the four classes of taxable real property in the City to which the tax levy for the Fiscal 2023 budget will be applied. The purpose of this step is to give effect to the latest class equalization rates required by Article 18 of the Real Property Tax Law. Using these rates, new estimates of market values for each class are calculated.

The second step, certifying the "adjusted base proportions," requires a separate resolution that takes into account all the changes included in the final assessment roll, after the Tax Commission's review of taxpayer protests. Attached hereto, as Exhibit A, are definitions of terms used in the analysis below.

Analysis. The class equalization rates described above normally generate a prospective current base proportion increasing over the prior fiscal year adjusted base proportion, or "class shares" (as shown in column R of SBRPTS Form RP-6700 attached to the above-captioned resolution). Pursuant to Section 1803-a(1)(c) of the Real Property Tax Law, if the increase in any class' current base proportion exceeds five percent growth, the Council is directed to shift the excess (and only the excess) to any other class or classes so long as the shift does not cause the current base proportion of any other class to increase by more than five percent. However, notwithstanding that provision of State law, Chapter 215 of the State Laws of 2022, authorizes the City to adjust the class share cap by changing the percent increase of the current base proportion of any class over its adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion, provided that such percent increase shall not exceed five percent, and provided further that such determination must be made by October 1, 2022.

Pursuant to that State law, the Council has adopted a resolution limiting the increase in any class share to zero percent.

The chart below shows the changes of the Fiscal 2023 current base proportions of all four classes from their adjusted base proportions in Fiscal 2022.

Class	Percent Change of FY23 Current Base Proportions from FY22 Adjusted Base Proportions
1	0.0
2	0.0
3	0.0
4	0.0

However, these current base proportions must still undergo adjustments for the physical changes and transfers among classes introduced in the final assessment roll. These adjustments ensue in a separate resolution, constituting the Council's second step. The "adjusted base proportions" derived from the adjustments will become the class shares used for allocating the Fiscal 2023 real property tax levy.

EXHIBIT A

"Class equalization rate" represents the percentage that the total assessed value of each class is of the market value of the class, as shown in SBRPTS sample studies.

"Base percentage" represents the percentage of total market value that each class constitutes in the 1989 base tax roll. The 1989 base tax roll is the one that was used in setting the tax levy for Fiscal 1990.

"Current percentage" is similar to the base percentage, but applies to the most recent year for which the SBRPTS has established class equalization rates (in this case, the Calendar Year 2021 assessment roll).

"Local base proportions" are the class tax shares used to fix the tax rates for Fiscal 1991.

"Current base proportions" are the local base proportions modified to take into account the market value changes revealed by the latest class equalization rates.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 221:)

Preconsidered Res. No. 221

RESOLUTION COMPUTING AND CERTIFYING BASE PERCENTAGE, CURRENT PERCENTAGE AND CURRENT BASE PROPORTION OF EACH CLASS OF REAL PROPERTY FOR FISCAL 2023 TO THE STATE BOARD OF REAL PROPERTY TAX SERVICES PURSUANT TO SECTION 1803-a OF THE REAL PROPERTY TAX LAW.

By Council Member Ayala.

Whereas, This Resolution, dated June 13, 2022, computes and certifies the base percentage, current percentage, and current base proportion of each class of real property for the fiscal year beginning on July 1, 2022 and ending on June 30, 2023 ("Fiscal 2023") to the State Board of Real Property Tax Services ("SBRPTS") pursuant to Section 1803-a of the Real Property Tax Law; and

Whereas, On March 21, 2022 the SBRPTS certified the final State equalization rate, class ratios and class equalization rates for the City's 2021 assessment rolls, required by Article 18 of the Real Property Tax Law; and

Whereas, Section 1803-a(1) of the Real Property Tax Law, requires the Council to compute and certify, to the SBRPTS, for each tax levy, the base percentage, the current percentage and the current base proportion of each class of real property in the City subsequent to the date on which the SBRPTS files with the Clerk of the Council a certification setting forth the final state equalization rate, class ratios and class equalization rates for the City's Fiscal 2023 assessment rolls, pursuant to Section 1212 of the Real Property Tax Law; and

Whereas, Section 1803-a(1)(c) of the Real Property Tax Law requires that if any increase in the current base proportion for any class of real property, as compared with the previous year's adjusted base proportion for such class of property shall exceed five percent, such excess over five percent must be shifted to any other class of property;

Whereas, Pursuant to Chapter 215 of the State Laws of 2022, the Council is authorized to adjust the class share cap by changing the percent increase of the current base proportion of any class over its adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion, provided that such percent increase shall not exceed five percent, and provided further that such determination must be made by October 1, 2022; and

Whereas, On June 13, 2022, the Council adopts herewith a resolution that sets a limit of zero percent of the current base proportion of any class over the adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion;

NOW, THEREFORE, be it resolved by The Council of The City of New York as follows:

Section 1. Computation and Certification of Base Percentages, Current Base Percentages and Current Base Proportions for Fiscal 2023. (a) The Council hereby computes and certifies the base percentage, the current percentage and the current base percentage for the City's Fiscal 2023 assessment rolls as shown on SBRPTS Form RP-6700, attached hereto as Exhibit A and incorporated herein by reference (the "CBP Certificate").

(b) The Clerk of the Council is hereby authorized and directed to execute the CBP Certificate and to file it with the SBRPTS after the date on which the SBRPTS filed with the Clerk of the Council a certification setting forth the final state equalization rate, class ratios and class equalization rates for the City's Fiscal 2023 assessment rolls, pursuant to Section 1212 of the Real Property Tax Law.

Section 2. Effective Date. This resolution shall take effect as of the date hereof.

ATTACHMENT: Exhibit A - the CBP Certificate

(For text of Exhibit A Chart, known as the "CBP Certificate", please refer to the legislation section of the New York City Council website <https://council.nyc.gov> and search in the attachments section of the **Res. No. 221 of 2022** file)

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, CHARLES BARRON, GALE A. BREWER, AMANDA FARIAS, KAMILLAH HANKS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, JULIE WON; *Negative*: Charles Barron and David M. Carr; 15-2-0; Committee on Finance, June 13, 2022. *Other Council Members Attending: The Speaker (Council Member Adams).*

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 Res. No. 222

Report of the Committee on Finance in favor of a Resolution approving Computing and Certifying Adjusted Base Proportion of Each Class of Real Property for Fiscal 2023 to the State Board of Real Property Tax Services Pursuant to Section 1803-a of the Real Property Tax Law.

The Committee on Finance, to which the annexed preconsidered resolution was referred on June 13, 2022, respectfully

REPORTS:

Introduction. The above-captioned resolution completes the certification procedure required by Section 1803-a of the Real Property Tax Law to establish the class shares used in levying the real property taxes for the adopted Fiscal 2023 budget.

In a separate resolution, the Council computed and certified the current base proportions for Fiscal 2023 (the "CBP Resolution"). The above-captioned resolution uses those current base proportions, together with data supplied by the New York City Department of Finance from the final assessment roll released on May 25, 2022, to determine the adjusted base proportions (or class shares) in accordance with the procedure established by the State Board of Real Property Tax Services (the "SBRPTS").

The current base proportion for each class of real property takes into account the market value changes in the class occurring between the assessment roll for the base period, 1989, and the latest roll for which SBRPTS has established class equalization rates, 2021. The CBP Resolution modified the class shares for the Fiscal 2023 property tax levy accordingly. The remaining step, to be taken in the above-captioned resolution, adjusts these current base proportions to take account of the various physical changes (such as demolitions, new construction, changes in exempt status and transfers among classes) that are reflected in the new final assessment roll. The computations called for in the SBRPTS procedure are designed to separate the effects of these physical changes from equalization changes made by local assessors.

Analysis. The calculations shown on the SBRPTS Form RP-6702, attached to the above-captioned resolution, modify the share for each class to reflect physical changes. For Fiscal 2023, assessments in all property tax classes undergo a slight impact from physical changes resulting in adjustments to the proportions of the levy assigned to each class. The Fiscal 2023 adjusted base proportions for Classes 1 and 4 decrease from their respective Fiscal 2023 current base proportions by 1.4 percent and 0.1 percent respectfully. Conversely, the adjusted base proportion in Classes 2 and 3 increase by 0.2 percent and 2.4 percent, respectively.

Correspondingly, changes in the adjusted base proportions between Fiscal 2022 and Fiscal 2023, as reported in the table below, reflect increases for Classes 1, 2, and 3, with the adjusted base proportion for Class 4 decreasing.

Comparison of Class Shares for Fiscal 2022 and Fiscal 2023			
Class	Fiscal 2022	Fiscal 2023	Percent Change
1	14.7206	14.5206	- 1.4
2	39.2894	39.3688	+ 0.2
3	7.1806	7.3500	+ 2.4
4	38.8094	38.7606	- 0.1
Total	100.0000	100.0000	

The table below compares the final tax rates resulting from use of class shares for Fiscal 2022 and Fiscal 2023.

Comparison of Tax Rates for Fiscal 2022 and Fiscal 2023 (Per \$100 Assessed Value)			
Class	Fiscal 2022	Fiscal 2023	Percent Change
1	\$19.963	\$20.309	+ 1.7
2	12.235	12.267	+ 0.3
3	12.289	12.755	+ 3.8
4	10.755	10.646	- 1.0

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 222:)

Preconsidered Res. No. 222

RESOLUTION COMPUTING AND CERTIFYING ADJUSTED BASE PROPORTION OF EACH CLASS OF REAL PROPERTY FOR FISCAL 2023 TO THE STATE BOARD OF REAL PROPERTY TAX SERVICES PURSUANT TO SECTION 1803-a OF THE REAL PROPERTY TAX LAW.

By Council Member Ayala.

WHEREAS, This Resolution, dated June 13, 2022, computes and certifies the adjusted base proportion of each class of real property for the fiscal year beginning on July 1, 2022 and ending on June 30, 2023 (“Fiscal 2023”) to the State Board of Real Property Tax Services (“SBRPTS”) pursuant to Section 1803-a of the Real Property Tax Law; and

WHEREAS, On May 25, 2022, pursuant to Section 1514 of the New York City Charter, the Commissioner of the Department of Finance delivered to the Council the certified assessment rolls for all real property assessable for taxation in the City in each borough thereof for Fiscal 2023, a certified copy of which is in the Office of the Clerk of the City pursuant to Section 516 of the Real Property Tax Law (the "Fiscal 2023 Assessment Rolls"); and

WHEREAS, Pursuant to Section 1803-a(1) of the Real Property Tax Law the Council adopts herewith a resolution in which the Council computed and certified the current base proportion, the current percentage and the base percentage of each class of real property in the City for Fiscal 2023 (the "Current Base Proportion Resolution"); and

WHEREAS, Section 1803-a(5) of the Real Property Tax Law requires the Council, subsequent to the filing of the final Fiscal 2023 Assessment Rolls, to adjust current base proportions computed pursuant to the Current Base Proportion Resolution to reflect additions to and removals from the Fiscal 2023 Assessment Rolls as described therein (each such current base proportion so adjusted to be known as an "Adjusted Base Proportion"); and

WHEREAS, Within five days upon determination of the Adjusted Base Proportions, Section 1803-a(6) of the Real Property Tax Law, requires the Council to certify, to the SBRPTS, the Adjusted Base Proportion for each class of real property applicable to the City, the assessed value of all property in each class of real property, the net change in assessed value for each class on the Fiscal 2023 Assessment Rolls resulting from the additions to or removals from the Fiscal 2023 Assessment Rolls as described above, and the net change in assessed value for each class on the Fiscal 2023 Assessment Rolls resulting from changes other than those referred to above;

NOW, THEREFORE, be it resolved by The Council of The City of New York as follows:

Section 1. Computation and Certification of Adjusted Base Proportions and Related Information for Fiscal 2023. (a) The Council hereby computes and certifies the Adjusted Base Proportion for each class of real property applicable to the City, the assessed value of all property in each class of real property, the net change in assessed value for each class on the Fiscal 2023 Assessment Rolls resulting from the additions to or removals from the Fiscal 2023 Assessment Rolls as described in Section 1803-a(5) of the Real Property Tax Law, and the net change in assessed value for each class on the Fiscal 2023 Assessment Rolls resulting from changes other than those described in Section 1803-a(5) of the Real Property Tax Law, as shown on SBRPTS Form RP-6702, attached hereto as Exhibit A and incorporated herein by reference (the "ABP Certificate").

(b) The Clerk of the Council is hereby authorized and directed to execute the ABP Certificate and to file it with the SBRPTS no later than five days after the date hereof.

Section 2. Effective Date. This resolution shall take effect as of the date hereof.

ATTACHMENT: Exhibit A - the ABP Certificate

(For text of Exhibit A Chart, known as the "ABP Certificate", please refer to the legislation section of the New York City Council website at <https://council.nyc.gov> and search in the attachments section of the [Res. No. 222 of 2022](#) file)

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, CHARLES BARRON, GALE A. BREWER, AMANDA FARIAS, KAMILLAH HANKS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, JULIE WON; *Negative*: Charles Barron and David M. Carr; 15-2-0; Committee on Finance, June 13, 2022. *Other Council Members Attending: The Speaker (Council Member Adams).*

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 Res. No. 223

Report of the Committee on Finance in favor of approving a Resolution establishing for Fiscal 2023 a zero percent increase of the current base proportion of any class over the adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion.

The Committee on Finance, to which the annexed preconsidered resolution was referred on June 13, 2022, respectfully

REPORTS:

Introduction. Section 1803-b(1)(b) of the Real Property Tax Law requires the New York City Council (“City Council”) to distribute the tax levy among the four classes of real property based on the adjusted base proportions as computed by the City Council.

Pursuant to 1803-a(1)(5), the adjusted base proportions are computed using the current base proportions as calculated by the City Council. Such calculations are made every year by the City Council to reflect the following changes in each class of real property:

- a. Changes in the market value of taxable real property;
- b. Physical changes as a result of new construction or demolitions;
- c. Changes in taxable status; and
- d. Transfers of real property among the four classes of real property as a result of changes in use or for other reasons.

Section 1803-a(1)(c) of the Real Property Tax Law requires that the current base proportion of any class of real property not exceed the adjusted base proportion of the immediately preceding year by more than five percent. Where the computation performed exceeds five percent, the current base proportion of such class or classes shall be limited to such five percent increase, and the City Council shall alter the current base proportions of any or all of the remaining classes so that the sum of the current base proportions equals one.

For Fiscal 2023, the City Council has determined to set a limit of zero percent of the current base proportion of any class over the adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion.

Analysis. For Fiscal 2023, the City Council has determined to set a limit of zero percent of the current base proportion of any class over the adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion. State law provides that the current base proportion of any single class may not exceed the adjusted base proportion for that class from the prior year by more than five percent. However, notwithstanding that provision of State law, pursuant to Chapter 215 of the State Laws of 2022, the Council is authorized to adjust the class share cap by changing the percent increase of the current base proportion of any class over its adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion, provided that such percent increase shall be no more than five percent, and provided further that such determination must be made by October 1, 2022. This legislation would make such an adjustment, for Fiscal 2023 only, to cap the maximum class share growth at zero percent for New York City.

Without such action, the State Board of Real Property Tax Services (“SBRPTS”) class equalization rates would cause the tax burden on property tax class one (comprised of one-, two, and three-family homes) to increase by 6.8 percent as compared to the Fiscal 2022 class one property tax rate, which, when coupled with assessment increases, would cause significant increases in the tax bills for residential homeowners. Further, class 2 (all other residential property, including most coop and condo homes) would see a 2.7 percent increase over its Fiscal 2022 property tax rate, while Class 3 (utility property) would see an increase of 5.7 percent over its Fiscal 2022 property tax rate, which would cause significant increases in the tax bills for these property owners.

Therefore, in the above-named resolution, a limit of 0 percent of the current base proportion of any property tax class over the adjusted base proportion of the immediately preceding year for purposes of

determining the current base proportion shall be enacted. The effect of that change would reduce the class one property tax rate increase to just 1.7 percent, the class two property tax rate (comprised of all other residential property) increase to 0.3 percent, and the class three property tax rate increase to 3.8 percent. Class four's rate will decrease from the prior year in this scenario, by 1.0 percent.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 223:)

Preconsidered Res. No. 223

Resolution establishing for Fiscal 2023 a zero percent increase of the current base proportion of any class over the adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion.

By Council Member Ayala.

Whereas, Section 1803-b(1)(b) of the Real Property Tax Law requires the New York City Council (the "Council") to distribute the tax levy among the four classes of real property based on the adjusted base proportions as computed by the Council; and

Whereas, Pursuant to section 1803-a(1)(5) of the Real Property Tax Law, the adjusted base proportions are computed using the current base proportions as calculated by the Council; and

Whereas, Section 1803-a(1)(c) of the Real Property Tax Law requires that if any increase in the current base proportion for any class of real property, as compared with the previous year's adjusted base proportion for such class of property, shall exceed five percent, such excess over five percent must be shifted to any other class of property (this percent limit to be known as the "Class Share Cap"); and

Whereas, Notwithstanding the provisions of section 1803-a(1)(c) of the Real Property Tax Law, for Fiscal 2023, pursuant to Chapter 215 of the Laws of 2022, the Council is authorized to adjust the class share cap by changing the percent increase of the current base proportion of any class over its adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion, provided that such percent increase shall be no more than five percent, and provided further that such determination must be made by October 1, 2022; and

Whereas, For Fiscal 2023, the Council has determined to set a limit of zero percent of the current base proportion of any class over the adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion; now, therefore, be it

Resolved, That the Council of the City of New York establishes for Fiscal 2023 a zero percent increase of the current base proportion of any class over the adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, CHARLES BARRON, GALE A. BREWER, AMANDA FARIAS, KAMILLAH HANKS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, JULIE WON, DAVID M. CARR; *Negative*: Charles Barron; 16-1-0; Committee on Finance, June 13, 2022. *Other Council Members Attending: The Speaker (Council Member Adams).*

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 Res. No. 224

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

The Committee on Finance, to which the annexed preconsidered resolution was referred on June 13, 2022, respectfully

REPORTS:

Introduction. The Council of the City of New York (the “Council”) annually adopts the City’s budget covering expenditures other than for capital projects (the “expense budget”) pursuant to Section 254 of the Charter. On June 19, 2019, the Council adopted the expense budget for fiscal year 2020 with various programs and initiatives (the “Fiscal 2020 Expense Budget”). On June 30, 2020, the Council adopted the expense budget for fiscal year 2021 with various programs and initiatives (the “Fiscal 2021 Expense Budget”). On June 30, 2021, the Council adopted the expense budget for fiscal year 2022 with various programs and initiatives (the “Fiscal 2022 Expense Budget”).

Analysis. In an effort to continue to make the budget process more transparent, the Council is providing a list setting forth new designations and/or changes in the designation of certain organizations receiving funding in accordance with the Fiscal 2022 and Fiscal 2021 Expense Budgets, and amendments to the description for the Description/Scope of Services of certain organizations receiving funding in accordance with the Fiscal 2022, Fiscal 2021 and Fiscal 2020 Expense Budgets.

This Resolution, dated June 13, 2022, approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding and funding for certain initiatives in accordance with the Fiscal 2022 Expense Budget, approves the new designation of certain organizations receiving funding for certain initiatives in accordance with the Fiscal 2021 Expense Budget, and amends the description for the Description/Scope of Services of certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2022, Fiscal 2021 and Fiscal 2020 Expense Budgets.

This Resolution sets forth the new designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2022 Expense Budget, as described in Chart 1; sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to certain initiatives pursuant to the Fiscal 2022 Expense Budget, as described in Charts 2-6; sets forth the new designation of a certain organization receiving funding pursuant to a certain initiative pursuant to the Fiscal 2021 Expense Budget, as described in Chart 7; amends the description for the Description/Scope of Services of certain organizations receiving local discretionary funding and funding pursuant to a certain initiative pursuant to the Fiscal 2022 Expense Budget, as described in Chart 8; amends the description for the Description/Scope of Services of certain organizations receiving youth discretionary funding pursuant to the Fiscal 2021 Expense Budget, as described in Chart 9; and amends the description for the Description/Scope of Services of certain organizations receiving local discretionary funding pursuant to the Fiscal 2020 Expense Budget, as described in Chart 10 .

Specifically, Chart 1 sets forth the new designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2022 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 2 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 3 sets forth the change in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 4 sets forth the new designation of certain organizations receiving funding pursuant to the SU-CASA Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 5 sets forth the new designation of a certain organization receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 6 sets forth the new designation of a certain organization receiving funding pursuant to the Pandemic Support for Human Service Providers Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 7 sets forth the new designation of a certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2021 Expense Budget.

Chart 8 amends the description for the Description/Scope of Services of certain organizations receiving local discretionary funding and funding pursuant to the Anti-Poverty Initiative pursuant to the Fiscal 2022 Expense Budget.

Chart 9 amends the description for the Description/Scope of Services of a certain organization receiving youth discretionary funding pursuant to the Fiscal 2021 Expense Budget.

Chart 10 amends the description for the Description/Scope of Services of a certain organization receiving local discretionary funding pursuant to the Fiscal 2020 Expense Budget.

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

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

Description of Above-captioned Resolution. In the above-captioned Resolution, the Council would approve the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2022, Fiscal 2021 and Fiscal 2020 Expense Budgets. Such Resolution would take effect as of the date of adoption.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 224:)

Preconsidered Res. No. 224

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

By Council Member Brannan.

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

Whereas, On June 30, 2020, the City Council adopted the expense budget for fiscal year 2021 with various programs and initiatives (the “Fiscal 2021 Expense Budget”); and

Whereas, On June 19, 2019, the City Council adopted the expense budget for fiscal year 2020 with various programs and initiatives (the “Fiscal 2020 Expense Budget”); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2022, Fiscal 2021 and Fiscal 2020 Expense Budgets by approving the new designation and/or the changes in the designation of certain organizations receiving local discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2022, Fiscal 2021 and Fiscal 2020 Expense Budgets by approving new Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding pursuant to certain initiatives; now, therefore, be it

Resolved, That the City Council approves the new designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2022 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the SU-CASA Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Pandemic Support for Human Service Providers Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the amendments of the Description/Scope of Services of a certain organization receiving youth discretionary funding pursuant to the Fiscal 2021 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the amendments of the Description/Scope of Services of a certain organization receiving youth discretionary funding pursuant to the Fiscal 2021 Expense Budget, as set forth in Chart 9; and be it further.

Resolved, That the City Council approves the amendments of the Description/Scope of Services of a certain organization receiving local discretionary funding pursuant to the Fiscal 2020 Expense Budget, as set forth in Chart 10.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, CHARLES BARRON, GALE A. BREWER, AMANDA FARIAS, KAMILLAH HANKS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, JULIE WON; 17-0-0; Committee on Finance, June 13, 2022. *Other Council Members Attending: The Speaker (Council Member Adams).*

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

Report for M-50

Report of the Committee on Finance in favor of approving, as modified, a Communication from the Mayor regarding the submittal of the Expense Revenue Contract Budget, for Fiscal Year 2023, pursuant to Section 249 of the New York City Charter.

The Committee on Finance, to which the annexed Budget communication was referred on April 28, 2022, (Minutes, page 641) and which same communication was coupled with the Expense-Revenue-Contract Budget resolutions shown below, respectfully

REPORTS:

After careful and due deliberation on the matter, this Committee recommended the approval, as modified, of the Expense-Revenue-Contract Budget for Fiscal Year 2023.

(For full text of Res No. 225 with Schedule A attachment and Res. No. 226 with Schedule B attachment, please see, respectively, the attachments section to Res. No. 225 & Res No. 226 on the Council website <https://council.nyc.gov> or the Office of Management and Budget page on the New York City website at <https://www1.nyc.gov/site/omb/publications/publications.page>; for the complete digital text of the related 334-page supporting document entitled "[Adjustments Summary / Schedule C](#)" for FY 2023", please also refer to the New York City Council website at <https://council.nyc.gov>)

Accordingly, this Committee recommends the adoption of M-50 & Res No. 225 & Res No. 226.

In connection herewith, Council Member Brannan offered the following two resolutions (Res Nos. 225 & 226):

Res. No. 225

RESOLUTION TO ADOPT A BUDGET APPROPRIATING THE AMOUNTS NECESSARY FOR THE SUPPORT OF THE GOVERNMENT OF THE CITY OF NEW YORK AND THE COUNTIES THEREIN AND FOR THE PAYMENT OF INDEBTEDNESS THEREOF, FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2022 AND ENDING ON JUNE 30, 2023 IN ACCORDANCE WITH THE PROVISIONS OF THE NEW YORK CITY CHARTER.

By Council Member Brannan:

RESOLVED, That the Council hereby adopts the Proposed Fiscal 2023 Budget, as modified to reflect increases, decreases, additions or omissions of units of appropriation and to reflect additions of terms or conditions related to such appropriations as set forth in the schedules hereto (the Fiscal Year 2023 Budget").

And be it further Resolved;

Res. No. 226

RESOLUTION TO ADOPT A CONTRACT BUDGET SETTING FORTH, BY AGENCY, CATEGORIES OF CONTRACTUAL SERVICES FOR WHICH APPROPRIATIONS HAD BEEN PROPOSED FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2022 AND ENDING ON JUNE 30, 2023, IN ACCORDANCE WITH THE PROVISIONS OF THE NEW YORK CITY CHARTER.

By Council Member Brannan:

RESOLVED, That the Council hereby adopts the Proposed Fiscal 2022 Contract Budget, as modified to reflect increases, decreases or omissions of such amounts as set forth in the schedules hereto.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, GALE A. BREWER, AMANDA FARIAS, KAMILLAH HANKS, CRYSTAL HUDSON, ARI KAGAN, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, JULIE WON; *Negative*: Charles Barron and Chi A. Ossé; 15-2-0; Committee on Finance, June 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 M-51

Report of the Committee on Finance in favor of approving, as modified, a Communication from the Mayor regarding the submittal of the Executive Capital Budget for Fiscal Year 2023, pursuant to Section 249 of the New York City Charter.

The Committee on Finance, to which the annexed Budget communication was referred on April 28, 2022, (Minutes, page 641) and which same communication was coupled with the Capital Budget resolutions shown below, respectfully

REPORTS:

After careful and due deliberation on the matter, this Committee recommended the approval, as modified, of the Capital Budget for Fiscal Year 2023.

(For text of [Res A](#) and [Res B](#), please see, respectively, the attachment section to Res No. 227 and Res. No. 228 on the Council website <https://council.nyc.gov>; for the complete digital text of the related 89-page supporting document entitled [“Supporting Detail for Fiscal Year 2023/ Changes to the Executive Capital Budget”](#), please also refer to the Office of Management and Budget page on the New York City website at <https://www1.nyc.gov/site/omb/publications/publications.page>).

Accordingly, this Committee recommends the adoption of M-51 & Res. No. 227 & Res. No. 228.

In connection herewith, Council Member Brannan offered the following two resolutions (Res Nos. 227 & 228):

Res. No. 227

RESOLUTION BY THE NEW YORK CITY COUNCIL PURSUANT TO SECTION 254 OF THE NEW YORK CITY CHARTER, THAT THE CAPITAL BUDGET FOR FISCAL YEAR 2023 AND CAPITAL PROGRAM, BEING THE EXECUTIVE CAPITAL BUDGET FOR FISCAL YEAR 2023 AND PROGRAM AS SUBMITTED BY THE MAYOR AND BY THE BOROUGH PRESIDENTS PURSUANT TO SECTION 249 OF THE NEW YORK CITY CHARTER, INCLUDING RESCINDMENT OF AMOUNTS FROM PRIOR CAPITAL BUDGETS, BE AND THE SAME ARE HEREBY APPROVED IN ACCORDANCE WITH THE FOLLOWING SCHEDULE OF CHANGES (RESOLUTION A).

By Council Member Brannan:

RESOLVED, By the New York City Council pursuant to Section 254 of the New York City Charter, that the Capital Budget for the Fiscal Year 2023 and Capital Program, being the Executive Capital Budget for Fiscal Year 2023 and Program as submitted by the Mayor and by the Borough Presidents pursuant to Section 249

of the New York City Charter, including rescindment of amounts from prior Capital Budgets, be and the same are hereby approved in accordance with the following schedule of changes. (Resolution A)

And be it further Resolved;

Res. No. 228

RESOLUTION BY THE NEW YORK CITY COUNCIL PURSUANT TO SECTION 254 OF THE NEW YORK CITY CHARTER, THAT THE CAPITAL BUDGET FOR FISCAL YEAR 2023 AND CAPITAL PROGRAM FOR THE ENSUING THREE YEARS, AS SET FORTH IN THE EXECUTIVE CAPITAL BUDGET FOR THE FISCAL YEAR 2023 AND CAPITAL PROGRAM AS SUBMITTED BY THE MAYOR AS AUGMENTED BY THE BOROUGH PRESIDENTS PURSUANT TO SECTION 249 OF THE NEW YORK CITY CHARTER, AND AMENDED BY THE SCHEDULE OF CHANGES APPROVED UNDER RESOLUTION A, INCLUDING AMOUNTS REALLOCATED BY THE RESCINDMENT OF AMOUNTS FROM PRIOR CAPITAL BUDGET APPROPRIATIONS, IS HEREBY ADOPTED IN THE TOTAL AMOUNTS AS FOLLOWS. (RESOLUTION B).

By Council Member Brannan:

RESOLVED, By the City Council pursuant to Section 254 of the New York City Charter, that the Capital Budget for the Fiscal Year 2023 and Capital Program for the ensuing three years, as set forth in the Executive Capital Budget for Fiscal Year 2023 and Capital Program as submitted by the Mayor as augmented by the Borough Presidents pursuant to Section 249 of the New York City Charter, and amended by the schedule of changes approved under Resolution A, including amounts reallocated by the rescindment of amounts from prior Capital Budget appropriations, is hereby adopted in the total amounts.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, GALE A. BREWER, AMANDA FARIAS, KAMILLAH HANKS, CRYSTAL HUDSON, ARI KAGAN, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, JULIE WON; *Negative*: Charles Barron and Chi A. Ossé; 15-2-0; Committee on Finance, June 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 M-52

Report of the Committee on Finance in favor of approving a Communication from the Mayor regarding the submittal of the Proposed City Fiscal Year 2023 Community Development Program, the Proposed CFY'23 Budget, the Proposed Reallocations-the CD XLVIII Funds, Proposed CD XLIX Statement of Objectives and Budget, dated April 26, 2022.

The Committee on Finance, to which the annexed Budget communication was referred on April 28, 2022 (Minutes, page 641) and which same communication was coupled with the Community Development Program resolution shown below, respectfully

REPORTS:

Introduction. The Proposed City Fiscal Year 2023 Community Development Program, Proposed Reallocation of Forty-Eighth Year Community Development Funds, and Proposed Forty-Ninth Year Community Development Program were submitted by the Mayor to the Council on April 26, 2022 and referred to the Committee on Finance.

Analysis. The Committee on Finance held hearings on the 6th, 9th, 10th, 11th, 12th, 13th, 18th, 20th, 23rd, 24th, and 25th of May, 2022. The testimony elicited at these hearings regarding the budget as a whole and with respect to specific needs and projects was supplemented by further data developed at the meetings of the Committee on Finance, and from Council staff and representatives of City agencies. The primary concern of the Committee was that the funding contained in the Proposed City Fiscal Year 2023 Community Development Program would meet the actual and perceived needs of the communities the City of New York comprises.

In its deliberations, the Committee on Finance took into consideration the testimony of the citizenry at the public hearings and the information furnished by Council Members, staff assistants, and City agencies.

As a result of the Committee on Finance’s deliberation, the Committee recommends the following:

1. A City Fiscal Year 2023 Community Development Program totaling \$252,050,000; and
2. A Reallocated Forty-Eighth Year Community Development Program totaling \$256,084,000; and
3. A Forty-Ninth Community Development Program totaling \$251,547,000.

The Committee makes this recommendation with the stipulation that the portion of the Forty-Ninth Year Community Development budget, which will be spent in City Fiscal Year 2024 and not City Fiscal Year 2023, will be subject to review and reallocation in the City Fiscal Year 2024 Community Development budget.

Community Development Block Grant (CDBG)-Additional Funding
(Dollars in Millions)

COMMUNITY DEVELOPMENT PROGRAM	PROPOSED BUDGET	PROPOSED CHANGES	REVISED BUDGET
City Fiscal Year 2023 Community Development Program Total:	258.695	-6.645	252.050
Reallocated Forty-Eighth Year Community Development Program Total:	259.933	-3.849	256.084
Forty-Ninth Year Community Development Program Total:	251.695	-0.148	251.547

The proposed changes to the City Fiscal Year 2023 Community Development Program Total are comprised of the following:

- 1) The addition of \$0.375 for the Met Council Food Pantry, administered through the Department of Youth and Community Development. Community Development Block Grant funds will pay for a food distribution program targeting low- and moderate-income residents in New York City. Funds will pay for the administrative staff and for food.
- 2) A reduction of \$0.148 to the water and sewer budget for the City’s occupied tax-foreclosed housing units. The number of units in the City’s tax-foreclosed housing inventory has been steadily decreasing as the properties are returned to non-City ownership.
- 3) A reduction of \$6.872 to three HPD programs: Emergency Repair Program, Code Enforcement, and

Emergency Relocation and the associated fringe benefits. These actions are reductions of anticipated surplus and are necessary to offset a reduction to the national CDBG appropriation and a corresponding decrease to the City's CDBG award.

The proposed changes to Chart 2 are comprised of approximately half of the above changes because CD 48 supports the first half of CFY 2023.

The proposed change to Chart 3 is the reduction to the water and sewer charges in the occupied in rem building inventory.

Finally, in Calendar Year 2023, the following programs will continue to spend funds that were allocated in prior years (in millions):

- City Educational Facilities: Accessibility Improvements in City Schools: \$11.928
- Inspections in City Shelters: \$6.542
- Parks Construction and Renovation Program: \$1.879
- Public Housing Rehabilitation Program: \$143.637
- Recreation Services Planning: \$2.000
- Demolition Program: \$7.813

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 229

Resolution approving The City Fiscal Year 2023 Community Development Program, Reallocation of Forty-Eighth Year Community Development Funds, and the Proposed Forty-Ninth Year Community Development Program.

By Council Member Brannan.

Whereas, The Office of Management and Budget has prepared a Proposed City Fiscal Year 2023 Community Development Program, a Proposed Reallocation of Forty-Eighth Year Community Development Funds, and a Proposed Forty-Ninth Year Community Development Program; and

Whereas, The Proposed City Fiscal Year 2023 Community Development Program, Proposed Reallocation of Forty-Eighth Year Community Development Funds, and Proposed Forty-Ninth Year Community Development Program are provided to the City Council for review and consideration; now, therefore, be it

Resolved, That the Council of the City of New York hereby agrees to the Proposed Community Development Program for City Fiscal Year 2023 in the amount of \$252,050,000, which reflects a decrease of \$6,645,000 from the Executive Budget as submitted by the Mayor on April 26, 2022; and be it further

Resolved, That the Council of the City of New York hereby agrees to the Proposed Reallocation of Forty-Eighth Year Community Development Funds in the amount of \$256,084,000, which reflects a decrease of \$3,849,000 from the Proposed Forty-Eighth Year Community Development Budget as submitted by the Mayor on April 26, 2022; and be it further

Resolved, That the Council of the City of New York hereby agrees to the Proposed Forty-Ninth Year Community Development Program in the amount of \$251,547,000, which reflects a decrease of \$148,000 from the Proposed Forty-Ninth Year Community Development Program as submitted by the Mayor on April 26, 2022; and be it further

Resolved, That the Council of the City of New York hereby shall have the opportunity to review the allocation as part of the City Fiscal Year 2024 budget adoption, of that portion of the Forty-Ninth Community Development budget that will be scheduled to be spent in City Fiscal Year 2024 and not City Fiscal Year 2023.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, CHARLES BARRON, GALE A. BREWER, AMANDA FARIAS, KAMILLAH HANKS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, JULIE WON, DAVID M. CARR; *Negative*: Charles Barron; 16-1-0; Committee on Finance, June 13, 2022. *Other Council Members Attending: The Speaker (Council Member Adams).*

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 M-71

Report of the Committee on Finance in favor of approving a Communication from the Office of Management & Budget in regard to the Transfer of City funds between various agencies in Fiscal Year 2022 to implement changes to the City's expense budget, pursuant to Section 107(b) of the New York City Charter (MN-7).

The Committee on Finance, to which the annexed preconsidered communication was referred on June 13, 2022 and which same communication was coupled with the resolution shown below, respectfully

REPORTS:

Introduction. At the meeting of the Committee on Finance of the City Council on June 13, 2022, the Council considered a communication from the Office of Management and Budget of the Mayor, dated June 13, 2022, of a proposed request to modify, pursuant to Section 107(e) of the Charter of the City of New York, the Fiscal 2022 Expense Budget Plan, and the revenue estimate related thereto prepared by the Mayor as of June 13, 2022.

Analysis. The Council annually adopts the City's budget covering expenditures pursuant to Section 254 of the Charter. On June 30, 2021, the Council adopted the expense budget for fiscal year 2022 (the "Fiscal 2022 Expense Budget"). On December 15, 2021, the Council adopted MN-1, modifying the Fiscal 2022 Expense Budget, and MN-2, which appropriated new revenues. On March 15, 2022, the Council adopted MN-3, modifying the Fiscal 2022 Expense Budget, and MN-4, which appropriated new revenues. On May 19, 2022, the Council adopted MN-5, modifying the Fiscal 2022 Expense Budget, and MN-6, which appropriated new revenues. On June 13, 2022, the Mayor submitted to the Council MN-7, modifying the Fiscal 2022 Expense Budget. On June 13, 2022, the Mayor submitted to the Council a revenue estimate MN-8, related to the Fiscal 2022 Expense Budget.

Circumstances have changed since the Council last adopted the Fiscal 2022 Expense Budget.

Section 107(e) provides one mechanism for the Mayor and the Council to amend the Expense Budget and related revenue estimate to reflect changes in circumstances that occur after adoption of a budget. Section 107(e) permits the modification of the budget in order to create new units of appropriation, to appropriate new revenues

from any source other than categorical federal, state and private funding, or to use previously unappropriated funds received from any source.

Discussion of Above-captioned Resolution. The above-captioned resolution would authorize the modifications to the Fiscal 2022 Expense Budget and related revenue estimate requested in the communication.

MN-8 seeks to increase revenues in the net amount of \$2.82 billion compared to the April 2022 Financial Plan, including \$2.9 billion in tax revenue. These increases are offset by a reduction of \$45 million in miscellaneous revenue and \$60 million in disallowances. This represents an increase in City funds of approximately 3.9 percent.

Tax revenues increased by \$2.9 billion since the April 2022 Financial Plan. The majority of the increase, \$1.8 billion, came from personal income tax. Business taxes also came stronger than expected with \$527 million in general corporation and \$134 million in unincorporated. Additional tax revenues included \$220 million in the sales tax and \$176 million in real property transfer.

Miscellaneous revenues decreased by \$45 million since the April 2022 Financial Plan. This included reductions of \$32.9 million in licenses, franchises, etc., \$33 million in charges for services and \$21 million water sewage charges. Offsetting these decreases was \$39 million in additional revenues from fines and forfeitures and \$3.7 million in other miscellaneous revenue.

Disallowances also decreased by \$60 million since the April 2022 Financial Plan.

The resolution would also direct the City Clerk to forward a certified copy thereof to the Mayor and the Comptroller so that the Mayor, the Comptroller and the City Clerk may certify the Fiscal 2022 Expense Budget as amended thereby as the budget for the remainder of the fiscal year. The above-captioned resolution would take effect as of the date adopted.

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

TO: Honorable Adrienne E. Adams
 Speaker

 Honorable Justin Brannan
 Chair, Finance Committee

FROM: Tanisha S. Edwards, Esq.,
 Chief Financial Officer and Deputy Chief of Staff to the Speaker
 Jonathan Rosenberg, Managing Deputy Director
 Eisha Wright, Deputy Director
 Paul Scimone, Deputy Director
 Dohini Sompura, Assistant Director

DATE: June 13, 2022

SUBJECT: Expense Budget Modification for Fiscal 2022 (MN-7)

INITIATION: By letter dated June 13, 2022, the Director of the Office of Management and Budget submitted to the Council, pursuant to section 107(b) of the New York City Charter, a request for approval to modify units of appropriation and transfer funds from various agencies in the amount of \$750 million to implement changes in the City's expense budget.

BACKGROUND: MN-7 implements expense budget changes which were reflected in the City's Executive and Adopted Financial Plans and reallocates appropriations that were included in the Fiscal 2022 Adopted Budget to fund City Council initiatives.

FISCAL IMPACT: MN-7 represents the reallocation of appropriations. The net effect of this modification is zero.

Expense Budget Modification (MN-7)

MN-7 modifies the current Fiscal 2022 budget. The changes presented in the Executive Financial Plan, as well as changed reflected in City Council transparency resolutions are included.

MN-7 moves \$750 million in City tax-levy funds (CTL) within and among City agencies but leaves the overall level of City funds unchanged.

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

Preconsidered Res. No. 230

RESOLUTION APPROVING THE MODIFICATION (MN-7) OF UNITS OF APPROPRIATION AND THE TRANSFER OF CITY FUNDS BETWEEN AGENCIES PROPOSED BY THE MAYOR PURSUANT TO SECTION 107(b) OF THE NEW YORK CITY CHARTER.

By Council Member Brannan.

Whereas, At a meeting of the Committee on Finance of the City Council of the City of New York (the "City Council") on June 13, 2022, the Committee on Finance considered a communication, dated June 13, 2022, from the Office of Management and Budget of the Mayor of The City of New York (the "Mayor"), of a proposed request, attached hereto as Exhibit A (the "Modification"), to modify units of appropriation and to transfer city funds in the amount of \$750,960,432 in the Fiscal 2022 expense budget as adopted by the Council on June 30, 2021, pursuant to Section 107(b) of the Charter of the City of New York (the "Charter"); and

Whereas, pursuant to Section 107(b) of the Charter, the City Council has thirty (30) days after the first stated meeting of the City Council following such receipt within which to act upon the Modification;

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

1. **Approval of Modification.** The City Council hereby approves, pursuant to Section 107(b) of the Charter, the actions proposed by the Mayor as set forth in the Modification.
2. **Effective Date.** This resolution shall take effect as of the date hereof.

(For text of the MN-7 and Appendix A numbers, please see the New York City Council website at <https://council.nyc.gov/> for the respective attachments section for [the M-71 & Res. No. 230 of 2022 files](#))

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, CHARLES BARRON, GALE A. BREWER, AMANDA FARIAS, KAMILLAH HANKS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, JULIE WON, DAVID M. CARR; *Negative*: Charles Barron; 16-1-0; Committee on Finance, June 13, 2022. *Other Council Members Attending: The Speaker (Council Member Adams).*

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 M-72

Report of the Committee on Finance in favor of approving an Appropriation of new City revenues in Fiscal Year 2022, pursuant to Section 107(e) of the New York City Charter (MN-8).

The Committee on Finance, to which the annexed preconsidered communication was referred on June 13, 2022 and which same communication was coupled with the resolution shown below, respectfully

REPORTS:

Introduction. At the meeting of the Committee on Finance of the City Council on June 13, 2022, the Council considered a communication from the Office of Management and Budget of the Mayor, dated June 13, 2022, of a proposed request to modify, pursuant to Section 107(e) of the Charter of the City of New York, the Fiscal 2022 Expense Budget Plan, and the revenue estimate related thereto prepared by the Mayor as of June 13, 2022.

Analysis. The Council annually adopts the City's budget covering expenditures pursuant to Section 254 of the Charter. On June 30, 2021, the Council adopted the expense budget for fiscal year 2022 (the "Fiscal 2022 Expense Budget"). On December 15, 2021, the Council adopted MN-1, modifying the Fiscal 2022 Expense Budget, and MN-2, which appropriated new revenues. On March 15, 2022, the Council adopted MN-3, modifying the Fiscal 2022 Expense Budget, and MN-4, which appropriated new revenues. On May 19, 2022, the Council adopted MN-5, modifying the Fiscal 2022 Expense Budget, and MN-6, which appropriated new revenues. On June 13, 2022, the Mayor submitted to the Council MN-7, modifying the Fiscal 2022 Expense Budget. On June 13, 2022, the Mayor submitted to the Council a revenue estimate MN-8, related to the Fiscal 2022 Expense Budget.

Circumstances have changed since the Council last adopted the Fiscal 2022 Expense Budget.

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

Discussion of Above-captioned Resolution. The above-captioned resolution would authorize the modifications to the Fiscal 2022 Expense Budget and related revenue estimate requested in the communication.

MN-8 seeks to increase revenues in the net amount of \$2.82 billion compared to the April 2022 Financial Plan, including \$2.9 billion in tax revenue. These increases are offset by a reduction of \$45 million in miscellaneous revenue and \$60 million in disallowances. This represents an increase in City funds of approximately 3.9 percent.

Tax revenues increased by \$2.9 billion since the April 2022 Financial Plan. The majority of the increase, \$1.8 billion, came from personal income tax. Business taxes also came stronger than expected with \$527 million in general corporation and \$134 million in unincorporated. Additional tax revenues included \$220 million in the sales tax and \$176 million in real property transfer.

Miscellaneous revenues decreased by \$45 million since the April 2022 Financial Plan. This included reductions of \$32.9 million in licenses, franchises, etc., \$33 million in charges for services and \$21 million water sewage charges. Offsetting these decreases was \$39 million in additional revenues from fines and forfeitures and \$3.7 million in other miscellaneous revenue.

Disallowances also decreased by \$60 million since the April 2022 Financial Plan.

The resolution would also direct the City Clerk to forward a certified copy thereof to the Mayor and the Comptroller so that the Mayor, the Comptroller and the City Clerk may certify the Fiscal 2022 Expense Budget as amended thereby as the budget for the remainder of the fiscal year. The above-captioned resolution would take effect as of the date adopted.

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

TO: Honorable Adrienne E. Adams
Speaker

Honorable Justin Brannan
Chair, Finance Committee

FROM: Tanisha S. Edwards, Esq.,
Chief Financial Officer and Deputy Chief of Staff to the Speaker
Raymond Majewski, Deputy Director/Chief Economist, Finance Division
Paul Sturm, Supervising Economist
Nashia Roman, Economist
Malcom M. Butehorn, Interim Finance Counsel

DATE: June 13, 2022

SUBJECT: A Budget Modification (MN-8) for Fiscal 2022 that will appropriate \$2.82 billion in new revenues.

INITIATION: By letter dated June 13, 2022, the Director of the Office of Management and Budget submitted to the Council, pursuant to section 107(e) of the New York City Charter, a request to appropriate \$2.82 billion in new revenues. These new revenues will be used to prepay \$842 million of fiscal year 2023 expenses in fiscal year 2022 and to add \$750 million to the Retiree Health Benefits Trust and \$750 million in the Rainy-Day fund. They will also be used to make adjustments to the General Reserve and to Prior Year Payables,

BACKGROUND: This modification (MN-8) seeks to recognize \$2.82 billion in new revenues, implementing changes reflected since the April 2022 Financial Plan. These funds will add \$550 million to the Budget Stabilization Account to prepay debt service for Fiscal 2023 expenses, add \$292 million for fringe benefits in Fiscal 2023, add \$750 million to the Retiree Health Benefit Trust, and add \$750 to the Rainy-Day fund. There is also a temporary increase of the Fiscal 2022 General Reserve which will be used in MN-7 and an increase in Prior Year Payables.

FISCAL IMPACT: This modification represents a net increase in the Fiscal 2022 budget of \$2.82 billion.

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 231

RESOLUTION APPROVING A MODIFICATION (MN-8) PURSUANT TO SECTION 107(e) OF THE CHARTER OF THE CITY OF NEW YORK.

By Council Member Brannan.

Whereas, At a meeting of the Committee on Finance of the City Council of the City of New York (the “City Council”) on June 13, 2022, the Committee on Finance considered a communication, dated June 13, 2022, from the Office of Management and Budget of the Mayor of the City of New York (the “Mayor”), of a proposed request to recognize a net increase in revenue pursuant to Section 107(e) of the Charter of the City of New York (the “Charter”), attached hereto as Exhibit A (the "Request to Appropriate"); and

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

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

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

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

2. Further Actions. The City Council directs the City Clerk to forward a certified copy of this resolution to the Mayor and the Comptroller as soon as practicable so that the Mayor, the Comptroller and the City Clerk may certify the Fiscal 2022 Expense Budget as amended by this resolution as the budget for the remainder of the fiscal year.

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

(For text of the MN-8 and Appendix A numbers, please see the New York City Council website at <https://council.nyc.gov/> for the respective attachments section for [the M-72 & Res. No. 231 of 2022 files](#))

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, CHARLES BARRON, GALE A. BREWER, AMANDA FARIAS, KAMILLAH HANKS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, JULIE WON, DAVID M. CARR; *Negative*: Charles Barron; 16-1-0; Committee on Finance, June 13, 2022. *Other Council Members Attending: The Speaker (Council Member Adams).*

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

Report for M-35

Report of the Committee on Finance in favor of approving a Communication from the Department of Education and School Construction Authority regarding the submittal of the Proposed February 2022 Amendment to the Fiscal Year 2020-2024 Five Year Capital Plan.

The Committee on Finance, to which the annexed communication was referred on March 10, 2022 (Minutes, page 275) and which same communication was coupled with the resolution shown below, respectfully

REPORTS:

Introduction. Section 2590-p of the State Education Law provides for the submission by the Chancellor of the New York City Department of Education (“Chancellor”) to the Council of the City of New York (“Council”) every five years, of a five-year educational facilities capital plan and amendments thereto. In addition, a memorandum of understanding (“MOU”) entered into by the Chancellor, the Speaker of the Council (the “Speaker”), and the Mayor of the City of New York (the “Mayor”) requires annual amendments to the Plan.

On June 19, 2019 the Council adopted the Five-Year Educational Facilities Capital Plan for the period of July 1, 2020 until June 30, 2024 (“2020 Plan”) for the New York City Public Schools as submitted by the Mayor, pursuant to Section 2590-p of the State Education Law. On March 10, 2022, the Council received a communication from the Chancellor, officially transmitting the proposed annual amendment to the 2020 Plan.

History. Generally, the State Education Law sets forth a planning process for repair, maintenance, and construction work in the City’s public school facilities. As stated above, section 2590-p requires the Chancellor to prepare five-year educational facilities capital plans (“Five-Year Plans”). These Five-Year Plans are required to break down the work proposed to be performed on the school facilities into categories called program elements and to provide cost estimates and start and completion dates for design and construction of projects.

Since 2002, when the State School Governance Legislation brought the City’s school system under increased Mayoral control, Section 2590-p has required the Speaker and the Mayor to approve the Five-Year Plans. In addition, Section 2590-p provides for Council approval of amendments to the Plans.

On November 10, 2020, the Mayor, the Speaker, and the Chancellor entered into an MOU, which:

- Requires the annual amendment to include siting and/or location of each project (by building or school district, as appropriate), cost estimates, start dates and completion dates for each project;
- Requires an amendment to be submitted within sixty days of any State budgetary action regarding the City’s educational capital facilities that creates a shortfall of funding of 5% or greater for any Plan year;
- Requires each amendment to include an updated Plan showing the projects anticipated over the next year of the Plan, and any changes to such projects that would result from the proposed amendment;
- Requires the Department of Education (“DOE”) and the School Construction Authority (“SCA”) to meet with each City Council Borough Delegation at least once per year, with such meeting to be held after the November proposed amendment and, at the discretion of the Delegation, to meet at least one time after the release of the second proposed amendment;

- Requires the SCA to post on its website the Annual Facilities Survey and any Alternate Site Analysis within 30 days of completion and also requires the SCA to update and post on its website quarterly a report detailing the schedules and budgets for all capital projects, disaggregated by school district, currently in process; and
- Prohibits actions or expenditures, excluding those facilitating scope and design or those for emergency projects, in furtherance of any projects to be undertaken in the Plan year that are the subject of the annual amendment to be taken prior to approval of the annual amendment by the Mayor and Council.

Proposed Amendment. On March 10, 2022, the Chancellor submitted to the Council the proposed annual amendment (hereinafter referred to as the “Proposed Amended Plan”) to the 2020 Plan totaling \$20.6 billion, which reflects an increase of \$1.3 billion from the 2020 Plan prior to the Proposed Amended Plan. Such increase is the result of the following actions in the following program areas:

- Capacity Program: an approximate \$918.7 million increase in the Capacity Program, which now totals \$9.8 billion;
- Capital Investment Program: an approximately \$536.3 million increase in the Capital Investment Program, which now totals \$7.3 billion; and
- Mandated Programs: an approximately \$116.5 million decrease in Mandated Programs, which now totals \$3.5 billion.

Capacity Program (\$918.7 million increase in funding)

The goal of the Capacity Program is to build new facilities to match expected student enrollment over the Plan period, lower in-school overcrowding, and eliminate reliance on temporary structures. The Capacity Program totals \$9.8 billion in the Amendment, an increase of \$918.7 million or 10 percent compared to the Adopted Five-Year Plan of \$8.92 billion. The growth in this program area is accompanied by large shifts from the reduced projections of new students, updated demographic data, and new class size guidelines as revised in the Blue Book. New Capacity to address future enrollment is funded at \$6.3 billion in the Amendment, a \$1.5 billion or 19 percent decrease from the Adopted Plan as a result of the new demographic information. The remaining four program areas see tremendous growth in the amendment, and total \$3.5 billion, up from \$1.1 billion in the Adopted Five-Year Plan. The largest percentage growth is attributed to the Class Size Reduction program increasing from \$140 million to \$740.4 million. It is important to note, that the previous “Pre-K for All” program area has been replaced by “Early Learn, 3K, Pre-K”, as Early Learn has fully transitioned from ACS to DOE in the Five-Year Plan.

New in the Proposed Amendment are the first two class size reduction projects, which are sited, added to the 2020-2024 Five-Year Plan and totaling 1,145 seats. In total, new capacity projects are reduced from 93 to 83, but with an increase in sites selected from 38 to 47. In total 23,990 seats are in process or completed, or 52 percent of the 45,883 seats needed according to the plan.

Additionally, three Pre-K center projects are in the Proposed Amendment, compared to four in the Adopted Plan. All three projects are sited and provide a total capacity of 576 projected seats, down from 684 projected seats in the Adopted Plan. It also includes 52 3-K center projects, compared to 16 in the Adopted Plan and the number of sited projects increases from 13 to 35 when compared to the Adopted Plan. These 52 sites will provide 6,780 in total capacity with the 35 site projects accounting for 4,380 seats.

Lastly, four replacement projects, and one project for capacity supporting Transportable Classroom Units (TCUs) removal project are included in the Proposed Amendment. All five projects are sited and unchanged from the Adopted Plan with the exception of a minor modification of the capacity supporting TCU removal project to 145 seats from 158 seats

Capital Investment Program (\$536 million increase)

The Capital Investment program totals \$7.3 billion, or 35 percent, of the February Plan. It is broken out into three core areas: the Capital Improvement Program (CIP), which grew \$164.4 million and totals \$3.3 billion; School Enhancement Projects, which grew \$7.8 million and totals \$2.8 billion; and as previously mentioned Reso A project funding grew by \$364.2 million and now totals \$1.2 billion. In total, the Capital Investment section grows by \$536.3 million in the February Amendment mostly due to Reso A projects.

CIP Projects are comprised of exterior projects, interior work, TCU removal, and athletic field upgrades. The growth in CIP is led by an increase of \$128.3 million for roof projects to reflect updated cost estimates.

Exterior projects, which total \$2.4 billion in the Amendment, are identified for inclusion for exterior water prevention work if any of the four major components were in “poor” or “fair to poor” condition. Conditions are determined through the Building Condition Assessment Surveys (BCAS) survey. The four major components are roofs, parapets, windows, and masonry. Exterior projects prevent water infiltration of buildings which the SCA sees as the single largest cause of the deterioration of facilities. If exterior work is done on one of these major components, other components with similar or “fair” condition are also included in the project scope.

Interior projects, which total \$565.3 million, are comprised primarily of work on electrical, plumbing, heating and ventilation systems and to a lesser extent kitchens and elevators. TCU removal and athletic field upgrades see no change in the February Proposed Plan, remaining at \$50 million and \$100 million respectively. The “other” category rounds out CIP and totals \$150.1 million in this Amendment.

School Enhancement Projects total \$2.8 billion of the February Proposed Plan and are divided into two categories: Facility Enhancements and Technology. Facility enhancements, totaling \$1.8 billion, sees only minor changes that increase its budget by less than a percent. Technology funding remains flat in the amendment at \$1 billion after seeing an increase of \$266 million last year to realize spending on student devices during the pandemic. Under facility enhancements the IDEAS: Innovative, Diverse, Equitable, Accessible Spaces area doubles from \$50 million to \$100 million. This area was added to the Five Year Plan last amendment and is meant to compliment the work DOE has done to create new educational programming with new spaces to serve the needs of these programs. An example of a project completed under this area is the Brooklyn STEAM Center which is used by eight Brooklyn high schools for educational enrichment, Science Technology Engineering Arts and Mathematics (STEAM) immersion and career and technical education (CTE) certification.

Mandated Programs (\$116.5 million decrease)

Mandated programs total \$3.5 billion, or 17 percent, of the February Proposed Plan and are comprised of the areas in the table below. Excluding prior plan completion most areas within Mandated Programs are at the identical funding level or have small increases or decreases from the Adopted Plan.

Prior Plan Completion is reduced by \$130.8 million in the February Amendment which sees Mandated Programs as a whole reduced by \$116.5 million. Prior plan completion provides funding for construction contracts that were obligated during the previous five-year plan.

Other areas that saw changes include Lead Paint Removal which decreased by \$400,000 and Asbestos Removal which decreased by \$10.6 million to reflect actual spending. This reduction and the reduction to Prior Plan Completion are offset by an increase of \$25.3 million to the “Emergency, Unspecified, & Miscellaneous” program area which saw 123 new projects added for emergency lighting and fire safety retrofits in the Amendment triggered by the AC initiative.

Description of Above-captioned Resolution. In the above-captioned resolution, the Council would approve the annual amendment to the 2020 Plan pursuant to §2590-p of the State Education Law, and Paragraph (1)(a) of the November 10, 2020 MOU providing for annual amendments.

Accordingly, this Committee recommends its adoption.

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

Res. No. 232

RESOLUTION APPROVING, PURSUANT TO SECTION 2590-p OF THE STATE EDUCATION LAW AND PARAGRAPH(1)(a) OF THE MEMORANDUM OF UNDERSTANDING, DATED NOVEMBER 10, 2020, AMONG THE MAYOR, THE SPEAKER, AND THE CHANCELLOR, THE AMENDMENT TO THE FIVE-YEAR EDUCATIONAL FACILITIES CAPITAL PLAN FOR 2020-2024 SUBMITTED BY THE CHANCELLOR.

By Council Member Brannan.

WHEREAS, State Education Law Section 2590-p provides for the development and approval, every five years, of a five-year educational facilities capital plan and amendments thereto; and

WHEREAS, On June 19, 2019, after extensive discussions and negotiations with the Department of Education over the content and specifics of the proposed 2020-2024 Five-Year Educational Facilities Capital Plan, the Council of the City of New York approved the Five-Year Educational Facilities Capital Plan for the period of July 1, 2019 until June 30, 2024 (“2020 Plan”) pursuant to Section 2590-p of the Education Law for a total budget of \$17 billion; and

WHEREAS, On November 10, 2020, the Mayor of the City of New York (“Mayor”), the Speaker of the Council of the City of New York (“Speaker”), and the Chancellor entered into a Memorandum of Understanding (“MOU”), which required, *inter alia*, the Chancellor of the New York City Department of Education (“Chancellor”) to submit annual amendments to the 2020 Plan to the Mayor and the City Council for their respective consideration and approval; and

WHEREAS, The MOU also continued reporting requirements on the New York City Department of Education (“DOE”); and

WHEREAS, On March 10, 2022, the Chancellor submitted to the Council the Proposed February 2022 Amendment (hereinafter referred to as the “Amendment”) to the 2020 Plan, which would increase funding for the 2020 Plan by \$1.3 billion to \$20.6 billion; and

WHEREAS, This Amendment provides \$9.8 billion for the Capacity Program, which includes all programmatic elements related to creating, expanding, or replacing capacity in the school system; and

WHEREAS, This Amendment also provides \$7.3 billion for the Capital Investment Program, which is for the enhancement and repair of existing facilities to improve the quality of infrastructure of buildings and properties; and

WHEREAS, This Amendment also provides \$3.5 billion for the Mandated Programs, which are projects required by law or City agency mandate; and

WHEREAS, This Amendment also includes funding in the amount of approximately \$819.5 million, which has been provided by the City Council, Borough President, and Mayor/Council sources; now, therefore, be it

RESOLVED, That the Council of the city of New York hereby approves, pursuant to Section 2590-p of the State Education Law and Paragraph (1)(a) of the Memorandum of Understanding, dated November 10, 2020, among the Mayor, the Speaker, and the Chancellor, the Amendment to the Five-Year Educational Facilities Capital Plan for 2020-2024 submitted by the Chancellor.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, CHARLES BARRON, GALE A. BREWER, AMANDA FARIAS, KAMILLAH HANKS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, JULIE WON, DAVID M. CARR; *Negative*: Charles Barron; 16-1-0; Committee on Finance, June 13, 2022. *Other Council Members Attending: The Speaker (Council Member Adams)*.

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 M-73

Report of the Committee on Finance in favor of approving a Resolution of the Council of the City of New York fixing the tax rate for the Fiscal Year 2023, adopted June 13, 2022 upon the recommendation of the Committee on Finance of the Council.

The Committee on Finance, to which the annexed preconsidered communication was referred on June 13, 2022 and which same communication was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Committee Report, please refer to the search legislation section of the New York City Council website at <https://council.nyc.gov> for the attachment section to [the M-73 of 2022 file](#))

Accordingly, this committee recommends the adoption of the Tax Fixing Resolution.

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

Preconsidered Res. No. 233

Resolution to provide the amounts necessary for the support of the Government of the City of New York and the counties therein and for the payment of indebtedness thereof, for the Fiscal Year beginning on July 1, 2022 and ending on June 30, 2023 by the levy of taxes on the Real Property in the City of New York, in accordance with the provisions of the constitution of the State of New York, the Real Property Tax Law and the New York City Charter.

(For text of the Tax-Fixing Resolution Res No. 233 of 2022, please refer to the search legislation section of the New York City Council website at <https://council.nyc.gov> for [the Res. No. 233 of 2022 file](#))

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, GALE A. BREWER, AMANDA FARIAS, KAMILLAH HANKS, CRYSTAL HUDSON, ARI KAGAN, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, JULIE WON; *Negative*: Charles Barron and Chi A. Ossé; 15-2-0; Committee on Finance, June 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 M-21

Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the Preliminary Expense, Revenue, and Contract Budget for Fiscal Year 2023, pursuant to Sections 225 and 236 of the New York City Charter.

The Committee on Finance, to which the annexed communication was referred on February 24, 2022 (Minutes, page 145), respectfully

REPORTS:

(With the Budget for Fiscal Year 2023 expected to be adopted by the Council at the scheduled Stated Meeting of June 13, 2022, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)

Accordingly, this Committee recommends its filing.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, CHARLES BARRON, GALE A. BREWER, AMANDA FARIAS, KAMILLAH HANKS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, JULIE WON, DAVID M. CARR; *Negative*: Charles Barron; 16-1-0; Committee on Finance, June 13, 2022. *Other Council Members Attending: The Speaker (Council Member Adams).*

Coupled to be Filed.

Report for M-22

Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the January 2022 Financial Plan Detail for Fiscal Years 2022-2026, pursuant to Sections 101 and 213 of the New York City Charter.

The Committee on Finance, to which the annexed communication was referred on February 24, 2022 (Minutes, page 145), respectfully

REPORTS:

(With the Budget for Fiscal Year 2023 expected to be adopted by the Council at the scheduled Stated Meeting of June 13, 2022, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)

Accordingly, this Committee recommends its filing.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, CHARLES BARRON, GALE A. BREWER, AMANDA FARIAS, KAMILLAH HANKS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, JULIE WON, DAVID M. CARR; *Negative*: Charles Barron; 16-1-0; Committee on Finance, June 13, 2022. *Other Council Members Attending: The Speaker (Council Member Adams).*

Coupled to be Filed.

Report for M-23

Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of Geographic Reports for Expense Budget for Fiscal Year 2023, pursuant to Sections 100 and 231 of the New York City Charter.

The Committee on Finance, to which the annexed communication was referred on February 24, 2022 (Minutes, page 146), respectfully

REPORTS:

(With the Budget for Fiscal Year 2023 expected to be adopted by the Council at the scheduled Stated Meeting of June 13, 2022, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)

Accordingly, this Committee recommends its filing.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, CHARLES BARRON, GALE A. BREWER, AMANDA FARIAS, KAMILLAH HANKS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, JULIE WON, DAVID M. CARR; *Negative*: Charles Barron; 16-1-0; Committee on Finance, June 13, 2022. *Other Council Members Attending: The Speaker (Council Member Adams).*

Coupled to be Filed.

Report for M-24

Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the Departmental Estimates for Fiscal Year 2023, pursuant to Sections 100, 212 and 231 of the New York City Charter.

The Committee on Finance, to which the annexed communication was referred on February 24, 2022 (Minutes, page 146), respectfully

REPORTS:

(With the Budget for Fiscal Year 2023 expected to be adopted by the Council at the scheduled Stated Meeting of June 13, 2022, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)

Accordingly, this Committee recommends its filing.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, CHARLES BARRON, GALE A. BREWER, AMANDA FARIAS, KAMILLAH HANKS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, JULIE WON, DAVID M. CARR; *Negative*: Charles Barron; 16-1-0; Committee on Finance, June 13, 2022. *Other Council Members Attending: The Speaker (Council Member Adams).*

Coupled to be Filed.

Report for M-25

Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the Preliminary Capital Budget, Fiscal Year 2023, pursuant to Section 213 and 236 of the New York City Charter.

The Committee on Finance, to which the annexed communication was referred on February 24, 2022 (Minutes, page 39), respectfully

REPORTS:

(With the Budget for Fiscal Year 2023 expected to be adopted by the Council at the scheduled Stated Meeting of June 13, 2022, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)

Accordingly, this Committee recommends its filing.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, CHARLES BARRON, GALE A. BREWER, AMANDA FARIAS, KAMILLAH HANKS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, JULIE WON, DAVID M. CARR; *Negative*: Charles Barron; 16-1-0; Committee on Finance, June 13, 2022. *Other Council Members Attending: The Speaker (Council Member Adams).*

Coupled to be Filed.

Report for M-26

Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the Preliminary Capital Commitment Plan, Fiscal Year 2023, Volumes 1, 2, 3, & 4, pursuant to Section 219 of the New York City Charter.

The Committee on Finance, to which the annexed communication was referred on February 24, 2022 (Minutes, page 39), respectfully

REPORTS:

(With the Budget for Fiscal Year 2023 expected to be adopted by the Council at the scheduled Stated Meeting of June 13, 2022, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)

Accordingly, this Committee recommends its filing.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, CHARLES BARRON, GALE A. BREWER, AMANDA FARIAS, KAMILLAH HANKS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, JULIE WON, DAVID M. CARR; *Negative*: Charles Barron; 16-1-0; Committee on Finance, June 13, 2022. *Other Council Members Attending: The Speaker (Council Member Adams).*

Coupled to be Filed.

Report for M-53

Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the Executive Budget Supporting Schedules, for Fiscal Year 2023 pursuant to Section 250 of the New York City Charter.

The Committee on Finance, to which the annexed communication was referred on April 28, 2022 (Minutes, page 641), respectfully

REPORTS:

(With the Budget for Fiscal Year 2023 expected to be adopted by the Council at the scheduled Stated Meeting of June 13, 2022, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)

Accordingly, this Committee recommends its filing.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, CHARLES BARRON, GALE A. BREWER, AMANDA FARIAS, KAMILLAH HANKS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, JULIE WON, DAVID M. CARR; *Negative*: Charles Barron; 16-1-0; Committee on Finance, June 13, 2022. *Other Council Members Attending: The Speaker (Council Member Adams).*

Coupled to be Filed.

Report for M-54

Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the Capital Commitment Plan, Executive Budget, Fiscal Year 2023, Volumes I, II, III and IV, pursuant to Section 219(d) of the New York City Charter.

The Committee on Finance, to which the annexed communication was referred on April 28, 2022 (Minutes, page 642), respectfully

REPORTS:

(With the Budget for Fiscal Year 2023 expected to be adopted by the Council at the scheduled Stated Meeting of June 13, 2022, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)

Accordingly, this Committee recommends its filing.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, CHARLES BARRON, GALE A. BREWER, AMANDA FARIAS, KAMILLAH HANKS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, JULIE WON, DAVID M. CARR; *Negative*: Charles Barron; 16-1-0; Committee on Finance, June 13, 2022. *Other Council Members Attending: The Speaker (Council Member Adams).*

Coupled to be Filed.

Report for M-55

Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the Executive Budget - Geographic Reports for Expense Budget for Fiscal Year 2023.

The Committee on Finance, to which the annexed communication was referred on April 28, 2022 (Minutes, page 642), respectfully

REPORTS:

(With the Budget for Fiscal Year 2023 expected to be adopted by the Council at the scheduled Stated Meeting of June 13, 2022, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)

Accordingly, this Committee recommends its filing.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, CHARLES BARRON, GALE A. BREWER, AMANDA FARIAS, KAMILLAH HANKS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, JULIE WON, DAVID M. CARR; *Negative*: Charles Barron; 16-1-0; Committee on Finance, June 13, 2022. *Other Council Members Attending: The Speaker (Council Member Adams).*

Coupled to be Filed.

Report for M-56

Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the Budget Summary, the Message of the Mayor, and the Program to Eliminate the Gap relative to the Executive Budget, Fiscal Year 2023, pursuant to Section 249 of the New York City Charter.

The Committee on Finance, to which the annexed communication was referred on April 28, 2022 (Minutes, page 642), respectfully

REPORTS:

(With the Budget for Fiscal Year 2023 expected to be adopted by the Council at the scheduled Stated Meeting of June 13, 2022, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)

Accordingly, this Committee recommends its filing.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, CHARLES BARRON, GALE A. BREWER, AMANDA FARIAS, KAMILLAH HANKS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, JULIE WON, DAVID M. CARR; *Negative*: Charles Barron; 16-1-0; Committee on Finance, June 13, 2022. *Other Council Members Attending: The Speaker (Council Member Adams).*

Coupled to be Filed.

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 on 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, *Chairperson*; 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.

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

- (1) **M-35 & Res 232 -** Submitting Proposed February 2022 Amendment to the Fiscal Year 2020-2024 Five Year Capital Plan.
- (2) **M-50 & Res 225 & Res 226 -** Submitting the Expense Revenue Contract Budget, for Fiscal Year 2023 (**Budget Resolutions**).
- (3) **M-51 & Res 227 & Res 228 -** Submitting the Executive Capital Budget for Fiscal Year 2023, pursuant to Section 249 of the New York City Charter (**Budget Resolutions**).
- (4) **M-52 & Res 229 -** Submitting the Proposed City Fiscal Year 2023 Community Development Program, the Proposed CFY'23 Budget, the Proposed Reallocations-the CD XLVIII Funds (**Budget Resolution**).
- (5) **Preconsidered M-71 & Res 230 -** Transfer City funds between various agencies in Fiscal Year 2022 to implement changes to the City's Expense Budget, pursuant to Section 107(b) of the New York City Charter (**MN-7**).
- (6) **Preconsidered M-72 & Res 231 -** Appropriation of new City revenues in Fiscal Year 2022, pursuant to Section 107(e) of the New York City Charter (**MN-8**).
- (7) **Preconsidered M-73 & Res 233 -** Fixing the Tax Rate for the Fiscal Year 2023, adopted June 13, 2022 upon the recommendation of the Committee on Finance of the Council (**Tax-Fixing Resolution, June 13, 2022**).
- (8) **Int 347 -** Suspending the tax imposed by chapter 24 of title 11 of such code for the tax year beginning on June 1, 2022 (**with a Message of Necessity from the Mayor requiring an affirmative vote of at least two-thirds of the Council for passage**).

- (9) **Preconsidered Res 221 -** Computing and Certifying Base Percentage, Current Percentage and Current Base Proportion of Each Class of Real Property for Fiscal 2023 to the State Board of Real Property Tax Services (**CBP – Class Shares**).
- (10) **Preconsidered Res 222 -** Computing and Certifying Adjusted Base Proportion of Each Class of Real Property for Fiscal 2023 to the State Board of Real Property Tax Services (**ABP – Class Shares**).
- (11) **Preconsidered Res 223 -** Establishing for Fiscal 2023 a zero percent increase of the current base proportion of any class over the adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion.
- (12) **Preconsidered Res 224 -** The new designation and changes in the designation of certain organizations to receive funding in the Expense Budget (**Transparency Resolution**).
- (13) **M-21 -** Preliminary Expense, Revenue, and Contract Budget for Fiscal Year 2023 (**Coupled to be Filed**).
- (14) **M-22 -** Submitting January 2022 Financial Plan Detail for Fiscal Years 2022-2026 (**Coupled to be Filed**).
- (15) **M-23 -** Geographic Reports for Expense Budget for Fiscal Year 2023 (**Coupled to be Filed**).
- (16) **M-24 -** Departmental Estimates for Fiscal Year 2023 (**Coupled to be Filed**).
- (17) **M-25 -** Preliminary Capital Budget, Fiscal Year 2023 (**Coupled to be Filed**).
- (18) **M-26 -** Preliminary Capital Commitment Plan, Fiscal Year 2023, Volumes 1, 2, 3, & 4 (**Coupled to be Filed**).
- (19) **M-53 -** Executive Budget Supporting Schedules, for Fiscal Year 2023 (**Coupled to be Filed**).

- (20) **M-54 -** Capital Commitment Plan, Executive Budget, Fiscal Year 2023, Volumes I, II, III and IV (**Coupled to be Filed**).
- (21) **M-55 -** Executive Budget - Geographic Reports for Expense Budget for Fiscal Year 2023 (**Coupled to be Filed**).
- (22) **M-56 -** Budget Summary, the Message of the Mayor, and the Program to Eliminate the Gap relative to the Executive Budget, Fiscal Year 2023 (**Coupled to be Filed**).

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, 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**.

The General Order vote recorded for this Stated Meeting was 50-0-0 as shown above with the exception of the votes for the following legislative items (note: the only item that received the 50-0-0 General Order vote was Res. No. 224):

The following was the vote recorded for **M-50 & Res. No. 225 & Res. No. 226 (Expense Revenue Contract Budget for Fiscal Year 2023):**

Affirmative – Abreu, Ariola, Ayala, Bottcher, Brannan, Brewer, Brooks-Powers, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Paladino, Restler, 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) - **44**.

Negative – Avilés, Barron, Cabán, Nurse, Ossé, and Richardson Jordan - **6**.

The following was the vote recorded for **M-51 & Res. No. 227 & Res. No. 228** (*Executive Capital Budget for Fiscal Year 2023*):

Affirmative – Abreu, Ariola, Ayala, Bottcher, Brannan, Brewer, Brooks-Powers, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Paladino, Restler, 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) - **44**.

Negative – Avilés, Barron, Cabán, Nurse, Ossé, and Richardson Jordan - **6**.

The following was the vote recorded for **M-52 & Res. No. 229** (*Community Development Program for Fiscal Year 2023*):

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, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, 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) - **48**.

Negative – Barron and Richardson Jordan - **2**.

The following was the vote recorded for **M-35 & Res. No. 232**:

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, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, 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) - **48**.

Negative – Barron and Richardson Jordan - **2**.

The following was the vote recorded for **Preconsidered M-71 & Res. No. 230 and Preconsidered M-72 & Res. No. 231**:

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, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, 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) - **48**.

Negative – Barron and Richardson Jordan - **2**.

The following was the vote recorded for **Preconsidered M-73 & Res. No. 233:**

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, Menin, Moya, Narcisse, Nurse, Ossé, Restler, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Williams, Won, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **41**.

Negative – Ariola, Barron, Carr, Holden, Paladino, Richardson Jordan, Vernikov, Yeger, and the Minority Leader (Council Member Borelli) - **9**.

The following was the vote recorded for **Int. No. 347 (under a Message of Necessity from the Mayor):**

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, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, 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) - **48**.

Negative – Barron and Richardson Jordan - **2**.

The following was the vote recorded for **Preconsidered Res. No. 221 and Preconsidered Res. No. 222:**

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, Menin, Moya, Narcisse, Nurse, Ossé, Restler, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Williams, Won, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **41**.

Negative – Ariola, Barron, Carr, Holden, Paladino, Richardson Jordan, Vernikov, Yeger, and the Minority Leader (Council Member Borelli) - **9**.

The following was the vote recorded for **Preconsidered Res. No. 223:**

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, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, 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) - **48**.

Negative – Barron and Richardson Jordan - **2**.

The following was the **vote recorded to file M-21 through M-26 and M-53 through M-56**:

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, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, 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) - **48**.

Negative – Barron and Richardson Jordan - **2**.

*The following Introduction was sent to the Mayor for his consideration and approval:
Int. No. 347 (passed under a Message of Necessity from the Mayor).*

FY 2023 Budget Sponsorship Disclosures

During the Roll Call for General Orders, several Council Members made disclosures on the transcript record detailing relationships that either: 1) do not constitute a conflict of interest under City law; or 2) are pending determination while awaiting guidance from the Conflicts of Interest Board on whether to proceed with the sponsorship. Please refer to the Transcript for the Stated Meeting of June 13, 2022 for further details (*i.e.*, see the attachments to [the M-50 of 2022 file](#) for the Stated Meeting Transcript on the Council website <https://council.nyc.gov>; the verbal disclosures may be found on pages 26 to 111 of the Transcript throughout the Roll Call for General Orders segment of the meeting).

Budget Adoption Declaration for Fiscal Year 2023

At this point, the Majority Leader and Acting President Pro Tempore (Council Member Powers) made the following budget adoption declaration:

I now formally declare that
the Executive Expense Revenue Contract Budget,
the Executive Capital Budget,
and the Community Development Program;
for Fiscal Year 2023;
all as modified;
and *all in accordance*
with the New York City Charter;

have been hereby adopted

as of 11:05 p.m., on this 13th day of June, 2022.

INTRODUCTION AND READING OF BILLS

Preconsidered Res. No. 221

RESOLUTION COMPUTING AND CERTIFYING BASE PERCENTAGE, CURRENT PERCENTAGE AND CURRENT BASE PROPORTION OF EACH CLASS OF REAL PROPERTY FOR FISCAL 2023 TO THE STATE BOARD OF REAL PROPERTY TAX SERVICES PURSUANT TO SECTION 1803-a OF THE REAL PROPERTY TAX LAW.

By Council Member Ayala.

Whereas, This Resolution, dated June 13, 2022, computes and certifies the base percentage, current percentage, and current base proportion of each class of real property for the fiscal year beginning on July 1, 2022 and ending on June 30, 2023 (“Fiscal 2023”) to the State Board of Real Property Tax Services (“SBRPTS”) pursuant to Section 1803-a of the Real Property Tax Law; and

Whereas, On March 21, 2022 the SBRPTS certified the final State equalization rate, class ratios and class equalization rates for the City's 2021 assessment rolls, required by Article 18 of the Real Property Tax Law; and

Whereas, Section 1803-a(1) of the Real Property Tax Law, requires the Council to compute and certify, to the SBRPTS, for each tax levy, the base percentage, the current percentage and the current base proportion of each class of real property in the City subsequent to the date on which the SBRPTS files with the Clerk of the Council a certification setting forth the final state equalization rate, class ratios and class equalization rates for the City's Fiscal 2023 assessment rolls, pursuant to Section 1212 of the Real Property Tax Law; and

Whereas, Section 1803-a(1)(c) of the Real Property Tax Law requires that if any increase in the current base proportion for any class of real property, as compared with the previous year's adjusted base proportion for such class of property shall exceed five percent, such excess over five percent must be shifted to any other class of property;

Whereas, Pursuant to Chapter 215 of the State Laws of 2022, the Council is authorized to adjust the class share cap by changing the percent increase of the current base proportion of any class over its adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion, provided that such percent increase shall not exceed five percent, and provided further that such determination must be made by October 1, 2022; and

Whereas, On June 13, 2022, the Council adopts herewith a resolution that sets a limit of zero percent of the current base proportion of any class over the adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion;

NOW, THEREFORE, be it resolved by The Council of The City of New York as follows:

Section 1. Computation and Certification of Base Percentages, Current Base Percentages and Current Base Proportions for Fiscal 2023. (a) The Council hereby computes and certifies the base percentage, the current percentage and the current base proportion for the City's Fiscal 2023 assessment rolls as shown on SBRPTS Form RP-6700, attached hereto as Exhibit A and incorporated herein by reference (the "CBP Certificate").

(b) The Clerk of the Council is hereby authorized and directed to execute the CBP Certificate and to file it with the SBRPTS after the date on which the SBRPTS filed with the Clerk of the Council a certification setting

forth the final state equalization rate, class ratios and class equalization rates for the City's Fiscal 2023 assessment rolls, pursuant to Section 1212 of the Real Property Tax Law.

Section 2. Effective Date. This resolution shall take effect as of the date hereof.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered Res. No. 222

RESOLUTION COMPUTING AND CERTIFYING ADJUSTED BASE PROPORTION OF EACH CLASS OF REAL PROPERTY FOR FISCAL 2023 TO THE STATE BOARD OF REAL PROPERTY TAX SERVICES PURSUANT TO SECTION 1803-a OF THE REAL PROPERTY TAX LAW.

By Council Member Ayala.

WHEREAS, This Resolution, dated June 13, 2022, computes and certifies the adjusted base proportion of each class of real property for the fiscal year beginning on July 1, 2022 and ending on June 30, 2023 ("Fiscal 2023") to the State Board of Real Property Tax Services ("SBRPTS") pursuant to Section 1803-a of the Real Property Tax Law; and

WHEREAS, On May 25, 2022, pursuant to Section 1514 of the New York City Charter, the Commissioner of the Department of Finance delivered to the Council the certified assessment rolls for all real property assessable for taxation in the City in each borough thereof for Fiscal 2023, a certified copy of which is in the Office of the Clerk of the City pursuant to Section 516 of the Real Property Tax Law (the "Fiscal 2023 Assessment Rolls"); and

WHEREAS, Pursuant to Section 1803-a(1) of the Real Property Tax Law the Council adopts herewith a resolution in which the Council computed and certified the current base proportion, the current percentage and the base percentage of each class of real property in the City for Fiscal 2023 (the "Current Base Proportion Resolution"); and

WHEREAS, Section 1803-a(5) of the Real Property Tax Law requires the Council, subsequent to the filing of the final Fiscal 2023 Assessment Rolls, to adjust current base proportions computed pursuant to the Current Base Proportion Resolution to reflect additions to and removals from the Fiscal 2023 Assessment Rolls as described therein (each such current base proportion so adjusted to be known as an "Adjusted Base Proportion"); and

WHEREAS, Within five days upon determination of the Adjusted Base Proportions, Section 1803-a(6) of the Real Property Tax Law, requires the Council to certify, to the SBRPTS, the Adjusted Base Proportion for each class of real property applicable to the City, the assessed value of all property in each class of real property, the net change in assessed value for each class on the Fiscal 2023 Assessment Rolls resulting from the additions to or removals from the Fiscal 2023 Assessment Rolls as described above, and the net change in assessed value for each class on the Fiscal 2023 Assessment Rolls resulting from changes other than those referred to above;

NOW, THEREFORE, be it resolved by The Council of The City of New York as follows:

Section 1. Computation and Certification of Adjusted Base Proportions and Related Information for Fiscal 2023. (a) The Council hereby computes and certifies the Adjusted Base Proportion for each class of real property applicable to the City, the assessed value of all property in each class of real property, the net

change in assessed value for each class on the Fiscal 2023 Assessment Rolls resulting from the additions to or removals from the Fiscal 2023 Assessment Rolls as described in Section 1803-a(5) of the Real Property Tax Law, and the net change in assessed value for each class on the Fiscal 2023 Assessment Rolls resulting from changes other than those described in Section 1803-a(5) of the Real Property Tax Law, as shown on SBRPTS Form RP-6702, attached hereto as Exhibit A and incorporated herein by reference (the "ABP Certificate").

(b) The Clerk of the Council is hereby authorized and directed to execute the ABP Certificate and to file it with the SBRPTS no later than five days after the date hereof.

Section 2. Effective Date. This resolution shall take effect as of the date hereof.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered Res. No. 223

Resolution establishing for Fiscal 2023 a zero percent increase of the current base proportion of any class over the adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion.

By Council Member Ayala.

Whereas, Section 1803-b(1)(b) of the Real Property Tax Law requires the New York City Council (the "Council") to distribute the tax levy among the four classes of real property based on the adjusted base proportions as computed by the Council; and

Whereas, Pursuant to section 1803-a(1)(5) of the Real Property Tax Law, the adjusted base proportions are computed using the current base proportions as calculated by the Council; and

Whereas, Section 1803-a(1)(c) of the Real Property Tax Law requires that if any increase in the current base proportion for any class of real property, as compared with the previous year's adjusted base proportion for such class of property, shall exceed five percent, such excess over five percent must be shifted to any other class of property (this percent limit to be known as the "Class Share Cap"); and

Whereas, Notwithstanding the provisions of section 1803-a(1)(c) of the Real Property Tax Law, for Fiscal 2023, pursuant to Chapter 215 of the Laws of 2022, the Council is authorized to adjust the class share cap by changing the percent increase of the current base proportion of any class over its adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion, provided that such percent increase shall be no more than five percent, and provided further that such determination must be made by October 1, 2022; and

Whereas, For Fiscal 2023, the Council has determined to set a limit of zero percent of the current base proportion of any class over the adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion; now, therefore, be it

Resolved, That the Council of the City of New York establishes for Fiscal 2023 a zero percent increase of the current base proportion of any class over the adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered Res. No. 224

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

By Council Member Brannan.

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

Whereas, On June 30, 2020, the City Council adopted the expense budget for fiscal year 2021 with various programs and initiatives (the “Fiscal 2021 Expense Budget”); and

Whereas, On June 19, 2019, the City Council adopted the expense budget for fiscal year 2020 with various programs and initiatives (the “Fiscal 2020 Expense Budget”); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2022, Fiscal 2021 and Fiscal 2020 Expense Budgets by approving the new designation and/or the changes in the designation of certain organizations receiving local discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2022, Fiscal 2021 and Fiscal 2020 Expense Budgets by approving new Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding pursuant to certain initiatives; now, therefore, be it

Resolved, That the City Council approves the new designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2022 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the SU-CASA Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Pandemic Support for Human Service Providers Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the amendments of the Description/Scope of Services of a certain organization receiving youth discretionary funding pursuant to the Fiscal 2021 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the amendments of the Description/Scope of Services of a certain organization receiving youth discretionary funding pursuant to the Fiscal 2021 Expense Budget, as set forth in Chart 9; and be it further.

Resolved, That the City Council approves the amendments of the Description/Scope of Services of a certain organization receiving local discretionary funding pursuant to the Fiscal 2020 Expense Budget, as set forth in Chart 10.

Adopted by the Council (preconsidered and approved by the Committee on Finance; for text of the Exhibit Charts, please refer to the attachments section of [the Res. No. 224 of 2022 file](#) in the legislation section of the New York City Council website at <https://council.nyc.gov>).

NEW YORK CITY COUNCIL

A N N O U N C E M E N T S

Tuesday, June 14, 2022

Subcommittee on Landmarks, Public Sitings and Dispositions

Farah N. Louis, Chairperson

See Land Use Calendar

Remote Hearing (Virtual Room 2).....10:00 a.m.

Committee on Women and Gender Equity

Tiffany Cabán, Chairperson

Int 153 - By Council Members Cabán, Hanif, Louis, Ayala, Ung the Public Advocate (Mr. Williams), Stevens, Won, Restler, Krishnan, Abreu, Marte, Hudson, Nurse, Williams, Gutiérrez, Narcisse, Menin, Lee, De La Rosa, Richardson Jordan, Schulman, Avilés and Bottcher - **A Local Law** to amend the administrative code of the city of New York, in relation to establishing a domestic violence survivor housing stability program.

Int 154 - By Council Members Cabán, Riley, Louis, Ayala, Ung, the Public Advocate (Mr. Williams), Stevens, Hanif, Won, Restler, Krishnan, Abreu, Marte, Hudson, Nurse, Williams, Yeger, Gutiérrez, Narcisse, Menin, Lee, De La Rosa, Richardson Jordan, Schulman, Avilés and Bottcher - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the office to end domestic and gender-based violence to create an online services portal and guide.

Res 111 - By Council Member Cabán, the Public Advocate (Mr. Williams) and Council Members Stevens, Hanif, Won, Restler, Krishnan, Abreu, Hudson, Nurse, Gutiérrez, Narcisse, Ung, Menin, Lee, Williams, De La Rosa, Richardson Jordan, Avilés and Schulman - **Resolution** calling on New York State to pass legislation that would provide domestic violence survivors and their families with job-protected, paid leave, similar to that of New York State’s Paid Family Leave law, to be used for any activities relating to their actual or perceived status as a domestic violence survivor or family member of a domestic violence survivor.

Hybrid - Council Chambers – City Hall.....10:00 a.m.

Subcommittee on Zoning & Franchises

Kevin C. Riley, Chairperson

See Land Use Calendar

Remote Hearing (Virtual Room 2).....12:30 p.m.

Committee on Land Use

Rafael Salamanca, Jr., Chairperson

All items reported out of the Subcommittees

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Remote Hearing (Virtual Room 2).....3:30 p.m.

Wednesday, June 15, 2022

Committee on General Welfare

Diana I. Ayala, Chairperson

Proposed Int 212-A - By Council Members Ayala, Sanchez, Stevens, Williams, Restler, Krishnan, Nurse, Won, Louis, Hanif, De La Rosa, Ung, Schulman, Dinowitz, Cabán and Gutiérrez - **A Local Law** to amend the administrative code of the city of New York, in relation to updating the report on utilization of and applications for multi-agency emergency housing assistance, exits from city-administered facilities and the financings, starts and completions of permanent housing for those exiting city-administered facilities.

Proposed Int 303-A - By Council Members Avilés, Ayala, Holden, Bottcher, Stevens, Ung, Marte, Restler, Abreu, Won, Hudson, Louis, Hanif, De La Rosa, Schulman, Farías, Dinowitz, Williams, Cabán and Gutiérrez - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of homeless services and the human resources administration to track and report certain data regarding rental assistance programs.

Hybrid - Council Chambers – City Hall.....9:30 a.m.

Committee on Education

Rita Joseph, Chairperson

Oversight - School Food

Hybrid - Committee Room – City Hall.....10:00 a.m.

Committee on General Welfare

Diana I. Ayala, Chairperson

Oversight - Juvenile Detention in NYC.

Int 139 - By Council Members Abreu, Ayala, Cabán, Stevens, Won, Williams, Sanchez, Velázquez, Riley, Schulman, Menin, Gennaro, Restler, Dinowitz, Narcisse, Krishnan, Gutiérrez, Marte, Ung, Ossé, Rivera, Hudson, Brooks-Powers, Hanif, Salamanca, Joseph, Nurse, Farías, De La Rosa, Avilés, Brannan, Holden, Powers, Hanks, Moya, Lee, Feliz, Kagan, Bottcher, Louis, Borelli, Carr, Ariola, Vernikov and Paladino - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the administration for children’s services to report on the impact of the deaths of parents and guardians from COVID-19 on children and the repeal of such requirement upon the expiration thereof.

Int 294 - By Council Members Ung, Hanif, Hudson, Sanchez, Stevens, Velázquez, Williams, Joseph, Ayala, Restler, Abreu and Nurse - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the administration for children’s services to provide a multilingual disclosure form to parents or guardians during a child protective investigation.

Res 35 – By the Public Advocate (Mr. Williams) and Council Members Hanif, Cabán and Restler - **Resolution** calling on the New York State Office of Children and Family Services to prohibit juvenile justice agencies from using room confinement as a form of restraint in secure detention facilities and from using transitional hold as a form of restraint in detention and placement facilities.

Hybrid - Council Chambers – City Hall.....10:00 a.m.

Committee on Sanitation and Solid Waste Management

Sandy Nurse, Chairperson

Int 244 - By Council Members Hanif, the Speaker (Council Member Adams), Won, Nurse, Bottcher, Gennaro, Menin, Hudson, Cabán, Powers, Brewer, Rivera, Sanchez, Marte, Stevens, De La Rosa, Joseph, Ung, Ossé, Avilés, Restler, Dinowitz, Abreu, Krishnan, Ayala, Moya, Richardson Jordan, Riley, Holden, Gutiérrez, Barron, Feliz, Louis, Narcisse, Brannan, Lee and Velázquez (by request of the Brooklyn Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to residential curbside organics collection.

Int 274 - By Council Members Nurse, Bottcher, Ossé, Menin, Gutiérrez, Hanif, Powers, Hudson, Brewer, Sanchez, Stevens, Yeger, Marte, Joseph, Ayala, Restler, Abreu, Krishnan, Avilés, Rivera, Moya, Williams, Richardson Jordan, Riley, Holden, De La Rosa, Cabán, Dinowitz, Won, Barron, Feliz, Louis, Narcisse, Brannan, Schulman, Velázquez and Farías (in conjunction with the Brooklyn Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to establishing a goal of zero waste for New York city by 2030.

Int 275 By Council Members Nurse, Cabán, Bottcher, Ossé, Menin, Gutiérrez, Hanif, Powers, Hudson, Brewer, Sanchez, Stevens, Yeger, Ayala, Restler, Abreu, Krishnan, Avilés, Rivera, Joseph, Marte, Moya, Williams, Richardson Jordan, Riley, Holden, De La Rosa, Dinowitz, Won, Barron, Feliz, Louis, Narcisse, Brannan, Schulman, Velázquez and Farías (by request of the Brooklyn Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to the goal of zero waste to landfill.

Int 280 - By Council Members Powers, Rivera, Brewer, Nurse, Hanif, Cabán, Bottcher, Hudson, Menin, Stevens, Joseph, Ayala, Restler, Abreu, Krishnan, Avilés, Ossé, Marte, Moya, Williams, Dinowitz, Richardson Jordan, Riley, Gutiérrez, De La Rosa, Barron, Won, Feliz, Louis, Narcisse, Brannan, Schulman, Ung, Velázquez, Lee and Farías (by request of the Brooklyn Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to community recycling centers.

Int 281 - By Council Members Powers, Nurse, Rivera, Brewer, Hanif, Cabán, Bottcher, Hudson, Menin, Stevens, Joseph, Ayala, Restler, Abreu, Krishnan, Avilés, Ossé, Marte, Moya, Williams, Dinowitz, Richardson Jordan, Riley, Gutiérrez, De La Rosa, Won, Barron, Feliz, Louis, Narcisse, Brannan, Schulman, Ung, Velázquez and Lee (by request of the Brooklyn Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to organic waste drop off sites.
 Hybrid - Committee Room – 250 Broadway, 14th Floor.....12:00 p.m.

Committee on Housing and Buildings Pierina Ana Sanchez, Chairperson
Preconsidered Int ___ - By Council Members Sanchez and Farías - **A Local Law** to amend the administrative code of the city of New York, in relation to extending the rent stabilization laws.
Preconsidered Res ___ - By Council Member Sanchez - **Resolution** determining that a public emergency requiring rent control in the City of New York continues to exist and will continue to exist on and after July 1, 2022.
 Hybrid - Committee Room – City Hall.....1:30 p.m.

Thursday, June 16, 2022

Committee on Finance Justin Brannan, Chairperson
M 63 - Communication from the New York City Banking Commission - Transmitting recommendations of the interest rate to be charged for Fiscal Year 2023 for non-payment of taxes on real estate and for the discount rate to be allowed for early payment of real estate taxes for Fiscal Year 2023, pursuant to the City Charter.
Res 192 - By Council Member Ayala - **Resolution** to establish that the interest rate be four percent per annum for Fiscal Year 2023 for non-payment of taxes on properties with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments.
Res 193 - By Council Member Ayala - **Resolution** to establish that the interest rate be seven percent per annum for Fiscal Year 2023 for non-payment of taxes on properties with an assessed value of more than \$250,000 but less than or equal to \$450,000, or more than \$250,000 but less than or equal to \$450,000 per residential unit for cooperative apartments.
Res 194 - By Council Member Ayala - **Resolution** to establish that the interest rate be 14 percent per annum for Fiscal Year 2023 for non-payment of taxes on properties with an assessed value of more than \$450,000, or more than \$450,000 per residential unit for cooperative apartments.
Preconsidered L.U. ___ - SEBCO IV; Block 2697, Lot 18 and 19; and Block 2732, Lot 31, Bronx, Council District No. 17.
 Hybrid - Council Chambers – City Hall.....10:00 a.m.

Committee on Rules, Privileges & Elections Keith Powers, Chairperson
M 69 - Communication from the Manhattan Borough President - Submitting the name of Ms. Leila Bozorg, 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.
 Hybrid - Council Chambers – City Hall.....10:30 a.m.

Stated Council Meeting
HYBRID HEARING – 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 that the Council would be voting on several items related to the adoption of the budget for Fiscal Year 2023. She thanked everyone for their hard work, dedication, and contributions in regard to this budget adoption. The Speaker (Council Member Adams) especially thanked Council Member and Finance chair Justin Brannan, the members of the Council's Budget Negotiating Team, and the Finance Division staff led by Tanisha Edwards. She also thanked the staff of the Legislative Document Unit. She asked for a round of applause for these aforementioned individuals -- those assembled in the Chambers responded with applause and appreciation.

Whereupon on motion of the Speaker (Council Member Adams), the Majority Leader and Acting President Pro Tempore (Council Member Powers) adjourned these hybrid proceedings to meet again for the Stated Meeting of Thursday, June 16, 2022.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor's Local Law Note: Int. No. 173-A, adopted at the May 5, 2022 Stated Meeting, was returned unsigned by the Mayor on June 6, 2022. This item had become law on June 5, 2022 due to the lack of Mayoral action within the Charter-prescribed thirty day time period. This bill was assigned subsequently as Local Law No. 67 of 2022.

