

THE COUNCIL

Minutes of the Proceedings for the

STATED MEETING

of

Tuesday, April 11, 2023, 2:13 p.m.

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

Council Members

Adrienne E. Adams, *The Speaker*

Shaun Abreu	Jennifer Gutiérrez	Vickie Paladino
Joann Ariola	Shahana K. Hanif	Keith Powers
Alexa Avilés	Kamillah Hanks	Lincoln Restler
Diana I. Ayala	Robert F. Holden	Kristin Richardson Jordan
Charles Barron	Crystal Hudson	Kevin C. Riley
Joseph C. Borelli	Rita C. Joseph	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	Darlene Mealy	Nantasha M. Williams
Carmen N. De La Rosa	Julie Menin	Julie Won
Eric Dinowitz	Francisco P. Moya	Kalman Yeger
Amanda Farías	Mercedes Narcisse	
Oswald Feliz	Sandy Nurse	
James F. Gennaro	Chi A. Ossé	

Absent: Council Member Vernikov;

Maternity Leave: Council Member Rivera.

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

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

There were 49 Council Members marked present at this Stated Meeting held in the Council Chambers at City Hall, New York, N.Y.

INVOCATION

The Invocation was delivered by Rev. Dr. LaKeesha Walrond, President of the New York Theological Seminar located at 475 Riverside Drive, New York, N.Y. 10115.

Good afternoon, it is such an honor to be with all today.

Let's pray.

Eternal God, great creator, holy one,
the God of many names,
the God of our weary years and our silent tears;
thou who has brought us thus far along the way;
thou who has by thy might led us into the light.
Keep us forever in thy path we pray.
God, we thank you for your presence in our lives,
and your provision in our city,
and your protection of hearts.
We ask that you pour your spirit and blessings
upon this diverse Council
called and chosen to lead our great city.
Bless their work; bless their health;
bless their families; bless their communities.
Remind us all that the greatest among us is a servant of all.
Remind us that true leaders are servant leaders
who treat the needs of the people as holy
and are called to serve for the common good of all.
Grant each member of this diverse and inclusive Council
the wisdom to know what is right
and the courage to do what is right.
Let each word be guided by the spirit of community;
each action guided by a spirit of love;
and each decision guided by the spirit of justice.
God, we pray for continued guidance, discernment, and purpose,
and we lift this prayer, in your many names,
and in peace, joy, and justice.
Amen.

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

During the Communication from the Speaker segment of this Stated Meeting, the Speaker (Council Member Adams) wished to honor the lives of two construction workers who lost their lives during the course of their employment: Francisco Reyes, 41, and Fernando Lagunas Pereira, 28, who both died on April 3, 2023 while working at John F. Kennedy International Airport. On behalf of the Council, the Speaker (Council Member Adams) offered her thoughts and condolences to their families and loved ones. She noted that the city's construction workers were pivotal to the success and growth of New York City and that it was necessary to ensure that these essential workers remain safe.

The Speaker (Council Member Adams) wished a speedy recovery to 22-year old Police Officer Brett Boller of the 103rd Precinct in Jamaica, Queens. Officer Boller was shot in the line of duty on April 5, 2023. On behalf of the Council, she thanked Officer Boller for his public service to the people of the New York City and wished him well.

The Speaker (Council Member Adams) acknowledged that at least six New Yorkers had lost their lives to fatal fires across the city since the last Council meeting. She spoke of fires that had taken place in the respective districts of Council Member Schulman, Hudson, and Cabán. She reported that the fire in Council Member Cabán's district had been sparked by a lithium ion battery. The Speaker (Council Member Adams) acknowledged the heartbreaking losses and the immeasurable pain inflicted on families and communities by these blazes and she reiterated that the Council remained committed in taking action to prevent such deadly fires from occurring.

* * *

ADOPTION OF MINUTES

Council Member Williams moved that the Minutes of the Stated Meeting of March 2, 2023 be adopted as printed.

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

M-137

Communication from the Equal Employment Practices Commission - Submitting the Equal Employment Practices Commission's 2022 Annual Report, pursuant to Chapter 36 Section 831 (d) of the New York City Charter.

March 29, 2023

The Honorable Adrienne Adams
Speaker of the New York City Council
New York City Hall
New York, New York 10007

Re: Equal Employment Practices Commission (EEPC) 2022 Annual Report

Dear Speaker Adams,

The Equal Employment Practices Commission's 2022 Annual Report (Report) is currently available via the EEPC's website, which can be accessed here: [Equal Employment Practices Commission 2022 Annual Report \(nyc.gov\)](https://www.eepc.nyc.gov/2022-annual-report).

As the independent monitor of the City of New York's equal employment practices, the EEPC provides details in the Report of our annual efforts to fulfill crucial mandates pursuant to Chapter 36 Section 831 (d) of the New York City Charter. Local Law 13 of 2019 mandates the EEPC publish reports annually on underutilization in the City's municipal workforce; this Annual Report highlights our 2022 report on underutilization and the recommendations we made based on our research.

The EEPC looks forward to exploring ways to work with you and your staff prospectively to further enhance equal employment opportunities within the City of New York.

Sincerely,

Jeanne M. Victor
Executive Director

cc: Nantasha Williams, Chair, Committee on Civil and Human Rights, NYCC

Received, Ordered, Printed and Filed.

LAND USE CALL-UPS

M-138

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

Pursuant to Sections 11.20(b-d) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Application No. C 210319 ZSQ (23-10 Queens Plaza South) shall be subject to Council review. This item is related to Application Nos. C 210317 ZMQ and N 210318 ZRQ.

Coupled on Call-Up Vote.

M-139

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

Pursuant to Sections 11.20(b-d) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Application No. C 220472 ZSK (Paperific Rezoning) shall be subject to Council review. This item is related to Application Nos. C 220470 ZMK and N 220471 ZRK.

Coupled on Call-Up Vote.

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

Affirmative – Abreu, Ariola, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, 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, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Williams, Won, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **48**.

Present, Not Voting: Mealy.

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

REPORTS OF THE STANDING COMMITTEES

Report of the Committee on Consumer and Worker Protection

Report for Int. No. 8-A

Report of the Committee on Consumer and Worker Protection in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the disclosure of total ticket costs in advertisements.

The Committee on Consumer and Worker Protection, to which the annexed proposed amended local law was referred on February 10, 2022 (Minutes, page 102), respectfully

REPORTS:

I. INTRODUCTION

On April 11, 2023, the Committee on Consumer and Worker Protection, chaired by Council Member Marjorie Velázquez, held a vote on Introduction Number 8-A (“Int. No. 8-A”), related to the disclosure of total ticket costs in advertisements for entertainment events in New York City. On February 24, 2023, the Committee held a hearing on this bill and heard from the Department of Consumer and Worker Protection (DCWP), entertainment venue owners and operators, ticket sellers, research and advocacy groups, and other interested stakeholders. Their feedback has been incorporated into the latest version of the bill. Int. No. 8-A was approved by the Committee by a vote of eight in the affirmative and zero in the negative.

II. BACKGROUND

As the home of Broadway, iconic sports franchises, and renowned venues large and small, New York City is one of the world’s preeminent markets for live entertainment and events. All too often, however, consumers seeking to purchase tickets to these events are surprised by substantial fees at the point of sale.¹ In 2022, the State Legislature enacted S.9461/A.10500, requiring primary and resale ticketing platforms to disclose the actual and entire price of a ticket, including fees, right at the beginning of a search or transaction so that customers have timely and valuable information to make a fully informed purchase.²

While requiring ticket sellers to display “all-in” ticket pricing at the point of sale is a positive step to improve transparency and consumer welfare, the state law does not apply to ticket advertising. Consumers may see a ticket price advertised that is very different than the one they are confronted with when they go to complete a purchase.³ Connecticut has addressed this issue by passing a law requiring that “any advertisement for an in-state event [] conspicuously disclose the total price for each ticket and what portion . . . represents a service charge.”⁴

¹ New York State Senate Committee on Investigations and Government Operations, *Final Investigative Report: Live Event Ticketing Practices* (May 18, 2021),

https://www.nysenate.gov/sites/default/files/article/attachment/nys_senate_igo_committee_report_-_live_event_ticketing_practices.pdf

² New York State Senate Bill S.9461, <https://www.nysenate.gov/legislation/bills/2021/S9461>

³ *Unfair or Deceptive Fees Trade Regulation Rule Commission Matter No. R207011*, 87 FED. REG. 67413 (November 8, 2022).

⁴ Conn. Gen. Stat. 53–289a.

III. BILL ANALYSIS

Int. No. 8-A—A Local Law to amend the administrative code of New York, in relation to the disclosure of total ticket costs in advertisements

Section 1 of the bill would add a new subchapter 26 to chapter 5 of title 20 of the Administrative Code. Such subchapter would be entitled “Disclosure of Total Ticket Costs in Advertisements”, and it would add new sections 20-880 through 20-882 to the Administrative Code. Section 20-880 sets forth definitions for the subchapter. “Operator” would be defined as any person who owns, operates or controls a place of entertainment or who promotes or produces an event to be held at a place of entertainment. “Place of entertainment” would be defined as any privately or publicly owned and operated entertainment facility located in New York City, including, but not limited to, a theater, stadium, arena, racetrack, museum, amusement park or other place where performances, concerts, athletic games or contests are held and for which an entry fee is charged. “Ticket” would be defined as any evidence of the right of entry to any place of entertainment. “Total ticket cost” would be defined as the cost of a ticket inclusive of all ancillary fees, such as taxes and service fees that must be paid in order to purchase a ticket.

Subdivision a of section 20-881 of this subchapter would require the disclosure of the total ticket cost or the range of total ticket costs on each advertisement purchased, produced, or posted by an operator of a place of entertainment; an agent, licensee or third-party ticket seller of such operator; or a platform that facilitates the sale or resale of tickets where such advertisement includes the ticket cost or the range of ticket costs.

Subdivision b of section 20-881 provides that if an operator of a place of entertainment does not have information related to total ticket costs, the operator may rely on information provided by such operator’s agent, licensee or other ticket reseller; or a platform that facilitates the sale or resale of tickets. For purposes of civil penalties, such reliance would be a complete defense and a copy of the communication between parties would constitute prima facie evidence for purposes of the operator’s defense.

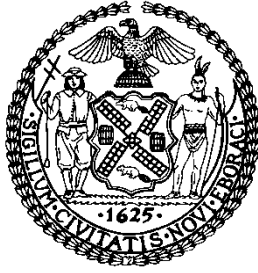
Subdivision c of section 20-881 provides that if an agent, licensee, or third-party ticket seller of an operator, or a platform that facilitates the sale or resale of tickets, does not have information related to total ticket costs, they may rely on information provided by the operator of a place of entertainment. For purposes of civil penalties, such reliance would be a complete defense and a copy of the communication between parties would constitute prima facie evidence for purposes of the defense.

Section 20-882 would impose a civil penalty on any person who violates this subchapter, or any rules promulgated thereunder, of zero dollars for the first violation, up to two hundred and fifty dollars for the second violation, and up to five hundred dollars for a third or subsequent violation. Each advertisement that violates this subchapter, and is recognizably different in nature, would constitute a separate violation. A copy of the same advertisement that is produced on the same day would not constitute a separate violation. For example, one advertisement that is published in a newspaper would constitute a single violation—despite the number of copies of that newspaper that are printed and sold on that day, it would still constitute only a single violation. If the producer publishes the advertisement for a second day, then that would constitute a second violation. Each day that the advertisement runs would be an additional violation, which would be subject to additional penalties.

This bill would take effect 180 days after it becomes law.

Since introduction, the penalty section has been amended, the effective date has been extended, and a provision has been added to protect those relying on information related to total ticket costs that is otherwise unavailable.

(The following is the text of the Fiscal Impact Statement for Int. No. 8-A:)



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

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

RICHARD LEE, FINANCE DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO NO. 8-A

COMMITTEE: Consumer and Worker Protection

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the disclosure of total ticket costs in advertisements.

SPONSORS: Council Members Brannan, Mealy, Powers, Louis, Yeger, Joseph, Restler, Velázquez, Abreu, Brewer, Won, Stevens, Hanif, Narcisse, and Farías.

SUMMARY OF LEGISLATION: This bill would require the operator of a place of entertainment; an agent, licensee or other ticket reseller of such operator; or a platform that facilitates the sale or resale of tickets to disclose the full price of a ticket whenever they display a ticket price on advertisements. The advertised price would be required to include fees such as taxes and service fees to increase transparency. By requiring early disclosure, this bill would allow consumers to make more informed decisions before beginning a transaction. Those who violate this bill would be subject to civil penalties from zero dollars for the first violation up to \$500.

EFFECTIVE DATE: This bill would take effect 180 days after becoming law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2025

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY25
Revenues (-)	\$0	\$0	\$0
Expenditures (+)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is estimated that there would be no impact on revenues resulting from the enactment of this legislation assuming full compliance.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because the relevant City agency would utilize existing resources to fulfill its requirements.

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

ESTIMATE PREPARED BY: Glenn P. Martelloni, Financial Analyst

ESTIMATE REVIEWED BY: Crilhien Francisco, Assistant Director
Eisha Wright, Deputy Director
Jonathan Rosenberg, Managing Deputy Director
Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council on February 10, 2022 as Int. No 8 and referred to the Committee on Consumer and Worker Protection (Committee). A hearing was held by the Committee on February 24, 2023 and the bill was laid over. The legislation has been amended and the amended version will be considered by the Committee at a hearing on April 11, 2023. Upon a successful vote by the Committee, Proposed Int. 8-A will be submitted to the full Council for a vote on April 11, 2023.

DATE PREPARED: April 7, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 8-A:)

Int. No. 8-A

By Council Members Brannan, Mealy, Powers, Louis, Yeager, Joseph, Restler, Velázquez, Abreu, Brewer, Won, Stevens, Hanif, Narcisse, Farías, Dinowitz and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to the disclosure of total ticket costs in advertisements

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 26 to read as follows:

*Subchapter 26
Disclosure of Total Ticket Costs in Advertisements*

§ 20-880 Definitions.

§ 20-881 Total ticket cost disclosure.

§ 20-882 Penalties.

§ 20-880 Definitions. As used in this subchapter, the following terms have the following meanings:

Operator. The term “operator” means any person who owns, operates or controls a place of entertainment or who promotes or produces an event to be held at a place of entertainment.

Place of entertainment. The term “place of entertainment” means any privately or publicly owned and operated entertainment facility located in New York city, including, but not limited to, a theater, stadium, arena, racetrack, museum, amusement park or other place where performances, concerts, athletic games or contests are held and for which an entry fee is charged.

Ticket. The term “ticket” means any evidence of the right of entry to any place of entertainment.

Total ticket cost. The term “total ticket cost” means the cost of a ticket inclusive of all fees and taxes that must be paid in order to purchase the ticket.

§ 20-881 Total ticket cost disclosure. a. Every advertisement purchased, produced, or posted by (i) an operator of a place of entertainment, (ii) such an operator’s agent, licensee or other third-party ticket seller, or (iii) a platform that facilitates the sale or resale of tickets, and which includes in such advertisement a ticket cost or a range of ticket costs, shall disclose in such advertisement in a clear and conspicuous manner the total ticket cost, or range of total ticket costs, as applicable.

b. An operator of a place of entertainment may rely on the information provided to such operator by such operator’s agent, licensee, third-party ticket seller, or platform that facilitates the sale or resale of tickets regarding the total ticket cost or the range of total ticket costs where such information is otherwise unavailable. In a proceeding to collect a civil penalty pursuant to section 20-882 of this subchapter, it shall be a complete defense for a respondent operator to establish that such operator relied on the information provided by such operator’s agent, licensee, third-party ticket seller, or platform that facilitates the sale or resale of tickets regarding the total ticket cost or the range of total ticket costs. A copy of a communication between the

respondent operator and such operator's agent, licensee, third-party ticket seller, or platform that facilitates the sale or resale of tickets regarding the total ticket cost or the range of total ticket costs shall constitute prima facie evidence that such respondent relied on such information.

c. An operator's agent, licensee, third-party ticket seller, or platform that facilitates the sale or resale of tickets may rely on information provided to it by an operator regarding the total ticket cost or the range of total ticket costs where such information is otherwise unavailable. In a proceeding to collect a civil penalty pursuant to section 20-882 of this subchapter, it shall be a complete defense for a respondent agent, licensee, third-party ticket seller, or platform that facilitates the sale or resale of tickets to establish that such respondent relied on the information provided by an operator regarding the total ticket cost or the range of total ticket costs. A copy of a communication between the respondent agent, licensee, third-party ticket seller, or platform that facilitates the sale or resale of tickets and an operator regarding the total ticket cost or the range of total ticket costs shall constitute prima facie evidence that such respondent relied on such information.

§ 20-882 Penalties. a. Any person who violates any provision of this subchapter or any rule promulgated thereunder is liable for a civil penalty of zero dollars for a first violation, not more than \$250 for a second violation, and not more than \$500 for a third or subsequent violation.

b. Each distinct advertisement that violates any provision of this subchapter or any rule promulgated thereunder shall constitute a separate violation.

c. For the purposes of determining the total civil penalty, each day on which a violating advertisement is exposed to the public shall constitute a separate violation.

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

MARJORIE VELÁZQUEZ, *Chairperson*; SHAUN ABREU, ERIK D. BOTTCHEER, GALE A. BREWER, AMANDA FARÍAS, SHEKAR KRISHNAN, JULIE MENIN, CHI A. OSSÉ; 8-0-0; *Absent*: Julie Won; Committee on Consumer and Worker Protection, April 11, 2023.

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

Report of the Committee on Environmental Protection, Resiliency and Waterfronts

Report for Int. No. 239-A

Report of the Committee on Environmental Protection, Resiliency and Waterfronts in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to education and outreach regarding solar and green roof systems.

The Committee on Environmental Protection, Resiliency and Waterfronts, to which the annexed proposed amended local law was referred on April 28, 2022 (Minutes, page 780), respectfully

REPORTS:

INTRODUCTION

On April 11, 2023, the Committee on Environmental Protection, Resiliency and Waterfronts, chaired by Council Member James F. Gennaro will hold a hearing to consider Proposed Int. No. 239-A, sponsored by Council Member Gennaro, in relation to education and outreach regarding solar and green roof systems; and Proposed Int. No. 606-A, in relation to motor vehicles idling adjacent to and within certain parks. Proposed Int. No. 239-A was originally heard at a hearing held on February 3, 2023, during which testimony was received

from the Department of Environmental Protection, environmental advocates, and interested members of the public. More information about this bill, along with the materials for that hearing, can be accessed at the following link: <https://on.nyc.gov/3KkA8uV> . Proposed Int. No. 606-A was originally heard at a hearing held on December 15, 2022, during which testimony was received from the Department of Environmental Protection, environmental advocates, and interested members of the public. More information about this bill, along with the materials for that hearing, can be accessed at the following link: <https://on.nyc.gov/3ZY7JAO> .

LEGISLATION

Below is a brief summary of the legislation being considered today by the Committee. This summary is intended for informational purposes only and does not substitute for legal counsel. For more detailed information, you should review the full text of the bill, which is attached below.

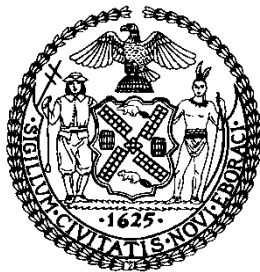
Proposed Int. No. 239-A, A Local Law to amend the administrative code of the city of New York, in relation to education and outreach regarding solar and green roof systems

Proposed Int. No. 239-A would require the Department of Buildings to conduct targeted outreach to educate building owners about the benefits of installing solar and green roof systems. Educational materials shall be made available in plain English and all of the designated citywide languages and on the department’s website. This local law would take effect immediately.

Proposed Int. No. 606-A, A Local Law to amend the administrative code of the city of New York, in relation to motor vehicles idling adjacent to and within certain parks

Proposed Int. No. 606-A would amend the idling law to restrict idling to one minute in spaces adjacent to or within parks that have a designated name and are identified as a park on the Department of Parks and Recreation’s website. This bill would also create an affirmative defense that the park was not easily identifiable as a park by signage or otherwise at the time a violation occurred. This local law would take effect 90 days after it becomes law.

(The following is the text of the Fiscal Impact Statement for Int. No. 239-A:)



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

PROPOSED INTRO. NO: 239-A

COMMITTEE: Environmental Protection, Resiliency
and Waterfronts

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to education and outreach regarding solar and green roof systems.

SPONSOR(S): By Council Members Gennaro, Dinowitz, Stevens, Yeger, Restler, Krishnan, Nurse, Sanchez, Schulman, Cabán, Farías, Abreu, Bottcher, Riley, Avilés, Ossé, Ayala, Holden, Hanif, Gutiérrez, Richardson Jordan, Ung, Louis, Brewer, Narcisse, Hudson and Velázquez.

SUMMARY OF LEGISLATION: This legislation would require the Department of Buildings (DOB) to conduct education and outreach, beginning no later than January 31, 2024 and annually for five years thereafter, about the benefits of installing solar and green roof systems. DOB would also be required to post notices and educational materials on the department's website.

EFFECTIVE DATE: This local law takes effect immediately.

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

FISCAL IMPACT STATEMENT:

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

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

IMPACT ON EXPENDITURES: It is estimated that there would be no fiscal impact on expenditures resulting from the enactment of this legislation, as DOB would use existing resources to fulfill its requirement.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Andrew Lane-Lawless, Legislative Financial Analyst, NYC Council Finance Division

ESTIMATE REVIEWED BY: Jack Storey, Unit Head, NYC Council Finance Division
Crielhien R. Francisco, Assistant Director, NYC Council Finance Division
Jonathan Rosenberg, Managing Deputy Director, NYC Council Finance Division
Michael Twomey, Assistant Counsel, NYC Council Finance Division

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on April 28, 2022, as Intro. 239 and referred to the Committee on Environmental Protection. A hearing was held by the Committee on Environmental Protection on February 2, 2022, and the bill was laid over. The legislation has been amended and the amended version, Proposed Intro. 239-A, was re-referred to the Committee on Environmental Protection, Resiliency and Waterfronts (Committee) on March 7, 2023. Proposed Intro. 239-A will be considered by the Committee on April 11, 2023. Upon successful vote by the Committee, Proposed Intro. No. 239-A will be submitted to the full Council for a vote on April 11, 2023.

DATE PREPARED: April 6, 2023.

(For text of Int. No. 606-A, and its Fiscal Impact Statement, please see the Report of the Committee on Environmental Protection, Resiliency and Waterfronts for Int. No. 606-A, respectively, printed in these Minutes; for text of Int. No. 239-A, please see below)

Accordingly, this Committee recommends the adoption of Int. Nos. 239-A ad 606-A.

(The following is the text of Int. No. 239-A:)

Int. No. 239-A

By Council Members Gennaro, Dinowitz, Stevens, Yeger, Restler, Krishnan, Nurse, Sanchez, Schulman, Cabán, Farías, Abreu, Bottcher, Riley, Avilés, Ossé, Ayala, Holden, Hanif, Gutiérrez, Richardson Jordan, Ung, Louis, Brewer, Narcisse, Hudson and Velázquez.

A Local Law to amend the administrative code of the city of New York, in relation to education and outreach regarding solar and green roof systems

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-103.37 to read as follows:

§ 28-103.37 Education and outreach on solar and green roof systems. No later than January 31, 2024, and annually for five years thereafter, the department shall conduct targeted outreach to educate building owners about the benefits of installing solar and green roof systems. Educational materials distributed pursuant to this section shall be in plain language and made available in all of the designated citywide languages, as defined in section 23-1101 of this code. Such educational materials shall also be available on the department's website.

§ 2. This local law takes effect immediately.

JAMES F. GENNARO, *Chairperson*; JENNIFER GUTIÉRREZ, KAMILLAH HANKS, ROBERT F. HOLDEN, JULIE MENIN, SANDY NURSE, LINCOLN RESTLER; 7-0-0; Committee on Environmental Protection, Resiliency & Waterfronts, April 11, 2023. *Other Council Members Attending: Council Member Velázquez*

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

Report for Int. No. 606-A

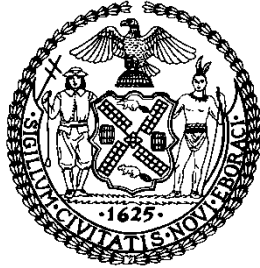
Report of the Committee on Environmental Protection, Resiliency and Waterfronts in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to motor vehicles idling adjacent to and within certain parks.

The Committee on Environmental Protection, Resiliency and Waterfronts, to which the annexed proposed amended local law was referred on August 11, 2022 (Minutes, page 1974), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Environmental Protection, Resiliency and Waterfronts for Int. No. 239-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 606-A:



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

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

RICHARD LEE, FINANCE DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 606-A

COMMITTEE: Environmental Protection, Resiliency and Waterfronts

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to motor vehicles idling adjacent to and within certain parks

SPONSOR(S): By Council Members Avilés, Ossé, Nurse, Marte, Gennaro, Restler, Ung, Narcisse, Won, Krishnan, Holden, Gutiérrez, Joseph, Menin, Bottcher, Brooks-Powers, Velázquez, Williams, De La Rosa, Farías, Abreu, Feliz, Sanchez, Lee, Hanks, Brewer, Barron, Rivera, Yeger, Dinowitz, Salamanca, Brannan, Schulman, Powers, Moya, Riley, Richardson Jordan, Hudson and Louis (in conjunction with the Bronx Borough President) .

SUMMARY OF LEGISLATION: This bill would amend the idling law to restrict idling to one minute when adjacent to or within parks that have a designated name and are identified as a park on the Department of Parks and Recreation’s website. This bill would also create an affirmative defense that the park was not easily identifiable as a park by signage or otherwise at the time a violation occurred.

EFFECTIVE DATE: This local law takes effect 90 days after it becomes law

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

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Fiscal Impact FY25
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is estimated that there would be no impact on revenues resulting from the enactment of this legislation, as we assume full compliance to the proposed legislation.

IMPACT ON EXPENDITURES: It is estimated that there would be no fiscal impact on expenditures resulting from the enactment of this legislation, as the DPR, DSNY and NYPD would use existing resources to fulfill its requirement.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Andrew Lane-Lawless, Legislative Financial Analyst, NYC Council Finance Division

ESTIMATE REVIEWED BY: Crilhien R. Francisco, Assistant Director, NYC Council Finance Division
Jack Storey, Unit Head, NYC Council Finance Division
Jonathan Rosenberg, Managing Deputy Director, NYC Council Finance Division
Michael Twomey, Assistant Counsel, NYC Council Finance Division

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on August 11, 2022 as Intro. 606 and referred to the Committee on Environmental Protection. A hearing was held by the Committee on Environmental Protection on December 15, 2022, and the bill was laid Over. The legislation has been subsequently amended and the amended version, Proposed Intro. 606-A, was re-referred to the Committee on Environmental Protection, Resiliency and Waterfronts (Committee) on March 7, 2023. Proposed Intro. 606-A will be considered by the Committee on April 11, 2023. Upon successful vote by the Committee, Proposed Intro. No. 606-A will be submitted to the full Council for a vote on April 11, 2023.

DATE PREPARED: April 6, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 606-A:)

Int. No. 606-A

By Council Members Avilés, Ossé, Nurse, Marte, Gennaro, Restler, Ung, Narcisse, Won, Krishnan, Holden, Gutiérrez, Joseph, Menin, Bottcher, Brooks-Powers, Velázquez, Williams, De La Rosa, Farías, Abreu, Feliz, Sanchez, Lee, Hanks, Brewer, Barron, Rivera, Yeger, Dinowitz, Salamanca, Brannan, Schulman, Powers, Moya, Riley, Richardson Jordan, Hudson and Louis (conjunction with the Bronx Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to motor vehicles idling adjacent to and within certain parks

Be it enacted by the Council as follows:

Section 1. Subdivision (f) of section 24-163 of the administrative code of the city of New York, as amended by local law number 38 for the year 2015, is amended as follows:

(f) No person shall cause or permit the engine of a motor vehicle, other than a legally authorized emergency motor vehicle, to idle for longer than one minute if such motor vehicle is adjacent, as determined by rule, to any public school under the jurisdiction of the New York city department of education or to any non-public school that provided educational instruction to students in any grade from pre-kindergarten to the twelfth grade level, *or is adjacent to, as determined by rule, or within, any park under the jurisdiction of the New York city department of parks and recreation,* while parking as defined in section one hundred twenty-nine of the vehicle

and traffic law, standing as defined in section one hundred forty-five of the vehicle and traffic law, or stopping as defined in section one hundred forty-seven of the vehicle and traffic law, unless the engine is used to operate a loading, unloading or processing device, and provided that idling of an engine of a school bus may be permitted to the extent necessary: (1) for mechanical work; (2) to maintain an appropriate temperature for passenger comfort; or (3) in emergency evacuations where necessary to operate wheelchair lifts. It shall be an affirmative defense that any such school *or park* was not easily identifiable as a school *or park* by signage or otherwise at the time a violation of this subdivision occurred. *For purposes of this subdivision, "park" means a park that has been designated with a name and is identified as a park on the website of the department of parks and recreation and does not include any parking lot located within such park.*

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

JAMES F. GENNARO, *Chairperson*; JENNIFER GUTIÉRREZ, KAMILLAH HANKS, ROBERT F. HOLDEN, JULIE MENIN, SANDY NURSE, LINCOLN RESTLER; 7-0-0; Committee on Environmental Protection, Resiliency & Waterfronts, April 11, 2023. *Other Council Members Attending: Council Member Velázquez.*

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

Report of the Committee on Finance

Report for Res. No. 531

Report of the Committee on Finance in favor of approving a Resolution authorizing a change in the name of the Flatbush Avenue business improvement district, an increase in the amount to be expended annually in such district, an extension of the boundaries of such district, a change in the method of assessment upon which the district charge in such district is based, and an increase in the maximum total amount to be expended for improvements in such district.

The Committee on Finance, to which the annexed resolution was referred on March 16, 2023 (Minutes, page 848) respectfully

REPORTS:

Resolution No. 531 sets a date, time, and place for a public hearing to consider a local law that would authorize a change in the name of the Flatbush Avenue business improvement district ("BID"), an increase in the amount to be expended annually in such district, an extension of the boundaries of such district, a change in the method of assessment upon which the district charge in such district is based, and an increase in the maximum total amount to be expended for improvements in such district as of July 1, 2023. The resolution sets April 27, 2023 at 10:00 am in the City Council Committee Room, 2nd floor, City Hall, Manhattan as the date, time, and place for the hearing.

These changes, as set forth in the amended district plan of the Flatbush Avenue BID and approved by the respective district management associations, propose the dissolution of the Church Avenue BID, the expansion of the Flatbush Avenue BID to cover the service area presently served by the Church Avenue BID, and renaming the Flatbush Avenue BID as the "Church Avenue-Flatbush Avenue Business Improvement District". The expanded BID would have a maximum authorized annual expenditure of \$589,000, reflecting the sum of the present expenditures of the Flatbush Avenue and Church Avenue BIDs.

Pursuant to § 25-415(a) of the Administrative Code, the Council may dissolve a BID by enactment of a local law, but must first request and consider the recommendations of the district management association of the BID proposed to be dissolved, provided that the Council may proceed if the BID does not provide comment within 60 days of such request.

On March 28, 2023, Speaker Adams sent a letter on behalf of the Council, both by email and by certified mail, to the district management association of the Church Avenue BID, soliciting recommendations regarding their proposed dissolution for the consideration of the Council. On April 5, 2023, the district management association of the Church Avenue BID responded, affirming their desire to proceed with the dissolution as proposed. Council Member Joseph expressed her support of the dissolution and expansion by letter of support on file with staff to the Committee on Finance.

Pursuant to §§ 25-410(b)-(c) and 25-416 of the Administrative Code, a BID may alter its assessment method and obtain an increase in its budget (i.e. the total amount allowed to be expended annually by the BID for improvements, services, maintenance, and operation) by means of the adoption of a local law amending the BID's district plan. Such a local law may be adopted by the City Council after a determination that it is in the public interest to authorize such an increase in the maximum annual amount and that the tax and debt limits prescribed in § 25-412 of the Administrative Code will not be exceeded. Notice of the public hearing to consider such a local law must be published in at least one newspaper having general circulation in the district specifying the time when, and the place where, the hearing will be held and stating the increase proposed in the maximum amount to be expended annually.

Accordingly, the resolution also directs the district management associations of the Flatbush Avenue BID to publish in a newspaper of general circulation in each district, not less than ten (10) days prior to the public hearing, a notice stating the time and place of the public hearing and setting forth the increase in the amount to be expended annually in each of the BIDs.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 531:)

Res. No. 531

Resolution authorizing a change in the name of the Flatbush Avenue business improvement district, an increase in the amount to be expended annually in such district, an extension of the boundaries of such district, a change in the method of assessment upon which the district charge in such district is based, and an increase in the maximum total amount to be expended for improvements in such district.

By Council Members Brannan and Louis.

WHEREAS, pursuant to the authority granted by chapter 4 of title 25 of the Administrative Code of the City of New York (the "Law"), the Mayor, by authorization dated August 12, 2022, provided for the preparation of an amended district plan for the Flatbush Avenue Business Improvement District (to be renamed the Church Avenue/Flatbush Avenue Business Improvement District, or the "District") in the Borough of Brooklyn; and

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

WHEREAS, pursuant to authority granted by the Law, the District was established by Local Law No. 63 for the year 1993; and

WHEREAS, pursuant to Section 25-410(b) of the Law, an amendment to the district plan that provides for additional improvements or services or any change in the method of assessment upon which the district charge is based, or an increase in the amount to be expended annually, may be adopted by local law, provided that the City Council determines, after a public hearing, that it is in the public interest to authorize such changes and that the tax and debt limits prescribed in Section 25-412 of the Law will not be exceeded by such changes; and

WHEREAS, pursuant to Section 25-410(c) of the Law, an amendment to the district plan that provides for an increase in the total maximum amount to be expended for improvements in the District may be adopted by local law, provided that the City Council determines, after a public hearing, that it is in the public interest to authorize such increase and that the tax and debt limits prescribed in Section 25-412 of the Law will not be exceeded by such increase; and

WHEREAS, the District wishes to increase the amount to be expended annually in the District to \$589,000, to extend the District's boundaries and to amend the district plan in order to change the method of assessment upon which the district charge is based and to increase the maximum total amount to be expended for improvements in the District; and

WHEREAS, pursuant to section 25-405(c) of the Law, the New York City Department of Small Business Services ("SBS") submitted an amended district plan (the "Amended Plan") for the District to the City Planning Commission (the "CPC") on December 14, 2022; and

WHEREAS, pursuant to section 25-405(c) of the Law, the CPC submitted the Amended Plan to the City Council on December 16, 2022; and

WHEREAS, pursuant to section 25-405(c) of the Law, the CPC submitted the Amended Plan to the Council Member representing the council district in which the District is located on December 16, 2022; and

WHEREAS, pursuant to section 25-405(c) of the Law, the CPC submitted the Amended Plan to Brooklyn Community Board 9 ("CB 9") and Brooklyn Community Board 14 ("CB 14") in which the proposed extended district is located, on December 16, 2022; and

WHEREAS, pursuant to section 25-405(c) of the Law, the CPC submitted the Amended Plan to the Brooklyn Borough President on December 16, 2022; and

WHEREAS, pursuant to section 25-405(c) of the Law, CB 9 and CB 14 notified the public of the Amended Plan in accordance with the requirements established by the CPC; and

WHEREAS, on January 14, 2023, CB 14 voted to approve the extension of the District; and

WHEREAS, on January 24, 2023, CB 9 voted to approve the extension of the District; and

WHEREAS, pursuant to section 25-405(c) of the Law, the CPC reviewed the Amended Plan, held a public hearing on January 18, 2023, and prepared a report certifying its unqualified approval of the Amended Plan; and

WHEREAS, pursuant to section 25-405(c) of the Law, the CPC submitted its report to the Mayor, to the Brooklyn Borough President, to the City Council and to the Council Member representing the council district in which the District is located; and

WHEREAS, pursuant to section 25-405(c) of the Law, a copy of the CPC's report, the original district plan and the Amended Plan were transmitted for filing with the City Clerk on February 17, 2023; and

WHEREAS, pursuant to section 25-406(a) of the Law, a copy of the Amended Plan and the CPC's report are annexed hereto and are made part of this Resolution; and

WHEREAS, pursuant to section 25-406(a) of the Law, the Amended Plan is on file for public inspection in the Office of the City Clerk, 141 Worth Street, New York, New York; and

WHEREAS, pursuant to Section 25--406(b) of the Law, any owner of real property, deemed benefited and therefore within the proposed extended district, objecting to the Amended Plan must file an objection at the Office

of the City Clerk within thirty days of the conclusion of the hearing held by the City Council, notice of which is provided by this Resolution, on forms made available by the City Clerk; and

WHEREAS, pursuant to Section 25-406(b) of the Law, if owners of at least fifty-one percent of the assessed valuation of all the benefited real property situated within the boundaries of the District as proposed for extension, as shown upon the latest completed assessment roll of the City, or at least fifty-one percent of the owners of benefited real property within the area included in the District as proposed for extension, file objections to the Amended Plan with the City Clerk within the thirty-day objection period, the District will not be extended; now, therefore, be it

RESOLVED, that the Council of the City of New York, pursuant to Section 25-406 of the Law, hereby directs that:

(i) April 27, 2023 is the date and 10:00 am is the time and the City Council Committee Meeting Room, 2nd Floor, City Hall is the place for a public hearing (the “Public Hearing”) to hear all persons interested in the legislation that would authorize an increase in the amount to be expended annually in the District, an extension of the District’s boundaries, a change in the method of assessment upon which the district charge in the District is based, an increase in the maximum total amount to be expended for improvements in the District, and a change in the name of the District;

(ii) the Flatbush Avenue District Management Association shall, not less than ten (10) nor more than thirty (30) days before the date of the Public Hearing, mail a copy of this Resolution or a summary thereof to each owner of real property within the proposed extended district at the address shown on the latest City assessment roll, to such other persons as are registered with the City to receive tax bills concerning real property within the proposed extended district, and to the tenants of each building within the proposed extended district;

(iii) SBS shall arrange for the publication of a copy of this Resolution or a summary thereof at least once in the City Record or a newspaper in general circulation in the City, the first publication to be not less than ten (10) nor more than thirty (30) days before the date of the Public Hearing;

(iv) in the event that the Flatbush Avenue District Management Association mails, or SBS arranges for the publication of, a summary of this Resolution, such summary shall include the information required by section 25-406(c) of the Law; and

(v) on behalf of the City Council and pursuant to Section 25-410(b) of the Law, the Flatbush Avenue District Management Association is hereby authorized to publish in a newspaper having general circulation in the District, not less than ten (10) days prior to the Public Hearing, a notice stating the time and place of the Public Hearing and stating the increase in the amount to be expended annually in the District.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 17-0-0; Committee on Finance, April 11, 2023.

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

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

Report for L.U. No. 179

Report of the Committee on Finance in favor of approving GRAND STREET.HUDMF.FY23, 711 E 6th Street, Block 376, Lot 58, Manhattan, Community District No. 3, Council District No. 2.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on April 11, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

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

THE COUNCIL OF THE CITY OF NEW YORK

April 11, 2023

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

FROM: Michael Twomey, Assistant Counsel, Finance Division
Kathleen Ahn, Counsel, Finance Division

RE: Finance Committee Agenda of April 11, 2023 – Resolution approving a tax exemption for two Land Use items (Council Districts 2, 41)

Item #1: Grand Street Senior Housing

This item is an amendment to a previously approved Article XI resolution (Resolution 263-2002) granted for Grand Street Senior Housing. Grand Street Senior Housing is a Section 202 housing development in the Alphabet City neighborhood of Manhattan and is owned by Grand Street Settlement Senior Housing Development Fund Corporation. The development consists of one eight-story building containing 75 residential units, of which 74 are one-bedroom units and one is a two-bedroom unit for staff. The other facilities within the property include an on-site business office, security office, social services office, common laundry room, community room, arts and crafts room, and a computer room. The project was constructed in 2006 and serves a senior (62 and older), low-income population.

The project has a 40-year partial exemption from real property taxes pursuant to Section 422 of the Real Property Tax Law that was granted by the City Council through Resolution No. 263 on May 8, 2002. The project is encumbered by one HUD mortgage with a principal balance of \$11,140,660 made on 6/17/2008 (Capital Advance).

Currently, HUD is processing a Rental Assistance Demonstration (RAD) conversion for the project, whereby its annual Project Rental Assistance Contract (PRAC) subsidy will convert to a new 20-year Project Based Rental Assistance (PBRA) Section 8 contract. This will be the first RAD for PRAC conversion in any project in New York City. The conversion will contribute to the financial stability of the project by releasing the owners from the Capital Advance, allowing them to refinance their properties as well as simplifying the annual rent-increase process. HUD issued its conditional approval of the conversion on November 29, 2022. This approval is effective for 90 calendar days, with the ability to extend for a further 90 days.

Shortly after issuing its RAD approval, HUD engaged HPD for assistance with modifying the terms of the existing Section 422 partial tax exemption. Among HUD's requirements for a RAD for PRAC conversion is that the project must satisfy or terminate all HUD debt on the property, and HUD is also unable to issue new loans on the project as part of this conversion. However, the current City Council resolution contains a provision that the Section 422 partial tax exemption will automatically terminate if the HUD mortgage ends. Without modifying the current City Council Resolution No. 263 and preserving the exemption, the owner will not be able to move forward with the conversion.

Item #2: 1613-1631 Eastern Parkway.HPO.FY23

1613-1631 Eastern Parkway.HPO.FY23 (the "Project") consists of five (5) four-story walk-up buildings with a total of sixty-one (61) residential units inclusive of one super unit, located in the Crown Heights neighborhood in Brooklyn. Of the 61 units in the building, there are 2 studio units, 24 one-bedroom units, 32 two-bedroom units (inclusive of one unit reserved for the superintendent), and 3 three-bedroom units. Additionally, the Project has one commercial unit consisting of 1,086 square feet that is rented out to a grocery store.

The five buildings were vacant from 1976 until being deeded by the City to 1613 Associates, LP ("Original Owner") in 1989, at which point the Original Owner entered into a regulatory agreement with HPD and closed a \$4 million construction financing with HPD/CPC. On October 30, 2014, Eastern Parkway Portfolio LLC ("Current Owner") acquired the buildings for \$9,650,000, and the remaining HPD loan balance was paid off during the acquisition, using new loans. On June 29, 2018, the Current Owner consolidated several loans from People's United Bank, Arbor Commercial, Mortgage, and Santander Bank, totaling a new loan of \$11 million from Santander Bank.

The properties received J-51 tax benefits in the early 1990s and underwent a gut rehabilitation as a condition of the disposition to the Original Owner. The J-51 abatement exhausted in 2010 and the J-51 exemption will be fully exhausted on July 1, 2026.

A regulatory agreement between the Original Owner and HPD was entered into on June 14, 1989 and expired on June 20, 2021, 30 years from the issuance of the Temporary Certificate of Occupancy for the properties, which occurred in on June 20, 1991. The regulatory agreement had imposed rent stabilization, tenant selection criteria, and other HPD Vacant Building PLP restrictions on the buildings. There will be a new HPD regulatory agreement restricting rents and income tiers and requiring a 10% homeless set-aside (6 units) as well as HPD's Aging-in-Place initiative.

Current rents charged average 57% of 2022 AMI. The market rents in the area average 77% of 2022 AMI according to Rent-O-Meter.

HPD will be providing a 35-year Article XI tax exemption starting in 2023, with a Gross Rent Tax of 5%. This has been sized based on the HPO Term Sheet for projects with average rents below 60% of AMI to ensure long-term cash flow and allowing these buildings to maintain capital repairs.

Summary:

- Borough – Brooklyn
- Block 1464, Lots 43, 47, 49, 50, 53
- Council District – 41
- Council Member – Mealy
- Council Member approval – Yes
- Number of buildings – 5
- Number of units – 61 (includes 1 superintendent unit)
- Type of exemption – Article XI, partial, 35 year
- Population – Rental

- Sponsors – Inception Investors
- Purpose – preservation
- Cost to the city – \$3.16 million (present value)
- Housing Code Violations
 - Class A – 8
 - Class B – 22
 - Class C – 16
- Anticipated AMI Targets: 24 units at 50%, 18 units at 60%, 12 units at 70%, 6 units at 73%

(For text of the coupled resolution for L.U. No. 180, please see the Report of the Committee on Finance for L.U. No. 180 printed in these Minutes; for the coupled resolution for L.U. No. 179, please see below:)

Accordingly, this Committee recommends the adoption of L.U. Nos. 179 and 180.

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

Res. No. 569

Resolution approving an amendment to a previously approved real property tax exemption pursuant to Section 577 of the Private Housing Finance Law for property located at (Block 376, Lot 58) Manhattan (Preconsidered L.U. No. 179).

By Council Member Brannan.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated March 17, 2023 that the Council amend a previously approved tax exemption for real property located at (Block 376, Lot 58) Manhattan (“Exemption Area”) pursuant to Section 577 of the Private Housing Finance Law;

WHEREAS, the HPD’s request for amendments is related to a previously approved Council Resolution adopted on May 8, 2002 (Resolution No. 263) (the “Prior Resolution”), granting the Exemption Area a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law;

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

RESOLVED:

The Council approves the amendments to the Prior Resolution requested by HPD for the Exemption Area pursuant to Section 577 of the Private Housing Finance Law as follows:

Under the Resolved section of the Prior Resolution, the second paragraph after the sentence “The Council hereby grants an exemption from real property taxes as follows:” is deleted in its entirety and replaced with the following:

All of the value of the property in the Project, including both the land and improvements, (excluding those portions, if any, devoted to business or commercial use) shall be exempt from real property taxes, other than assessments for local improvements, commencing upon the date of issuance of the temporary or permanent Certificate of Occupancy for the housing project (or, if the housing project is constructed in stages, upon the date of issuance of the temporary or permanent Certificate of Occupancy for each such stage) (“Effective Date”), and terminating upon a date which is forty (40) years from the Effective Date (“Expiration Date”); provided, however that the Sponsor shall make an annual real estate tax payment commencing upon the Effective Date and terminating upon the Expiration Date;

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

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 17-0-0; Committee on Finance, April 11, 2023.

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

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

Report for L.U. No. 180

Report of the Committee on Finance in favor of approving 1613-1631 Eastern Parkway.HPO.FY23, Block 1464, Lots 43, 47, 49, 50, and 53, Brooklyn, Community District No. 16, Council District No. 41.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on April 11, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Finance for L.U. No. 179 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 570

Resolution approving an exemption from real property taxes for property located at (Block 1464, Lots 43, 47, 49, 50, 53) Brooklyn, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 180).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated April 6, 2023 that the Council take the following action regarding a housing project located at (Block 1464, Lots 43, 47, 49, 50, 53) Brooklyn (“Exemption Area”):

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

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

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

RESOLVED:

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

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Company” shall mean Eastern Parkway Portfolio LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
 - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - d. “Exemption Area” shall mean the real property located in the Borough of Brooklyn, City and State of New York, identified as Block 1464, Lots 43, 47, 49, 50, and 53 on the Tax Map of the City of New York.
 - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is thirty-five (35) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. “Gross Rent” shall mean the gross potential rents from all residential, commercial, and community facility units on the Exemption Area without regard to whether such units are occupied or vacant, including, but not limited to, Section 8, rent supplements, rental assistance, or any other subsidy.
 - g. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
 - h. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to five percent (5%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
 - i. “HDFC” shall mean Eastern Parkway Portfolio Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - j. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.

- k. “J-51 Benefits” shall mean any tax benefits pursuant to Section 489 of the Real Property Tax Law which are in effect on the Effective Date.
 - l. “Owner” shall mean, collectively, the HDFC and the Company.
 - m. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use) shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross Rent Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation.
 4. Notwithstanding any provision hereof to the contrary:
 - a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
 - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that exist on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
 5. In consideration of the Exemption, the owner of the Exemption Area shall, for so long as the Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, (a) nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities, and (b) the J-51 Benefits shall remain in effect, but the Exemption shall be reduced by the amount of such J-51 Benefits.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 17-0-0; Committee on Finance, April 11, 2023.

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

Report of the Committee on Health

Report for Int. No. 4-A

Report of the Committee on Health in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to prohibiting the sale of guinea pigs in pet shops.

The Committee on Health, to which the annexed proposed amended local law was referred on February 10, 2022 (Minutes, page 97), respectfully

REPORTS:

I. INTRODUCTION

On April 11, 2023, the Committee on Health, chaired by Council Member Lynn Schulman, voted on Introduction 4-A, in relation to prohibiting the sale of guinea pigs in pet shops, and Introduction 675-A, in relation to the creation of a telemedicine accessibility plan. Introduction No. 4-A passed with seven votes in the affirmative and two votes in the negative, with no abstentions. Introduction No. 675-A passed with nine votes in the affirmative, with no nays or abstentions. On December 14, 2022, the Committee on Health heard Introduction No. 4-A and received testimony from the New York City Department of Health and Mental Hygiene (DOHMH), the Mayor’s Office of Animal Welfare (OAW), Animal Care Center of New York City (ACC), humane societies and animal rescue groups, and other interested stakeholders and members of the public. On February 1, 2023, the Committee heard Introduction No. 675-A and received testimony from DOHMH, advocates, and other interested stakeholders.

II. GUINEA PIGS

a. Post-Covid-19 Trends in Guinea Pig Abandonment and Surrender

City animal shelters experienced a surge in abandoned and surrendered guinea pigs after the onset of the COVID-19 pandemic.¹ In 2022 alone, the City’s contracted animal shelter, ACC, had sheltered over 600 guinea pigs by October; and in 2021, it had sheltered nearly 500 within the same timeframe—numbers more than double

¹ E.g., Katie Honan, *The Trouble With Guinea Pigs: Council Sitting on Bill to Ban Sales of Fluffy Rodent as Pets*, THE CITY (Sep. 13, 2022, 5AM), <https://www.thecity.nyc/2022/9/13/23349941/giving-back-pet-guinea-pigs-city-council-bill-ban-sale> (Honan); Sarah Maslin Nir, *The Great Guinea Pig Giveaway Has Begun*, N.Y. TIMES (Oct. 1, 2022), available at <https://www.nytimes.com/2022/10/01/nyregion/the-great-guinea-pig-giveaway-has-begun.html> (Nir); Jyoti Mann, *New York City may ban pet shops from selling guinea pigs because so many have been abandoned at animal shelters*, INSIDER (Oct. 2, 2022, 6:48AM), <https://www.businessinsider.com/new-york-city-may-ban-pet-shops-selling-guinea-pigs-2022-10> (Mann).

those recorded in prior years.² Additional reports of abandonment—in private buildings and in City parks—suggest that the total numbers of guinea pigs abandoned citywide are higher.³

ACC and other animal rescue organizations attribute the recent “explosion” in abandoned and surrendered guinea pigs to their initial appeal as pet companions for people experiencing pandemic-related isolation.⁴ Animal experts and welfare advocates cite a mix of biological and marketplace factors contributing to this appeal. Being small, quiet, and adorable creatures, guinea pigs are also relatively easy and cheap to house and keep, giving them special appeal to New York City (NYC) residents strapped for funds and space.⁵ Pet shops sell single guinea pigs for \$50 or less, making them relatively affordable when dogs and cats can easily cost hundreds or thousands of dollars to obtain and keep.⁶ But ease of acquisition and care, together with their universal appeal, make guinea pigs susceptible to impulse purchases and low commitment from pet owners, who quickly bore or experience disappointment when the animals do not live up to expectations for affection.⁷

Additional factors may exacerbate the recent proliferation of guinea pigs. Reaching sexual maturity at 2 months of age or earlier, and averaging gestational periods of 2 months, guinea pigs can reproduce at a swift rate.⁸ And while local law may require sterilization of dogs and cats prior to their release to purchasers or adoptees, the same requirement does not apply to guinea pigs.⁹ Thus, while ACC only releases spayed or neutered guinea pigs to adoptees as a matter of policy,¹⁰ pet shops need not incur the related expense and delay, permitting and promoting the quicker turnover of animals at a cheaper price. Pet owners face obstacles if they wish to safeguard against unintended reproduction. Guinea pigs are notoriously difficult to sex, and even more difficult to spay or neuter.¹¹ Only two NYC veterinarians are reported to have the expertise to spay and neuter guinea pigs, and “surgery can cost between \$400 and \$515.”¹² Unwitting guinea pig owners who purchase multiple as companions may find themselves with an unexpected litter of pups to feed and house.¹³

b. Guinea Pigs: Local Laws and Regulations

In general, selling live guinea pigs is lawful in NYC,¹⁴ although any person doing so must obtain a pet shop permit from DOHMH¹⁵ and follow related small animal handling regulations.¹⁶ People and businesses need not obtain a license to possess guinea pigs in NYC,¹⁷ but they are subject to State laws governing animal cruelty¹⁸ and abandonment,¹⁹ as well as local regulations that include prohibition of animal nuisances.²⁰ Guinea pigs may

² *Id.*

³ Honan; Nir; Clio Chang, *New Yorkers No Longer Want Their Pet Guinea Pigs*, CURBED (Sept. 13, 2022), <https://www.curbed.com/2022/09/guinea-pigs-craigslist-shelters-howard-stern.html#:~:text=Just%20last%20week%2C%20nine%20guinea%20pigs%20were%20found,already%20had%2062%20guinea%20pigs%20in%20their%20care>. (Chang).

⁴ *Id.*; Mann.

⁵ *Id.*; Charles Passy, *New York City considers banning sale of guinea pigs as the popular pandemic pets overwhelm shelters*, MARKETWATCH (Sept. 17, 2022, 11:02AM), <https://www.marketwatch.com/story/new-york-city-considers-banning-sale-of-guinea-pigs-as-the-popular-pandemic-pets-overwhelm-shelters-11663101206> (Passy).

⁶ Honan; Passy.

⁷ Honan; Mann; Nir.

⁸ Katherine E. Quesenberry, DVM, et al., *Breeding and Reproduction of Guinea Pigs*, MERCK MANUAL (Oct. 2022), available at <https://www.merckvetmanual.com/all-other-pets/guinea-pigs/breeding-and-reproduction-of-guinea-pigs> (Quesenberry).

⁹ Admin. Code § 17-804.

¹⁰ Honan.

¹¹ *Id.*; Passy; Quesenberry.

¹² Honan.

¹³ Honan; Passy; Chang.

¹⁴ See Health Code § 161.09 (e) (prohibiting the sale of animals whose possession is prohibited under the health code).

¹⁵ Admin. Code § 17-372.

¹⁶ E.g., Health Code § 161.09 (a)(1), (f).

¹⁷ Health Code § 161.01 (c) (authorizing the possession of guinea pigs). Licenses are required to possess dogs. Chapter 115 of the Laws of 1894; see also Admin. Code § 17-814; Health Code § 161.04. Permits are required to possess animals generally prohibited from possession. Health Code § 161.01 (a)(2),

¹⁸ E.g., Agriculture & Markets Law §§ 353, 353-a.

¹⁹ Ag. & Markets Law § 355.

²⁰ Health Code §§ 161.03, 161.17.

not be sold or kept for sale in a residence.²¹ Abandoning any animal in the street or another public place is a crime.²²

State law prohibits local laws and regulations that would “result in essentially banning all sales of dogs or cats raised and maintained in a healthy and safe manner,” but does not prohibit authorized local laws, rules, and regulations “of general application to businesses governing public health, safety or the rights of consumers.”²³ To curb overpopulation of dogs and cats; protect consumers from purchasing sick and diseased dogs and cats; and promote the health and welfare of dogs and cats offered for sale in pet shops, the Council adopted a package of legislation in 2015, collectively referred to as the Pet Shop Laws, now codified in title 17 of the administrative code.²⁴ A fundamental component of the Pet Shop Laws regulates the sources of dogs and cats sold in pet shops.²⁵ In addition, the Pet Shop Laws prohibit the sale of rabbits as pets;²⁶ however, rabbits may be acquired through adoption from a shelter or animal rescue group, or kept live, sold, and killed in slaughterhouses.²⁷ Notably, the Pet Shop Laws do not regulate the sources of guinea pigs sold in pet shops, although conditions in commercial guinea pig breeder facilities that may supply NYC pet shops have been found to be inhumane.²⁸

The City’s companion animal laws and regulations, including code provisions governing pet shops, animal shelters, and private possession, are intended to promote public health and animal welfare.²⁹ Curbing and controlling domestic animal populations has long informed City legislation and policy, as has the interest in promoting humane treatment of animals.³⁰ To implement these laws and policies, DOHMH is charged with the bulk of administrative responsibility regarding businesses and activities that relate to animals, including the issuance of required licenses and permits,³¹ the operation of shelters,³² and the enforcement of related laws and regulations.³³

Under local law,³⁴ DOHMH contracts with ACC to operate animal shelters in each borough for the purpose of housing and caring for lost, stray, and homeless animals.³⁵ “ACC is required to accept all animals, without regard to their condition, age, temperament, or adoptability, and is the only open admissions shelter in the city.”³⁶ To accommodate the recent influx of guinea pigs, ACC purchased a “\$20,000 guinea pig tower, where the animals live stacked in sliding trays.”³⁷ In September 2022, the most recent month for which shelter animal data is published, ACC took in 45 stray guinea pigs.³⁸ In that month, “a box containing 22 guinea pigs of all ages was found abandoned in the lobby of a Staten Island apartment building.”³⁹ Speaking in the fall of 2022, Katy Hansen, ACC’s Director of Communications and Marketing, described the situation as “untenable.”⁴⁰

²¹ Health Code § 161.15 (a).

²² Ag. & Markets Law § 355.

²³ Ag. & Markets Law § 407; General Business Law § 753-d.

²⁴ Admin. Code §§ 17-371 et seq., 17-801 et seq., and 17-1701 et seq.; NYWPA I at 58-59.

²⁵ Admin. Code § 17-1702 (a), (b).

²⁶ Admin. Code § 17-1702 (c).

²⁷ Health Code §§ 161.01 (c), 161.19.

²⁸ E.g., Nicole Meyer, *Feds Find Neglect at Guinea Pig Mill—PETA Urges Police to Act*, PETA (Nov. 10, 2020), available at <https://www.peta.org/media/news-releases/feds-find-neglect-at-guinea-pig-mill-peta-urges-police-to-act/>.

²⁹ See, e.g., *New York Pet Welfare Association, Inc., v. City of New York*, 143 F.Supp.3d 50, 58-59 (E.D.N.Y. 2015) (“NYPWA I”).

³⁰ E.g., *New York Pet Welfare Association, Inc., v. City of New York*, 850 F.3d.79, 83 (2d Cir. 2017); Chapter 115 of the Laws of 1894; Admin. Code §§ 17-811-812.

³¹ See, e.g., Admin. Code §§ 17-301 et seq., 17-371 et seq.,

³² *Id.* at § 17-801 et seq.

³³ See generally Charter § 556.

³⁴ Admin. Code § 17-803; see also Local Law no. 123 for the year 2018, enacted June 26, 2018, which amends section 17-803 of the administrative code to require the City to operate a full-service animal shelter in each borough no later than July 1, 2024.

³⁵ See Hearing on Int. 870-2018 et al. Before the Health Committee, New York City Council, 2018-2021 Legislative Session (June 18, 2019) (testimony of Corinne Schiff, Deputy Commissioner, Environmental Health, DOHMH).

³⁶ *Id.*

³⁷ Nir.

³⁸ *Shelter Animals Count Data*, ACC (Sept. 2022), available at https://www.nycacc.org/sites/default/files/pdfs/stats/2022/ACC_2022_SEPT_SAC.pdf.

³⁹ Nir.

⁴⁰ *Id.*

III. DIABETES IN NEW YORK

In 2020, there were an estimated 773,000 New Yorkers in the city who reported that they had diabetes (about 12 percent),⁴¹ with the number of Black New Yorkers afflicted being more than double that of White, non-Latino/Hispanic New Yorkers (3,608 vs. 1,605).⁴² In 2019, individuals over age 45 made up approximately 83 percent of total diabetes cases among adults.⁴³ Further, women comprised about 10 percent more of the total adults diagnosed compared to men (435,000 vs. 352,000).⁴⁴ In DOHMH's Diabetes City Council Report, data from the NYC A1C registry⁴⁵ was compared between the 5 boroughs, and showed that Queens had the highest number of adults diagnosed with diabetes (233,000), followed by Brooklyn (228,000), the Bronx (157,000), Manhattan (126,000), and Staten Island (46,000).⁴⁶ Additionally, across different races and ethnicities in the city, Hispanics represented the highest rates of adult diagnosed with diabetes, followed by Black (197,000), White (219,000), Asian (104,000), and Other, non-Hispanic New Yorkers (14,000).⁴⁷ NYC witnessed a startling 140 percent increase in diabetes cases between 1996 and 2006, and new cases are still being diagnosed nearly twice as quickly in the city as they are nationally.⁴⁸ While diabetes can be effectively managed, the city continues to see a rise in diabetes-related complications. For example, in 2017 the illness resulted in 2,001 amputations,⁴⁹ and one report estimated that New York State (NYS) had a minimum 20 percent annual increase in diabetes-related amputations between 2018 and 2021.⁵⁰

a. New York State Diabetes Prevention Program

The New York State Department of Health (NYSDOH) previously launched the NYS Medicaid program's coverage of the CDC's National Diabetes Prevention Program (NDPP) for Medicaid members that meet criteria for participation.⁵¹ To be eligible for enrollment in NYS Medicaid as an NDPP provider,⁵² all community-based organizations (CBOs), clinics, practitioner group practices, or sole practitioner group practices must first achieve pending, preliminary, or full recognition status under the CDC-National Diabetes Prevention Recognition

⁴¹ NYC DOHMH, Diabetes City Council Report Number 4 (Nov. 23, 2022). Available at: https://a860-gpp.nyc.gov/concern/nyc_government_publications/fn1071874?locale=en.

⁴² NYC DOHMH, *Diabetes City Council Report Number 4* (Nov. 23, 2022). Available at: https://a860-gpp.nyc.gov/concern/nyc_government_publications/fn1071874?locale=en.

⁴³ NYC DOHMH, *Diabetes City Council Report* (July 14, 2021). Available at: https://a860-gpp.nyc.gov/concern/nyc_government_publications/0p0969090?locale=en.

⁴⁴ NYC DOHMH, *Diabetes City Council Report Number 4* (Nov. 23, 2022). Available at: https://a860-gpp.nyc.gov/concern/nyc_government_publications/fn1071874?locale=en.

⁴⁵ The NYC A1C registry program is a government mandated name-based reporting of New Yorkers' A1C test results, which is discussed below.

⁴⁶ NYC DOHMH, *Diabetes City Council Report Number 4* (Nov. 23, 2022). Available at: https://a860-gpp.nyc.gov/concern/nyc_government_publications/fn1071874?locale=en.

⁴⁷ *Id.*

⁴⁸ N.R. Kleinfeld, *Diabetes and Its Awful Toll Quietly Emerge as a Crisis*, N.Y. Times (Jan. 9, 2006), <https://www.nytimes.com/2006/01/09/nyregion/nyregionspecial5/09diabetes.html>.

⁴⁹ Health People, *New York State Diabetes-Related Amputation: A Horror Story*, (December 7, 2022), https://www.newswise.com/pdf_docs/167044300234434_Newpercent20Yorkpercent20Statepercent20Diabetespercent20Amputationpercent20FINAL.pdf

⁵⁰ NYC DOHMH, *Epi data Brief, Diabetes-related Mortality in New York City*, (June 2013), <https://www.nyc.gov/assets/doh/downloads/pdf/epi/databrief28.pdf>

⁵¹ The NDPP is a partnership of public and private organizations working to prevent or delay type 2 diabetes. Partners make it easier for people at risk for type 2 diabetes to participate in evidence-based lifestyle change programs to reduce their risk of type 2 diabetes. NYS Department of Health, *New York State Diabetes Prevention Program (NDPP)*. Available at: https://www.health.ny.gov/health_care/medicaid/redesign/ndpp/index.htm; <https://www.cdc.gov/diabetes/prevention/index.html>; CDC, *National Diabetes Prevention Program*. Available at: <https://www.cdc.gov/diabetes/prevention/index.html>.

⁵² "NDPP provider" refers to providers that are eligible to receive reimbursement for Medicaid NDPP services. NYS Department of Health, *NDPP Policy and Billing Guidelines*. Available at: https://health.ny.gov/health_care/medicaid/redesign/ndpp/policy-billing_guide.htm.

Program (DPRP).⁵³ NYSDOH also provides resources and guidance on how to access NDPP telehealth and other diabetes prevention and management resources.⁵⁴

b. DOHMH Diabetes Prevention and Control and Resources

DOHMH has multiple programs and resources to help New Yorkers prevent, identify, and control diabetes. The DOHMH Diabetes Action Kit (the Kit) provides clinical tools, provider resources, and patient education materials to help New Yorkers navigate prediabetes and diabetes.⁵⁵ The Kit has a “My Diabetes Checkbook,” which is a daily log to help individuals manage diabetes and keep track of important health information, and a “My Plate Planner” tool to help with meal planning.⁵⁶ Other materials in the Kit include fact sheets on the NDPP, the Diabetes Self-Management Program, signs and symptoms of type 2 diabetes, and a guide to healthy eating and active living in NYC.⁵⁷ For healthcare providers, the Kit has a Diabetes Prevention, Diagnosis, and Treatment Guide as well as a Diabetes Prevention and Management Coaching Guide, which offer ways to discuss diabetes prevention and management.⁵⁸

DOHMH has various reporting requirements related to the prevalence of diabetes in NYC, including the sending of quarterly reports to 1800 providers across 145 healthcare facilities to help identify patients in need of follow-up diabetes care using electronic health records.⁵⁹ A 2006 amendment to the NYC Health Code requires laboratories to report the results of A1C blood tests (blood tests that measure average blood sugar levels over the past 3 months, commonly used to diagnosed prediabetes and diabetes⁶⁰) for NYC residents to DOHMH, which are then entered in a registry and used for diabetes-related projects.⁶¹ Pursuant to Local Law 221 of 2019, DOHMH must also produce data and submit a biannual report on diabetes-related health problems to the Council, disaggregated by geographic area and demographic characteristics where feasible.⁶²

On July 14, 2021, DOHMH submitted the agency’s initial data report to then-Speaker of the City Council, Corey Johnson. Data was sourced from the NYC Community Health Survey (CHS), NYC A1C Registry (Registry), and the United States Data Renal System (USDRS).⁶³ On April 4, 2022, DOHMH submitted a report

⁵³ The CDC releases DPRP standards and operating procedures, which describe the standards for type 2 diabetes prevention lifestyle change programs and explain how an organization may apply for, earn, and maintain recognition as a quality diabetes-prevention program. National Diabetes Prevention Program, *DPRP Standards and Operating Procedures* (Nov. 14, 2022), <https://nationaldppcsc.cdc.gov/s/article/DPRP-Standards-and-Operating-Procedures>. Organizations that wish to offer CDC-recognized lifestyle change programs must submit an application and meet certain standards, such as having trained lifestyle coaches and using a CDC-approved curriculum to ensure high program quality. National Diabetes Prevention Program, *What CDC Recognition Means* (Dec. 16, 2022), <https://nationaldppcsc.cdc.gov/s/article/What-CDC-Recognition-Means>

⁵⁴ National Diabetes Prevention Program, *NDPP Telehealth Guidance*, eMedNY (July 14, 2020).

https://www.emedny.org/Listserv/NDPP/NDPP_Telehealth_Guidance_07-14-20.pdf; NYS Department of Health, *New York State Diabetes Prevention Program (NDPP)*. Available at: https://www.health.ny.gov/health_care/medicaid/redesign/ndpp/index.htm.

⁵⁵ NYC DOHMH, *Diabetes Action Kit*, NYC Health. Available at: <https://www.nyc.gov/site/doh/providers/resources/public-health-action-kits-diabetes.page>.

⁵⁶ *My Diabetes Checkbook*, NYC Health. Available at: <https://www.nyc.gov/assets/doh/downloads/pdf/diabetes/diabetes-checkbook.pdf>; *My Plate Planner*, NYC Health. Available at: <https://www.nyc.gov/assets/doh/downloads/pdf/csi/obesity-plate-planner-13.pdf>.

⁵⁷ The DSMP provides free classes on strategies to manage diet and medications, increase physical activity, and is led by at least one instructor living with diabetes. The program is open to participants aged 18 and older with type 2 diabetes. *Reduce Your Risk of Getting Type 2 Diabetes*, NYC Health. Available at: <https://www.nyc.gov/assets/doh/downloads/pdf/csi/ndpp-factsheet.pdf>; *Learn How to Manage Your Type 2 Diabetes*, NYC Health. Available at: <https://www.nyc.gov/assets/doh/downloads/pdf/csi/dsmp-factsheet.pdf>; *Guide to Healthy Eating & Active Living in NYC*, NYC Health. Available at: <https://www.nyc.gov/assets/doh/downloads/pdf/cdp/healthy-eating-active-living-guide.pdf>.

⁵⁸ *Diabetes Prevention, Diagnosis and Treatment Guide*, NYC Health. Available at: <https://www.nyc.gov/assets/doh/downloads/pdf/csi/diabetes-treatment-guide.pdf>; *Diabetes Prevention and Management Coaching Guide*, NYC Health. Available at: <https://www.nyc.gov/assets/doh/downloads/pdf/csi/diabetes-coaching-scripts.pdf>.

⁵⁹ NYC DOHMH, *Diabetes*, NYC Health. Available at: <https://www.nyc.gov/site/doh/providers/health-topics/chronic-diseases-diabetes.page>.

⁶⁰ CDC, *All About Your A1C*, NYC Health, <https://www.cdc.gov/diabetes/managing/managing-blood-sugar/a1c.html>.

⁶¹ DOHMH, *Diabetes*, NYC Health. Available at: <https://www.nyc.gov/site/doh/providers/health-topics/chronic-diseases-diabetes.page>; DOHMH Board of Health, *Notice of Adoption to Amend Article 13 of the New York City Health Code*. Available at: <https://www.nyc.gov/assets/doh/downloads/pdf/public/notice-adoption-a1c.pdf>.

⁶² L.L. 2019/221.

⁶³ NYC DOHMH, *Diabetes City Council Report* (July 14, 2021). Available at: https://a860-gpp.nyc.gov/concern/nyc_government_publications/0p0969090?locale=en.

that focused on recommendations to be implemented by DOHMH, such as prioritizing place-based investments in historically marginalized neighborhoods affected by structural racism, continuing to address food justice by increasing the affordability of health foods and promoting physical activity, and addressing the social determinants of health.⁶⁴ Other recommendations include increasing the delivery of the Diabetes Self-Management Education and Support program in underserved neighborhoods and continuing to expand the number of CBOs and providers in areas that deliver the NDPP.⁶⁵

c. Other NYC Programs Addressing Diabetes Prevention and Control

The NYC Office of Labor Relations provides information and resources on its website on how NYC employees can join the NDPP through WorkWell NYC (WorkWell), the City’s employee workplace wellness program.⁶⁶ WorkWell provides access to NDPP classes that are designed to help employees lead a healthier lifestyle and is open to all NYC employees for free.⁶⁷ On January 17, 2023, Mayor Eric Adams outlined his “vision for a ‘New York City Women’s Health Agenda,’” directed at “dismantling decades of systematic inequity that have negatively impacted the health of women across the five boroughs.”⁶⁸ This includes launching a provider education campaign on maternal health that focuses on supporting those with hypertension and diabetes and will involve direct outreach to providers in the Bronx, Brooklyn, and Manhattan that experience health and other socioeconomic disparities.⁶⁹ The program is set to launch in the summer of 2023.⁷⁰

IV. DIABETES: ISSUES AND CONCERNS

a. Intersection of Diabetes, Food Access, Race, Sex and Socioeconomic Status

The COVID-19 pandemic highlighted unequal vulnerabilities borne by racially and ethnically diverse populations and low-income communities.⁷¹ This inequality is especially visible when examining rates of type 2 diabetes within the context of socioeconomic status.⁷² Decades of research show that diabetes affects racially and ethnically diverse populations and low-income adult populations in the U.S. disproportionately, with relatively intractable patterns seen in these populations’ increased risks for and rates of diabetes complications and mortality.⁷³ DOHMH’s website advises that Black Americans, Hispanic/Latino Americans, American Indians, Asian Americans, and Pacific Islanders are at higher risk of developing type 2 diabetes than non-Hispanic White individuals.⁷⁴ Mounting research also shows that while men are more susceptible to developing type 2 diabetes, diabetes more adversely affects women.⁷⁵ Women with diabetes are disproportionately impacted by depression and anxiety, and women with type 2 diabetes have a 27 percent higher risk of stroke and 44 percent

⁶⁴ NYC DOHMH, *Diabetes City Council Report* (April 4, 2022). Available at: https://a860-gpp.nyc.gov/concern/nyc_government_publications/w9505331h?locale=en.

⁶⁵ NYC DOHMH, *Diabetes City Council Report Number 4* (Nov. 23, 2022). Available at: https://a860-gpp.nyc.gov/concern/nyc_government_publications/fn1071874?locale=en.

⁶⁶ NYC Office of Labor Relations, *National Diabetes Prevention Program*. Available at: <https://www.nyc.gov/site/olr/wellness/wellness-dpp.page>.

⁶⁷ *Id.*

⁶⁸ Press Release, *Mayor Adams Commits to Making New York City Future of Women’s Health*, NYC (Jan. 17, 2023). Available at: <https://www.nyc.gov/office-of-the-mayor/news/037-23/mayor-adams-commits-making-new-york-city-future-women-s-health-/0>.

⁶⁹ *Id.*

⁷⁰ *Id.*

⁷¹ Felicia Hill-Briggs et al., *Social Determinants of Health and Diabetes: A Scientific Review*, *Diabetes Care* (Jan. 2021). Available at: <https://doi.org/10.2337/dci20-0053>.

⁷² *Id.*

⁷³ Sherita Golden et al., *Health disparities in endocrine disorders: biological, clinical, and nonclinical factors – an Endocrine Society scientific statement*, *PubMed.gov* (Sept. 2012). Available at: <https://pubmed.ncbi.nlm.nih.gov/22730516>.

⁷⁴ NYC DOHMH, *Type 2 Diabetes*, <https://www.nyc.gov/site/doh/health/health-topics/diabetes.page>.

⁷⁵ The Lancet Diabetes & Endocrinology, *Sex disparities in diabetes: bridging the gap* (Nov. 2017), [https://doi.org/10.1016/S2213-8587\(17\)30336-4](https://doi.org/10.1016/S2213-8587(17)30336-4).

higher risk of coronary heart disease than men with diabetes.⁷⁶ Compounding the issue, women with diabetes are more likely to receive a lower standard of care than that received by men, leading to worse health outcomes.⁷⁷

According to a study, individuals with a lower socioeconomic status, who are disproportionately individuals from diverse racial and ethnic groups, were more likely to develop type 2 diabetes, experience more complications, and die sooner than individuals with a higher socioeconomic status.⁷⁸ The higher a person's income, the greater their educational attainment, and the higher their occupational grade, the less likely a person is to develop type 2 diabetes or to experience its complications.⁷⁹ In fact, the prevalence of diabetes increases on a gradient from highest to lowest income, showing that rates of diabetes are directly correlated to income level.⁸⁰ Rates of type 2 diabetes are significantly higher and concentrated in U.S. Census-designated areas characterized by factors including lower incomes, lower high school graduation rates, more single-parent households, and crowded housing.⁸¹ Living in neighborhoods with lower educational attainment, lower annual income, and larger percentages of households receiving Supplemental Nutrition Assistance Program benefits has been associated with higher risk of progression to type 2⁸² diabetes among adults with prediabetes.⁸³ Because people with diabetes have medical expenses approximately 2.3 times higher than those who do not, Black and Brown communities and low-income communities are disproportionately impacted due to lack of access to health insurance,⁸⁴ pay inequity,⁸⁵ and lack of access to affordable health care options.

⁷⁶ *Id.*

⁷⁷ *Id.*

⁷⁸ Emilie Agardh et al., *Type 2 diabetes incidence and socio-economic position: a systematic review and meta analysis*, PubMed.gov (June 2011). Available at: <https://pubmed.ncbi.nlm.nih.gov/21335614/>; Arleen Brown et al., *Socioeconomic position and health among persons with diabetes mellitus: a conceptual framework and review of the literature*, *Epidemiologic reviews* (July 1, 2004). Available at: <https://www.semanticscholar.org/paper/Socioeconomic-position-and-health-among-persons-a-Brown-Ettner/c09cb54afb6e49a505e8e8ff5e8a1d79b401a41>.

⁷⁹ Linnie Greene, *Treating diabetes with data*, Arcadia (Nov. 10, 2022), <https://arcadia.io/resources/treating-diabetes-with-data>.

⁸⁰ *Id.*

⁸¹ *Id.*

⁸² NYC DOHMH, *Diabetes City Council Report Number 4* (Nov. 23, 2022). Available at: https://a860-gpp.nyc.gov/concern/nyc_government_publications/fn1071874?locale=en.

⁸³ *Id.*

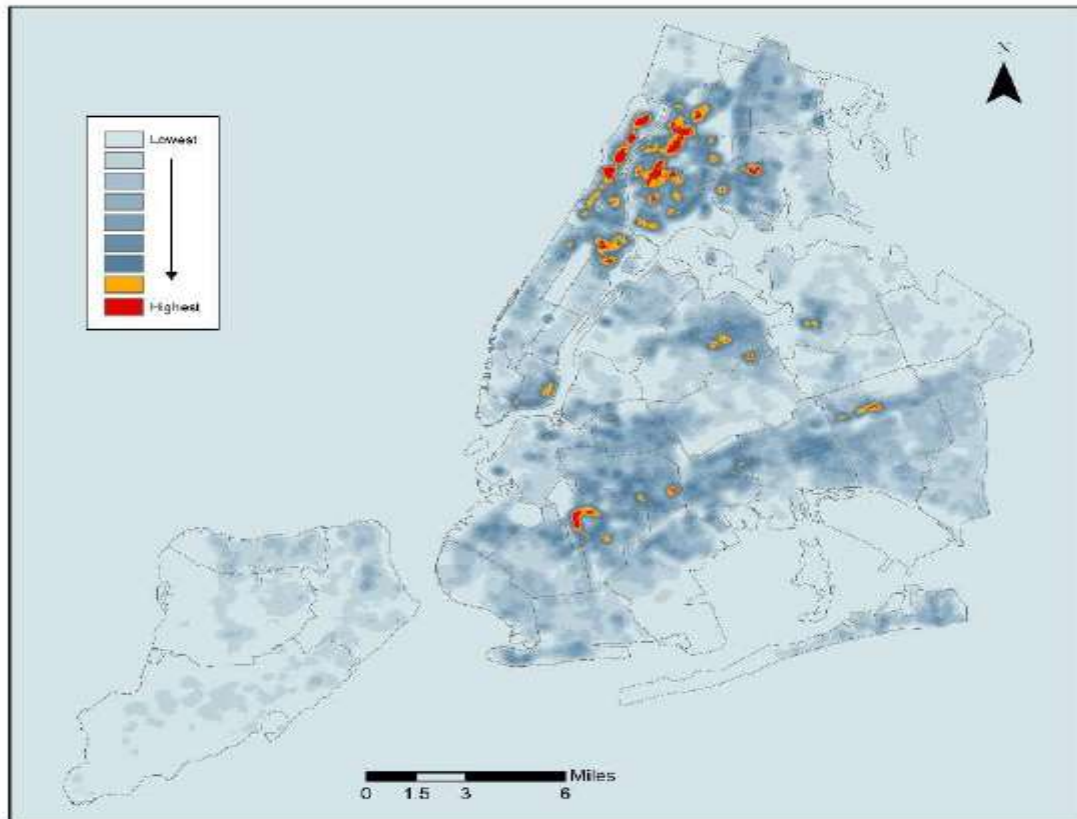
⁸⁴ Samantha Artiga and Latoya Hill, *Health Coverage by Race and Ethnicity, 2010-2021*, Kaiser Family Foundation (Dec. 20, 2022) <https://www.kff.org/racial-equity-and-health-policy/issue-brief/health-coverage-by-race-and-ethnicity>.

⁸⁵ U.S. Department of Labor: Office of Federal Contract Compliance Programs, *Earnings Disparities: Earning Disparities by Race and Ethnicity*, <https://www.dol.gov/agencies/ofccp/about/data/earnings/race-and-ethnicity>.

City statistics are consistent with national trends identified in these studies. The highest concentrations of New Yorkers living with poorly controlled or uncontrolled diabetes in 2020 were found in many areas of the Bronx, as well as Upper Manhattan and central Brooklyn.⁸⁶

In its reporting, DOHMH acknowledged that limited access to healthy and affordable food in these neighborhoods directly contributes to higher rates of type 2 diabetes.⁸⁷ Indeed, many national studies have shown associations between food access, availability, geographic characteristics, and the prevalence of type 2

Density of Persons with Poorly Controlled Diabetes New York City 2020



*Density of persons with poorly controlled diabetes per 0.1 square mile

Data source: New York City A1C Registry, 2020



diabetes.⁸⁸ Specifically, these studies showed that availability of fast-food outlets and convenience stores were associated with a higher rates of type 2 diabetes, and, by contrast, access to healthier foods in grocery stores were associated with lower diabetes risk.⁸⁹ In addition to food insecurity and health food access, overeating can contribute to risks of developing type 2 diabetes. Fast food consumption in the U.S. has risen by 500% during the last 3 decades, while the number of children who are obese has tripled.⁹⁰ In one study, it was reported that

⁸⁶ NYC DOHMH, *Diabetes City Council Report Number 4* (Nov. 23, 2022). Available at: <https://a860-gpp.nyc.gov/concern/nyc-government-publications/fn1071874?locale=en>.

⁸⁷ *Id.*

⁸⁸ Melissa Ahern et al., *A national study of the association between food environments and county-level health outcomes*, PubMed.gov (April 27, 2011). Available at: <https://pubmed.ncbi.nlm.nih.gov/21967380>.

⁸⁹ N.R. den Braver et al., *Built environmental characteristics and diabetes: a systematic review and meta-analysis*, PubMed.gov (Jan. 31, 2018). Available at: <https://pubmed.ncbi.nlm.nih.gov/29382337>.

⁹⁰ Salynn Boyles, *Fast Food Leads Teens to Overeat*, WebMD (June 15, 2004), <https://www.webmd.com/parenting/news/20040615/fast-food-leads-teens-to-overeat>.

kids who eat fast food tend to take in more total calories in a day than those who do not, and that the additional calories could account for an extra 6 pounds of weight gain per year.⁹¹ Further, research from the Mount Sinai School of Medicine found that overeating can cause a malfunction in brain insulin signaling, which can initiate and worsen obesity and type 2 diabetes.⁹² When an individual overeats, the brain becomes unresponsive to important clues such as insulin, “which puts you on the road to diabetes.”⁹³

b. Barriers to Accessing Preventative and Primary Health Care

Primary care represents an important venue for addressing diabetes prevention, given that over 350 million adult ambulatory care visits are made annually, and screening tests are commonly performed in these settings.⁹⁴ Access to effective primary care means that providers and services are affordable, comprehensive, ongoing, and coordinated.⁹⁵ The onset of type 2 diabetes, as discussed above, can be addressed through lifestyle and diet modification to avoid developing a more serious, costly, and chronic health condition. Inequalities in primary care access and delivery are largely driven by economics, including insurance coverage, reimbursement, and social determinates of health.⁹⁶ Geographic, demographic, and socioeconomic characteristics impact where primary care providers are located, and even in communities where providers are available, disparities in access remain.⁹⁷ According to a 2019 report by the Primary Care Development Corporation, primary care plays a critical role in mitigating chronic disease burden (i.e., diabetes) and helps reduce unnecessary hospitalizations and mortality due to poorly managed chronic conditions.⁹⁸ Diabetes disproportionately affects individuals of lower socioeconomic status and is indicative of the overlapping factors related to increased primary care need.⁹⁹

V. ANALYSIS OF INTRODUCTION NO. 4-A

Introduction No. 4-A would amend the Pet Shop Laws to prohibit any pet shop from displaying, offering for sale, delivering, bartering, auctioning, giving away, transferring, or selling any guinea pig. However, the bill would preserve authorization in the Pet Shop Laws for any person to allow an animal shelter or animal rescue group to use such person’s premises for the purpose of making guinea pigs available for adoption so long as such person does not have an ownership interest in any such guinea pig and does not derive a fee for providing such adoption services. Violations of the conduct prohibited in Introduction No. 4-A would be punishable as violations of the Pet Shop Laws, including by a civil penalty in the amount of \$500 for each violation, forfeiture and seizure of any guinea pig offered for sale, and suspension or revocation of a pet shop permit. Introduction No. 4-A would take effect immediately.

Since its initial hearing, the bill was amended to only include the addition of “or guinea pig” to subdivision c of section 17-1702.

VI. ANALYSIS OF INTRODUCTION NO. 675-A

Introduction No. 675-A would require DOHMH to create a telemedicine accessibility plan to improve the availability and accessibility of portable monitoring devices and telehealth devices for populations that could be better served by telemedicine services. The bill seeks to expand access to telemedicine services for persons for

⁹¹ *Id.*

⁹² Mount Sinai Medical Center, *Overeating impairs brain insulin function, a mechanism that can lead to diabetes and obesity*, Science News (Oct. 17, 2012), <https://www.sciencedaily.com/releases/2012/10/121017153911.htm>.

⁹³ *Id.*

⁹⁴ Namratha R. Kandula et al., *Preventing Diabetes in Primary Care: Providers’ Perspectives About Diagnosing and Treating Prediabetes*, Journal on Clinical Diabetes (Jan. 1, 2018). Available at: <https://diabetesjournals.org/clinical/article/36/1/59/31793/Preventing-Diabetes-in-Primary-Care-Providers>.

⁹⁵ Primary Care Development Corporation, *Primary Care Access in New York City 2019 Report*. Available at: https://www.pcdc.org/wp-content/uploads/Resources/FY19_NYC_Districts/FY19-NYC-CD-Profiles-Report--FINAL.pdf.

⁹⁶ *Id.*

⁹⁷ *Id.*

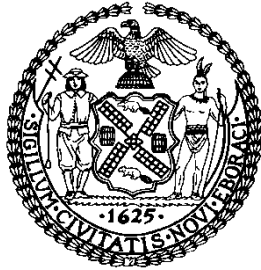
⁹⁸ *Id.*

⁹⁹ *Id.*

whom regular in-person access to healthcare professionals is not reasonably feasible, including but not limited to elderly persons, persons with disabilities, and incarcerated persons.

Since its initial hearing as part of a hearing on the diabetes epidemic in New York City, the bill was amended to require that the telemedicine accessibility plan include the provision of language translation and interpretation services for telepatient populations that require such services to safely and properly use portable monitoring devices and telehealth devices.

(The following is the text of the Fiscal Impact Statement for Int. No. 4-A:)



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

PROPOSED INTRO. NO: 4-A

COMMITTEE: Health

TITLE: To amend the administrative code of the city of New York, in relation to prohibiting the sale of guinea pigs in pet shops.

SPONSOR(S): By Council Members Ayala, Menin, Powers, Holden, Schulman, Louis, Farias, Ossé, Hanif, Krishnan, Brannan, Marte, Abreu, Joseph, Bottcher, Riley, Brewer, Dinowitz, Gennaro, De La Rosa, Gutiérrez, Moya, Ung, Cabán, Nurse, Rivera, Sanchez, Lee, Salamanca Jr., Narcisse, Avilés, Hudson, Velázquez, Richardson Jordan and Williams.

SUMMARY OF LEGISLATION: This proposed bill would prohibit pet shops operating in the city to sell guinea pigs.

EFFECTIVE DATE: This local law would take effect 30 days after it becomes law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024

FISCAL IMPACT STATEMENT:

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

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Danielle Glants, Financial Analyst, NYC Council Finance Division

ESTIMATE REVIEWED BY: Crilhien R. Francisco, Assistant Director, NYC Council Finance Division
Jonathan Rosenberg, Managing Deputy Director, NYC Council Finance Division

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on February 10, 2022 as Intro. 4 and referred to the Committee on Health (Committee). The legislation was considered by the Committee on December 14, 2022 and was subsequently amended to Proposed Intro. 4-A. The amended version, Proposed Intro. No. 4-A will be considered by the Committee on April 11, 2023. Upon successful vote by the Committee, Proposed Intro. No. 4-A will be submitted to the full Council for a vote on April 11, 2023.

DATE PREPARED: April 4, 2023.

(For text of Int. No. 675-A and its Fiscal Impact Statement, please see the Report of the Committee on Health for Int. No. 675-A printed in these Minutes; for text of Int. No. 4-A, please see below)

Accordingly, this Committee recommends the adoption of Int. Nos. 4-A and 675-A.

(The following is the text of Int. No. 4-A:)

Int. No. 4-A

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

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the sale of guinea pigs in pet shops

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 17-1702 of the administrative code of the city of New York, as amended by local law number 53 for the year 2015, is amended to read as follows:

c. It shall be unlawful for any pet shop to display, offer for sale, deliver, barter, auction, give away, transfer or sell any rabbit *or guinea pig*.

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

LYNN C. SCHULMAN, *Chairperson*; OSWALD FELIZ, CHARLES BARRON, CRYSTAL HUDSON, JULIE MENIN, MERCEDES NARCISSE, MARJORIE VELÁZQUEZ; 7-2-0; *Negative*: Joann Ariola and Kalman Yeger; Committee on Health, April 11, 2023.

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

Report for Int. No. 675-A

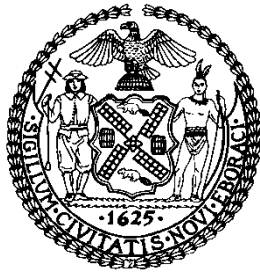
Report of the Committee on Health in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the creation of a telemedicine accessibility plan.

The Committee on Health, to which the annexed proposed amended local law was referred on September 14, 2022 (Minutes, page 2164), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Health for Int. No. 4-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No.675-A:



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

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 675-A

COMMITTEE: Health

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the creation of a telemedicine accessibility plan.

SPONSOR(S): By Council Members Hudson, Louis, Restler, Hanif, Brewer, Sanchez, Velázquez, Barron, Stevens, Avilés, Won, Krishnan, Gutiérrez, Narcisse, De La Rosa, Abreu, Ossé, Cabán, Nurse, Joseph, Bottcher, Lee, Brooks-Powers, Ung, Brannan, Riley, Williams, Powers, Farías, Schulman, Salamanca Jr. and Ayala (by request of the Manhattan Borough President).

SUMMARY OF LEGISLATION: This bill would require that the Department of Health and Mental Hygiene (DOHMH) create a telemedicine accessibility plan to improve the availability and accessibility of portable monitoring devices and telehealth devices for populations that could be better served by telemedicine services. In addition, DOHMH would be required to report on the telemedicine plan, including the number and type of portable monitoring devices and telehealth devices it has provided or made available, and the locations where such devices were provided or made available. This report is due no later than a year after the effective date of the local law.

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024

FISCAL IMPACT STATEMENT:

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

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Danielle Glants, Financial Analyst, NYC Council Finance Division

ESTIMATE REVIEWED BY: Crielhien R. Francisco, Assistant Director, NYC Council Finance Division
Jonathan Rosenberg, Managing Deputy Director, NYC Council Finance Division

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on September 14, 2022 as Intro. 675 and referred to the Committee on Health (Committee). The legislation was considered by the Committee on February 1, 2023 and was subsequently amended to Proposed Intro. 675-A. The amended version, Proposed Intro. No. 675-A will be considered by the Committee on April 11, 2023. Upon successful vote by the Committee, Proposed Intro. No. 675-A will be submitted to the full Council for a vote on April 11, 2023.

DATE PREPARED: April 4, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 675-A:)

Int. No. 675-A

By Council Members Hudson, Louis, Restler, Hanif, Brewer, Sanchez, Velázquez, Barron, Stevens, Avilés, Won, Krishnan, Gutiérrez, Narcisse, De La Rosa, Abreu, Ossé, Cabán, Nurse, Joseph, Bottcher, Lee, Brooks-Powers, Ung, Brannan, Riley, Williams, Powers, Farías, Schulman, Salamanca, Ayala, Dinowitz and Gennaro (by request of the Manhattan Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a telemedicine accessibility plan

Be it enacted by the Council as follows:

Section 1. Section 17-2001 of the administrative code of the city of New York is amended by adding new definitions of “portable monitoring device,” “telehealth device,” and “telepatient population” in alphabetical order to read as follows

:

Portable monitoring device. The term “portable monitoring device” means a portable electronic device that measures patient vital signs, including, but not limited to, a blood pressure monitor or glucometer.

Telehealth device. The term “telehealth device” means a portable electronic device, capable of audio and visual telecommunication between a patient and a health care professional, including, but not limited to, a tablet device, laptop, or similar wireless or cellular communication device.

Telepatient population. The term “telepatient population” means persons who may benefit from telemedicine services, or for whom regular in-person access to healthcare professionals is not reasonably feasible, including, but not limited to, elderly persons, persons with disabilities, and incarcerated persons.

§ 2. Chapter 20 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-2003 to read as follows:

§ 17-2003 Telemedicine accessibility plan. a. The department shall develop a telemedicine accessibility plan to improve the availability and accessibility of telemedicine services for the telepatient population. Such plan shall include, but need not be limited to, the following:

- 1. Procedures for providing or making available portable monitoring devices to telepatient populations;*
- 2. Procedures for providing or making available telehealth devices to telepatient populations;*
- 3. Outreach to telepatient populations to provide information on telemedicine services;*
- 4. Outreach to health care professionals to improve the availability and accessibility of telemedicine services and implement best practices for providing such services; and*
- 5. The provision of language translation and interpretation services for telepatient populations that require such services to safely and properly use portable monitoring devices and telehealth devices.*

b. No later than 1 year after the effective date of the local law that added this section, and annually thereafter, the department shall submit to the mayor and the speaker of the council a report on the telemedicine plan required by this section, including the number and type of portable monitoring devices and telehealth devices it has provided or made available, and the locations where such devices were provided or made available.

§ 3. This local law takes effect immediately.

LYNN C. SCHULMAN, *Chairperson*; KALMAN YEGER, OSWALD FELIZ, CHARLES BARRON, CRYSTAL HUDSON, JULIE MENIN, MERCEDES NARCISSE, MARJORIE VELÁZQUEZ, JOANN ARIOLA; 9-0-0; Committee on Health, April 11, 2023.

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

Report of the Committee on Parks and Recreation

Report for Int. No. 128-A

Report of the Committee on Parks and Recreation in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to diaper changing accommodations in parks and redesignating section 18-148.

The Committee on Parks and Recreation, to which the annexed proposed amended local law was referred on March 24, 2022 (Minutes, page 477), respectfully

REPORTS:

INTRODUCTION

On April 11, 2023, the Committee on Parks and Recreation, chaired by Council Member Shekar Krishnan, held a hearing to vote on Int. No. 128-A, sponsored by Council Member Salamanca, A Local Law to amend the administrative code of the city of New York, in relation to diaper changing accommodations in parks and redesignating section 18-148. At this hearing, the Committee voted 12 in favor, 0 opposed and 0 abstentions on the bill. This legislation was originally heard at a hearing held on March 1, 2023, during which the Committee received testimony from the New York City Department of Parks and Recreation (DPR), advocates and other interested parties. More information about this bill, along with the materials for that hearing, can be accessed [here](#).

LEGISLATION

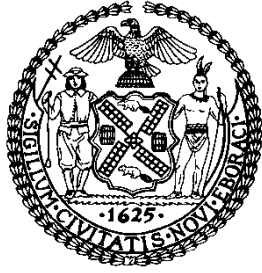
Below is a brief summary of the legislation being considered today by this Committee. This summary is intended for informational purposes only and does not substitute for legal counsel. For more detailed information, you should review the full text of the bill, which is attached below.

Int. No. 128-A, A Local Law to amend the administrative code of the city of New York, in relation to diaper changing accommodations in parks and redesignating section 18-148

Int. No. 128-A would require that every bathroom under the jurisdiction of the Parks Department have a safe, sanitary and convenient diaper changing station, deck, table or similar amenity, with half of all bathrooms being equipped by December 31, 2025, three-quarters of bathrooms by December 31, 2026 and all remaining bathrooms by December 31, 2027. If the Parks Commissioner determines that a restroom does not have sufficient space for the installation of a diaper changing station, or that the installation would negatively impact public safety, the Commissioner must notify the Speaker of the Council and the local Council Member within 10 days of that determination being made.

This local law would take effect immediately.

(The following is the text of the Fiscal Impact Statement for Int. No. 128-A:)



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

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

RICHARD LEE, FINANCE DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 128-A

COMMITTEE: Parks and Recreation

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to diaper changing accommodations in parks and redesignating section 18-148.

SPONSOR(S): By Council Members Salamanca, Hanif, Riley, Stevens, Won, Sanchez, Narcisse, Krishnan, Louis, Farías and Hudson.

SUMMARY OF LEGISLATION: This proposed legislation would require that every bathroom under the jurisdiction of the Parks Department have a safe, sanitary and convenient diaper changing station, deck, table or similar amenity, with half of all bathrooms so equipped by December 31, 2025, three-quarters of bathrooms by December 31, 2026 and all remaining bathrooms by December 31, 2027. However, if the Parks Commissioner determines that a restroom does not have sufficient space for the installation of a diaper changing station, or that the installation would negatively impact public safety, the Commissioner must notify the Speaker of the Council and the local Council Member within 10 days of that determination being made.

EFFECTIVE DATE: This local law takes effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2028

FISCAL IMPACT STATEMENT:

	Effective FY23	FY Succeeding Effective FY24	Full Fiscal Impact FY28
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	(See Below)	(See Below)	(See below)
Net	(See Below)	(See Below)	(See below)

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

IMPACT ON EXPENDITURES: It is anticipated that the enactment of this legislation would result in cumulative expenditures of \$800,000 between the date the bill is passed and December 31, 2027 for costs associated with the installation of changing tables, as required by this legislation in addition to recurring annual expenditures of \$100,000 for maintenance starting in Fiscal 2028.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council Finance Division
 NYC Department of Parks and Recreation
 NYC Office of Management and Budget

ESTIMATE PREPARED BY: Michael Sherman, Senior Financial Analyst

ESTIMATE REVIEWED BY: Jack Storey, Unit Head
 Chima Obichere, Deputy Director
 Jonathan Rosenberg, Managing Deputy Director
 Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on March 24, 2022, as Intro. 128 and referred to the Committee on Parks and Recreation (the Committee). A hearing was held by the Committee on March 1, 2023 and the bill was laid over. The legislation has been amended and the amended version, Proposed Intro. No. 128-A, will be considered by the Committee at a hearing on April 11, 2023. Upon a successful vote by the Committee, Proposed Intro. No. 128-A will be submitted to the full Council for a vote on April 11, 2023.

DATE PREPARED: April 6, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 128-A:)

Int. No. 128-A

By Council Members Salamanca, Hanif, Riley, Stevens, Won, Sanchez, Narcisse, Krishnan, Louis, Farías, Hudson, Avilés, Velázquez, Dinowitz, Ossé, Cabán and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to diaper changing accommodations in parks and redesignating section 18-148

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 18 of the administrative code of the city of New York is amended by adding a new section 18-159 to read as follows:

§ 18-159 *Diaper changing accommodations.* a. *Subject to appropriation, by December 31, 2027, every restroom intended for use by the general public in every park under the jurisdiction of the commissioner shall have a safe, sanitary and convenient diaper changing station, deck, table or similar amenity, which shall comply with section 603.5 (Diaper Changing Tables) of ICC A117.1, except where the commissioner determines that a restroom does not offer sufficient space for the installation of a diaper changing station, or where the installation of a diaper changing station would negatively impact public safety.*

b. *By December 31, 2026, three quarters of the restrooms subject to the requirements of subdivision a of this section shall have a diaper changing station, deck, table or similar amenity, as described in such subdivision.*

c. *By December 31, 2025, one-half of the restrooms subject to the requirements of subdivision a of this section shall have a diaper changing station, deck, table or similar amenity, as described in such subdivision.*

d. *Where the commissioner determines, pursuant to subdivision a of this section, that a restroom does not offer sufficient space for the installation of a diaper changing station, or that the installation of a diaper changing station would negatively impact public safety, the commissioner shall notify the speaker of the council and the council member in whose district such restroom is located within 10 days of such determination being made. Such notice shall be in writing, specify the location of such restroom, and state the reason and basis for the commissioner's determination.*

§ 2. Section 18-148 of the administrative code of the city of New York, as added by local law number 71 for the year 2018, is redesignated section 18-148.1.

§ 3. This local law takes effect immediately after it becomes law.

SHEKAR KRISHNAN, *Chairperson*; FRANCISCO P. MOYA, ERIC DINOWITZ, ROBERT F. HOLDEN, LINDA LEE, CHRISTOPHER MARTE, JULIE MENIN, MERCEDES NARCISSE, LINCOLN RESTLER, SANDRA UNG, MARJORIE VELÁZQUEZ, DAVID M. CARR; 12-0-0; Committee on Parks and Recreation, April 11, 2023.

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

Report of the Committee on Rules, Privileges and Elections

Report for M-130

Report of the Committee on Rules, Privileges and Elections in favor of approving the appointment of Michael Lindsey as a member of the New York City Board of Health.

The Committee on Rules, Privileges and Elections, to which the annexed Mayor’s Message was referred on March 16, 2023 (Minutes, page 768) and which same Mayor’s Message was coupled with the resolution shown below, respectfully

REPORTS:

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

- **Dr. Michael Lindsey, Ph.D. [Preconsidered M-130]**
- **Dr. Angelo Acquista, M.D. [Preconsidered M-131]**
- **Dr. Maida Galvez, M.D. [Preconsidered M-132]**
- **Dr. Judith Salerno, M.D. [Preconsidered M-133]**

Pursuant to Section 553 of the New York City Charter (the “Charter”), there shall be in the New York City Department of Health and Mental Hygiene (“the Department”) a Board of Health (“the Board”), the Chairperson of which shall be the Commissioner of the Department.

The main function of the Board is to promulgate the New York City Health Code (“Health Code”), which can encompass any matter within the jurisdiction of the Department, including but not limited to the Office of the Chief Medical Examiner, the registry of births and deaths, and animal welfare, and has “the force and effect of law.” The Board may legislate on “all matters and subjects to which the power and authority of the Department extends.” [*Charter* § 558(c).]

The jurisdiction of the Department is among the most extensive and varied of all City agencies. Except as otherwise provided by law, the Department has jurisdiction to regulate all matters affecting health in the City and to perform all those functions and operations performed by the City that relate to the health of the people of the City, including but not limited to the mental health, mental retardation, alcoholism and substance abuse related needs of the people of the City. [*Charter* § 556.] The scope of the Department’s jurisdiction includes such diverse disciplines as communicable diseases, environmental health services, radiological health, food

safety, veterinary affairs, water quality, pest control and vital statistics. New emerging pathogens and biological warfare are the most recent additions to the Department's roster of concerns.

In addition to its primary legislative function in relation to the *Code*, the Board is charged with certain administrative responsibilities. The Board may issue, suspend or revoke permits (e.g., food vendor permits) or may delegate this duty to the Commissioner, in which case a party aggrieved by the decision of the Commissioner has a right of appeal to the Board. [*Charter* § 561.] The Board may declare a state of "great and imminent peril" and take appropriate steps subject to Mayoral approval. [*Charter* § 563.] Other administrative functions of the Board are contained in the *Administrative Code of the City of New York*. One important function is to declare conditions as public nuisances and to order that such conditions be abated or otherwise corrected. [*Administrative Code* § 17-145.]

In addition to the Chairperson, the Board consists of ten members, five of whom shall be doctors of medicine who shall each have had not less than ten years experience in any or all of the following: clinical medicine, neurology, psychiatry, public health administration or college or university public health teaching. The other five members need not be physicians. However, non-physician members shall hold at least a Masters degree in environmental, biological, veterinary, physical, or behavioral health or science, or rehabilitative science or in a related field, and shall have at least ten years of experience in the field in which they hold such a degree. The Chairperson of the Mental Hygiene Advisory Board¹ sits as one of the ten board members, provided that such individual meets the requirements for Board membership of either a physician or non-physician member.

The nine Board members other than the Chairperson and the member who shall be the Chairperson of the Mental Hygiene Advisory Board shall serve without compensation and shall be appointed by the Mayor, each for a term of six-years. In the case of a vacancy, the Mayor shall appoint a member to serve for the un-expired term. [*Charter* § 553(b).] The Mayor's appointees are subject to the advice and consent of the New York City Council as set forth in *Charter* § 31.

The Commissioner shall designate such Department employees as may be necessary to the service of the Board, including an employee designated by him to serve as the Secretary to the Board. [*Charter* § 553 (c).]

Pursuant to *Charter* § 554, a member of the Board other than the Chairperson may be removed by the Mayor upon proof of official misconduct or of negligence in official duties or of conduct in any manner connected with his/her official duties, that tends to discredit his/her office, or of mental or physical inability to perform his/her duties. Prior to removal, however, the Board member shall receive a copy of the charges and shall be entitled to a hearing before the Mayor and to the assistance of counsel at such hearing.

Dr. Lindsey is nominated to serve the remainder of a six-year term that expires on May 31, 2026.

Dr. Acquista is nominated to serve the remainder of a six-year term that expires on May 31, 2028.

Dr. Galvez is nominated to serve the remainder of a six-year term that expires on May 31, 2024.

Dr. Salerno is nominated to serve the remainder of a six-year term that expires on May 31, 2024.

(After interviewing the candidates and reviewing the submitted material, the Committee decided to approve the appointment of the nominees. For nominees Dr. Angelo Acquista, M.D. [M-131], Dr. Maida Galvez [M-132], and Dr. Judith Salerno, M.D. [M-133], please see, respectively, the Reports of the Committee on Rules, Privileges and Elections for M-131, M-132, and M-133 printed in these Minutes; for nominee Michael Lindsey [M-130], please see immediately below:)

¹ This body advises the Commissioner of Health and Mental Hygiene and the Deputy Commissioner for Mental Hygiene Services in the development of community mental health, mental retardation, alcoholism and substance abuse facilities and services and programs related thereto. *Charter* § 568.

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to Sections 31 and 553 of the City Charter, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of **Michael Lindsey** as a member of the New York City Board of Health to serve the remainder of a six-year term that expires on May 31, 2026 (M. 0130-2023).

This matter was heard on March 15, 2023.

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

Res. No. 571

RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF MICHAEL LINDSEY AS A MEMBER OF THE NEW YORK CITY BOARD OF HEALTH (M. 130-2023).

By Council Member Powers.

RESOLVED, pursuant Sections 31 and 553 of the City Charter, the Council hereby approves the appointment by the Mayor of **Michael Lindsey** as a member of the New York City Board of Health to serve the remainder of a six-year term that expires on May 31, 2026 (M. 0130-2023).

KEITH POWERS, *Chairperson*; RAFAEL SALAMANCA, Jr.; SELVENA N. BROOKS-POWERS, JUSTIN L. BRANNAN, GALE A. BREWER, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI, THE SPEAKER (COUNCIL MEMBER ADRIENNE E. ADAMS); 9-0-0; Committee on Rules, Privileges and Elections, April 11, 2023.

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

Report for M-131

Report of the Committee on Rules, Privileges and Elections in favor of approving the appointment of Angelo Acquista as a member of the New York City Board of Health.

The Committee on Rules, Privileges and Elections, to which the annexed Mayor's Message was referred on March 16, 2023 (Minutes, page 769) and which same Mayor's Message was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Briefing Paper, please see the Report of the Committee on Rules, Privileges and Elections for M-130, printed in these Minutes)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to Sections 31 and 553 of the City Charter, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of **Angelo Acquista** as a member of the New York City Board of Health to serve the remainder of a six-year term that expires on May 31, 2028 (M. 0131-2023).

This matter was heard on March 15, 2023.

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

Res. No. 572

RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF ANGELO ACQUISTA AS A MEMBER OF THE NEW YORK CITY BOARD OF HEALTH (M. 131-2023).

By Council Member Powers

RESOLVED, pursuant Sections 31 and 553 of the City Charter, the Council hereby approves the appointment by the Mayor of **Angelo Acquista** as a member of the New York City Board of Health to serve the remainder of a six-year term that expires on May 31, 2028 (M. 0131-2023).

KEITH POWERS, *Chairperson*; RAFAEL SALAMANCA, Jr.; SELVENA N. BROOKS-POWERS, JUSTIN L. BRANNAN, GALE A. BREWER, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI, THE SPEAKER (COUNCIL MEMBER ADRIENNE E. ADAMS); 9-0-0; Committee on Rules, Privileges and Elections, April 11, 2023.

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

Report for M-132

Report of the Committee on Rules, Privileges and Elections in favor of approving the appointment of Maida Galvez as a member of the New York City Board of Health.

The Committee on Rules, Privileges and Elections, to which the annexed Mayor's Message was referred on March 16, 2023 (Minutes, page 770) and which same Mayor's Message was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Briefing Paper, please see the Report of the Committee on Rules, Privileges and Elections for M-130, printed in these Minutes)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to Sections 31 and 553 of the City Charter, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of **Maida Galvez** as a member of the New York City Board of Health to serve the remainder of a six-year term that expires on May 31, 2024 (M. 0132-2023).

This matter was heard on March 15, 2023.

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

Res. No. 573

RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF MAIDA GALVEZ AS A MEMBER OF THE NEW YORK CITY BOARD OF HEALTH (M. 132-2023).

By Council Member Powers.

RESOLVED, pursuant Sections 31 and 553 of the City Charter, the Council hereby approves the appointment by the Mayor of **Maida Galvez** as a member of the New York City Board of Health to serve the remainder of a six-year term that expires on May 31, 2024 (M. 0132-2023).

KEITH POWERS, *Chairperson*; RAFAEL SALAMANCA, Jr.; SELVENA N. BROOKS-POWERS, JUSTIN L. BRANNAN, GALE A. BREWER, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI, THE SPEAKER (COUNCIL MEMBER ADRIENNE E. ADAMS); 9-0-0; Committee on Rules, Privileges and Elections, April 11, 2023.

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

Report for M-133

Report of the Committee on Rules, Privileges and Elections in favor of approving the appointment of Judith Salerno as a member of the New York City Board of Health.

The Committee on Rules, Privileges and Elections, to which the annexed Mayor's Message was referred on March 16, 2023 (Minutes, page 771) and which same Mayor's Message was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Briefing Paper, please see the Report of the Committee on Rules, Privileges and Elections for M-130, printed in these Minutes)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to Sections 31 and 553 of the City Charter, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of **Judith Salerno** as a member of the New York City Board of Health to serve the remainder of a six-year term that expires on May 31, 2024 (M. 0133-2023).

This matter was heard on March 15, 2023.

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

Res. No. 574

RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF JUDITH SALERNO AS A MEMBER OF THE NEW YORK CITY BOARD OF HEALTH (M. 133-2023).

By Council Member Powers.

RESOLVED, pursuant Sections 31 and 553 of the City Charter, the Council hereby approves the appointment by the Mayor of **Judith Salerno** as a member of the New York City Board of Health to serve the remainder of a six-year term that expires on May 31, 2024 (M. 0133-2023).

KEITH POWERS, *Chairperson*; RAFAEL SALAMANCA, Jr.; SELVENA N. BROOKS-POWERS, JUSTIN L. BRANNAN, GALE A. BREWER, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI, THE SPEAKER (COUNCIL MEMBER ADRIENNE E. ADAMS); 9-0-0; Committee on Rules, Privileges and Elections, April 11, 2023.

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

GENERAL ORDERS CALENDAR

There were no additional items listed on the General Orders Calendar.

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

- | | | |
|------|------------------------------|---|
| (1) | M-130 & Res 571 - | Dr. Michael Lindsey to the Council for its advice and consent regarding his appointment to the Board of Health. |
| (2) | M-131 & Res 572 - | Dr. Angelo Acquista to the Council for its advice and consent regarding his appointment to the Board of Health. |
| (3) | M-132 & Res 573 - | Dr. Maida Galvez to the Council for its advice and consent regarding her appointment to the Board of Health. |
| (4) | M-133 & Res 574 - | Dr. Judith Salerno to the Council for its advice and consent regarding her appointment to the Board of Health. |
| (5) | Int 4-A - | Prohibiting the sale of guinea pigs in pet shops. |
| (6) | Int 8-A - | Disclosure of total ticket costs in advertisements. |
| (7) | Int 128-A - | Diaper changing accommodations in parks. |
| (8) | Int 239-A - | Education and outreach regarding solar and green roof systems. |
| (9) | Int 606-A - | Motor vehicles idling adjacent to and within certain parks. |
| (10) | Int 675-A | Creation of a telemedicine accessibility plan. |
| (11) | Res 531 - | Change in the name of the Flatbush Avenue business improvement district , increase in the amount to be expended annually in such district, extension of the boundaries of such district, change in the method of assessment upon which the district charge in such district is based, and increase in the maximum total amount to be expended for improvements in such district. |

- | | |
|--|--|
| (12) Preconsidered
L.U. 179 & Res 569 - | GRAND STREET, Manhattan,
Community District No. 3, Council
District No. 2. |
| (13) Preconsidered
L.U. 180 & Res 570 - | 1613-1631 Eastern Parkway,
Brooklyn, Community District No.
16, Council District No. 41. |

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

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

The General Order vote recorded for this Stated Meeting was 49-0-0 as shown above with the exception of the votes for the following legislative items:

The following was the vote recorded for **M-130 & Res. No. 571, M-132 & Res. No. 573, and M-133 & Res. No. 574:**

Affirmative – Abreu, Ariola, Avilés, Ayala, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Williams, Won, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **48**.

Abstention – Barron - **1**.

The following was the vote recorded for **M-131 & Res. No. 572:**

Affirmative – Abreu, Ariola, Ayala, Bottcher, Brannan, Brewer, Brooks-Powers, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanks, Holden, Hudson, Joseph, Kagan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Ossé, Paladino, Richardson Jordan, Riley, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Williams, Won, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **42**.

Negative – Avilés, Cabán, Hanif, Nurse - **4**.

Abstentions – Barron, Krishnan, Restler - **3**.

The following was the vote recorded for **Int. No. 4-A:**

Affirmative – Abreu, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Restler, Richardson Jordan, Riley, Salamanca, Sanchez, Schulman, Ung, Velázquez, Williams, Won, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **42**.

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

The following was the vote recorded for **Int. No. 606-A:**

Affirmative – Abreu, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanks, Holden, Hudson, Joseph, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Restler, Richardson Jordan, Riley, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Williams, Won, Yeger, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **42**.

Negative – Ariola, Cabán, Carr, Kagan, Paladino and the Minority Leader (Council Member Borelli) - **6**.

Abstentions – Hanif - **1**.

The following was the vote recorded for **Res. No. 531:**

Affirmative – Abreu, Ariola, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Williams, Won, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **48**.

Negative – Yeger - **1**.

*The following Introductions were sent to the Mayor for his consideration and approval:
Int. Nos. 4-A, 8-A, 128-A, 239-A, 606-A, and 675-A.*

RESOLUTIONS
presented for voice-vote

The following are the respective Committee Reports for each of the Resolutions referred to the Council for a voice-vote pursuant to Rule 8.50 of the Council:

Report for voice-vote item Res. No. 131

Report of the Committee on Civil Service and Labor in favor of approving a Resolution calling on Wendy’s to join the Fair Food Program and support farmworkers’ human rights.

The Committee on Civil Service and Labor, to which the annexed resolution was referred on April 28, 2022, (Minutes, page 774), respectfully

REPORTS:

I. INTRODUCTION

On April 11, 2023, the Committee on Civil Service and Labor, chaired by Council Member Carmen De La Rosa, held a hearing and a vote on Resolution Number 131, sponsored by Council Member De La Rosa, calling on Wendy's to join the Fair Food Program and support farmworkers' human rights. The Committee previously held a hearing on December 8, 2022, to consider this legislation. At that hearing the Committee heard testimony from the Coalition of Immokalee Workers, the Workers Circle, and other interested stakeholders. On April 11, the Committee passed this legislation by a vote of 10 in the affirmative, zero in the negative, with zero abstentions.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 131:)

Res. No. 131

Resolution calling on Wendy’s to join the Fair Food Program and support farmworkers’ human rights.

By Council Members De La Rosa, Hanif, Brewer, Sanchez, Stevens, Cabán, Restler, Narcisse, Bottcher, Moya, Abreu, Rivera, Richardson Jordan, Nurse, Barron, Schulman, Dinowitz, Joseph, Menin, Marte, Avilés, Riley, Velázquez, Louis, Hudson, Ossé and Gennaro (by request of the Manhattan Borough President).

Whereas, In 2011, the Fair Food Program (FFP) was created by the Coalition of Immokalee Workers (CIW) in an effort to bring together farmworkers, consumers, major food retailers and growers to achieve humane labor standards and better wages in United States agriculture; and

Whereas, The FFP works by having “Participating Buyers” of farm produce agree to purchase covered produce, mainly tomatoes, only from “Participating Growers”; and

Whereas, These Participating Growers are farms that meet strict standards required by the Fair Food Code of Conduct, which was designed by farmworkers themselves and is independently monitored by the Fair Food Standards Council, that include certain requirements for farmworkers, such as the right to work free from sexual harassment and assault; safe and non-abusive working conditions including shade, water and clean bathrooms in the fields; the ability to report mistreatment or unsafe conditions without retaliation; know-your-rights trainings; access to breaks and safe transportation to work; and

Whereas, In addition to certain labor standards, Participating Buyers pay Participating Growers a small premium on the purchased produce, known as the “Fair Food Premium,” which goes to supplement farmworkers’ regular paychecks; and

Whereas, To solidify these partnerships, the FFP and thus, the Fair Food Code of Conduct, are backed by legally-binding agreements between the CIW and many of the world's largest produce buyers, such as McDonald's and Subway, with farms that fail to comply with these standards facing risk of suspension from the FFP and losing the ability to sell their produce to Participating Buyers; and

Whereas, As the CIW has established that there is an underlying imbalance of power between farmworkers and corporations, it has focused its efforts on engaging with large corporations at the top of the agricultural supply chain to become Participating Buyers; and

Whereas, Currently, the FFP's Participating Buyers include Walmart, Chipotle Mexican Grill, Trader Joe's, Burger King, Subway and McDonald's; however, there still exist corporations that do not participate in the FFP and thus, may not ensure farmworkers are provided basic protections and fundamental human rights in their work; and

Whereas, The popular and large fast-food corporation Wendy's is one such company that has yet to join the FFP, having faced considerable criticism and protests over its refusal to participate, with a number of cities passing resolutions urging Wendy's to join the FFP and advocating for the boycott of Wendy's, according to the New York Times; and

Whereas, In New York City, Wendy's has locations throughout the five boroughs, and is one of the only major fast-food chains to reject the opportunity to join the FFP; and

Whereas, In March 2018, over 100 farmworkers and supporters fasted for five days outside the Park Avenue offices of the hedge fund investment firm, Trian Partners, one of the largest shareholders of Wendy's, calling on the fast-food company to join the FFP, with over 2,000 New Yorkers joining in protest through midtown Manhattan on the last day of the fast, according to the CIW; and

Whereas, In New York State there are a substantial number of farmworkers, as an August 2019 New York State Comptroller report indicates that New York State's more than 33,000 farms generated \$5.7 billion in revenue in 2017, accounting for up to 55,000 farmworkers within the state; and

Whereas, In New York City, specifically, there are approximately 36 farms located in four boroughs, according to an August 2019 New York State Comptroller report; and

Whereas, In addition, there are hundreds of GreenThumb registered community gardens and registered public school garden projects in New York City, according to the 2020 New York City Food Metrics Report required pursuant to Local Law 52 of 2011; and

Whereas, As New York has a large number of farmworkers, encouraging Wendy's to join the FFP would ensure that farmworkers that provide produce to Wendy's are provided with the benefits, wages and work conditions that they deserve; now, therefore, be it

Resolved, That the Council of the City of New York calls on Wendy's to join the Fair Food Program and support farmworkers' human rights.

CARMEN N. De La ROSA, *Chairperson*; ERIK D. BOTTCHER, TIFFANY CABÁN, ERIC DINOWITZ, OSWALD FELIZ, KAMILLAH HANKS, RITA C. JOSEPH, JULIE MENIN, FRANCISCO P. MOYA, SANDY NURSE; 10-0-0; Committee on Civil Service and Labor, April 11, 2023.

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

The following 7 Council Members formally noted their intention to vote **negative** against this item:

Council Members Ariola, Carr, Holden, Kagan, Paladino, Yeger, and the Minority Leader (Council Member Borelli).

Adopted by the Council by voice-vote.

Report for voice-vote item Res. No. 153

Report of the Committee on Education in favor of approving a Resolution calling upon the Department of Education to create a Jewish Heritage Day in New York City public schools.

The Committee on Education, to which the annexed resolution was referred on May 5, 2022 (Minutes, page 876), respectfully

REPORTS:**I. INTRODUCTION**

On April 11, 2023, the Committee on Education, chaired by Council Member Rita Joseph, held a vote on Resolution Number (“Res. No.”) 153, sponsored by Council Member Shaun Abreu, a Resolution calling upon the New York City (NYC) Department of Education to create a Jewish Heritage Day in NYC public schools. The Committee previously heard testimony on Res. No. 153 from advocacy groups and organizations, and other interested stakeholders at a hearing on March 29, 2023. On April 11, 2023, the Committee passed this legislation by a vote of eighteen in the affirmative, zero in the negative, and zero abstentions.

II. ANALYSIS OF LEGISLATION

New York has the highest population of Jewish Americans in the country, with over one million residing in NYC. Given recent increases in religious hate crimes both nationally and locally, it is important to affirm that NYC is an inclusive city by taking proactive steps to help combat stereotypes and bias against Jewish people. This resolution celebrates the contributions and achievements of Jewish people, benefitting all students by helping them to appreciate others’ strengths, build empathy, and reduce implicit bias.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 153:)

Res. No. 153

Resolution calling upon the Department of Education to create a Jewish Heritage Day in New York City public schools.

By Council Members Abreu, Dinowitz, Restler, Menin, Schulman, Vernikov, Yeger, Kagan, Joseph, Bottcher, Ung, Avilés, De La Rosa, Brooks-Powers, Krishnan, Williams, Rivera, Sanchez, Lee, Velázquez, Gennaro, Riley, Brannan, Narcisse, Louis, Feliz, Brewer, Hudson, Won, Hanif, Hanks, Cabán, Carr and Paladino.

Whereas, Hate crimes, defined by the United States (U.S.) Department of Justice as “crimes committed on the basis of the victim’s perceived or actual race, color, religion, national origin, sexual orientation, gender, gender identity, or disability,” are on the rise in the U.S.; and

Whereas, According to the latest Federal Bureau of Investigation (FBI) Hate Crime Statistics report released in November 2020, 2019 had the highest level of reported hate crimes nationally in more than a decade; and

Whereas, Further, the majority of hate crimes motivated by religious bias were anti-Jewish, according to the FBI report; and

Whereas, In New York City, hate crimes also continue to grow, with a reported 76% increase in the first few months of 2022 compared to the same period last year, according to data from the New York Police Department Hate Crimes Task Force (HCTF); and

Whereas, There were 194 hate crimes in NYC between January 1 and April 10 of 2022, in comparison to the 110 hate crimes from the same dates in 2021, the HCTF report shows; and

Whereas, According to the HCTF data, crime incidents targeting Jewish people, which comprise the largest number of NYC hate crimes so far this year, increased from 28 crimes for this period last year to 86 in 2022, a rise of more than 200%; and

Whereas, Many educators and advocates maintain that schools can play an important role in helping to reduce bias in our society, as biases often develop at a young age according to *Psychology Today*; and

Whereas, Students in NYC schools learn about anti-Semitism by studying the Holocaust, the systematic, state-sponsored persecution and murder of six million Europeans of Jewish faith by the Nazi German regime and its allies and collaborators during World War II, which is required to be taught starting in 10th grade according to the New York State Grades 9-12 Social Studies Framework; and

Whereas, However, there is no requirement to teach about the more than 350-year history of Jewish Americans, who immigrated to this country in waves since colonial times in search of religious freedom and to escape oppression and persecution, according to the National Humanities Center; and

Whereas, Additionally, there is no formal mechanism or requirement to teach about Jewish contributions to America and the American culture; and

Whereas, Pursuant to a resolution passed unanimously by the U.S. Congress in February 2006, on April 20, 2006, then-President George W. Bush proclaimed that May would be Jewish American Heritage Month; and

Whereas, Each year since then, U.S. presidents have issued proclamations declaring May as Jewish American Heritage Month in order to raise awareness and appreciation of Jewish American contributions to this nation; and

Whereas, However, Jewish American Heritage Month is not formally celebrated by NYC public schools, nor is there much recognition or commemoration of the month anywhere in the U.S., according to the Jewish Telegraphic Agency; and

Whereas, The NYC Department of Education could designate a Jewish Heritage Day in City public schools to celebrate the positive contributions and achievements of Jewish Americans, and particularly Jewish New Yorkers, which would benefit all students by helping them to appreciate others' strengths, build empathy, and reduce implicit bias; and

Whereas, The recent rise in hate crimes reinforces how important it is to raise awareness about the contributions and achievements of Jewish Americans as early as possible to help combat stereotypes and bias against Jewish people; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Department of Education to create a Jewish Heritage Day in New York City public schools.

RITA C. JOSEPH, *Chairperson*; FARAH N. LOUIS, JAMES F. GENNARO, ERIC DINOWITZ, OSWALD FELIZ, ALEXA AVILÉS, CARMEN N. De La ROSA, JENNIFER GUTIÉRREZ, SHAHANA K. HANIF, KAMILLAH HANKS, SHEKAR KRISHNAN, LINDA LEE, JULIE MENIN, MERCEDES NARCISSE, LINCOLN RESTLER, LYNN C. SCHULMAN, ALTHEA V. STEVENS, SANDRA UNG; 18-0-0; *Absent*: Pierina Ana Sanchez; Committee on Education, April 11, 2023.

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

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

Council Member Barron.

Adopted by the Council by voice-vote.

Report for voice-vote item Res. No. 344-A

Report of the Committee on Housing and Buildings in favor of approving a Resolution calling on the New York State Legislature to pass, and the Governor to sign, A.4021/S.568A, in relation to establishing a housing access voucher program.

The Committee on Housing and Buildings, to which the annexed amended resolution was referred on October 12, 2022 (Minutes, page 2483), respectfully

REPORTS:**I. INTRODUCTION**

On April 11, 2023, the New York City Council Committee on Housing and Buildings, chaired by Council Member Pierina Sanchez, held a hearing to vote on Res. No. 344-A, sponsored by the Public Advocate (Mr. Williams), calling on the New York State Legislature to pass, and the Governor to sign, A.4021/S.568A, in relation to establishing a housing access voucher program. This resolution was first heard on February 23, 2023.

UPDATE

On Tuesday, April 11, 2023, the Committee adopted Res. No. 344-A by a vote of nine in the affirmative, zero in the negative, and zero abstentions.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Res. No. 344-A:)

Res. No. 344-A

Resolution calling on the New York State Legislature to pass, and the Governor to sign, A.4021/S.568A, in relation to establishing a housing access voucher program.

By the Public Advocate (Mr. Williams) and Council Members Sanchez, Stevens, Mealy, Restler, Joseph, Hudson, Farías, Abreu, Nurse, Barron, De La Rosa, Hanif, Narcisse, Avilés, Cabán, Won, Ossé, Velázquez and Louis.

Whereas, According to the Coalition for the Homeless, a tenant advocacy organization, homelessness in New York City has reached the highest levels since the Great Depression of the 1930s; and

Whereas, In March 2022 there were 48,524 homeless people, including 15,087 homeless children; and

Whereas, Coalition for the Homeless has stated that the primary reason for homelessness, particularly among families, is the lack of affordable housing; and

Whereas, The Center on Budget and Policy Priorities has determined that housing access voucher programs provide households access to safer neighborhoods and lead to better outcomes for families and children; and

Whereas, New Yorkers should not be denied access to safe long-term housing because of a lack of financial resources; and

Whereas, Whereas, A.4021, sponsored by Assembly Member Linda B. Rosenthal in the New York State Assembly, and companion bill, S.568, introduced by State Senator Brian Kavanagh in the New York State Senate, would require the New York State Division of Housing and Community Renewal to implement a rental assistance program in the form of housing vouchers, known as the Housing Access Voucher Program, for eligible individuals and families who are homeless or are on the verge of losing their home; and

Whereas, A.4021/S.568A, would create a pathway for people who are homeless and reduce the number of people without housing in New York State; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, A.4021/S.568A, in relation to establishing a housing access voucher program

PIERINA ANA SANCHEZ, *Chairperson*; ERIC DINOWITZ, OSWALD FELIZ, TIFFANY CABÁN, SHAUN ABREU, ALEXA AVILÉS, CHARLES BARRON, CRYSTAL HUDSON, DAVID M. CARR; 9-0-0; Committee on Housing and Buildings, April 11, 2023.

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

Adopted unanimously by the Council by voice-vote.

INTRODUCTION AND READING OF BILLS

Preconsidered Res. No. 541

Resolution calling upon the New York State Legislature to pass, and the Governor to sign legislation that would provide the Civilian Complaint Review Board with access to sealed records in furtherance of its duties and functions.

By The Speaker (Council Member Adams) and Council Members De La Rosa and Farías.

Whereas, Civilian law enforcement oversight entities throughout New York State, including, but not limited to the Civilian Complaint Review Board (“CCRB”), are responsible for investigating and recommending action on complaints against police officers related to allegations of misconduct; and

Whereas, Under Section 440 of the New York City Charter, CCRB is empowered to receive, investigate, mediate, hear, make findings, and recommend action on complaints made against uniformed members of the New York City Police Department (“NYPD”), alleging misconduct relating to the excessive or unnecessary use of force, abuse of authority, discourtesy, or the use of offensive language; and

Whereas, Legal barriers exist that currently impede the CCRB from meeting its Charter mandated duties by limiting access to certain sealed records and materials that are necessary to aid the investigation of alleged misconduct; and

Whereas, Among such barriers, Section 1-23(e) of Title 38-A of the Rules of the City of New York, provides that CCRB may obtain NYPD records and other materials that are necessary for the investigation of complaints, except when such records and materials cannot be disclosed by law; and

Whereas, CCRB investigations often rely on access to records and materials that may be sealed for a variety of reasons, such as records pertaining to arrests that do not result in a conviction, or materials sealed pursuant to family court order; and

Whereas, On October 21, 2021, before the Public Safety Committee of the New York City Council, CCRB Executive Director Jonathan Darche testified that certain records and materials that are necessary to investigate civilian complaints, can include information that had been sealed due to underlying police misconduct or error, such as records relating to arrests or searches where police did not have sufficient probable cause, thereby resulting in the case resolving in a defendants’ favor; and

Whereas, CCRB can face significant delays in its investigations due to requisite efforts to obtain access to certain sealed records, such as seeking unsealing orders or obtaining release waivers from impacted civilians to fully investigate cases where the NYPD denies access to records or other materials due to the record being sealed, a process that can result in delays approaching the 18 month statute of limitation in which CCRB must complete investigations; and

Whereas, Former CCRB Chairman Frederick Davie has petitioned state lawmakers for exemptions from state sealing statutes, calling it a necessary change to empower the agency to conduct its legally mandated responsibilities to investigate allegations of racial profiling and patterns of bias-based policing within the NYPD, efforts that in many circumstances rely on evidence obtained through examining records of an officers’ prior enforcement actions, some of which likely would be sealed if such arrests did not lead to convictions; and

Whereas, Legislation to amend state law to grant CCRB access to certain sealed records would promote CCRBs ability to fulfill its mandate of investigating allegations of police misconduct; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign legislation that would provide the Civilian Complaint Review Board with access to sealed records in furtherance of its duties and functions.

Referred to the Committee on Public Safety (preconsidered but laid over by the Committee on Public Safety).

Res. No. 542

Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation to require a prevailing wage for all school aides, whether in public, charter, or private schools.

By Council Members Avilés, Richardson Jordan, Farías, Restler and Marte.

Whereas, School aides or teaching aides are paraprofessionals or para-educators, who are typically hourly workers tasked with supporting students with disabilities, supervising individual or group classroom work, assisting with behavior management, and setting up and cleaning classrooms; and

Whereas, As of May 2021, nationally, there were estimated 1,187,270 teaching assistants, with 1,017,910 or 85.7 percent being employed in elementary and secondary schools, at the average annual wage of \$31,760 and the median annual wage of \$29,360; and

Whereas, Nationally, between October 2019 and October 2021, the number of publicly employed teaching assistants declined by 2.6 percent, and over 25 percent of paraprofessionals reported that they were likely to leave their job within the next year, with 71 percent indicating pay as a major reason for their impending departure; and

Whereas, Nationally, between 2014 and 2019, the weekly median wage in 2020 dollars for all workers was \$790 versus the weekly median wage of \$507 for teaching assistants; and

Whereas, Nationally, between 2014 and 2019, 4.5 percent of all workers had more than one job in contrast to 10.6 percent of teaching assistants working multiple jobs; and

Whereas, According to a May 2022 national survey, over 25 percent of paraprofessionals reported being unable to afford living in the community where they work; children of approximately a quarter of paraprofessionals qualified for free or reduced-price meals at school; 19 percent of paraprofessionals used a food pantry; 18 percent participated in a Medicaid program; 16 percent received food stamps; and 14 percent were beneficiaries of emergency assistance with utility bills or rent; and

Whereas, As of May 2021, in New York State, there were 108,780 teaching assistants at the average annual wage of \$34,450 and the median annual wage of \$29,570; and

Whereas, As of May 2021, in the New York Metropolitan Area, there were about 104,340 teaching assistants at the average annual wage of \$35,530, while according to the Economic Policy Institute's Family Budget Calculator, a family of one adult and one child needs an annual income of \$88,650 in 2020 dollars to attain a modest, yet adequate standard of living in the New York Metropolitan Area or an annual income of \$56,718 in 2020 dollars for one adult and no children; and

Whereas, As of 2023, some paraprofessionals in New York were represented by labor unions, such as the New York State United Teachers union and in New York City, the United Federation of Teachers union representing approximately 27,000 classroom paraprofessionals in New York City public schools; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, legislation to require a prevailing wage for all school aides, whether in public, charter, or private schools.

Referred to the Committee on Civil Service and Labor.

Res. No. 543

Resolution calling on the New York City Housing Authority to improve its public database of awarded contracts through the addition of new search features and inclusion of more contract information in search results.

By Council Members Avilés, Richardson Jordan and Marte.

Whereas, The New York City Housing Authority (“NYCHA”) is a public housing authority with 335 developments, and 177,611 units that are home to 547,891 authorized residents, through public housing, section 8, and NYCHA’s implementation of the federal Rental Assistance Demonstration (“RAD”) program; and

Whereas, in fiscal year 2022, NYCHA awarded \$489 million in contracts to service providers, which accounted for 18 percent of NYCHA’s Other Than Personal Services expenditures in that fiscal year; and

Whereas, NYCHA makes information about these contracts publicly available through an Awarded Contracts database (the “Database”) that may be searched through the NYCHA website; and

Whereas, Save Section 9, a national public housing advocacy organization, has noted that they cannot effectively use the Database due to its lack of search features, such as a search by keyword or search by impacted property, and its lack of certain useful information about contracts, such as the names of subcontractors and whether a contract pertains to a property that has been converted from section 9-funded housing into section 8-funded housing through the RAD program; and

Whereas, The addition of new search features, which should include, at minimum, the ability to conduct a keyword search and a search, or sort, by impacted property and the inclusion of more contract information in search results would increase the transparency and public accountability of NYCHA operations; and

Whereas, The Council of the City of New York declared in its findings for the Open Data Law, Local Law 11 of 2012, that it is in the best interest of the City of New York that its agencies and departments make their data available online; and

Whereas, On September 1, 2022, a NYCHA contractor erroneously detected the presence of arsenic levels beyond safety thresholds in the water supply at Jacob Riis Houses, which led NYCHA to advise that residents not consume drinking water between September 2 and September 9, 2022; and

Whereas, Information about the contractor that conducted arsenic testing at Jacob Riis Houses was not available through the Database because the contractor was a subcontractor; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York City Housing Authority to improve its public database of awarded contracts through the addition of new search features and inclusion of more contract information in search results.

Referred to the Committee on Public Housing.

Res. No. 544

Resolution calling on the State to pass, and the Governor to sign, legislation that would fully fund rent arrears at NYCHA since the start of the pandemic.

By Council Members Avilés, Richardson Jordan, Farías and Marte.

Whereas, The New York City Housing Authority (NYCHA) provides affordable housing to low and moderate income families; and

Whereas, NYCHA serves 339,900 authorized residents in 162,143 apartments within 277 housing developments in their conventional public housing program; and

Whereas, Many New York City residents, including NYCHA residents, struggled financially and otherwise during the COVID-19 pandemic and continue to struggle today; and

Whereas, According to the NYU Furman Center, about 735,000 renter households in New York City have at least one household member who has lost their job due to the COVID-19 pandemic; and

Whereas, The State created the Emergency Rental Assistance Program (ERAP) to help eligible New York households who have requested help for rental and utility amounts that went unpaid during the COVID-19 crisis; and

Whereas, ERAP provides significant economic relief to low and moderate income tenants and helps property owners obtain rents that are due; and

Whereas, According to the New York State Office of Temporary and Disability Assistance (OTDA), 395,994 applicants statewide applied to ERAP and only 216,916 of those applicants have received help as of January 5, 2023; and

Whereas, When a tenant submits an ERAP application, the property owner cannot evict the tenant for not paying rent during the covered period unless it is determined that the household is ineligible to receive ERAP assistance; and

Whereas, OTDA reported on January 13, 2023 that ERAP applicants from subsidized housing, which includes public housing, Section 8 housing and applicants receiving the Family Homelessness and Eviction Prevention Supplement, are currently not being paid; and

Whereas, OTDA stated that when the State created the ERAP program, the legislation specifically placed public housing tenants and other types of subsidized housing at the bottom of the list for reimbursement; and

Whereas, On March 13, 2023, NYCHA testified at a New York City Council hearing that roughly 73,000 households owed a combined \$466 million in rent which has nearly quadrupled since 2019 when the arrears stood at \$125 million; and

Whereas, NYCHA tenants should receive assistance from the ERAP program since these tenants struggled just like many other New Yorkers during the COVID-19 pandemic; now therefore be it,

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, legislation that would fully fund rent arrears at NYCHA since the start of the pandemic.

Referred to the Committee on Public Housing.

Int. No. 980

By Council Members Ayala and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to requiring quarterly reporting on lawful source of income discrimination in housing accommodations

Be it enacted by the Council as follows:

Section 1. Subdivision 5 of section 8-107 of the administrative code of the city of New York is amended by adding a new paragraph (q) to read as follows:

(q) Reporting on lawful source of income discrimination in housing accommodations. (1) No later than 30 days after the end of each fiscal quarter, the commission shall submit to the speaker of the council and post on its website a report on all complaints of discrimination based on lawful source of income in housing accommodations that have been received, initiated, or resolved by the commission over the previous quarter and all unresolved complaints received or initiated prior to the previous quarter. Such quarterly report shall include but not be limited to the following information:

(A) A unique identification code corresponding to each complaint received, initiated, or resolved in the previous quarter and each unresolved complaint received or initiated prior to the previous quarter;

(B) The borough-block-lot number of the property to which each complaint relates;

(C) A brief description of each complaint;

(D) The status of each complaint, whether open or resolved, and if the status is resolved, a brief description of how it was resolved;

(E) The date each complaint was received, initiated, or resolved, as applicable;

(F) Information about which complaints required emergency intervention from the commission; and

(G) Information about which complaints resulted in damages or penalties obtained.

(2) No report required by subparagraph (1) of this paragraph shall contain personally identifiable information.

§ 2. This local law takes effect immediately.

Referred to the Committee on Civil and Human Rights.

Res. No. 545

Resolution calling on the New York City Housing Authority to change its priority preference for housing to automatically place families and individuals experiencing homelessness at the highest priority level.

By Council Members Ayala, Richardson Jordan, Farías and Restler.

Whereas, The New York City Housing Authority (NYCHA) is the largest public housing authority in North America, providing decent, affordable housing for roughly over 339,900 low- and moderate-income New Yorkers; and

Whereas, In order to be considered for an apartment through NYCHA, an individual or family must submit a completed application, identifying their total household income, family composition, and current living situation; and

Whereas, After the application is submitted, applications are assigned a priority code based upon the information provided and then placed on NYCHA's preliminary waiting list for an eligibility interview; and

Whereas, Priority codes for NYCHA housing are determined based on a number of factors, but are primarily based around a Need Based priority or a Working Family priority; and

Whereas, According to NYCHA's Priority Codes for Public Housing, Need Based priorities are categorized, from highest priority: Code N0, Code N1, Code N4, Code N8, and Code N9, while Working Family priorities are categorized, from highest priority: Code W0, Code W1, Code W2, Code W3 and Code W9; and

Whereas, Code N0 Priority is the highest NYCHA applicant priority level, and includes: Homeless families with children referred by the New York City Department of Homeless Services (DHS); Those displaced by fire, vacate order or about to be displaced from a site to be used for a public housing development or other public improvement and referred by the Department of Housing Preservation and Development (HPD) within 270 days from the date of displacement; Homeless applicants referred by the HIV/AIDS Services Administration (HASA); Applicants who are about to be discharged from Henry J. Carter Specialty Hospital and Nursing Facility and who will become homeless or will be at risk of becoming homeless upon discharge and referred by the Health and Hospitals Corporation (HHC); and Applicants referred by the Administration for Children's Services (ACS) under the Independent Living or Family Unification programs; and

Whereas, Although homeless families and individuals are at the highest priority level, the referral requirement by a City agency, such as DHS, HPD, HASA, HHC or ACS, creates barriers for those who are in desperate need of housing; and

Whereas, According to DHS, on January 12, 2023, 70,525 people slept in a DHS shelter, of which included 22,419 children; and

Whereas, According to daily data tracked by City Limits, this number represents an all-time high, and is up more than 51% since Mayor Eric Adams took office at the start of 2022; and

Whereas, As the number of individuals experiencing homelessness in New York City increases, public housing is needed more than ever and barriers to entry, such as referrals by City agencies, only restrict those who need housing the most from getting it; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Housing Authority to change its priority preference for housing to automatically place families and individuals experiencing homelessness at the highest priority level.

Referred to the Committee on Public Housing.

Int. No. 981

By Council Members Bottcher, Nurse, Restler, Marte and Menin.

A Local Law to amend the administrative code of the city of New York, in relation to expanding the commercial citywide routing system for sidewalk cleanliness violations and technical amendments thereto, including to repeal and reenact subdivision c of section 16-118.1

Be it enacted by the Council as follows:

Section 1. Section 16-118.1 of the administrative code of the city of New York, subdivision a of such section as amended by local law number 47 for the year 2007 and subdivision b of such section as amended by local law number 9 for the year 2004, is amended to read as follows:

§ 16-118.1 Citywide routing system. a. *1.* The department shall implement a citywide routing system for residential premises for the enforcement of subdivision two of section 16-118 of this code, as such subdivision relates to the cleaning of sidewalks, flagging, curbstones, airshafts, backyards, courts, alleys and roadway areas by owners, lessees, tenants, occupants or persons in charge of any such premises[, and for commercial premises for the enforcement of such subdivision as such subdivision relates to cleaning of sidewalks, flagging, curbstones and roadway areas by owners, lessees, tenants, occupants or persons in charge of such premises]. The citywide enforcement routing system shall limit the issuance of notices of violation, appearance tickets or summonses *for residential premises* within any sub-district of a local service delivery district to predetermined periods of a total of no more than two hours each day, provided that each such predetermined period shall be one hour. [The department shall establish a citywide schedule of periods for issuing notices of violation, appearance tickets or summonses for commercial premises in each district and shall give written notice to the owners, lessees, tenants, occupants or persons in charge of such premises in each district of the periods for the district in which their premises are located by the use of flyers, community meetings or such other techniques as the commissioner reasonably determines to be useful.] The two one-hour predetermined periods for issuing notices of violation, appearance tickets or summonses for residential premises shall be from 8:00 a.m. until 9:00 a.m. and from 6:00 p.m. until 7:00 p.m.

2. The department shall implement a citywide routing system for commercial premises for the enforcement of subdivision two of section 16-118 of this code, as such subdivision relates to the cleaning of sidewalks, flagging, curbstones, and roadway areas by owners, lessees, tenants, occupants, or persons in charge of such premises. The department may issue notices of violation, appearance tickets, or summonses for commercial premises at any time during the hours of operation of such premises, where such premises have hours of operation posted in plain view and are generally open to the public during such hours. The department may issue notices of violation, appearance tickets, or summonses to any other commercial premises from 8:00 a.m. until 7:00 p.m.

b. Notwithstanding the provisions of *paragraph one* of subdivision a of this section, the commissioner may provide an additional predetermined period of one hour per day during which notices of violation, appearance tickets or summonses may be issued in any sub-district within a local service delivery district upon the commissioner's determination that the total of two hours otherwise permitted by this section is not sufficient to maintain the sidewalks, flagging, curbstones and roadways in such sub-districts in an adequately clean condition. Such determination shall be based upon a finding that there has been a decline in the average street cleanliness ratings compiled by the mayor's office of operations for such district for the most recent three-month period as compared to the average street cleanliness ratings compiled by the mayor's office of operations for the same three-month period in fiscal year nineteen hundred ninety. Notice of any increase in the number of hours during which notices of violation, appearance tickets or summonses can be issued or of any change in such hours shall be given by letter to the community board, the owners, lessees, tenants, occupants or persons in charge of any premises in the affected sub-districts within a local service delivery district and every council member representing the local service delivery district no less than forty-five days prior to the implementation of such increase or change. Any additional notice may be given by use of letters, flyers, community meetings or such other techniques as the commissioner reasonably determines to be useful. Written notice to a council member shall be sent to the council member's district office.

§ 2. Subdivision c of section 16-118.1 of the administrative code of the city of New York is REPEALED and a new subdivision c is added to read as follows:

c. As used in this section, the following terms have the following meanings:

Commercial premises. The term "commercial premises" means any premises abutting the sidewalk at which goods or services are sold directly to consumers or other businesses, and may, in appropriate instances to be determined by the commissioner, also include any other class of real property that is used for the conduct of any business, trade or profession.

Local service delivery district. The term “local service delivery district” means a local service delivery district as described in chapter sixty-nine of the charter.

Residential premises. The term “residential premises” means those portions of premises used predominantly for residential purposes, other than hotels, that abut the sidewalk and do not constitute commercial premises.

Sub-district. The term “sub-district” means a section within a local service delivery district as described in chapter sixty-nine of the charter.

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

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 982

By Council Members Brannan and Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to interest to be paid on late contract payments to non-profit contractors

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 6 of the administrative code of the city of New York is amended by adding a new section 6-147 to read as follows:

§ 6-147 *Interest Payments. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Contracting agency. The term “contracting agency” means a city, county, borough, or other office, position, administration, department, division, bureau, board or commission, or a corporation, institution or agency of government, the expenses of which are paid in whole or in part from the city treasury.

Non-profit contractor. The term “non-profit contractor” means a non-profit organization that is a party to a contract with a contracting agency that was awarded after the effective date of the local law that added this section.

b. A non-profit contractor shall be entitled to interest payments on the amount of money due to be paid to such non-profit contractor under the terms of the contract with the contracting agency, calculated from the date such amount was scheduled to be paid, as specified in such contract until the date such amount is actually paid.

c. The applicable interest rate for such interest payments shall be the rate set by the commissioner of taxation and finance for corporate taxes pursuant to paragraph (1) of subsection (e) of section 1096 of the tax law.

d. If any interest payment required pursuant to this section is made from amounts appropriated for program purposes such that it reduces the amount available to be spent on the program, the contracting agency shall notify the council in writing of the amount of such reduction and the reason why other funding could not be used for such interest payment.

e. A non-profit contractor shall not be eligible to receive an interest payment pursuant to this section if such non-profit contractor has received an interest-free and service fee-free loan issued or authorized by any agency to cover the expenses of the non-profit contractor in relation to the subject contract.

f. The interest payment shall not reduce the amount of money otherwise payable to the non-profit contractor under the terms of the relevant contract.

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

Referred to the Committee on Contracts.

Int. No. 983

By Council Members Brannan and Restler (by request of the Queens Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to mandating the construction of solar canopies in certain parking lots

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 4 of the administrative code of the city of New York is amended by adding a new section 4-218 to read as follows

§ 4-218 *Solar energy generation on city-controlled parking lots. a. As used in this section, the following terms have the following meanings:*

City-controlled parking lot. The term "city-controlled parking lot" means an open parking lot, as such term is defined in the New York city building code, that is city-owned or that is leased or operated by the city under an agreement that would allow the city to install solar canopies on such lot in accordance with this section.

Cost-effective. The term "cost-effective" means, with respect to the installation of a solar canopy on a city-controlled parking lot, that the sum of the following equals or exceeds the cost of installing such canopy:

(A) The expected net present value to the city of the energy to be produced by such canopy over the 25 years following installation of such canopy, or where such lot is not city-owned, over the lesser of 25 years following installation of such canopy or the length of time remaining before the agreement under which the city leases or operates such lot expires or is due to be renewed; and

(B) Where such canopy will provide protection from the elements for vehicles parked at such lot, the expected net present value to the city of such protection over the time period described in item (A) of this definition.

Solar canopy. The term "solar canopy" means a system designed and constructed to capture solar radiation for the purpose of producing usable energy.

b. 1. No later than two years after the effective date of this section, the department of citywide administrative services shall, with the cooperation of all other relevant agencies, install all solar canopies that would be cost-effective at each city-controlled parking lot.

2. For each city-controlled parking lot at which solar canopies are installed under this subdivision, a number of parking spaces equal to or greater than 50 percent of the parking spaces covered by such canopies shall be equipped with electrical raceways capable of supporting electric vehicle charging stations in accordance with section 406.7.11 of the New York city building code, notwithstanding any exceptions enumerated in such section, and electric vehicle charging stations shall be installed for such spaces.

c. No later than two years after the effective date of this section, and every fifth year thereafter, the department of citywide administrative services shall, with the cooperation of all other relevant agencies, report to the speaker and the mayor the following information for each community district:

- 1. The number of city-controlled parking lots;*
- 2. The number of city-controlled parking lots for which installation of solar canopies would be cost-effective;*
- 3. The number of city-controlled parking lots complying with paragraph two;*
- 4. The recommendations of the department of citywide administrative services with respect to continuing or amending the requirements of this section; and*
- 5. For reports other than the first report filed pursuant to this subdivision, the following additional information:*

(a) The number of city-controlled parking lots on which a solar canopy was installed on or after the filing date of the previous report;

(b) The value of energy produced by solar canopies on city-controlled parking lots and a summary of how such energy was used; and

(c) A description of each factor, including changes in technology, that has affected the cost-effectiveness of installing solar canopies on city-controlled parking lots in such district since the previous report was filed.

§ 2. This local law takes effect immediately

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

Preconsidered Int. No. 984

By Council Members Brewer and Farías.

A Local Law to amend the administrative code of the city of New York, in relation to amending and repealing certain outdated and unnecessary temporary or pilot programs, unconstitutional provisions and other outdated and unnecessary provisions, including the repeal of the following provisions of the administrative code of the city of New York: section 3-202, concerning council districts; section 6-108.2, concerning contract awards to small business enterprises; section 6-111.3, concerning a pilot program for online reverse auctions; section 6-115, concerning contracts with entities with business in Burma; section 6-124, concerning procurement of apparel or textiles from a responsible manufacturer; section 6-126, concerning equal employment benefits for employees of city contractors; section 16-325, concerning temporary emergency recycling requirements; section 24-163.10, concerning a pilot program for use of auxiliary power units in ambulances; subdivision i of section 24-168.1, concerning clean heating oil; subdivision c of section 24-518.1, concerning food waste disposals; and chapter 23 of title 11, concerning a surcharge on off-track winnings

Be it enacted by the Council as follows:

Section 1. Section 3-202 of the administrative code of the city of New York is REPEALED

§ 2. Section 6-108.2 of the administrative code of the city of New York is REPEALED.

§ 3. Section 6-111.3 of the administrative code of the city of New York is REPEALED.

§ 4. Section 6-115 of the administrative code of the city of New York is REPEALED.

§ 5. Section 6-124 of the administrative code of the city of New York is REPEALED.

§ 6. Section 6-126 of the administrative code of the city of New York is REPEALED

§ 7. Section 16-325 of the administrative code of the city of New York is REPEALED.

§ 8. Section 24-163.10 of the administrative code of the city of New York is REPEALED.

§ 9. Subdivision (i) of section 24-168.1 of the administrative code of the city of New York, as amended by local law number 38 for the year 2015, is amended to read as follows:

(i) [Use of biodiesel for heating purposes by city buildings. (1) After October 1, 2014, all] *All* no. 2, no. 4 and no. 6 heating oil purchased for use in any building owned by the city shall be bioheating fuel containing not less than five percent biodiesel (B5) by volume except that the provisions of this subdivision shall not apply to the use of emergency generators.

[(2) The commissioner of citywide administrative services shall institute a pilot program to use greater amounts of biodiesel in city-owned buildings. Such pilot program shall require that beginning October 1, 2014, the heating oil burned in not less than five percent of city-owned buildings shall contain at least ten percent biodiesel (B10) by volume. Such pilot program shall continue until October 1, 2015 and within six months of the conclusion of such pilot program, the commissioner of citywide administrative services shall issue a report to the mayor and the speaker of the council detailing the findings of such pilot program, including the utility of and any impediments to the use of ten percent biodiesel (B10) by volume in city-owned buildings and any recommendations for the use of ten percent biodiesel (B10) by volume in all city-owned buildings.

(3) The commissioner of citywide administrative services in conjunction with the office of long-term planning and sustainability shall undertake a one year study on the feasibility of the use of five percent biodiesel (B5) by volume in all buildings throughout the city. Such study shall include recommendations on whether and when the city should require the use of five percent biodiesel (B5) by volume in heating oil in all buildings and shall be issued to the mayor and the speaker of the council by April 2, 2015

§ 10. Subdivision c of section 24-518.1 of the administrative code of the city of New York is REPEALED.

§ 11. Chapter 23 of title 11 of the administrative code of the city of New York is REPEALED.

§ 12. This local law takes effect immediately.

Referred to the Committee on Governmental Operations (preconsidered but laid over by the Committee on Governmental Operations).

Res. No. 546

Resolution calling on the New York City Rent Guidelines Board to adopt a rent decrease for one- and two-year leases beginning on or after October 1, 2023 and on or before September 30, 2024.

By Council Members De La Rosa, Richardson Jordan, Abreu, Farías and Marte.

Whereas, New York City (NYC) has a system of rent regulations, known as “rent stabilization,” that was enacted in 1969 due to the rising rent of many post-war buildings; and

Whereas, Under the Rent Stabilization Law, tenants in rent stabilized apartments are protected from dramatic increases in rent and have the right to renew their leases; and

Whereas, The NYC Rent Guidelines Board (RGB) is mandated to establish rent adjustments for the approximately one million dwelling units subject to the Rent Stabilization Law in NYC; and

Whereas, Each year, the RGB holds a number of meetings and hearings to consider research from staff, and testimony from owners, tenants, advocacy groups and industry experts, largely to establish basic rent adjustments for renewal leases in apartments, hotels and lofts; and

Whereas, Since 1983, tenants of rent stabilized apartments have had the option of choosing between one- and two-year renewal leases, with an estimated 90% of all stabilized tenants having a renewal lease, and 10% of stabilized tenants move or “turn over” each year; and

Whereas, Typically, the RGB votes on rent adjustments each June, which are meant to apply to leases with effective dates between October 1 of that year and September 30 of the following year; and

Whereas, The RGB, as required by the Rent Stabilization Law, must consider the following before adopting rent guidelines: the economic condition of the residential real estate industry in NYC, including the prevailing and projected real estate taxes and sewer and water rates, gross operating maintenance costs, costs and availability of financing, and over-all supply of housing accommodations and over-all vacancy rates; relevant data from the current and projected cost of living indices for the affected areas; and other data as made available; and

Whereas, In June 2021, the RGB adopted 2022 Apartment and Loft Order #54, which increased rent levels for one- and two-year leases of apartments and lofts beginning October 1, 2022 through September 30, 2023 by 3.25% and 5%, respectively, from the previous year; and

Whereas, The adoption came after a divided RGB vote, which passed by a vote of only five to four, and represents the largest rent increase for rent stabilized apartments since 2013, with average rent increases during the administration of former-Mayor Bill de Blasio being just over 1% per year; and

Whereas, As NYC is in the midst of an affordable housing crisis, with NYC’s eviction rate increasing since January 2022 after the eviction moratorium expired, and the number of people sleeping in a NYC Department of Homeless Services shelter reaching a record high in January of 2023, the RGB should adopt a rent decrease, sometimes called a “rollback,” for leases beginning on or after October 1, 2023 and on or before September 30, 2024; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York City Rent Guidelines Board to adopt a rent decrease for one- and two-year leases beginning on or after October 1, 2023 and on or before September 30, 2024.

Referred to the Committee on Housing and Buildings.

Res. No. 547

Resolution calling upon the New York City School Construction Authority (SCA) and the New York City Department of Design and Construction (DDC) to reconsider their decision to substitute precast concrete wall panels in place of traditional handset brick and block walls in public projects in New York City.

By Council Members De La Rosa, Ung, Krishnan, Gennaro and Farías.

Whereas, The New York City School Construction Authority (SCA) is the central authority governing the construction and renovation of schools in New York City; and

Whereas, New York City’s Department of Design and Construction (DDC), meanwhile, acts as the principal project manager on the City’s capital construction projects; and

Whereas, As such, design guidelines and building preferences adopted by both the SCA and DDC have a marked impact on the construction industry, particularly in New York State (NYS); and

Whereas, Over the past few years, the SCA has issued design guidelines that prefer using precast concrete wall panels (PCPs) instead of traditional handset brick and block, in its construction process; and

Whereas, Similarly, DDC has several major projects currently in process where PCPs are being utilized; and

Whereas, The preference for using PCPs over handset brick and block has a number of negative economic, environmental and equity impacts on New York City (NYC); and

Whereas, In 2022, Governor Kathy Hochul signed the Low Embodied Carbon Concrete Leadership Act (LECCLA) which calls for low-embodied carbon concrete to be used in NYS public projects and for agencies and boards appointed pursuant to NYS Law to develop guidelines for procuring low-embodied carbon concrete; and

Whereas, In 2022, Mayor Eric Adams issued two Executive Orders (EOs) #22 and #23, wherein the former directs all NYC agencies to tailor opportunities to support employment of city residents and to support diversity in hiring and the latter directs all NYC agencies to incorporate low-carbon solutions in order to reduce CO2 emissions in construction; and

Whereas, The City Council fully supports the policies of the LECCLA, EO#22 and EO#23 and asks both the SCA and the DDC to adhere to all three; and

Whereas, A 2022 study on the economic impacts of handset brick and block walls versus PCPs used in the construction of NYC schools concluded that, for every \$1 million expenditure on handset brick and block walls, an additional \$1.25 million is generated in the local NYC economy over and above a \$1 million expenditure on PCPs; and

Whereas, Furthermore, this same report from Pinnacle Economics found that using handset brick and block instead of PCPs increased working hours for most local trades workers and manufacturing workers and that 68 percent of those hours benefited minority workers in NYC; and

Whereas, Of the top ten PCP manufacturers in the United States, there are none in New York but there are multiple block manufacturers in NYS including one block manufacturer New York City; and

Whereas, An analysis from the 2022 comparative report from Pinnacle Economics shows that “block/brick walls represent 10.9 percent of total project costs and are locally produced in NYC while precast concrete panels represent 74.8 percent of total project costs and are imported”; and

Whereas, According to the Concrete Masonry Association of California and Nevada, using handset brick and block over PCPs benefits the environment by reducing the amount of cement required in the construction of a wall, thus reducing CO2 emissions in construction; and

Whereas, Local manufacturers of concrete masonry blocks use local recycled material in the forms of processed glass collected from the NYC waste stream and the carbon capture system as featured in a March 10, 2023 *New York Times* article, which further reduces the CO2 impact of the locally sourced concrete masonry blocks, the out-of-state PCP manufacturers do not; and

Whereas, Given that all of the largest PCP manufacturers are outside of New York, the decision to use PCPs has a negative environmental impact because the material has to be transported into NYS and, further, has a negative economic impact because PCPs support out-of-state businesses to the detriment of NYS citizens and businesses; and

Whereas, While PCPs may expedite the construction process, the 2021 data collected by RSMeans Data from the Gordian Group shows that, nationally, PCPs cost nearly 36 percent more per square foot for material and installation than handset brick and block walls; and

Whereas, The replacement of handset brick and block laying with PCPs places local manufacturing along with the brick and block-laying trades at risk; and

Whereas, According to data from the United States Bureau of Labor Statistics, NYS had the highest employment level of brickmasons, blockmasons and mason tenders in the country; and

Whereas, As a City with a diverse structural landscape, NYC relies heavily on these trades and manufacturing workers to build, repair, maintain, and fabricate construction materials for its new and historical building stock; now, therefore, be it

Resolved, That the Council of the City of New York calls on the SCA and the DDC to reconsider their decisions to substitute PCPs in place of traditional, handset brick and block walls in public projects in NYC.

Referred to the Committee on Governmental Operations.

Int. No. 985

By Council Members Dinowitz, Yeger and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to provision of senior citizen rent increase exemption application forms pre-populated with applicable data to eligible persons living in city-supervised Mitchell-Lama housing

Be it enacted by the Council as follows:

Section 1. Section 11-139 of the administrative code of the city of New York, as amended by local law 80 of 2020, is amended by adding a new subdivision d to read as follows:

d. Residents in Mitchell-Lama housing subject to city income verification. Where residents in a Mitchell-Lama development satisfactorily submit an annual income verification affidavit to the department of housing preservation and development and where the gross household income for such residents stated in such affidavit matches the gross household income for such residents stated in records of the New York State Department of Taxation and Finance, and such residents otherwise meets the eligibility criteria for the senior citizen rent increase exemption program, the department of housing preservation and development shall in coordination with the department of finance provide to such residents an application form, pre-populated with applicable data, for the senior citizen rent increase exemption program. Such form shall be accompanied with a letter from the department of housing preservation and development explaining to such residents what the senior citizen rent increase exemption program is, why they are receiving the form, and instructions for such residents to review, complete as necessary, and return the form to the department of housing preservation and development to begin the enrollment process in the senior citizen rent increase exemption program. For the purposes of this subdivision, "Mitchell-Lama development" shall mean a housing development organized pursuant to article two of the private housing finance law and is supervised by the department of housing preservation and development.

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

Referred to the Committee on Aging.

Preconsidered Int. No. 986

By Council Member Farías.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to amending and repealing certain outdated and unnecessary advisory boards, task forces and commissions, including the repeal of the following provisions of the New York city charter: subdivision f of section 1403, concerning the resource recovery task force; subdivision j of section 2704, concerning the mayor's task force on service delivery; and also the repeal of the following provisions of the administrative code of the city of New York: section 3-111, concerning the mayor's drug enforcement and drug abuse task force; section 10-117.1, concerning an anti-graffiti task force;

subdivision c of section 10-160, concerning a temporary task force on limited access entry door requirements for automated teller machines; chapter 3 of title 15, concerning an arson strike force; subdivision h of section 17-196, concerning an advisory panel and report on an electronic death registration system; section 17-349, concerning a dangerous dog advisory board; section 17-361, concerning a tattoo advisory board; subdivisions c, d and e of section 18-136, concerning an advisory committee on surfacing materials used around play equipment; section 19-101.5, concerning an electric vehicle advisory committee; section 19-306, concerning a temporary citywide boater safety and wake reduction task force; section 20-521, concerning an interagency advisory council on tow truck licenses; section 21-118, concerning a commission for the foster care of children; section 21-120.3, concerning a temporary task force on child care funding; section 21-123, concerning a temporary commission on childhood and child caring programs; and chapter 8 of title 21, concerning day laborer job centers

Be it enacted by the Council as follows:

Section 1. Subdivision f of section 1403 of the New York city charter is REPEALED and subdivisions g, h and i of such section are relettered subdivisions f, g and h, respectively.

§ 2. Subdivision j of section 2704 of the New York city charter is REPEALED and subdivision k of such section is relettered subdivision j.

§ 3. Section 3-111 of the administrative code of the city of New York is REPEALED.

§ 4. Section 10-117.1 of the administrative code of the city of New York is REPEALED.

§ 5. Section 10-158.2 of the administrative code of the city of New York, as added by local law number 117 for the year 2005, is amended to read as follows:

§ 10-158.2 Wake reduction educational material. *a. Definitions. For purposes of this section, the following terms have the following meanings:*

Operator. The term “operator” means any person or private or governmental entity that owns or operates a water-borne vessel.

Water-borne vessel. The term “water-borne vessel” means any water craft operating within the city or its territorial waters, including any commuter ferry, tugboat, speedboat, motorboat and personal watercraft, but excluding any seaplane.

b. The commissioner of parks and recreation, in consultation with the police commissioner, shall prepare and make available to operators of water-borne vessels[, as defined in section 19-306 of this code,] within the city [of New York] or its territorial waters, and operators of piers, marinas and boat repair yards educational materials related to the dangers of wakes to the safety of boaters in water-borne vessels in the water; the potentially adverse impact of wakes to piers and other shoreline structures, waterfront recreational facilities and parks, the shoreline itself, and wetlands along the city’s waterfront; the importance of minimizing wakes as a water-borne vessel operates in a vessel regulation zone or “no wake area[;?]”; and which government entities have jurisdiction over rule-making and enforcement in the territorial waters of the city [of New York].

§ 6. Paragraph (2) of subdivision b of section 10-160 of the administrative code of the city of New York, as added by local law number 70 for the year 1992, is amended to read as follows:

(2) [within six months after the submission of the report of the temporary task force required by subdivision c of this section,] entry doors equipped with locking devices which permit entry to such facility only to persons using an automated teller machine card or access code issued by a bank for that purpose. Provided, however, that any automated teller machine facility located within the interior of a building that is not equipped with such entry door locking devices [within six months after the submission of such report] shall [thereafter] have at least one security guard stationed therein during the period of time after regular banking hours when such automated teller machine facility is available to banking customers.

§ 7. Subdivision c of section 10-160 of the administrative code of the city of New York is REPEALED and subdivisions d, e, f, g, h, i and j of such section are relettered c, d, e, f, g, h, and i respectively.

§ 8. Chapter 3 of title 15 of the administrative code of the city of New York is REPEALED.

§ 9. Subdivision h of section 17-196 of the administrative code of the city of New York is REPEALED and subdivision j of such section is relettered subdivision h.

§ 10. Section 17-349 of the administrative code of the city of New York is REPEALED.

§ 11. Section 17-361 of the administrative code of the city of New York is REPEALED.

§ 12. Subdivision b of section 18-136 of the administrative code of the city of New York, as added by local law number 19 for the year 2010, is amended to read as follows:

b. The department shall on an ongoing basis consult with the department of health and mental hygiene to identify and evaluate new surfacing materials that have not been previously used for any playgrounds or athletic fields by the department to determine whether such materials may benefit the public by enhancing recreational activities and to evaluate potential health or safety impacts. In performing such an evaluation, the department shall assess reasonably available information on new surfacing materials to determine if such surfacing materials are appropriate for recreational activities in parks and meet existing safety and health standards, including, but not limited to the standards of the American society for testing and materials, the American national standards institute, and the United States consumer products safety commission guidelines set out in its “Handbook for Public Playground Safety”, applicable to such materials. Such evaluation shall also include an assessment of reasonably available information regarding whether or not such materials may present any health or safety risk, including whether such materials retain high levels of heat or contain hazardous levels of known carcinogens [and/or] *or* toxic substances, and of any available studies of such materials that address environmental issues. Such evaluation shall also include an assessment of alternative surfaces and technologies considered, including natural surfacing. The department shall use best efforts to locate all pertinent sources of information on any surfacing material under evaluation, provided that nothing in this section shall be construed to require the performance of an exhaustive search of all information available on any such material. [The department shall at least every six months provide to the advisory committee described in this section a report regarding any evaluation of new surfacing materials intended to be used by the department and prior to such use by the department, or provide to the advisory committee a written statement that no such report exists.]

§ 13. Subdivisions c, d and e of section 18-136 of the administrative code of the city of New York are REPEALED.

§ 14. Section 19-101.5 of the administrative code of the city of New York is REPEALED.

§ 15. Section 19-306 of the administrative code of the city of New York is REPEALED.

§ 16. Section 20-521 of the administrative code of the city of New York is REPEALED.

§ 17. Section 21-118 of the administrative code of the city of New York is REPEALED.

§ 18. Section 21-120.3 of the administrative code of the city of New York is REPEALED.

§ 19. Section 21-123 of the administrative code of the city of New York is REPEALED.

§ 20. Chapter 8 of title 21 of the administrative code of the city of New York is REPEALED.

§ 21. This local law takes effect immediately.

Referred to the Committee on Governmental Operations (preconsidered but laid over by the Committee on Governmental Operations).

Res. No. 548

Resolution calling on the Commissioner of Citywide Administrative Services to implement the band scoring method for establishing eligible lists for competitive civil service titles.

By Council Member Farías.

Whereas, New York City (City) pioneered the development of the merit-based civil service exam, the gold standard of good government practice that has protected the civil service system for over a century; and

Whereas, In 1885, New York became the first state to adopt a civil service system for its State workers with the passage of a merit-and-fitness requirement in the State constitution; and

Whereas, The civil service exam assesses a candidate’s potential job performance in a fair and competitive manner, and serves as the pathway into competitive civil service positions; and

Whereas, While the exam system operates to safeguard the integrity of the civil service system, there are numerous opportunities to modernize the process while prioritizing equity and efficacy; and

Whereas, To ensure the City remains a competitive employer and hires skilled civil servants, it is the responsibility of the Commissioner of Citywide Administrative Services to reform and streamline the exam process in order to support a continuous pipeline of qualified workers into City agencies; and

Whereas, Exam scoring methodology is primed for reform; and

Whereas, The State Civil Service Law restricts agency hiring decisions to a choice of the three highest-scoring candidates on a rank-ordered list, under what is known as the 1-in-3 rule; and

Whereas, Tied scores are treated equally in listing, so more than three eligible candidates may be considered for appointment to an open competitive position; and

Whereas, Other states have eliminated the 1-in-3 restriction altogether and adopted an alternative scoring method known as band scoring; and

Whereas, Band scoring establishes statistically equivalent score ranges, such as 100-96, which signify that the point differential within a score range is not a meaningful difference in predicting the candidate's qualifications; and

Whereas, Proponents of band scoring argue that the City should treat similarly candidates who have demonstrated equivalent merit and fitness in their raw examination scores, thereby maximizing the pools of qualified candidates and amplifying the opportunity for matches between candidates and hiring agencies; and

Whereas, Band scoring would grant some discretion to the hiring manager to identify candidates who are best suited for the job, not simply those who perform the best on the exam; and

Whereas, The use of this scoring method may be implemented under the Civil Service Law, and should be the preferred scoring method used by the Commissioner of Citywide Administrative Services; and

Whereas, Government reform advocates endorse the band scoring technique; and

Whereas, A 2011 Workforce Reform Taskforce, assembled by the former Bloomberg Administration, and a 2012 Capstone Team, assembled by the non-profit organization Citizens Union, both recommended that where sound and consistent with the City's rules, the City should adopt band scoring; and

Whereas, Since its inception, the civil service system evolved to serve the City's best interests and to ensure the quality of the City's civil servants; and

Whereas, Band scoring would promote equity and fairness by expanding civil service opportunities for a larger pool of eligible candidates; and

Whereas, Band scoring would also promote more holistic consideration of eligible candidates and give hiring agencies a chance to find candidates of best fit; now, therefore, be it

Resolved, That the Council of the City of New York calls on the Commissioner of Citywide Administrative Services to implement the band scoring method for establishing eligible lists for competitive civil service titles.

Referred to the Committee on Governmental Operations.

Int. No. 987

By Council Members Feliz, Brooks-Powers, Salamanca, Powers, Yeger, Menin, Schulman, Gennaro, Restler, Hanks and Kagan.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the operation of a motor vehicle with fraudulent or expired license plates

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 10 of the administrative code of the city of New York is amended by adding a new section 10-182.1 to read as follows:

§ 10-182.1 Unlawful operation of a motor vehicle with a fraudulent or expired license plate. a. It is unlawful for any person to operate a motor vehicle with a fraudulent license plate, including a fraudulent temporary license plate.

b. It is unlawful for any person to operate a motor vehicle with an expired license plate, including an expired temporary license plate.

c. Civil penalty. 1. Any person who violates subdivision a of this section shall be liable for a civil penalty of not less than \$500 for the first violation and not less than \$1,000 for each subsequent violation.

2. Any person who violates subdivision b of this section shall be liable for a civil penalty of not less than \$300 for the first violation and not less than \$500 for each subsequent violation, except that a person shall not be subject to such civil penalty if such person proves within 10 business days of the issuance of the notice of violation and prior to the commencement of an adjudication of such notice, that the violation has been cured.

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

Referred to the Committee on Public Safety.

Int. No. 988

By Council Members Feliz, Velázquez, Restler, Yeger, Menin, Schulman, Gennaro, Hanks and Kagan.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the sale or distribution of fraudulent license plates

Be it enacted by the Council as follows:

Section 1. Section 10-182 of the administrative code of the city of New York, as added by local law number 22 for the year 2022, is amended to read as follows:

§ 10-182 Unlawful sale or distribution of materials that obscure license plates; *unlawful sale or distribution of fraudulent license plates.* a. It is unlawful for any person or entity to sell, offer for sale or distribute any artificial or synthetic material or substance for the purpose of application to the license plate of a motor vehicle that will, upon application to such license plate, conceal or obscure the number on such license plate or distort a recorded or photographic image of such license plate.

b. It is unlawful for any person or entity to sell, offer for sale or distribute a fraudulent license plate, including a fraudulent temporary license plate.

[b.] c. Authorized agents and employees of the police department, and of any other agency designated by the mayor, shall have the authority to enforce the provisions of subdivisions a *and b* of this section.

[c.] d. Civil penalty. *1. Any person who violates subdivision a of this section shall be liable for a civil penalty of not less than \$300 for the first violation and not less than \$500 for each subsequent violation, which may be recoverable in a proceeding before the office of administrative trials and hearings, pursuant to chapter 45-A of the charter.*

2. Any person who violates subdivision b of this section shall be liable for a civil penalty of not less than \$1,000 for the first violation and not less than \$2,000 for each subsequent violation, which may be recoverable in a proceeding before the office of administrative trials and hearings, pursuant to chapter 45-A of the charter.

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

Referred to the Committee on Public Safety.

Res. No. 549

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.2422, also known as ‘Sammy’s Law,’ in relation to allowing New York city to establish a lower speed limit, and A.1901, enacting a crash victims bill of rights, as well as the other bills of the package known as the SAFE Streets Act.

By Council Members Gutiérrez, Hanif, Restler, Richardson Jordan and Marte.

Whereas, In an effort to reduce dangerous driving and prevent injuries caused by traffic crashes, the city instituted its Vision Zero policy in 2014, a policy built on the premise that deaths and serious injuries in traffic

are not inevitable "accidents," but preventable crashes that can be ended through engineering, enforcement, and education; and

Whereas, As part of Vision Zero, New York City officials successfully requested that the State allow it to lower the default speed limit from 30 miles per hour to 25 miles per hour throughout the City and to as low as 15 miles per hour alongside schools and on streets where the City has implemented traffic calming measures; and

Whereas, According to data and analysis, pedestrians that are struck by vehicles travelling at 30 miles per hour are twice as likely to be killed as pedestrians that are struck by a vehicle travelling at 25 miles per hour; and

Whereas, Pedestrians fatality rates have been found to be significantly higher in high-poverty neighborhoods when compared to low-poverty neighborhoods; and

Whereas, According to the NYC Department of Transportation, where Neighborhood Slow Zones have been implemented, bringing the local speed limit down to 20 miles per hour, there has been a 14% reduction in injurious crashes and a 31% reduction in injuries for both drivers and passengers; and

Whereas, Since the implementation of these measures, traffic fatalities in New York City have declined significantly, going from 701 in 1990, to 381 in 2000, to an all-time low of 202 in 2018; and

Whereas, In 2019, the City Council passed Local Law 195 of 2019, known as the New York City Streets Master Plan, to improve the safety and accessibility of the City's streets for all New Yorkers through benchmarks for the construction of hundreds of miles of dedicated bus lanes and protected bike lanes; and

Whereas, In the ongoing efforts to combat dangerous and reckless driving, the City Council passed a local law creating the Dangerous Vehicle Abatement Program, under Local Law 36 of 2020, which requires the registered owner of a vehicle with 15 or more adjudicated school speed camera violations or five or more adjudicated red light camera violations during any 12-month period to complete an approved safe vehicle operation course offered by the New York City Department of Transportation, with failure to complete such course permitting the department to seek an order of seizure and impoundment and, if sustained, for the New York City Sheriff to seize such vehicle until such time as such course is completed; and

Whereas, Despite all these measures undertaken by the City over the years, dangerous and reckless drivers still pose a threat to the safety of all New Yorkers and additional steps need to be taken to address this hazard as recent data reveals that there were 273 traffic fatalities in the city in 2021, the highest number since 2013, and 255 traffic fatalities in 2022; and

Whereas, In the 2022-2023 session of the New York State Legislature, there is a package of bills collectively known as the SAFE (Streets Are For Everyone) Streets Act, that was introduced with the goal of taking aggressive action against dangerous driving, encourage street redesigns to improve safety, and provide support to crash victims and their families; and

Whereas, One of these bills is S2422, sponsored by State Senator Brad Hoylman-Sigal, commonly referred to as "Sammy's Law," which would allow New York City to establish its own lower speed limits by removing the current State restrictions that set the default citywide speed limit at no less than 25 miles per hour; and

Whereas, The sponsor of S2422 explains the need for the measure by citing a study conducted by AAA which estimated that 30 percent of pedestrians struck by motor vehicles at an impact speed of 25 miles per hour will sustain serious injury and about 12 percent will die, but that 91 percent of those struck at impact speeds below 15 miles per hour do not sustain serious injuries, and fewer of them will die; and

Whereas, Another bill that is included in the SAFE Streets Act is A1901, sponsored by Assembly Member Deborah J. Glick, which would enact a "Crash Victims Bill of Rights," requiring accident reports to be delivered to victims of accidents or their next of kin; victim impact statements to be delivered at traffic infraction hearings by injured parties or their next of kin; and employers to grant leave of absence to employees delivering a victim impact statement at a traffic infraction hearing; and

Whereas, The SAFE Streets Act also includes S1724, sponsored by State Senator Pete Harckham, and its companion bill A4346, sponsored by Assembly Member Phil Steck, which would grant safe passage to cyclists by requiring motorists to pass them from behind at a safe distance of no less three feet; and

Whereas, Other bills in the SAFE Streets Act include S100, sponsored by State Senator Sean M. Ryan, and its companion bill A3180, sponsored by Assembly Member Didi Barrett, which would require the consideration of complete street design for certain transportation projects that receive federal or state funding; and S2714, sponsored by State Senator Timothy Kennedy, and its companion bill A1280, sponsored by Assembly Member

Jonathan D. Rivera, which would enable safe access to public roads for all users by utilizing complete street design principles in resurfacing, maintenance and pavement recycling projects; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, S.2422, also known as ‘Sammy’s Law,’ in relation to allowing New York city to establish a lower speed limit, and A.1901, enacting a crash victims bill of rights, as well as the other bills of the package known as the SAFE Streets Act.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 989

By Council Members Hanif, De La Rosa, Richardson Jordan, Farías, Restler and Menin.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of citywide administrative services to provide civil service exams in languages other than English

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 12 of the administrative code of the city of New York is amended by adding a new section 12-213 to read as follows:

§ 12-213 *Language of civil service exams. a. Definitions. For the purposes of this section, the term “department” means the department of citywide administrative services.*

b. The department, in consultation with relevant agencies, shall identify all civil service positions that do not require fluency in English for which the department offers an exam and shall provide such exams in each of the designated citywide languages, as defined in section 23-1101.

c. For the civil service exams identified pursuant to subdivision b, the department shall consult with the office of immigrant affairs and community-based organizations to determine additional languages, other than the designated citywide languages, in which to offer such exams, based on the needs of a sizeable population in the city who primarily speak such additional languages.

d. For the civil service exams identified pursuant to subdivision b, the department shall allow exam takers to request the exam in the language of their choice. The department shall provide the exam in the requested language or provide a written rationale for why the exam cannot be offered in the requested language.

e. The department and the office of immigrant affairs shall conduct outreach and education about the provisions of this section.

§ 2. This local law takes effect immediately, except that subdivision d of section 12-213 of the administrative code of the city of New York, as added by section one of this local law, takes effect 180 days after it becomes law.

Referred to the Committee on Governmental Operations.

Res. No. 550

Resolution recognizing May as Lupus Awareness Month in the city of New York.

By Council Members Hanif, Farías, Restler and Marte (by request of the Bronx Borough President).

Whereas, Lupus is a chronic autoimmune disease that can cause inflammation and pain in any part of the body, and which most commonly impacts the skin, joints, and internal organs; and

Whereas, Although there are multiple types of lupus, including cutaneous lupus, drug-induced lupus, and neonatal lupus, systemic lupus is the type most commonly discussed; and

Whereas, Because lupus can impact any part of the body and is an autoimmune disease—meaning that a person’s immune system is actually attacking healthy tissue—a wide range of acute and chronic symptoms can occur, including extreme fatigue, headaches, painful joints, fever, hair loss, anemia, abnormal blood clotting, and mouth or nose ulcers; and

Whereas, In addition to the health impacts of lupus, the disease also carries large economic impacts, with some studies estimating the mean annual total costs for people with lupus (combining direct and indirect costs) being as high as \$50,000; and

Whereas, According to the Centers for Disease Control (CDC), lupus is relatively uncommon and difficult to diagnose; and

Whereas, According to the CDC, unlike diseases that are required by law to be reported to state or local public health officials, lupus is not a reportable disease and therefore is more difficult and costly to reliably track for epidemiologic studies; and

Whereas, Despite challenges in accurately tracking and counting the number of cases, the Lupus Foundation of America estimates that 1.5 million Americans, and at least five million people worldwide, have some form of lupus, with women of childbearing age and women of color being disproportionately impacted; and

Whereas, In New York City (NYC), the most accurate estimates of the number of cases of lupus, although only counting those residing in Manhattan, comes from the Manhattan Lupus Surveillance Program (MLSP), a collaboration between NYU Langone Health and NYC’s Department of Health and Mental Hygiene, with supportive funding from the CDC; and

Whereas, The MLSP’s research, first published in September of 2017, reviewed medical records of Manhattan residents from 2007 through 2009 and estimated that overall lupus prevalence rates per 100,000 cases per year by race were: 51.4 cases (white), 133.1 cases (Black), 84.6 cases (Hispanic), and 75.5 cases (Asian); and

Whereas, According to MLSP investigators, its findings emphasize the need for improvements in the diagnosis of lupus in the aforementioned demographic groups, which would help support future efforts to expand awareness and improve access to care for those at risk of lupus; and

Whereas, According to the Lupus Foundation of America, May is recognized as Lupus Awareness Month nationwide, with World Lupus Day occurring on May 10, and Put on Purple Day occurring on May 15, which is an effort to wear purple and encourage awareness around lupus; and

Whereas, A 2019 survey conducted by the Lupus Foundation of America showed that 63% of Americans surveyed have never heard of lupus or know little or nothing about the disease; and

Whereas, As NYC residents are impacted by lupus, the month of May should be recognized as Lupus Awareness Month throughout the city in an effort to increase awareness, educate the public about lupus and its impacts, and ensure that proper funding is provided for critical research, programs, and services related to lupus; now, therefore, be it

Resolved, That the Council of the city of New York recognizes May as Lupus Awareness Month in the city of New York.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Int. No. 990

By Council Members Holden, Restler, Gennaro, Dinowitz, Williams and Paladino.

A Local Law to amend the administrative code of the city of New York, in relation to shelter sleeping areas

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-312.1 to read as follows:

§ 21-312.1 Shelter sleeping area. a. For purposes of this section, the term “shelter” means temporary emergency housing provided to homeless single adults by the department or a provider under contract or similar agreement with the department.

b. The commissioner shall ensure that each adult resident of a shelter has at least an individual sleeping area with, at a minimum, a partition separating it from other sleeping areas. The height of such partition shall be sufficient to afford individual privacy, and each individual sleeping area shall be at least the minimum size required by applicable law, rules, or regulations. Where movable partitions are used to separate individual sleeping areas the commissioner shall ensure that each partition has a private door that does not have the ability to lock.

c. The requirements set forth in subdivision b of this section shall not be construed to interfere with contracts or agreements between the department and a shelter provider in effect on the effective date of this section, but shall apply to contracts or agreements executed, renewed, or modified after the effective date of this section.

§ 2. This local law takes effect 1 year after it becomes law.

Referred to the Committee on General Welfare.

Int. No. 991

By Council Members Holden, Borelli, Ariola, Yeger, Carr, Vernikov, Paladino, Kagan, Gennaro and Williams.

A Local Law to amend the administrative code of the city of New York, in relation to cure periods for certain violations by veterans service organizations

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 15 of the administrative code of the city of New York is amended by adding a new section 15-147 to read as follows:

§ 15-147 Cure periods for certain department violations issued to veterans service organizations. a. Definitions. For the purposes of this section, the term “veterans service organization” has the same meaning as set forth in section 31-101.

b. Pursuant to this section and any rule promulgated thereunder, notwithstanding any other provision of law, a veterans service organization has 120 days from the service of a notice of a department violation to cure such violation without incurring a fine or civil penalty. The department shall determine by rule which violations are curable pursuant to this section and the process for curing any such violation. The submission of proof of a cure, if accepted by the department, is deemed an admission of liability for all purposes. The department shall not apply such cure period to any violation that is an immediate threat to safety.

c. After the cure period established by subdivision b of this section expires, the veterans service organization may request an extension of time from the department to cure the violation. The veterans service organization shall make such a request in a manner and form determined by the department by rule and shall include proof that such organization attempted to cure the violation within the initial cure period established by subdivision b of this section.

§ 2. Chapter 1 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-144 to read as follows:

§ 16-144 Cure periods for certain department violations issued to veterans service organizations. a. Definitions. For the purposes of this section, the term “veterans service organization” has the same meaning as set forth in section 31-101.

b. Pursuant to this section and any rule promulgated thereunder, notwithstanding any other provision of law, a veterans service organization has 120 days from the service of a notice of a department violation to cure such violation without incurring a fine or civil penalty. The department shall determine by rule which violations are curable pursuant to this section and the process for curing any such violation. The submission of proof of a cure, if accepted by the department, is deemed an admission of liability for all purposes. The department shall not apply such cure period to any violation that is an immediate threat to safety.

c. After the cure period established by subdivision b of this section expires, the veterans service organization may request an extension of time from the department to cure the violation. The veterans service organization shall make such a request in a manner and form determined by the department by rule and shall include proof that such organization attempted to cure the violation within the initial cure period established by subdivision b of this section.

§ 3. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-200.1 to read as follows:

§ 17-200.1 Cure periods for certain department violations issued to veterans service organizations. a. Definitions. For the purposes of this section, the term “veterans service organization” has the same meaning as set forth in section 31-101.

b. Pursuant to this section and any rule promulgated thereunder, notwithstanding any other provision of law, a veterans service organization has 120 days from the service of a notice of a department violation to cure such violation without incurring a fine or civil penalty. The department shall determine by rule which violations are curable pursuant to this section and the process for curing any such violation. The submission of proof of a cure, if accepted by the department, is deemed an admission of liability for all purposes. The department shall not apply such cure period to any violation that is an immediate threat to safety.

c. After the cure period established by subdivision b of this section expires, the veterans service organization may request an extension of time from the department to cure the violation. The veterans service organization shall make such a request in a manner and form determined by the department by rule and shall include proof that such organization attempted to cure the violation within the initial cure period established by subdivision b of this section.

§ 4. Subchapter 1 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-159.7 to read as follows:

§ 19-159.7 Cure periods for certain department violations issued to veterans service organizations. a. Definitions. For the purposes of this section, the term “veterans service organization” has the same meaning as set forth in section 31-101.

b. Pursuant to this section and any rule promulgated thereunder, notwithstanding any other provision of law, a veterans service organization has 120 days from the service of a notice of a department violation to cure such violation without incurring a fine or civil penalty. The department shall determine by rule which violations are curable pursuant to this section and the process for curing any such violation. The submission of proof of a cure, if accepted by the department, is deemed an admission of liability for all purposes. The department shall not apply such cure period to any violation that is an immediate threat to safety.

c. After the cure period established by subdivision b of this section expires, the veterans service organization may request an extension of time from the department to cure the violation. The veterans service organization shall make such a request in a manner and form determined by the department by rule and shall include proof that such organization attempted to cure the violation within the initial cure period established by subdivision b of this section.

§ 5. Title 24 of the administrative code of the city of New York is amended by adding a new chapter 11 to read as follows:

CHAPTER 11 CURE PERIODS FOR VETERANS SERVICE ORGANIZATIONS

§ 24-1101 Definitions. As used in this chapter, the following terms have the following meanings:

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

Veterans service organization. The term “veterans service organization” has the same meaning as set forth in section 31-101.

§ 24-1102 Cure periods for certain department violations issued to veterans service organizations. a. Pursuant to this section and any rule promulgated thereunder, notwithstanding any other provision of law, a veterans service organization has 120 days from the service of a notice of a department violation to cure such violation without incurring a fine or civil penalty. The department shall determine by rule which violations are curable pursuant to this section and the process for curing any such violation. The submission of proof of a cure, if accepted by the department, is deemed an admission of liability for all purposes. The department shall not apply such cure period to any violation that is an immediate threat to safety.

b. After the cure period established by subdivision a of this section expires, the veterans service organization may request an extension of time from the department to cure the violation. The veterans service organization shall make such a request in a manner and form determined by the department by rule and shall include proof that such organization attempted to cure the violation within the initial cure period established by subdivision a of this section.

§ 6. Section 28-202.1 of the administrative code of the city of New York is amended by adding a new exception 13 to read as follows:

13. Pursuant to this section and any rule promulgated thereunder, notwithstanding any other provision of law, a veterans service organization, as defined by section 31-103, has 120 days from the service of a notice of a department violation to cure such violation without incurring a fine or civil penalty. The department shall determine by rule which violations are curable pursuant to this section and the process for curing any such violation. The submission of proof of a cure, if accepted by the department, is deemed an admission of liability for all purposes. The department shall not apply such cure period to any violation that is an immediate threat to safety. After such cure period expires, the veterans service organization may request an extension of time from the department to cure the violation. The veterans service organization shall make such a request in a manner and form determined by the department by rule and shall include proof that such organization attempted to cure the violation within the initial cure period established by this exception.

§ 7. Section 31-101 of the administrative code of the city of New York is amended by adding a new definition of “veterans service organization” in alphabetical order to read as follows:

Veterans service organization. The term “veterans service organization” means an association, corporation or other entity that qualifies under paragraphs (2), (4), (7), (8), (10), (19) or (23) of subsection (c) of section 501 of the internal revenue code as a tax-exempt organization that has been organized for the benefit of veterans; and that is (i) chartered by congress under part B of subtitle II of title 36 of the United States code, or (ii) recognized or approved by the secretary of the federal department of veterans affairs for purposes of preparation, presentation and prosecution of laws administered by such department under section 5902 of title 38 of the United States code and paragraphs (a) and (c) of section 628 of part 14 of title 38 of the code of federal regulations.

§ 8. Title 31 of the administrative code of the city of New York is amended by adding a new section 31-113 to read as follows:

§ 31-113 Outreach campaign pertaining to cure periods for certain violations. The department shall conduct a public information and outreach campaign to inform veterans service organizations about the cure periods available pursuant to sections 15-147, 16-144, 17-200.1, 19-159.7, 24-1102, and 28-202.1. The department shall also post information about such cure periods on its website.

§ 9. This local law takes effect 120 days after it becomes law, except that the fire department, department of sanitation, department of health and mental hygiene, department of transportation, department of environmental protection, and department of buildings shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Veterans.

Int. No. 992

By Council Members Hudson, Hanks, Narcisse, Stevens, Richardson Jordan and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to the establishment of a process to divert young people to community-based organizations in lieu of arrest

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 14 of the administrative code of the city of New York is amended by adding a new section 14-193 to read as follows:

§ 14-193 Youth diversion guidance. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Community-based organization. The term “community-based organization” means a non-profit organization representing the needs of and providing services to a particular community or a trade union that offers apprenticeship or pre-apprenticeship programs.

Neighborhood coordination officer. The term “neighborhood coordinator officer” means a member of the department who spends their shift in a particular neighborhood and serves as a liaison between the police and the community by among other things, attending community events, visiting schools, and meeting with civic leaders and clergy.

Youth coordination officer. The term “youth coordination officer” means a member of the department who seeks to identify young people at risk of becoming involved with the criminal justice system with the goal of identifying opportunities to coordinate with local community-based organizations to improve youth outcomes.

b. The commissioner shall provide guidance to uniformed officers, including neighborhood coordination officers and youth coordination officers, with respect to diverting young people to community-based organizations to receive services in lieu of criminal enforcement.

c. The commissioner shall submit to the council and the mayor, and post to the department’s website, within 30 days of the beginning of each quarter, a report containing the following information from the previous quarter:

1. The number of patrol precincts, housing police service areas, and transit districts in which the guidance required by subdivision c is being utilized;

2. The number of individuals within each patrol precinct, housing police service area, or transit district diverted pursuant to the guidance required by subdivision c disaggregated by:

(a) Age;

(b) Race;

(c) Gender identity;

(d) Any potential criminal charge the individual may have received in lieu of diversion; and

(e) The name of the community-based organization to which the referral was made.

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

Referred to the Committee on Public Safety.

Int. No. 993

By Council Members Hudson, Menin, Abreu, Restler, Gutierrez, Avilés, Richardson Jordan, Sanchez, Farías and Marte.

A Local Law to amend the administrative code of the city of New York, in relation to a universal after school program plan

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-410 to read as follows:

§ 21-410 Universal after school program plan. a. Definitions. For the purposes of this section, the following terms have the following meanings

After school program. The term “after school program” means any organized program, under the jurisdiction of either the department of youth and community development or the department of education, that occurs outside the traditional school day which allows students to participate in expanded learning activities that include, but are not limited to, academic support, arts and cultural enrichment, recreation, sports, nutrition, youth development, and mentoring.

Department. The term “department” means the department of youth and community development.

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

Student. The term “student” means any pupil under the age of twenty-one as of September first of the academic period being reported, who does not have a high school diploma and who is enrolled in a school as school is defined in this subdivision.

b. Subject to appropriation, no later than September 1, 2024, the department, in consultation with the department of education, shall make an after school program slot available for any student who requests one.

§ 2. Universal after school program reporting. a. No later than September 1, 2023, and annually thereafter on or before September 1, the department, in consultation with the department of education, shall submit to the mayor and speaker, conspicuously post to its website and make available to students and parents, a report detailing the implementation efforts to be undertaken by the city to achieve universal after school pursuant to section 21-410 of the administrative code of the city of New York. Such report shall include, but need not be limited to:

1. An assessment of how many after school slots are needed to achieve universal after school;
2. The availability and cost of creating additional capacity within existing after school programs and how many new after school programs need to be created and the cost associated with creating such programs;
3. Current methods used by the department and the department of education to make students and parents aware of after school programs;
4. The number and percentage of students in each school district taking part in an after school program as compared with the preceding calendar year;
5. The demographic information for students in each after school program including, but not limited to grade, age, race, ethnicity, gender, special education status, and English language learner status as compared with the preceding calendar year;
6. Steps the department and the department of education are taking to increase enrollment in existing after school programs;
7. Implementation deadlines to be achieved in establishing universal after school; and
8. Any other issues related to after school capacity and participation rates in the city that the department of youth and community development and the department of education deem appropriate.

b. Beginning with the second report required pursuant to subdivision a of this section and for every report thereafter, the department, in consultation with the department of education, shall incorporate progress made in achieving implementation deadlines required pursuant to paragraph seven of subdivision a of this section. If implementation deadlines are not able to be met in any given year, the department shall detail why the implementation deadline will not be met and identify remedial steps the department will take to achieve the implementation timeframe in subsequent years.

c. Upon implementation of universal after school pursuant to section 21-410 of the administrative code of the city of New York, the department, in consultation with the department of education, shall certify to the mayor and the speaker that an after school program slot is available for all students.

§ 3. This local law takes effect immediately, except that section two of this local law is deemed repealed at the conclusion of the final calendar year during which the department, in consultation with the department of education, has certified to the mayor and speaker that an after school program slot is available for all students.

Referred to the Committee on Youth Services.

Res. No. 551

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, the Predatory Marketing Prevention Act (S7487C), which relates to false or misleading advertisements of food and food products; provides factors to determine whether an advertisement is false or misleading; provides for enforcement and a private right of action.

By Council Members Hudson and Farías.

Whereas, Childhood and adolescent obesity is a serious problem associated with a higher risk of premature mortality and morbidity in the form of preventable diseases, such as type 2 diabetes, hypertension, fatty-liver

disease, cardiovascular disease, cancer, osteoarthritis, chronic kidney disease, asthma, sleep apnea, and a range of psychological disorders, including eating disorders and depression; and

Whereas, Moreover, obesity is correlated with a compromised immune-system function, a diminished lung capacity, and — consequently — an elevated risk of severe illness, including three times the risk of hospitalization as a result of a COVID-19 infection, and a heightened risk of COVID-19-related death; and

Whereas, In the United States, between 2017 and 2020, among children and adolescents in the 2-19 years age category, 19.7 percent were obese, accounting for approximately 14.7 million children and adolescents; and

Whereas, Nationally, childhood and adolescent obesity burden disproportionately affects low-income and racial minority population groups, with the prevalence of obesity being 26.2 percent among Hispanic children, 24.8 percent among non-Hispanic Black children, 16.6 percent among non-Hispanic white children, 9 percent among non-Hispanic Asian children, 18.9 percent among children and adolescents in the lowest income group, and 10.9 percent among those in the highest income group; and

Whereas, In New York State (NYS), childhood and adolescent obesity rates tripled over the past thirty years, reaching epidemic proportions, with 16.5 percent of NYS (excluding New York City) elementary through high school students being overweight, and 17.3 percent of NYS (excluding New York City) elementary through high school students being obese; and

Whereas, In New York City, between 15 percent and 19.4 percent of children are overweight, and an additional 22 percent to 27 percent of children are obese; and

Whereas, Scientific studies conclude that children's and adolescents' exposure to television and online advertisements of unhealthy food and beverages dense with calories, but low in nutrients, activates sensitive and still-developing neural networks associated with diet self-control; food cravings modulation; reward; emotional response; habit formation; and addiction, serving as a causal factor of childhood and adolescent obesity, with the evidence base being especially strong for children aged 8 years and younger, as well as for children from socioeconomically disadvantaged and racial minority population groups; and

Whereas, Available evidence indicates that statutory regulation is a cost-effective policy response to the obesogenic effect of unhealthy-food advertisements targeted at children, as they are an especially vulnerable audience, who tend to lack a developed ability to understand and protect their interests by rationally overriding their impulses and cravings; and

Whereas, The healthcare savings achieved from statutory regulations outweigh the costs of implementing the policy, with the data from the U.S. National Health and Nutrition Examination Survey indicating that between one in seven and one in three children could be saved from developing obesity by a reduction to zero of exposure to unhealthy-food advertisements; and

Whereas, On October 27, 2021, with the stated aim of protecting children from junk food companies targeting them with false or misleading advertisements, NYS Senator, Zellnor Myrie, introduced Senate Bill S7487C, known as the Predatory Marketing Prevention Act, which would: 1) amend the agriculture and markets law, the general business law, and the public health law in relation to false or misleading advertisements of food and food products; 2) provide factors to determine whether an advertisement is false or misleading; and 3) provide for enforcement and a private right of action; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass and the Governor to sign the Predatory Marketing Prevention Act (S7487C), which relates to false or misleading advertisements of food and food products; provides factors to determine whether an advertisement is false or misleading; provides for enforcement and a private right of action.

Referred to the Committee on Youth Services.

Res. No. 552

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.1150/A.1422, which would permit other qualifying members of a household to qualify for the Disability Rent Increase Exemption program.

By Council Members Hudson, Lee, Richardson Jordan, Yeger, Farías and Restler.

Whereas, The New York City (“NYC” or “City”) Rent Freeze Program, which includes the Disability Rent Increase Exemption (“DRIE”) program, helps those eligible stay in affordable housing by freezing their rent at the current level and exempting them from future rent increases; and

Whereas, Under the NYC Rent Freeze Program, a property tax credit covers the difference between the actual rent amount and what a tenant is responsible for paying at the frozen rate; and

Whereas, To qualify for DRIE, one must be at least 18 years old; be named on the lease/rent order or have been granted succession rights in a rent controlled, rent stabilized or rent regulated hotel apartment; have a combined household income that is \$50,000 or less; spend more than one-third of their monthly household income on rent; and have been awarded Federal Supplemental Security Income (SSI), Federal Social Security Disability Insurance (SSDI), United States (U.S.) Department of Veterans Affairs disability pension or compensation; or disability-related Medicaid if the applicant has received either SSI or SSDI in the past; and

Whereas, An individual may also qualify for DRIE if they satisfy the aforementioned criteria and live in an apartment located in a building where the mortgage was federally insured under Section 213 of the National Housing Act, owned by a Mitchell-Lama development, Limited Dividend housing company, Redevelopment Company or Housing Development Fund Corporation incorporated under the New York State (“State”) Private Housing Finance Law; and

Whereas, The restrictive eligibility requirements for DRIE exclude thousands of households in which a family member has a disability, but is not an eligible head of household under the existing requirements; and

Whereas, S.1150, sponsored by State Senator Cordell Cleare, and A.1422, sponsored by State Assembly Member Harvey Epstein, would amend the language of the real property tax law to make a parent, legal guardian, or other relative of a person with a disability eligible for DRIE, and provide rent relief to households that face similar or identical hardships to those already covered by DRIE; now, therefore be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, S.1150/A.1422, which would permit other qualifying members of a household to qualify for the Disability Rent Increase Exemption program.

Referred to the Committee on Aging.

Res. No. 553

Resolution celebrating the contributions of Marsha P. Johnson and Sylvia Rivera to the LGBTQ+ rights movement in the United States.

By Council Members Hudson, Cabán, Ossé, Richardson Jordan, Schulman, Bottcher, Farías, Restler and Marte.

Whereas, Marsha P. Johnson and Sylvia Rivera were pioneering transgender activists at the vanguard of the LGBTQ+ rights movement; and

Whereas, Ms. Johnson and Ms. Rivera were both drag performers and vibrant characters in Greenwich Village street life who championed homeless LGBTQ+ youth and those affected by H.I.V./AIDS; and

Whereas, They were key figures in the June 1969 Stonewall Uprising who fought police as they raided the LGBTQ+ bar and safe haven on Christopher Street; and

Whereas, Ms. Johnson, who was born in 1945, was 5 years old when she began to wear dresses, but persecution from other children forced her to stop; and

Whereas, After she graduated from high school, Ms. Johnson moved to New York City with just \$15 and a bag of clothes; and

Whereas, Ms. Rivera, who was born in 1951 to a Puerto Rican father and Venezuelan mother, was only 11 when she began living in New York City on her own; and

Whereas, Together, Ms. Johnson and Ms. Rivera founded Street Transvestite Action Revolutionaries (STAR) in 1970, a group that provided shelter and support to poor youth who were shunned by their families; and

Whereas, Ms. Johnson was a "drag mother" of STAR House, in the longstanding tradition of "Houses" as chosen families in the Black and Latinx LGBTQ+ community; and

Whereas, Ms. Johnson worked to provide food, clothing, emotional support, and a sense of family for young drag queens, trans women, and gender nonconformists; and

Whereas, Within the gay rights movement, Ms. Johnson and Ms. Rivera were often sidelined by mainstream organizations that were led by cisgender white men, who excluded transgender people from their activism; and

Whereas, In 1973, Ms. Johnson and Ms. Rivera were banned from participating in the gay pride parade by the gay and lesbian committee administering the event; and

Whereas, Ms. Johnson and Ms. Rivera responded by marching defiantly ahead of the parade; and

Whereas, In 1992, Ms. Johnson's body was pulled from the Hudson River; and

Whereas, Ms. Johnson's death was ruled a suicide, but her peers questioned that determination; and

Whereas, Law enforcement later reclassified the manner of death to drowning from undetermined causes; and

Whereas, In the aftermath of Ms. Johnson's death, Ms. Rivera resurrected the work of STAR, fighting for transgender rights and the enduring legacy of transgender leaders of the LGBTQ+ movement; and

Whereas, Ms. Rivera fought for a trans-inclusive New York State Sexual Orientation Non-Discrimination Act (SONDA), which prohibits discrimination on the basis of actual or perceived sexual orientation in employment, housing, public accommodations, education, credit, and the exercise of civil rights; and

Whereas, The bill eventually passed the New York State legislature in 2002, the same year Ms. Rivera passed away; and

Whereas, Ms. Rivera's legacy lives on through the Sylvia Rivera Law Project, which provides legal assistance to transgender and gender non-conforming people regardless of income or race, and free from harassment and discrimination; and

Whereas, In June of 2019, New York City announced plans to build two monuments honoring both Ms. Johnson and Ms. Rivera for their lifelong commitment to creating safe spaces and ending oppression for LGBTQ+ people; and

Whereas, The efforts of Ms. Rivera and Ms. Johnson still resonate deeply as the health, safety, and autonomy of Black, Brown, and transgender people are still challenged across the country; and

Whereas, Both Ms. Rivera and Ms. Johnson were persistent and enduring voices for the rights of low-income transgender communities, whose work honored the intersectionality of sexual orientation, gender, and race; now, therefore be it

Resolved that the City Council of the City of New York celebrates the contributions of Marsha P. Johnson and Sylvia Rivera to the LGBTQ+ rights movement in the United States.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Res. No. 554

Resolution calling on the New York State Department of Education to mandate bystander intervention training for all staff, educators and administrators, require annual training for students in grades 6-12, and resources for parents around the issues of harassment and bullying.

By Council Members Hudson, Farías, Louis and Restler.

Whereas, Bullying and harassment are serious societal problems and widespread in schools throughout the United States (U.S.); and

Whereas, The most recent data available from the National Center for Education Statistics, a division of the U.S. Department of Education, found that in 2019 approximately 22% or 1 in 5 students ages 12-18 reported being bullied at school during the school year; and

Whereas, According to stopbullying.gov, a federal government website managed by the U.S. Department of Health and Human Services, bullying not only affects those who are bullied, but also those who bully, and those who witness bullying, known as “bystanders”; and

Whereas, Bullying and harassment can interfere with a student’s ability to learn and can lead to lower grades, dropping out of school, mental health issues such as depression and engaging in high risk behaviors such as drug and alcohol abuse, and even suicide; and

Whereas, New York State enacted its own anti-bullying law, the “Dignity for All Students Act” (DASA), in September 2010, which took effect on July 1, 2012; and

Whereas, The goal of DASA is to provide the State’s public school students with a safe and supportive environment free from discrimination, harassment, and bullying; and

Whereas, DASA requires schools to collect and report data regarding incidents of discrimination, harassment, and bullying; and

Whereas, Further, DASA requires school districts to create policies, procedures and guidelines intended to create a school environment that is free from harassment, bullying, and discrimination; and

Whereas, As part of this effort, schools are responsible for providing training to employees to raise awareness of, as well as prevent and respond to, acts of harassment, bullying, and discrimination, and

Whereas, However, DASA doesn’t specify any particular type of employee training, nor require specific anti-bullying and harassment instruction for students, rather leaving it up to individual schools and districts to determine; and

Whereas, Bystander intervention training is an evidence-based strategy to reduce harassment, bullying, and violence; and

Whereas, According to the New York City Commission on Human Rights, "Bystander intervention is built on the idea that we all play a role in creating safe public spaces for each other when we see our neighbors and community members facing bias, discrimination, or harassment"; and

Whereas, Moreover, bystander intervention trainings provide witnesses with the tools and strategies to safely respond when they witness incidents of bullying and harassment; and

Whereas, Anti-bullying intervention programs that have been shown to be most effective implemented activities at the individual, peer, classroom, school, and parent levels; and

Whereas, To date, the New York City Department of Education has not required bystander intervention training for staff (to include teachers, administrators and other appropriate staff) or instruction for students, nor has it provided training and additional resources to parents and guardians of these students; and

Whereas, The quality of implementation of prevention programs has been found to be a significant factor in achieving positive outcomes; and

Whereas, To optimize learning, bystander intervention training and resources should be developed by experts in anti-harassment/anti-bullying spaces in New York City; the training offered to staff, administrators, and parents should be a minimum of 60 minutes and include a live in-person or virtual instructor; and the training offered to students should be a minimum of 2 hours and offered as live, in-person instruction; and

Whereas, Requiring bystander intervention training for school staff, instruction for students, and resources for parents regarding harassment and bullying would help to create a safe environment and positive learning conditions for all students; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Department of Education to mandate bystander intervention training for all staff, educators and administrators, require annual training for students in grades 6-12, and resources for parents around the issues of harassment and bullying.

Referred to the Committee on Education.

Res. No. 555

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.2475, to protect access to gender-affirming care in New York State and combat policies of other states that attempt to ban gender-affirming care.

By Council Members Hudson, Menin, Cabán, Ossé, Richardson Jordan, Schulman, Bottcher, Farías, Restler, Hanif, Ung and Brewer.

Whereas, Gender-affirming care is a supportive form of patient-centered care that treats individuals holistically by aligning their outward physical traits with their gender identity; and

Whereas, Gender-affirming care consists of an array of services including medical, surgical, mental health, and non-medical services for transgender and gender diverse people (TGD); and

Whereas, Most major U.S. medical associations, including those in the fields of pediatrics, endocrinology, psychiatry, and psychology, have issued statements recognizing the medical necessity and appropriateness of gender-affirming care for youth, typically noting harmful effects of denying access to these services; and

Whereas, According to the Center for Disease Control, refusing youth access to gender-affirming care can increase their risk for depression, psychological distress, and suicidal ideation; and

Whereas, The Substance Abuse and Mental Health Services Administration concluded that any therapeutic intervention with the goal of changing a youth's gender expression or identity has proven to be deleterious and outside the mainstream of traditional medical practice; and

Whereas, Despite these warnings, as of March 2022, the Williams Institute at the UCLA School of Law found that 15 states have restricted access to gender-affirming care or are considering laws that would do so; and

Whereas, In February 2022, Governor Abbott of Texas issued a directive defining certain gender affirming services for youth as child abuse and calling for investigation of and penalties for parents who support their children in taking certain medications or undertaking certain procedures, which could include the removal of their children; and

Whereas, In addition, under Governor Abbott's directive, health care professionals who facilitate access to gender affirming services could also face penalties, and a range of professionals in Texas would be mandated to report known use of gender affirming services; and

Whereas, The Kaiser Family Foundation reported that Governor Abbott's directive criminalizing guardians and sanctioning physicians who help young people receive lifesaving care has traumatic consequences for families and youth; and

Whereas, S.2475, sponsored by New York State Senator Brad Hoylman, combats harmful state policies that attempt to ban gender affirming care and punish children, families, and their providers; and

Whereas, S.2475 ensures that laws of another state that authorize a child to be removed from their parent or guardian because the parent or guardian allowed the child to receive gender-affirming care, will not be enforced or applied in cases pending in a New York State court, and that no court shall admit or consider findings of abuse based on gender-affirming care; and

Whereas, Additionally, S.2475 would prohibit the extradition of gender-affirming care providers, seekers of such care, or their parents, guardians, and helpers, in relation to gender-affirming care lawfully performed in New York State; and

Whereas, Lastly, the bill would prohibit law enforcement agencies from cooperating with out-of-state investigations regarding lawful gender-affirming care performed in New York State and protect the private health information of people who come to New York State to receive gender-affirming care; and

Whereas, S.2475 would make New York State a haven for transgender kids and families whose rights are under attack nationwide; and

Whereas, While states across the country roll back access to gender-affirming care, New York State continues to pass progressive policies that embrace safe and inclusive care for the TGD community; now, therefore, be it

Resolved, That the Council of the City of New York calls on the State Legislature to pass, and the Governor to sign, S.2475, to promote access to gender affirming care in New York State and combat policies of other states that attempt to ban gender affirming care.

Referred to the Committee on Health.

Res. No. 556

Resolution calling on the New York State Legislature to pass and the Governor to sign A.170/S.999, also known as the Access to Representation Act, which establishes the right to legal counsel in immigration court proceedings and provides for the administration thereof.

By Council Member Hudson, the Public Advocate (Mr. Williams) and Council Members Hanif, Abreu, Richardson Jordan, Restler, Ung, Brewer, Louis, Riley and Avilés.

Whereas, The Sixth Amendment to the United States Constitution Assistance to Counsel clause provides criminal defendants with the right to counsel even if they are unable to afford an attorney; and

Whereas, Immigrants facing removal proceedings under federal immigration law are not protected by the Sixth Amendment and are not provided a government-paid lawyer in immigration court; and

Whereas, Immigrants and their families subject to deportation are responsible for the expense of counsel, locating a non-profit for legal support, or representing themselves even though the government will be represented by a professional attorney; and

Whereas, According to a *Fordham University Law Review* study, immigrants in New York immigration court without legal representation have a three percent success rate in defending their right to remain in the United States; and

Whereas, A study by the *University of Pennsylvania Law School* revealed immigrants in removal proceedings are over ten times more likely to win their case to remain in the United States when represented by a lawyer; and

Whereas, Commencing with a \$500,000 investment by the New York City Council in 2013, the New York Immigrant Family Unity Project (NYIFUP) provides legal representation to indigent immigrants in removal proceedings in New York City and State; and

Whereas, A.170, introduced by Assembly Member Catalina Cruz and pending in the New York State Assembly, and companion bill S.999 introduced by Senator Brad Hoylman-Sigal and pending in the New York State Senate, seeks to amend the executive law, in relation to establishing a universal right to legal counsel in immigration court proceedings; and

Whereas, In addition to establishing a universal right to counsel for indigent New Yorkers who are subject to removal proceedings under federal immigration law, A.170/S.999 establishes consistent funding streams for immigration legal services; and

Whereas, The influx of asylum seekers in New York has exacerbated the demand for legal service providers amidst a growing backlog of immigration court cases; and

Whereas, A.170/S.999 will codify elements of the New York Immigrant Family Unity Project, which provides legal representation to indigent immigrants in removal proceedings; and

Whereas, A.170/S.999 will expand representation carved out of the New York Immigrant Family Unity Project by including immigrants with criminal histories; and

Whereas, A.170/S.999 will make New York the first state in the nation to guarantee the right to counsel for immigrants subject to removal under complex immigration law; and

Whereas, A.170/S.999 will further establish New York as a defender of immigrant rights and dignity; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, A.170/S.999, also known as the Access to Representation Act, which establishes the right to legal counsel in immigration court proceedings and provides for the administration thereof.

Referred to the Committee on Immigration.

Int. No. 994

By Council Members Lee and Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to education and outreach on building emissions requirements

Be it enacted by the Council as follows:

Section 1. Article 320 of chapter 3 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-320.5.2 to read as follows:

§ 28-320.5.2. Notifications for covered buildings. No later than June 1, 2024, and every two years thereafter, the office of building energy and emissions performance shall notify the owner of a covered building in writing of the following:

1. The covered building's estimated greenhouse gas emissions based on the most recent year of data available;
2. The covered building's estimated building emissions limit in 2024, 2030, 2035, 2040, and 2050;
3. A range of estimated penalties for the building based on low, medium, or high emissions scenarios and a brief explanation of the penalty determination factors pursuant to section 28-320.6.1;
4. The amount of greenhouse gas emissions that the covered building must reduce by 2024, 2030, 2035, 2040, and 2050 to not exceed its emissions limits in each such year; and
5. The website address where the department maintains outreach and education materials to inform building owners about compliance with this article.

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

Referred to the Committee on Housing and Buildings.

Res. No. 557

Resolution calling upon the New York State Legislature to pass and the Governor to sign legislation to increase the current qualifying income limit for seniors and persons with disabilities who are eligible for the Senior Citizen Rent Increase Exemption program and the Disability Rent Increase Exemption program on the basis of the regional consumer price index.

By Council Members Louis, Bottcher, Brewer, Powers, Menin, Hudson, Richardson Jordan, Yeger, Restler, Marte, Hanif, Ung, Schulman and Avilés.

Whereas, The Senior Citizen Rent Increase Exemption (SCRIE) program and the Disability Rent Increase Exemption (DRIE) program, also collectively known as the New York City Rent Freeze Program, provide rent exemptions from all or part of certain rent increases for eligible seniors and persons with disabilities, respectively; and

Whereas, The Rent Freeze Program specifically freezes the rent for residents of rent-regulated housing who have a combined household income of \$50,000 or less, are at least 62 years old or have a qualifying disability, and spend more than one-third of their household income on rent; and

Whereas, The current qualifying income limit of \$50,000 was first increased in 2014 from the previous \$29,000 for SCRIE and \$20,412 for single-person households or \$29,484 for two-person or more households for DRIE following New York State legislation authorizing the City Council to act accordingly; and

Whereas, Due to inflation and other factors, in the first half of 2022 the regional consumer price index rose 6.7 percent, with food prices rising 9.1 percent and energy prices climbing 39.2 percent in the New York City area according to the United States Bureau of Labor Statistics; and

Whereas, This rise in prices presents significant economic challenges for New Yorkers and has made the cost of living in New York City higher than it was in 2014 when the \$50,000 income cap was initially established; and

Whereas, Many senior citizens and persons with disabilities are currently not eligible for SCRIE and DRIE because their incomes fall outside this \$50,000 income cap, despite their struggle to make ends meet; and

Whereas, In January 2021, New York State Senator Brian Kavanagh introduced S. 2897, which would amend the Real Property Tax Law by providing that the maximum income threshold for SCRIE and DRIE be increased by the Commissioner of the New York State Division of Housing and Community Renewal on January 1 of each year to reflect any increase in the regional consumer price index for the N.Y., N.Y.-Northeastern, N.J. area, based upon the index for all urban consumers (CPI-U) during the preceding 12-month period; and

Whereas, Since then, this bill has not passed the State Legislature nor been signed by the Governor; and

Whereas, Increasing the qualifying income limit for SCRIE and DRIE annually on the basis of the consumer price index would ensure that these critical housing assistance programs reflect the changing economic realities of increased prices and cost of living in New York City; and

Whereas, Seniors and persons with disabilities living in New York City should be stably housed and protected against displacement from their homes; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass and the Governor to sign legislation to increase the current qualifying income limit for seniors and persons with disabilities who are eligible for the Senior Citizen Rent Increase Exemption program and the Disability Rent Increase Exemption program on the basis of the regional consumer price index.

Referred to the Committee on Aging.

Int. No. 995

By Council Members Menin, Velázquez, Powers, Ung, Bottcher, Riley, Feliz, Ayala, Farías, Marte, Dinowitz, Gennaro and Ariola.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a public awareness campaign on the dangers of purchasing cannabis or cannabis products from unlicensed cannabis retailers

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.20 to read as follows:

§ 17-199.20 *Public awareness campaign on synthetic drugs. a. Definitions. For the purposes of this section the following terms have the following meanings:*

Cannabis. The term “cannabis” has the same meaning as set forth in section 3 of the cannabis law.

Cannabis product. The term “cannabis product” has the same meaning as set forth in section 3 of the cannabis law.

Designated citywide languages. The term “designated citywide languages” has the same meaning as set forth in subdivision a of section 23-1101.

Synthetic drug. The term “synthetic drug” means any substance described in subdivision a of section 10-203.

Unlicensed cannabis retailer. The term “unlicensed cannabis retailer” means a person selling or offering to sell cannabis or cannabis products without a license to sell such products pursuant to article 4 of the cannabis law.

b. The department, in collaboration with the department of consumer and worker protection and any other relevant agency, shall create and implement a public awareness campaign designed to educate minors and young adults on the dangers of purchasing purported cannabis or cannabis products from unlicensed cannabis retailers. The campaign should include information on the risks of consuming synthetic drugs and the risk of purchasing products adulterated with synthetic drugs from unlicensed cannabis retailers. The campaign should include virtual and in-person outreach in the designated citywide languages.

c. Such campaign shall continue for no less than one year or for such longer duration as the commissioner determines will further the goals of the campaign and promote safety.

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

Referred to the Committee on Consumer and Worker Protection.

Res. No. 558

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, S.4097 requiring a New York State health benefit plan hospital pricing report.

By Council Members Menin, Narcisse, Schulman, Restler and Brewer.

Whereas, The New York State Health Insurance Programs (NYSHIP) is one of the largest public employer health insurance programs in the country, insuring over 1.2 million active government employees, retirees and their families; and

Whereas, Variations in hospital pricing have an impact on NYSHIP premiums, ultimately impacting both public employees and the state’s fiscal health; and

Whereas, The Centers for Medicare and Medicaid Services issued a rule requiring hospitals to provide clear, accessible pricing information online about the items and services they provide as of January 1, 2021; and

Whereas, According to a June 2022 article published in JAMA, hospitals have been slow to comply with the federal transparency rules and fewer than 6 percent of hospitals had disclosed prices as required between July and September 2021; and

Whereas, An analysis published by the Robert Wood Johnson Foundation found that even when hospitals comply with the Centers for Medicare and Medicaid Services rules regarding price transparency, the data are “consistently inconsistent” in terms of how elements are defined and displayed, making it difficult for third parties to make connections across hospitals and payers; and

Whereas, 32BJ Health Fund reports that it paid private hospital systems in New York City more than 300 percent of Medicare rates on average and that New York City hospital prices paid by the Fund increased by 21 percent from 2016 to 2019, compared to an 8 percent increase in Connecticut, a 12 percent increase in Pennsylvania, and a 4 percent decrease in New Jersey during that same time period; and

Whereas, Enhanced service quality, improved health outcomes, community benefit, or increased charity care could not explain the variation in prices paid by 32BJ Health Fund; and

Whereas, Understanding the underlying costs of hospital services is an important aspect of ensuring that NYSHIP continues to be fiscally strong and taxpayer dollars are spent prudently; and

Whereas, The civil service commission can collect NYSHIP health care claims data relating to the price and utilization of hospital benefits by active employees, retired employees, and their dependents; and

Whereas, The state should take advantage of its access to data on expenditures made for hospital services to provide transparency and visibility into hospital pricing; and

Whereas, S.4097A, introduced by State Senator Andrew Gounardes and pending in the New York State Senate, would require the Department of Civil Service to conduct an annual hospital pricing report, including a comparative analysis of prices for inpatient, outpatient, and emergency hospital services, as well as a comprehensive analysis of the prior five years of hospital prices and expenditures, to establish trends in hospital prices and total expenditures; now, therefore, be it,

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, S.4097 requiring a New York State health benefit plan hospital pricing report.

Referred to the Committee on Hospitals.

Res. No. 559

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, S.1305/A.1321, which establishes a legal framework that may facilitate the timely removal of sidewalk sheds.

By Council Members Menin, Sanchez, Powers, Abreu, Marte, Fariás, Restler, Hanif and Ung (at the request of the Manhattan Borough President).

Whereas, The Department of Buildings (DOB) requires that a property owner install a sidewalk shed when constructing a building taller than 40 feet tall, when demolishing a building taller than 25 feet, and whenever a building façade threatens the safety of pedestrians; and

Whereas, As of March, 2023, there were more than 9,000 sidewalk sheds in the city of New York, which collectively cover more than two million linear feet, and more than 230 of these sheds had been installed for over five years; and

Whereas, Sidewalk sheds should be installed for no longer than the period of time required to repair an unsafe building façade, as sidewalk sheds may accumulate garbage, congest sidewalks, become an eyesore, and threaten public safety if not adequately maintained; and

Whereas, Local Law 10 of 1980 and Local Law 11 of 1997, which established the Façade Inspection and Safety Program, require that a qualified professional inspect the façade of a building with more than six stories and file a technical façade report to the DOB at least once every five years; and

Whereas, If the building's façade is found to be unsafe, then the building owner must install a sidewalk shed and either repair the building façade within a specified period of time or apply for an extension of time from the DOB; and

Whereas, Property owners who do not repair an unsafe building façade condition in the allotted amount of time may receive a civil fine of \$1,000 per month, plus an additional fine per linear foot of sidewalk shed that increases in amount with each year that the sidewalk shed remains installed, as specified in the Rules of the City of New York Section 103-04(d)(3); and

Whereas, In practice, sidewalk sheds often remain installed past the time allotted by the DOB when, for example, the cost to repair the façade exceeds the cost of the penalty, the property owner cannot afford to repair the façade, or the property owner cannot repair the building façade without entry to an adjoining property whose owner who refuses to grant such entry; and

Whereas, When a property owner cannot make necessary repairs, such as repairs to a building façade, without entry to an adjoining property, and the adjoining owner refuses to grant such entry, then the property owner may petition a court to obtain a license to enter the adjoining property, as specified in New York State Real Property Actions and Proceedings Law (RPAPL) Section 881; and

Whereas, The legal proceedings necessary to obtain a license to enter an adjoining property may take months or longer, depending on a court's schedule, which may extend the duration of time for which a building façade remains in an unsafe condition and requires the continuance of a sidewalk shed; and

Whereas, S.1305, introduced by State Senator Leroy Comrie, and companion bill A.1321, introduced by Assembly Member Jenifer Rajkumar, would amend RPAPL §881 to require that the property owner both compensate the adjoining owner for the use of the adjoining property and include the adjoining property on any relevant insurance policy, and additionally, would amend RPAPL §881 to specify that a court shall grant a license to enter an adjoining property for the purposes of building façade repair; and

Whereas, These amendments would create a predictable framework that may shorten the duration of legal proceedings over access to adjoining properties while protecting the rights of adjoining owners, which would decrease the amount of time for which pedestrians must be protected from unsafe building façade conditions with a sidewalk shed; now, therefore, be it

Resolved that the Council of the city of New York calls on the New York State Legislature to pass, and the Governor to sign, S.1305/A.1321, which establishes a legal framework that may facilitate the timely removal of sidewalk sheds.

Referred to the Committee on Housing and Buildings.

Res. No. 560

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.4924/A.1303, to remove the minimum wage and hours requirements for applicants of child care assistance.

By Council Members Menin, Cabán, Stevens, Gutiérrez, Riley, Yeager, Restler, Hudson, Hanif, Ung, Brewer and Lee.

Whereas, Children enrolled in quality child care programs exhibit reduced aggressive behavior, have lower risk of criminal justice system involvement, lower blood pressure, higher IQ, healthier behaviors, lower rates of grade repetition, reduced need for expensive remedial and special education, higher high school graduation rates, higher college attendance rates, higher labor force participation rates, strengthened families, and higher lifetime earnings, and the lifetime earnings of their parents also increase; and

Whereas, Expanding access to quality, affordable child care not only benefits individual families, it also makes good sense for the economy as a whole, because research demonstrates that each dollar invested in child care generates a 13 percent return; and

Whereas, Children from low-income families and minority population groups are less likely to be enrolled in quality, structured child care programs; and

Whereas, In the United States, as of 2018, there were 23,691,475 children aged 5 years and younger, with 63 percent residing in households in which all parents work, and with 19 percent living in families below the poverty line; and

Whereas, Compared to other developed nations, the United States lags behind in public spending for child care, presently devoting less than 0.5 percent of its Gross Domestic Product (GDP) to child care; and

Whereas, Nationally, as of July 2020, owing to the COVID-19 pandemic, many states lost more than 25 percent of their child care capacity, making quality child care more expensive due to lower provider-to-child ratios and higher personal protective equipment (PPE) and cleaning supplies costs, which providers likely pass along to parents, who are already struggling to keep pace with inflation-induced escalating cost-of-living expenses; and

Whereas, Nationally, during the pandemic, among parents of children under the age of 5 years, 47 percent were concerned about their ability to afford child care upon return to work, and almost 20 percent reported working less hours in order to provide child care; and

Whereas, Even prior to the pandemic, it was estimated that inadequate access to quality, affordable child care costs the United States \$57 billion in annual losses, including \$37 billion due to reduced productivity at work and more time looking for work, \$13 billion from reduced revenues and extra recruitment costs for

businesses, and \$7 billion due to working parents being in lower income tax brackets and paying less sales tax; and

Whereas, In New York State, the New York State Child Care Assistance Program, commonly known as the Subsidy Program, is administered by local social services districts and overseen by the New York State Office of Children and Family Services; and

Whereas, For the 2021-2022 New York State Fiscal Year, \$832 million were allocated to local districts for the New York State Child Care Assistance Program; and

Whereas, In New York State, in Fiscal Year 2021, about 103,000 children from 60,000 families received child care subsidies, with roughly 66,000 children from 39,000 families receiving child care subsidies each month; and

Whereas, Of these 103,000 children, approximately 62 percent were in New York City, nearly 35 percent were in families receiving Temporary Assistance, and 65 percent, while not Temporary Assistance recipients, were categorized as low-income cases; and

Whereas, In New York City, after March 2020, over 50 percent of families with children experienced a loss of employment income due to cuts to wages or work hours, furlough, or a job loss; and

Whereas, As a result, between April 2020 and July 2021, 43 percent of New York City households with children experienced difficulties meeting their usual weekly expenses, 15 percent of such families sometimes or often did not have enough to eat, 31 percent of renter households with children were behind on their rental payments, and of those families with rental arrears, about 40 percent believed that eviction from their apartment was somewhat or very likely; and

Whereas, Between April 2020 and July 2021, 41 percent of New York City women with children reported being unemployed, and as many as 35 percent of such women indicated caring for children as the cause of their unemployment; and

Whereas, New York State law requires applicants for child care subsidies to work a minimum number of hours each week and to be paid no less than the minimum wage; and

Whereas, New York State law's minimum wage requirement operates to exclude applicants for child care subsidies who are employed in certain occupations, such as home health aides, whose total hours worked often exceed compensated hours; workers in the gig economy; and workers who are misclassified and earning less than the minimum wage, among others; and

Whereas, With the intent of remedying the exclusion of some categories of workers from child care assistance, State Senator Jessica Ramos introduced S.4924 in the New York State Senate, and Assembly Member Sarah Clark introduced companion bill A.1303 in the New York State Assembly, which would eliminate minimum wage or hours requirements for applicants of child care assistance; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, S.4924/A.1303, to remove the minimum wage and hours requirements for applicants of child care assistance.

Referred to the Committee on Women and Gender Equity.

Res. No. 561

Resolution calling on the New York State Legislature to pass, and the Governor to sign, A.200/S.3380 to provide a business tax credit for employer provided day care.

By Council Members Menin, Krishnan, Yeger, Hudson, Ung, Brewer and Lee.

Whereas, One third of the workers in the United States live in a household with a child under 14; and

Whereas, The Bureau of Labor Statistics found that only 11% of employees are provided child care by their employers; and

Whereas, In a 2021 report from *Harvard Business Review*, almost 20% of working parents surveyed were forced to leave work or reduce their hours because they lacked child care options; and

Whereas, In a 2021 study from the Bipartisan Policy Center, more than half of working parents surveyed shared that their work was negatively affected by child care responsibilities; and

Whereas, Lack of child care results in significant employment disparities along racial and gender lines, with disproportionately high shares of single mothers and women of color reducing or eliminating their employment to care for children; and

Whereas, 2022 data from the Labor Department reveals that single mothers continue to return to work slower than other households due to a lack of child care options; and

Whereas, A 2021 study from Citizens' Committee for Children revealed that 41% of women between the ages of 25 and 54 with children in the New York Metropolitan area were not working compared to only 24% of similarly aged men with children; and

Whereas, Almost 93% of families with young children in New York City cannot afford child care centers; and

Whereas, Limited or no access to employer provided child care costs employers 13 billion dollars yearly in lost productivity; and

Whereas, Increasing the number of women in the workplace would increase the United States' gross domestic product; and

Whereas, Organizations that provide child care to employees have seen above average retention rates post-childbirth; and

Whereas, A.200, introduced by Assembly Member William B. Magnarelli and pending in the New York State Assembly, and companion bill S.3380 introduced by Senator Timothy M. Kennedy and pending in the New York State Senate, seeks to amend the Tax Law, in relation to providing credits against the tax imposed upon employers providing certain day care services to the children of its employees; and

Whereas, A.200/S.3380 would provide employers with a tax credit in an amount not to exceed 20% of expenses incurred in providing day care services to the children and wards of its employees and in training persons employed by the taxpayer or third party provider rendering such services; and

Whereas, A.200/S.3380 stipulates that to receive the tax credit, programs or facilities providing day care services must be licensed accordingly; and

Whereas, A.200/S.3380 incentivizes New York employers to provide child care options for their employees; and

Whereas, Investing in child care means investing in working families and the economy; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, A.200/S.3380 to provide a business tax credit for employer provided day care.

Referred to the Committee on Women and Gender Equity.

Preconsidered Int. No. 996

By Council Members Narcisse and Barron.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the placement of automated, self-administered blood pressure testing machines at certain public places

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.20 to read as follows:

§ 17-199.20 Blood pressure machines in public places. a. Definitions. For purposes of this section, the following terms have the following meanings:

Blood pressure machine. The term “blood pressure machine” means any unsupervised, automated machine that provides for self-administered testing and measurement of an individual’s blood pressure and expresses that measurement as two numbers indicating a systolic pressure over a diastolic pressure.

Public place. The term “public place” means 10 high need publicly accessible areas, to be determined by the department based on social determinants of health..

b. No later than January 1, 2024, the department shall make available one or more blood pressure machines that are readily accessible for use at no charge in public places.

c. No later than September 1, 2023, the department shall post on their website in plain language and shall conduct a public education campaign regarding: 1. the public places where the blood pressure machines will be located pursuant to subdivision b of this section; and 2. instructions on the use and operations of such blood pressure machines. Such website information and public awareness campaign shall be conducted in all designated citywide languages as defined in section 23-1101.

d. No later than January 1, 2024, and annually thereafter, the department shall submit to the mayor and the speaker and shall post on its website a report on the locations of the public places where blood pressure machines are located pursuant to subdivision b of this section, the number of blood pressure machines located in each public place pursuant to subdivision b of this section, and usage statistics,.

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

Referred to the Committee on Health (preconsidered but laid over by the Committee on Health).

Int. No. 997

By Council Members Narcisse, Richardson Jordan and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the NYPD to report on use of force incidents that include an officer displaying or unholstering a weapon

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 14-158 of the administrative code of the city of New York, as added by local law number 85 for the year 2016, is amended to read as follows:

§ 14-158. a. Definitions. As used in this section, the following terms have the following meanings:

Excessive force. The term “excessive force” means force that has been found by the department to be, considering the totality of the circumstances in which it is used, greater than that which a reasonable officer, in the same situation, would use under the circumstances that existed and were known to the officer at the time such force was used.

Use of force incident. The term “use of force incident” means any instance where a member of the department, while taking police action, responds to an incident or condition, and [takes];

1. Displays or unholsters a weapon; or

2. Takes action in a manner intended to have an immediate effect on the body of another person, and consists of the following categories: (i) the use offhand strikes, foot strikes, forcible take-downs or the wrestling of the subject to the ground; (ii) the discharge of oleoresin capsicum spray; (iii) the deployment of a conducted electrical weapon; (iv) the use of a mesh restraining blanket to secure an individual; (v) the intentional striking of a person with any object, including a baton or other equipment; (vi) a police canine bite; and (vii) the use of physical force that is readily capable of causing death or serious physical injury, including the discharge of a firearm.

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

Referred to the Committee on Public Safety.

Res. No. 562

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation that would ease nursing home staffing and capacity constraints by increasing Medicaid reimbursement rates by at least 20 percent.

By Council Members Narcisse and Hudson.

Whereas, According to the Kaiser Family Foundation, New York State has the second highest number of nursing home residents in the country, with 92,784 residents in certified nursing facilities as of 2022; and

Whereas, According to the New York State Department of Health, nearly 30 percent (169 of 612) of all nursing homes in New York State are located within New York City; and

Whereas, According to the Kaiser Family Foundation, approximately 70 percent of nursing home residents in New York use Medicaid to pay for their care; and

Whereas, According to the Alliance for Senior Care, New York State's Medicaid reimbursement rates for nursing homes have increased by just 1 percent since 2008 while operating costs have increased by 42 percent during the same period; and

Whereas, According to United Healthcare Workers, the current Medicaid rates for nursing homes only cover 76 percent of the cost of providing care; and

Whereas, Residents in New York's nursing homes have not been receiving a sufficient level of services for years and the failures of the nursing home industry in New York gained widespread attention during the COVID-19 pandemic; and

Whereas, Staff turnover in nursing homes had reached alarming heights long before the pandemic, with average turnover rates totaling 94% in 2017 and 2018, according to a 2021 article in Health Affairs; and

Whereas, A January 2021 report by the New York Attorney General's Office found that already low staffing levels in New York State "decreased further to especially dangerous levels in some homes" during the COVID-19 pandemic; and

Whereas, Nursing home staff and administrators report that staffing shortages influence their ability to provide sufficient and consistent support to residents, including with eating, drinking, hygiene, and emotional support; and

Whereas, In 2021, New York State amended the public health law to require nursing facilities to maintain average staffing hours equal to three-and-a-half hours of care per resident per day; and

Whereas, According to a 2020 report by the New York State Department of Health, nursing homes have to hire 45,000 additional care workers at a cost of about \$2 billion, to comply with the safe staffing law's standards; and

Whereas, SEIU 1199 reports that low wages and poor benefits for nursing home staff have led many workers to seek employment elsewhere; and

Whereas, Without additional resources, nursing homes are not able to cover the full cost of care is covered and have the necessary resources to not only meet existing workforce challenges, but also comply with staffing mandates; now, therefore, be it,

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, legislation that would ease nursing home staffing and capacity constraints by increasing Medicaid reimbursement rates by at least 20 percent.

Referred to the Committee on Health.

Int. No. 998

By Council Members Nurse, Avilés and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to record keeping and reporting on the disposal of rechargeable batteries used for powered mobility devices

Be it enacted by the Council as follows:

Section 1. Section 20-1501 of the administrative code of the city of New York, as added by local law number 114 for the year 2021, is amended by adding a definition of “powered mobility devices” in alphabetical order to read as follows:

Powered mobility devices. The term “powered mobility devices” means (i) a bicycle with electric assist as defined in section 102-c of the vehicle and traffic law or any successor provision; (ii) an electric scooter as defined in section 114-e of the vehicle and traffic law or any successor provision; (iii) a motorized scooter as defined in section 19-176.2; or (iv) any other personal mobility device powered by a lithium-ion or other storage battery. The term does not include wheelchairs or other mobility devices designed for use by persons with disabilities, or any vehicle that is capable of being registered with the New York state department of motor vehicles.

§2. Subchapter 2 of chapter 15 of title 20 of the administrative code of the city of New York is amended by adding a new section 20-1525 to read as follows:

§ 20-1525. Reporting on disposal of rechargeable batteries used for powered mobility devices. Any entity that purchases used batteries that power powered mobility devices from consumers, or which accepts such batteries from consumers including through participation in voluntary recycling programs, shall maintain records of such practices and report such activities annually to the department. The record keeping and reporting required by this section shall be conducted in a manner prescribed by the department and shall include, but not be limited to, information pertaining to the number and type of batteries purchased or accepted and the manner in which such rechargeable batteries were disposed of. The department shall make such records available to the department of sanitation and the fire department upon request. The department shall post, on an annual basis no later than February 1 with respect to the previous calendar year, a summary on its website of the information reported to the department pursuant to this section.

§ 2. This local law takes effect 90 days after becoming law.

Referred to the Committee on Consumer and Worker Protection.

Int. No. 999

By Council Members Powers, De La Rosa, Restler, Abreu, Richardson Jordan, Farías and Marte.

A Local Law in relation to the establishment of a task force to study options and make recommendations for a plan to implement a municipal public bank

Be it enacted by the Council as follows:

Section 1. Definitions. For purposes of this local law, the following terms have the following meanings:

Agency. The term “agency” means a city, county, borough, or other office, department, division, bureau, board or commission, or a corporation, institution or agency of government, the expenses of which are paid in whole or in part from the city treasury, unless otherwise specified.

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

Community banking experience. The term “community banking experience” means current or past employment experience as an officer, director, executive, or an equivalent senior leadership role at a community

development financial institution certified by the U.S. Department of the Treasury Community Development Financial Institutions Fund.

Independent. The term “independent” means that at the time of their appointment to the task force, a task force member does not hold public office and has not held public office for five years or more prior to such time of appointment.

Task force. The term “task force” means the public bank implementation plan task force established by this local law.

§ 2. Task force established. There is hereby established a task force to be known as the public bank implementation plan task force.

§ 3. Duties. The task force shall (i) study the potential for a public bank sponsored by the city under the terms of the proposed Article 3-C of the Banking Law as contemplated by New York State Senate Bill 1754 for the year 2023, as amended (the “Article”), (ii) recommend a draft plan to satisfy the governance and charter requirements for a public bank as set forth in the Article, and (iii) issue a report that addresses in detail all of the items set forth in paragraph 6 hereof.

§ 4. Membership. a. The task force shall be composed of the following members:

1. Three members appointed by the mayor, one of whom shall be the commissioner of finance or such commissioner’s designee, one of whom shall be the commissioner of consumer and worker protection or such commissioner’s designee, and one of whom shall be a representative of a labor organization.

2. Three members appointed by the comptroller, at least two of whom shall be independent, and one of whom shall have community banking experience; and

3. Three members appointed by the speaker of the council, at least two of whom shall be independent, and one of whom shall be a representative of an organization or association that exclusively or predominantly represents small businesses, as defined in article 4-b of the economic development law, and one of whom shall be a member of a community-based organization whose principal purpose is community development, economic development, consumer protection, or a combination thereof.

b. The speaker of the council shall designate the chair of the task force from among the speaker’s appointees.

c. The mayor may invite officers and representatives of relevant federal, state and local agencies and authorities to participate in the work of the task force.

d. When naming their designees or members, the commissioners, mayor, comptroller, and speaker shall maximize board diversity to include representatives of historically-redlined communities and other groups to be served by the bank’s underwriting and financial policies.

e. All appointments required by this section shall be made no later than 90 days after the effective date of this local law.

f. Each member of the task force shall serve at the pleasure of the officer who appointed the member. In the event of a vacancy on the task force, a successor shall be appointed in the same manner as the original appointment for the remainder of the unexpired term. All members of the task force shall serve without compensation.

§ 5. Meetings. a. The chair shall convene the first meeting of the task force no later than 30 days after the last member has been appointed, except that where not all members of the task force have been appointed within the time specified in section four, the chair shall convene the first meeting of the task force within 10 days of the appointment of a quorum.

b. The task force may invite experts and stakeholders to attend its meetings and to provide testimony and information relevant to its duties.

c. The task force shall meet no less than once each quarter to carry out the duties described in section three.

d. The meeting requirement of subdivision c shall be suspended when the task force submits its report as required by section six.

§ 6. Report. a. No later than one year from its first meeting, the task force shall submit a report to the mayor, the comptroller, and the speaker of the council setting forth its recommendations for the composition of a public bank in the city that satisfies the requirements contained in the Article, which recommendations shall address in detail but not be limited to the following:

1. The purpose of the proposed public bank that is consistent with the purposes required under the Article;

2. How to achieve a minimum initial capitalization that is no less than ten percent of the public bank’s projected lending total for the first year of operation after receipt of its charter;

3. The establishment of adequate reserves and liquidity to cover the public bank's obligations related to deposit withdrawals and defaulted loans;
4. The qualifications of the proposed chief executive officer and management team;
5. An organizational chart;
6. Policies and procedures prohibiting any elected official or affiliates of those officials from receiving a loan or other financial benefit from the public bank;
7. Procedures for obtaining fidelity insurance;
8. Establishing sufficient internal audits and controls;
9. A pro forma financial statement projecting assets, liabilities, income and expenses for no less than a three year period;
10. Ensuring there will be no material negative impact of the public bank on the city's financial condition;
11. A plan to comply with the Community Reinvestment Act and fair lending requirements, pursuant to section two hundred ninety six-a of the Executive Law;
12. The corporate and governance structure of the public bank, and a certificate of incorporation, if applicable;
13. The contents of a narrative business plan describing the banking services to be provided;
14. Whether the public bank will insure or collateralize deposits from the city or any other governmental entity;
15. The manner in which the public bank will raise capital, including but not limited to (i) the receipt and leverage of public deposits, (ii) sponsor equity contributions, (iii) passive member or shareholder equity contributions, (iv) sale of corporate debt to the city, and (v) sale of corporate debt to third parties,
16. An assessment of market opportunity and risk; and
17. The provision of any other documents or information that the New York State Department of Financial Services may require.

b. Notwithstanding the foregoing, the taskforce shall not be required to address an item set forth in subparagraph a above within one year of its first meeting if it identifies in writing the reason that item could not be completed and how much extra time it would need to complete that item.

c. The commissioners of finance and of consumer and worker protection shall publish the task force's report electronically on their respective department websites no later than 10 days after its submission to the mayor and the speaker of the council.

§ 7. Agency support. Each agency affected by this local law shall provide appropriate staff and resources to support the work of such agency related to the task force.

§ 8. Termination. The task force shall terminate 180 days after the date on which it submits its report, as required by section six.

§ 9. Effective date. This local law takes effect immediately.

Referred to the Committee on Finance.

Res. No. 563

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.2985 in relation to affordable housing in cities having a population of one million or more.

By Council Members Sanchez, Restler, Hudson and Louis.

Whereas, New York City ("NYC or the City") currently has a housing crisis with a net rental vacancy rate of 4.54% in 2021 according to the most recent Housing Vacancy Survey; and

Whereas, NYC Department of Housing Preservation and Development (HPD) is tasked with setting policies and programs to address the City's affordable housing crisis; and

Whereas, HPD administers loan and grant programs to produce and preserve affordable housing throughout the City; and

Whereas, HPD's loan authority is granted by New York State; and

Whereas, On January 24, 2023, HPD testified at a New York City Council hearing that the statute used to aid 1 to 4 family homes caps the level of assistance to \$60,000 per dwelling unit which limits HPD's ability to provide additional assistance; and

Whereas, HPD also stated that the public purpose of their loan authority is to support neighborhoods that have extremely physically distressed properties and they would like more flexibility in their loan authority to address other housing issues such as preparing buildings to adapt to adverse weather conditions and changing the use of a space to create more housing units; and

Whereas, S.2985, sponsored by State Senator Kavanagh, currently pending in the New York State Senate, would establish the Affordability Plus Program to authorize the City to make loans or grants for the construction, rehabilitation, conversion, acquisition or refinancing of affordable housing; and

Whereas, S.2985, would require that properties that receive such loans or grants be restricted to occupancy by low-income households and be subject to rent stabilization; and

Whereas, S.2985, would give HPD more flexibility when it comes to the dollar amount of the loans; and

Whereas, S.2985 would require that the loans and grants under the Affordability Plus program and the improvements associated with the construction, rehabilitation, conversion, acquisition or refinancing of affordable housing have a period of usefulness of thirty years; now, therefore be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, S.2985 in relation to affordable housing in cities having a population of one million or more.

Referred to the Committee on Housing and Buildings.

Res. No. 564

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation lifting the floor area ratio (FAR) cap.

By Council Members Sanchez, Riley, Salamanca and Farías.

Whereas, New York City has a housing crisis with a vacancy rate of 4.54% in 2021 according to data from the most recent Housing Vacancy Survey (HVS); and

Whereas, According to the 2022 Income and Affordability Study by the Rent Guidelines Board, the approximate proportion of households citywide paying 30 percent or more of their income towards gross rent is 51.7 percent and the proportion paying 50 percent or more of their income is 28.3 percent; and

Whereas, Tenants who are rent burdened could quickly become unhoused due to an unexpected financial setback, illness, or personal crisis; and

Whereas, According to the Coalition for the Homeless, a homeless advocacy group, in the past few years homelessness in New York City has reached the highest levels since the Great Depression of the 1930s; and

Whereas, In October 2022, the Coalition for the Homeless reported that there were 65,633 People in New York City experiencing homelessness, including 20,751 children; and

Whereas, New York City has taken steps towards addressing the affordable housing crisis by passing the Mandatory Inclusionary Housing Law, however, in order to add more affordable housing, neighborhoods need to increase residential capacity by increasing density and allowing for larger buildings; and

Whereas, Many neighborhoods in Manhattan are prohibited from increasing a building's size because there is a cap on the floor area ratio on residential density; and

Whereas, In 1961, New York State passed an amendment to the state's Multiple Dwelling Law, forbidding a floor area ratio larger than 12 which means residential buildings cannot be 12 times larger than the size of the lot they were built on; and

Whereas, According to a report from the Regional Planning Association, other urban areas in the region, such as Jersey City, with less mass transit options, parks and jobs per capita allow for residential developments to have a floor area ratio of up to 25; and

Whereas, The same report stated that without the ability to build more housing, Manhattan and other core areas in New York City will continue to become more expensive and continue to place enormous pressure on existing affordable housing units; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, legislation lifting the floor area ratio (FAR) cap.

Referred to the Committee on Housing and Buildings.

Int. No. 1000

By Council Members Schulman, Yeger and Marte.

A Local Law to amend the administrative code of the city of New York, in relation to requiring food delivery companies to be responsible for the safe operation of electric food delivery bicycles

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 20 of the administrative code of the city of New York is amended by adding a new section 20-563.14 to read as follows:

§ 20-563.14 Safe operation of electric food delivery bicycles.

a. Definition. For purposes of this section, the term “electric food delivery bicycle” means any two or three wheeled electric device, used in the pick-up and delivery of food and beverage items by food delivery workers, that is motor assisted, not propelled exclusively by human power and not eligible for registration by the New York state department of motor vehicles. This definition includes bicycles having an electric motor that provides assistance only when the person operating such bicycle is pedaling, and which ceases to provide assistance when such bicycle reaches a pre-determined speed.

b. Any third-party food delivery service licensee shall ensure that any food delivery worker operating an electric food delivery bicycle under its license does not violate any provision of section 19-176 or 19-195.1 or any rule promulgated pursuant thereto. Any civil penalties incurred as a result of a food delivery worker’s violation of either such section or any rule promulgated thereto while engaged in the pick-up and delivery of food and beverage items shall be paid by the third-party food delivery service licensee under which the food delivery worker was operating at the time such fine was issued.

c. Any food delivery worker issued a civil penalty for a violation of any and provision of section 19-176 or 19-195.1, or any rule promulgated pursuant thereto, shall notify the third-party food delivery service within ten days of the issuance of such fine.

§ 2. Section 20-563.10 of the administrative code of the city of New York, as added by local law number 100 for the year 2021, is amended to read as follows:

§ 20-563.10 Enforcement, civil penalties and restitution. a. Any person who violates, or causes another person to violate, a provision of this subchapter or any rule promulgated pursuant thereto, shall be subject to a civil penalty that shall not exceed \$500 for each violation, except that a person that violates any provision of section 20-563.3 or any rule promulgated pursuant thereto shall be subject to a civil penalty that shall not exceed \$1,000 for each violation. Violations by third-party food delivery services under this subchapter shall accrue on a daily basis for each day and for each food service establishment with respect to which a violation of this subchapter or any rule promulgated pursuant to this subchapter was committed. The department may also recover restitution on behalf of any food service establishment *or food delivery worker* harmed by a violation of this subchapter or any rules promulgated pursuant to this subchapter by a third-party food delivery service. A proceeding to recover any civil penalty or restitution authorized pursuant to this subchapter may be brought in

any tribunal established within the office of administrative trials and hearings or within any agency of the city designated to conduct such proceedings.

b. In any proceeding against a third-party food delivery service for a violation of section 20-563.14, it is an affirmative defense that such third-party food delivery service lacked notice of a fine incurred by a food delivery worker operating under its license.

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

Referred to the Committee on Consumer and Worker Protection.

Int. No. 1001

By Council Members Schulman, Menin, Yeger, Richardson Jordan, Velázquez and Paladino.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting owners of commercial premises from knowingly leasing commercial premises to unlicensed cannabis sellers and requiring the sheriff to produce a monthly report on enforcement relating to unlicensed cannabis sellers

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 10 of the administrative code of the city of New York is amended by adding a new section 10-186 to read as follows:

§ 10-186 *Leasing commercial premises to unlicensed cannabis sellers. a. Definitions. For the purposes of this section the following terms have the following meanings:*

1. The terms “cannabis,” “cannabis product,” “distributor,” and “retailer” have the same meanings as set forth in section 3 of the cannabis law.

2. Unlicensed cannabis seller. The term “unlicensed cannabis seller” means a retailer, distributor, or other seller of cannabis or cannabis products operating without a license pursuant to article 4 of the cannabis law.

b. No person shall knowingly lease commercial premises to an unlicensed cannabis seller who uses or intends to use such commercial premises to distribute, sell, or offer to sell cannabis or cannabis products. It shall be an affirmative defense to a violation of this subdivision that the owner of the commercial premises has commenced a proceeding to evict such unlicensed cannabis seller.

c. The first time that the sheriff, the police department, or any other agency finds that an unlicensed cannabis seller is distributing, selling, or offering to sell cannabis or cannabis products in commercial premises that the unlicensed cannabis seller has leased, the sheriff, police department or other agency shall issue a written warning to the owner of the premises by certified mail. Such warning shall constitute presumptive evidence that the owner knowingly leases commercial premises in violation of subdivision b of this section.

d. If the sheriff, the police department, or any other agency finds that an unlicensed cannabis seller is distributing, selling, or offering to sell cannabis or cannabis products in commercial premises and the owner of such premises has previously been issued a warning pursuant to subdivision c of this section regarding the same premises, the owner shall be liable for the civil penalties set forth in subdivision e of this section.

e. Any person who violates subdivision b of this section shall be liable for a civil penalty of \$1,000 for the first violation and \$2,000 for each subsequent violation.

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

§ 7-517 *Report on enforcement against unlicensed cannabis sellers. a. Definitions. For the purposes of this section the following terms have the following meanings:*

1. The terms “cannabis,” “cannabis product,” “distributor,” and “retailer” have the same meanings as set forth in section 3 of the cannabis law.

2. Unlicensed cannabis seller. The term “unlicensed cannabis seller” means a retailer, distributor, or other seller of cannabis or cannabis products operating without a license pursuant to article 4 of the cannabis law.

b. The sheriff, in collaboration with the police department and any other relevant agency, shall provide a monthly report to the mayor and the speaker of the council on enforcement actions relating to unlicensed cannabis sellers in the previous month. Such report shall include, for every enforcement action taken against an unlicensed cannabis seller:

- 1. The date the enforcement action occurred;*
- 2. The location of the unlicensed cannabis seller that was the subject of the enforcement action;*
- 3. The name of the unlicensed cannabis seller;*
- 4. Whether or not cannabis or cannabis products were seized from the unlicensed cannabis seller;*
- 5. The contents of the cannabis products that were seized from each unlicensed seller;*
- 6. The amount of cannabis products, broken down by weight and type of product, that were seized from the unlicensed seller;*
- 7. Whether or not the unlicensed cannabis seller received a civil notice;*
- 8. Whether or not the unlicensed cannabis seller was issued a summons;*
- 9. Whether or not an arrest was made and, if applicable, the number of arrests; and*
- 10. If the unlicensed cannabis seller was operating out of leased commercial premises, whether the owner of the commercial premises was issued a warning or penalty pursuant to section 10-186 and, if applicable, the dollar amount of the penalty issued.*

§ 3. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Res. No. 565

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.4533/A.416, to expand humane education requirements to secondary schools and require verification from schools that humane treatment of animals is being taught.

By Council Member Schulman.

Whereas, According to the Federal Bureau of Investigation’s National Incident-Based Reporting System, the number of reported and tracked instances of animal cruelty, including simple and gross neglect, increased every year in the U.S. between 2016 and 2019, from 1,126 cases in 2016 to 9,956 cases in 2019; and

Whereas, Similarly, per the Shelter Animals Count’s National Database, shelter intakes for all species grew in the U.S. by 7.5 percent in 2022 and by 3.1 percent in 2023, with 29 percent of these animals having been relinquished by owners in each of those years; and

Whereas, Shelter Animals Count’s data indicate that for dogs, shelter intakes in the U.S. rose by 4.5 percent in 2023, with 25 percent having been relinquished by owners, and with 10 percent overall having been euthanized; and

Whereas, Also per Shelter Animals Count’s data, for cats, shelter intakes expanded nationwide by 1.7 percent in 2023, with 34 percent having been relinquished by owners, and with 6 percent overall having been euthanized; and

Whereas, Shelter Animals Count’s data show that for small mammals, such as guinea pigs, in 2023, 69 percent of shelter intakes in the U.S. were relinquished by owners, and 14 percent overall were euthanized; and

Whereas, According to Shelter Animals Count’s data, in 2023, for all species, 44 percent of shelter intakes in New York State were relinquished by owners, and 7 percent overall were euthanized; and

Whereas, Per the same Shelter Animals Count’s data, in 2023, for dogs, 31 percent of shelter intakes in New York State were relinquished by owners, and 6 percent overall were euthanized; and

Whereas, Shelter Animals Count’s data indicate that for cats, in 2023, 51 percent of shelter intakes in New York State were relinquished by owners, and 4 percent overall were euthanized; and

Whereas, Shelter Animals Count’s data also show that for small mammals, including guinea pigs, in 2023, 84 percent of shelter intakes in New York State were relinquished by owners, and 40 percent overall were euthanized; and

Whereas, According to the Animal Care Centers of NYC, the number of animal intakes in New York City shelters rose from 14,594 in 2021 to 16,565 in 2022; and

Whereas, Also per the Animal Care Centers of NYC, the number of animals relinquished by owners to New York City shelters grew from 6,299 in 2021 to 7,130 in 2022; and

Whereas, Animal Care Centers of NYC's data reveal that the number of dogs relinquished by owners to New York City shelters increased from 1,962 in 2021 to 2,266 in 2022; and

Whereas, Similarly, per Animal Care Centers of NYC's data, the number of cats relinquished by owners to New York City shelters also expanded from 3,648 in 2021 to 3,987 in 2022; and

Whereas, Animal Care Centers of NYC's data additionally indicate that the number of guinea pigs relinquished by owners to New York City shelters rose from 499 in 2021 to 616 in 2022; and

Whereas, One approach to addressing the issue of animal neglect and abandonment is to provide humane education instruction to children; and

Whereas, The National Humane Education Society defines humane education as teaching people how to accept and fulfill their responsibilities to companion animals, such as cats, dogs, rabbits, and guinea pigs, and to all forms of animal life, as well as explaining the consequences of irresponsible behavior and encouraging appreciation for the value of all living things; and

Whereas, Studies evaluating effectiveness and impact of humane education support its value, as exemplified by a 2006 assessment of the Humane Education Project in New York City public elementary and middle schools by Fordham University researchers, and by a 2016 evaluation of In-Class Humane Education Programs in Chicago and New York City public elementary schools by a group of U.S., Belgian, and Italian scholars; and

Whereas, In particular, research demonstrates that humane education increases students' general empathy, frequency of prosocial behaviors, knowledge about animal needs, concern for animals and the environment, and interest in taking humane actions by joining a group to help animals or the environment and by urging their friends to join such a group; and

Whereas, Section 809 of New York State Education Law requires every publicly funded elementary school to provide instruction in the humane treatment and protection of animals and to annually report on such instruction; and

Whereas, State Senator Peter Harckham introduced S.4533 in the New York State Senate, and Assembly Member Linda Rosenthal introduced companion bill A.416 in the New York State Assembly, which would expand a requirement to teach humane education to secondary schools and require verification from schools that this subject is being taught; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, S.4533/A.416, to expand humane education requirements to secondary schools and require verification from schools that humane treatment of animals is being taught.

Referred to the Committee on Education.

Preconsidered Res. No. 566

Resolution approving the Report and Advisory Board Review Commission's determination recommending waiver of eight reporting requirements that was communicated to the City Council on January 24, 2023.

By Council Members Ung, Hudson and Narcisse.

Whereas, On November 2, 2010, the voters of the City of New York approved a series of revisions to the New York City Charter, including the addition of section 1113, which established the Report and Advisory Board Review Commission (RABRC); and

Whereas, Pursuant to section 1113, the RABRC has the power and duty to review all requirements in the New York City Charter, the Administrative Code of the City of New York and the unconsolidated local laws of the City of New York mandating the issuance of reports by public agencies, officers or employees; and

Whereas, Under section 1113, the RABRC also has the power, subject to the approval of the City Council, to waive any such reporting requirement and thereby cause the relevant report to cease to be required by law; and

Whereas, Section 1113 provides that, following a determination by the RABRC to waive any reporting requirement, the City Council may approve or disapprove such determination by the affirmative vote of a majority of all the Council Members; and

Whereas, Section 1113 further provides that any such disapproval by the Council shall be final unless the Mayor files a written veto of the Council's action, which may be overridden by a two-thirds vote of all the Council Members; and

Whereas, On January 11, 2023, the RABRC made determinations to waive the following eight reporting requirements: the Shipboard Gambling Report as required by §20-9017 of the administrative code of the city of New York; the report on Other Wholesale Markets as required by §22-269 of the administrative code of the city of New York; the Seafood Distribution Areas/Fulton Fish Market Report as required by §22-226 of the administrative code of the city of New York; the report on Directory Assistance Calls as required by §1075(c) of the New York city charter; the report on Service Request Calls as required by §1075(b) of the New York city charter; the Small Purchases Report as required by §314(b) of the New York city charter; the Article 214 Closings Report as required by §28-214.1.6 of the administrative code of the city of New York; and the Neighborhood Slow Zones Report as required by §19-177(d)(2) of the administrative code of the city of New York;

Whereas, On January 24, 2023, the RABRC communicated such determinations to the City Council by submitting a written statement of each determination along with the rationale therefor; now, therefore, be it

Resolved, That the Council of the City of New York approves the Report and Advisory Board Review Commission's determination recommending waiver of eight reporting requirements that was communicated to the City Council on January 24, 2023.

Referred to the Committee on Governmental Operations (preconsidered but laid over by the Committee on Governmental Operations).

Int. No. 1002

By Council Member Velázquez.

A Local Law to amend the administrative code of the city of New York, in relation to establishing timelines for cooperative corporations to approve or deny the sale of cooperative apartments.

Be it enacted by the Council as follows:

Section 1. Title 26 of the administrative code of the city of New York is amended by adding a new chapter 36 to read as follows:

*CHAPTER 36
SALES OF COOPERATIVE APARTMENTS*

§ 26-3601 Definitions. For the purposes of this chapter, the following terms have the following meanings:

Application. The term "application" means the set of documents utilized by a cooperative corporation to facilitate a prospective purchaser's acquisition of certificates of stock, a proprietary lease, or other evidence of an ownership interest in such cooperative corporation.

Cooperative corporation. The term "cooperative corporation" means any corporation governed by the requirements of the state cooperative corporation law or general business law that, among other things, grants persons the right to reside in a cooperative apartment, that right existing by such person's ownership of certificates of stock, proprietary lease, or other evidence of ownership of an interest in such entity but shall not include either a cooperative corporation organized pursuant to the private housing finance law for which a purchase is subject to review and approval by a state or city agency or to a cooperative corporation containing less than 10 dwelling units.

Proprietary lease. The term “proprietary lease” means the lease or occupancy agreement by which a cooperative corporation permits a person to occupy an apartment in the premises owned by the cooperative corporation.

Prospective purchaser. The term “prospective purchaser” means a person or persons who has entered into a contract of sale to purchase the proprietary lease and the ownership interest in a cooperative corporation from a prospective seller.

Prospective seller. The term “prospective seller” means a person or persons who has a proprietary lease and an ownership interest in a cooperative corporation and who has entered into a contract of sale to sell their proprietary lease and ownership interest in a cooperative corporation to a prospective purchaser subject to approval of the cooperative corporation’s board of directors.

Sale. The term “sale” means the transfer of a person’s ownership interest in a cooperative corporation and that person’s proprietary lease to another person.

§ 26-3602 Requirements for determination. a. The board of directors or managing agent of each cooperative corporation shall maintain a standardized application and list of requirements for all cooperative apartments subject to the by-laws or proprietary lease of such cooperative corporation.

b. The board of directors or managing agent of any cooperative corporation shall provide the corporation’s standardized application and list of requirements to any prospective purchasers and prospective sellers promptly upon request, and shall include instructions as to where and how to submit the required materials, including the mailing address and designated e-mail address for the cooperative corporation.

§ 26-3603 Acknowledgment of receipt of materials. a. Within 10 days of receiving materials from a prospective purchaser, a cooperative corporation shall provide to a prospective purchaser via e-mail and, if available, registered mail, a written acknowledgement of materials received. The requirements of this section apply both to a prospective purchaser’s initial submission and to any subsequent submissions the prospective purchaser may make.

b. A written acknowledgment provided pursuant to subdivision a of this section shall clearly state:

1. Whether the cooperative corporation’s board of directors considers the application complete;
2. If the application is not considered complete, the specific ways in which the materials submitted failed to comply with the cooperative corporation’s list of requirements provided pursuant to section 26-3602; and
3. If applicable, any additional materials requested for clarification of previously submitted materials.

c. An application shall be deemed complete if the cooperative corporation fails to provide a written acknowledgment in accordance with the requirements of this section.

d. If a cooperative corporation’s board of directors has placed a memorandum or other writing in its files stating that such board does not ordinarily meet in the months of July and August, such cooperative cooperation shall not be required to provide written acknowledgements pursuant to this section during such months. For any materials received during the months of July and August, such cooperative cooperation shall provide written acknowledgement to the prospective purchaser no later than September 10.

§ 26-3604 Time for determination. a. Within 45 days following acknowledgement of receipt of a complete application or the date that an application is deemed complete pursuant to subdivision c of section 26-3603, a cooperative corporation shall notify the prospective purchaser via e-mail and, if available, registered mail, whether its consent to a sale is granted unconditionally, whether its consent to a sale is granted conditionally, or whether its consent to a sale is denied.

b. Such time for determination may be extended at any time with the consent of the prospective purchaser.

c. The cooperative corporation shall be entitled to a single 14-day extension without the consent of the purchaser if the cooperative corporation provides notice of such extension to the prospective purchaser via e-mail and, if available, registered mail, within the determination period set forth in subdivision a.

d. If, after the 45-day period for determination and any applicable extensions, the cooperative corporation has not notified the prospective purchaser as to whether its consent to the sale is granted, the prospective purchaser may send notice to the cooperative corporation’s board of directors via e-mail and, if available, registered mail, that the cooperative cooperation shall be deemed to consent to the sale if the cooperative corporation does not inform the prospective purchaser of its determination within 10 business days. Such notice shall clearly state the date on which the 10-business-day period begins, which shall be no earlier than the date the prospective purchaser sends the notice.

e. If the cooperative corporation does notify the prospective purchaser whether its consent to a sale is granted unconditionally, whether its consent to a sale is granted conditionally, or whether its consent to a sale is denied by the end of the 10-business-day notice period pursuant to subdivision d of this section, the cooperative corporation shall be deemed to consent to the sale.

f. If the 45-day period for determination and any applicable extensions ends in July or August for a cooperative corporation whose board of directors has placed a memorandum or other writing in its files stating that such board does not ordinarily meet in the months of July and August, then such cooperative corporation shall have until October 15 to notify the prospective purchaser whether its consent to a sale is granted unconditionally, whether its consent to a sale is granted conditionally, or whether its consent to a sale is denied. Such time for determination may be extended pursuant to subdivisions b and c of this section.

g. If a cooperative corporation that has been deemed to consent to a sale pursuant to subdivision e of this section interferes in any manner with the ability of a prospective purchaser to assume an ownership interest in such cooperative corporation or assume residency in such cooperative corporation, the prospective purchaser may bring an action in a court of competent jurisdiction to assert their rights under this chapter. A plaintiff who prevails on a claim alleging a violation of this chapter shall be entitled to recover attorney's fees related to the cost of bringing such action.

h. Nothing in this section shall be construed to prohibit a cooperative corporation from lawfully denying its consent to a sale at any time prior to the expiration of the 45-day determination period, the 14-day extension period, and the 10-business-day notice period.

§ 26-3605 Construction. Nothing in this chapter shall be construed or interpreted to limit or restrict the rights and remedies granted by any other applicable law.

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

Referred to the Committee on Housing and Buildings.

Int. No. 1003

By Council Members Velázquez, Powers, Bottcher, Nurse, Richardson Jordan, Restler, Marte and Krishnan (by request of the Manhattan Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to requiring reusable eating utensils and eating containers at food service establishments and returnable food packaging at fast casual food establishments

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-402 to read as follows:

§ 16-402 Reusable eating utensils and eating containers. a. Definitions. As used in this section, the following terms have the following meanings:

Dine-in. The term "dine-in" means relating to or offering food that is intended to be consumed on the premises of a food service establishment.

Eating container. The term "eating container" means a tool used for holding food or beverage, including but not limited to, a plate, bowl, cup, or lid, but does not include a beverage splash stick as defined in section 16-401.

Eating utensil. The term "eating utensil" means a tool used for eating and drinking, including, but not limited to, a knife, fork, spoon, or chopsticks, but does not include a beverage stirrer or beverage straw as defined in section 16-401 or a napkin.

Fast casual food establishment. The term "fast casual food establishment" means any food service establishment (i) where patrons order or select items and pay before eating; (ii) where food and such items may be consumed on the premises, taken out or delivered to the customer's location at the direction of the consumer; (iii) that offers limited table service; (iv) that provides customizable menu options; (v) that is part of a chain; and (vi) that is owned and operated by an entity that operates ten or more establishments nationally. The term

“fast casual food establishment” includes food provided at kiosks that offer fast casual service located within a food service establishment that is not otherwise a fast casual food establishment.

Food service establishment. The term “food service establishment” means a place where food is provided for individual portion service directly to the consumer whether such food is provided free of charge or sold, and whether consumption occurs on or off the premises. Such term does not include a pushcart, stand, or vehicle.

Reusable. The term “reusable” means designed and manufactured to maintain its shape and structure, and to be materially durable for repeated sanitizing in water at 171 degrees Fahrenheit for at least 30 continuous seconds, washing via commercial dishwashing machine, and reuse at least 1,000 times.

Returnable food packaging. The term “returnable food packaging” means a type of packaging used to hold food that is reusable and offered as part of a system that provides for the collection and refill of the package by a food service establishment. Customers may return the packaging back to a food service establishment, which in turn, will make the packaging available for reuse. A returnable food packaging system as described in this definition may be conducted by the food service establishment or may be provided by a third party on behalf of a food service establishment.

b. No food service establishment in the city with capacity for dishwashing, as determined by rule by the department, shall provide non-reusable eating utensils or eating containers to a dine-in customer unless requested by such customer.

c. All fast casual food establishments in the city shall offer customers at point of sale the options to (i) request returnable food packaging for either dine-in or off premises food consumption and (ii) participate in a system for return of returnable food packaging.

d. Any food service establishment that violates this section or any rule promulgated pursuant thereto shall be liable for a civil penalty in the amount of \$100 for the first violation, \$200 for the second violation, and \$300 for the third and each subsequent violation. For purposes of this subdivision, violations by the same person occurring on the same day shall be considered one violation. The department shall commence a proceeding to recover any civil penalty authorized pursuant to this section by service of a notice of violation returnable to the office of administrative trials and hearings.

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

Referred to the Committee on Consumer and Worker Protection.

Res. No. 567

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.5479/A.5260-A, which would increase criminal sanctions against people who assault retail workers.

By Council Members Velázquez and Yeger.

Whereas, S.5479, introduced by State Senator Jessica Scarcella-Spanton, and companion bill A.5260-A, introduced by Assembly Member Manny De Los Santos, seek to amend the New York State Penal Law by increasing criminal sanctions against people who assault retail workers; and

Whereas, According to a nationwide study published in July 2022 by the Bureau of Justice Statistics (BJS) and several other federal agencies, private sector retail sales workers experienced nonfatal workplace violence at a rate of 10.7 per 1,000 workers age 16 or older between 2015 and 2019, far exceeding the national average of 6.1 per 1,000 private sector workers age 16 or older; and

Whereas, Private sector retail sales workers experienced 17% of all nonfatal workplace violence, including assault, during the study period, despite making up only 9% of private sector workers; and

Whereas, The total number of assaults reported in nationwide Federal Bureau of Investigation (FBI) statistics increased by 42% between 2018-2020, as reflected in data submitted to the FBI by a number of local law enforcement agencies, and as reported in the *New York Times*; and

Whereas, Assaults reported to have occurred in grocery and convenience stores increased by 63% and 75%, respectively, over the same time period and in the same data; and

Whereas, All misdemeanor assaults reported in New York City have increased by 6.5% in the first three months of 2023, as measured by year-over-year data published by the New York Police Department (NYPD); and

Whereas, Annual data published by the NYPD show that the total number of misdemeanor assaults, defined as assault in the third degree and related offenses, have risen from a two-decade low reached in 2020, increasing by 9% in 2021 and 13% in 2022; and

Whereas, With crime increasing across the country, so have assaults against retail workers, according to the Memorandum of Support submitted for S.5479/A.5260-A; and

Whereas, In a 2022 National Retail Federation survey of 63 senior loss prevention and security executives at retail companies, 81.2% of respondents reported that aggression and violence associated with organized retail crime had increased over the past year, and 77.6% of respondents reported that concerns about violent customer behavior towards staff had increased over the past five years; and

Whereas, New York State criminal law does not currently treat assault on retail workers in a manner commensurate with either the occupational hazards faced by these workers or the invaluable service they provide to all New Yorkers; and

Whereas, Public sector transportation workers and private sector retail sales workers experienced nonfatal workplace violence at similar rates during the BJS study period, affecting 8.5 of every 1,000 transportation workers age 16 or older and 10.7 of every 1,000 retail sales workers age 16 or older; and

Whereas, In June 2022, the New York State Legislature passed, and the Governor signed, A.10491/S.9468, which amended the Penal Law to treat assault as a Class D felony when it is committed against public-facing transportation workers, expanding the range of positions so-treated in accordance with their status and role as essential workers; and

Whereas, The present legislation seeks to accomplish the same goal by the same means, and would further extend critical protection to a range of workers who interact with the public in a retail capacity, including pharmacists and pharmacy employees; and

Whereas, Amending the New York State Penal Law to treat assault committed against a retail worker as a Class D felony will signal that retail workers are deserving of full protection under the criminal law; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, S.5479/A.5260-A, which would increase criminal sanctions against people who assault retail workers.

Referred to the Committee on Public Safety.

Preconsidered Int. No. 1004

By Council Members Williams and Fariás.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to repealing certain reporting requirements selected for waiver by the report and advisory board review commission and amending and repealing certain outdated and unnecessary reports and studies, including the repeal of the following provisions of the New York city charter: subdivision b of section 314, concerning a report on small purchases; section 613, concerning a report on transitional housing inventory; subdivision c of section 1063, concerning a proposal for cablecasting council proceedings; subdivision b of section 1075, concerning directory assistance calls; subdivision c of section 1075, concerning service request calls; paragraph 5 of subdivision e of section 1304, concerning an annual report of the commissioner of small business services about the division of economic and financial opportunity; and also the repeal of the following provisions of the administrative code of the city of New York: paragraph (d) of subdivision 1 of section 3-706, concerning a report of the campaign finance board on expenditure limitations; section 4-207, concerning an assessment and report of certain clean on-site power generation technologies; section 5-102, concerning the comptroller's annual statement of funded debt of the city; section 5-605,

concerning the director of management and budget's annual report on year-end spending of the criminal justice account; paragraph 3 of subdivision c of section 6-139, concerning a report on development of worker cooperatives; section 16-316.2, concerning a food waste composting study; subdivision b of section 16-428, concerning a report on electronic waste; subdivision i of section 17-196, concerning an advisory panel and report on an electronic death registration system; paragraph 2 of subdivision b of section 19-177, concerning neighborhood slow zones report; section 19-178.1, concerning a study of truck driver compliance with truck route rules; section 19-179, concerning a study on the feasibility of installing traffic calming measures; section 19-180.1, concerning safety audits of crash locations involving pedestrians; section 19-192, concerning a study of pedestrian and bicyclist safety on truck routes; paragraph (vii) of subdivision a of section 19-305, concerning a report on expansion of Staten Island ferry service; subdivision j of section 19-307, concerning a report on fuel used in city ferries; section 20-9017, concerning shipboard gambling report; section 22-226, concerning seafood distribution areas/fulton fish market report; section 22-269, concerning report on other wholesale markets; section 24-504.1, concerning a study of medical debris in the sewerage system; paragraph 4 of subdivision b of section 24-526.1, concerning a report on a sustainable stormwater management plan; section 28-214.1.6, concerning article 214 closings report; and section 28-420.5, concerning a report recommending criteria for commencing a proceeding to suspend, revoke or refuse to renew a safety registration number

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 314 of the New York city charter is REPEALED.

§ 2. Section 613 of the New York city charter is REPEALED.

§ 3. Subdivision c of section 1063 of the New York city charter is REPEALED and subdivision d of such section is relettered subdivision c.

§ 4. Subdivisions b and c of section 1075 of the New York city charter are REPEALED and subdivisions d and e are renumbered subdivisions b and c, respectively.

§ 5. Paragraph 5 of subdivision e of section 1304 of the New York city charter is REPEALED and paragraphs 6, 7, 8, 9, 10, 11, 12 and 13 of such subdivision are renumbered paragraphs 5, 6, 7, 8, 9, 10, 11 and 12, respectively.

§ 6. Paragraph 2 of subdivision c of section 3103 of the New York city charter, as amended by local law number 19 for the year 2022, is amended to read as follows:

c. The advisory board shall: 2. Hold at least one meeting open to the public in each borough on an annual basis, with notice of each public meeting provided in accordance with the public notice requirements of article 7 of the public officers law except with respect to those requirements provided in section 31-105 of the administrative code, and with each public meeting recorded and broadcast in accordance with subdivision [d] c of section 1063 of the charter;

§ 7. Paragraph (d) of subdivision 1 of section 3-706 of the administrative code of the city of New York is REPEALED and paragraph (e) of such subdivision is relettered paragraph (d).

§ 8. Section 4-207 of the administrative code of the city of New York is REPEALED.

§ 9. Section 5-102 of the administrative code of the city of New York is REPEALED.

§ 10. Section 5-605 of the administrative code of the city of New York is REPEALED.

§ 11. Paragraph 3 of subdivision c of section 6-139 of the administrative code of the city of New York is REPEALED and paragraph 4 of such subdivision is renumbered paragraph 3.

§ 12. Subdivision d of section 6-139 of the administrative code of the city of New York, as added by local law number 22 for the year 2015, is amended to read as follows:

d. [Except as provided in paragraph three of subdivision c of this section, for] *For* purposes of any report required by this section, the report shall be limited to worker cooperatives that have identified themselves to the department or a relevant agency through the electronic system used for vendor enrollment with the city or through the department's electronic customer relationship management system.

§ 13. Paragraph 1 of subdivision k of section 16-305 of the administrative code of the city of New York, as added by local law number 40 for the year 2010, is amended to read as follows:

k. 1. Beginning on March [first] *I*, [two thousand eleven] *2011* and annually thereafter, the department shall submit to the mayor and the council and make available on its website, an annual department recycling report which shall include provisions addressing: the extent to which the department has met the recycling percentage goals set forth in paragraphs [one] *1* and [two] *2* of subdivision a of this section and including a description of the methodology used to arrive at its recycling percentages; city agency recycling pursuant to section 16-307 [of this chapter]; department of education recycling pursuant to section 16-307.1 [of this chapter]; yard waste composting pursuant to section 16-308 [of this chapter]; Christmas tree composting or recycling pursuant to section 16-309 [of this chapter]; the public space recycling program pursuant to section 16-310 [of this chapter]; the clothing and textiles collection program pursuant to section 16-310.1 [of this chapter]; *and* household hazardous waste collected pursuant to section 16-310.3 [of this chapter] or otherwise collected by the department; and any composting capacity determinations or food waste composting pilot programs pursuant to section 16-316.2 of this chapter].

§ 14. Section 16-316.2 of the administrative code of the city of New York is REPEALED.

§ 15. Subdivision b of section 16-428 of the administrative code of the city of New York is REPEALED.

§ 16. Subdivision i of section 17-196 of the administrative code of the city of New York is REPEALED.

§ 17. Paragraph 2 of subdivision d of section 19-177 of the administrative code of the city of New York is REPEALED.

§ 18. Section 19-178.1 of the administrative code of the city of New York is REPEALED.

§ 19. Section 19-179 of the administrative code of the city of New York is REPEALED.

§ 20. Section 19-180.1 of the administrative code of the city of New York is REPEALED.

§ 21. Section 19-192 of the administrative code of the city of New York is REPEALED.

§ 22. Paragraph (vii) of subdivision a of section 19-305 of the administrative code of the city of New York is REPEALED.

§ 23. Subdivision j of section 19-307 of the administrative code of the city of New York is REPEALED and subdivision k of such section is relettered subdivision j.

§ 24. Section 20-9017 of the administrative code of the city of New York is REPEALED.

§ 25. Section 22-226 of the administrative code of the city of New York is REPEALED.

§ 26. Section 22-269 of the administrative code of the city of New York is REPEALED.

§ 27. Section 24-504.1 of the administrative code of the city of New York is REPEALED.

§ 28. Paragraph 4 of subdivision b of section 24-526.1 of the administrative code of the city of New York is REPEALED.

§ 29. Section 28-214.1.6 of the administrative code of the city of New York is REPEALED.

§ 30. Section 28-420.5 of the administrative code of the city of New York is REPEALED.

§ 31. This local law takes effect immediately.

Referred to the Committee on Governmental Operations (preconsidered but laid over by the Committee on Governmental Operations).

Res. No. 568

Resolution designating May 10 annually as National Pan-Hellenic Council Day in the City of New York to recognize the contributions made to social change by members of nine Black sororities and fraternities, known as the Divine Nine.

By Council Members Williams, Riley, Farías and Brooks-Powers.

Whereas, The National Pan-Hellenic Council (NPHC) is the coordinating body of Black Greek-Letter Organizations of college-educated women and men committed to “community awareness and action through educational, economic, and cultural service activities”; and

Whereas, NPHC was founded on May 10, 1930, at Howard University by five chartering organizations—Alpha Kappa Alpha Sorority, Delta Sigma Theta Sorority, Zeta Phi Beta Sorority, Kappa Alpha Psi Fraternity, and Omega Psi Phi Fraternity; and

Whereas, NPHC then added four more organizations to its membership—Alpha Phi Alpha Fraternity and Phi Beta Sigma Fraternity in 1931, Sigma Gamma Rho Sorority in 1937, and Iota Phi Theta Fraternity in 1997—later becoming known affectionately as the “Divine Nine”; and

Whereas, Each NPHC sorority and fraternity grew out of a time when Blacks were denied fundamental rights and when Black college students too often felt isolated by their race or social class on college campuses; and

Whereas, NPHC’s powerful motto “Until We Are All Free” made its purpose clear; and

Whereas, NPHC sororities and fraternities began to work together to create social programs that would bring about the social change that their members wanted to see for themselves, for their peers, for Blacks across the nation, and for the nation itself; and

Whereas, NPHC expects that, after graduation, members of its nine sororities and fraternities will join a graduate chapter and continue to be active in community work dedicated to positive social change wherever they live; and

Whereas, NPHC currently oversees 97 collegiate councils and 172 alumnae/alumni councils (including one for Greater New York) across 40 states and in other countries; and

Whereas, Members of NPHC sororities and fraternities have made significant contributions to the advancement of civil rights, including W.E.B. DuBois, Jesse Jackson, Al Sharpton, and Martin Luther King, Jr.; and

Whereas, Members of NPHC sororities and fraternities have made significant contributions in performing arts, including Ben Vereen, Ava DuVernay, Sheryl Lee Ralph, Wanda Sykes, and Phylicia Rashad; and

Whereas, Members of NPHC sororities and fraternities have made significant contributions in literature, including Langston Hughes, Zora Neale Hurston, and Nikki Giovanni; and

Whereas, Members of NPHC sororities and fraternities have made significant contributions in government service, including Thurgood Marshall, Andrew Young, and Vice President Kamala Harris; and

Whereas, In speaking to a convention of her Alpha Kappa Alpha sorors in July 2022, Vice President Harris, a proud Howard University graduate, noted that the Divine Nine were “founded to create lasting bonds of community” and that all of the founders “were acutely aware we needed to build networks of support for young Black men and women who attend college in America”; and

Whereas, Vice President Harris, recalling a photograph of President Harry S. Truman from 1950, remarked that President Truman “was meeting with representatives from the National Pan-Hellenic Council, which included a member of our sorority, to talk about ending employment discrimination in America” and that “members of the Divine Nine have always made sure Black voices are in the rooms where decisions are being made...and [that] we will always fight for what our communities need and for the best of who we are as a nation”; and

Whereas, Vice President Harris concluded her remarks by noting that “through our sisterhood, we teach that there is no barrier we cannot break and there is no obstacle we cannot overcome”; and

Whereas, Today, members of the Divine Nine continue a legacy of breaking barriers and overcoming obstacles in the service of social change; and

Whereas, Members of the Divine Nine in federal government service from New York City (NYC) include Brooklynites Shirley Chisholm, the first Black woman elected to the United States House of Representatives (1969-1983), and Hakeem Jeffries, the first Black Minority Leader of the House of Representatives; and

Whereas, Members of the Divine Nine in local government service in NYC include Adrienne Adams, the first Black woman elected as the Speaker of the New York City Council, as well as other current and former Council members; and

Whereas, The designation of a day is fitting to commemorate the founding of the NPHC and the community work that is done by Divine Nine members in NYC and in communities across the nation; now, therefore, be it

Resolved, That the Council of the City of New York designates May 10 annually as National Pan-Hellenic Council Day in the City of New York to recognize the contributions made to social change by members of nine Black sororities and fraternities, known as the Divine Nine.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Preconsidered L.U. No. 179

By Council Member Brannan:

GRAND STREET.HUDMF.FY23, 711 E 6th Street, Block 376, Lot 58, Manhattan, Community District No. 3, Council District No. 2.

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

Preconsidered L.U. No. 180

By Council Member Brannan:

1613-1631 Eastern Parkway.HPO.FY23, Block 1464, Lots 43, 47, 49, 50, and 53, Brooklyn, Community District No. 16, Council District No. 41.

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

Preconsidered L.U. No. 181

By Council Member Salamanca:

Application number C 200232 ZMQ (25-46 Far Rockaway Blvd Rezoning) submitted by Queens Realty Holdings of NY LTD, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 31a, by changing an existing R4-1 District to an R6B District, Borough of Queens, Community District 14, Council District 31.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises (preconsidered but laid over by the Subcommittee on Zoning and Franchises).

Preconsidered L.U. No. 182

By Council Member Salamanca:

Application number N 220330 ZRQ (25-46 Far Rockaway Blvd Rezoning) submitted by the Queens Realty Holdings of NY LTD, pursuant to Section 201 of the New York City Charter for an amendment to the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Community District 14, Council District 31.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises (preconsidered but laid over by the Subcommittee on Zoning and Franchises).

Preconsidered L.U. No. 183

By Council Member Salamanca:

Application number C 230006 ZMQ (245-06 South Conduit Avenue Commercial Overlay) submitted by Tire Heaven, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section Nos. 19b and 19d, eliminating from within an existing R3-2 District a C1-3 District and establishing within an existing R3-2 District a C2-3 District, Borough of Queens, Community District 13, Council District 31.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises (preconsidered but laid over by the Subcommittee on Zoning and Franchises).

L.U. No. 184

By Council Member Salamanca:

Application number C 220283 ZMX (2560 Boston Road Rezoning) submitted by Boston Road Associates, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 4a: changing from an R6 District to an R7-2 District, changing from a C8-1 District to an R7-2 District and establishing within the proposed R7-2 District a C2-4 District, Borough of the Bronx, Community District 11, Council District 13.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 185

By Council Member Salamanca:

Application number N 220284 ZRX (2560 Boston Road Rezoning) submitted by Boston Road Associates, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of the Bronx, Community District 11, Council District 13.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 186

By Council Member Salamanca:

Application number C 210317 ZMQ (23-10 Queens Plaza South) submitted by AAGS Holdings LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9b: by changing from an M1-5/R9 District to an M1-6/R9 District, Borough of Queens, Community District 2, Council District 26.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 187

By Council Member Salamanca:

Application number N 210318 ZRQ (23-10 Queens Plaza South) submitted by AAGS Holdings LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article XI, Chapter 7 (Special Long Island City Mixed Use District) to add new Area D to the Queens Plaza Subdistrict, Borough of Queens, Community District 2, Council District 26.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 188

By Council Member Salamanca:

Application number C 210319 ZSQ (23-10 Queens Plaza South) submitted by AAGS Holdings LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to the Section 117-533 of the Zoning Resolution to modify the distance between buildings requirements of Section 23-711 (Standard minimum distance between buildings), and the street wall location requirements of Section 117-531 (Street wall location), to facilitate a 22-story enlargement of an existing 4-story building on property located at 23-10 Queens Plaza South (Block 425, Lots 1 & 5), in a proposed M1-6/R9 District within the Special Long Island City Mixed Use District (Queens Plaza Subdistrict), Borough of Queens, Community District 2, Council District 26.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 189

By Council Member Salamanca:

Application number C 220470 ZMK (Paperific Rezoning) submitted by Stamford LLC and Capri Optics, Inc., pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22c: changing from an M2-1 District to an R6B District, changing from an R6 District to a C4-4A District, changing from an M1-2 District to a C4-4A District and changing from an M2-1 District to a C4-4A District, Borough of Brooklyn, Community District 12, Council, District 39.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 190

By Council Member Salamanca:

Application number N 220471 ZRK (Paperific Rezoning) submitted by Stamford LLC and Capri Optics, Inc., pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 12, Council, District 39.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 191

By Council Member Salamanca:

Application number C 220472 ZSK (Paperific Rezoning) submitted by Stamford LLC and Capri Optics, Inc., pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681(a)(2) of the Zoning Resolution to allow a portion of the right of-way or yard where railroad or transit use has been permanently discontinued or terminated to be included in the lot area in connection with a proposed 5-story building on property located at 1463 38th Street (Block 5348, Lots 15, 17, 49 and 54), in a proposed C4-4A District. Borough of Brooklyn, Community District 12, Council District 39.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

NEW YORK CITY COUNCIL

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

Wednesday, April 12, 2023

Committee on Small Business

Julie Menin, Chairperson

Int 845 - By Council Members Menin, Louis, Marte, Yeager and Hanks (by request of the Mayor) - **A Local Law** to amend the administrative code of the city of New York, in relation to reducing penalties, allowing opportunities to cure for certain violations, and eliminating certain requirements for commercial establishments; to repeal subchapters 6, 9, 12, and 15 of chapter 5 of title 20 of such code, relating to availability for sale of advertised merchandise, sale of travel tickets, delayed payment transactions billing practices, and disclosure of information by child care facilities, respectively; to repeal section 24-218.1 of such code, relating to the restriction of the use of mobile telephones in a place of public performance; to repeal the rows that begin 24-218.1, 24-233(b)(1) and 24-237(c) in table I in paragraph 5 of subdivision (b) of section 24-257 of such code, relating to penalties for such restriction of the use of mobile telephones, the use of personal audio devices on a public right-of-way, and the operation of a steam whistle, respectively; and to make other technical changes in relation thereto.

Res 243 - By Council Member Menin, the Public Advocate (Mr. Williams) and Council Members Abreu and Sanchez - **Resolution** calling upon the New York State Legislature to pass, and the Governor to sign, S.2632/A.2443, to prohibit the use of a confession of judgment in business loans.

Committee Room – City Hall.....1:00 p.m.

Monday, April 17, 2023

Committee on Fire and Emergency Management

Joann Ariola, Chairperson

Int 949 - By Council Members Powers, Brewer, Gutiérrez, Feliz, Velázquez, Cabán, Louis, Abreu, Hanif, De La Rosa, Restler, Hudson, Brannan, Menin, Brooks-Powers, Narcisse, Gennaro, Williams, Salamanca, Krishnan, Hanks, Holden, Ayala, Ung, Riley, Avilés, Nurse, Schulman, Paladino, Vernikov and the Public Advocate (Mr. Williams) (in conjunction with the Brooklyn Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to the establishment of a program to provide reduced cost or no cost lithium-ion batteries used in powered mobility devices.

Int 950 - By Council Members Powers, Gutiérrez, Brewer, Feliz, Velázquez, Cabán, Louis, Abreu, Hanif, De La Rosa, Restler, Hudson, Brannan, Menin, Brooks-Powers, Narcisse, Williams, Salamanca, Krishnan, Hanks, Holden, Ayala, Ung, Riley, Avilés, Nurse, Schulman, Paladino, Vernikov and the Public Advocate (Mr. Williams) - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring businesses using bicycles for commercial purposes to provide bicycle operators with fireproof or fire-resistant containers for removable storage batteries used to power motor-assisted bicycles.

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

Wednesday, April 19, 2023

Committee on General Welfare jointly with the
Committee on Aging and the
Subcommittee on Senior Centers and Food Insecurity

Diana I. Ayala, Chairperson
Crystal Hudson, Chairperson
Darlene Mealy, Chairperson

Oversight - Food Insecurity in New York City.

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

Committee on Sanitation and Solid Waste Management

Sandy Nurse, Chairperson

Int 649 - By Council Members Avilés, Feliz, Louis, Velázquez, Restler, Won, Hanif, Ossé, De La Rosa, Sanchez, Farías, Powers, Hudson and Krishnan - **A Local Law** to amend the administrative code of the city of New York,

in relation to prohibiting the department of sanitation from charging the New York city housing authority for sanitation services.

Int 720 - By Council Members Farías, Salamanca, Brewer and Louis - **A Local Law** to amend the administrative code of the city of New York, in relation to waste collection from nursing homes.

Int 768 - By Council Members Moya, Nurse and Ung - **A Local Law** to amend the administrative code of the city of New York, in relation to a street cleanliness grading system.

Int 832 - By Council Members Abreu, Louis, Hanif, Marte, Yeger, Joseph, Richardson Jordan, Schulman, Farías, Restler, De La Rosa, Nurse, Ung and Hanks - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of sanitation to collect organic waste from community gardens.

Int 846 - By Council Members Nurse, Hanif, Marte, Yeger, Joseph, Stevens, Richardson Jordan, Schulman, Restler, Menin, Ung, Hanks, Abreu, Brewer, Narcisse and Louis - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of sanitation to develop a plan for ensuring proper disposal of rechargeable batteries used for powered mobility devices.

Int 863 - By Council Members Restler, Louis, Joseph, Hanif, Marte, Abreu, Ossé, Avilés and Richardson Jordan - **A Local Law** to amend the administrative code of the city of New York, in relation to public organic waste receptacles.

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

Subcommittee on Zoning & Franchises

Kevin C. Riley, Chairperson

See Land Use Calendar

Committee Room – 250 Broadway, 14th Floor11:00 a.m.

Committee on Education

Rita Joseph, Chairperson

Oversight - District 79 and Adult Education.

Int 198 - By Council Members Salamanca, Cabán, Stevens, Hanif, Won, Restler, Krishnan, Nurse, Abreu, Sanchez, Powers and Gennaro - **A Local Law** to amend the administrative code of the city of New York in relation to requiring the department of education to stock opioid antagonists in all school buildings.

Res 83 - By Council Members Gennaro, Lee, Joseph, Hanif, Ung, Won, Dinowitz, Cabán, Farías, Stevens, Abreu, Ossé, Williams, De La Rosa, Krishnan, Hudson, Gutiérrez, Schulman, Avilés, Rivera, Nurse, Bottcher, Riley, Yeger, Sanchez, Carr and Vernikov - **Resolution** calling upon the Mayor's office and New York City Department of Education to recognize and observe the important Sikh holiday, Vaisakhi, on April 13 each year.
Council Chambers – City Hall.....1:00 p.m.

Committee on Finance

Justin Brannan, Chairperson

Int 498 - By Council Members Powers, De La Rosa, Restler, Abreu, Yeger, Hanif, Brewer, Cabán, Nurse, Avilés, Won, Rivera, Gutiérrez, Krishnan, Louis, Marte, Schulman, Bottcher, Ossé, Sanchez, Velázquez, Brannan, Barron, Hudson, Ayala, Farías, Riley, Joseph, Narcisse, Brooks-Powers, Williams, Ung, Menin, Stevens and Richardson Jordan (in conjunction with the Brooklyn Borough President) (by request of the Manhattan Borough President) - **A Local Law** to amend the New York city charter, in relation to reporting on moneys on deposit.

Int 499 - By Council Members Powers, Restler, De La Rosa, Abreu, Hanif, Brewer, Cabán, Nurse, Avilés, Won, Rivera, Gutiérrez, Krishnan, Louis, Marte, Schulman, Bottcher, Ossé, Sanchez, Velázquez, Brannan, Barron, Hudson, Ayala, Farías, Riley, Joseph, Narcisse, Brooks-Powers, Williams, Ung, Menin, Stevens and Richardson Jordan (in conjunction with the Brooklyn Borough President) (at the request of the Manhattan Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to the reporting on non-depository city financial services.

Res 203 - By Council Members Powers, Abreu, De La Rosa, Restler, Hudson, Cabán, Nurse, Avilés, Menin, Gutiérrez, Bottcher, Won, Riley, Rivera, Krishnan, Louis, Marte, Schulman, Bottcher, Williams, Ossé, Sanchez, Velázquez, Farías, Brannan, Ayala, Barron, Hanif, Joseph, Narcisse, Brewer, Brooks-Powers, Ung, Stevens and Richardson Jordan (in conjunction with the Brooklyn Borough President) (by the request of the Manhattan Borough President) - **Resolution** calling upon the State Legislature to pass, and the Governor to sign, A.8290-A/S.1762-B, which would establish the New York Public Banking Act.

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – City Hall.....1:00 p.m.

Thursday, April 20, 2023

[Committee on Aging](#) jointly with the
[Committee on Civil & Human Rights](#)

Crystal Hudson, Chairperson
Nantasha Williams, Chairperson

Oversight - Ending Discriminatory Practices in Nursing Homes.

[Committee on Aging](#) jointly with the
[Committee on Civil & Human Rights](#) (Cont.)

Res 296 - By Council Members Stevens, Menin, Sanchez, Abreu, Velázquez, Restler, Ung, Nurse, Joseph, Brooks-Powers and Williams - **Resolution** calling on the New York State Legislature to pass and the Governor to sign, S.6924A/A.8347A, which establishes a task force on missing women and girls who are Black, Indigenous and people of color.

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

[Committee on Economic Development](#) jointly with the
[Committee on Small Business](#)

Amanda Farías, Chairperson
Julie Menin, Chairperson

Oversight - Tourism and the Economic Impact to NYC’s Small Businesses.

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

[Committee on Higher Education](#)

Eric Dinowitz, Chairperson

Oversight - CUNY’s Accelerated Study in Associate Programs Initiative.

Committee Room – City Hall.....1:00 p.m.

[Committee on Public Housing](#) jointly with the
[Committee on Civil Service and Labor](#)

Alexa Avilés, Chairperson
Carmen De La Rosa, Chairperson

Oversight - Resident Hiring and Section 3 Requirements. There is no legislation at this hearing.

Council Chambers – City Hall.....1:00 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

Committee Room – 250 Broadway, 14th Floor2:00 p.m.

Friday, April 21, 2023

[Environmental Protection,](#)
[Resiliency and Waterfronts](#)

James F. Gennaro, Chairperson

Oversight - The NYC Accelerator and Emissions from City Government Operations.

Council Chambers – City Hall.....1:00 p.m.

Monday, April 24, 2023

[Committee on Oversight and Investigations](#) jointly with the
[Committee on Public Safety](#) and the
[Committee on General Welfare](#)

Gale A. Brewer, Chairperson
Kamillah Hanks, Chairperson
Diana I. Ayala, Chairperson

Oversight - Oversight - Operational Challenges in Family Court.

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

Committee on Transportation and Infrastructure

Selvena N. Brooks-Powers, Chairperson

Oversight - Bicycles, Micromobility, and Street Enforcement.

Int 417 - By Council Members Restler, Krishnan, Ayala, Powers, Joseph, Dinowitz, Louis, Bottcher, Cabán, Marte, Won, Riley, Gutiérrez, Nurse, Sanchez, Ossé, Hanif, Menin, Hudson, Avilés, Richardson Jordan, Brewer, Abreu, Schulman, Gennaro, Lee, De La Rosa, Velázquez, Rivera, Narcisse, Williams, Salamanca, Farías, Holden, Moya, Ung, Barron, Stevens and Feliz (by request of the Brooklyn, Queens, Bronx and Manhattan Borough Presidents) - **A Local Law** to amend the administrative code of the city of New York, in relation to notice requirements for certain transportation projects and the repeal of section 19-187 in relation thereto.

Proposed Int 501-A - By Council Members Restler, Rivera, Marte, Hanif, Nurse, Avilés, Joseph, Bottcher, Won, Ossé, Holden, Richardson Jordan, Brewer, Kagan, Gutiérrez, Brannan, Krishnan, Farías, Gennaro, Schulman, Velázquez, De La Rosa, Abreu, Menin, Ayala, Sanchez, Feliz, Louis and Hudson (in conjunction with the Brooklyn Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to hazardous obstruction by vehicles and civilian complaints to the department of transportation for hazardous obstruction violations.

Int 712 - By Council Members Bottcher, Brewer, Restler, Hudson, Ung, Joseph, Abreu, Brooks-Powers and Avilés - **A Local Law** to amend the administrative code of the city of New York, in relation to reporting on evasion of photo-violation monitoring systems by motor vehicles with unreadable license plates.

Int 926 - By Council Members Farias, Brooks-Powers, Restler, Cabán and Hudson - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of transportation to conduct an annual study on bicycle activity.

Int 927 - By Council Members Gutiérrez, Restler, Cabán, Farías, Hudson, Hanif, Richardson Jordan, Ayala, Nurse, Avilés, Won and Brewer - **A Local Law** in relation to establishing a task force to study the feasibility of building charging stations for bicycles with electric assist to be used by food delivery workers.

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

Committee on Youth Services

Althea V. Stevens, Chairperson

Oversight - Addressing the Needs of Runaway and Homeless Youth.

Int 54 - By Council Members Louis, Cabán, Yeger, Restler and Bottcher - **A Local Law** to amend the administrative code of the city of New York, in relation to financial literacy education in department of youth and community development programs.

Int 976 - By Council Members Stevens, Louis, Richardson Jordan, Restler, Schulman, Hudson, Ung, Ayala and Abreu - **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 department of youth and community development to report data on the LGBTQ homeless population.

Int 977 - By Council Members Stevens, Louis, Restler, Schulman, Hudson, Ung, Abreu, Riley and Brewer - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring drop-in centers to participate in the streamlined intake process for runaway and homeless youth to transition into adult shelters.

Committee Room – City Hall.....1:00 p.m.

Tuesday, April 25, 2023

Committee on Housing and Buildings jointly with the
Committee on Health

Pierina Ana Sanchez, Chairperson
Lynn C. Schulman, Chairperson

Oversight - Lead-Based Paint Hazards.

Int 5 By Council Members Ayala, Louis, Hanif, Won, Joseph, Riley, Restler, Krishnan, Dinowitz, Cabán, Richardson Jordan, Avilés, Schulman, Velázquez, Gennaro, Marte, Rivera, De La Rosa, Farías, Brewer, Sanchez, Abreu, Brannan, Brooks-Powers, Bottcher, Nurse, Gutiérrez, Hudson, Narcisse and Williams - **A Local Law** to amend the administrative code of the city of New York, in relation to records of lead-based paint investigations.

Int 6 - By Council Members Ayala, Louis, Hanif, Won, Marte, Joseph, Riley, Restler, Krishnan, Dinowitz, Cabán, Richardson Jordan, Avilés, Farías, Velázquez, Schulman, Gennaro, Rivera, De La Rosa, Brewer, Sanchez, Abreu, Brannan, Brooks-Powers, Bottcher, Nurse, Gutiérrez, Hudson, Menin, Powers, Ung, Narcisse, Williams, Salamanca, Hanks, Holden, Moya, Lee, Barron, Ossé, Stevens and Feliz - **A Local Law** to amend the administrative code of the city of New York, in relation to the permanent removal of lead-based paint on friction surfaces in child-occupied dwellings.

Int 193 - By Council Members Rivera, Cabán, Nurse, Stevens, Hanif, Won, Barron, Restler, Krishnan, Hudson, Williams, Avilés, Riley, Gennaro, Marte, Ayala, De La Rosa, Farías, Brewer, Schulman, Sanchez, Abreu, Brannan, Brooks-Powers, Bottcher, Gutiérrez, Joseph, Menin, Velázquez, Powers, Ung, Narcisse, Dinowitz, Salamanca, Hanks, Holden, Moya, Lee, Richardson Jordan, Ossé, Louis and Feliz - **A Local Law** to amend the administrative code of the city of New York, in relation to lead-based paint hazards in common areas of dwellings.

Int 200 - By Council Members Salamanca, Cabán, Won, Nurse, Abreu, Bottcher, Gennaro, Riley, Marte, Ayala, Rivera, De La Rosa, Menin, Farías, Brewer, Sanchez, Brannan, Brooks-Powers, Schulman, Gutiérrez, Hudson, Avilés, Krishnan, Narcisse, Hanif, Williams and Restler - **A Local Law** to amend the administrative code of the city of New York, in relation to quarterly reporting on objections to orders for the abatement or remediation of lead conditions

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

Wednesday, April 26, 2023

Committee on Hospitals

Mercedes Narcisse, Chairperson

Oversight - Trauma-Informed Care for Survivors of Rape and Sexual Assault in NYC Health + Hospitals System.

Committee Room – City Hall.....1:00 p.m.

Committee on Parks and Recreation

Shekar Krishnan, Chairperson

Int 962 - By Council Members Brooks-Powers, Louis, Schulman, Hudson, Ayala, Abreu, Riley, Krishnan and Brewer - **A Local Law** to amend the administrative code of the city of New York, in relation to public swimming pool locations and swimming lessons offered by the department of parks and recreation

Council Chambers – City Hall.....1:00 p.m.

Thursday, April 27, 2023

Stated Council Meeting

Council Chambers – City Hall.....Agenda – 1:30 p.m.

The following comments were among the remarks made by the Speaker (Council Member Adams) during the Communication from the Speaker segment of this meeting:

The Speaker (Council Member Adams) reiterated that there was absolutely no place for hate in New York City and it needed to be swiftly denounced whenever it arose. She condemned an anti-LGBTQIA+ attack which had taken place the week before in the Hell's Kitchen neighborhood of Council Member Bottcher's district. She also condemned an incident in Council Member Brannan's district where a Pride Flag was torn and burned after being taken off a Bay Ridge restaurant's flagpole.

The Speaker (Council Member Adams) acknowledged the continued efforts by the Council, in partnership with the Administration, to recruit New Yorkers to help fill important vacancies in the various city agencies. She noted that hiring events had been held in Manhattan, Queens, and Brooklyn within the districts of Council Members Bottcher, Schulman, and Hudson. She further noted that there would be an upcoming hiring event in Council Member De La Rosa's district in Manhattan.

The Speaker (Council Member Adams) acknowledged that Muslim New Yorkers were in the midst of their observation of *Ramadan*. She wished a *Ramadan Mubarak* to those who were observing the blessed season with family and loved ones.

The Speaker (Council Member Adams) wished a peaceful and joyous Passover to Jewish New Yorkers. She noted that Passover was a reminder of the importance of cherishing rights and freedoms as well as a time to pass on shared history and its lessons to future generations. She wished a *Chag Pesach*, *Chag kasher v'sameach* to those celebrating.

The Speaker (Council Member Adams) acknowledged the recent celebration of Easter on April 9th, also known as Resurrection Sunday, by many New Yorkers across the city. She also acknowledged the celebration of Orthodox Easter on April 16th. She noted that the Easter season symbolized renewal, rebirth, and a time to reflect and embark on a new beginning. The Speaker (Council Member Adams) wished a very Happy Easter to everyone observing the holiday.

The Speaker (Council Member Adams) acknowledged that the month of April marks and highlights the following: Autism Acceptance Month, which aims to promote acceptance and uplift the voices of people with autism; National Sexual Assault Awareness Month, which is the time when awareness is raised and public education is advanced concerning the prevalence of sexual assault across the country; and National Arab American Heritage Month, when the many contributions of the Arab American communities are uplifted and celebrated.

The Speaker (Council Member Adams) acknowledged that April 14th marks the Sikh holiday of Vaisakhi. She noted that the Council had hosted a Vaisakhi and Sikh Heritage Month celebration the previous week and she thanked everyone who had helped make the event a success.

The Speaker (Council Member Adams) invited all New Yorkers to the Garifuna Heritage celebration to be held in the Council Chambers on April 12, 2023. She thanked Council Members Farías, Riley, Stevens, and Velázquez for co-sponsoring the upcoming event.

The Speaker (Council Member Adams) acknowledged that April 15th marks Jackie Robinson Day when the nation celebrates a major icon and athlete who broke major league's color barrier in 1947.

The Speaker (Council Member Adams) acknowledged that April 17th marked *Yom HaShoah* or Holocaust Remembrance Day. She noted that this was the time to come together to remember the six million Jewish people and the countless other victims who lost their lives. She reiterated that this was also the time to recommit ourselves to ensure that no similar atrocity would ever take place again.

The Speaker (Council Member Adams) recognized the presence in the balcony of College Access Students from the Brooklyn YWCA led by their CEO Martha Kamber. Those assembled in the Chambers responded with applause and cheers in appreciation of these special visitors.

Whereupon on motion of the Speaker (Council Member Adams), the Majority Leader and Acting President Pro Tempore (Council Member Powers) adjourned these proceedings to meet again for the Stated Meeting on Thursday, April 27, 2023.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor's Local Law Note: Int. Nos. 656-A, 663-A, 722-A, 749-A, and 752-A, all adopted by the Council at the March 2, 2023 Stated Meeting, were signed into law by the Mayor on March 20, 2023 as, respectively, Local Law Nos. 38 to 42 of 2023.

Int. Nos. 886 and 897, both adopted at the February 16, 2023 Stated Meeting, were returned unsigned by the Mayor on March 22, 2023. These items had become law on March 19, 2023 due to the lack of Mayoral action within the Charter-prescribed thirty day time period. These bills were assigned subsequently as Local Laws Nos. 43 and 44 of 2023, respectively,

