THE COUNCIL

Minutes of the Proceedings for the
STATED MEETING
of
Thursday, March 7, 2024, 2:11 p.m.

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

Council Members

Adrienne E. Adams, *The Speaker*

Shaun Abreu	Shahana K. Hanif	Lincoln Restler
Joann Ariola	Kamillah M. Hanks	Kevin C. Riley
Alexa Avilés	Robert F. Holden	Carlina Rivera
Diana I. Ayala	Crystal Hudson	Yusef Salaam
Chris Banks	Rita C. Joseph	Rafael Salamanca, Jr
Joseph C. Borelli	Shekar Krishnan	Pierina A. Sanchez
Erik D. Bottcher	Linda Lee	Lynn C. Schulman
Justin L. Brannan	Farah N. Louis	Althea V. Stevens
Gale A. Brewer	Kristy Marmorato	Sandra Ung
Selvena N. Brooks-Powers	Christopher Marte	Inna Vernikov
Tiffany L. Cabán	Darlene Mealy	Nantasha M. Williams
David M. Carr	Julie Menin	Kalman Yeger
Eric Dinowitz	Mercedes Narcisse	Susan Zhuang
Amanda C. Farías	Sandy Nurse	
Oswald J. Feliz	Chi A. Ossé	
James F. Gennaro	Vickie Paladino	
Jennifer Gutiérrez	Keith Powers	

Absent: Council Member De La Rosa;
Medical Leave: Council Member Moya;
Parental Leave: Council Member Won.

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

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

There were 48 Council Members marked present at this Stated Meeting held in the Council Chambers at City Hall, New York, N.Y. (including Council Members Gutierrez, Holden, Ossé, and Salamanca who participated remotely).

INVOCATION

The Invocation was delivered by Rev. Luisa Celeste Martinez, Grace United Methodist Church, located at 125 West 104 Street, New York, N.Y. 10025.

Let us pray.

Almighty God,
from whom all heart and mind are open on this day,
purify our thoughts,
so that together we could work
boldly and harmoniously
for the resolution of many projects
for the betterment and development of this great city –
that of all the sons and daughters of yours represent.
Allow us, Lord, that in this month
that as we celebrate Women's History,
all united we may raise
the banner of concord, unity,
and development for this city
where so many women of courage
play a role of mother, daughter, wife, sister,
working arm in arm for a more just,
harmonious, and prepared society.
O Lord, bless each
of the representatives present here
and the community they work for.
O God, bless all who labor in this place;
help them, Lord, so that every day
they can be better citizens
willing to serve better for thine,
and who they have been elected for.
Lord, we ask all this in the name
of the Father, the Son, and the Holy Spirit,
Amen.

(At this point, speaking in Spanish)

In the name
of the Father. the Son, and the Holy Spirit
Amen.

On behalf of Council Member De La Rosa, the Majority Leader and Acting President Pro Tempore (Council Member Farías) moved to spread the Invocation in full upon the record.

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

Preconsidered M-29

The Operating Budget of the Council of the City of New York.

March 02, 2024

TO: Honorable Adrienne E. Adams
Speaker

Honorable Justin Brannan
Chairperson, Finance Committee

FROM: Marcello Testa
Deputy Director

SUBJECT: THE BUDGET OF THE COUNCIL OF THE CITY OF NEW YORK

Precon.(M-29) The Operating Budget of the Council of The City of New York
Precon.(M-30) Schedule Detailing the Lump-Sum OTPS Unit of Appropriation of the Operating Budget of the Council of the City of New York

INITIATION: Pursuant to section 243 of the New York City Charter, the Council is authorized to present, for inclusion in the executive budget without amendment by the Mayor, its operating budget. This document presents a summary description of the structure and presentation of the Council's budget, and sets forth the proposed Council budget for consideration and approval by the Finance Committee and the Council. Also included is a resolution for the approval of a lump-sum OTPS unit of appropriation.

(For text of the entire Operating Budget and Schedule Detailing the Lump-Sum OTPS Unit of Appropriation, please refer to the City Council website at https://council.nyc.gov/ for the Operating Budget attachment to the M-29 of 2024 file).

Referred to the Committee on Finance.

Preconsidered M-30

Schedule detailing the lump sum OTPS Unit of Appropriation of the Operating Budget of the Council of the City of New York.

(For text of the entire Operating Budget and Schedule Detailing the Lump-Sum OTPS Unit of Appropriation, please refer to the City Council website at https://council.nyc.gov/ for the Operating Budget attachment to the M-30 of 2024 file)

Referred to the Committee on Finance**.**

M-31

Communication from the Comptroller - Submitting Statement of Debt Service as of January 16, 2024, in accordance with Section 242 of the New York City Charter.

(For text of the Statement of Debt Service and accompanying Schedule of Appropriations, please see the attachment on the M-31 of 2024 file on the New York City Council at https://council.nyc.gov)

Received, Ordered, Printed and Filed.

M-32

Communication from the Office of Administrative Tax Appeals - Submitting the 2023 Annual Report of the New York City Tax Commission, pursuant to section 155 of the New York City Charter.

(For text of the report, please see the website of the New York City Tax Commission page at https://www1.nyc.gov/site/taxcommission/reports/annual-report.page or refer to the Office of the New York City Comptroller at 1 Centre Street, New York, N.Y. 10007)

Received, Ordered, Printed and Filed.

LAND USE CALL-UPS

M-33

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

Pursuant to Sections 11.20(b-d) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the actions of the City Planning Commission on Application Nos. C 240092 ZSQ, C 240094 ZSQ, C 240095 ZSQ and C 240058 MMQ (Willets Point Phase II) shall be subject to Council review. These items are related to Application No. N 240093 ZRQ.

Coupled on Call-up vote.

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

Affirmative – Abreu, Ariola, Avilés, Ayala, Banks, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, Dinowitz, Feliz, Gennaro, Hanif, Hanks, Holden, Hudson, Joseph, Krishnan, Lee, Louis, Marmorato, Marte, Mealy, Menin, Narcisse, Nurse, Ossé, Restler, Riley, Rivera, Salaam, Salamanca, Sanchez, Schulman, Stevens, Ung, Vernikov, Williams, Yeger, Zhuang, the Majority Leader (Council Member Farías) and the Speaker (Council Member Adams) - **44**.

Present, Not Voting - Gutíerrez, Paladino, Powers, and the Minority Leader (Council Member Borelli).

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

REPORTS OF THE STANDING COMMITTEES

Report of the Committee on Economic Development

Report for Int. No. 4-A

Report of the Committee on Economic Development 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 requiring the use of shore power at cruise terminals and community traffic mitigation plans in neighborhoods where cruise terminals are located.

The Committee on Economic Development, to which the annexed proposed amended local law was referred on February 8, 2024 (Minutes, page 197), respectfully

REPORTS:

I. INTRODUCTION

On March 7, 2024, the Committee on Economic Development, chaired by Majority Leader Amanda Farías, held a vote on Introduction Number 4-A ("Int. No. 4-A), a Local Law to amend the administrative code of the city of New York, in relation to requiring the use of shore power at cruise terminals and community traffic mitigation plans in neighborhoods where cruise terminals are located. Int. No. 4-A passed with six votes in the affirmative, with zero nays and zero abstentions.

On February 15, 2024 the Committee on Economic Development heard an earlier version of this bill ("Int. No. 4"). Witnesses invited to testify included representatives of the New York City Economic Development Cooperation ("NYCEDC"), cruise industry representatives, and interested members of the public.

II. BACKGROUND

Cruise Line Industry in New York City

The Port of New York is one of the busiest cruise and shipping ports in the nation. According to the Port Authority of New York and New Jersey ("PANYNJ"), the Port of New Yok/New Jersey is the third largest cruise market in the United States.[1] In 2016, Port of New Yok/New Jersey was ranked the 17th busiest cruise port worldwide.[2] The City's two cruise terminals are located in Red Hook, Brooklyn and along the Hudson River in midtown Manhattan. In 2018, NYCEDC reported that "Brooklyn served 143,030 passengers with 28 ship calls and Manhattan served 1,154,987 passengers with 207 ship calls." Additionally, according to an NYCEDC press release last fall, the cruise industry "creates an economic impact of nearly $420 million per year in New York City . . . [with] over 1.3 million passengers . . .traveling through the Manhattan and Brooklyn Cruise Terminals [in 2023]."[3]

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[1] *See* PANYNJ, "Cruise Terminals," https://www.panynj.gov/port/en/our-port/cruise-terminals.html (*last accessed* Feb. 7, 2024).
[2] *See* NYCEDC, "NY Cruise Terminals," https://edc.nyc/project/nycruise-terminals (*last accessed* Feb. 7, 2024).
[3] NYCEDC, *New Agreements with Carnival, Norwegian, MSC Cruises to Sail from Manhattan and Brooklyn Cruise Terminals* at https://edc.nyc/press-release/nycedc-announces-new-agreements-carnival-norwegian-msc-cruises

The Manhattan and Brooklyn Cruise Terminals

The Manhattan Cruise Terminal (formerly the New York City Passenger Ship Terminal), located between West 47th Street and West 53rd Street on piers 88, 90, and 92, was constructed in the 1930s.[4] In order to handle five ships at one time, the PANYNJ renovated the terminal in the 1970s.[5] It is now the homeport for trans-Atlantic crossings from Europe and also serves as a major port for embarkations to Bermuda, Canada and the Caribbean.[6] The piers are also used as a venue for trade shows when cruise ships are not docked and hosts the annual New York City Fleet Week with the U.S. Navy.[7]

The Brooklyn Cruise Terminal, located in Red Hook, Brooklyn, opened in 2006.[8] The terminal is 182,000 square feet and is situated on Buttermilk Channel, a tidal strait separating Brooklyn from Governors Island.[9] The terminal currently serves the Cunard and Princess Cruise lines and includes on-site parking, passenger drop-off areas with curbside check-in, and a one-stop customs and an immigration processing system.[10]

Managed jointly by NYCEDC and PANYNJ, the Brooklyn Cruise Terminal became the first operational shore power-capable cruise terminal on the East Coast.[11] Cruise ships typically dock for up to eleven hours loading and unloading both passengers and supplies. When docked[12], a ship's power is supplied by auxiliary engines on board the vessel, which are usually powered by high-sulfur diesel fuel.[13] Through the use of shore power, vessels, such as the Queen Mary 2, which has the ability to connect to the electrical grid and turn off its engine while docked, produce lower fossil fuel emissions and avoid negative air quality impacts for the surrounding community.[14]

Shore Power and Environmental Benefits

Shore power, sometimes referred to as cold-ironing or alternative marine power, is the process that supplies electrical power from a point onshore while a ship is docked.[15] This power source allows auxiliary engines to be turned off and stops the burning of the ship's diesel fuel. This process helps lower the emissions of air pollutants and greenhouse gases and avoids degradations in the quality of the surrounding air.[16] Additionally, shore power can create an economic advantage for a ship operator by reducing fuel costs.[17]

Over the past 15 years, numerous global ports have opted to outfit their ports with shore power. For example, in Canada, the Halifax Port Authority installed shore power on its piers in 2013, resulting in an annual 7% decrease in ship idling.[18] This represents "approximately 123,000 liters of fuel [saved] and [removal] of 370,000 kg of greenhouse gases and air pollutant emissions."[19] And in the Port of Montreal's Alexandra Pier, shore power

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[4] NYCruise, "Manhattan Cruise Terminal: History and Facts," *available at* http://www.nycruise.com/index.html
[5] *See id.*
[6] *See id.*
[7] *See id.*
[8] NYCruise, "Brooklyn Cruise Terminal Overview," available at http://www.nycruise.com/brooklyn-terminal/
[9] *See id.*
[10] *See* NYC Cruise at https://nycruise.com/brooklyn-terminal/schedule-bct/
[11] *See* Marine Link, "NY Port to Install Shore Power Technology" (Jun 29, 2012), *available at* https://www.marinelink.com/news/technology-install-shore345898
[12] *See id.*
[13] *See* NYC Mayor, "Mayor Bloomberg, Port Authority, U.S. Environmental Protection Agency, New York Power Authority, Princess Cruises and Cunard Line Announce Partnership to Introduce Shore Power at Brooklyn Cruise Terminal" (Apr 13, 2011), Press Release, *available at* http://www.nyc.gov/portal/site/nycgov/menuitem.c0935b9a57bb4ef3daf2f1c701c789a0/index.jsp?pageID=mayor_press_release&catID=1194&doc_name=http%3A%2F%2Fwww.nyc.gov%2Fhtml%2Fom%2Fhtml%2F2011a%2Fpr121-11.html&cc=unused1978&rc=1194&ndi=1
[14] *See* W42ndSt.com, " Cruise Ships Commit to Shore Power by 2028 — Promise Community Fund Amid Expansion Plans," (Oct 7, 2023), *available at* https://w42st.com/post/cruise-ships-commit-to-shore-power-by-2028-promise-community-fund-amid-expansion-plans/
[15] Shore Power, Why Does it Matter? at https://clearseas.org/insights/shore-power-why-does-it-matter/
[16] *See id.*
[17] *See id.*
[18] *See id.*
[19] Port of San Diego, "San Diego Further Enhances Cruise Ship Shore Power" *available at* https://www.portofsandiego.org/press-releases/general-press-releases/port-san-diego-further-enhance-cruise-ship-shore-powerttps://clearseas.org/insights/shore-power-why-does-it-matter/

eliminates approximately 2,800 tons of greenhouse gas emissions per year. Other major international ports such as Hamburg, Germany, Copenhagen, Denmark and Busan, South Korea have all set targets to install additional shore power capacity in order to become 50 percent carbon neutral by 2028 and 100 percent carbon neutral by 2040.[20]

Domestically, the Port of Miami, the second busiest port in the world for cruise ships, plans to install the world's largest shore power system by the end of 2024.[21] Several other municipalities in the United States, such as San Diego and Los Angeles, have also adopted the use of shore power.[22]

Meanwhile, in New York, while the Brooklyn Cruise Terminal does have shore power capacity, it remains underutilized, and the Manhattan Cruise Terminal lacks shore power connections altogether. Targeted investment and policy support for the use of shore power at both cruise terminals would curb the environmental impact on the terminals' surrounding communities. Cementing New York's position among top global cruise port cities demands strategic action from PANYNJ and NYCEDC as passenger volumes return post-pandemic.

III. LEGISLATIVE ANALYSIS

Introduction Number 4-A ("Int. No. 4-A")

Section one of Int. No. 4-A would amend section 22-821 of the Administrative Code to add new definitions, including "community traffic mitigation plan," "covered maritime contract," "cruise terminal," "cruise terminal operator," and "shore power."

Section two of Int. No. 4-A would add a new section 22-827 to the Administrative Code.

Subdivision a of § 22-827 in Int. No. 4-A would mandate that covered maritime contracts executed after the law's effective date require that the Economic Development Corporation require vessels to use shore power when berthed, subject to: the availability of shore power; a vessel's ability to connect to shore power; and whether it is safe and practicable to do so.

Subdivision b of § 22-827 in Int. No. 4-A places enforcement responsibility solely on the Economic Development Corporation.

Subdivision c of Int. No. 4-A would require the Economic Development Corporation to submit community traffic mitigation plans to the mayor and council by the later of July 1, 2025 or 180 days after the date of the execution of the next maritime contract. Additionally, subdivision c requires the Economic Development Corporation to solicit public input from impacted neighborhoods in developing these plans, and include an assessment by the Police Department and Department of Transportation of which portions of the plan those departments plan to implement.

Section three of Int. No. 4-A states that the law takes effect immediately.

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

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[20] *See* Sustainable Ships, "Port of Hamburg," https://www.sustainable-ships.org/rules-regulations/port-hamburg (*last accessed* Feb. 7 2024); *see also* Seatrade-Maritime, (Feb 13, 2022), "Ports and Ministers commit to 2028 shore power deadline," *available at* https://www.seatrade-maritime.com/ports-logistics/ports-and-ministers-commit-2028-shore-power-deadline.

[21] *See id.*

[22] *See* Marine Log, "Port of Miami to Deploy World's Largest Shore Power System" https://www.marinelog.com/passenger/cruiseships/portmiami-to-deploy-worlds-largest-shore-power-system/ (*last accessed* Feb. 7, 2024).

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: 4-A

COMMITTEE: Economic Development

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring the use of shore power at cruise terminals and community traffic mitigation plans in neighborhoods where cruise terminals are located.

SPONSOR(S): By Council Members Avilés, Bottcher, Restler, Gennaro, Schulman, Louis, Marte, Riley, Cabán, Hudson, Gutiérrez, Ossé, Farias, Krishnan, Hanif and Williams (in conjunction with the Brooklyn Borough President).

SUMMARY OF LEGISLATION: Proposed Intro. 4-A would alter the terms of the contract between the City and the New York City Economic Development Corporation (EDC) by requiring EDC to compel cruise terminal operators to require cruise ships with shore power capability to connect to shore power systems when docked, whenever shore power is available, and it is safe and practicable to do so. EDC would also be required to create and regularly update community traffic mitigation plans in the neighborhoods around each terminal in consultation with the Department of Transportation, the Police Department and neighborhood representatives.

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

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

IMPACT ON EXPENDITURES: It is estimated that there would be no impact on expenditures resulting from the enactment of this legislation, as the agency responsible for its implementation will utilize existing resources to fulfill the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Glenn Martelloni, Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was introduced to the Council on February 8, 2024, as Proposed Intro. No. 4, and was referred to the Committee on Economic Development (the Committee). A hearing was held by the Committee on February 15, 2024, and the legislation was laid over. The legislation was subsequently amended and the final amended version, Proposed Intro. No. 4-A, will be considered by the Committee at a hearing on March 7, 2024. Upon a successful vote by the Committee, Proposed Intro. No. 4-A will be submitted to the full Council for a vote on March 7, 2024.

DATE PREPARED: March 3, 2024.

Accordingly, this Committee recommends its adoption, as amended.

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

Int. No. 4-A

By Council Members Avilés, Bottcher, Restler, Gennaro, Schulman, Louis, Marte, Riley, Cabán, Hudson, Gutiérrez, Ossé, Farías, Krishnan, Hanif, Williams, Won and Mealy (in conjunction with the Brooklyn Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to requiring the use of shore power at cruise terminals and community traffic mitigation plans in neighborhoods where cruise terminals are located

Be it enacted by the Council as follows:

Section 1. Section 22-821 of the administrative code of the city of New York is amended by adding new definitions of "community traffic mitigation plan," "covered maritime contract," "cruise terminal," "cruise terminal operator," and "shore power" in alphabetical order to read as follows:

Community traffic mitigation plan. The term "community traffic mitigation plan" means a plan, developed in consultation with the department of transportation and the police department, that outlines proposed measures to reduce private or for-hire vehicle usage and encourage use of public transportation in a neighborhood where a cruise terminal is located in order to address traffic congestion and other disruptions resulting from the loading or unloading of cruise ships or similar vessels at a cruise terminal.

Covered maritime contract. The term "covered maritime contract" means any contract under which a contracted entity is engaged in providing or administering economic development benefits relating to cruise terminals on behalf of the city.

Cruise terminal. The term "cruise terminal" means an area of a port designated for the loading and unloading of cruise ships or similar vessels that is: (i) owned by the city and administered by a contracted entity pursuant to a covered maritime contract; or (ii) leased by a contracted entity.

Cruise terminal operator. The term "cruise terminal operator" means an entity that operates, manages and maintains a cruise terminal pursuant to an agreement with the city or a contracted entity.

Shore power. The term "shore power" means the provision of electrical power from the shore that a vessel at berth can access, thereby allowing the engine of such vessel to shut down.

§ 2. Subchapter 2 of chapter 8 of title 22 of the administrative code of the city of New York is amended by adding a new section 22-827 to read as follows:

§ 22-827 Shore power usage at cruise terminals.

a. Each covered maritime contract executed on or after the effective date of this section shall provide that a contracted entity shall require, or shall cause a cruise terminal operator to require, that any vessel utilize shore power when such vessel is at berth at a cruise terminal, provided that: (i) shore power is available at such cruise terminal; (ii) such vessel is equipped to utilize shore power at such cruise terminal; and (iii) in the judgement of such contracted entity or such cruise terminal operator, the use of shore power at such cruise terminal is safe and practicable at the time such vessel is at berth, considering weather conditions, technical limitations or any other similarly relevant factors.

b. A contracted entity shall enforce compliance with the requirements of subdivision a of this section.

c. Each covered maritime contract executed on or after the effective date of this section shall provide that a contracted entity shall submit to the mayor and speaker of the council, and post on the website of such contracted entity, a community traffic mitigation plan for each cruise terminal by the later of: (i) July 1, 2025; or (ii) 180 days after the date of execution of such covered maritime contract. In developing such plan, such contracted entity shall solicit input from members of the public who reside in neighborhoods surrounding a cruise terminal. Such plan shall be revised by such contracted entity as appropriate. Such plan shall be accompanied by an assessment by the police department and the department of transportation of which, if any, of the proposed measures such departments plan to undertake.

§ 3. This local law takes effect immediately.

AMANDA C. FARÍAS, *Chairperson*; RAFAEL SALAMANCA, Jr., KEVIN C. RILEY, ALEXA AVILÉS, ERIK D. BOTTCHER, JENNIFER GUTIÉRREZ; 6-0-0; *Absent:* Inna Vernikov; Committee on Economic Development, March 7, 2024.

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

Report of the Committee on Finance

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

Report for M-29

Report of the Committee on Finance in favor of a Resolution approving The Operating Budget of the Council of the City of New York.

The Committee on Finance, to which the annexed preconsidered Council communication was referred on March 7, 2024 and which same Council communication was coupled with the resolution shown below, respectfully

REPORTS:

(The following is the text of a Memo to the Finance Committee from the Deputy Director of Administrative Services and Fiscal Officer of the Council:)

March 02, 2024

TO: Honorable Adrienne E. Adams
Speaker

Honorable Justin Brannan
Chairperson, Finance Committee

FROM: Marcello Testa
Deputy Director

SUBJECT: THE BUDGET OF THE COUNCIL OF THE CITY OF NEW YORK

Precon.(M-29) The Operating Budget of the Council of the City of New York
Precon.(M-30) Schedule Detailing the Lump-Sum OTPS Unit of Appropriation of the Operating Budget of the Council of the City of New York

INITIATION: Pursuant to section 243 of the New York City Charter, the Council is authorized to present, for inclusion in the executive budget without amendment by the Mayor, its operating budget. This document presents a summary description of the structure and presentation of the Council's budget, and sets forth the proposed Council budget for consideration and approval by the Finance Committee and the Council. Also included is a resolution for the approval of a lump-sum OTPS unit of appropriation.

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

Res. No. 258

RESOLUTION APPROVING THE FISCAL YEAR 2025 OPERATING BUDGET OF THE COUNCIL OF THE CITY OF NEW YORK.

By Council Member Brannan.

Resolved: By the Council of the City of New York, pursuant to the provisions of section 243 of the New York City Charter that the following amounts shall be submitted to the Mayor, for inclusion in the executive budget for the operating budget for the Council of the City of New York.

ATTACHMENT: Summary

Summary:

Under the City Charter, the City Council is authorized to structure its own budget. This budget must be presented to the Mayor, for inclusion in the Executive Budget, after the Council approves it.

The Council's staff is described through divisions within three units of appropriation: Council Members and their aides, Committee Staffing, and Council Services. These and the standing committees each have a U/A for PS. OTPS is divided into the following categories: members, central staff, and each standing committee. A separate resolution approving the central staff's lump sum unit of appropriation is attached for Council approval pursuant to Section 100 (c) of the Charter.

Council Member office budgets are funded in U/A 001 object 021 (PS) and U/A 100 objects 400 (OTPS). Funds allocated for each Member’s budget total $521,000.

Staff from the Office of the General Counsel, Governmental Affairs, Finance, Land Use, Infrastructure, and Human Services divisions are specifically assigned to each committee and subcommittee. These analysts and attorneys in turn are supported by the Administrative Services Division, which functions as the central administration.

Staffs from the following Divisions are assigned to these Committees and Subcommittees:

Finance
- Finance

Land Use
- Land Use
- Landmarks, Public Siting & Dispositions (Subcommittee)
- Zoning & Franchises (Subcommittee)

General Counsel
- Rules, Privileges & Elections
- Standards & Ethics

Governmental Affairs
- Civil & Human Rights
- Consumer & Worker Protection
- Contracts
- Criminal Justice
- Fire & Emergency Management
- General Welfare
- Governmental Operations, State & Federal Legislation
- Immigration
- Oversight & Investigations
- Public Safety

Human Services
- Aging
- Senior Centers & Food Insecurity (Subcommittee)
- Civil Services & Labor
- Cultural Affairs, Libraries & International Intergroup Relations
- Education
- Health
- Covid Recovery & Resiliency (Subcommittee)
- Higher Education
- Hospitals
- Mental Health, Disabilities and Addiction
- Small Business
- Transportation and Infrastructure
- Veterans
- Women and Gender Equity
- Children and Youth

Infrastructure

- Economic Development
- Environmental Protection, Resiliency and Waterfronts
- Housing & Buildings
- Parks & Recreation
- Public Housing
- Sanitation & Solid Waste Management
- Technology

Drafting

- Responsible for drafting of legislation for the Council's Legislative Committees

(For text of the entire Operating Budget and Schedule Detailing the Lump-Sum OTPS Unit of Appropriation, please refer to the City Council website at https://council.nyc.gov/ for the Operating Budget attachment to the M-29 of 2024 file).

JUSTIN L. BRANNAN, *Chairperson*; DIANA I. AYALA, KEITH POWERS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, AMANDA C. FARIAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA A. SANCHEZ, ALTHEA V. STEVENS, NANTASHA M. WILLIAMS, YUSEF SALAAM; 13-0-0; *Absent*: Gale A. Brewer and Farah N. Louis; *Maternity*: Julie Won; *Medical*: Francisco P. Moya; Committee on Finance, March 7, 2024.

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

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

Report for M-30

Report of the Committee on Finance in favor of a Resolution approving a Schedule detailing the lump sum OTPS Unit of Appropriation of the Operating Budget of the Council of the City of New York.

The Committee on Finance, to which the annexed preconsidered Council communication was referred on March 7, 2024 and which same Council communication was coupled with the resolution shown below, respectfully

REPORTS:

(For the entire text of the Operating Budget Report, please refer to the City Council website at https://council.nyc.gov/ for the Operating Budget attachment to the Res. No. 258 of 2024 file; please also refer to Res No. 259 printed below)

Accordingly, this Committee recommends its adoption.

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

Res. No. 259

RESOLUTION APPROVING FOR FISCAL YEAR 2025 THE SCHEDULE DETAILING THE LUMP SUM OTHER THAN PERSONAL SERVICES UNIT OF APPROPRIATION OF THE OPERATING BUDGET OF THE COUNCIL OF THE CITY OF NEW YORK

By Council Member Brannan.

Resolved by the Council, pursuant to the provisions of section 100 (c) of the New York City Charter, that the following spending shall be presented in a lump sum OTPS unit of appropriation, the allocation of which corresponds to the following PS units of appropriation.

COUNCIL BUDGET

PS

U/A	**DESCRIPTION**	**MEMO OTPS***
002	COMMITTEE STAFFING	$9,889,320
005	COUNCIL SERVICES	$7,610,680
	TOTAL OTPS	$17,500,000

*Set forth for informational purposes only in accordance with Charter Section 100 (c)
*See page 9, City Council Fiscal Year 2025 OTPS Detail

JUSTIN L. BRANNAN, *Chairperson*; DIANA I. AYALA, KEITH POWERS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, AMANDA C. FARIAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA A. SANCHEZ, ALTHEA V. STEVENS, NANTASHA M. WILLIAMS, YUSEF SALAAM; 13-0-0; *Absent*: Gale A. Brewer and Farah N. Louis; *Maternity*: Julie Won; *Medical*: Francisco P. Moya; Committee on Finance, March 7, 2024.

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

Report of the Committee on Health

Report for Int. No. 1-B

Report of the Committee on Health in favor of approving and adopting, as amended, a Local Law in relation to the naming of the Paul A. Vallone Queens Animal Care Center.

The Committee on Health, to which the annexed proposed amended local law was referred on February 8, 2024 (Minutes, page 195), respectfully

REPORTS:

I. INTRODUCTION

On Thursday, March 7, 2024, the Committee on Health, chaired by Council Member Lynn Schulman, held a hearing and voted on Introduction Number 1-B (Int. No. 1-B), sponsored by Speaker Adrienne Adams, in relation to the naming of the Paul A. Vallone Queens Animal Care Center. The Committee on Health received testimony from Animal Care Centers of NYC, animal rights advocates, and other interested stakeholders. Following public testimony, Int. No. 1-B passed with nine votes in the affirmative, with no nays or abstentions.

Since introduction, the bill was amended to clarify the name of the new facility, and that such name shall be affixed and prominently displayed on the exterior of the facility.

II. LEGISLATIVE ANALYSIS

Int. No. 1-B

This bill would designate the Animal Care Centers of NYC facility in the borough of Queens, as required to be established pursuant to Local Law 123 of 2018, as the Paul A. Vallone Queens Animal Care Center.

(The following is the text of the Fiscal Impact Statement for Int. No. 1-B:)

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: 1-B

COMMITTEE: Health

TITLE: A Local Law in relation to the naming of the Paul A. Vallone Queens Animal Care Center.	**SPONSOR(S):** By the Speaker (Council Member Adams) and Council Members Schulman, Powers, Menin, Brooks-Powers, Restler, Gennaro, Brewer, Hudson, Rivera, Brannan, Ariola, Gutiérrez and Dinowitz.

SUMMARY OF LEGISLATION: This bill would designate the Animal Care Centers of NYC facility in the borough of Queens, as required to be established pursuant to Local Law 123 of 2018, as the Paul A. Vallone Queens Animal Care Center.

EFFECTIVE DATE: This local law would take effect immediately.

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

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

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

LEGISLATIVE HISTORY: The legislation was first introduced to the full Council on February 8, 2024 as Proposed Intro. No. 1 and referred to the Committee on Health (Committee). The legislation has been amended, and the amended version, Proposed Intro. No. 1-B will be considered and voted on by the Committee on March 7, 2024. Upon successful vote by the Committee, Proposed Intro. No. 1-B will be submitted to the full Council for a vote on March 7, 2024.

DATE PREPARED: March 1, 2024.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1-B:)

Int. No. 1-B

By the Speaker (Council Member Adams) and Council Members Schulman, Powers, Menin, Brooks-Powers, Restler, Gennaro, Brewer, Hudson, Rivera, Brannan, Gutiérrez, Dinowitz, Won, Holden, Yeger, Mealy, Ariola, Paladino and Carr.

A Local Law in relation to the naming of the Paul A. Vallone Queens Animal Care Center

Be it enacted by the Council as follows:

Section 1. a. The following facility in the borough of Queens, as required to be established pursuant to local law number 123 for the year 2018, is hereby designated as hereafter indicated.

New Name	**Present Name**
Paul A. Vallone Queens Animal Care Center - Animal Care Centers of NYC	Animal Care Centers of NYC

b. The new name required by subdivision a of this section will be affixed and prominently displayed on the exterior of such facility.

§ 2. This local law takes effect immediately.

LYNN C. SCHULMAN, *Chairperson***;** KALMAN YEGER, JAMES F. GENNARO, OSWALD J. FELIZ, JULIE MENIN, MERCEDES NARCISSE, SUSAN ZHUANG; JOANN ARIOLA, KRISTY MARMORATO; 9-0-0; *Absent*: Carmen N. De La Rosa; Committee on Health, March 7, 2024. *Other Council Members Attending: Council Members Powers, Brooks-Powers, Dinowitz, Carr; also the Pubic Advocate (Mr. Williams).*

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

Report of the Committee on Housing and Buildings

Report for Int. No. 17-B

Report of the Committee on Housing and Buildings in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to electric vehicle supply equipment in open parking lots and parking garages.

The Committee on Housing and Buildings, to which the annexed proposed amended local law was referred on February 8, 2024 (Minutes, page 209), respectfully

REPORTS:

I. INTRODUCTION

On March 7, 2024, the New York City Council Committee on Housing and Buildings, chaired by Council Member Pierina Sanchez, held a hearing to vote on Int. No. 17-B, sponsored by Council Member Justin Brannan, in relation to electric vehicle supply equipment in open parking lots and parking garages. The Committee on Housing and Building first heard Int. No. 17-B on February 29, 2024.

II. LEGISLATION

Int. No. 17-B

Int. No. 17-B would require owners of parking garages and open parking lots with 10 or more spaces that are licensed by the Department of Consumer and Worker Protection ("DCWP") to install Electric Vehicle Supply Equipment ("EVSE") in 20% of parking spots and ensure 40% of parking spots are capable of supporting EVSE by January 1, 2035. This bill would allow for adjustments or waivers to this requirement under outlined circumstances, such as structural infeasibility. For parking garages and open parking lots not licensed by DCWP, various agencies would be required to conduct a study and issue a report two years after the effective date of the bill, to recommend the required level of EVSE installation. DOB would be required to promulgate rules to implement requirements for parking garages and open parking lots not licensed by DCWP by January 1, 2027. Finally, the bill would require DOB to annually report on the installation of EVSE.

This bill would take effect on the same date as Int. No. 436, a local law amending the Administrative Code of the City of New York in relation to the Electrical Code.

UPDATE

On Thursday, March 7, 2024, the Committee adopted Int. 17-B by a vote of seven in the affirmative, zero in the negative, and zero abstentions.

(The following is the text of the Fiscal Impact Statement for Int. No. 17-B:)

THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. 17-B

COMMITTEE: Housing and Buildings

TITLE: A Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to electric vehicle supply equipment in open parking lots and parking garages.

Sponsors: By Council Members Brannan, Louis, Restler, Stevens, Gennaro, Brewer, Hudson, Dinowitz, Bottcher, Won, Schulman and Avilés (by request of the Queens Borough President).

SUMMARY OF LEGISLATION: This bill would require owners of parking garages and open parking lots with 10 or more spaces that are licensed by the Department of Consumer and Worker Protection ("DCWP") to install Electric Vehicle Supply Equipment ("EVSE") in 20 percent of parking spots and ensure 40 percent of parking spots are capable of supporting EVSE by January 1, 2035. This bill would allow for adjustments or waivers to this requirement under outlined circumstances, such as structural infeasibility. For parking garages and open parking lots not licensed by DCWP, various agencies would be required to conduct a study and issue a report no later than two years after the effective date of this local law to recommend the required level of EVSE installation. The Department of Buildings ("DOB") would be required to promulgate rules to implement requirements for parking garages and open parking lots not licensed by DCWP by January 1, 2027. Finally, the bill would require DOB to annually report on the installation of EVSE.

EFFECTIVE DATE: This local law takes effect on the same date as a local law of the city of New York for the year 2024 amending the administrative code of the city of New York, relating to the electrical code and repealing chapter 3 of title 27 of the administrative code of the city of New York in relation thereto, as proposed in introduction number 436 for the year 2024, takes effect.

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation as the agencies responsible for carrying out its requirements would be able to use existing resources to fulfill the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Daniel Kroop, Principal Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 17 on February 8, 2024, and was referred to the Committee on Housing and Buildings (Committee). The Committee heard the legislation in a joint hearing with the Committee on Fire and Emergency Management on February 29, 2024, and the legislation was laid over. The legislation was subsequently amended, and the final amended legislation, Proposed Intro. No. 17-B, will be considered by the Committee on March 7, 2024. Upon a successful vote by the Committee, Proposed Intro. No. 17-B will be submitted to the full Council for a vote on March 7, 2024.

DATE PREPARED: March 6, 2024.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 17-B:)

Int. No. 17-B

By Council Members Brannan, Louis, Restler, Stevens, Gennaro, Brewer, Hudson, Dinowitz, Bottcher, Won, Schulman, Avilés and Mealy (by request of the Queens Borough President).

A Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to electric vehicle supply equipment in open parking lots and parking garages

Be it enacted by the Council as follows:

Section 1. Exception 18 of section 28-101.4.3 of the administrative code of the city of New York, as amended by local law number 126 for the year 2021, is amended to read as follows:

18. **Parking garages and open parking lots.** [Where an alteration of a parking garage or an open parking lot includes an increase in the size of the electric service such alteration shall include provisions for the installation of electric vehicle charging stations in accordance] *Parking garages and open parking lots shall comply* with section 406.4.10 or 406.9.8 of the New York city building code, as applicable.

§ 2. Article 315 of chapter 3 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-315.12 to read as follows:

§ 28-315.12 Electric vehicle supply equipment (EVSE). Parking garages and open parking lots shall be capable of supporting and equipped with EVSE as set forth in sections 28-315.12.1 and 28-315.12.2, and in accordance with the New York city electrical code.

§ 28-315.12.1 EVSE requirements for department of consumer and worker protecton licensed parking garages and open parking lots. Parking garages and open parking lots with 10 or more parking spaces that are required to be licensed by the department of consumer and worker protection or successor agency in accordance with section 20-321 shall ensure that no less than 20 percent of parking spaces in existing parking garages and open parking lots shall be equipped with level 2 charging stations

and 40 percent of parking spaces be capable of supporting level 2 charging stations by January 1, 2035. For purposes of compliance with this section, the installation of 1 direct current fast charging station shall be considered to be the equivalent of 10 level 2 charging stations, provided the installation of direct current fast charging stations shall not be used to satisfy more than 50 percent of the level 2 charging stations required. Owners of such parking garages and open parking lots shall submit a report of compliance with this section to the department within 60 days after final inspection of such installation in a form and manner specified by the department.

Exceptions. The commissioner may grant an adjustment to or waiver of any of the provisions of this section with respect to a parking garage or open parking lot where:

1. The project costs exceed the baseline costs for EVSE installation as determined by the department in accordance with recommendations of the department of transportation, and the owner is complying with the requirements of this section to the maximum extent practicable and has availed itself of all available federal, state, city, private, and utility incentive programs related to EVSE for which it reasonably could participate;

2. For a parking garage or open parking lot that utilizes equipment that enables vehicles to be parked vertically and the owner demonstrates that such vertical parking would make the use of EVSE infeasible, an adjustment may be granted so that only spaces where EVSE could feasibly be used will be required to do so to the maximum extent practicable to meet the requirements under this section;

3. The owner demonstrates that compliance with this section would compromise the structural integrity of the parking structure; or

4. The owner demonstrates that compliance with this section is not feasible for other reasons as established by the department by rule.

§ 28-315.12.2 EVSE requirements for unlicensed parking garages and open parking lots. Parking garages and open parking lots with 10 or more spaces that are not required to be licensed by the department of consumer and worker protection or successor agency shall be equipped with EVSE and be capable of supporting EVSE in accordance with a schedule established by the department by rule. Such schedule shall be based on recommendations of the department of transportation pursuant to the report published by such department pursuant to section 5 of the local law that added this section and may include such exceptions as the commissioner determines to be appropriate or necessary, including the exceptions set forth in section 28-315.12.1 and any exceptions determined by the commissioner to be appropriate pursuant to the report required by section 5 of the local law that added this section. No later than January 1, 2027, the department shall promulgate rules as required to implement this section.

§ 28-315.12.3 Annual EVSE installation report. No later than March 31, 2027, and no later than March 31 of every year thereafter, the department shall submit a report to the mayor and the speaker of the council on compliance with this section. Such report shall include, but not be limited to, data on the number of parking garages and open parking lots complying with the requirements of this section, along with the number of EVSE installed for the preceding calendar year.

§ 3. The definitions in section 202 of the New York city building code are amended by adding the following definitions in alphabetical order to read as follows:

DIRECT CURRENT FAST CHARGING STATION. An EVSE with a minimum charging capacity as established by the department by rule.

ELECTRIC VEHICLE LOAD MANAGEMENT SYSTEM. An electronic system designed to allocate charging capacity among EVSE.

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE). See Article 625.2 of the *New York City Electrical Code*.

LEVEL 2 CHARGING STATION. An EVSE with a minimum charging capacity as established by the department by rule.

§ 4. Sections 406.2, 406.4.10, and 406.9.8 of the New York city building code, as renumbered and amended by local law number 126 for the year 2021, are amended to read as follows:

406.2 Definitions. The following terms are defined in Chapter 2:

CARPORT.

DIRECT CURRENT FAST CHARGING STATION.

ELECTRIC VEHICLE LOAD MANAGEMENT SYSTEM.

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE).

LEVEL 2 CHARGING STATION.

MECHANICAL-ACCESS OPEN PARKING GARAGE.

OPEN PARKING GARAGE.

PRIVATE GARAGE.

RAMP-ACCESS OPEN PARKING GARAGE.

406.4.10 Electric vehicle [charging stations] supply equipment (EVSE). [Parking garages] A new parking garage and a parking garage in an existing structure undergoing such significant alterations as established by the department by rule shall be capable of supporting [electrical vehicle charging stations] EVSE in accordance with this section. [Electrical raceway to the electrical supply panel serving the garage shall be capable of providing a minimum of 3.1 kw of electrical capacity to at] At least 20 percent of the parking spaces of the garage shall be equipped with level 2 charging stations. At least 60 percent of the parking spaces of the garage shall be capable of supporting EVSE. The installation of 1 direct current fast charging station shall be considered the equivalent of 10 level 2 charging stations, and the installation of direct current fast charging stations shall not be used to satisfy more than 50 percent of the level 2 charging stations required for purposes of compliance with this section. This amount of electrical capacity may be coupled with an electric vehicle load management system to distribute power to a greater percentage of spaces at lower amperage as EVSE penetration increases above 40 percent of parking spaces. [The electrical room supplying the garage must have the physical space for an electrical supply panel sufficient to provide 3.1 kW of electrical capacity to at least 20 percent of the parking spaces of the garage. Such raceway and all] All components and work appurtenant thereto, including ventilation system(s), shall be in accordance with the *New York City Electrical Code* and the *New York City Mechanical Code*.

Exceptions: 1. [The provisions of this section shall not apply to parking garages for buildings of occupancy group M (Mercantile).

2.] The commissioner may waive compliance with this section if the commissioner determines that the parking garage is a temporary facility that will be in service no longer than [three] 3 years.

[3. The provisions of this section shall not apply to parking garages for buildings in which not less than fifty percent of the residential units are for households earning up to sixty percent of the area median income as determined by the United States Department of Housing and Urban Development]

2. The commissioner, upon consultation with the commissioner of housing preservation and development, shall grant a waiver of the requirements of this section for a parking garage within or appurtenant to a multiple dwelling in which 100 percent of dwelling units are required, pursuant to a federal, state, or local law, rule, or program to be affordable for tenants or owners where the occupant's income relative to the area median income does not exceed a fixed percentage or percentages, and that is subject to an actual or anticipated agreement with a federal, state, or local governmental entity for the purposes of providing affordable housing in a given locality or region.

3. The commissioner of citywide administrative services may waive or adjust compliance with this section for parking garages on city owned or leased real property or the New York city housing authority may waive or adjust compliance with respect to real property owned or leased by such authority where such commissioner or authority, as applicable, determines that the installation of EVSE to the extent required by this section is not feasible for budgetary, operational, or programmatic reasons with respect to the ongoing citywide installation of EVSE or with respect to the issuance of a license or lease to a private person or entity to operate a parking garage.

4. The commissioner may waive or adjust compliance with this section if the commissioner finds that, upon submission of evidence from the owner, the provisions present an undue hardship resulting from technical infeasibility, including but not limited to:

4.1 The parking garage utilizes equipment that enables vehicles to be parked vertically and the owner demonstrates that such vertical parking would make the use of EVSE infeasible, provided an adjustment may be granted so that only spaces where EVSE could feasibly be used will be required to do so to the maximum extent practicable to meet the requirements under this section; or

4.2 The owner provides evidence that compliance with this section would compromise the structural integrity of the parking garage.

406.9.8 Electric vehicle [charging stations] supply equipment (EVSE). [Open parking lots] A new open parking lot and an existing open parking lot on the same tax lot or appurtenant to a building owned by the same owner of such open parking lot undergoing such significant alterations as established by the department by rule shall be capable of supporting [electric vehicle charging stations] and be equipped with EVSE in accordance with this section. A minimum of 20 percent of the parking spaces in such an open parking lot shall be equipped with level 2 charging stations. At least 60 percent of the parking spaces of the lot shall be capable of supporting EVSE. The installation of 1 direct current fast charging station shall be considered the equivalent of 10 level 2 charging stations, and the installation of direct current fast charging stations shall not be used to satisfy more than 50 percent of the level 2 charging stations required for purposes of compliance with this section. This amount of electrical capacity may be coupled with an electric vehicle load management system to distribute power to a greater percentage of spaces at lower amperage as EVSE penetration increases above 40 percent of

parking spaces. [electrical raceway shall be capable of providing a minimum supply of 11.5 kVA to an EVSE from an electrical supply panel. The raceway shall be no smaller than 1 inch. The electrical supply panel serving such parking spaces must have at least 3.1 kW of available capacity for each stall connected to it with raceway. Such raceway and all] All components and work appurtenant thereto, including ventilation system(s), shall be in accordance with the *New York City Electrical Code* and the *New York City Mechanical Code*.

Exceptions:

1. [The provisions of this section shall not apply to open parking lots for buildings of occupancy group M (Mercantile).

2.] The commissioner may waive compliance with this section if the commissioner determines that the open parking lot is a temporary facility that will be in service no longer than [three] 3 years.

[3. The provisions of this section shall not apply to open parking lots for buildings in which not less than fifty percent of the residential units are for households earning up to sixty percent of the area median income as determined by the United States Department of Housing and Urban Development]

2. The commissioner, upon consultation with the commissioner of housing preservation and development, shall grant a waiver of the requirements of this section for a parking garage within or appurtenant to a multiple dwelling in which 100 percent of dwelling units are required, pursuant to a federal, state, or local law, rule, or program to be affordable for tenants or owners where the occupant's income relative to the area median income does not exceed a fixed percentage or percentages, and that is subject to an actual or anticipated agreement with a federal, state, or local governmental entity for the purposes of providing affordable housing in a given locality or region.

3. The commissioner of citywide administrative services may waive or adjust compliance with this section for parking lots on city owned or leased real property or the New York city housing authority may waive or adjust compliance with respect to real property owned or leased by such authority where such commissioner or authority, as applicable, determines that the installation of EVSE to the extent required by this section is not feasible for budgetary, operational, or programmatic reasons with respect to the ongoing citywide installation of EVSE or with respect to the issuance of a license or lease to a private person or entity to operate a parking lot.

4. The commissioner may waive or adjust compliance with this section if the commissioner finds that, upon submission of evidence from the owner, the provisions present an undue hardship resulting from technical infeasibility, including but not limited to:

4.1 The open parking lot utilizes equipment that enables vehicles to be parked vertically and the owner demonstrates that such vertical parking would make the use of EVSE infeasible, provided an adjustment may be granted so that only spaces where EVSE could feasibly be used will be required to do so to the maximum extent practicable to meet the requirements under this section; or

4.2 The owner provides evidence that a waiver or adjustment is necessary in order to comply with Appendix G.

§ 5. Electrical vehicle charging station report. No later than 2 years after effective date of this local law, the commissioner of transportation, in consultation with the director of city planning, the commissioner of buildings, the commissioner of housing preservation and development, the commissioner of citywide administrative

services, and the commissioner of consumer and worker protection, shall submit to the mayor and the speaker of the council and post on its website a report on off-street parking spaces in parking garages or open parking lots in the city that are not subject to regulation by the department of consumer and worker protection, including but not limited to:

a. The estimated number of such parking spaces that are not subject to regulation by the department of consumer and worker protection;

b. Any analysis of the estimated location and geographic distribution of such parking spaces, including the estimated number of parking spaces in each parking garage or open parking lot as such terms are defined in the New York city building code;

c. A categorization of the estimated number of parking garages and open parking lots by building occupancy type and affordability status;

d. The estimated number of such parking garages and open parking lots for buildings with dwelling units that are required by law or by an agreement with a governmental entity to be regulated in accordance with the New York state emergency tenant protection act of 1974, the New York city rent stabilization law of 1969, or the local emergency housing rent control act of 1962 and what possible waivers or adjustments could be applied to such parking garages and open parking lots to address potential financial constraints;

e. An analysis of the estimated predominant users of such parking garages or open parking lots, including but not limited to residents, employees, or customers, of the building to which such parking garage or open parking lot is attached, if any;

f. Structural considerations of such parking garages or open parking lots for the addition of electric vehicle supply equipment;

g. An analysis of how projected parking usage patterns relate to building occupancy type for such parking garages and open parking lots;

h. Other factors relevant to the ability to install electric vehicle supply equipment in such parking garages and open parking lots;

i. A review of the state of electric vehicle supply equipment technology, including costs of such equipment, and available federal, state, utility, and other incentives; and

j. Recommendations for the required level of electric vehicle supply equipment installation and allowable exceptions for such parking garages and open parking lots by building occupancy type consistent with their usage profile as reported in subdivisions b through i, including ownership by the city, the New York city housing authority, or an affordable housing development, and with meeting the greenhouse gas reduction set forth in article 75 of the environmental conservation law. Such recommendations shall include the level of alterations to an existing structure that will require the installation of such equipment.

§ 6. This local law takes effect on the same date as a local law of the city of New York for the year 2024 amending the administrative code of the city of New York, relating to the electrical code and repealing chapter 3 of title 27 of the administrative code of the city of New York in relation thereto, as proposed in introduction number 436 for the year 2024, takes effect.

PIERINA A. SANCHEZ, *Chairperson*; ERIC DINOWITZ, OSWALD J. FELIZ, SHAUN ABREU, ALEXA AVILÉS, CRYSTAL HUDSON, LINCOLN RESTLER; 7-0-0; Committee on Housing and Buildings, March 7, 2024. *Other Council Members Attending: Council Member Brewer.*

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

Report of the Committee on Land Use

Report for L.U. No. 13

Report of the Committee on Land Use in favor of approving Application number C 240046 HAM (Timbale Terrace) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Article 16 of the General Municipal Law of New York State for the designation of an Urban Development Action Area and an Urban Development Action Area Project, and pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD, for property located at 101 East 118th Street (Block 1767, Lots 1, 2, 3, 4, 67, 68, 69, 71, 72, 168 and 169), Borough of Manhattan, Community District 11, Council District 9.

The Committee on Land Use, to which the annexed Land Use item was referred on February 8, 2024 (Minutes, page 327) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB-11 - TWO APPLICATIONS RELATED TO TIMBALE TERRACE

C 240046 HAM (L.U. No. 13)

City Planning Commission decision approving an application submitted by the New York City Department of Housing Preservation and Development (HPD):

1) pursuant to Article 16 of the General Municipal Law of New York State for:

   a. the designation of property located at 101 East 118th Street (Block 1767, Lots 1, 2, 3, 4, 67, 68, 69, 71, 72, 168, and 169) as an Urban Development Action Area; and

   b. an Urban Development Action Area Project for such area; and

2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to developer to be selected by HPD;

to facilitate the development of a new 19-story mixed-use building containing approximately 340 affordable housing units, community facility space, and approximately 75 replacement parking spaces for NYPD.

C 240047 PQM (L.U. No. 14)

City Planning Commission decision approving an application submitted by the New York City Police Department and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 101 East 118th Street (Block 1767, Lots 1, 2, 3, 4, 67, 68, 69, 71, 72, 168, and 169) for use as a replacement parking facility.

INTENT

To approve the Project as an urban development action area designation, project approval, and disposition of city-owned property; and acquisition of property for use as a replacement parking facility to facilitate the construction of a 19-story mixed-use development containing approximately 340 affordable housing units at 101 East 118th Street (Block 1767, Lots 1, 2, 3, 4, 67, 68, 69, 71, 72, 168, and 169), in the East Harlem neighborhood of Manhattan, Community District 11.

PUBLIC HEARING

DATE: February 14, 2024

Witnesses in Favor: Seventeen **Witnesses Against:** One

SUBCOMMITTEE RECOMMENDATION

DATE: March 5, 2024

The Subcommittee recommends that the Land Use Committee approve the decisions of the City Planning Commission and the HPD request on L.U. Nos. 13 and 14.

In Favor:	**Against:**	**Abstain:**
Brannan	None	None
Feliz		
Farias		
Marte		
Nurse		
Salaam		

COMMITTEE ACTION

DATE: March 5, 2024

The Committee recommends that the Council approve the attached resolutions.

In Favor:	**Against:**	**Abstain:**
Salamanca	None	None
Moya		
Rivera		
Riley		
Brooks-Powers		
Abreu		
Farias		
Hudson		
Sanchez		

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

Res. No. 260

Resolution approving the application submitted by the New York City Department of Housing Preservation and Development ("HPD") and the decision of the City Planning Commission, ULURP No. C 240046 HAM, approving the designation of an Urban Development Action Area, an Urban Development Action Area Project, and the disposition of city-owned property located at 101 East 118th Street (Block 1767, Lots 1, 2, 3, 4, 67, 68, 69, 71, 72, 168, and 169), Borough of Manhattan, Community District 11, to a developer to be selected by HPD (L.U. No. 13; C 240046 HAM).

By Council Members Salamanca and Hanks.

WHEREAS, the City Planning Commission filed with the Council on January 23, 2024 its decision dated January 3, 2024 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development ("HPD") regarding city-owned property located at 101 East 118th Street (Block 1767, Lots 1, 2, 3, 4, 67, 68, 69, 71, 72, 168, and 169), (the "Disposition Area"), approving:

a) pursuant to Article 16 of the General Municipal Law of New York State the designation of the Disposition Area as an Urban Development Action Area;

b) pursuant to Article 16 of the General Municipal Law of New York State an Urban Development Action Area Project for the Disposition Area (the "Project"); and

c) pursuant to Section 197-c of the New York City Charter the disposition of the Disposition Area to a developer to be selected by the New York City Department of Housing Preservation and Development;

which in conjunction with the related action would facilitate the development of a 19-story mixed-use development containing approximately 340 affordable housing units at 101 East 118th Street (Block 1767, Lots 1, 2, 3, 4, 67, 68, 69, 71, 72, 168 and 169), in the East Harlem neighborhood of Manhattan, Community District 11 (ULURP No. C 240046 HAM) (the "Application");

WHEREAS, the Application is related to application C 240047 PQM (L.U. No. 14), an acquisition of real property by the City;

WHEREAS, the City Planning Commission has certified its unqualified approval of UDAAP pursuant to Article 16 of the General Municipal Law;

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

WHEREAS, by letter dated January 26, 2024 and submitted to the Council on January 26, 2024, HPD submitted its requests (the "HPD Requests") respecting the Application including the submission of the project summary for the Project (the "Project Summary");

WHEREAS, upon due notice, the Council held a public hearing on the Application and Decision and the HPD Requests on February 14, 2024;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued on August 4, 2023 (CEQR No. 22HPD059M), with the following provisions to be implemented to ensure that there are no significant adverse environmental impacts on the following: a Construction Protection Plan will be required, the plan would be prepared in coordination with Landmarks Preservation Commission and implemented in consultation with a licensed professional engineer; hazardous materials impacts as a result of construction will be mitigated via a Remedial Action Plan and Construction Health and Safety Plan, which were submitted and approved for implementation by HPD in 2022; the proposed design for the building will include acoustically rated windows and central air conditioning to ensure interior noise levels would be acceptable according to City Environmental Quality Review (CEQR) Technical Manual criteria. HPD will require the preparation and implementation of these measures through the Land Disposition Agreement. Any measures in the LDA are binding and will ensure that the identified mitigation measures are implemented.

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the Negative Declaration.

Pursuant to Section 197-d of the New York City Charter, based on the environmental determination and the consideration described in the report C 240046 HAM and incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission and the HPD Requests.

Pursuant to Article 16 of the General Municipal Law of New York State, based on the environmental determination and the consideration described in the report C 240046 HAM and incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission and the HPD Requests.

The Council finds that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the City of New York and that a designation of the Project as an urban development action area project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law.

The Council approves the designation of the Disposition Area as an urban development action area pursuant to Section 693 of the General Municipal Law.

The Council approves the Project as an urban development action area project pursuant to Section 694 of the General Municipal Law and subject to the terms and conditions of the Project Summary, a copy of which is attached hereto.

PROJECT SUMMARY

1.	**PROGRAM:**	EXTREMELY LOW AND LOW INCOME AFFORDABILITY PROGRAM
2.	**PROJECT:**	Timbale Terrace
3.	**LOCATION:**	101 East 118th Street

a. BOROUGH: Manhattan

b. COMMUNITY DISTRICT: 11

c. COUNCIL DISTRICT: 9

d. DISPOSITION AREA:

BLOCK	LOT(S)	ADDRESS(ES)
1767	1, 2, 3, 4, 67, 8, 69, 71, 72 168, 169	101 East 118th Street

4. BASIS OF DISPOSITION PRICE: Nominal. Sponsor will pay one dollar per lot and deliver a note and mortgage for the remainder of the appraised value ("Land Debt"). For a period of at least thirty (30) years following completion of construction, the Land Debt or City's capital subsidy may be repayable out of resale or refinancing profits. The remaining balance, if any, may be forgiven at the end of the term.

5. TYPE OF PROJECT: New Construction

6. APPROXIMATE NUMBER OF BUILDINGS: 1

7. APPROXIMATE NUMBER OF UNITS: 340 dwelling units (plus one superintendent's unit)

8. HOUSING TYPE: Rental

9. ESTIMATE OF INITIAL RENTS Rents will be affordable to families earning from 30% - 80% of the area median income ("AMI") Formerly homeless tenants referred by HRA and other City agencies will pay up to 30% of their income as rent.

10. INCOME TARGETS Up to 80% of AMI

11. PROPOSED FACILITIES: NYPD replacement parking and approximately 19,683 square feet of community facility space.

12. PROPOSED CODES/ORDINANCES: None

13. ENVIRONMENTAL STATUS: Negative Declaration

14. PROPOSED TIME SCHEDULE: Approximately 24 months from closing to

completion of construction.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ; 9-0-0; *Absent*: Borelli; *Medical*: Hanks; Committee on Land Use, March 5, 2024. *Other Council Members Attending: Council Members Salaam and Cabán.*

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

Report for L.U. No. 14

Report of the Committee on Land Use in favor of approving Application number C 240047 PQM (Timbale Terrace) submitted by the New York City Police Department and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 101 East 118th Street (Block 1767, Lots 1, 2, 3, 4, 67, 68, 69, 71, 72, 168, and 169) for use as a replacement parking facility, Borough of Manhattan, Community District 11, Council District 9.

The Committee on Land Use, to which the annexed Land Use item was referred on February 8, 2024 (Minutes, page 328) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 13 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 261

Resolution approving the decision of the City Planning Commission on ULURP Application No. C 240047 PQM, for the acquisition of property located at 101 East 118th Street (Block 1767, Lots 1, 2, 3, 4, 67, 68, 69, 71, 72, 168 and 169), for use as a replacement parking facility, Borough of Manhattan, Community District 11 (L.U. No. 14; C 240047 PQM).

By Council Members Salamanca and Hanks.

WHEREAS, the New York City Police Department and the Department of Citywide Administrative Services, filed an application pursuant to Section 197-c of the New York City Charter for the acquisition of property located at 101 East 118th Street (Block 1767, Lots 1, 2, 3, 4, 67, 68, 69, 71, 72, 168, and 169), which in conjunction with the related action would facilitate the construction of a 19-story mixed-use development containing 341 income-restricted housing units (IRHUs), community facility and supportive social services spaces throughout the building in the East Harlem neighborhood of Manhattan, Community District 11 (ULURP No. C 240047 PQM), (the "Application");

WHEREAS, the City Planning Commission filed with the Council on January 23, 2024, its decision dated January 3, 2024 (the "Decision") on the Application;

WHEREAS, the Application is related to application C 240046 HAM (L.U. No. 13), an urban development action area designation (UDAA), project approval (UDAAP) and disposition of City-owned property;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on February 14, 2024;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued on August 4, 2023 (CEQR No. 22HPD059M), with the following provisions to be implemented to ensure that there are no significant adverse environmental impacts on the following: a Construction Protection Plan will be required, the plan would be prepared in coordination with Landmarks Preservation Commission and implemented in consultation with a licensed professional engineer; hazardous materials impacts as a result of construction will be mitigated via a Remedial Action Plan and Construction Health and Safety Plan, which were submitted and approved for implementation by HPD in 2022; the proposed design for the building will include acoustically rated windows and central air conditioning to ensure interior noise levels would be acceptable according to City Environmental Quality Review (CEQR) Technical Manual criteria. HPD will require the preparation and implementation of these measures through the Land Disposition Agreement. Any measures in the LDA are binding and will ensure that the identified mitigation measures are implemented.

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the Negative Declaration.

Pursuant to Section 197-d of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 240047 PQM, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ; 9-0-0; *Absent*: Borelli; *Medical*: Hanks; Committee on Land Use, March 5, 2024. *Other Council Members Attending: Council Members Salaam and Cabán.*

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

Report for L.U. No. 21

Report of the Committee on Land Use in favor of approving Application number N 240220 HIX (Drake Park & Enslaved People's Burial Ground) Designation by the Landmarks Preservation Commission of Joseph Rodman Drake Park & Enslaved People's Burial Ground, Oak Point Avenue, (Block 2772, Lot 170), Borough of the Bronx, Community District 2, Council District 17.

The Committee on Land Use, to which the annexed Land Use item was referred on February 28, 2024 (Minutes, page 107) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX – 2 **N 240220 HIX**

Designation by the Landmarks Preservation Commission [DL-535/LP-2674], pursuant to Section 3020 of the New York City Charter, of the Joseph Rodman Drake Park and Enslaved People's Burial Ground (Tax Map Block 2772, Lot 170), as an historic landmark.

PUBLIC HEARING

DATE: February 14, 2024

Witnesses in Favor: Two **Witnesses Against:** None

SUBCOMMITTEE RECOMMENDATION

DATE: March 5, 2024

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

In Favor:	**Against:**	**Abstain:**
Brannan	None	None
Feliz		
Farias		
Marte		
Nurse		
Salaam		

COMMITTEE ACTION

DATE: March 5, 2024

The Committee recommends that the Council approve the attached resolution.

In Favor:	**Against:**	**Abstain:**
Salamanca	None	None
Moya		
Rivera		
Riley		
Brooks-Powers		
Abreu		
Farias		
Hudson		
Sanchez		

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

Res. No. 262

Resolution affirming the designation by the Landmarks Preservation Commission of the Joseph Rodman Drake Park and Enslaved People's Burial Ground located at Oak Point Avenue, Longfellow Avenue, Hunts Point Avenue, and Drake Park South (Tax Map Block 2772, Lot 170), Borough of the Bronx, Designation List No. 535/LP-2674 (L.U. No. 21; N 240220 HIX).

By Council Members Salamanca and Hanks.

WHEREAS, the Landmarks Preservation Commission filed with the Council on December 21, 2023 a copy of its designation report dated December 12, 2023 (the "Designation"), designating the Joseph Rodman Drake Park and Enslaved People's Burial Ground, located at Oak Point Avenue, Longfellow Avenue, Hunts Point Avenue, and Drake Park South, Community District 2, Borough of the Bronx, as a landmark and Tax Map Block 2772, Lot 170, as its landmark site, pursuant to Section 3020 of the New York City Charter;

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

WHEREAS, the City Planning Commission submitted to the Council on February 9, 2024, its report on the Designation dated February 7, 2024 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on February 14, 2024; and

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

RESOLVED:

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

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ; 9-0-0; *Absent*: Borelli; *Medical*: Hanks; Committee on Land Use, March 5, 2024. *Other Council Members Attending: Council Members Salaam and Cabán.*

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

Report for L.U. No. 22

Report of the Committee on Land Use in favor of approving Application number N 240022 HIQ (Barkin, Levin & Company Office Pavilion) Designation by the Landmarks Preservation Commission of Barkin, Levin & Company Office Pavilion, (Block 522, p/o Lot 29), Borough of the Queens, Community District 1, Council District 22.

The Committee on Land Use, to which the annexed Land Use item was referred on February 28, 2024 (Minutes, page 1017) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

QUEENS – 1 **N 240221 HIQ**

Designation by the Landmarks Preservation Commission [DL-536/LP-2675], pursuant to Section 3020 of the New York City Charter, of the Barkin, Levin & Company Office Pavilion (Tax Map Block 522, p/o Lot 29), as an historic landmark.

PUBLIC HEARING

DATE: February 14, 2024

Witnesses in Favor: Two **Witnesses Against:** None

SUBCOMMITTEE RECOMMENDATION

DATE: March 5, 2024

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

In Favor:	**Against:**	**Abstain:**
Brannan	None	None
Feliz		
Farias		
Marte		
Nurse		
Salaam		

COMMITTEE ACTION

DATE: March 5, 2024

The Committee recommends that the Council approve the attached resolution.

In Favor:	**Against:**	**Abstain:**
Salamanca	None	None
Moya		
Rivera		
Riley		
Brooks-Powers		
Abreu		
Farias		
Hudson		
Sanchez		

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

Res. No. 263

Resolution affirming the designation by the Landmarks Preservation Commission of the Barkin, Levin & Company Office Pavilion located at 12-12 33rd Avenue (Tax Map Block 522, p/o Lot 29), Borough of Queens, Designation List No. 536/LP-2675 (L.U. No. 22; N 240221 HIQ).

By Council Members Salamanca and Hanks.

WHEREAS, the Landmarks Preservation Commission filed with the Council on December 22, 2023 a copy of its designation report dated December 19, 2023 (the "Designation"), designating the Barkin, Levin & Company Office Pavilion, located at 12-12 33rd Avenue, Community District 1, Borough of Queens, as a landmark and Tax Map Block 522, p/o Lot 29, as its landmark site, pursuant to Section 3020 of the New York City Charter;

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

WHEREAS, the City Planning Commission submitted to the Council on February 9, 2024, its report on the Designation dated February 7, 2024 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on February 14, 2024; and

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

RESOLVED:

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

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ; 9-0-0; *Absent*: Borelli; *Medical*: Hanks; Committee on Land Use, March 5, 2024. *Other Council Members Attending: Council Members Salaam and Cabán.*

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

Report for L.U. No. 23

Report of the Committee on Land Use in favor of approving Application number N 240222 HIM (Modulightor Building) Designation by the Landmarks Preservation Commission of Modulightor Building, 246 East 58th Street (Block 1331, Lot 128), Borough of the Manhattan, Community District 6, Council District 4.

The Committee on Land Use, to which the annexed Land Use item was referred on February 28, 2024 (Minutes, page 1017) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN – 6 **N 240222 HIM**

Designation by the Landmarks Preservation Commission [DL-536/LP-2676], pursuant to Section 3020 of the New York City Charter, of the Modulightor Building (Tax Map Block 1331, Lot 128), as an historic landmark.

PUBLIC HEARING

DATE: February 14, 2024

Witnesses in Favor: Two **Witnesses Against:** None

SUBCOMMITTEE RECOMMENDATION

DATE: March 5, 2024

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

In Favor:	**Against:**	**Abstain:**
Brannan	None	None
Feliz		
Farias		
Marte		
Nurse		
Salaam		

COMMITTEE ACTION

DATE: March 5, 2024

The Committee recommends that the Council approve the attached resolution.

In Favor:	**Against:**	**Abstain:**
Salamanca	None	None
Moya		
Rivera		
Riley		
Brooks-Powers		
Abreu		
Farias		
Hudson		
Sanchez		

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

Res. No. 264

Resolution affirming the designation by the Landmarks Preservation Commission of the Modulightor Building located at 246 East 58th Street (Tax Map Block 1331, Lot 128), Borough of Manhattan, Designation List No. 536/LP-2676 (L.U. No. 23; N 240222 HIM).

By Council Members Salamanca and Hanks.

WHEREAS, the Landmarks Preservation Commission filed with the Council on December 22, 2023 a copy of its designation report dated December 19, 2023 (the "Designation"), designating the Modulightor Building, located at 246 East 58th Street, Community District 6, Borough of Manhattan, as a landmark and Tax Map Block 1331, Lot 128, as its landmark site, pursuant to Section 3020 of the New York City Charter;

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

WHEREAS, the City Planning Commission submitted to the Council on February 9, 2024, its report on the Designation dated February 7, 2024 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on February 14, 2024; and

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

RESOLVED:

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

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ; 9-0-0; *Absent*: Borelli; *Medical*: Hanks; Committee on Land Use, March 5, 2024. *Other Council Members Attending: Council Members Salaam and Cabán.*

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 Land Use and had been favorably reported for adoption.

Report for L.U. No. 29

Report of the Committee on Land Use in favor of approving Application number G 240044 SCX (New 547-Seat Primary School Facility) submitted by the New York City School Construction Authority, pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 547-Seat Primary School facility, located at Block 5841, Lots 1968, 1978, & 1988, Borough of the Bronx, Community District 8, Council District 11, Community School District 10.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on March 7, 2024 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX CB - 8 **G 240044 SCX**

Application pursuant to Section 1732 of the New York City School Construction Authority Act, concerning the proposed site selection for a new, approximately 547-Seat Primary School facility, located at Block 5841, Lots 1968, 1978 and 1988, Borough of the Bronx, Community District 8, Council District 11, Community School District 10.

INTENT

To approve the site plan for the construction of a new, approximately 547-Seat Primary School facility to accommodate students in Community School District No. 10.

PUBLIC HEARING

DATE: March 5, 2024

Witnesses in Favor: Two **Witnesses Against:** None

SUBCOMMITTEE RECOMMENDATION

DATE: March 5, 2024

The Subcommittee recommends that the Land Use Committee approve the Site Plan.

In Favor:	**Against:**	**Abstain:**
Brannan	None	None
Feliz		
Farias		
Marte		
Nurse		
Salaam		

COMMITTEE ACTION

DATE: March 5, 2024

The Committee recommends that the Council approve the attached resolution.

In Favor:	**Against:**	**Abstain:**
Salamanca	None	None
Moya		
Rivera		
Riley		
Brooks-Powers		
Abreu		
Farias		
Hudson		
Sanchez		

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

Res. No. 265

Resolution approving the site plan for a new, approximately 547-Seat Primary School Facility, located at Block 5841, Lots 1968, 1978 and 1988, Community District 8, Borough of the Bronx (Non-ULURP No. G 240044 SCX; Preconsidered L.U. No. 29).

By Council Members Salamanca and Hanks.

WHEREAS, the New York City School Construction Authority submitted to the Council on March 4 2024 a site plan pursuant to Section 1732 of the New York State Public Authorities Law for a new, approximately 547-Seat Primary School Facility, located at Block 5841, Lots 1968 1978, and 1988, Community District 8, Borough of the Bronx, to accommodate students in Community School District No. 10 (the "Site Plan");

WHEREAS, the Site Plan is subject to review and action by the Council pursuant to Section 1732 of the New York State Public Authorities Law;

WHEREAS, upon due notice, the Council held a public hearing on the Site Plan on March 5, 2024;

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued on January 31, 2024 (SEQR Project Number 24-004) (the "Negative Declaration"); and

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

RESOLVED:

The Council finds that the action described herein will have no significant effect on the environment as set forth in the Negative Declaration.

Pursuant to Section 1732 of the Public Authorities Law, the Council approves the Site Plan.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ; 9-0-0; *Absent*: Borelli; *Medical*: Hanks; Committee on Land Use, March 5, 2024. *Other Council Members Attending: Council Members Salaam and Cabán.*

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-22

Report of the Committee on Rules, Privileges and Elections in favor of approving the appointment of Amy E. Millard as a member of the New York City Conflicts of Interest Board.

The Committee on Rules, Privileges and Elections, to which the annexed Mayor's Message was referred on February 8, 2024 (Minutes, page 127) and which same Mayor's Message was coupled with the resolution shown below, respectfully

REPORTS:

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

- **Amy E. Millard [M-22-2024]**
- **Milton Williams [M-23-2024]**

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

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

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

COIB is moreover required to issue and publish advisory opinions regarding matters covered under Chapter 68 that address proposed future conduct. COIB is furthermore required to issue report of the board, annually. COIB's mandate covers the Council as well as mayoral agency employees. COIB also collects and reviews financial disclosure reports.[1]

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

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

[1] *Charter* §§ 2602 and 2603.
[2] *Charter* § 2602(c).
[3] *Charter* § 2602 (h)
[4] *Charter* § 2602(b).

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

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

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

If appointed to COIB by the Mayor, Ms. Millard will serve a six-year term beginning on April 1, 2024 and expiring on March 31, 2030.

If reappointed to COIB by the Mayor, Mr. Williams will serve a six-year term beginning on April 1, 2024 and expiring on March 31, 2030.

A copy of each candidate's résumé as well as the related associated messages is attached to this briefing paper.

(After interviewing the candidates and reviewing the submitted material, the Committee decided to approve the appointment of the nominees. For nominee MILTON L. WILLIAMS [M-23], please see the Report of the Committee on Rules, Privileges and Elections for M-23 printed in these Minutes; for nominee AMY E. MILLARD [M-22], please see immediately below:)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to Section 2602 of the New York City Charter, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of Amy E. Millard as a member of the New York City Conflicts of Interest Board for a six-year term beginning on April 1, 2024, and expiring on March 31, 2030.

This matter was heard on February 27, 2024.

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

Res. No. 266

RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF AMY E. MILLARD AS A MEMBER OF THE NEW YORK CITY CONFLICTS OF INTEREST BOARD.

By Council Member Powers.

[5] *Charter* § 2602(f).

RESOLVED, Pursuant to Section 2602 of the New York City Charter, the Council hereby approves the appointment by the Mayor of Amy E. Millard as a member of the New York City Conflicts of Interest Board to serve a six-year term beginning on April 1, 2024, and expiring on March 31, 2030.

KEITH POWERS, *Chairperson*; RAFAEL SALAMANCA, Jr., DIANA I. AYALA, JUSTIN L. BRANNAN, SELVENA N. BROOKS-POWERS, GALE A. BREWER, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, THE MINORITY LEADER (COUNCIL MEMBER JOSEPH C. BORELLI), THE SPEAKER (COUNCIL MEMBER ADRIENNE E. ADAMS); 11-0-0; Committee on Rules, Privileges and Elections, March 7, 2024.

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

Report for M-23

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

The Committee on Rules, Privileges and Elections, to which the annexed Mayor's Message was referred on February 8, 2024 (Minutes, page 128) 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-22, printed above in these Minutes)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to Section 2602 of the New York City Charter, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of Milton L. Williams as a member of the New York City Conflicts of Interest Board for a six-year term beginning on April 1, 2024, and expiring on March 31, 2030.

This matter was heard on February 27, 2024.

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

Res. No. 267

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

By Council Member Powers.

RESOLVED, Pursuant to Section 2602 of the New York City Charter, the Council hereby approves the appointment by the Mayor of Milton L. Williams Jr. as a member of the New York City Conflicts of Interest Board to serve a six-year term beginning on April 1, 2024, and expiring on March 31, 2030.

KEITH POWERS, *Chairperson*; RAFAEL SALAMANCA, Jr., DIANA I. AYALA, JUSTIN L. BRANNAN, SELVENA N. BROOKS-POWERS, GALE A. BREWER, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, THE MINORITY LEADER (COUNCIL MEMBER JOSEPH C. BORELLI), THE SPEAKER (COUNCIL MEMBER ADRIENNE E. ADAMS); 11-0-0; Committee on Rules, Privileges and Elections, March 7, 2024.

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

Report of the Committee on Transportation and Infrastructure

Report for Int. No. 172

Report of the Committee on Transportation and Infrastructure in favor of approving and adopting, a Local Law to amend the administrative code of the city of New York, in relation to the compensation received by for-hire vehicle drivers for advertising on the interior of for-hire vehicles.

The Committee on Transportation and Infrastructure, to which the annexed proposed local law was referred on February 28, 2024 (Minutes, page 507), respectfully

REPORTS:

INTRODUCTION

On March 7, 2024, the Committee on Transportation and Infrastructure, chaired by Majority Whip Selvena N. Brooks-Powers, conducted a hearing to vote on Introduction No. 172-2024, sponsored by Council Member Amanda Farías, in relation to the compensation received by for-hire vehicle drivers for advertising on the interior of for-hire vehicles.

On March 7, 2024, the Committee on Transportation and Infrastructure passed Int. No. 172 by a vote of six in the affirmative, zero in the negative, with zero abstentions.

BACKGROUND

The Taxi & Limousine Commission ("TLC"), created in 1971, is responsible for the regulation and licensing of: taxicabs, including medallion taxicabs (also known as yellow taxis) and street hail liveries (also known as green or boro taxis); for-hire vehicles ("FHVs"); commuter vans; and paratransit vehicles.[1] The TLC has approximately 600 employees and its Board consists of nine members, eight of whom are unsalaried Commissioners, along with the salaried Commissioner and Chair ("TLC Chair").[2] The TLC Chair is the head of the TLC and presides over its public meetings.[3] The TLC regulates over 200,000 TLC licensees in NYC.[4]

[1] NYC TLC, About, *About TLC*, available at https://www1.nyc.gov/site/tlc/about/about-tlc.page.
[2] *Id.*
[3] *Id.*
[4] *Id.*

Over the last decade, the FHV industry has experienced tremendous changes, particularly with the introduction of mobile application-based ("app-based") FHVs in the City. As a result, the number of licensed FHVs dramatically increased from approximately 39,700 in 2011[5] to more than 130,000 in March 2018, with the TLC issuing licenses to approximately 2,000 new FHVs per month at that time.[6] Ultimately, this led to the Council's passage of Local Law 147 of 2018[7], which paused the issuance of new FHV licenses, with an exception for wheelchair-accessible vehicles, and Local Law 149 of 2018,[8] which created a new license category, High-Volume For-Hire Services ("HVFHS") for TLC-licensed FHV bases that dispatch more than 10,000 trips per day.[9] In 2022, TLC allowed an exemption for an additional 1,000 electric vehicle FHVs.[10] TLC data indicates that the total number of FHV licenses was 98,267 for Fiscal Year 2023.[11]

On October 19, 2023, TLC allowed any qualifying person or entity to apply for an EV license pursuant to the recent FHV License Report.[12] The opening of TLC licenses created a surge of demand from FHV drivers; however, the New York Taxi Workers Alliance ("NYTWA" or "Alliance") filed a lawsuit resulting in the issuance of a temporary restraining order, forcing TLC to stop processing new EV license applications by November 13.[13] The lawsuit and the Alliance argued that TLC's lift on the license cap for EVs would add "an unlimited number of new cars to the roads" and "have a disastrous impact on driver income."[14] The TLC has received thousands of applications for the new EV licenses; however, no new applications may be processed.[15]

Vehicle Advertising

Among its many roles, the TLC regulates interior and exterior vehicle advertising. Under Section 59A-29(e) of the TLC's rules, an owner must not display any advertising on the exterior or the interior of an FHV unless the advertising has been authorized by the TLC and TLC has issued a license to the owner.[16] Despite this, such advertising was allowed to be displayed on the interiors and exteriors of FHVs until July 2019, when TLC won a court decision, and quickly announced that they would resume enforcing its rules, requiring all advertisements be removed from FHVs by August 31, 2019.[17]

Although TLC rules allow for permits to be issued by TLC to FHVs to advertise, TLC did not issue any advertising permits to FHVs until 2018, when a federal court enjoined the Commission from enforcing those rules.[18] The court case was in relation to a Minnesota-based advertising company, which sued TLC after they refused to grant company permits to display video advertising on tablets in the back of Ubers, Lyfts, and other FHVs.[19] The decision was eventually reversed by the federal appeals court, upholding TLC's decision to ban advertising inside FHVs.[20]

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[5] NYC TLC, *2011 Annual Report*, available at https://www1.nyc.gov/assets/tlc/downloads/pdf/annual_report_2011.pdf.
[6] NYC Council, Testimony of Commissioner Joshi before the Committee on For-Hire Vehicles, March 8, 2018, available at https://legistar.council.nyc.gov/View.ashx?M=F&ID=5872328&GUID=DB0BCBEA-4B02-468F-B948-512FA842D7EE.
[7] Local Law 147 of 2018, available at https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3331789&GUID=6647E630-2992-461F-B3E3-F5103DED0653&Options=ID|Text|&Search=147.
[8] Local Law 149 of 2018, available at https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3479666&GUID=01C67FF7-C56D-474A-BA53-E83A23173FA7&Options=ID|Text|&Search=149.
[9] NYC TLC, Businesses, *For-Hire Vehicle Base*, available at https://www.nyc.gov/site/tlc/businesses/high-volume-for-hire-services.page.
[10] NYC TLC, *Charged Up! TLC's Roadmap to Electrifying the For-Hire Transportation Sector in New York City*, available for download at https://www.nyc.gov/assets/tlc/downloads/pdf/Charged_Up!_TLC_Electrification_Report-2022.pdf.
[11] NYC, Preliminary Mayor's Management Report FY24-TLC, available for download at https://www.nyc.gov/site/operations/performance/mmr.page.
[12] NYC TLC, Industry Notice #23-07, TLC Accepting Electric Vehicle License Applications Beginning October 19, available for download at https://www.nyc.gov/assets/tlc/downloads/pdf/industry-notices/industry_notice_23_07_english.pdf.
[13] Haidee Chu, The City, *App Drivers Rush to Get Green TLC Licenses Before Judge-Ordered Stop Hits*, November 10, 2023, available at https://www.thecity.nyc/2023/11/10/uber-lyft-drivers-rush-green-tlc-plates/.
[14] *Id.*
[15] *Id.*
[16] Section 59A-29(e), NYC TLC Rules.
[17] NYC TLC, Industry Notice #19-10, FHV Advertising, available for download at https://www.nyc.gov/assets/tlc/downloads/pdf/industry_notice_19_10_english.pdf.
[18] Matthew Daus, Black Car News, *NYC TLC Bans FHV Advertising…What, Where and Why?*, October 2, 2019, available at https://www.blackcarnews.com/article/nyc-tlc-bans-fhv-advertising-what-where-why.
[19] *Id.*
[20] *Id.*

On January 20, 2024, Local Law 33 for the year 2024 was City Charter rule adopted into law, after its passage by the City Council the month before. This law will allow for-hire vehicles to display digital advertising on approved electronic tablets attached to their vehicles.[21] The law has not yet taken effect.

While there are facial similarities between the interior advertising in FHVs allowed under Local Law 33 of 2024 and existing TLC requirements for taxicabs to be equipped with a Taxi TV and a Taxicab Technology System (otherwise known as a "T-PEP system"), the rational for their installation and the technology itself is different. When TLC instituted the requirements to install the Taxi TV and the T-PEP systems to facilitate credit card payments and collect data, they allowed advertising revenue to offset the cost of the devices.[22] The systems envisioned under Local Law 33 of 2024 are a much less costly and intrusive installation which would allow for a supplemental source of income to FHV drivers by allowing advertisements on a single tablet which would show games, driver profiles, and local information such as the weather.[23]

LEGISLATIVE ANALYSIS

Analysis of Int. No. 172-2024

Int. No. 172-2024, sponsored by Council Member Farías, would amend Local Law 33 of 2024. It would clarify that any driver of a for-hire vehicle with an approved tablet in their vehicle would receive a minimum of 25 percent of the gross revenue generated by such tablet in their vehicle. It also would set the fee for the interior advertising company license at $500.

If enacted, the provisions found in the bill would take effect at the same time as Local Law 33 of 2024.

UPDATE

On March 7, 2024, the Committee on Transportation and Infrastructure passed Int. No. 172 by a vote of six in the affirmative, zero in the negative, with zero abstentions.

(The following is the text of the Fiscal Impact Statement for Int. No. 172:)

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

INTRO. NO: 172

COMMITTEE: Transportation and Infrastructure

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[21] Local Law 33 of 2024, available at https://codelibrary.amlegal.com/codes/newyorkcity/latest/NYCadmin/0-0-0-218861.
[22] Matthew Daus, Black Car News, *NYC TLC Bans FHV Advertising…What, Where and Why?*, October 2, 2019, available at https://www.blackcarnews.com/article/nyc-tlc-bans-fhv-advertising-what-where-why.
[23] Testimony at City Council Hearing on October 13, 2023, available at https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6305627&GUID=4B013361-87B6-4A1D-99D0-7B8FB7E9B8F4&Options=ID|Text|&Search=1139.

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the compensation received by for-hire vehicle drivers for advertising on the interior of for-hire vehicles.

SPONSOR(S): By Council Members Farías, Louis and Rivera.

SUMMARY OF LEGISLATION:
This bill would amend Local Law 33 of 2024. It would clarify that any driver of a for-hire vehicle with an approved tablet in their vehicle would receive a minimum of 25 percent of the gross revenue generated by such tablet in their vehicle. It also would set the fee for the interior advertising company license at $500.

EFFECTIVE DATE: This local law takes effect on the same date as local law number 33 for the year 2024.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal Year 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 anticipated that there would be no impact on revenues resulting from the enactment of this legislation.

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation, as TLC 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: 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 considered at a hearing by the Committee on Transportation and Infrastructure (the Committee) as a Preconsidered Introduction on February 26, 2024, and the legislation was laid over. The legislation will be considered by the Committee at a hearing on March 7, 2024. Upon successful vote by the Committee it will be submitted to the full Council for introduction and a vote on March 7, 2024.

DATE PREPARED: March 5, 2024.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 172:)

Int. No. 172

By Council Members Farías, Louis, Rivera, Won and Mealy.

A Local Law to amend the administrative code of the city of New York, in relation to the compensation received by for-hire vehicle drivers for advertising on the interior of for-hire vehicles

Be it enacted by the Council as follows:

Section 1. Subdivisions c and d of section 19-525.1 of the administrative code of the city of New York, as added by local law number 33 for the year 2024, are amended to read as follows:

c. Interior advertising company license required. It shall be unlawful for any person to provide or supply an approved electronic tablet for use in a for-hire vehicle unless such person secures a license therefor from the commission. The fee for the issuance of such license shall be [no more than] $500 a year. Any person licensed under this section shall provide the commission with any and all information required by the rules and regulations promulgated pursuant to this section, including but not limited to the information required under section 19-546.

d. Driver compensation. Any interior advertising company licensed pursuant to subdivision c of this section shall compensate drivers of a for-hire vehicle with an approved electronic tablet with *a minimum of* 25 percent of the *gross* revenue generated by such tablet in their vehicle. One year after the implementation of this local law, the commission shall provide the speaker of the council and the mayor a report examining the compensation received by drivers from approved tablets and may adjust the minimum compensation standards if the commission deems necessary. In the case of a for-hire vehicle with more than 1 driver, each driver operating such vehicle shall receive a pro rata share of such revenue, based on the share of hours the driver operated the vehicle.

§ 2. This local law takes effect on the same date as local law number 33 for the year 2024.

SELVENA N. BROOKS-POWERS, *Chairperson*; CARLINA RIVERA, CHRIS BANKS, AMANDA C. FARIAS, MERCEDES NARCISSE, JOANN ARIOLA; 6-0-0; *Absent:* Carmen N. De La Rosa and Farah N. Louis; *Maternity:* Julie Won; Committee on Transportation and Infrastructure, March 7, 2024. *Other Council Members Attending: Council Member Ayala.*

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

GENERAL ORDERS CALENDAR

Report for L.U. No. 11 & Res. No. 268

Report of the Committee on Land Use in favor of approving, as modified, Application number N 230288 ZRK (230 Kent Avenue Rezoning) submitted by Kent Riverview, 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 provisions of Article XII, Chapter 3 (Special Mixed Use District) and APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 1, Council District 33.

The Committee on Land Use, to which the annexed Land Use item was referred on January 18, 2024 (Minutes, page 77) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on February 28, 2024 (Minutes, page 368), respectfully

REPORTS:

SUBJECT

BROOKLYN CB-1 – TWO APPLICATIONS RELATED TO 230 KENT AVENUE

N 230288 ZRK (L.U. No. 11)

City Planning Commission decision approving an application submitted by Kent Riverview, 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 provisions of Article XII, Chapter 3 (Special Mixed Use District) and APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

C 230289 ZMK (L.U. No. 12)

City Planning Commission decision approving an application submitted by Kent Riverview LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12c:

1. changing from an M1-4 District to an M1-4/R7X District property bounded by Metropolitan Avenue, Kent Avenue, North 1st Street, and River Street; and

2. establishing a Special Mixed-Use District bounded by Metropolitan Avenue, Kent Avenue, North 1st Street, and River Street;

as shown on a diagram (for illustrative purposes only) dated August 21, 2023, and subject to the conditions of CEQR Declaration E-723.

INTENT

To approve with modifications the rezoning of the project area from an M1-4 zoning district to an M1-4/R7X (MX-8) zoning district and zoning text amendment to designate the project area as a Mandatory

Inclusionary Housing (MIH) area utilizing Option 1 to facilitate the development of an eight-story, 32,847-square-foot mixed-use building containing 40 dwelling units, approximately 12 of which would be permanently income-restricted, as well as 3,000 square feet of commercial ground-floor area at 230 Kent Avenue in the Williamsburg neighborhood of Community District 1, Brooklyn. The modifications consist of removing MIH Option 2 and removing the utility site, owned by ConEdison, from the rezoning.

PUBLIC HEARING

DATE: January 23, 2024

Witnesses in Favor: One **Witnesses Against:** None

SUBCOMMITTEE RECOMMENDATION

DATE: February 26, 2024

The Subcommittee recommends that the Land Use Committee approve with modifications the decisions of the City Planning Commission on L.U. Nos. 11 and 12.

In Favor:	**Against:**	**Abstain:**
Riley	None	None
Moya		
Abreu		
Hanks		
Schulman		
Salaam		

COMMITTEE ACTION

DATE: February 27, 2024

The Committee recommends that the Council approve the attached resolutions.

In Favor:	**Against:**	**Abstain:**

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The City Planning Commission filed a letter dated [_____], with the Council on [_____], indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 268

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 230288 ZRK, for an amendment of the text of the Zoning Resolution (L.U. No. 11).

By Council Members Salamanca and Riley.

WHEREAS, Kent Riverview, LLC, filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying provisions of Article XII, Chapter 3 (Special Mixed Use District) and APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, which in conjunction with the related action would facilitate the development of an eight-story, 32,847-square-foot mixed-use building containing 40 dwelling units, approximately 12 of which would be designated as permanently income-restricted, as well as 3,000 square feet of commercial ground-floor area at 230 Kent Avenue in the Northside neighborhood of Brooklyn, Community District 1 (ULURP No. N 230288 ZRK), (the "Application");

WHEREAS, the City Planning Commission filed with the Council on January 12, 2024, its decision dated December 13, 2023 (the "Decision") on the Application;

WHEREAS, the Application is related to application C 230289 ZMK (L.U. No. 12), a zoning map amendment to change an M1-4 zoning district to a M1-4/R7X (MX-8) zoning district;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on January 23, 2024;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued August 18th, 2023 (CEQR No. 23DCP075K), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials and air quality (E-723) (the "Negative Declaration").

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision, Application, the environmental determination, considerations described in the report, N 230288 ZRK, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission, with the following modifications.

Matter underlined is new, to be added;
Matter ~~struck out~~ is to be deleted;
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution.
Matter ~~double-struck out~~ is old, deleted by the City Council;
Matter double-underlined is new, added by the City Council

* * *

ARTICLE XII
SPECIAL PURPOSE DISTRICTS

* * *

Chapter 3
Special Mixed-Use District (MX)

* * *

123-60
SPECIAL BULK REGULATIONS

* * *

123-63
Maximum Floor Area Ratio and Lot Coverage Requirements for Zoning Lots Containing Only Residential Buildings in R6, R7, R8 and R9 Districts

* * *

Special Mixed Use District	**Designated Residence District**
***	***
MX 8 – Community District 1, Brooklyn	**R6 R6A R6B R7A R7D R7X**
***	***

* * *

APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

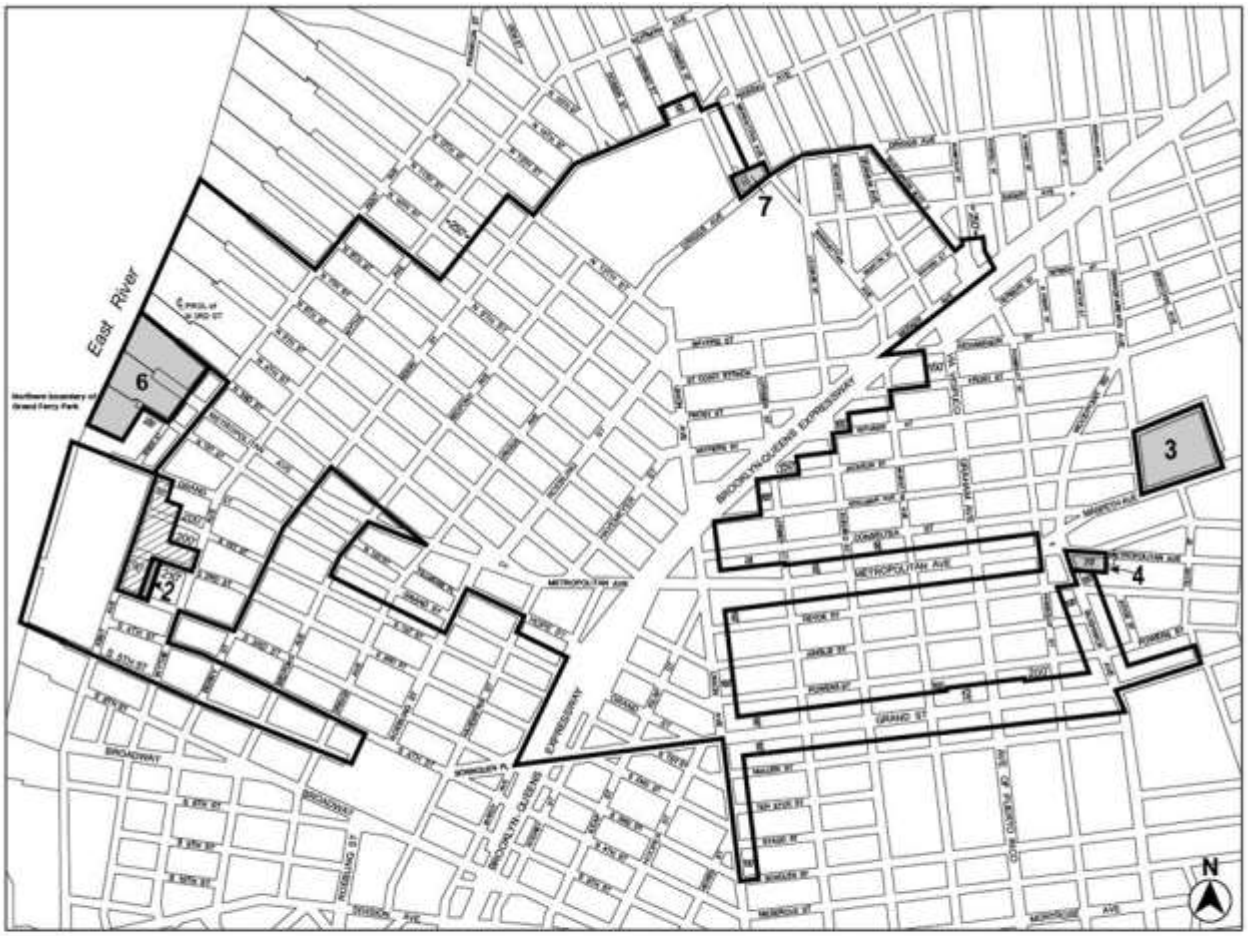
* * *

Brooklyn Community District 1

* * *

Map 2 – [date of adoption]

[EXISTING MAP]

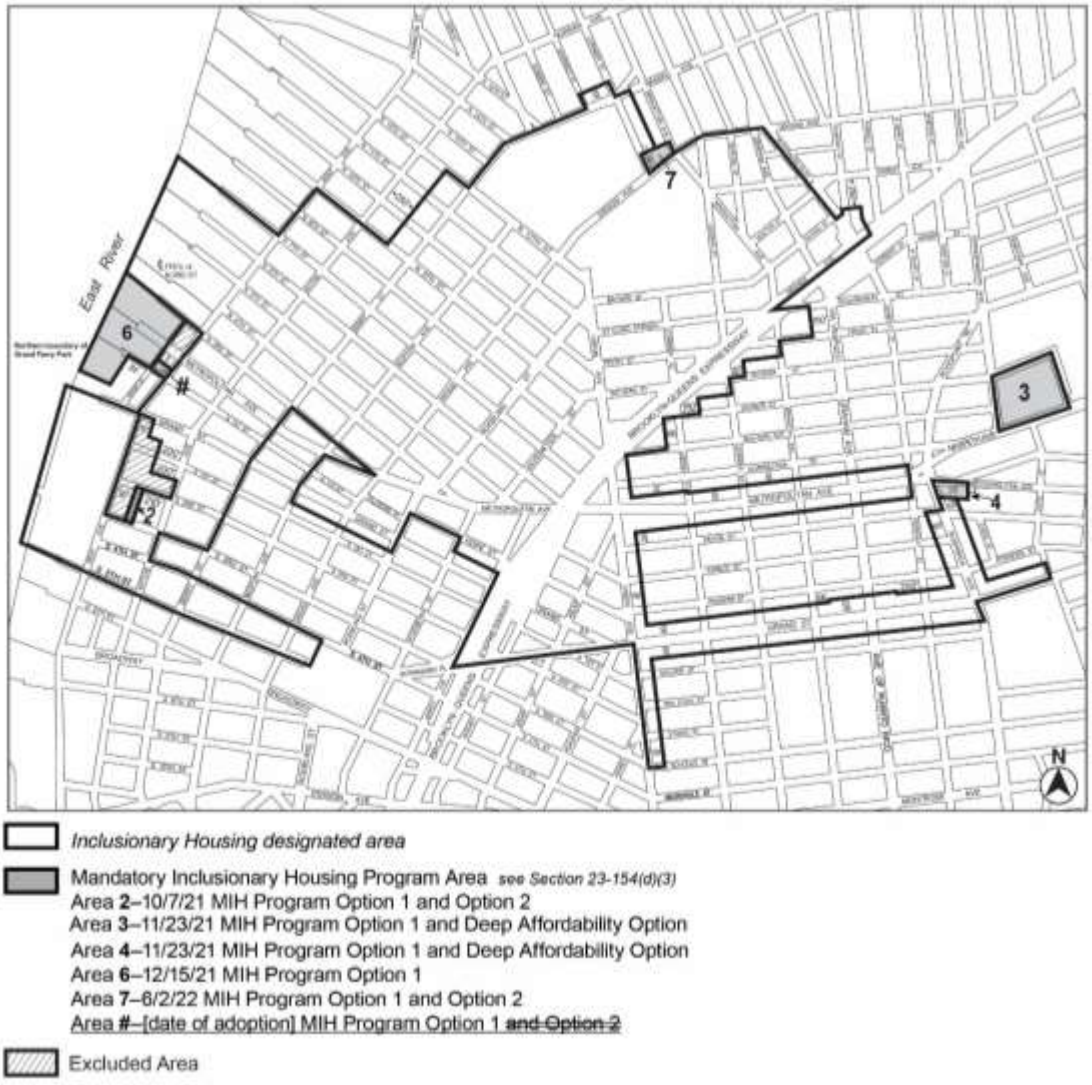


Inclusionary Housing designated area

Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*
Area **2** – 10/7/21 MIH Program Option 1 and Option 2
Area **3** – 11/23/21 MIH Program Option 1 and Deep Affordability Option
Area **4** – 11/23/21 MIH Program Option 1 and Deep Affordability Option
Area **6** – 12/15/21 MIH Program Option 1
Area **7** – 6/2/22 MIH Program Option 1 and Option 2

Excluded Area

[PROPOSED MAP – *as modified by Council*]



Portion of Community District 1, Brooklyn

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, KAMILLAH M. HANKS, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Conflict*: Crystal Hudson; *Medical*: Francisco P. Moya; Committee on Land Use, February 27, 2024.

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

Report for L.U. No. 12 & Res. No. 269

Report of the Committee on Land Use in favor of approving, as modified, Application number C 230289 ZMK (230 Kent Avenue Rezoning) submitted by Kent Riverview, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12c, changing from an M1-4 District to an M1-4/R7X District and establishing a Special Mixed Use District, Borough of Brooklyn, Community District 1, Council District 33.

The Committee on Land Use, to which the annexed Land Use item was referred on January 18, 2024 (Minutes, page 78) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on February 28, 2024 (Minutes, page 370) , respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 11 & Res. No. 268 printed in the General Orders Calendars section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 269

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 230289 ZMK, a Zoning Map amendment (L.U. No. 12).

By Council Members Salamanca and Riley.

WHEREAS, Kent Riverview, LLC, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12c, by changing from an M1-4 District to an M1-4/R7X District and establishing a Special Mixed-Use District, which in conjunction with the related action would facilitate the development of an eight-story, 32,847-square-foot mixed-use building containing 40 dwelling units, approximately 12 of which would be permanently income-restricted, as well as 3,000 square feet of commercial ground-floor area at 230 Kent Avenue in the Williamsburg neighborhood of Brooklyn, Community District 1 (ULURP No. C 230289 ZMK) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on January 12, 2024 its decision dated December 13, 2023 (the "Decision") on the Application;

WHEREAS, the Application is related to application N 230288 ZRK (L.U. No. 11), a text amendment to modify provisions of Article XII, Chapter 3 (Special Mixed Use District) and APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on January 23, 2024;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued August 18th, 2023 (CEQR No. 23DCP075K), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials and air quality (E-723) (the "Negative Declaration").

RESOLVED
:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, the environmental determination, considerations described in the report, C 230289 ZMK, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission, with the following modifications.

Matter ~~double struck out~~ is old, deleted by the City Council;

Matter double-underlined is new, added by the City Council

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 12c:

3. changing from an M1-4 District to an M1-4/R7X District property bounded by a line 120 feet southwesterly of Metropolitan Avenue, Kent Avenue, North 1st Street, and River Street; and

4. establishing a Special Mixed Use District bounded by a line 120 feet southwesterly of Metropolitan Avenue, Kent Avenue, North 1st Street, and River Street;

as shown on a diagram (for illustrative purposes only) dated August 21, 2023, and subject to the conditions of CEQR Declaration E-723, Brooklyn, Community Board 1.

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, KAMILLAH M. HANKS, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Conflict*: Crystal Hudson; *Medical*: Francisco P. Moya; Committee on Land Use, February 27, 2024.

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

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

(1)	**M-22 & Res. No. 266 -**	**Amy E. Millard** to the Council for its advice and consent concerning her appointment to the New York City Conflicts of Interest Board.
(2)	**M-23 & Res. No. 267 -**	**Milton L. Williams**, to the Council for its advice and consent concerning his reappointment to the New York City Conflicts of Interest Board.
(3)	**Preconsidered M-29 & Res. No. 258 -**	**The Operating Budget of the Council of the City of New York.**
(4)	**Preconsidered M-30 & Res. No. 259 -**	**Schedule Detailing the Lump Sum OTPS Unit of Appropriation of the Operating Budget** of the Council of the City of New York.
(5)	**Int. No. 1-B -**	Naming of the Paul A. Vallone Queens Animal Care Center.
(6)	**Int. No. 4-A -**	Use of shore power at cruise terminals and community traffic mitigation plans in neighborhoods.
(7)	**Int. No. 17-B -**	Electric vehicle supply equipment in open parking lots and parking garages
(8)	**Int. No. 172 -**	Compensation received by for-hire vehicle drivers for advertising on the interior of for-hire vehicles.
(9)	**L.U. No. 11 & Res. No. 268 –**	**App. N 230288 ZRK (230 Kent Avenue Rezoning),** Borough of Brooklyn, Community District 1, Council District 33.
(10)	**L.U. No. 12 & Res. No. 269 –**	**App. C 230289 ZMK (230 Kent Avenue Rezoning)**, Borough of Brooklyn, Community District 1, Council District 33.
(11)	**L.U. No. 13 & Res. No. 260 –**	**App. C 240046 HAM (Timbale Terrace),** Borough of Manhattan, Community District 11, Council District 9.

(12)	**L.U. No. 14 & Res. No. 261 –**	**App. C 240047 PQM (Timbale Terrace)** submitted, Borough of Manhattan, Community District 11, Council District 9.
(13)	**L.U. No. 21 & Res. No. 262 –**	**App. N 240220 HIX (Drake Park & Enslaved People's Burial Ground),** Borough of the Bronx, Community District 2, Council District 17.
(14)	**L.U. No. 22 & Res. No. 263 –**	**App. N 240022 HIQ (Barkin, Levin & Company Office Pavilion),** Borough of the Queens, Community District 1, Council District 22.
(15)	**L.U. No. 23 & Res. No. 264 –**	**App. N 240222 HIM (Modulightor Building),** Borough of the Manhattan, Community District 6, Council District 4.
(16)	**Preconsidered L.U. No. 29 & Res. No. 265 –**	**App. G 240044 SCX (New 547-Seat Primary School Facility),** Borough of the Bronx, Community District 8, Council District 11, Community School District 10.

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

Affirmative – Abreu, Ariola, Avilés, Ayala, Banks, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, Dinowitz, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Krishnan, Lee, Louis, Marmorato, Marte, Mealy, Menin, Narcisse, Nurse, Ossé, Paladino, Powers, Restler, Riley, Rivera, Salaam, Salamanca, Sanchez, Schulman, Stevens, Ung, Vernikov, Williams, Yeger, Zhuang, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Farías) and the Speaker (Council Member Adams) - **48**.

The General Order vote recorded for this Stated Meeting was 48-0-0 as shown above with the exception of the votes for the following legislative items:

The following was the vote recorded for **Preconsidered M-29 & Res. No. 258 and Preconsidered M-30 & Res. No. 259 (re: Operating Budget of the City Council)**:

Affirmative – Abreu, Ariola, Avilés, Ayala, Banks, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, Dinowitz, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Krishnan, Lee, Louis, Marmorato, Marte, Mealy, Menin, Narcisse, Nurse, Ossé, Paladino, Powers, Restler, Riley, Rivera, Salaam, Salamanca, Sanchez, Schulman, Stevens, Ung, Vernikov, Williams, Zhuang, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Farías) and the Speaker (Council Member Adams) - **47**.

Negative – Yeger - **1**.

The following Introductions were sent to the Mayor for his consideration and approval: Int. Nos.1-B, 4-A, 17-B, and 172.

RESOLUTIOCNS

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:

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

Report for voice-vote item Res. No. 202

Report of the Committee on Civil Service and Labor in favor of approving a Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation to increase the wages and improve the working conditions of home care aides to support these workers and ensure essential growth of New York's vital home care workforce.

The Committee on Civil Service and Labor, to which the annexed preconsidered resolution was referred on March 7, 2024, respectfully

REPORTS:

I. INTRODUCTION

On March 7, 2024, the Committee on Civil Service and Labor, chaired by Council Member Carmen De La Rosa, will hold a hearing and vote on Preconsidered Resolution Number 202-2024, sponsored by the Speaker, Council Member Adrienne Adams, calling on the New York State Legislature to pass, and the Governor to sign, legislation to increase the wages and improve the working conditions of home care aides to support these workers and ensure essential growth of New York's vital home care workforce. Those invited to testify include municipal labor unions, advocates, and other interested members of the public. On March 7, 2024, the Committee on Civil Service and Labor passed Preconsidered Resolution Number 202-2024 by seven votes in the affirmative and zero votes in the negative, with zero abstentions.

II. BACKGROUND

In a 2021 report, CUNY projected that the number of home care aides would need to reach 700,000 by 2028, up from 440,000 in 2018, to meet growing demand for home care.[1] Despite this urgent need, home care worker shortages are projected in every state across the United States, with New York State (State) and New York City (City) facing the worst home care worker shortage in the country.[2]

However, the low pay home care aides receive places a significant burden on their personal health and wellbeing and undermines their ability to provide home care over the long term.[3] As a result of minimum wages and Medicaid reimbursement rates that are fixed at the State level, typical wages for home care aides who service City residents are $18.55 per hour, plus an additional $2.54 per hour, either in the form of wages or a supplemental benefit.[4] Home care shifts are also long and demanding, sometimes totaling 24 hours—known as

[1] Isaac Jabola-Carolus, Stephanie Luce, Ruth Milkman, *The Case for Public Investment in Higher Pay for New York State Home Care Worker: Estimated Costs and Savings*, CUNY University, (2021) available at: chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://slu.cuny.edu/wp-content/uploads/2021/03/The-Case-for-Public-Investment-in-Higher-Pay-for-New-York-State-H.pdf.

[2] *Id.*

[3] *Id.*

[4] New York State Department of Labor Home Care Aide Factsheet, available at: chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://dol.ny.gov/system/files/documents/2023/11/p105-home-health-aide-11-23-23.pdf#:~:text=Beginning%20October%201%2C%202022%2C%20through,remainder%20of%20New%20York%20State.

a "live-in shift"—only 13 of which are compensable in most cases under regulations of the State Department of Labor.[5]

As a result of low wages and the City's high cost of living, many full time home care aides are forced to rely on Medicaid and public assistance.[6] Additionally, according to a 2022 report by the Public Health Institute, 90 percent of direct care workers are women, 3 in 5 are people of color, and 1 in 4 are immigrants, clearly demonstrating that the burdens of the occupation fall disproportionately on women of color.[7]

In recognition of the low wages that home care workers are typically paid, State Senator Rachel May and State Assembly Member Amy Paulin introduced S.3189-A/A.8821, entitled the "Fair Pay for Home Care Act," which would raise home care wages to 150 percent of the minimum wage and require Medicaid to reimburse claims for billed home care work at the same rate to promote compliance.[8] To further address home care workforce challenges and generate annual savings for the State and City, State Senator Gustavo Rivera and State Assembly Member Amy Paulin introduced S.7800/A.8470, the "Home Care Savings and Reinvestment Act." This bill would repeal the State's partially capitated Medicaid managed long-term-care program and instead provide Medicaid long-term-care benefits, including home care, under a fee-for-service model, with the intent to provide uniform care for patients and more adequate reimbursement to providers to support home care aide wage increases.[9]

III. CONCLUSION

Home care aides provide a vital service to New Yorkers, yet face low wages and challenging working conditions. At the hearing, the Committee intends to learn more about the needs of the home care workforce and to understand how the low pay and difficult working conditions of home care work disproportionately impact women of color. The Committee also intends to learn more about the impact that pending State legislation like the Fair Pay for Home Care Act and the Home Care Savings and Reinvestment Act, or other State legislation or regulation, could have on the home care workforce and the patients for whom they care.

Accordingly, this Committee recommends its adoption.

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

[5] *Andryeyeva v. New York Health Care, Inc.*, 33 N.Y.3d 152 (2019); *Home Health Care Aides and Wage Parity*, N.Y.S. Dep't of Labor (last accessed August 16, 2022), https://dol.ny.gov/home-health-care-aides-and-wage-parity#:~:text=Wage%20Parity%20Compensation,-In%20accordance%20with&text=The%20required%20benefit%20portion%20of,Wage%20for%20the%20applicable%20region.
[6] Supra note 1.
[7] *Direct Care Workers In the United States*, PHI, (2021), available at: https://www.phinational.org/resource/direct-care-workers-in-the-united-states-key-facts-2/
[8] S. 3189A (2023-2024)/A. 8821 (2023-2024) available at: https://www.nysenate.gov/legislation/bills/2023/A8821
[9] S.7800 (2023-2024)/A.8470 (2023-2024) available at: https://www.nysenate.gov/legislation/bills/2023/S7800

ERIC DINOWITZ, *Acting Chairperson*, OSWALD J. FELIZ, TIFFANY CABÁN, ERIK D. BOTTCHER, KAMILLAH M. HANKS, JULIE MENIN, YUSEF SALAAM; 7-0-0; *Absent*: Carmen N. De La Rosa; *Medical*: Francisco P. Moya; Committee on Civil Service and Labor, March 7, 2024.

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

Adopted unanimously by the Council by voice-vote.

INTRODUCTION AND READING OF BILLS

Preconsidered Res. No. 202

Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation to increase the wages and improve the working conditions of home care aides to support these workers and ensure essential growth of New York's vital home care workforce.

By the Speaker (Council Member Adams) and Council Members Hudson, Mealy and Farías.

Whereas, New York City (City) residents who live with the limitations of illness, disability, or age rely on the help of home care aides to carry out essential tasks while remaining in their homes; and

Whereas, In recent years, the increasing preference to age in place, combined with the explosive growth in the aging population, has led to an increased demand for home care aides; and

Whereas, Between 2021-2040, New York State's (State) population of adults age 65 and older is expected to grow by 25 percent, and the number of adults over age 85 is expected to grow by 75 percent, according to a City University of New York (CUNY) Graduate Center report on public investment in higher pay for home care workers; and

Whereas, CUNY has also projected that to meet growing demand, the number of home care aides would need to reach 700,000 by 2028, up from 440,000 in 2018; and

Whereas, Despite this urgent need, home care worker shortages are projected in every state across the United States, with the State and City facing the worst home care worker shortage in the country, according to a 2021 Mercer report; and

Whereas, In 2019, a statewide survey of home care agencies from CUNY found that 17 percent of positions went unfilled because of staff shortages, leaving many New Yorkers with unmet home care needs, and increasing admittance to hospitals or costly nursing homes to access services; and

Whereas, A July 2021 State Senate Aging Committee report found that home care agency staffing shortages resulted in as many as 30 percent of new patients being turned away; and

Whereas, Despite their important and demanding work, pay for home care aides is very low; and

Whereas, As a result of minimum wages and Medicaid reimbursement rates that are fixed at the State level, typical wages for home care aides who service City residents are $18.55 per hour, plus an additional $2.54 per hour, either in the form of wages or a supplemental benefit; and

Whereas, As a result of low wages and the City's high cost of living, many full time home care aides are forced to rely on Medicaid and public assistance; and

Whereas, Additionally, according to a 2020 report by Public Health Institute, 90 percent of direct care workers are women, 3 in 5 are people of color, and 1 in 4 are immigrants, clearly demonstrating that the burdens of the occupation fall disproportionately on women of color; and

Whereas, The problem of inadequate pay is only compounded by the challenging working conditions home care aides experience; and

Whereas, The intimate hands on duties of home care are demanding, and can cause or worsen health conditions for home care aides themselves; and

Whereas, Home care shifts can be long, sometimes totaling 24 hours—known as a "live-in shift"—only 13 of which are compensable in most cases under regulations of the State Department of Labor; and

Whereas, The low pay of home care incentivizes some home care aides to seek as many shifts as possible, placing a significant burden on their personal health and wellbeing and undermining their ability to provide home care over the long term; and

Whereas, Out of concern for the low wages and difficult working conditions of home care aides, worker advocates have called for compensation for every hour worked and commensurate reimbursement through Medicaid, as well as limitations on the maximum hours and duration of shifts that home care aides may be assigned to work, including a ban on the demanding live-in 24-hour shift; and

Whereas, At a September 6, 2022, City Council hearing before the Committee on Civil Service and Labor, stakeholders and advocates including 1199 SEIU, Consumer Directed Personal Assistance Association of New York State, and State Assembly Member Richard Gottfried, former Chair of the State Assembly's Health Committee, agreed that the elimination of 24-hour shifts, without an increase in wages, could have serious consequences for patients and workers alike; and

Whereas, Banning 24-hour shifts without increasing wages and Medicaid reimbursements for home care would require home care providers to pay at least 2 workers to cover each implicated patient over each 24-hour period of prescribed care; and

Whereas, Requiring home care providers to hire more home care aides to perform more shifts, as well as to pay wages for every hour of every live-in shift without commensurate reimbursement through Medicaid, would significantly increase their financial liability and could result in reduced shifts for workers and reduced care for patients, leaving both groups worse off; and

Whereas, In recognition of the low wages of home care aides, State Senator Rachel May and State Assembly Member Amy Paulin introduced S.3189-A/A.8821, entitled the "Fair Pay for Home Care Act," which would raise home care wages to 150 percent of the minimum wage and require Medicaid to reimburse claims for billed home care work at the same rate to promote compliance; and

Whereas, Additional pending state legislation, S.7800/A.8470, the "Home Care Savings and Reinvestment Act," introduced by State Senator Gustavo Rivera and State Assembly Member Amy Paulin, would further address home care workforce challenges and generate significant annual savings for the State and City; and

Whereas, According to the sponsor memo, S.7800/A.8470 would repeal the State's partially capitated Medicaid managed long-term-care program and instead provide long-term-care benefits, which include home care, under a fee-for-service model or fully capitated model, as appropriate, ensuring more uniform care for patients and more adequate reimbursement to providers to support home care aide wage increases; and

Whereas, The passage of legislation like S.3189-A/A.8821 and S.7800/A.8470 could do much to improve the state of home care in the City, and the State should do even more to protect this crucial workforce, including guaranteed pay for all hours of 24-hour live-in shifts; and

Whereas, Home care workers make up one of the largest and most important sectors of the City economy and deserve fair pay and working conditions for the critical services they provide; 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 increase the wages and improve the working conditions of home care aides to support these workers and ensure essential growth of New York's vital home care workforce.

Adopted by the Council by voice-vote (preconsidered and approved by the Committee on Civil Service and Labor).

Int. No. 496

By Council Member Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to establishing gratuity standards for food delivery workers

Withdrawn.

Int. No. 497

By Council Members Abreu, Gutiérrez, Hanif and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to background checks for child care providers, employees, and volunteers

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 17-199.23 to read as follows:

§ 17-199.23 Background checks for child care providers, employees, and volunteers. If the department has completed a background check for a child care provider, employee, or volunteer within the previous 5 years, the department shall not require a subsequent background check for such provider, employee, or volunteer unless (i) such provider, employee, or volunteer has not been employed by a child care provider in the city for more than 180 consecutive days within the previous 5 years, or (ii) a background check for such child care provider, employee, or volunteer is otherwise required by law.

§ 2. This local law takes effect immediately.

Referred to the Committee on Health.

Int. No. 498

By Council Members Abreu, Hanif, Gennaro, Nurse, Hanks and Ung.

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

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 3 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-308.1 to read as follows:

§ 16-308.1 Community garden organics collection. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Community garden. The term "community garden" has the same meaning as set forth in section 25-116.

Organic waste. The term "organic waste" has the same meaning as set forth in section 16-303.

b. No later than April 15, 2023, the department shall establish an online application for community gardens to request organic waste collection by the department. Such application shall: (1) be posted on the department's website; (2) be available in all designated citywide languages, as defined in section 23-1101; (3) be submitted by the owner or operator of the community garden, or such other person as designated by the department; and (4) allow a community garden to request weekly, biweekly or monthly organic waste collection.

c. No later than July 15, 2023, the department shall begin collecting organic waste from community gardens that submitted a request pursuant to subdivision b of this section.

§ 2. This local law takes effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 499

By Council Members Abreu, Gennaro, Brewer, Nurse, Gutiérrez and Holden (by request of the Manhattan Borough President).

A Local Law in relation to studying the feasibility of implementing solar-ready measures for commercial buildings

Be it enacted by the Council as follows:

Section 1. As used in this local law, the following terms have the following meanings:

Commercial building. The term "commercial building" has the same meaning as set forth in sections C202 and R202 of the 2020 New York city energy conservation code.

Solar power. The term "solar power" means the use of the sun's energy either directly, as thermal energy, or through the use of photovoltaic cells in solar panels and transparent photovoltaic glass, to generate electricity.

Solar-ready measures. The term "solar-ready measures" means any measures incorporated into building design and construction that are designed to permit the building to install photovoltaic cells in solar panels and transparent photovoltaic glass, or to incorporate other means of utilizing solar power, even if the installation does not occur at the time of construction.

Use and occupancy classification. The term "use and occupancy classification" means any use and occupancy classifications set forth in chapter 3 of the New York city building code.

§ 2. Feasibility study on the implementation of solar-ready measures for commercial buildings. The commissioner of buildings, in consultation with the commissioner of environmental protection, the fire commissioner, and the commissioners of any other relevant agency, shall conduct a feasibility study on the implementation of solar-ready measures for commercial buildings. Such feasibility study shall:

1. Evaluate the utility of implementing solar-ready measures in commercial buildings;

2. Identify any barriers to implementing solar-ready measures in commercial buildings;

3. Identify any type of commercial building by use and occupancy classification that could incorporate solar-ready measures; and

4. Assess the estimated costs of requiring solar-ready measures in commercial buildings

that can incorporate such measures.

§ 3. Within 12 months after this local law takes effect, the commissioner of buildings shall submit to the mayor and the speaker of the council a report with the results of the feasibility study.

§ 4. This local law takes effect immediately and remains in effect until the commissioner of buildings has submitted to the mayor and the speaker of the council a report with the results of the feasibility study.

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

Int. No. 500

By Council Members Abreu, Hanks, Powers, Brooks-Powers, Feliz, Riley, Menin, Restler, Hudson, Krishnan, Hanif and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to the development and distribution of materials on the risks of keeping a gun in the home

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 17-183.1 to read as follows:

§ 17-183.1 Publication and dissemination of materials on the risks of keeping a gun in the home. a. Definitions. As used in this section, the following terms have the following meanings:

Family justice centers. The term "family justice center" means a center as defined in section 3-180 and any successor location through which the office to end domestic and gender-based violence provides criminal justice, civil legal, and social services to victims of domestic and gender-based violence.

Firearm. The term "firearm" has the same meaning as set forth in subdivision 1 of section 10-301.

Rifle. The term "rifle" has the same meaning as set forth in subdivision 2 of section 10-301.

School. The term "school" means a school of the city school district of the city of New York.

Shotgun. The term "shotgun" has the same meaning as set forth in subdivision 3 of section 10-301.

Student. The term "student" means any child who is enrolled in pre-kindergarten through grade 12 in a school, any child who is enrolled in an early education center with which the department of education contracts to provide pre-kindergarten, and any child who is enrolled in a free full-day early education program for 3-year-old children offered by the department of education.

b. No later than 6 months after the effective date of the local law that added this section, the department, in consultation with the office for neighborhood safety and the prevention of gun violence, shall develop written materials containing information about the dangers of keeping a gun in the home. The department shall update the content of such materials on a yearly basis to reflect any changes in law, public health research, or both. Such materials shall include, but need not be limited to, the following information:

1. Legal requirements pertaining to the safe storage of guns, including but not limited to rifles, shotguns, and firearms;

2. Best practices for the safe storage of guns, including but not limited to rifles, shotguns, and firearms;

3. Details regarding gun buyback programs;

4. Health risk factors and exacerbation factors for gun injuries;

5. Statistics on fatal and nonfatal shootings in the city;

6. How to recognize at-risk persons for suicide and involvement in gun violence; and

7. The relationship between intimate partner violence and gun violence.

c. Publication, outreach, and distribution. 1. The department shall post on its website the materials required by subdivision b of this section.

2. The department shall develop an outreach program to provide the materials required by subdivision b of this section to facilities operated by healthcare providers that are not affiliated with the city that provide healthcare services in the city for distribution to patients at the discretion of such facilities.

3. The department shall provide the materials required by subdivision b of this section to the office to end domestic and gender-based violence. Such office shall distribute such materials to all individuals receiving services at family justice centers.

4. The department shall provide the materials required by subdivision b of this section to facilities operated by the New York city health and hospitals corporation for distribution to patients at the discretion of the New York city health and hospitals corporation.

5. The department shall provide the materials required by subdivision b of this section to the department of education. The department of education shall distribute such materials to each school to be shared with every student of each such school at the beginning of each academic year.

d. 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 provision and distribution, as required by subdivision c of this section, of the materials required to be developed under subdivision b of this section. The department shall consult with the office for neighborhood safety and the prevention of gun violence, the office to end domestic and gender-based violence, the New York city health and hospitals corporation, and the department of education to create this report. Such report shall include, but need not be limited to, the following information for the previous calendar year:

1. The names and addresses of the entities to which the department provided such materials, including but not limited to facilities of healthcare providers that are not affiliated with the city that provide healthcare services in the city, facilities operated by the New York city health and hospitals corporation, and schools;

2. The names and addresses of family justice centers through which the office to end domestic and gender-based violence distributed such materials to individuals receiving services at such centers;

3. Any issues encountered by the department in providing such materials to facilities operated by healthcare providers that are not affiliated with the city that provide healthcare services in the city, the office to end

domestic and gender-based violence, facilities operated by the New York city health and hospitals corporation, and the department of education; and

4. Any issues encountered by the office to end domestic and gender-based violence, the facilities operated by the New York city health and hospitals corporation, and the department of education in distributing such materials.

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

Referred to the Committee on Health.

Int. No. 501

By Council Members Abreu, Stevens, Schulman, Gutiérrez, Hanif, Gennaro, Menin and Farías.

A Local Law to amend the administrative code of the city of New York, in relation to background checks for child care providers, employees, and volunteers

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 17-199.21 to read as follows:

§ 17-199.21 Background checks for child care providers, employees, and volunteers. a. Upon receiving a request for a background check for a current or prospective child care provider, employee, or volunteer, the department shall consult with the department of education to determine whether the department of education has completed a background check for the individual within the previous 2 years. If the department of education has completed a background check for the individual within the previous 2 years, the department shall request from the department of education any relevant information obtained through the background check required to satisfy the requirements for a background check conducted by the department for child care providers, employees, or volunteers.

b. Notwithstanding the requirements of subdivision a of this section, the department shall complete any additional searches and obtain any additional information for an individual required to satisfy the background check requirements of any state or federal law, rule, or regulation before clearing an individual to work as a child care provider, employee, or volunteer.

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

Referred to the Committee on Health.

Int. No. 502

By Council Members Abreu, Stevens, Schulman, Gutiérrez, Hanif, Gennaro, Menin and Farías.

A Local Law to amend the administrative code of the city of New York, in relation to background checks for child care providers, employees, and volunteers

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 17-199.23 to read as follows:

§ 17-199.23 Background checks for child care providers, employees, and volunteers. a. Background checks. Upon receiving a request for a background check for a current or prospective child care provider, employee, or volunteer, the department shall complete the background check within 14 days.

b. Report. No later than 90 days 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 and post on its website a

report on requests for background checks received by the department. The report shall include a separate row referencing each unique occurrence of a background check request that either (i) was received during the preceding year or (ii) was received prior to the preceding year but was not completed prior to the preceding year. Each such row shall include, but need not be limited to, the following information set forth in separate columns for each background check request:

1. The date the department received the request for a background check;

2. Whether the background check has been completed;

3. If the background check has been completed, the date the department completed the background check;

4. If the background check has been completed, the number of days taken to complete the background check;

5. A unique and anonymous identification code corresponding to the current or prospective child care provider, employee, or volunteer about whom the background check has been requested; and

6. If the background check was completed more than 14 days from the date the department received the request for a background check, the reasons why the background check was not completed within 14 days.

§ 2. This local law takes effect immediately.

Referred to the Committee on Health.

Int. No. 503

By Council Members Abreu, Powers, Sanchez, Marte and Bottcher (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 the department of buildings to create and maintain an assistance and outreach program for compliance with façade inspection requirements

Be it enacted by the Council as follows:

Section 1. Article 103 of chapter 1 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-103.38 to read as follows:

§ 28-103.38 Assistance and outreach. *The department shall establish and maintain an online technical assistance program providing outreach and guidance to building owners in complying with the requirements of Article 302 of Title 28 of the Administrative Code, and provide building owners with assistance in acquiring the services of qualified exterior wall inspectors and information on loans and financing resources.*

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

Referred to the Committee on Housing and Buildings.

Int. No. 504

By Council Members Abreu, Avilés, Hanif, Brooks-Powers, Nurse and Gutiérrez.

A Local Law to amend the administrative code of the city of New York, in relation to establishing priority for sidewalk repairs at developments operated by the New York city housing authority

Be it enacted by the Council as follows:

Section 1. Subchapter one of chapter one of title 19 of the administrative code of the city of New York is amended to add a new section 19-160 to read as follows:

§19-160 Sidewalk repair priority. a. For purposes of this section, "senior-only housing development" means a housing development or building designated by the New York city housing authority to be occupied exclusively by individuals 62 years of age or older.

b. In determining the order of repairs to be made at sidewalks, where the department is required by law or has otherwise undertaken to make such repairs, the commissioner shall give priority to sidewalks in front of or abutting senior-only housing developments operated by the New York city housing authority, followed by non-senior only housing developments operated by the New York city housing authority. Such priority shall not apply where the commissioner determines that the sidewalk in front of or abutting property that is not operated by the New York city housing authority is in need of critical or emergency repairs, provided that the commissioner shall notify in writing the council member in whose district the housing development no longer receiving priority is located and the community board of the community district in which such development is located of the reasons for such determination.

c. Not later than June 30, 2023, the commissioner shall deliver to the speaker of the council and post to the department's website a report indicating (i) all New York city housing authority developments at which sidewalk repairs have been completed or are in the process of completion and (ii) the proposed timeline for completing sidewalk repairs for those New York city housing authority housing developments at which work has not yet commenced.

§2. This local law takes effect immediately.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 505

By Council Members Brannan and Gennaro.

A Local Law in relation to requiring businesses with 10 or more employees to appoint COVID-19 response coordinators, and providing for the repeal of such provisions upon the expiration thereof

Be it enacted by the Council as follows:

Section 1. COVID-19 response coordinators. a. Definitions. For the purposes of this section the following terms have the following meanings:

COVID-19. The term "COVID-19" means the 2019 novel coronavirus or 2019-nCoV.

Employee. The term "employee" means any person covered by the definition of "employee" set forth in subdivision 5 of section 651 of the labor law or by the definition of "employee" set forth in 29 U.S.C. § 203(e) and who is employed within the city and who performs work on a full-time or part-time basis, including work performed in a transitional jobs program pursuant to section 336-f of the social services law, but not including work performed as a participant in a work experience program pursuant to section 336-c of the social services law. Notwithstanding any other provision of this section, the term "employee" does not include any person who is employed by (i) the United States government; (ii) the state of New York, including any office, department, independent agency, authority, institution, association, society or other body of the state, including the legislature and the judiciary; or (iii) the city of New York or any local government, municipality or county or any entity governed by section 92 of the general municipal law or section 207 of the county law.

Employer. The term "employer" means any person or entity covered by the definition of "employer" set forth in subdivision 6 of section 651 of the labor law or any person or entity covered by the definition of "employer" set forth in in 29 U.S.C. § 203(d). Notwithstanding any other provision of this section, the term "employer" does not include (i) the United States government; (ii) the state of New York, including any office, department, independent agency, authority, institution, association, society or other body of the state including the legislature and the judiciary; or (iii) the city or any local government, municipality or county or any entity governed by section 92 of the general municipal law or section 207 of the county law.

b. Any employer with 10 or more employees shall designate at least one employee to serve as a COVID-19 coordinator. The COVID-19 coordinator or coordinators shall complete the virtual training program provided

by the department of consumer and worker protection and the office of emergency management developed pursuant to subdivision c.

c. The department of consumer and worker protection, in collaboration with the office of emergency management, shall develop and make available online a virtual training program detailing the guidance or requirements issued or enacted by the state of New York or the city of New York for operating during the COVID-19 pandemic. Such program shall be posted on the website of the department of consumer and worker protection.

d. Any employer who violates subdivision b of this section, or any rule promulgated pursuant to this section, shall receive a warning from the department of consumer and worker protection. Any person who commits any subsequent violation of subdivision b of this section, or any rule promulgated pursuant to this section, shall be subject to a civil penalty of not more than $1000.

§ 2. This local law takes effect 30 days after it becomes law, except that the commissioner of consumer and worker protection shall take such measures as are necessary for its implementation before such date. This local law remains in effect until 1 year after the declaration of a state of emergency contained in mayoral executive order number 98 for the year 2020, as extended, has expired, at which time this local law expires and is deemed repealed.

Referred to the Committee on Consumer and Worker Protection.

Int. No. 506

By Council Members Brannan, Hanif and Gennaro.

A Local Law to amend the charter of the city of New York, in relation to requiring the office of nightlife to post information on its website for nightlife establishments, including resources and trainings about harassment among patrons

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 20-d of the New York city charter, as amended by local law number 80 for the year 2020, is amended to read as follows:

c. Powers and duties. The director shall have the power and duty to:

1. Serve as a liaison to nightlife establishments in relation to city policies and procedures affecting the nightlife industry and, in such capacity, shall:

(a) Conduct outreach to nightlife establishments and provide information and assistance to such establishments in relation to existing city policies and procedures for responding to complaints, violations and other enforcement actions, and assist in the resolution of conditions that lead to enforcement actions;

(b) Serve as a point of contact for nightlife establishments and ensure adequate access to the office that is responsive to the nature of the nightlife industry; and

(c) Work with other city agencies to refer such establishments to city services that exist to help them in seeking to obtain relevant licenses, permits or approvals from city agencies;

2. Advise and assist the mayor and the heads of city agencies that have powers and duties relating to nightlife establishments including, but not limited to, the department of consumer and worker protection, the police department, the fire department, the department of health and mental hygiene, the department of city planning, the department of buildings and the department of small business services, on issues relating to the nightlife industry;

3. Review information obtained from 311 or other city agencies on complaints regarding and violations issued to nightlife establishments and develop recommendations to address recurring problems or trends, in consultation with industry representatives, advocates, city agencies, community boards and residents;

4. Serve as the intermediary between city agencies, including law enforcement agencies, residents and the nightlife industry to pursue, through policy recommendations, long-term solutions to issues related to the nightlife industry;

5. Review and convey to the office of labor standards information relating to nightlife industry workforce conditions and upon request, assist such office in developing recommendations to address common issues or trends related to such conditions;

6. Promote an economically and culturally vibrant nightlife industry, while accounting for the best interests of the city and its residents; [and]

7. Provide information on the office's website for nightlife establishments including, but not limited to, resources and online trainings about harassment among patrons; and

[7.] *8.* Perform other relevant duties as the mayor may assign.

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

Referred to the Committee on Consumer and Worker Protection.

Int. No. 507

By Council Members Brannan and Hanif.

A Local Law to amend the administrative code of the city of New York, in relation to requiring nightlife establishments to post signage informing patrons about harassment and to train employees about harassment among patrons

Be it enacted by the Council as follows:

Section 1. Section 10-177 of the administrative code of the city of New York, as added by local law 214 for the year 2017, is amended to read as follows:

§ 10-177 Security measures at certain eating or drinking establishments.

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

Harassment. The term "harassment" means the offenses as defined by sections 240.25 and 240.26 of the penal law.

Nightlife establishment. The term "nightlife establishment" has the same meaning as is ascribed to such term in section 20-d of the New York city charter.

Security guard. The term "security guard" means a person as defined by subdivision 6 of section 89-f of the general business law.

Security guard company. The term "security guard company" means a company licensed to provide security guards under contract to other entities pursuant to article 7 of the general business law.

b. Digital video surveillance cameras. a. The owner of an eating or drinking establishment that (i) operates pursuant to a permitted use under use group 12, section 32-21 of the zoning resolution, as indicated in such establishment's certificate of occupancy or place of assembly certificate of operation; and (ii) is required to have a license to sell liquor at retail pursuant to the alcohol beverage control law, shall equip all entrances and exits used by patrons with digital video surveillance cameras that comply with the following provisions:

1. The video surveillance cameras shall be digital in nature and shall be of sufficient number, type, placement, and location to view and record all activity in front of and within 15 feet of either side of each entrance or exit;

2. The video surveillance cameras shall be sufficiently light sensitive and provide sufficient image resolution (supported by additional lighting if necessary) to produce easily discernible images recorded at all times;

3. The video surveillance cameras shall record at a minimum speed of [fifteen] *15* frames per second;

4. The video surveillance camera images shall be capable of being viewed through use of appropriate technology, including but not limited to, a computer screen or closed circuit television monitor;

5. The video surveillance camera or the system affiliated with such camera shall be capable of transferring the recorded images to a portable form of media, including but not limited to, compact disc, digital video disc, universal serial bus, secure digital card, or portable hard drive;

6. The video surveillance cameras shall not have an audio capability;

7. The video surveillance cameras shall be maintained in good working condition;

8. The video surveillance cameras shall be in operation and recording continuously during all hours of operation and for two hours after such establishment closes;

9. The recordings made by video surveillance cameras installed and maintained pursuant to this section shall be indexed by dates and times and preserved for a minimum of 30 days so that they may be made available to the police department and other government agencies acting in furtherance of a criminal investigation or a civil or administrative law enforcement purpose;

10. All recordings made by video surveillance cameras installed and maintained pursuant to this section while in the possession of such establishment shall be stored in a locked receptacle located in a controlled access area or, if such video recordings are in digital format, in a password-protected digital storage, to which only authorized personnel have access, or shall otherwise be secured so that only authorized personnel may access such video recordings. All personnel authorized to access such video recordings must certify in writing that they have been informed on the appropriate use and retention of recordings as set forth in this section, and on the legal issues associated with video surveillance and the use and retention of recordings. Such establishment shall keep a log of all instances of requests for, access to, dissemination and use of and recorded materials made by video surveillance cameras installed and maintained pursuant to this section; and

11. Signage shall be posted to notify the public of the use of video surveillance equipment so that the public has sufficient warning that surveillance is in operation.

c. Security guards. 1. An eating or drinking establishment that (i) operates pursuant to a permitted use under use group 12, section 32-21 of the zoning resolution, as indicated in such establishment's certificate of occupancy or place of assembly certificate of operation; (ii) is required to have a license to sell liquor at retail pursuant to the alcohol beverage control law; and (iii) employs or retains the services of one or more security guards or a security guard company, shall maintain and make available during all hours of operation, proof that each such security guard is registered pursuant to article 7-A of the general business law or that such security guard company is licensed pursuant to article 7 of the general business law.

2. Such establishment shall maintain a roster of all security guards working at any given time when such establishment is open to the public, and shall require each security guard to maintain on his or her person proof of registration at all times when on the premises.

3. There shall be a rebuttable presumption that a person employed or whose services are retained at such establishment whose job functions include (i) the monitoring or guarding of the entrance or exit of such nightclub to manage ingress and egress to such establishment for security purposes during the hours of operation of such establishment and/or (ii) protection of such establishment from disorderly or other unlawful conduct by such patrons is a security guard, provided, however, that such rebuttable presumption shall not apply to the owner of such establishment.

4. Any violation of this subdivision may be reported to the state liquor authority.

d. Signage informing patrons about harassment. 1. Every nightlife establishment shall conspicuously post signage, either behind the bar or in the establishment's bathrooms, informing patrons about harassment.

2. Such signage shall include, but not be limited to, the following:

i. That the establishment is a harassment free space;

ii. That a patron subject to harassment while at the establishment may report the harassment to the establishment's security or support staff; and

iii. A list of government resources about harassment, as determined by the office of nightlife and the department of consumer and worker protection.

3. The department of consumer and worker protection shall determine the signage's size and the establishment shall determine the signage's style.

e. Training regarding harassment among patrons. 1. Every nightlife establishment with five or more employees shall annually conduct a harassment training for all employees employed within the city, which shall include, but not be limited to, the following:

(a) An explanation of harassment as a form of unlawful conduct under the penal law;

(b) How to identify harassment among patrons and the proper protocol to intervene;

(c) The responsibilities of an employee when a patron reports harassment, including the measures that an employee must take to address the report of harassment;

(d) Information about bystander intervention, including but not limited to, resources that explain how to engage in bystander intervention; and

(e) Government resources about harassment, as determined by the office of nightlife and the department of consumer and worker protection.

2. Such training shall be required after 90 days of initial hire for all employees who work more than 80 hours in a calendar year who perform work on a full-time or part-time basis.

3. The establishment shall keep a record of all trainings, including a signed employee acknowledgment, for at least three years and make such records available for inspection by the department of consumer and worker protection upon request.

4. The office of nightlife shall make available on its website an online harassment training, which the establishment may use to satisfy the training requirement.

[d.] f. Exemptions. This section does not apply to:

1. Premises owned, occupied and used exclusively by a membership corporation, club society or association, provided such membership corporation, club, society or association was in actual existence prior to January 1, 1926[.]*;*

2. Premises owned, occupied and used exclusively by a religious, charitable, eleemosynary or educational corporation or institution[.]*; and*

3. Premises licensed pursuant to subchapters one and three of chapter two of title 20.

[e.] *g.* An eating or drinking establishment that is required to comply with subdivisions b and c of this section shall make available to the police department, upon request, such establishment's certificate of occupancy or place of assembly certificate of operation.

[f.] *h.* Penalties. Any violation of [this section] *subdivisions b and c* shall be subject to a civil penalty of not more than $1,000 for each such violation, except that the use or dissemination of recordings made by video surveillance cameras installed and maintained pursuant to subdivision b of this section in violation of the penal law or section 50 of the civil rights law shall result in a civil penalty of not less than $5,000 nor more than $50,000. *Any violation of subdivision d shall be subject to a civil penalty of not more than $500 for each such violation, enforced by the department of consumer and worker protection.*

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

Referred to the Committee on Consumer and Worker Protection.

Int. No. 508

By Council Members Brannan, Yeger and Hanif.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to reporting of promptness of agency payments to contractors

Be it enacted by the Council as follows:

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

b. The procurement policy board shall promulgate rules for the expeditious processing of payment vouchers by city agencies and departments including (i) the maximum amount of time allowed for the processing and payment of such vouchers from the later of (a) the date such vouchers are received by the agency, or (b) the date on which the goods, services or construction to which the voucher relates have been received and accepted by the agency, (ii) a program for the payment of interest, at a uniform rate, to vendors on vouchers not paid within the maximum amount of time pursuant to clause i of this subdivision, (iii) a process for the allocation and charging of any such interest payments to the budget of the agency responsible for the delay leading to the

interest payments, [and](iv) *a process for the agency to inform vendors of the reason for the lack of prompt payment on vouchers not paid within the maximum amount of time pursuant to clause i of this subdivision and (v)* agency reporting on the promptness of such payments in such form and containing such information as the board shall prescribe. The board shall coordinate and publish such agency prompt payment reports. Such rules shall facilitate the development and implementation of programs pursuant to subdivision a of this section.

§ 2. Section 6-131 of the administrative code of the city of New York is amended by adding a new subdivision a-1 to read as follows:

a-1. All agencies shall provide to the mayor's office of contract services reports on any payments made after the maximum amount of time allowed for the processing and payment of such vouchers pursuant to rules promulgated by the procurement policy board. Beginning January 1, 2023, and every 6 months thereafter, the mayor's office of contract services shall submit a report to the mayor and speaker of the council that includes, at a minimum, the information reported by each agency pursuant to this subdivision and a summary of such information.

§ 3. This local law takes effect immediately.

Referred to the Committee on Contracts.

Int. No. 509

By Council Members Brannan and Yeger.

A Local Law to amend the New York city charter, in relation to expediting the inter-agency oversight review process of certain unregistered contracts

Be it enacted by the Council as follows:

Section 1. Section 335 of the New York city charter is amended by adding a new subdivision c to read as follows:

c. The mayor's office of contract services or any other agency designated by the mayor to perform the functions set forth in subdivision a of this section shall have a division dedicated to expediting the inter-agency oversight review of contracts or agreements valued at $1,000,000 or more that may be implemented pursuant to section 328. The duties of the division shall include:

1. Coordinating, facilitating and supporting the oversight review efforts of all agencies, including, but not limited to, those of the corporation counsel, the department of investigation, the office of management and budget, the division of labor services within the department of small business services and the comptroller, as well as any agency chief contracting officer, with respect to any contract or agreement valued at $1,000,000 or more that has not been registered by the comptroller or for which 30 days have not elapsed from the date of filing with the comptroller;

2. Continuously reviewing the oversight review process to identify opportunities within and among agencies to improve such process toward the objective of ensuring that contracts or agreements valued at $1,000,000 or more and that may be implemented pursuant to section 328 are filed with the comptroller no later than 30 days prior to their start dates; and

3. No less frequently than quarterly, reporting any findings and recommendations that are the result of such review to the speaker of the council, the mayor and the procurement policy board.

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

Referred to the Committee on Contracts.

Int. No. 510

By Council Members Brannan and Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to the provision of bridge loans to contractors

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 8 of title 22 of the administrative code of the city of New York is amended by adding a new section 22-827 to read as follows:

§ 22-827 Loans for city contractors. a. Definitions. For purposes of this section, the following terms have the following meanings:

Eligible contract. The term "eligible contract" means any written agreement, purchase order or instrument valued at no more than $500,000 whereby the city is committed to expend or does expend funds in return for work, labor or services.

Contractor. The term "contractor" means a person or entity who is a party to an eligible contract.

b. In each covered contract with a contracted entity executed on or after the effective date of this section, the commissioner shall require that, unless prohibited by applicable law, such contracted agency provide a bridge loan to each contractor:

1. Who properly requests in writing such a bridge loan;

2. Whose eligible contract is pending registration pursuant to section 328 of the charter at the time the contractor requests such a bridge loan; and

3. Who has not or is not reasonably expected to receive payments on the scheduled payment dates specified in the applicable eligible contract.

c. The amount of such bridge loan shall be no more the amount due to be paid to such contractor under the terms of the applicable eligible contract.

§ 2. This local law takes effect immediately.

Referred to the Committee on Contracts.

Int. No. 511

By Council Members Brannan, Yeger and Brewer.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of investigation to notify the council when it requests an integrity monitor for existing contracts

Be it enacted by the Council as follows:

Section 1. Section 333 of the New York city charter, as amended by local law number 68 for the year 1993, is amended by adding a new subdivision c to read as follows:

c. The commissioner of investigation shall notify the council within 45 days of issuance of a request for proposal or request for information for an integrity monitor for an existing contract. Such notification shall include, but need not be limited to: (i) an explanation of why an integrity monitor is needed for such contract; and (ii) the scope of work and cost for such integrity monitor.

§ 2. This local law takes effect immediately.

Referred to the Committee on Contracts.

Int. No. 512

By Council Member Brannan.

A Local Law to amend the New York city charter, in relation to the review of patterns of contractual spending by the city agencies with not-for-profit organizations

Be it enacted by the Council as follows:

Section 1. Section 30 of the New York city charter is amended to read as follows:

§ 30. Council review of city procurement policies and procedures. The council shall periodically review all city procurement policies and procedures, including:

1. the rules and procedures adopted by the procurement policy board, all rules relating to the participation of minority and women owned business enterprises in the city's procurement process and the implementation of those rules and procedures by city agencies;

2. patterns of contractual spending by city agencies, including determinations of the need to contract made by agencies in accordance with rules of the procurement policy board;

3. *patterns of contractual spending by city agencies with not-for-profit organizations and patterns of spending by not-for-profit organizations that receive city funding comprising $100,000 or more of the budget of such organization*;

4. access to and fairness in city procurement opportunities, the fair distribution of contract awards, and the fair employment practices of city contractors;

[4]*5.* procedures for evaluating contractor performance; and

[5]*6.* procedures for declaring bidders not responsible and for debarring contractors.

§ 2. This local law takes effect immediately.

Referred to the Committee on Contracts.

Int. No. 513

By Council Member Brannan.

A Local Law to amend the administrative code of the city of New York, in relation to city contracts with not-for-profit organizations in the amount of $250,000 or more

Be it enacted by the Council as follows:

Section 1. Paragraph i of subdivision b of section 6-116.2 of the administrative code of the city of New York, as added by local law 5 for the year 1991, the opening paragraph as amended by local law 44 for the year 1992, subparagraph 1 as amended by local law number 21 for the year 1992, subparagraph 22 as amended and subparagraph 23 as added by local law number 49 for the year 1992, is amended to read as follows:

b. (i) The mayor and comptroller shall be responsible for the maintenance of a computerized data system which shall contain information for every contract, in the following manner: the mayor shall be responsible for operation of the system; the mayor and the comptroller shall be jointly responsible for all policy decisions relating to the system. In addition, the mayor and the comptroller shall jointly review the operation of the system to ensure that the information required by this subdivision is maintained in a form that will enable each of them, and agencies, New York city affiliated agencies, elected officials and the council, to utilize the information in the performance of their duties. This system shall have access to information stored on other computerized data systems maintained by agencies, which information shall collectively include, but not be limited to:

(1) the current addresses and telephone numbers of:

A. the contractor's principal executive offices and the contractor's primary place of business in the New York city metropolitan area, if different,

B. the addresses of the three largest sites at which it is anticipated that work would occur in connection with the proposed contract, based on the number of persons to be employed at each site,

C. any other names under which the contractor has conducted business within the prior five years, and

D. the addresses and telephone numbers of all principal places of business and primary places of business in the New York city metropolitan area, if different, where the contractor has conducted business within the prior five years;

(2) the dun & bradstreet number of the contractor, if any;

(3) the taxpayer identification numbers, employer identification numbers or social security numbers of the contractor or the division or branch of the contractor which is actually entering into the contract;

(4) the type of business entity of the contractor including, but not limited to, sole proprietorship, partnership, joint venture or corporation;

(5) the date such business entity was formed, the state, county and country, if not within the United States, in which it was formed and the other counties within New York State in which a certificate of incorporation, certificate of doing business, or the equivalent, has been filed within the prior five years;

(6) the principal owners and officers of the contractor, their dates of birth, taxpayer identification numbers, social security numbers and their current business addresses and telephone numbers;

(7) the names, current business addresses and telephone numbers, taxpayer identification numbers and employer identification numbers of affiliates of the contractors;

(8) the principal owners and officers of affiliates of the contractor and their current business addresses and telephone numbers;

(9) the principal owners and officers of every subcontractor;

(10) the type, amount and contract registration number of all other contracts awarded to the contractor, as reflected in the database maintained pursuant to subdivision a of this section;

(11) the contract sanction history of the contractor for the prior five years, including, but not limited to, all cautions, suspensions, debarments, cancellations of a contract based upon the contractor's business conduct, declarations of default on any contract made by any governmental entity, determinations of ineligibility to bid or propose on contracts and whether any proceedings to determine eligibility to bid or propose on contracts are pending;

(12) the contract sanction history for the prior five years of affiliates of the contractor including, but not limited to, all cautions, suspensions, debarments, cancellations of a contract based upon such entity's business conduct, declarations of default on any contract made by any governmental entity, determinations of ineligibility to bid or propose on contracts and whether any proceedings to determine eligibility to bid or propose on contracts are pending;

(13) the name and telephone number of the chief contracting officer or other employee of the agency, elected official or the council responsible for supervision of those charged with day-to-day management of the contract;

(14) judgments or injunctions obtained within the prior five years in any judicial actions or proceedings initiated by any agency, any elected official or the council against the contractor with respect to a contract and any such judicial actions or proceedings that are pending;

(15) record of all sanctions imposed within the prior five years as a result of judicial or administrative disciplinary proceedings with respect to any professional licenses held by the contractor, or a principal owner or officer of the contractor;

(16) whether city of New York income tax returns, where required, have been filed for the past five years;

(17) outstanding tax warrants and unsatisfied tax liens, as reflected in the records of the city;

(18) information from public reports of the organized crime control bureau and the New York state organized crime task force which indicates involvement in criminal activity;

(19) criminal proceedings pending against the contractor and any principal owner or officer of such contractor;

(20) record of all criminal convictions of the contractor, any current principal owner or officer for any crime related to truthfulness or business conduct and for any other felony committed within the prior ten years, and of any former principal owner or officer, within the prior ten years, for any crime related to truthfulness or business conduct and for any other felony committed while he or she held such position or status;

(21) all pending bankruptcy proceedings and all bankruptcy proceedings initiated within the past seven years by or against the contractor and its affiliates;

(22) whether the contractor has certified that it was not founded or established or is not operated in a manner to evade the application or defeat the purpose of this section and is not the successor, assignee or affiliate of an entity which is ineligible to bid or propose on contracts or against which a proceeding to determine eligibility to bid or propose on contracts is pending;

(23) the name and main business address of anyone who the contractor retained, employed or designated influence the preparation of contract specifications or the solicitation or award of this contract[.];

(24) if the contractor is a not-for-profit organization, the compensation, including salary, bonuses, and any other type of remuneration for services to the organizations, of each officer of such not-for-profit organization and the compensation of the three highest paid employees;

(25) if the contractor is a not-for-profit organization, the most recent completed Federal 990 form with regard to the organization.

§ 2. Subdivision i of section 6-116.2 of the administrative code of the city of New York, as amended by local law 72 for the year 2017, is amended to read as follows:

i. Except as otherwise provided, for the purposes of subdivision b of this section,

[(1)] "affiliate" shall mean an entity in which the parent of the contractor owns more than fifty percent of the voting stock, or an entity in which a group of principal owners which owns more than fifty percent of the contractor also owns more than fifty per cent of the voting stock;

[(2)] "cautionary information" shall mean, in regard to a contractor, any adverse action by any New York city affiliated agency, including but not limited to poor performance evaluation, default, non-responsibility determination, debarment, suspension, withdrawal of prequalified status, or denial of prequalified status;

[(3)] "contract" shall mean and include any agreement between an agency, New York city affiliated agency, elected official or the council and a contractor, or any agreement between such a contractor and a subcontractor, which (a) is for the provision of goods, services or construction and has a value that when aggregated with the values of all other such agreements with the same contractor or subcontractor and any franchises or concessions awarded to such contractor or subcontractor during the immediately preceding twelve-month period is valued at $250,000 or more; or (b) is for the provision of goods, services or construction, is awarded to a sole source and is valued at $10,000 or more; or (c) is a concession and has a value that when aggregated with the value of all other contracts held by the same concessionaire is valued at $100,000 or more; or (d) is a franchise. However, the amount provided for in clause a herein may be varied by rule of the procurement policy board, where applicable, or rule of the council relating to procurement, or, for franchises and concessions, rule of the franchise and concession review committee, as that amount applies to the information required by paragraphs 7, 8, 9 and 12 of subdivision b of this section, and the procurement policy board, where applicable, or the council, or, for franchises and concessions, the franchise and concession review committee, may by rule define specifically identified and limited circumstances in which contractors may be exempt from the requirement to submit information otherwise required by subdivision b of this section, but the rulemaking procedure required by chapter forty-five of the charter may not be initiated for such rule of the procurement policy board or franchise and concession review committee less than forty-five days after the submission by the procurement policy board or, for franchises and concessions, the franchise and concession review committee, to the council of a report stating the intention to promulgate such rule, the proposed text of such rule and the reasons therefor;

[(4)] "contractor" shall mean and include all individuals, sole proprietorships, partnerships, joint ventures or corporations who enter into a contract, as defined in paragraph three herein, with an agency, New York city affiliated agency, elected official or the council;

[(5) "officer" shall mean any individual who serves as chief executive officer, chief financial officer, or chief operating officer of the contractor, by whatever titles known;]

[(6)] "New York city affiliated agency" shall mean any entity the expenses of which are paid in whole or in part from the city treasury and the majority of the members of whose board are city officials or are appointed directly or indirectly by city officials, but shall not include any entity established under the New York city charter, this code or by executive order, any court or any corporation or institution maintaining or operating a public library, museum, botanical garden, arboretum, tomb, memorial building, aquarium, zoological garden or similar facility;

"not-for-profit organization" shall mean any entity that is either incorporated as a not-for-profit corporation under the laws of the state of its incorporation or exempt from federal income tax pursuant to subdivision c of section five hundred one of the United States internal revenue code;

"officer" shall mean any individual who serves as chief executive officer, chief financial officer, or chief operating officer of the contractor, by whatever titles known;

[(7)] "parent" shall mean an individual, partnership, joint venture or corporation which owns more than fifty percent of the voting stock of a contractor;

[(8)] "principal owner" shall mean an individual, partnership, joint venture or corporation which holds a ten percent or greater ownership interest in a contractor or subcontractor;

[(9)] "subcontract" shall mean any contract[, as defined in paragraph three herein,] between a subcontractor and a contractor; and

[(10)] "subcontractor" shall mean an individual, sole proprietorship, partnership, joint venture or corporation which is engaged by a contractor pursuant to a contract[, as defined in paragraph three herein].

§ 3. Chapter 1 of title 6 of the administrative code of the city of New York is amended by adding a new section 6-116.3 to read as follows:

§ 6-116.3 Not-for-profit organizations compensation report. a. Not later than October first of each year, the mayor and the comptroller shall submit to the speaker of the city council a report detailing the one hundred most highly compensated officers or employees of not-for-profit organizations for which information was collected pursuant to subparagraph 24 of paragraph i of subdivision b of section 6-116.2. Such report shall include:

(1) the name of the officer or employee;

(2) the name of the not-for-profit organization in which such officer or employee serves;

(3) the total number of contracts registered to such organization in the preceding fiscal year;

(4) the total value of such contracts;

(5) the agency, elected official and/or council that awarded such contracts; and

(6) the goods or services procured pursuant to such contracts.

§ 4. This law takes effect 45 days after it becomes law and applies to contracts for which a request for bids or proposals is issued on or after the effective date.

Referred to the Committee on Contracts.

Int. No. 514

By Council Members Brannan, Yeger, Hanif and Brewer

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. 515

By Council Members Brannan and Hanif.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to report on school bus transportation services employees

Be it enacted by the Council as follows:

Section 1. Paragraph 3 of subdivision b of section 21-993 of the administrative code of the city of New York, as added by local law number 34 for the year 2019, is amended to read as follows:

3. The total number of employees known to the department employed by each school bus vendor, disaggregated by [type,] *the following:*

(a) Type, including but not limited to drivers, attendants, and other;

(b) The number who are trained to handle the specific requirements for the transportation of students with disabilities whose individualized education programs designate such requirements, including a description of their training and whether such employees accompany students on the school bus route;

(c) The number who are trained in the general needs of students with disabilities who may not have specialized transportation requirements under an individualized education program, including a description of their training and whether such employees accompany students on the school bus route; and

(d) The number of employees identified in subparagraphs (a), (b) and (c) of this paragraph who respectively serve as designated contacts for the parents or guardians of any student with a disability in their care, including whether such parents or guardians have been provided the specific name and telephone number for the designated contact person to reach directly in the event of an emergency;

§ 2. This local law takes effect immediately.

Referred to the Committee on Education.

Int. No. 516

By Council Members Brannan, Yeger, Schulman and Brewer.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a revolving loan fund to support students with disabilities

Be it enacted by the Council as follows:

Section 1. Title 21-A of the administrative code of the city of New York is amended to add a new chapter 31 to read as follows:

CHAPTER 31
REVOLVING LOAN FUND

§ 21-1002 Revolving loan fund. a. For purposes of this section, the following terms have the following meanings:

Due process complaint notice. The term "due process complaint notice" has the same meaning as set forth in subdivision i of section 200.5 of title 8 of the New York codes, rules and regulations.

Eligible private school. The term "eligible private school" means a school incorporated in New York that has a current enrollment with at least 50 percent of students having an individualized education program, as defined in section 21-950.

Impartial due process hearing. The term "impartial due process hearing" has the same meaning as set forth in subdivision j of section 200.5 of title 8 of the New York codes, rules and regulations.

Parent. The term "parent" has the same meaning as set forth in subsection 23 of section 1401 of title 20 of the United States code.

Student with a disability. The term "student with a disability" has the same meaning as set forth in subdivision 1 of section 4401 of the education law.

Ten-day notice. The term "ten-day notice" means a written notice in which a parent states an intent to enroll a student with a disability in a private school pursuant to subparagraph (C) of paragraph (10) of subsection (a) of section 1412 of title 20 of the United States code.

Written settlement agreement. The term "written settlement agreement" means an agreement between the department and a parent of a student with a disability in which the department agrees to pay for tuition for an eligible private school, in an amount agreed to by the parties and approved by the comptroller, to resolve claims raised in a ten-day notice or due process complaint notice.

b. The department shall establish a revolving loan fund to provide loans to eligible private schools awaiting the issuance of a payment pursuant to a written settlement agreement or an order issued pursuant to an impartial due process hearing. The department shall enter into an agreement with a bank or trust company to administer loans under such fund. Subject to appropriation, such fund shall issue a loan to a qualifying private school provided that the following criteria are satisfied:

1. the school properly requests in writing such a loan;

2. the school has accepted a student with a disability with a written settlement agreement or an order issued pursuant to an impartial due process hearing;

3. the school has not received payment from the department pursuant to a written settlement agreement or order issued pursuant to an impartial due process for the school year for which payment was due;

4. the loan amount requested is not greater than the total amount of pending tuition payments owed to such school pursuant to a written settlement agreement or order issued pursuant to an impartial due process hearing; and

5. the amount of such written settlement agreement or order issued pursuant to an impartial due process hearing for one year of tuition is for a minimum of $40,000.

c. The application for such loan shall require such information as necessary to determine the eligibility of the school and the number and amount of eligible tuition payments owed to the school and shall rely solely on attestations from such school and shall not require substantiating documentation to verify attestations made on the application, provided that the department may audit such attestations after such loan has been awarded. If, in the course of such audit, the department identifies inaccurate attestations that would result in a reduced loan award amount, then the school shall be required to return the difference in loan amount within 45 days of an order issued by the department.

d. The term of such loan shall be for two years. No interest shall be charged for such loan, except as otherwise provided in subdivision f of this section.

e. If available funds cannot satisfy all loan requests made pursuant to this section by August 1 of each year, each eligible private school shall be assigned an amount reduced proportionally. Each such school that applied shall be notified of their eligibility and the dollar amount available to them by August 20 of such year.

f. Any eligible private school that has received a loan pursuant to this section shall submit to the department a loan repayment schedule detailing how the full amount will be repaid within the final 90 days of the loan

period and complete all payments as per such schedule. If a school fails to comply with such schedule, it shall not be eligible to receive any new funding until such loan is fully repaid. An interest rate of 6 percent per annum shall be charged for each month that a loan payment is in arrears.

§ 2. This local law takes effect in 90 days.

Referred to the Committee on Education.

Int. No. 517

By Council Members Brannan, Hanif and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to the distribution of special education services and individualized education program resource information

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 21-a of the administrative code of the city of New York is amended by adding a new section 21-955.1 to read as follows:

§ 21-955.1 Distribution of special education services and individualized education program resource information. a. Definitions. For the purposes of this section, the term "parent member" means the parent or legal guardian of a student or former student with a disability who has undergone an eligibility, training and certification process approved by the department for the purpose of assisting or providing support to parents of students with IEPs.

b. Information to be distributed. The department shall distribute to each school for distribution to every parent of a student with a disability attending such school resource information regarding special education services and IEPs including, but not limited to:

1. Any resource guide to special education services for students and pre-kindergarten students; and

2. Information regarding parent members, including how to access a parent member for assistance and support.

c. Language and online posting requirements. The department shall make the resource information required pursuant to subdivision b of this section available in schools and on the department's website in English and in each of the designated citywide languages as defined in section 23-1101.

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

Referred to the Committee on Education.

Int. No. 518

By Council Members Brannan, Hanif, Bottcher and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to identifying all vacant and underutilized municipally-owned sites that would be suitable for the development of renewable energy and assessing the renewable-energy generation potential and feasibility of such sites

Be it enacted by the Council as follows:

Section 1. Chapter 8 of title 24 of the administrative code is amended by adding a new section 24-806.1 to read as follows:

§ 24-806.1 Renewable energy generation on vacant city-owned lots. a. On or before December 31, 2023, and by December 31 every three years thereafter, the department shall submit to the mayor and the speaker of the council a report identifying all vacant and underutilized municipally-owned sites, including closed- and capped-solid waste landfills and brownfields, that would be suitable for the development of renewable energy.

Such report shall include an assessment of the feasibility of renewable energy generation and a cost-benefit analysis of solar or wind energy generation on such sites.

b. The department shall submit to the mayor and speaker of the council a draft of such study no less than 90 days before the submission of the final report. If the study concludes that no greater use may be made from a particular vacant or underutilized site, the department shall explain its reasons therefor.

c. For each such vacant or underutilized site the department identifies would not be suitable for generating solar or wind energy, the department shall re-evaluate such site in the subsequent triennial report and determine whether generation of solar or wind energy from such site would be more feasible at that time.

§ 2. This local law shall take effect immediately.

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

Int. No. 519

By Council Member Brannan.

A Local Law in relation to establishing a temporary task force to study and report on the maximum population that may be served by fire and emergency response services

Be it enacted by the Council as follows:

Section 1. Definitions. For purposes of this local law, the following terms have the following meanings:

Firehouse. The term "firehouse" means any structure housing one or more engine companies, ladder companies, rescue companies, or other fire department response units, from which such units may be dispatched to respond to an emergency call.

EMS station. The term "EMS station" means any structure housing one or more ambulances or response units of the fire department's emergency medical services, from which such ambulances or response units may be dispatched to respond to an emergency call.

§ 2. Interagency task force. a. There shall be an interagency task force to study and make a recommendation on the maximum population size that may be effectively served by an individual firehouse and the maximum population size that may be effectively served by an individual EMS station. The task force may also explore and make recommendations on related issues.

b. The task force shall consist of the following members:

1. The fire commissioner, or such commissioner's designee, who shall serve as co-director of the task force;

2. The chair of the city planning commission, or such chair's designee, who shall serve as co-director of the task force;

3. The commissioner of transportation, or such commissioner's designee;

4. The Manhattan borough president, or such borough president's designee;

5. The Brooklyn borough president, or such borough president's designee;

6. The Bronx borough president, or such borough president's designee;

7. The Queens borough president, or such borough president's designee;

8. The Staten Island borough president, or such borough president's designee;

9. One member appointed by the mayor;

10. One member appointed by the speaker of the council; and

11. One member appointed by the chair of the council's committee on fire and emergency management.

c. The task force shall meet not less than quarterly.

d. Within 12 months of the effective date of this local law, the task force shall complete an evaluation of the number of persons who may be served effectively by an individual firehouse and, separately, the number of persons who may be served effectively by an individual EMS station. In addition to any other related issues as may be recommended by the task force, the task force shall evaluate whether each firehouse and each EMS station in operation on the date of the report required by this local law sufficiently serves such recommended

number of persons, and shall identify which firehouses and EMS stations serve fewer persons than such recommended number, and which serve more. The task force shall also evaluate the impact of projected changes in population, zoning and traffic patterns on firehouses and EMS stations and their ongoing ability to serve such recommended number of persons.

e. The task force shall submit a report to the mayor and the council including its findings and recommendations within 15 months of the effective date of this local law. The task force shall dissolve upon submission of such report.

§ 3. This local law takes effect immediately.

Referred to the Committee on Fire and Emergency Management.

Int. No. 520

By Council Members Brannan and Hanif.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the commissioner of emergency management to report on the city's preparedness and response to citywide public health emergencies

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 30 of the administrative code of the city of New York is amended by adding a new section 30-117 to read as follows:

§ 30-117 Annual public health emergency preparedness and response report a. No later than 60 days after the effective date of the local law that added this section, and on or before every December 1 thereafter, the commissioner shall submit to the council and make available on the city's website a report describing the city's preparation for, and response to, any state disaster emergency or local state of emergency declared in relation to an infectious disease that affects the city which occurred during the preceding twelve month period. Such report shall describe any actions taken in preparation for, during and immediately after such incident by the department, city agencies and private entities that were involved in the city's public health emergency preparedness and response efforts.

b. Such report shall include, but need not be limited to, the following:

1. A list of any local public health warnings or declarations issued by the city or state during the reporting period and actions taken pursuant to each such warning or declaration;

2. A description of the city's current public healthcare workforce and its capabilities to improve workforce surge capacity;

3. A list of all city and state agencies or offices and private entities that were involved in the city's public health preparedness and response efforts, including a description of each such agency, office or entity;

4. An assessment of actions taken by each such agency, office or entity for each declared public health emergency during the reporting period, including an assessment of interagency coordination;

5. Guidelines for notifying and communicating with the public and city officials during a local public health emergency; and

6. Recommendations for improving the city's public health emergency preparedness and response efforts including, but not limited to, revisions to emergency preparedness plans and other relevant protocols of city agencies or offices.

§ 2. This local law takes effect immediately.

Referred to the Committee on Fire and Emergency Management.

Int. No. 521

By Council Member Brannan.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to the establishment of a department of emergency medical services

Be it enacted by the Council as follows:

Section 1. The New York city charter is amended by adding a new chapter 78 to read as follows:

CHAPTER 78
DEPARTMENT OF EMERGENCY MEDICAL SERVICES

§ 3400. Department; commissioner. There shall be a department of emergency medical services, the head of which shall be the commissioner of emergency medical services. The commissioner may appoint deputies within available appropriations.

§ 3401. Powers and duties. a. The department shall have the power and authority to provide general ambulance services, emergency medical services and other response services necessary to preserve public health, safety and welfare, and to perform any functions relating to the provision of such services. This subdivision shall not be construed to limit or impair the powers of any other agency established pursuant to this charter.

§ 2. Subdivision f of section 487 of the New York city charter, as added by local law number 20 for the year 1996, is amended to read as follows:

f. The department shall have the power and authority to provide [general ambulance services,] emergency medical services and other response services *as* necessary *in the course of performing the duties established pursuant to this chapter* to preserve public health, safety and welfare, and to perform any functions relating to the provision of such services. This subdivision shall not be construed to limit or impair the powers of any other agency established pursuant to this charter.

§ 3. The first paragraph of section 3-401 of the administrative code of the city of New York, as amended by chapter 387 of the laws of 2017, is amended to read as follows:

The mayor is authorized and empowered to make an award to the spouse or domestic partner of a member of the uniformed force of the police department, fire department, *department of emergency medical services,* including emergency medical technicians and advanced emergency medical technicians employed by *the department of emergency medical services or* the fire department, or uniformed transit police force, maintained by the New York city transit authority, killed while engaged in the discharge of duty. Such award shall equal the annual salary of such member at the time of death, but in no case less than the full salary payable to a first grade police officer, firefighter, transit police officer, emergency medical technician or advanced emergency medical technician at the date of death of such employee.

§ 4. Subparagraph (ii) of paragraph (2) of subdivision b of section 12-126 of the administrative code of the city of New York, as added by chapter 430 of the laws of 2010, is amended to read as follows:

(2) Health insurance coverage for surviving spouses, domestic partners and children of police officers, firefighters and certain other city employees:

(ii) Where a retired member of *the department of emergency medical services or* the fire department dies and is enrolled in a health insurance plan, the surviving spouse shall be afforded the right to such health insurance coverage and health insurance coverage which is predicated on the insured's enrollment in the hospital and medical program for the aged and disabled under the social security act as is provided for retirees and their dependents as set forth in subparagraph (i) of this paragraph, provided such surviving spouse pays one hundred two percent of the group rate for such coverage, with two percent intended to cover administrative costs incurred, provided such spouse elects such health insurance coverage within one year of the death of his or her spouse. For purposes of this subparagraph, "retired member of *the department of emergency medical services or* the fire department" shall include persons who, immediately prior to retirement, were employed by *the department of emergency medical services or* the fire department of the city of New York in a title whose duties are those of

an emergency medical technician or advanced emergency medical technician (as those terms are defined in section three thousand one of the public health law), or whose duties required the direct supervision of employees whose duties are those of an emergency medical technician or advanced emergency medical technician (as those terms are defined in section three thousand one of the public health law).

§ 5. Paragraph (4) of subdivision a of section 12-307 of the administrative code of the city of New York, as amended by local law number 56 for the year 2005, is amended to read as follows:

(4) all matters, including but not limited to pensions, overtime and time and leave rules which affect employees in the uniformed police, fire, *emergency medical,* sanitation and correction services, or any other police officer as defined in subdivision thirty-four of section 1.20 of the criminal procedure law who is also defined as a police officer in this code, shall be negotiated with the certified employee organizations representing the employees involved. For purposes of this paragraph only:

(i) employees of the uniformed fire service shall also include persons employed at any level of position or service by the fire department of the city of New York as fire alarm dispatchers and supervisors of fire alarm dispatchers, fire protection inspectors and supervisors of fire protection inspectors, emergency medical technicians and advanced emergency medical technicians, as those terms are defined in section three thousand one of the public health law, and supervisors of emergency medical technicians or advanced emergency medical technicians;

(ii) employees of the uniformed police service shall also include persons employed at any level of position or service by the police department of the city of New York as traffic enforcement agents and supervisors of traffic enforcement agents, and school safety agents and supervisors of school safety agents; [and]

(iii) employees of the uniformed sanitation service shall also include persons employed at any level of position or service by the sanitation department of the city of New York as sanitation enforcement agents and supervisors of sanitation enforcement agents; *and*

(iv) employees of the uniformed emergency medical service shall also include persons employed at any level of position or service by the department of emergency medical services as emergency medical technicians and advanced emergency medical technicians, as those terms are defined in section three thousand one of the public health law, and supervisors of emergency medical technicians or advanced emergency medical technicians;

§ 6. Subdivision b of section 15-129 of the administrative code of the city of New York, as amended by local law number 179 for the year 2017, is amended to read as follows:

b. The department*, in collaboration with the department of emergency medical services,* shall track the duration of time between a report to a 911 operator to which fire units or ambulances are required to respond and the time when the first fire unit, which shall include ladders and engines only, or the first ambulance unit, arrives on scene in the following categories:

(1) Average response time to structural fires;

(2) Average response time to non-structural fires;

(3) Average response time to non-fire emergencies;

(4) Average response time to medical emergencies by ambulance units, in total and disaggregated by segment;

(5) Average response time to medical emergencies by fire units, in total and disaggregated by segment;

(6) Percentage of response time to Advanced Life Support medical emergencies by Advanced Life support ambulances, in total and disaggregated by segment, in the following categories: (i) less than 6 minutes, (ii) between 6 and 10 minutes, (iii) between 10 and 20 minutes, and (iv) more than 20 minutes; and

(7) Percentage of response time to structural and non-structural fires by fire units in the following categories: (i) less than 5 minutes, (ii) between 5 and 10 minutes, (iii) between 10 and 20 minutes, and (iv) more than 20 minutes.

§ 7. Subdivisions b, c and d of section 15-136 of the administrative code of the city of New York, as added by local law number 126 for the year 2018, are amended to read as follows:

b. Beginning with the calendar quarter starting on January 1, 2019, the commissioner*, in collaboration with the department of emergency medical services,* shall submit to the speaker of the council and the department of health and mental hygiene, within 25 days of the end of each quarter and post to the department's website five days thereafter, a report [compromised] *comprised* of de-identified patient information relating to the administration of opioid antagonists.

c. Such report shall include:

1. The number of opioid antagonists the department [has] *and the department of emergency medical services have* available, disaggregated by borough and division;

2. The number of emergency medical technicians and other first responders employed by the department *and the department of emergency medical services* that are trained to administer opioid antagonists, disaggregated by borough and division;

3. The number of instances in the quarter that an emergency medical technician or other first responder employed by the department *or the department of emergency medical services* administered an opioid antagonist to a patient, disaggregated by borough, division, and by method of administration, such as syringe injection or nasal atomizer; and

4. The number, expressed in both absolute terms and as a percentage of all administrations, of instances in which the patient responded to the administration of an opioid antagonist.

d. The report created pursuant to this section shall be provided within 30 days of the end of the quarter to which the report corresponds. Where necessary, the department may use preliminary data to prepare the required report. If preliminary data is used, the department shall include an acknowledgment that such preliminary data is non-final and subject to change.

§ 8. Section 15-138 of the administrative code of the city of New York, as added by local law number 8 for the year 2019, is amended to read as follows:

§ 15-138 Annual report on the potential impact of certain rezonings on department services.

a. [Definitions. For purposes of this section, the term "emergency medical services" means the services provided by the bureau of emergency medical services within the department.

b.] No later than February 1 of each year, the department, in consultation with the department of city planning, shall submit to the council a report, as set forth in subdivision [c]b of this section, stating the potential impact of certain rezonings that occurred during the previous fiscal year on the services the department provides, in terms of fire protection[and emergency medical services], in areas for which certain rezonings were approved in the previous fiscal year.

[c.]*b.* Such report shall consider rezonings for which the department provided input in the city environmental quality review process and shall include for such rezonings, but need not be limited to, the following information:

1. The rezoned area, including the borough, formal and commonly known names of the area, major streets and avenues covered by the rezoning and the total area in square miles covered by the rezoning;

2. For each such rezoned area, a brief description of the type of rezoning that took place, including any substantial change in zoning district classification; and

3. For each such rezoned area, the potential impact of such rezoning on the services the department provides, as provided by the department in the city environmental quality review process, in terms of fire protection personnel and staffing, equipment, vehicles and stations, where applicable[, with a separate category including information on the impact of such rezoning on the services the department provides in terms of emergency medical services personnel and staffing, equipment, vehicles and station locations, where applicable].

§ 9. The administrative code of the city of New York is amended by adding a new title 15-A to read as follows:

TITLE 15-A
DEPARTMENT OF EMERGENCY MEDICAL SERVICES
CHAPTER 1
GENERAL PROVISIONS

§ 15-501 Definitions. As used in this title, the following terms have the following meanings:

Commissioner. The term "commissioner" means the commissioner of emergency medical services.

Department. The term "department" means the department of emergency medical services.

Emergency medical services. The term "emergency medical services" means the services provided by the department.

§ 15-502 Annual report on the potential impact of certain rezonings on department services.

a. No later than February 1 of each year, the department, in consultation with the department of city planning, shall submit to the council a report, as set forth in subdivision b of this section, stating the potential impact of certain rezonings that occurred during the previous fiscal year on the services the department

provides, in terms of emergency medical services, in areas for which certain rezonings were approved in the previous fiscal year.

b. Such report shall consider rezonings for which the department provided input in the city environmental quality review process and shall include for such rezonings, but need not be limited to, the following information:

1. The rezoned area, including the borough, formal and commonly known names of the area, major streets and avenues covered by the rezoning and the total area in square miles covered by the rezoning;

2. For each such rezoned area, a brief description of the type of rezoning that took place, including any substantial change in zoning district classification; and

3. For each such rezoned area, the potential impact of such rezoning on the services the department provides, as provided by the department in the city environmental quality review process, in terms of emergency medical services personnel and staffing, equipment, vehicles and station locations, where applicable.

§ 10. Section 15-137 of the administrative code of the city of New York, as added by local law number 7 for the year 2019, is re-designated as a new section 15-503 of the administrative code of the city of New York and amended to read as follows:

[§ 15-137]*§ 15-503* Report on emergency medical services supervisor to emergency medical services station staffing ratios. a. Definitions. For purposes of this section, the following terms have the following meanings:

[Emergency medical services. The term "emergency medical services" means the services provided by the bureau of emergency medical services within the department.]

Emergency medical services division. The term "emergency medical services division" means a collection of several emergency medical services stations, provided that if a division extends to two or more boroughs, the department shall report the information set forth below separately for each such borough.

Emergency medical services station. The term "emergency medical services station" means a location that houses ambulances, or other emergency vehicles, and emergency medical services staff.

Emergency medical services unit. The term "emergency medical services unit" means an individual ambulance or other emergency vehicle staffed by department personnel.

b. No later than January 1, 2019, and at the beginning of each subsequent quarter, the department shall submit to the council a report on emergency medical services divisions and stations.

c. Such report shall include, but need not be limited to, the following information:

1. The assigned number of each emergency medical services division and the general geographic area each such division covers;

2. The assigned number of each emergency medical services station within each emergency medical services division, the geographic area each such emergency medical services station covers, including any formal and commonly known names and the area in square miles, and the number of department personnel assigned to each such emergency medical services station;

3. The total number of emergency medical services units within each emergency medical services station;

4. The total number of designated emergency medical services supervising officers for each emergency medical services station within each emergency medical services division; and

5. For each emergency medical services division, the ratio of emergency medical services supervising officers to emergency medical services stations within each such division.

§ 11. The definition of "EMS transports" in section 21-982 of the administrative code of the city of New York, as amended by local law number 63 for the year 2018, is amended to read as follows:

EMS transports. The term "EMS transports" means transports performed by emergency medical services, whether provided by *the department of emergency medical services,* the fire department or another authorized ambulance service, in which a student is taken from a New York city public school to a hospital.

§ 12. Subdivisions (f) and (g) of section 24-702 of the administrative code of the city of New York, subdivision (f) as added by local law number 92 for the year 1993 and subdivision (g) as added by local law number 26 for the year 1988 and renumbered by local law number 92 for the year 1993, are amended to read as follows:

(f) "emergency response agencies": the departments of fire, <u>emergency medical services,</u> police, environmental protection, health, transportation and sanitation, and the division of emergency medical services of the health and hospitals corporation.

(g) "emergency response personnel": any member of the departments of fire, emergency medical services, police, environmental protection, health, transportation and sanitation, the division of emergency services of health and hospitals corporation and any other government agency participating in response measures undertaken in connection with a fire, or a spill, or release or threatened release of a hazardous substance into the environment. For purposes of this chapter, the term "response measures" shall include actions taken by a city agency within the meaning of subdivision (f) of section 24-603.

§ 13. The commissioner of emergency medical services shall exercise the functions, powers and duties assigned by this local law in continuation of their exercise by the fire commissioner and shall have power to continue any business, proceeding or other matter commenced by the fire commissioner relating to such functions, powers and duties. Any provision in any law, rule, regulation, contract, grant or other document relating to the subject matter of such functions, powers or duties, and applicable to their exercise by the fire commissioner shall, so far as not inconsistent with the provisions of this local law, apply to the department and commissioner of emergency medical services.

§ 14. All records, property and equipment relating to emergency medical services shall be transferred and delivered from the fire commissioner to the commissioner of emergency medical services within 90 days of the effective date of this local law.

§ 15. No civil or criminal action or proceeding pending when this local law takes effect shall be affected or abated by the adoption of this local law. All such actions and proceedings may be continued notwithstanding the functions, powers and duties of the fire commissioner that have been transferred to the commissioner of emergency medical services by this local law.

§ 16. All officers and employees in the classified city civil service who are transferred to the department of emergency medical services pursuant to this local law shall be transferred without examination and without affecting existing compensation or pension or retirement rights, privileges or obligations of such officers and employee.

§ 17. Nothing contained in this local law shall affect or impair the rights or privileges of officers or employees of the city or of any agency in relation to the personnel, appointment, ranks, grades, tenure of office, promotion, removal, pension and retirement plan rights and any other rights or privileges of officers or employees of the city generally or officers of any agency.

§ 18. Any rule relating to emergency medical services promulgated by the fire commissioner and in force on the effective date of this local law shall continue in force as a rule of the department of emergency medical services, except insofar as it may be duly amended or repealed after such date.

§ 19. No right or remedy accruing to the city of New York shall be lost or impaired by reason of the adoption of this local law.

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

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

Int. No. 522

By Council Members Brannan and Gennaro.

A Local Law to amend the New York city charter, in relation to the establishment of a department of coastal protection

Be it enacted by the Council as follows:

Section 1. The New York city charter is amended by adding a new chapter 78 to read as follows:

CHAPTER 78
DEPARTMENT OF COASTAL PROTECTION

§ 3400. Department; commissioner.

§ 3401. Deputies.
§ 3402. Definition.
§ 3403. Powers and duties.

§ 3400. Department; commissioner. There shall be a department of coastal protection, the head of which shall be the commissioner of coastal protection. The commissioner may appoint deputies within available appropriations.

§ 3401. Deputies. The commissioner may appoint a deputy.

§ 3402. Definition. For purposes of this chapter, the term "coastal protection" means measures taken or infrastructure designed to protect the shoreline and coast from storms, erosion and the effects of climate change.

§ 3403. Powers and duties. a. The commissioner shall have the following powers and duties:

1. to develop policies and programs to address the city's current and future needs relating to coastal protection measures;

2. to receive and expend funds made available for coastal protection measures;

3. to prepare and submit reports on coastal protection needs, coastal infrastructure and measures taken to address the effects of coastal storms caused by climate change;

4. to promulgate rules where provided for by law; and

5. to develop and carry out programs to promote public awareness and education in issues of coastal protection.

b. The commissioner may coordinate with state, federal and other governmental bodies to effectuate the purposes of the department.

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

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

Int. No. 523

By Council Members Brannan and Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to procedures to be adopted by the 311 call center for responding to certain repeat anonymous complaints against the same property

Be it enacted by the Council as follows:

Section 1. The administrative code of the city of New York is amended by adding a new section 23-308 to read as follows:

§ 23-308 Repeated anonymous unfounded complaints. a. The 311 customer service center, upon receipt of any non-emergency anonymous complaint relating solely to a property classified as harassed, shall document such call but shall not refer such call to any agency.

b. For the purposes of this section:

1. a property shall be classified as "harassed": (i) if it is a privately-owned property that, within a six month period, is the sole subject of three or more anonymous complaints made to the 311 customer service center and referred to an agency; and (ii) such agency is unable to substantiate the condition or circumstance complained of, despite reasonable efforts; or (iii) such agency substantiates such condition or circumstance, but the condition or circumstance is not a violation of any applicable law. Such classification shall last for three months from the date of the third such complaint; and

2. "anonymous complaint" means a complaint made to the 311 customer service center where the complaining individual does not give his or her name and address, whether or not such information is requested.

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

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

Int. No. 524

By Council Members Brannan, Yeger and Hanif.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the placement of temporary priority regulatory signs at intersections within one hour of a report of an inoperable traffic control signal

Be it enacted by the Council as follows:

Section 1. Subdivision e of section 19-128 of the administrative code of the city of New York, as added by local law number 22 for the year 2014, is amended to read as follows:

e. Within [twenty-four hours] *one hour* of receiving notice that a traffic control signal is missing or damaged to the extent that such signal is not operational or visible to a motorist who must obey or rely upon such signal the department shall *place a temporary priority regulatory sign at the location of the missing or damaged traffic control signal. Within 24 hours, the department shall*:

(i) repair or replace such signal, *at which point the department may remove the temporary sign if applicable*,

(ii) implement *additional* alternative measures to control traffic if such repair or replacement will take [greater] *more* than [twenty-four] *24* hours, or

(iii) make a determination that repair or replacement is not warranted, *at which point the department may remove the temporary sign*.

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

Referred to the Committee on Health.

Int. No. 525

By Council Members Brannan, Hanif and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to make automated external defibrillators available to primary, intermediate and high schools that do not already receive such devices under any other provision of law

Be it enacted by the Council as follows:

Section 1. Chapter one of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.19 to read as follows:

§ 17-199.19 Automated external defibrillators in schools. a. For purposes of this section, the term "automated external defibrillator" shall mean a medical device, approved by the United States food and drug administration, that: (i) is capable of recognizing the presence or absence in a patient of ventricular fibrillation and rapid ventricular tachycardia; (ii) is capable of determining, without intervention by an individual, whether defibrillation should be performed on a patient; (iii) upon determining that defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to a patient's heart; and (iv) upon action by an individual, delivers an appropriate electrical impulse to a patient's heart to perform defibrillation.

b. The department shall provide automated external defibrillators to schools upon request in quantities deemed adequate in accordance with rules promulgated pursuant to subdivision c of this section and in accordance with section 3000-b of the New York state public health law to each primary, intermediate and high school located within the city of New York that is not eligible to receive automated external defibrillators under section 917 of the New York state education law or any other provision of law and that submits a written request to the department. Any school receiving automated external defibrillators pursuant to this subdivision shall ensure that such devices are readily accessible for use during medical emergencies. Any information regarding use of automated external defibrillators deemed necessary by the department in accordance with rules

promulgated pursuant to subdivision c of this section shall accompany and be kept with each automated external defibrillator. Any automated external defibrillator provided pursuant to this subdivision shall be acquired, possessed and operated in accordance with the requirements of section 3000-b of the New York state public health law.

c. The commissioner shall promulgate such rules as may be necessary for the purposes of implementing the provisions of this section, including, but not limited to, rules regarding the quantity of automated external defibrillators to be provided to schools that request such devices, and any information on the use of automated external defibrillators that must accompany and be kept with each automated external defibrillator.

d. Nothing contained in this section shall impose any duty or obligation on any person to provide assistance with an automated external defibrillator to a victim of a medical emergency.

e. Any person who, in accordance with the provisions of this section, voluntarily and without expectation of monetary compensation renders first aid or emergency treatment using an automated external defibrillator that has been made available pursuant to this section, to a person who is unconscious, ill or injured, and any person, agency, school or other entity that acquires or makes available an automated external defibrillator pursuant to this section, shall be entitled to the limitation of liability provided in section 3000-a of the New York state public health law.

f. Standard of care. Nothing contained in this section shall be deemed to affect the obligations or liability of emergency health providers pursuant to section 3000-b of the New York state public health law.

§ 2. Severability. If any section, subsection, sentence, clause, phrase or other portion of this local law is, for any reason, declared unconstitutional or invalid, in whole or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this local law, which remaining portions shall continue in full force and effect.

§ 3. This local law shall take effect 180 days after it has been enacted, except that the commissioner shall take such measures as are necessary for its implementation, including the promulgation of rules prior to its effective date.

Referred to the Committee on Health.

Int. No. 526

By Council Members Brannan, Yeger and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to provide license and permit expiration notifications electronically

Be it enacted by the Council as follows:

Section 1. Subchapter 1 of chapter 3 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-303 to read as follows:

§ 17-303 Electronic renewal notifications. For any applicant for or holder of a license or permit issued by the department, the department shall, upon request, provide all notices relating to the expiration or renewal of such license or permit electronically, in addition to any notices sent by regular mail. Electronic notices relating to the renewal of any license or permit shall be sent at least 60 days before the date such license or permit expires.

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

Referred to the Committee on Health.

Int. No. 527

By Council Members Brannan and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to the promotion of health and safety at nail salons

Be it enacted by the Council as follows:

Section 1. Chapter one of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.19 to read as follows:

§ 17-199.19 Healthy nail salons a. Definitions. For the purposes of this section, the following terms shall mean:

1. "Dilution ventilation system" means any system which brings in clean air in order to dilute contaminated air, and which exhausts diluted air outside via exhaust fans.

2. "Exhaust ventilation system" means any system that captures and removes airborne contaminants at their source before they contaminate the breathing zones of salon customers and workers, including, but not limited to, downdraft ventilated tables or portable source capture exhaust ventilation systems.

3. "Mechanical ventilation unit" means either a dilution ventilation system or local exhaust ventilation system in operation during business hours.

4. "Nail salon" means any business in the practice of providing services for a fee or any consideration or exchange to cut, shape or enhance the appearance of the nails of the hands or feet, including the application and removal of sculptured or artificial nails.

5. "Nail salon employee" means individuals employed by a nail salon, including, but not limited to, technicians, and shall also include independent contractors.

6. "Nail salon product" means any chemical product used in a nail salon to enhance the appearance of the nails of the hands or feet, including the application and removal of sculptured or artificial nails.

b. Health and Safety Guidelines. The department shall develop guidelines relating to the health and safety of nail salons. Such guidelines shall cover topics including, but not limited to:

1. the danger of certain nail salon products and recommendations for the substitution of hazardous products with less hazardous alternatives, including, but not limited to, refraining from the use of nail polish thinners and using safer nail polish removers such as acetone;

2. prohibiting the use of nail polishes that contain dibutyl phthalate, toluene or formaldehyde;

3. methods and recommendations to improve air quality in nail salons and reduce the level of chemical vapors, pollutants, mist or dust within the salon. Such methods may include, but not be limited to, utilizing a mechanical ventilation unit, methods to reconfigure workstations and fans to reduce vapors, pollutants, mist, dust and odors, use of metal bin or garbage cans with lids to dispose of products used at workstations, and regularly opening windows and doors throughout the day;

4. procedures to (i) limit the spread of communicable diseases by, among other practices, washing hands, cleaning and disinfecting tools after each use, and (ii) limit the risk of harm to nail salon employees through, among other practices, taking meal and rest breaks, ensuring that such employees have regular access to fresh air and ensuring that food or beverages are not ingested where chemicals are used or stored; and

5. use of personal protective equipment for nail salon staff, including, but not limited to, respirators approved by the national institute for occupational safety and health, goggles and disposable nitrile gloves.

The department shall amend such guidelines within one year following the release of the report pursuant to subdivision k of section 17-199.19.1 of this chapter and based on such report's findings and recommendations.

c. Certification. The department shall establish a certification program to encourage nail salons to promote healthy standards for nail salon employees and customers; to reduce or eliminate the use of products with potentially harmful chemicals and air pollutants; to support and promote nail salons that place a high priority on customer and employee health and safety; and to help the public make more informed decisions about nail salon services. Such certification shall be for a period of two years and may be renewed upon satisfaction of the requirements enumerated in this subdivision. The department shall provide a seal to any nail salon granted

a healthy nail salon certification stating such salon's status as a healthy nail salon. The department shall grant a certification to any nail salon that satisfies the following requirements:

1. submission to the department of an attestation that the nail salon is in compliance with article 27 of the New York state general business law or any regulations promulgated pursuant thereto;

2. completion of a course, provided by the department or such other entity as approved by the department, that educates nail salon owners and managers on how to protect nail salon owners, employees, customers and occupants of adjacent businesses and residences from any adverse health and safety impacts caused by nail salons, including, but not limited to, by educating on the guidelines as developed pursuant to subdivision b of this section;

3. submission to the department of a statement, signed by the owner of the nail salon, that the nail salon shall comply with the guidelines developed by the department pursuant to subdivision b of this section and train all nail salon staff on such guidelines;

4. installation of a mechanical ventilation unit;

5. posting of such sign as provided in subdivision h of this section;

6. submitting to inspection by the department, including, but not limited to, at initial certification and certification renewal; and

7. the nail salon has registered pursuant to subdivision i of this section.

d. Revocation. The department may revoke a nail salon's certification upon a finding that such salon has failed to comply with the certification program.

e. Reimbursement. The department shall develop a program to provide a reimbursement to any nail salon for expenses related to the purchase and installation of mechanical ventilation units within one year of such purchase or installation, provided, however, that such nail salon has been certified pursuant to subdivision c of this section, and applies for such funds on a form, to be approved by the department, and in accordance with rules or guidelines as developed by the department. Such reimbursement may only be given to a nail salon that is in full compliance with such certification program, and which has not had any substantiated claims or judgments against it for wage theft or violations of regulations of the United States office of occupational health and safety or violations of New York state general business law or any regulations promulgated thereto at or since the time of designation in the certification program. The department shall establish amounts and rates for such reimbursement, provided that reimbursements to individual nail salons shall not exceed five hundred dollars.

f. Website. The department shall post on its website a description of the department's guidelines developed pursuant to subdivision b, the certification program created pursuant to subdivision c, and the reimbursement program created pursuant to subdivision e of this section. In addition to the description of such certification program, the website shall also list the names and addresses of all nail salons participating in such certification program. The department of consumer affairs and the department of small business services shall also post on their website such list or shall provide links on their respective websites to the department's website accompanied by a conspicuous description of such certification program.

g. Education and outreach. The department shall educate nail salon owners, employees, customers, product suppliers or distributors, community and immigrant organizations, health and safety advocates and the general public about potential health hazards present in nail salons and methods to control, eliminate or reduce such potential hazards, including, but not limited to, information regarding the (i) potentially harmful effects of exposure to pregnant women from the chemicals found in nail salon products and (ii) symptoms and/or illnesses, including, but not limited to, allergic and irritant dermatitis, occupational asthma, eye, skin or mucous membrane irritation, fatigue, and nausea that may be experienced by nail salon employees and customers. Such education efforts shall include, but not be limited to, distribution of educational materials, technical assistance, education workshops or forums, and public service advertisements.

h. Signs. Nail salon owners shall post signs, to be developed and provided by the department, in such owner's nail salon that detail procedures and information for nail salon employees and customers to increase safety and reduce harmful health effects from exposure to communicable diseases, nail care cosmetics and airborne dust particles. Such sign shall be based upon guidelines developed by the department pursuant to subdivision b of this section. Such signs shall be posted conspicuously in public areas in accordance with the rules of the department and shall be printed in English, Spanish, Korean, Vietnamese, Nepali, Chinese and any other languages the department deems necessary in order to communicate to nail salon employees and customers.

Such sign shall include information on how to make anonymous complaints to appropriate state authorities regarding businesses suspected of violating regulations promulgated pursuant to article 27 of the New York state general business law.

i. Registration. 1. It shall be unlawful for any individual to operate a nail salon without having registered with the department. Registration shall include registrant's name, address, corporate structure and ownership, and other information as the department may require and shall be filed on forms to be prescribed by the department.

2. Any individual, partnership, corporation, limited liability company, joint venture, association, or other business entity that operates a nail salon without registering shall be subject to a civil penalty of not more than one hundred dollars per month such nail salon operates without registering.

3. Notwithstanding paragraph 2 of this subdivision, a first-time violation of paragraph one of this subdivision or any rules promulgated pursuant thereto by any individual, partnership, corporation, limited liability company, joint venture, association, or other business entity that operates a nail salon shall be mitigated to half the amount if, within thirty days of the date of the issuance of the notice of violation, or at the hearing of such notice of violation, such individual, partnership, corporation, limited liability company, joint venture, association, or other business entity submits adequate proof of having cured the violation.

§ 2. Chapter one of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.19.1 to read as follows:

§ 17-199.19.1 Nail salon task force a. Definitions. For the purposes of this section, the following terms shall mean:

1. "Nail salon" means any business in the practice of providing services for a fee or any consideration or exchange to cut, shape or enhance the appearance of the nails of the hands or feet, including the application and removal of sculptured or artificial nails.

2. "Nail salon product" means any chemical product used in a nail salon to enhance the appearance of the nails of the hands or feet, including the application and removal of sculptured or artificial nails.

b. There shall be a task force to study and provide recommendations for nail salon health and safety. Such task force shall examine issues including, but not limited to, facility requirements, standards of practice, prohibitions of particular products, ways to improve enforcement and/or issuance of violations, and ways to encourage and address complaints concerning nail salon health and safety from nail salon employees and customers. Such task force shall also request from the New York state department of state data for the preceding three calendar years of all inspections of nail salons located within the city of New York and any enforcement actions undertaken by the New York state department of state, including, but not limited to, notices of violation, warnings, or fines against any such nail salons.

c. Such task force shall consist of seven members as follows:

1. Four members shall be appointed by the mayor, provided that such members are representatives of advocacy groups involved in nail salon health and safety, have experience in the field of nail salon health and safety or advocate for the interests of nail salon employees and the communities they represent, provided further that at least two such members have experience in the field of nail salon health and safety;

2. Two members shall be appointed by the speaker of the council, provided such members are representatives of advocacy groups involved in nail salon health and safety or have experience in the field of nail salon health and safety or advocate for the interests of nail salon employees and the communities they represent; and

3. One member shall be appointed by the public advocate, provided that such member is a representative of an advocacy group involved in nail salon health and safety, has experience in the field of nail salon health and safety or advocates for the interests of nail salon employees and the communities they represent.

d. The commissioners of the department of health and mental hygiene and the department of consumer affairs, or their designees, shall serve ex officio.

e. The members shall be appointed within sixty days of the enactment of this local law.

f. At its first meeting, the task force shall select a chairperson from among its members by majority vote of the task force.

g. Each member shall serve for a term of twelve months, to commence after the final member of the task force is appointed. Any vacancies in the membership of the task force shall be filled in the same manner as the

original appointment. A person filling such vacancy shall serve for the unexpired portion of the term of the succeeded member.

h. The department and the department of consumer affairs may provide staff to assist the task force.

i. No member of the task force shall be removed from office except for cause and upon notice and hearing by the appropriate appointing official.

j. Members of the task force shall serve without compensation and shall meet no less than once a month.

k. No later than twelve months from the date all seven members of the task force are appointed, the task force shall submit to the mayor, the speaker of the council and the public advocate a report that shall include the findings and recommendations of the task force and all data made available to the task force by the New York state department of state concerning inspections of and enforcement against nail salons located in the city of New York. Such report shall examine the health and safety conditions present in nail salons in the city, including but not limited to, the health problems experienced by nail salon employees that could be attributed to such employees' work and work environment in a nail salon, the prevalence of the use of nail salon products that are unsafe or unhealthy, and the use of personal protective equipment by nail salon employees and customers. Such report shall be based on anonymous surveys, onsite observations, data from health care professionals and any other methods deemed appropriate by the task force in consultation with the department. Such report shall also include demographic data on the age, race, ethnicity, gender and national origin of nail salon owners and employees. The report shall provide recommendations, if any, for improving the health and safety in nail salons.

l. The task force shall dissolve upon submission of the report required by subdivision k of this section.

§ 3. This local law shall take effect 180 days after its enactment into law, provided, however, that the commissioner of the department of health and mental hygiene shall take such actions, including the promulgation of rules, as are necessary for timely implementation of this local law, prior to such effective date, provided further that paragraph 3 of subdivision i of section 17-199.19 of the administrative code of the city of New York, as added by section one of this local law, shall be deemed repealed one year after such effective date, and provided further that subdivision e of section 17-199.19 of the administrative code of the city of New York, as added by section one of this local law, shall be deemed repealed four years after such effective date.

Referred to the Committee on Health.

Int. No. 528

By Council Member Brannan.

A Local Law to amend the administrative code of the city of New York, in relation to the waiver of covenants prohibiting pets

Be it enacted by the Council as follows:

Section 1. Section 27-2009.1 of the administrative code of the city of New York, as renumbered by chapter 836 of the laws of 1986, is amended to read as follows:

§ 27-2009.1 Rights and responsibilities of *dwelling* owners and [tenants] *occupants* in relation to pets. a. Legislative declaration. The council hereby finds that the enforcement of covenants [contained in multiple dwelling leases] which prohibit [the] *dwelling occupants from* harboring [of] household pets has led to [widespread] abuses by [building] *dwelling* owners [or] *and* their agents, who, knowing that a [tenant] *dwelling occupant* has a pet for an extended period of time, seek to evict the [tenant and/or his or her pet] *occupant or to obtain an injunction against the occupant's continuing to harbor the pet,* often for reasons unrelated to the creation of a nuisance. Because household pets are kept for reasons of safety and companionship and under the existence of a continuing housing emergency it is necessary to protect pet owners from retaliatory eviction or *enforcement of covenants prohibiting pets* and to safeguard the health, safety and welfare of [tenants] dwelling *occupants* who harbor pets under the circumstances provided [herein] *in this section*, it is hereby found that the enactment of the provisions of this section is necessary to prevent [potential] hardship on and dislocation of [tenants] *dwelling occupants* within this city.

b. Where a [tenant in a multiple] dwelling *occupant* openly and notoriously for a period of three months or more following taking possession of a unit, harbors or has harbored a household pet or pets, the harboring of which is not prohibited by the multiple dwelling law, the housing maintenance or the health codes of the city of New York or any other applicable law, and the *dwelling* owner or [his or her] *such owner's* agent has knowledge of this fact, and such owner fails within this three month period to commence a summary proceeding or action to enforce a *covenant or* lease provision prohibiting the keeping of such household pets, such *covenant or* lease provision shall be deemed waived *for each species of pet that is harbored or was harbored in such dwelling. Such waiver shall remain effective for the duration of the occupant's occupancy and shall permit the occupant to replace pets with pets of the same species*.

c. This section applies to any dwelling occupant who harbors or has harbored a household pet or pets in the dwelling in which the occupant currently resides, at any time within the five years preceding the effective date of the local law that added this subdivision.

[c.] *d.* It shall be unlawful for an owner or his or her agent, by express terms or otherwise, to restrict a [tenant's] *dwelling occupant's* rights as provided in this section. Any such restriction shall be unenforceable and deemed void as against public policy.

[d.] *e.* The waiver provision of this section shall not apply where the harboring of a household pet causes damage to the subject premise, creates a nuisance or interferes substantially with the health, safety or welfare of other tenants or occupants of the same or *an* adjacent building or structure.

[e.] *f.* The New York city housing authority shall be exempt from the provisions of this section.

§ 2. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 529

By Council Members Brannan and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to the installation of protective devices for seniors and persons with a disability who reside in multiple dwellings, and the provision of a tax abatement for certain related installations

Be it enacted by the Council as follows:

Section 1. Article 11 of subchapter 2 of chapter 2 of title 27 of the administrative code of the city of New York is hereby amended by adding a new section 27-2046.5 to read as follows:

§ 27-2046.5 Protective devices for senior citizens and persons with a disability; notification to tenants. a. It shall be the duty of the owner, lessee, agent or other person who manages or controls a multiple dwelling to:

1. Provide, install and maintain in a safe manner grab bars on the walls of shower and bathtub stalls and adjacent to each toilet or water closet in each residential unit when requested by a senior citizen or tenant residing therein who is a person with a disability, or by a tenant residing therein with a senior citizen or person with a disability;

2. Provide, install and maintain in a safe manner treads on the floors of showers and bathtub stalls in each residential unit when requested by a senior citizen or tenant residing therein who is a person with a disability, or by a tenant residing therein with a senior citizen or person with a disability; and

3. Cause to be delivered to each residential unit a notice advising occupants of the obligation of such owner, lessee, agent or other person who manages or controls a multiple dwelling to install the protective devices referred to in paragraphs 1 and 2 of this subdivision at no cost to the tenants. Such notice shall be provided on an annual basis in a form and manner approved by the department.

b. The department shall promulgate such rules as it deems necessary to comply with the provisions of this section with regard to the annual notice to tenants, and the safety standards and maintenance of the protective devices required by this section.

c. Any person who violates the provisions of this section, or the rules promulgated pursuant to this section, shall be guilty of a misdemeanor punishable by a fine of up to $500or imprisonment for up to six months or both. In addition, such a person shall also be subject to a civil penalty of not more than $500 per violation.

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

Senior citizen. The term "senior citizen" means a person who is at least 60 years of age.

Person with a disability. The term "person with a disability" means an individual who provides documentation indicating that he or she is recognized by any city, state or federal authority or agency as having a disability which impedes vision or mobility, or who provides medical evidence indicating that he or she has a disability impeding vision or mobility.

§ 2. Part 1 of subchapter 2 of chapter 2 of title 11 of the administrative code of the city of New York is amended by adding a new section 11-245.11 to read as follows:

§ 11-245.11 Tax abatement for the installation of grab bars. a. For the purposes of this section, the following terms have the following meanings:

Eligible owner. The term "eligible owner" means a person who does not reside in a residential unit and installed grab bars on the walls of shower and bathtub stalls and adjacent to each toilet or water closet in each residential unit upon a request by a senior citizen or person with a disability residing therein or by a tenant residing therein with a senior citizen or person with a disability.

Multiple dwelling unit. The term "multiple dwelling unit" means a dwelling unit in a building in which there is either rented, leased, let or hired out to be occupied, or is occupied as the residence or home of two or more occupants living independently of each other.

Person with a disability. The term "person with a disability" means an individual who provides documentation indicating that he or she is recognized by any city, state or federal authority or agency as having a disability which impedes vision or mobility, or who provides medical evidence indicating that he or she has a disability impeding vision or mobility which would entitle him or her to receive the protective devices referred to in paragraphs 1 and 2 of subdivision a of section § 27-2046.3 of this code.

Senior citizen. The term "senior citizen" shall mean a person who is at least 60 years of age.

b. For fiscal years beginning on and after the July 1 2023, an eligible owner of a multiple dwelling unit shall be eligible to receive an abatement of taxes imposed on such multiple dwelling unit for each grab bar installed in such multiple dwelling unit in one of the following amounts:

1. Where the eligible owner purchases and installs a grab bar within the tub area requiring anchoring by screws or toggles where there is no removal of surface tiles or surrounding facade, an amount not to exceed $250; or

2. Where the eligible owner purchases and installs a grab bar requiring anchoring that entails the removal and replacement of surrounding surface tiles or facade, an amount not to exceed $400; or

3. Where such owner purchases and installs a grab bar requiring anchoring that entails the removal and replacement of surface lines and underlayment behind the removed tiles, an amount not to exceed $800.

c. Notwithstanding the provisions of subdivision b of this section, no abatement of real property taxes in accordance with this section shall exceed the actual cost to the eligible owner of the purchase and installation of a grab bar.

d. Any application for the real property tax abatement provided for in this section shall be submitted in such manner and in such form as shall be established by the commissioner by rule.

§3. This local law takes effect 90 days after enactment except that the commissioner of housing preservation and development and the commissioner of finance shall take such actions as are necessary for the implementation of this local law, including the promulgation of rules, prior to its effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 530

By Council Members Brannan and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a citywide wildlife management plan

Be it enacted by the Council as follows:

Section 1. Chapter one of title 18 of the administrative code of the city of New York is amended by adding a new section 18-157 to read as follows:

§ 18-157 Wildlife management advisory board. a. There shall be a wildlife management advisory board to develop a citywide wildlife management plan.

b. Such advisory board shall consist of eleven members as follows:

1. Three members shall be appointed by the mayor, provided that at least one such member shall be from academia and have advanced specialized training in the management of wildlife in an urban setting;

2. Four members shall be appointed by the speaker of the council, provided that at least one such member shall have not less than five years' experience working with wildlife in urban settings;

3. The commissioner of parks and recreation, the commissioner of environmental protection, and the commissioner of health and mental hygiene, or the respective designees of such commissioners, shall serve ex officio;

4. The deputy mayor for operations, or his or her designee, shall serve as chairperson of the advisory board; and

5. The advisory board shall invite the New York state department of agriculture and markets, the New York state department of environmental conservation, the United States department of agriculture, the United States department of the interior, the United States environmental protection agency, the federal aviation administration and any other relevant state or federal agency, as identified by such board, to participate in the development of the citywide wildlife management plan.

c. Any vacancies in the membership of the advisory board shall be filled in the same manner as the original appointment.

d. Members of the advisory board shall serve without compensation and shall meet as necessary.

e. At the first meeting of the advisory board, no later than one hundred eighty days after the enactment of the law that added this section, the advisory board shall set dates for public hearings and solicit testimony from the public and from relevant state and federal agencies on the development of a citywide wildlife management plan.

f. The advisory board shall issue a citywide wildlife management plan to the mayor and council no later than twelve months after the final member of the advisory board is appointed. Such plan shall, at a minimum, include:

1. An analysis of significant wildlife management problems;

2. Strategies to promote biological diversity and healthy wildlife distribution;

3. Proposed policies to ensure that wildlife management initiatives preserve and protect the public health and safety;

4. A description of proposed strategies to address wildlife management problems that use the most humane treatment of wildlife feasible;

5. An assessment of the need for additional wildlife management resources;

6. An analysis of historical, present and projected needs for the management of wildlife;

7. A description of particular actions proposed to be undertaken by each agency in furtherance of the wildlife management plan that use the most humane treatment of wildlife feasible;

8. An estimation of the cost of such proposed initiatives; and

9. Recommendations for further action regarding the management of wildlife.

g. The advisory board shall terminate sixty days after the publication of the citywide wildlife management plan.

h. Not later than one year after the termination of the wildlife management advisory board, and every one

year thereafter, the department shall submit a report to the mayor and the speaker of the council concerning the current status of wildlife management problems and programs in the city. This report shall provide an update on the status of ongoing significant wildlife management problems, including but not limited to those identified in the citywide wildlife management plan and in prior years' reports. The report will provide an update on the impact and progress of any wildlife management proposals adopted by relevant agencies, including but not limited to proposals adopted from the citywide wildlife management plan and proposals adopted from the recommendations made in the reports of prior years. The report shall also provide recommendations for future action regarding the management of wildlife.

i. All agencies shall consider the effect that their initiatives, actions, policies and programs have on wildlife in the city of New York.

§ 2. This local law shall take effect immediately.

Referred to the Committee on Parks and Recreation.

Int. No. 531

By Council Member Brannan.

A Local Law to amend the administrative code of the city of New York, in relation to requiring an office or agency designated by the mayor to provide outreach and education to public housing tenants regarding smoking cessation

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-153 to subchapter 5 to read as follows:

§ 3-153 Outreach and education regarding smoking cessation. a. By September 1, 2022, an office or agency designated by the mayor, in consultation with all other relevant agencies, shall establish and implement an outreach and education program to promote smoking cessation for public housing residents. Such outreach and education program shall at a minimum include: (i) creating educational materials concerning the health effects of smoking and ceasing smoking, which shall be made available to the public in writing and online in English and the six languages most commonly spoken by limited English proficient individuals in the city as determined by the department of city planning; and (ii) conducting targeted outreach to public housing residents, including holding events in or near public housing developments. Such program may thereafter be modified from time to time as needed.

b. In establishing and implementing such program, such designated office or agency shall seek the cooperation of the New York city housing authority.

c. Report. By September 1, 2023, and by September 1 in each year thereafter, such designated office or agency shall submit to the mayor and the speaker of the council, and make publicly available online, a report on implementation and efficacy of the program required by subdivision a of this section.

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Housing.

Int. No. 532

By Council Members Brannan, Yeger and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to reimbursing small nonpublic schools for the cost of security guard services

Be it enacted by the Council as follows:

Section 1. Subdivision f of section 10-172 of the administrative code of the city of New York, as added by local law 2 for the year 2016, is amended to read as follows:

f. Except as set forth in subdivision g of this section, the administering agency shall provide reimbursement of the allowable costs for:

1. one security guard at a qualifying nonpublic school that enrolls [from 300] *up* to 499 students;

2. two security guards at a qualifying nonpublic school that enrolls at least 500 students; and

3. an additional security guard at a qualifying nonpublic school for each additional 500 students enrolled.

For purposes of this subdivision, students with respect to whom the city separately provides assistance that includes funding for security shall not be included in the reimbursement determination, and reimbursement for the services of one security guard during periods of school-related instruction or school-related events may include the costs of different individuals providing security services at different times. Further, the term "student" shall be deemed to refer to the full-time equivalent thereof, based upon a six hour and twenty-minute school day for a student.

§ 2. Subdivision j of section 10-172 of the administrative code of the city of New York, as added by local law 2 for the year 2016, is amended to read as follows:

j. Notwithstanding any provision to the contrary in this local law, the total annual amount of reimbursements authorized by this section shall be a maximum of [$19,800,000] *$39,300,000* dollars per school year, which shall be adjusted annually by the administering agency, if such agency anticipates that such maximum will be reached in the subsequent one-year period, to reflect changes in the prevailing wage and supplements, the number of students attending qualifying nonpublic schools, or the number of qualifying nonpublic schools, provided that such reimbursements shall in no event exceed the amounts appropriated for implementation of this section. To the extent the administering agency anticipates that the amount requested for reimbursement will exceed the funds available, the administering agency shall reimburse for allowable costs on an equitable basis until such funds are exhausted.

§ 3. This local law takes effect July 1, 2022.

Referred to the Committee on Public Safety.

Int. No. 533

By Council Members Brannan, Yeger and Hanif.

A Local Law to amend the administrative code of the city of New York, in relation to establishing a program to provide public notification of school emergencies

Be it enacted by the Council as follows:

Section 1. Title 10 of the administrative code of the city of New York is amended by adding a new chapter 12 to read as follows:

CHAPTER 12
SCHOOL EMERGENCY ALERT

§ 10-1201 Definitions. As used in this chapter, the following terms have the following meanings:

Administering agency. The term "administering agency" means a city agency, office, department, division, bureau or institution of government, the expenses of which are paid in whole or in part from the city treasury, that the mayor designates.

School emergency. The term "school emergency" means a situation involving a threat of harm to students, personnel, or facilities, including but not limited to natural, technological, and human-caused incidents, that require response from law enforcement. Such incidents include but are not limited to school shelter-ins, lockdowns, and evacuations.

§ 10-1202 School emergency alert system. a. The administering agency shall establish a school emergency alert system, pursuant to the provisions of this section, to provide rapid notification to the public when a school emergency occurs.

b. The administering agency shall develop a protocol for notifying parents and legal guardians of students when a school emergency occurs.

c. The administering agency shall issue a school emergency alert within one hour of the determination that a school emergency occurred. The administering agency may use its discretion to refrain from issuing such an alert if the alert is inappropriate under the circumstances or would compromise a law enforcement investigation. The school emergency alert may be issued by any appropriate means, including, but not limited to, email notifications, text messages, telephone calls, television broadcasts, or radio broadcasts. The school emergency alert may be issued at repeated intervals within the discretion of the administering agency until the emergency has been resolved, parent-student reunification is complete, or until the administering agency determines that the issuance of a school emergency alert is no longer appropriate.

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

Referred to the Committee on Public Safety.

Int. No. 534

By Council Member Brannan.

A Local Law to amend the administrative code of the city of New York, in relation to increasing penalties on chain businesses for failure to remove snow, ice and dirt from sidewalks

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-123.1 to read as follows:

§16-123.1 Increased penalties for chain businesses for failure to remove snow, ice and dirt from sidewalks. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Chain business. The term "chain business" means any establishment that is part of a group of establishments that share a common owner or principal who owns at least thirty percent of each establishment where such establishments (i) engage in the same business or (ii) operate pursuant to franchise agreements with the same franchisor as defined in general business law section 681.

b. Notwithstanding the penalties contained in subdivision h of section 16-123, any chain business that violates the provisions of subdivisions a or b of section 16-123 shall be liable and responsible for a civil penalty of not less than $500 nor more than $1,000 for the first violation, except that for a second violation of either such subdivision within any 12-month period, such chain business shall be liable for a civil penalty of not less than $1,000 nor more than $3,000 and for a third or subsequent violation of either such subdivision within any 12-month period, such chain business shall be liable for a civil penalty of not less than $3,000 nor more than $5,000. Penalties for the violations mentioned herein shall be imposed in lieu of, not in addition to, those fixed by subdivision h of section 16-123.

§ 2. This local law takes effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 535

By Council Members Brannan and Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to exempting or partially exempting seniors and certain persons with disabilities from penalties for failing to remove snow or ice from sidewalks, crosswalks, curbs and other locations

Be it enacted by the Council as follows:

Section 1. Subdivision h of section 16-123 of the administrative code of the city of New York, as amended by local law number 1 for the year 2003, is amended to read as follows:

h. *1.* Any person violating the provisions of subdivisions [(a)] *a* or [(b)] b of this section shall be liable and responsible for a civil penalty of not less than [ten dollars] *$10* nor more than [one hundred fifty dollars] *$150* for the first violation, except that for a second violation of subdivision [(a)] *a* or [(b)] *b* within any [twelve-month] *12-month* period such person shall be liable for a civil penalty of not less than [one hundred fifty dollars] *$150* nor more than [two hundred fifty dollars] *$250* and for a third or subsequent violation of subdivision [(a)] *a* or [(b)] *b* within any [twelve-month] *12-month* period such person shall be liable for a civil penalty of not less than [two hundred fifty dollars] *$250* nor more than [three hundred fifty dollars] *$350.*

2. Notwithstanding paragraph 1, the minimum and maximum civil penalties set forth in this subdivision shall be mitigated by 50 percent where such person establishes the following, to the satisfaction of the office of administrative trials and hearings or the court, as applicable:

(a) The person is at least 65 years old or has a disability that substantially interferes with the person's ability to comply with subdivision a of this section, with such disability defined by rules promulgated by the department, in conjunction with the department of health and mental hygiene and the mayor's office for people with disabilities; and

(b) The building or lot for which the notice of violation was issued is the person's primary residence.

§ 2. Chapter 1 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-124.2 to read as follows:

§ 16-124.2 Snow removal; assistance for seniors and certain persons with disabilities. No later than November 1, 2023, the commissioner shall establish a program, which may include contracting with not-for-profit organizations, for the removal of snow or ice from crosswalks, curb cuts, bus stops and other city property and from sidewalks and gutters abutting residential buildings, where (i) the owner, lessee, tenant, occupant or other person having charge of such building or lot is 65 years or older or has a disability that substantially interferes with such person's ability to comply with subdivision a of section 16-123, as such disability is defined by rules that the department shall promulgate in conjunction with the department of health and mental hygiene and the mayor's office for people with disabilities, and (ii) such person registers with the department for such program. The department, in conjunction with the department for the aging, the department of health and mental hygiene and the mayor's office for people with disabilities, shall develop the procedure for registering for such program. Where snow is removed from curb cuts pursuant to such program, such removal shall provide for a cleared path of at least 40 inches in width to accommodate safe access, by wheelchair or other mobility device, between streets and sidewalks.

§ 3. This local law takes effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 536

By Council Members Brannan and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to requiring certain retail food stores to post notices on the food donation web portal concerning the availability of excess food, and arranging for the transportation and retrieval of such food

Be it enacted by the Council as follows:

Section 1. Section 16-497 of Chapter 4-G of title 16 of the administrative code of the city of New York, as added by local law number 176 for the year 2017, is amended to read as follows:

§ 16-497 Food donation web portal. *a. Definitions. For the purposes of this chapter, the following terms have the following meanings:*

Excess food. The term "excess food" means food that (i) meets all quality and labeling standards imposed by federal, state, and local laws and regulations even though the food may not be readily marketable due to appearance, age, freshness, grade, size, surplus, or other conditions; (ii) is not required to meet the needs of a retail food store; and (iii) would otherwise be discarded.

Retail food store. The term "retail food store" means any establishment in the city where food and food products offered to the consumer are intended for off-premises consumption, but excludes convenience stores, pharmacies, greenmarkets or farmers' markets and food service establishments.

b. [Within eighteen months after the effective date of the local law that added this section, t]*T*he department or another agency or office designated by the mayor, shall, in conjunction with the department of information technology and telecommunications, create or modify and maintain a web portal that will allow prospective food donors and recipients, including but not limited to restaurants, grocery stores, produce markets, dining facilities and food rescue organizations, to post [notifications] *notices* concerning the availability of food, including food that would otherwise go to waste, and to arrange for the transportation or retrieval of such food. Such portal shall, at a minimum, allow (i) a prospective food donor to describe the type and amount of food available, including any information necessary to keep the food safe for human consumption, such as refrigeration requirements, as well as other information necessary to facilitate its donation, (ii) a prospective food recipient to specify the type and amount of food donations it will accept and the areas of the city from which it will accept donations and to receive prompt notification concerning the availability of food satisfying such specifications, and (iii) a prospective food donor and a prospective food recipient to communicate directly through a messaging system within such portal.

c. Each retail food store that has a floor area of at least 15,000 square feet, or that is part of a chain of three or more retail food stores that have a combined floor area of at least 15,000 square feet and that operate under common ownership and control, with excess food available, shall, at least once a month:

1. Post a notice on such portal offering such excess food for donation;

2. Arrange for the retrieval of such excess food by its recipient; and

3. If requested by the recipient, with reasonable effort arrange for the transportation of such excess food.

d. Retail food stores that would otherwise be subject to the requirements of subdivision c of this section shall be exempt from such requirements if they have, and are in compliance with, written agreements with not-for-profit organizations for the donation of food at least once per month.

e. The commissioner shall enforce the requirements of subdivision c of this section. A retail food store that would otherwise be subject to the requirements of subdivision c of this section that fails to comply with such subdivision shall be subject to a penalty of no more than $10,000 for each month during which such retail food store failed to post a required notice. The commissioner shall investigate any retail food store that has not posted notices offering excess food for at least six months out of the previous 12 months.

f. No later than December 1 of each year, the commissioner or another agency or office designated by the mayor, shall:

1. conduct a review of all notices concerning available, excess food posted to the food web portal within the past year;

2. assess, in its discretion, to what extent such notices would meet the estimated demand for food from city residents likely to suffer from hunger in the next year; and

3. submit a report detailing the results of such review and assessment to the mayor and the speaker of the council.

g. The commissioner or another agency or office designated by the mayor shall promulgate rules to implement the requirements of this section.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of sanitation or another agency or office designated by the mayor shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 537

By Council Member Brannan.

A Local Law to amend the administrative code of the city of New York, in relation to requiring a clause in commercial leases that obligates the parties to engage in good faith negotiations during certain states of emergency

Be it enacted by the Council as follows:

Section 1. Chapter 10 of title 22 of the administrative code of the city of New York is amended by adding a new section 22-1007 to read as follows:

§ 22-1007 Good faith negotiation clause in commercial leases. a. Definitions. As used in this section, the following terms have the following meanings:

Commercial lease. The term "commercial lease" means a lease or other rental agreement to rent a covered property for any period of time.

Covered property. The term "covered property" means any property or portion of a property (i) that is lawfully used for buying, selling or otherwise providing goods or services or for other lawful business, commercial, professional services or manufacturing activities, and (ii) for which a certificate of occupancy authorizing residential use of such property or portion of a property has not been issued.

State of emergency. The term "state of emergency" means a period of time during which one or both of the following are in effect: (i) a proclamation issued by the mayor, declaring a local state of emergency pursuant to section 24 of the executive law or other applicable law; or (ii) an executive order issued by the governor, declaring a state disaster emergency pursuant to section 28 of the executive law or other applicable law, and the city of New York, or some portion thereof, an affected area.

b. Good faith negotiations required. 1. Whenever parties contract for the rental of a covered property, the commercial lease shall include, at a minimum, a clause obligating the parties to negotiate in good faith toward a rent concession where the tenant's business is required to close pursuant to an order issued as a result of a state of emergency. Failure to include such good faith clause in a commercial lease shall not be construed to abrogate any implied covenant of good faith and fair dealing.

2. Where parties entered into a commercial lease before the effective date of the local law that added this section and the tenant's business is required to be closed pursuant to an order issued as a result of a state of emergency that is in effect on such effective date, the parties shall negotiate in good faith toward a rent concession.

3. Nothing in this section shall be construed as creating a private right of action.

4. This section does not limit or abrogate any claim or cause of action a person has under common law or by statute.

§ 2. This local law takes effect immediately.

Referred to the Committee on Small Business.

Int. No. 538

By Council Member Brannan.

A Local Law in relation to the creation of a retail resurgence taskforce

Be it enacted by the Council as follows:

Section 1. a. There is hereby established a retail resurgence task force that shall review and recommend changes to the laws, rules, regulations, and policies to promote the resurgence of the retail sector in the city of New York.

b. Such task force shall comprise seven members:

1. The commissioner of small business services, or the designee thereof;

2. Three members appointed by the mayor, representing the retail, real estate and labor sectors, respectively; and

3. Three members appointed by the speaker of the council, representing the retail, real estate and labor sectors, respectively.

c. The members of the task force shall be appointed within 90 days after the effective date of this local law.

d. Each member of the task force shall serve for a term of one year, to commence after the final member is appointed. Any vacancies in the membership of the task force shall be filled in the same manner as the original appointment. A person filling such vacancy shall serve for the unexpired portion of the term of the succeeded member.

e. No member of the task force may be removed except for cause and upon notice and hearing by the official who appointed such member or, in the case of a succeeding member under subdivision d of this section, the official who appointed the succeeding member.

f. Members of the task force shall serve without compensation.

g. The task force shall meet at least monthly.

h. No more than one year after the date that the final member of the task force is appointed under subdivision d of this section, the task force shall submit a report to the mayor and the speaker of the council, which shall include, but need not be limited to, the following:

1. The challenges facing the retail sector, including, but not limited to, challenges related to gentrification, commercial rent, rezoning, and online retail;

2. The needs of the retail sector, including, but not limited to, needs related to technical assistance and legal services;

3. The existing public and private programs available to the retail sector and an analysis of whether such programs meet the needs of the sector;

4. The gaps in available data, including, but not limited to, a comprehensive assessment of storefront vacancies and trends in the commercial rents; and

5. The city policies that could be changed or adopted to promote retail resurgence.

i. No more than 30 days after the report of the task force is submitted to the mayor and the speaker of the council, the report shall be posted on the website of the department of small business services.

j. The task force shall dissolve 180 days after the date that the report is submitted to the mayor and the speaker of the council.

§ 2. This local law takes effect immediately.

Referred to the Committee on Small Business.

Int. No. 539

By Council Member Brannan.

A Local Law to amend the administrative code of the city of New York, in relation to a prohibition on sharing location data with third parties

Be it enacted by the Council as follows:

Section 1. Title 23 of the administrative code of the city of New York is amended by adding a new chapter 13 to read as follows:

CHAPTER 13
PROHIBITION ON SHARING LOCATION DATA

§ 23-1301 Definitions. As used in this chapter, the following terms have the following meanings:

Authorized use. 1. The term "authorized use" means the sharing of a customer's location data:

(a) For the purpose of providing a service explicitly requested by such customer;

(b) Exclusively for the purpose of providing a service explicitly requested by such customer; and

(c) Where such data is not collected, shared, stored or otherwise used by a third party for any purpose other than providing a service explicitly requested by such customer.

2. Such term does not include any instance in which a customer's location data is shared in exchange for products or services.

Customer. The term "customer" means a current or former subscriber to a telecommunications carrier or a current or former user of a mobile application.

Location data. The term "location data" means information related to the physical or geographical location of a person or the person's mobile communications device, regardless of the particular technological method used to obtain this information.

Mobile application. The term "mobile application" means a software program that runs on the operating system of a mobile communications device.

Mobile application developer. The term "mobile application developer" means a person that owns, operates or maintains a mobile application and makes such application available for the use of customers, whether for a fee or otherwise.

Mobile communications device. The term "mobile communications device" means any portable wireless telecommunications equipment that is utilized for the transmission or reception of data, including location data, and that is or may be commonly carried by or on a person or commonly travels with a person, including in or as part of a vehicle a person drives.

Share. The term "share" means to make location data available to another person, whether for a fee or otherwise.

Telecommunications carrier. The term "telecommunications carrier" means a service offered to the public for a fee that transmits sounds, images or data through wireless telecommunications technology.

§ 23-1302 Prohibition on sharing location data. a. It is unlawful for a mobile application developer or a telecommunications carrier to share a customer's location data where such location data was collected while the customer's mobile communications device were physically present in the city.

b. It is unlawful for a person who receives location data that is shared in violation of subdivision a of this section to share such data with any other person.

c. Each instance in which a mobile application developer, telecommunications carrier or other person shares a customer's location data with another person in a manner prohibited by this section constitutes a separate violation of this section.

§ 23-1303 Exceptions. Section 23-1302 does not apply to:

1. Information provided to a law enforcement agency in response to a lawful process;

2. Information provided to an emergency service agency responding to a 911 communication or any other communication reporting an imminent threat to life or property;

3. Information required to be provided by federal, state or local law; or

4. A customer providing the customer's own location data to a mobile application or telecommunications carrier to be shared for an authorized use.

§ 23-1304 Enforcement. The department of information technology and telecommunications shall enforce the provisions of this section.

§ 23-1305 Penalties. a. Except as provided in subdivision b, any person who violates section 23-1302 shall be subject to a civil penalty of $1,000 for each such violation.

b. Where a person commits multiple violations of subdivisions a or b of section 23-1302 on the same day, the maximum civil penalty assessed against such person for all violations occurring on such day shall be a cumulative penalty of $10,000 per person whose location data was shared unlawfully.

§ 23-1306 Private right of action. a. Any customer whose location data has been shared in violation of this chapter may bring an action in any court of competent jurisdiction. If a court of competent jurisdiction finds that a person has violated a provision of this chapter, the court may award: (i) actual damages, computed at a rate of $1,000 per violation up to $10,000 per day; and (ii) reasonable attorney's fees and costs incurred in maintaining such civil action.

b. The private right of action provided by this section does not supplant any other claim or cause of action available to a customer under common law or by statute. The provisions of this section are in addition to any such common law and statutory remedies.

c. Nothing in this chapter shall be construed as creating a private right of action against the city or any agency or employee thereof.

§ 23-1307 Rulemaking. The commissioner of information technology and telecommunications may promulgate and amend rules in furtherance of the administration of this chapter.

§ 2. This local law takes effect 120 days after it becomes law, provided that where the provisions of section 23-1302 of the administrative code of the city of New York, as added by section one of this local law, cannot be applied consistently with currently applicable contracts, such provisions shall only apply with respect to contracts entered into or renewed after the effective date of this local law.

Referred to the Committee on Technology.

Int. No. 540

By Council Members Brannan and Brewer.

A Local Law in relation to an assessment of a cloud-first policy for city technology systems

Be it enacted by the Council as follows:

Section 1. Assessment of a cloud-first policy for city technology systems.

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

Cloud computing system. The term "cloud computing system" means a system providing ubiquitous on-demand network access to a shared pool of configurable computing resources, including but not limited to networks, servers, storage, applications, and services, that can be rapidly provisioned and released to a requesting party with minimal management intervention or service provider interaction.

Department. The term "department" means the department of information technology and telecommunications.

b. The department shall assess the feasibility of a cloud-first policy in which the use of a cloud computing system would be given preferential consideration when city agencies are developing technology solutions, strategies, and operational deployment plans for any software program, mobile application, or data storage need. Such assessment shall include an evaluation of current usage of cloud computing systems by city agencies and determine the feasibility of storing additional city agency electronic data at rest on cloud computing systems, rather than on physical data storage systems owned by the city, as well as the feasibility of further utilizing cloud computing systems in the operation of city agency mobile applications, software programs, and the provision of

information technology services. Such assessment shall further assess the readiness of city agencies for such a cloud-first policy.

c. No later than one year after the effective date of this local law, the department shall submit to the speaker of the council a report of the results of the assessment conducted pursuant to subdivision b of this section. Such report shall include, but not be limited to, the following:

1. an analysis of the technology needs of city agencies and the ability of cloud computing systems to meet such needs, including consideration of what needs would be most or least suitable for utilization of cloud computing systems;

2. an analysis of whether any barriers in procurement process or policy prevent further utilization of cloud computing systems by city agencies;

3. an analysis of any information or skills that would be required for city employees to utilize cloud computing systems for which training or retraining of such employees would be necessary;

4. an analysis of the security of cloud computing systems, relative to other information technology solutions;

5. an analysis of the feasibility of transitioning legacy systems to utilize cloud computing systems;

6. an analysis of any implications related to current software licenses;

7. an estimate of the costs, per unit of data, of storing, retrieving, and removing data from the average cloud computing system;

8. potential or actual cost differentials, in both personal services and other than personal services, between cloud computing systems and alternative technology solutions;

9. a brief analysis of the current and prospective cloud computing system providers, including a description of their physical principal places of business; and

10. a description of the requirements that a current cloud computing system provider is required to meet, and recommendations on the requirements that prospective cloud computing system providers should meet in the future, particularly in relation to the physical data center location, the physical security of the data center, the deployment model of the cloud computing system, the disaster recovery strategy, the mechanics of reporting a security breach, the data duplication process utilized, the level of encryption utilized, the financial stability of the provider, the auto-deletion options, suggested auditing protocols, and any terms that a contract with a cloud computing system provider should include, such as an indemnification clause.

§ 2. This local law takes effect immediately.

Referred to the Committee on Technology.

Int. No. 541

By Council Members Brannan, Bottcher and Brewer.

A Local Law to amend the administrative code of the city of New York, in relation to banning moving billboards

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-175.8 to read as follows:

§ 19-175.8 Moving billboards. a. No person shall operate, stand, or park a vehicle on any street or roadway for the purpose of commercial advertising. Advertising notices relating to the business for which a vehicle is used may be put upon a motor vehicle when such vehicle is in use for normal delivery or business purposes, and not merely or mainly for the purpose of commercial advertising, provided that no portion of any such notice shall be reflectorized, illuminated, or animated, and provided that no such notice shall be put upon the top of the vehicle and that no special body or other object shall be put upon vehicles for commercial advertising purposes. Advertisements may be put upon vehicles licensed by the taxi and limousine commission in accordance with the commission's rules.

b. Any person who violates the provisions of subdivision a of this section is subject to a civil penalty of not less than $500.

§ 2. This local law takes effect immediately.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 542

By Council Members Brannan and Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to requiring that traffic study determinations be issued no later than 60 days from the date a traffic control device is requested by a city council member or community board

Be it enacted by the Council as follows:

Section 1. Section 19-185 of the administrative code of the city of New York, as added by local law number 14 for the year 2011, is amended to read as follows:

§ 19-185 Traffic study determinations. *The department shall issue a traffic study determination within 60 days of the date a council member or community board submits a request for a traffic control device regulated by the manual on uniform traffic control devices.* The department shall include with any determination denying [a]*such* request [by a community board or council member for a traffic control device regulated by the manual on uniform traffic control devices,] a summary of the traffic control device warrants, along with the date and time that the department performed its traffic analysis and the time period of any crash data considered by the department for such warrants. Such denial shall also include the following language: "A summary of the studies and reports that led to this determination will be provided upon request." Upon such request by the community board or council member after receiving the denial the department shall provide a summary of the traffic studies and/or reports performed by the department.

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

Referred to the Committee on Transportation and Infrastructure.

Int. No. 543

By Council Member Brannan.

A Local Law to amend the administrative code of the city of New York, in relation to restricting the use of bus lanes by sight-seeing buses

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 19-175.6 of the administrative code of the city of New York, as added by local law number 175 for the year 2018, is amended to read as follows:

a. The commissioner shall provide written authorization for on-street bus stops for sight-seeing bus companies pursuant to subdivision d of section 20-374 of this code on the basis of the following criteria: (i) traffic, bicycle and pedestrian flow, and public safety; (ii) preferences of the sight-seeing bus permit applicant; (iii) consultation with the local community board for the district encompassing the location to be authorized, including but not limited to a notice and comment period of 45 days prior to the authorization or permanent amendment thereto; (iv) the number of stops proposed and the viability of a proposed bus stop schedule as determined by the commissioner; (v) the availability and location of planned garage or other parking space for periods when buses picking up or discharging passengers at the authorized stops are not in use; and

(vi) any other criteria deemed appropriate by the commissioner. *The commissioner shall not authorize any such bus stop in any lane in which bus lane restrictions are in effect for use between the hours of 7:00 am and 10:00 a.m. and between the hours of 4:00 p.m. and 7:00 p.m. on weekdays.* The commissioner shall approve or deny such authorizations no later than 180 days from the date of the application.

§ 2. Subchapter 2 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-175.8 to read as follows:

§ 19-175.8 Sight-seeing buses in bus lanes. Except for the permissible uses allowed under subparagraphs (iii) through (vi) of paragraph (1) of subdivision (m) of section 4-12 of title 34 of the rules of the city of New York and section 19-175.4, no sight-seeing bus may use a lane in which bus lane restrictions are in effect between the hours of 7:00 am and 10:00 a.m. or between the hours of 4:00 p.m and 7:00 p.m. on weekdays.

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

Referred to the Committee on Transportation and Infrastructure.

Int. No. 544

By Council Members Brannan and Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to the distance between parking signs

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 1 of title 19 of the administrative code of the city of New York is amended to add a new section 19-175.8 to read as follows:

§ 19-175.8 Distance between parking signs. On every block longer than 200 feet, the department shall post a sign indicating parking, standing or stopping regulations every 100 feet or less. For purposes of this section, "block" means a stretch of roadway that connects two intersections.

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

Referred to the Committee on Transportation and Infrastructure.

Int. No. 545

By Council Members Brannan, Holden and Borelli (by request of the Staten Island Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to increasing maximum charges for towing and storage of motor vehicles

Be it enacted by the Council as follows:

Section 1. Paragraph 8 of subdivision c of section 19-169 of the administrative code of the city of New York, as amended by local law number 41 for the year 2011, is amended to read as follows:

8. [Notwithstanding the charges permitted to be collected under subdivision c of section 20-519 of this code, a] *A* person who removes a vehicle pursuant to *this* section [19-169 of this code] may collect the [following] charges *authorized pursuant to paragraph 1 of subdivision c of section 20-519* from the owner or other person in control of such vehicle, payable before the vehicle is released[: one hundred twenty-five dollars for removal and the first three days of storage; up to fifteen dollars per day for storage thereafter], except that no charge may be collected for removal or storage of a vehicle pursuant to this section by a person who is not licensed to engage in towing pursuant to subchapter thirty-one of chapter two of title twenty [of the code].

§ 2. Subdivision a of section 19-169.1 of the administrative code of the city of New York, as amended by local law number 41 for the year 2011, is amended to read as follows:

a. Notwithstanding any other provision of law, where a licensed tow operator removes a vehicle because it is parked on private property in a manner inconsistent with posted instructions, and such removal is pursuant to a contract between the owner of the private property and the licensed tow operator for the removal of any such improperly parked vehicles, such tow operator may collect *no more than* the following charges from the vehicle owner or other person in control of such vehicle, payable before the vehicle is released: [up to but not more than one hundred twenty-five] *for a vehicle registered at a weight of ten thousand pounds or less, two hundred twenty-five* dollars for removal and [the first three days of storage; up to but not more than fifteen] *forty* dollars per day for storage [thereafter], *and for a vehicle registered at a weight of more than ten thousand pounds, seven hundred dollars for removal and two hundred and fifty dollars per day for storage*; except that no charge may be collected for removal or storage of a vehicle pursuant to this section by a person who is not licensed to engage in towing pursuant to subchapter thirty-one of chapter two of title twenty [of this code].

§ 3. Subdivisions a and b of section 20-509 of the administrative code of the city of New York, as amended by local law number 41 for the year 2011, is amended to read as follows:

a. Except as otherwise provided, charges for the towing of vehicles shall not exceed [one hundred] *two hundred twenty-five* dollars *for vehicles registered at a weight of ten thousand pounds or less and seven hundred dollars for vehicles registered at a weight of more than ten thousand pounds*; provided, however, that where a motor vehicle has been booted by a person licensed pursuant to subchapter 32 of this chapter in a private lot as defined in paragraph 3 of subdivision b of section 20-531 of such subchapter and such vehicle is subsequently towed, no additional charge may be imposed for the towing of such vehicle.

b. Except as otherwise provided, charges for storage of vehicles shall not exceed [twenty-five dollars for each twenty-four hours or fraction thereof for the first three days of storage and twenty-seven dollars for the fourth day of storage and each day thereafter] *forty dollars per day for vehicles registered at a weight of ten thousand pounds or less and two hundred and fifty dollars per day for vehicles registered at a weight of more than ten thousand pounds.*

§ 4. Section 20-509.1 of the administrative code of the city of New York, as amended by local law number 41 for the year 2011, is amended to read as follows:

§ 20-509.1 Rates for arterial tow permittees. Notwithstanding any other provisions of this subchapter, charges for the towing *and storage* of disabled passenger vehicles from an arterial roadway by an arterial tow permittee authorized by the commissioner of transportation or the police commissioner shall be [one hundred twenty-five dollars for the first ten miles or fraction thereof and four dollars for each additional mile or fraction thereof] *the same amounts authorized for accident vehicles pursuant to paragraphs 4 and 5, as applicable, of subdivision b of section 20-518.*

§ 5. Section 20-511 of the administrative code of the city of New York, as added by local law number 28 for the year 1987, is amended to read as follows:

§ 20-511 Removal of vehicles obstructing traffic. When a vehicle is situated so as to constitute an obstruction to traffic, and such vehicle is unattended or the person in charge of such vehicle has not arranged for its removal, a police officer or a person designated by the commissioner of transportation may direct its removal by a person licensed to engage in towing, and such licensee shall remove such vehicle to a storage facility which meets the specifications established by the commissioner by regulation pursuant to section 20-508 [of this subchapter]. Such licensee shall be entitled to charge the person in charge of the vehicle for towing and storage, and where applicable, for the rendering of services to prepare the vehicle for towing [at the rates set forth or authorized by section 20-509 of this subchapter] *the same amounts authorized for accident vehicles pursuant to paragraphs 4 and 5, as applicable, of subdivision b of section 20-518.*

§ 6. Paragraphs 4 and 5 of subdivision b of section 20-518 of the administrative code of the city of New York, as amended by local law number 41 for the year 2011 and as added by local law number 94 for the year 1997, respectively, are amended to read as follows:

4. Notwithstanding any other provision of this subchapter, a towing company that removes an accident vehicle to its storage facility at the place of business which qualifies such company for participation in the directed accident response program or to its auxiliary storage facilities approved by the commissioner, shall not charge for the towing of a vehicle registered at a weight of ten thousand pounds or less a fee exceeding [one hundred twenty-five] *two hundred twenty-five* dollars or more than [twenty-five] *forty* dollars per day for [the first three days of storage and twenty-seven dollars for the fourth day, and each day thereafter, of] storage for such vehicle. A towing company participating in the directed accident response program shall not charge for the towing of an accident vehicle registered at a weight of more than ten thousand pounds a fee exceeding [one hundred and forty] *seven hundred* dollars [or more than twenty-five dollars per day for the first three days of storage and twenty-seven dollars for the fourth day, and each day thereafter,] *and two hundred and fifty dollars per day* of storage for such vehicle.

5. If a person in charge of the vehicle, other than a police officer, requests that an accident vehicle be towed to any location other than the storage facilities at the place of business which qualified the towing company removing the vehicle for participation in the directed accident response program or to its auxiliary storage facilities approved by the commissioner, the towing company may also, in addition to the charges authorized under paragraph four of this subdivision, charge [the] *a* mileage fee [for additional mileage that is authorized under section 20-509 of this subchapter,] *of five dollars per mile or portion thereof* for the distance traveled from the accident scene to the location where the vehicle is towed; provided, however, that such distance shall be measured on a route available for commercial vehicles from the accident scene to the location to which such vehicle is towed.

§ 7. Subparagraph (a) of paragraph (3) of subdivision c-1 of section 20-518 of the administrative code of the city of New York, as added by local law number 94 for the year 1997, is amended to read as follows:

(a) impose no storage charge exceeding the amount permitted pursuant to [section 20-509 of this subchapter] *paragraph 4 of subdivision b of this section* during any period before the owner or other person in charge of an accident vehicle has signed an authorization for the repair of such accident vehicle with the repair shop that the towing company has registered pursuant to article twelve-A of the vehicle and traffic law, and (b) where such towing company is registered as a repair shop pursuant to article twelve-A of the vehicle and traffic law, impose no storage charge during the period from which the owner or other person in charge of the accident vehicle has authorized repairs by such registered repair shop to one business day after such registered repair shop has notified such owner or other such person in charge of such vehicle to pick up the repaired vehicle. For purposes of determining whether a towing company has violated subparagraphs (a) or (b) of this paragraph, such towing company shall be deemed to have committed the violation of another entity if such towing company and such other entity share a common officer, director, partner, member, manager, principal or shareholder owning five or more percent of the outstanding stock, such towing company has any direct or indirect interest in such other entity, or such towing company and such other entity share any facilities, equipment, or employees.

§ 8. Paragraphs 1 and 2 of subdivision a of section 20-519 of the administrative code of the city of New York, as amended by local law number 110 for the year 1993, are amended to read as follows:

1. The commissioner shall establish a program to be known as the "rotation tow program" for the purpose of removing evidence vehicles, vehicles suspected of having been stolen or abandoned other than vehicles described in subdivision two of section twelve hundred twenty-four of the vehicle and traffic law, the removal pursuant to section 19-169 [of the code] of vehicles blocking a private driveway, and the removal pursuant to section [24-221 of the code] *24-240* of vehicles with certain alarm devices.

2. The commissioner, after consultation with the police commissioner, shall divide the city into zones and shall create for each zone a list in random order of persons licensed to engage in towing who have been approved by the commissioner for participation in the rotation tow program. The commissioner may in his or her discretion

create from such list separate lists for the removal of evidence vehicles, stolen and abandoned vehicles, the removal pursuant to section 19-169 [of the code] of vehicles blocking a private driveway, and the removal pursuant to section [24-221 of the code] *24-240* of vehicles with certain alarm devices, respectively. At any time subsequent to the initial establishment of zones and lists, the commissioner may, after consultation with the police commissioner, modify the zones and reformulate the lists to ensure sufficient towing services throughout the city. Where more than one towing company has been placed on a list of towing companies authorized to remove vehicles in a particular zone, the police department shall summon towing companies from such list on a rotating basis. Any towing company approved for participation in such program after such lists are initially established shall be placed on any such list at the point immediately preceding the last towing company summoned by the police department pursuant to this section. Such lists shall be available at the department for public inspection.

§ 9. Subdivision b of section 20-519 of the administrative code of the city of New York, as amended by local law number 110 for the year 1993, is amended to read as follows:

b. 1. Any vehicle that is suspected of having been stolen or abandoned other than vehicles described in subdivision two of section twelve hundred twenty-four of the vehicle and traffic law, any vehicle that is blocking a private driveway and subject to removal pursuant to section 19-169 [of the code], and any vehicle with certain alarm devices which is subject to removal pursuant to section [24-221 of the code] *24-240* shall be removed by a tow truck of the towing company participating in the rotation tow program when directed to do so by the police department. If such vehicle appears to have a missing or altered vehicle identification number, the police may direct its removal to the police property clerk. All other vehicles shall be towed to the storage facility of such responding company which meets such specifications as the commissioner shall establish by rule, and shall at all times be stored within such storage facility while the vehicle is in the custody of the towing company. Such storage facility shall be the premises listed on the license of the towing company responding to the police department's direction to remove a vehicle or the premises approved by the commissioner for use by such towing company. Such premises shall be owned, operated or controlled by such towing company and shall not be used by any other towing company. The police department shall expeditiously make every reasonable effort to notify the owner and the national automobile theft bureau or the insurer, if any, of any vehicle that is suspected of having been stolen or abandoned of the vehicle's location and the procedure for retrieval. During the period commencing on the eighth day after the vehicle is removed to such storage facility and ending on the thirtieth day after such removal, such towing company shall transfer any vehicle which has not been claimed into the custody of the police department property clerk.

2. An evidence vehicle shall be removed by a towing company participating in the rotation tow program when directed to do so by the police department. Such vehicle shall be towed to a location designated by a police officer.

3. No tow truck operator shall knowingly remove a vehicle suspected of having been stolen or abandoned or an evidence vehicle without authorization by the police department. No tow truck operator shall knowingly remove a vehicle blocking a private driveway subject to removal pursuant to section 19-169 [of the code] except as authorized in such section. No tow truck operator shall knowingly remove a vehicle with certain alarm devices subject to removal pursuant to section [24-221 of the code] *24-240* except as authorized in such section.

§ 10. Paragraphs 1 and 2 of subdivision c of section 20-519 of the administrative code of the city of New York, as amended by local law number 41 for the year 2011 and as amended by local law number 110 for the year 1993, respectively, are amended to read as follows:

1. Notwithstanding any other provision of law, the towing company shall be entitled to charge the owner or other person claiming a vehicle that is suspected of having been stolen or abandoned, *a vehicle that was blocking a private driveway and was removed pursuant to section 19-169,* or a vehicle with certain alarm devices [subject to removal] *that was removed* pursuant to section [24-221 of the code] *24-240* which was directed to be towed by the police department pursuant to this section and which is claimed before the end of the thirtieth day after such vehicle is removed by such towing company amounts not in excess of the following: [one hundred twenty-five dollars] for [the towing of] a vehicle registered at a weight of ten thousand pounds or less, *two hundred*

twenty-five dollars for towing and forty dollars per day for storage; [one hundred and forty dollars] *and* for [the towing of] a vehicle registered at a weight of more than ten thousand pounds[; twenty-five dollars per day for the first three days and twenty-seven dollars for the fourth day of storage and each day thereafter] *, seven hundred dollars for towing and two hundred and fifty dollars per day for storage*. Upon the transfer of an unclaimed vehicle into the custody of the police department property clerk, the towing company shall be entitled to charge the police department amounts not in excess of the following: sixty dollars plus tolls for the towing of a vehicle suspected of having been stolen or abandoned, a vehicle that was blocking a private driveway and was removed pursuant to section 19-169 [of the code] or a vehicle with certain alarm devices that was removed pursuant to section [24-221 of the code] *24-240*, to a storage facility and subsequent transfer of such vehicle into the custody of such property clerk during the period of time specified in paragraph one of subdivision b of this section; five dollars per day for the first three days of storage of such vehicle and eight dollars for the fourth day of storage and each day thereafter, provided that in no event shall any towing company be entitled to charge the police department for storage charges incurred after the tenth day of storage. The towing company shall be entitled to charge the police department an amount not in excess of sixty dollars plus tolls for the towing of an evidence vehicle to a location designated by a police officer.

2. The police department shall be entitled to charge an owner or other person who claims a vehicle that is suspected of having been stolen or abandoned, a vehicle that was blocking a private driveway and was removed pursuant section 19-169 [of the code], or a vehicle with certain alarm devices that was removed pursuant to section [24-221 of the code] *24-240*, which is in the custody of the police department property clerk the charges for towing and storage permitted to be charged by the towing company pursuant to paragraph one of this subdivision, plus tolls, in addition to the fees for storage with the police department property clerk provided by subdivision i of section 14-140 [of the code]. No vehicle which is in the custody of the police department property clerk which had blocked a private driveway and was removed pursuant to section 19-169 [of the code] shall be released to the owner or other person claiming such vehicle unless such owner or other person shall, in addition to paying such charges to the police department property clerk as provided for in this subdivision, present to such property clerk a receipt from the towing company which removed the vehicle indicating payment to such company of the following amount: the charges for towing and storage which would have been due to the towing company pursuant to paragraph eight of subdivision c of section 19-169 [of the code] had such owner or other person claimed the vehicle from such towing company less the amount paid to the police department for the towing and storage of such vehicle by such company.

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

Referred to the Committee on Consumer and Worker Protection.

Int. No. 546

By Council Members Brannan, Ung, Dinowitz, Powers, Salamanca Jr. and Brewer.

A Local Law in relation to requiring the department of education to create a plan for a pilot after school SHSAT preparation program

Be it enacted by the Council as follows:

Section 1. SHSAT after school pilot program. a. Definitions. For the purposes of this section, the following terms have the following meanings:

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

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

Student. The term “student” means a pupil attending a school.

b. No later than 180 days after the effective date of this local law, the department shall submit to the speaker of the council, and post conspicuously on the department’s website, a plan to implement an after school

specialized high schools admissions test preparation program for middle school students in areas of greatest need. Such report shall include, but not be limited to, the following information:

1. A description of the steps the department will take to create an after school program to prepare seventh grade students to take the specialized high schools admissions test in the eighth grade;

2. A description of the steps the department will take to coordinate with the department of youth and community development to ensure all department of youth and community development after school programs have test preparation programs to prepare seventh grade students to take the specialized high schools admissions test;

3. A cost estimate for implementing such preparation program; and

4. Any barriers to the department's ability to implement an after school high schools admissions test preparation pilot program.

§ 2. This local law takes effect immediately and is deemed repealed upon submission of the report required pursuant to section one of this local law.

Referred to the Committee on Education.

Int. No. 547

By Council Member Brannan, the Public Advocate (Mr. Williams) and Council Members Gennaro and Hanif.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to establishing an office of climate resiliency

Be it enacted by the Council as follows:

Section 1. The New York city charter is amended by adding a new section 20-n to read as follows:

§ 20-n. Office of climate resiliency. a. The mayor shall establish an office of climate resiliency. Such office may be established in the executive office of the mayor and may be established as a separate office or within any other office of the mayor or within any department the head of which is appointed by the mayor. Such office shall be headed by a director of climate resiliency, who shall be appointed by the mayor or by the head of such department.

b. Powers and duties. The director shall have the power and the duty to:

1. develop and coordinate the implementation of policies, programs and actions to address and meet the climate resiliency and adaptation goals, needs and policies of the city, including but not limited to the climate resiliency of critical infrastructure, neighborhoods, the built environment, natural resources and coastal protection; the climate resiliency of city agencies, businesses, institutions and the public; and advancing climate science to support climate resiliency;

2. support city agencies in preparing for climate change;

3. take actions to increase public awareness and education regarding climate resiliency and resilient practices; and

4. other powers and duties as the mayor may assign.

§ 2. Subdivision b of section 20 of chapter one of the New York city charter, as amended by local law number 80 for the year 2020, is amended to read as follows:

b. Powers and duties. The director shall have the power and the duty to:

1. develop and coordinate the implementation of policies, programs and actions to meet the long-term needs of the city, with respect to its infrastructure, environment and overall sustainability citywide, including but not limited to the categories of housing, open space, brownfields, transportation, water quality and infrastructure, air quality, *and* energy; [, and climate change; the resiliency of critical infrastructure, the built environment, coastal protection and communities;] and regarding city agencies, businesses, institutions and the public;

2. develop measurable sustainability indicators, which shall be used to assess the city's progress in achieving sustainability citywide; *and*

3. take actions to increase public awareness and education regarding sustainability and sustainable practices[; and

4. appoint a deputy director who shall be responsible for matters relating to resiliency of critical infrastructure, the built environment, coastal protection and communities and who shall report to the director].

§ 3. Paragraph 2 of subdivision e of section 20 of chapter one of the New York city charter, as amended by local law number 80 for the year 2020, is amended to read as follows:

2. No later than April twenty-second, two thousand eleven, and no later than every four years thereafter, the director shall develop and submit to the mayor and the speaker of the city council an updated long-term sustainability plan, setting forth goals associated with each category established pursuant to paragraph one of subdivision b of this section and any additional categories established by the director, and a list of policies, programs and actions that the city will seek to implement or undertake to achieve each goal by no later than twenty years from the date each such updated long-term sustainability plan is submitted. [No later than two thousand fifteen, and no later than every four years thereafter, the plan shall also include a list of policies, programs and actions that the city will seek to implement or undertake to achieve each goal relating to the resiliency of critical infrastructure, the built environment, coastal protection and communities.] Such updated plan shall take into account the population projections required pursuant to subdivision d of this section. An updated plan shall include, for each four-year period beginning on the date an updated plan is submitted to the mayor and the speaker of the city council, implementation milestones for each policy, program and action contained in such plan. An updated plan shall report on the status of the milestones contained in the immediately preceding updated plan. Where any categories, goals, policies, programs or actions have been revised in, added to or deleted from an updated plan, or where any milestone has been revised in or deleted from an updated plan, the plan shall include the reason for such addition, revision or deletion. The director shall seek public input regarding an updated plan and its implementation before developing and submitting such plan pursuant to this paragraph. The director shall coordinate the implementation of an updated long-term sustainability plan.

§ 4. Subdivisions c and d of section 3-122 of the administrative code of the city of New York, as added by local law 42 for the year 2012, are amended to read as follows:

c. 1. The panel shall meet at least twice a year for the purpose of (i) reviewing the most recent scientific data related to climate change and its potential impacts on the city's communities, vulnerable populations, public health, natural systems, critical infrastructure, buildings and economy; and (ii) advising the office of [long-term planning and sustainability] *climate resiliency* and the New York city climate change adaptation task force established pursuant to section 3-123 of this subchapter.

2. The panel shall make recommendations regarding (i) the near-, intermediate and long-term quantitative and qualitative climate change projections for the city of New York within one year of the release of an assessment report by the intergovernmental panel on climate change, but not less than once every three years; and (ii) a framework for stakeholders to incorporate climate change projections into their planning processes.

d. The panel shall advise the office of [long-term planning and sustainability] *climate resiliency* on the development of a community- or borough-level communications strategy intended to ensure that the public is informed about the findings of the panel, including the creation of a summary of the climate change projections for dissemination to city residents.

§ 5. Section 3-123 of the administrative code of the city of New York, as amended by local law 72 for the year 2015, is amended to read as follows:

§ 3-123 New York city climate change adaptation task force. a. There shall be a New York city climate change adaptation task force consisting of city, state and federal agencies and private organizations and entities responsible for developing, maintaining, operating or overseeing the city's public health, natural systems, critical infrastructure, including telecommunications, buildings and economy. The task force shall be chaired by the office of [long-term planning and sustainability] *climate resiliency*, and shall include, but need not be limited to, representatives from the department of buildings, the department of design and construction, department of city planning, the department of environmental protection, the department of information technology and telecommunications, the department of parks and recreation, the department of sanitation, the department of transportation, the economic development corporation, the office of emergency management, the office of management and budget, the department for the aging and the department of health and mental hygiene. Public members shall include, but need not be limited to, representatives from organizations in the health care, telecommunications, energy and transportation fields, who shall be appointed by, and serve at the pleasure of,

the mayor without compensation from the city. The mayor shall invite the appropriate federal, state and local agencies and authorities to participate.

b. 1. The task force shall meet at least twice a year for the purposes of reviewing the climate change projections as recommended by the New York city panel on climate change pursuant to section 3-122 of this subchapter; evaluating the potential impacts to public health and the delivery of public health services to the city's communities and vulnerable populations and how such delivery may be affected by climate change; evaluating the potential impacts to the city's natural systems, critical infrastructure, including telecommunications, and buildings and how services provided by such systems, infrastructure, including telecommunications, and buildings may be affected by climate change; identifying the rules, policies and regulations governing public health, natural systems, critical infrastructure, including telecommunications, buildings and economy that may be affected by climate change; and formulating and updating coordinated strategies to address the potential impact of climate change on the city's communities, vulnerable populations, public health, natural systems, critical infrastructure, including telecommunications, buildings and economy.

2. Within one year of the development of recommended climate change projections pursuant to section 3-122 of this subchapter, the task force shall create an inventory of potential risks due to climate change to the city's communities, vulnerable populations, public health, natural systems, critical infrastructure, including telecommunications, buildings and economy; develop adaptation strategies to address such risks that may include design guidelines for new infrastructure, and short and long-term resiliency recommendations for existing public and private telecommunications infrastructure, including an evaluation of wireless infrastructure; and identify issues for further study. A report with recommendations shall be issued based on this information and submitted to the mayor and the city council and shall be made available to the public.

3. The task force shall conduct outreach to telecommunication service providers, including all telecommunication service providers with a franchise agreement with the city, and request their cooperation in obtaining information relevant to the task force's requirements under subdivision two of this section. The report will include a description of the efforts undertaken to obtain the cooperation of infrastructure providers and the results of such efforts, including specifically whether any such providers refused to cooperate.

c. The office of [long-term planning and sustainability] *climate resiliency* shall develop a community- or borough-level communications strategy intended to ensure that the public is informed about the findings of the task force, including the creation of a summary of the report for dissemination to city residents. In developing such communications strategy, the director shall consult with non-governmental and community-based organizations.

§ 6. Subdivision a of section 3-131 of the administrative code of the city of New York, as added by local law 41 for the year 2021, is amended by amending the term "office" to read as follows:

Office. The term "office" means the office of [long-term planning and sustainability] *climate resiliency*.

§ 7. Subdivisions a and b of section 3-132 of the administrative code of the city of New York, as added by local law 41 for the year 2021, are amended to read as follows:

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

Agency. The term "agency" shall have the same definition as such term is defined in section 1150 of the charter.

Covered project. The term "covered project" means a capital project of an agency with an estimated construction cost of no less than $10,000,000, provided that the office may by rule set such construction cost at a lower amount, that consists of:

1. New construction as defined in section G201.2 of chapter G2 of appendix G of the New York city building code of a building or structure;

2. Substantial improvement as defined in section G201.2 of chapter G2 of appendix G of the New York city building code of an existing building or structure; or

3. Construction of new or improvement of existing infrastructure including but not limited to sewers and other utilities, streets, landscape and transportation facilities with a minimum threshold construction value to be determined by rule or by meeting other specifications or qualifications to be set forth in such rules by the director of [long-term planning and sustainability] *climate resiliency*, provided that such term shall not include a public betterment consisting solely of a street that does not involve subsurface utility work, drainage or roadway grading, fencing, or combination thereof.

Such term shall include capital projects of the New York city housing authority and the New York city school construction authority provided that each such entity, in consultation and coordination with the office, may establish a distinct scoring metric for its respective capital projects to address climate hazards in accordance with subdivision c.

Office. The term "office" means the office of [long-term planning and sustainability] *climate resiliency*.

b. The director of [long-term planning and sustainability] *climate resiliency*, in consultation with the New York city panel on climate change, the commissioner of design and construction, the commissioner of environmental protection, the commissioner of citywide administrative services, the commissioner of transportation, the commissioner of emergency management, the commissioner of buildings, the commissioner of parks and recreation, the commissioner of housing preservation and development, the commissioner of health and mental hygiene, the fire commissioner, the director of management and budget, the director of city planning, the head of any other office or agency as appropriate, the president of the New York city economic development corporation, environmental justice organizations with expertise in climate resiliency, and members of the public with expertise in climate resiliency, climate design, the built environment, engineering, and environmental justice issues shall develop a resiliency score metric. For the purposes of calculating such resiliency score, the office shall by rule establish a system of points or metrics, considering potential performance of resiliency features, and develop a methodology for applying such scoring to covered projects, provided such methodology shall include one or more minimum thresholds of resiliency that covered projects shall meet, to be informed by and include features detailed in the climate resiliency design guidelines pursuant to section 3-131, and which may also include but need not be limited to features such as:

1. Elevation to reduce the risk of flooding over the anticipated useful life;
2. Flood-proofing of structures or equipment;
3. Site elevation or responsible site considerations;
4. Heat mitigation;
5. Efficient energy resilience, including energy storage with or without use of on-site renewable energy generation;
6. On-site storm water capture and management;
7. Integration with naturally resilient shoreline features;
8. Salt or flood tolerant landscaping;
9. Green infrastructure;
10. Pervious pavement;
11. Resilient building materials;
12. Living walls or structures; and
13. Integration with and preservation of naturally occurring vegetation and habitat.

§ 8. Subdivision a of section 24-808 of the administrative code of the city of New York, as added by local law number 122 for the year 2021, is amended to read as follows:

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

Climate hazard. The term "climate hazard" means a physical process or event related to the climate that can harm human health, livelihoods, property or natural resources, including but not limited to:

1. an extreme storm, such as a hurricane, nor'easter, or blizzard;
2. sea level rise;
3. tidal flooding;
4. extreme heat;
5. extreme precipitation;
6. extreme wind;
7. a wild fire; or
8. a flooding surge event that may be associated with a storm.

Director. The term "director" means the director of [long-term planning and sustainability] *climate resiliency*.

Environmental justice area. The term "environmental justice area" has the same meaning as such term is defined in section 3-1001.

Non-structural risk reduction approach. The term "non-structural risk reduction approach" means a program, policy, process or incentive to safeguard communities from climate hazards or to remove a structure from a

location at risk of a climate hazard, including wetlands preservation, creation and restoration, densification in areas that are not prone to flooding, or other similar concepts.

Office. The term "office" means the office of [long term planning and sustainability] *climate resiliency*.

Resiliency and adaptation measure. The term "resiliency and adaptation measure" means a measure to enable a community or structure to withstand or avoid a climate hazard, including but not limited to a rip rap, groin, breakwater, levee, floodwall, marsh, wetland, erosion control method, natural resource beach nourishment and restoration, floodproofing, weatherization, cooling measures, rain garden, drainage improvement, water detention structure, permeable pavement, tree planting, reflective roof, shade structure, building retrofits, or green roof.

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

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

Int. No. 548

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

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

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-133 to read as follows:

§ 3-133 Carbon accounting. a. Definitions. As used in this chapter:

Carbon dioxide equivalent (CO_2e). The terms "carbon dioxide equivalent" and "CO_2e" mean the quantity of carbon dioxide gas expressed in metric tons that would have the same GWP when measured over a timescale of 100 years as a given quantity of a greenhouse gas.

Carbon emissions. The term "carbon emissions" means greenhouse gas emissions from any source, as expressed in CO_2e.

Carbon offsets. The term "carbon offset" means a project or process owned or operated by the city that captures and sequesters or chemically decomposes a greenhouse gas from the atmosphere, as expressed in CO_2e.

Carbon mitigation. The term "carbon mitigation" means a project or process owned or operated by an entity other than the city the expenses of which are paid in whole or in part from the city treasury that captures and sequesters or chemically decomposes a greenhouse gas prior to its release into the atmosphere, or results in a reduction of greenhouse gas emissions from any source by the replacement or retrofit of mechanical or electrical equipment or by conversion to an alternative source of energy. Carbon mitigation shall be measured as the reduction of the pre-mitigation release of greenhouse gas into the atmosphere, as expressed in CO_2e, for the entire useful life of any mechanical or electrical equipment used to achieve such mitigation, as appropriate, prorated by the percentage of funds used to finance such mitigation that were paid from the city treasury.

Global warming potential (GWP). The terms "global warming potential" and "GWP" mean the total infrared radiation energy that a greenhouse gas absorbs over a period of time compared to carbon dioxide. The GWP value for any particular greenhouse gas shall be equal to the value for such gas as listed in column "GWP 100-year" of table 8.A.1, Radiative efficiencies (REs), lifetimes/adjustment times, AGWP and GWP values for 20 and 100 years, and AGTP and GTP values for 20, 50 and 100 years, of Climate Change 2013: The Physical Science Basis. Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change as published on September 30, 2013.

Greenhouse gas. The term "greenhouse gas" means a gas that absorbs infrared radiation in the atmosphere, and specifically any gas listed in table 8.A.1, Radiative efficiencies (REs), lifetimes/adjustment times, AGWP and GWP values for 20 and 100 years, and AGTP and GTP values for 20, 50 and 100 years, of Climate Change 2013: The Physical Science Basis. Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change as published on September 30, 2013.

Net carbon impact. The term "net carbon impact" means an amount equal to the carbon emissions less the carbon offsets and carbon mitigation that would be generated by a unit of appropriation, by an agency, or by the entire city government, respectively.

b. Preliminary budget accounting. Not later than the day the mayor submits the preliminary budget to the council pursuant to section 236 of the charter, the mayor shall submit to the council an accounting of the carbon emissions, carbon offsets, carbon mitigation and net carbon impact that would be generated by each unit of appropriation in the preliminary budget, by each agency, and by the entire city government. The second and subsequent annual reports submitted pursuant to this subdivision shall also include, where appropriate, the changes from the adopted budget for previous year to the carbon emissions, carbon offsets, carbon mitigation and net carbon impact that would be generated by each unit of appropriation in the preliminary budget, by each agency, and by the entire city government with an explanation of the cause of such changes.

c. Executive budget accounting. Not later the day the mayor submits the executive budget to the council pursuant to section 249 of the charter, the mayor shall submit to the council an accounting of the carbon emissions, carbon offsets, carbon mitigation and net carbon impact that would be generated by each unit of appropriation in the executive budget, by each agency, and by the entire city government. The second and subsequent annual reports submitted pursuant to this subdivision shall also include, where appropriate, the changes from the adopted budget for previous year to the carbon emissions, carbon offsets, carbon mitigation and net carbon impact that would be generated by each unit of appropriation in the executive budget, by each agency, and by the entire city government, with an explanation of the cause of such changes.

d. Methodology. The director of the office of long-term planning and sustainability shall establish the methodology by which carbon emissions, carbon offsets and carbon mitigation shall be calculated. A description of the methodology shall be included with each report submitted pursuant to subdivisions b or c of this section.

§ 2. This local law takes effect immediately.

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

Int. No. 549

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

A Local Law to amend the administrative code of the city of New York, in relation to increasing transparency around manhole fires and explosions

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 15-141 to read as follows:

§ 15-141 Reporting on manhole fires and explosions. No later than October 1 of each year, the department shall submit a report to the council on the number of manhole fire and manhole explosion complaints responded to by the department, disaggregated by council district.

§ 2. This local law takes effect immediately.

Referred to the Committee on Fire and Emergency Management.

Int. No. 550

By Council Members Brannan and Hanif.

A Local Law to amend the New York city charter, in relation to the voter assistance advisory committee providing interpreters and materials in Arabic

Be it enacted by the Council as follows:

Section 1. Section 1054 of the New York city charter is amended by adding a new subdivision d to read as follows:

d. The committee shall provide Arabic language interpreters for all poll sites which contain an election district with 50 or more voting age residents with limited English proficiency based on United States census data, or American community survey data, whose primary language is Arabic. Such data shall be reviewed every two years, beginning on January 1, 2023. To the extent permissible under state law, such interpreters shall be made available to the public within such poll sites, provided that where it is not permissible then such interpreters shall be made available to the public within a legally permissible distance of such poll site.

§ 2. This local law takes effect six months after becoming law.

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

Int. No. 551

By Council Members Brannan, Restler, Won and Hanif.

A Local Law in relation to establishing a day-fines pilot program in the office of administrative trials and hearings

Be it enacted by the Council as follows:

Section 1. Definitions. As used in this local law, the following terms have the following meanings:

Agency. The term "agency" has the same meaning as provided in section 1150 of the New York city charter.

Chief administrative law judge. The term "chief administrative law judge" means the chief administrative law judge of the office of administrative trials and hearings.

Civil penalty. The term "civil penalty" means any monetary penalty imposed in connection with a notice of violation returnable to the office of administrative trials and hearings.

Day-fines. The term "day-fines" means a system for assessing civil penalties that takes into account a respondent's daily disposable income.

Designated agency. The term "designated agency" means any enforcement agency designated as such pursuant to section two of this local law.

Enforcement agency. The term "enforcement agency" means any agency that issues notices of violation returnable to the office of administrative trials and hearings.

Fixed-fines. The term "fixed-fines" means a system for assessing civil penalties that does not take a respondent's income into account.

§ 2. No later than 30 days after the effective date of this local law, the mayor shall designate two or more enforcement agencies to serve as designated agencies, notify the chief administrative law judge and the speaker of the council of such designations, and publish such designations on the city's official website.

§ 3. a. No later than one year after the effective date of this local law, the chief administrative law judge, in collaboration with the head of each designated agency, shall establish a pilot program pursuant to which day-fines shall be used in lieu of fixed-fines for violations of certain provisions of local law.

b. At a minimum, such pilot program shall provide for the use day-fines in lieu of fixed-fines for violations of at least 10 distinct provisions of local law over the course of at least 12 months.

c. To the greatest extent practicable, such pilot program shall not require a respondent to attend an in-person hearing in order for such respondent's income to be taken into account in assessing a civil penalty.

§ 4. a. The chief administrative law judge and the head of each designated agency shall collaborate to promulgate rules to effectuate such pilot program.

b. At a minimum, such rules shall establish which provisions of local law will be included in such program, how a respondent's income will be determined for the purposes of such program, and how civil penalties will be calculated pursuant to such program.

c. Notwithstanding any other provision of local law or rule in effect prior to the effective date of this local law, in order to effectuate the purposes of this local law, such rules may permit civil penalties to be assessed in amounts less than the minimum penalty set forth in local law or by rule, or greater than the maximum penalty set forth in local law or by rule, for the duration of the pilot program.

§ 5. No later than 180 days after the 2 year anniversary of the effective date of this local law, the chief administrative law judge, in collaboration with the head of each designated agency, shall submit to the mayor and the speaker of the council, and publish on the official website of the office of administrative trials and hearings, a report on the results of such pilot program. At a minimum, such report shall include:

a. An analysis of the advantages and disadvantages of using day-fines in lieu of fixed-fines for assessing civil penalties, including, but not necessarily limited to, an assessment of whether doing so is likely to promote equity in the enforcement of local laws and ensure that civil penalties adequately deter persons of all income levels; and

b. For each provision of local law included in the pilot program:

1. The number of notices of violation issued pursuant to such provision over the course of the pilot program;

2. The number of such notices of violation that were dismissed;

3. The number of such notices of violation that resulted in civil penalties being assessed using day-fines; and

4. If any such notices of violations resulted in civil penalties being assessed without taking the respondent's income into account, the number of such notices of violations that so resulted, disaggregated by the reason why the respondent's income could not be taken into account.

§ 7. This local law takes effect immediately.

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

Int. No. 552

By Council Members Brannan, Ayala, Yeger, Narcisse, Abreu, Ung, Dinowitz, Farías, Borelli, , Holden, Menin, Williams, Riley, Won, Hanks, Stevens, Louis, Hudson, Carr, Moya, Paladino, Nurse, Vernikov and Lee.

A Local Law to amend the administrative code of the city of New York, in relation to the street resurfacing timeline

Be it enacted by the Council as follows:

Section 1. Section 19-101.6 of the administrative code of the city of New York is amended by adding a new subdivision c to read as follows:

c. The department shall coordinate with all relevant entities, including government agencies and public utility companies, to ensure that all work associated with the resurfacing of any street be finalized within 2 weeks from the start of work on such street. If additional time is needed the department shall notify the surrounding community by posting notices including the reason additional time is needed and the new expected timeline for completion.

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

Referred to the Committee on Transportation and Infrastructure.

Res. No. 204

Resolution calling upon the New York City Department of Education to install vape detectors in New York City public schools.

By Council Members Brannan and Gennaro.

Whereas, According to the Center on Addiction, vaping includes inhaling and exhaling vapor, also known as aerosol, which is created by electronic cigarettes (e-cigarettes) or similar devices; and

Whereas, The Center on Addiction also reports that many of the particles in e-cigarettes contain toxic chemicals that have been linked to heart disease, respiratory disease, and cancer; and

Whereas, While the American Vaping Association claims that e-cigarettes were developed to serve as a replacement for cigarettes, studies show that children who vape have an increased likelihood of using cigarettes or other tobacco products later in life, according to Pennsylvania State University; and

Whereas, The National Institute on Drug Abuse reports that about 30 percent of e-cigarette smokers began smoking within 6 months, while about 8 percent of non-users began smoking within this same timeframe; and

Whereas, As reported by a researcher at John Hopkins Medicine, e-cigarettes may appeal to many teens because they believe that vaping is less injurious than smoking, and e-cigarettes cost less per use than traditional cigarettes; and

Whereas, E-cigarette flavors, like cotton candy and watermelon, have been identified as one of the main reasons for their popularity among younger people; and

Whereas, Although in New York City (NYC) it is illegal to sell e-cigarettes to individuals younger than 21, e-cigarettes are widely used by NYC youth; and

Whereas, During a January 2019 NYC Council Committee on Health oversight hearing, the NYC Department of Health testified that in 2017, more than 17 percent of the city's high school students reported vaping at least once during the previous month; and

Whereas, Many news sources reported that some NYC students are vaping inside of schools, and according to a November 2018 article in the Wall Street Journal (WSJ), Bronx High School of Science closed six bathrooms to prevent students from vaping in them; and

Whereas, The WSJ also reported that the Bronx High School of Science informed parents that patrolling school bathrooms was ineffective in stopping students from using them to vape, and thus, the school decided to take additional action; and

Whereas, As reported by Fox 5 News and ABC News, statewide, schools are installing vape detectors to prevent students from the harms of vaping on campus; and

Whereas, It is imperative that NYC schools also take such measures to help protect the health and wellbeing of the city's students; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Department of Education to install vape detectors in New York City public schools.

Referred to the Committee on Education.

Res. No. 205

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, A. 838, an act to amend the education law, in relation to establishing schools dedicated to teaching dyslexic students in certain school districts.

By Council Members Brannan and Hanif.

Whereas, Over 76,000 New York City students experience learning disabilities, according to a 2018 report from the New York City Department of Education (DOE); and

Whereas, Dyslexia, a disability characterized by difficulty in processing language that impedes reading, is the most common learning disability, according to a 2014 report from the National Center for Learning Disabilities; and

Whereas, Public schools in New York City do not use the curriculum and teaching methods required to effectively teach students experiencing dyslexia or other phonemic awareness challenges; and

Whereas, Students with dyslexia or other phonemic awareness challenges must learn to read through a multi-sensory, phonics-based approach, such as Orton-Gillingham instruction; and

Whereas, The current education system teaches reading with a balanced literacy approach, which has been ineffective for the roughly 10%-20% of students who experience dyslexia or other phonemic-based learning challenges; and

Whereas, Establishing one school in each New York City community school district dedicated to teaching these students using evidence-based approaches, such as Orton-Gillingham, would drastically improve the chances of them becoming fluid and fluent learners; and

Whereas, A. 838, sponsored by Assemblyman Robert Carroll, would achieve such a goal by requiring a city of one million people or more to dedicate one school in each school district within the city to specialize in the teaching of students with dyslexia and other phonemic-based learning challenges; and

Whereas, This bill would further enable its mission to be reached by requiring all teachers in such specialized schools to have at least 20 hours of training in the utilization of multi-sensory sequential phonics techniques, such as Orton-Gillingham; 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, A. 838, an act to amend the education law, in relation to establishing schools dedicated to teaching dyslexic students in certain school districts.

Referred to the Committee on Education.

Res. No. 206

Resolution calling on the New York State Legislature to introduce and pass legislation to end the New York State Returnable Container Act.

By Council Members Brannan, Hanif and Gennaro.

Whereas, The New York State Returnable Container Act, also known as the "Bottle Bill", was passed in 1982 to create a cleaner and healthier New York; and

Whereas, New York is one of 10 states that currently have similar bottle bills; and

Whereas, Bottle bills create a privately-funded collection infrastructure for beverage containers by requiring distributors and retailers to collect a refundable deposit on certain beverage containers; and

Whereas, Bottle bills make producers and consumers responsible for their packaging waste as a way to incentivize recycling and disincentivizing littering of beverage containers; and

Whereas, New York's Bottle Bill places a mandatory refundable $0.05 deposit on carbonated soft drink, beer and malt beverage, wine cooler, and water containers; and

Whereas, According to the New York State Department of Environmental Conservation (DEC), the Bottle Bill has decreased roadside container litter in New York by 70%; and

Whereas, According to the DEC, in 2016 the New York Bottle Bill helped to recycle 5.1 billion beverage containers—weighing more than 336,000 tons of plastic, glass and aluminum—at no cost to local governments; and

Whereas, In 2010, Delaware repealed its bottle bill by creating a plan to replace its bottle deposit program with universal recycling; and

Whereas, On January 13, 2019, New York Governor Andrew Cuomo announced plans to expand the state Bottle Bill to include a mandatory refundable $0.05 deposit on beverage containers for sports drinks, energy drinks, fruit and vegetable beverages and ready-to-drink teas and coffee; and

Whereas, Governor Cuomo also announced the DEC will conduct a study, in consultation with industry participants and retailers, on how the Bottle Bill could be further expanded to include wine and liquor bottles; and

Whereas, Governor Cuomo further stated the expansion of the bottle bill will reduce the sorting and financial burdens on local government recycling programs; and

Whereas, The expansion of bottle bills is often resisted by beverage companies, while some recycling businesses also worry they may lose a reliable and profitable material from their recycling stream; and

Whereas, The Bottle Bill is no longer necessary to ensure New Yorkers recycle their bottles and cans; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to introduce and pass legislation to end the New York State Returnable Container Act.

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

Res. No. 207

Resolution calling on Congress to pass, and the President to sign, legislation amending the Stafford Act to proactively fund the planning and construction of FEMA and HUD coastal resiliency projects.

By Council Members Brannan and Gennaro.

Whereas, The Robert T. Stafford Disaster Relief and Emergency Assistance Act ("the Stafford Act") gives the president the power to declare a national emergency as a response to a national disaster, thereby allowing the president to access funds set aside by Congress to provide states with federal assistance during and after an emergency or disaster; and

Whereas, The United States ("U.S.") has a number of agencies that work towards disaster relief, such as the Federal Emergency Management Agency ("FEMA"), the U.S. Department of Housing and Urban Development ("HUD"), and the U.S. Army Corps of Engineers ("USACE"); and

Whereas, Although FEMA and HUD administer federal funding programs for disaster relief and prevention, the USACE is also able to fund, design, and construct large-scale infrastructure projects, provided, however, that all allocations for such programs and projects must be planned for and earmarked in advance by Congress; and

Whereas, The Stafford Act required all funding requests must be in relation to a "major disaster" declaration by the president for a declared disaster that occurred in the past seven years; and

Whereas, The Safeguarding Tomorrow through Ongoing Risk Mitigation Act, or The STORM Act, was passed on January 1, 2021, amending the Stafford Act by adding § 205, which authorizes the FEMA Administrator to enter into agreements with a state or Indian tribal government ("eligible entity") to make capitalization grants that are not contingent upon prior disaster declarations but are instead based on an application's ability to detail both recurring major disaster vulnerabilities that show sizable risk and how the application's plan would achieve resilience in a vulnerable area to establish hazard mitigation so as to help local governments carry out eligible projects to reduce disaster risks and decrease disaster costs, with single hazard mitigation projects having to be less than $5 million; and,

Whereas, The STORM Act authorizes appropriations of $100 million for each of Fiscal Year 2022 and Fiscal Year 2023, but has not authorized any appropriations after Fiscal Year 2023; and

Whereas, FEMA and HUD have dedicated disaster relief and mitigation funding programs, particularly FEMA's Building Resilient Infrastructure and Communities ("BRIC") and Disaster Relief Fund ("DRF") and HUD's Community Development Block Grant Mitigation ("CDBG-MIT") and Disaster Relief ("CDBG-DR") programs, all of which provide key frameworks and details for directing federal disaster funding in accordance with the Stafford Act; and

Whereas, While BRIC and CDBG-MIT were formulated with a focus on future disaster prevention and mitigation, they are still mandated by the Stafford Act to require funding allocations to be in relation to recent and past disasters; and

Whereas, The Stafford Act caps BRIC funding at up to 6 percent of the total estimated disaster expenditures associated with each presidential disaster declaration, with annual contributions depending on the number and cost of disasters in the previous year and all funds entering the National Public Infrastructure Pre-Disaster Mitigation Fund, leading to FEMA estimating annual contributions to this fund to be between $300 and $500 million nationwide; and

Whereas, For Fiscal Year 2020 ("FY2020"), BRIC was allocated $500 million, and, in 2018, Congress appropriated $15.9 billion to HUD for CDBG-MIT for mitigation activities for qualifying disasters in 2015, 2016, and 2017, but has not indicated plans for future CDBG-MIT appropriations or allocations; and

Whereas, In comparison, the New York City Council issued a report entitled "Securing Our Future: Strategies for New York City in the Fight Against Climate Change," which included a snapshot of New York City's ("NYC") current coastal resiliency projects, which cost approximately $52.87 billion in combined funding from NYC, New York State, USACE, FEMA, and HUD, demonstrating that current federal funding for coastal resiliency will not be sufficient for the future needs of both NYC and the nation at large; and

Whereas, Due to the advance of climate change, more and more national disasters are happening each year, with FEMA reporting more than twice the number of annual billion-dollar events in the U.S. were experienced in the 2010s compared to the 2000s, that 2020 bore witness to the most active Atlantic hurricane season on record, and that severe storms are becoming an increasing contributor to the number of billion-dollar events, with the average frequency of high-tide flooding already up 50 percent when compared to the frequency in 2000; and

Whereas, The National Oceanic and Atmospheric Administration ("NOAA") found that NYC is under threat from disasters like flooding, sea level rise, and coastal storms due to its 520 miles of coastline, which is more shoreline mileage than the cities of Miami, Los Angeles, San Francisco, and Boston combined, meaning coastal resiliency efforts, which seek to protect against coastal hazardous events, are a necessary aspect of disaster prevention in NYC; and

Whereas, Regular tidal flooding is already occurring in NYC neighborhoods such as Broad Channel, Hamilton Beach, and Howard Beach, with a Lower Manhattan Climate Resilience Study conducted by NYC's Economic Development Corporation and the Mayor's Office of Climate & Environmental Justice finding that by 2050, 37 percent of buildings in Lower Manhattan will be at risk from a rise in seawater level caused by a storm, otherwise known as storm surge; and

Whereas, FEMA recorded billions of dollars in National Flood Insurance Program ("NFIP") payouts in the past decade, with six of the top 10 most significant NFIP payouts occurring in the past decade, and all 10 occurring since 2000, and has paid out $830 million to NFIP policy holders in 2020 alone; and

Whereas, According to NOAA, coastal resiliency efforts are crucial to protecting against and minimizing the impacts of coastal hazards like flooding and storm surge, as well as coastal disasters like Hurricane Sandy, which cost $19 billion in citywide damages and lost economic activity while also damaging over 69,000 residential units according to the NYC Mayor's Office of Management and Budget; and

Whereas, Coastal resiliency efforts are predicated on preparing for, rather than reacting to, coastal hazards and consist of a myriad of different strategies, all of which take time and money to develop, yet, in 2020, FEMA published their "FEMA Mitigation Action Portfolio" which found that natural hazard mitigation saves, on average, $6 in future disaster costs for every $1 spent on federal grants; and

Whereas, As currently written, and other than what is authorized by the STORM Act, the Stafford Act only allows for mitigation funding as a reaction to past disasters as declared by the president, rather than a proactive protection against potential future disasters and damages, meaning that potential disasters which, due to climate change, could impact an area previously not affected by disasters, or wreak damage on an unprecedented level, would not allow an applicant to qualify for federal mitigation funding needed to build resiliency; and

Whereas, Proactive funding of coastal resiliency projects would entail both increased funding and easier access to disaster prevention funding, both of which would enhance and expedite current and future coastal resiliency plans, and which might cost-effectively reduce future needs for post-disaster funding and flood insurance payouts; now, therefore, be it

Resolved, That the Council of the City of New York calls on Congress to pass, and the President to sign, legislation amending the Stafford Act to proactively fund the planning and construction of FEMA and HUD coastal resiliency projects.

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

Res. No. 208

Resolution calling on corporate and government entities operating in New York City to divest from agricultural industries that benefit from deforestation and the acceleration of global warming.

By Council Member Brannan.

Whereas, On April 18, 2019, the Council passed the New York City Climate Mobilization Act, targeting energy sources and greenhouse gas emissions and requiring an eighty percent reduction in citywide emissions by 2050 to offset the globe's changing climate; and

Whereas, On June 20, 2019, the New York State legislature passed the Climate Leadership and Community Protection Act, to require statewide reductions in greenhouse gas emissions and achieve net zero emissions in all sectors of the state economy by 2050; and

Whereas, According to the University of Michigan's Center for Sustainable Systems, the production of food accounts for 83% of all carbon dioxide equivalent emissions associated with food consumption in U.S. households, with nearly half of all food-based emissions stemming from livestock; and

Whereas, According to a 2018 article published by the American Association for the Advancement of Science entitled "Reducing Food's Environmental Impacts Through Producers and Consumer," producing one pound of beef alone requires 592 square feet of land on average; and

Whereas, The Food and Agriculture Organization of the United Nations has stated the global consumption of beef is rising at a rate of 5% annually; and

Whereas, Earlier this year, to cope with rising demands for beef, Brazilian farmers set fires in the Amazon rainforest to clear land for more cattle farms, as reported by Brazil's National Institute for Space Research, which captured satellite images of 41,000 fire spots across the country; and

Whereas, According to the New York Times, the Amazon's rainforest is now burning at record rates, with an 80% increase of forest fires since 2018, straining the earth's ability to store carbon and produce oxygen; and

Whereas, Members of the European Union have condemned the destruction of the Amazon rainforest by cattle farmers and called for an urgent review of the possibility of banning Brazilian beef imports for their connection to environmental damage; and

Whereas, According to the Center for International Policy's Mighty Earth Campaign, soy products have a related effect on global deforestation, as 75% of the world's soy is used as feed for raising livestock including chicken and fish across the globe; and

Whereas, In 2017, the Global Environmental Change Journal described the rising global demand for soybean production as an underlying driver of global deforestation, as pressure mounted for farmers across South America to partake in large-scale forest-clearing to establish more cropland for soy cultivation; and

Whereas, According to the World Wildlife Fund, global supply-chains, shipments, and storage across international agricultural trading companies have created visible impacts on the world's climate as seen by the presence of increasing droughts and heatwaves; and

Whereas, The United Nations' Food and Agriculture Organization issued a statement entitled "Livestock a Major Threat to Environment," stating that animal agriculture is responsible for approximately 65% of all human-related nitrous oxide emissions, which causes heat to be trapped at an estimated rate 296 times stronger than carbon dioxide, and is guiding our global temperature towards a climate tipping point; and

Whereas, Many multinational corporations that distribute beef and soy products in New York City are not signatories to the New York Declaration on Forests, which ensures a commitment from companies to end deforestation by 2030; and

Whereas, Any buyer in New York City, be it a city agency, private corporation, or otherwise, should proactively uphold climate protections by refraining from purchasing agricultural products that fail to meet the sustainability standards set under the Climate Leadership and Community Protection Act; and

Whereas, In order to achieve the commitments made by New York City and State to reduce greenhouse gasses and carbon emissions in all sectors of the economy, it is imperative for public and private sectors to divest from agricultural industries that contribute to climate change; now, therefore, be it

Resolved, That the Council of the City of New York calls on corporate and government entities operating in New York City to divest from agricultural industries that benefit from deforestation and the acceleration of global warming.

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

Res. No. 209

Resolution calling upon the New York State Legislature to pass, and Governor to sign, A.1326/S.1978 and A.1382/S.3032, to promote a more sustainable and equitable energy system in New York State.

By Council Members Brannan, Hanif and Gennaro.

Whereas, In 2021, New York State's (NYS) electric grid was comprised of approximately 30% renewable generation resources, with approximately 4% provided by wind and 2.5% solar assets statewide; and

Whereas, Environmental advocates have expressed concerns that there are insufficient renewable projects in the pipeline to meet the Climate Leadership and Community Protection Act's (CLCPA) mandated target of 70% renewable energy by 2030, and a zero emission grid by 2040; and

Whereas, In New York City, electricity is largely generated via the combustion of fossil fuels, with approximately 85% of the electric supply sourced from fossil-fuel combustion plants in 2021, compared to upstate, where only 12% is sourced from fossil-fuel combustion plants and 88% of the electricity is supplied via renewable generation; and

Whereas, The New York City Mayor's Office of Climate and Environmental Justice has acknowledged that the City must maximize the use of renewables within the city, and increase transmission from clean power sources outside the city, in order to meet the CLCPA mandated goal of an 100% zero emissions grid by 2040; and

Whereas, The New York Power Authority (NYPA) is the largest public utility in the country, providing approximately 25% of New York's energy, around 80% of which is renewable hydroelectric power, the most affordable source of energy available in NYS; and

Whereas, The NYPA is currently barred by its charter from owning more than six generation projects over 25 megawatts; and

Whereas, A.1382, introduced by NYS Assembly Member Robert Carroll, and S.3032, introduced by NYS Senator Kevin Parker, would empower the NYPA to own new renewable energy generation facilities; and

Whereas, The State bill would give the NYPA the right of first offer and refusal for acquiring any renewable generational facility; and

Whereas, A.1326, introduced by NYS Assembly Member Robert Carroll, and S.1978, introduced by NYS Senator Robert Jackson, would establish a downstate New York Power Authority to own and operate electricity services and acquire the distribution facilities formerly owned by any downstate utility corporation by purchase or condemnation; and

Whereas, In New York City, Consolidated Edison of New York (ConEd) holds a virtual monopoly over the electricity market, serving all parts of New York City (except for Rockaway, Queens), and Westchester County; and

Whereas, ConEd is an investor-owned for-profit company that answers to its shareholders, not solely the general public in New York City and Westchester; and

Whereas, Publicly-owned and operated utilities are governed by and operate for the sole benefit of the public; and

Whereas, Public power systems can perform equal to, if not better than, private power systems in reliability; and

Whereas, According to the American Public Power Association, public power customers are likely to be without power for an average of 62 minutes per year, compared to 150 minutes per year for private utility customers, provided there are no major adverse events; and

Whereas, According to the American Public Power Association, residential customers of public power utilities pay monthly bills that are on average 4% less than customers of investor-owned utilities; and

Whereas, New York City needs a reliable electricity provider that is fully accountable to the public to ensure the safety and economic health of the city; and

Whereas, To confront the climate crisis, NYS must take further action to ensure its energy needs are met through the generation of renewable energy; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the calling upon the New York State Legislature to pass, and Governor to sign, A.1326/S.1978 and A.1382/S.3032, to promote a more sustainable and equitable energy system in New York State.

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

Res. No. 210

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.1080/A.3131, in support of establishing requirements for residential healthcare facilities to protect and maintain the health and safety of residents and staff in a state of emergency during an outbreak of disease.

Council Members Brannan and Gennaro.

Whereas, As of January, 2022, New York State reported over 4.6 million cases of COVID-19 and more than 62,000 deaths; and

Whereas, On behalf of Heath and Human Services (HHS), the entity charged with enforcing compliance requirements, solving complaints and conducting proactive compliance audits, the Center for Medicare & Medicaid Services (CMS) confirmed nursing homes have been severely impacted by COVID-19 with outbreaks causing high rates of infection, morbidity and mortality; and

Whereas, The high incidence of death in nursing home and long-term care facilities has been attributed to the virus being lethal to aging and immune-comprised individuals; and

Whereas, At the onset of the pandemic, insufficient training and a lack of COVID-19 testing and shortages of personnel protective equipment (PPE) may have hastened the viral spread among workers, many of whom had multiple jobs in congregate care settings, which put them at risk of contracting and spreading the virus from one location to another; and

Whereas, Vulnerabilities inherent in nursing home settings include residents living in close proximity to one another with shared dining and recreational areas; and

Whereas, In an effort to free up hospital beds during the peak of the pandemic, the New York State Department of Health notified nursing homes on March 25, 2020 that they must accept coronavirus patients deemed medically stable for discharge from hospitals who were still in need of convalescent care; and

Whereas, In the absence of testing upon admission to congregate care facilities by newly discharged nursing home residents, COVID-19 claimed the life of a reported 6,000 people—six percent of New York state's 100,000 nursing home residents; and

Whereas, Federal lawmakers have expressed concern that despite CMS's broad authority, failure to provide PPE, testing and oversight of nursing homes and long-term care facilities as was left to state and local officials contributed to the high number of confirmed cases and subsequent nursing home deaths; and

Whereas, In 2020, approximately 21 percent—or nearly one in four—COVID-19 related deaths in New York occurred in long-term health care facilities with the majority being directly linked to adult care and assisted living facilities; and

Whereas, In an effort to better prepare and equip New York congregate care facilities from additional negative impacts for current and future challenges from COVID-19 and other viral communicable diseases; now, therefore, be it

Resolved, That the Council of the City of New York call on the New York State Legislature to pass, and the Governor to sign, S.1080/A.3131, in support of establishing requirements for residential healthcare facilities to protect and maintain the health and safety of residents and staff in a state of emergency during an outbreak of disease.

Referred to the Committee on Health.

Res. No. 211

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, S.4638/A.2307, known as the Nail Salon Accountability Act, which aims to raise standards and improve working conditions for those in the nail salon industry.

By Council Members Brannan, Hanif and Gennaro.

Whereas, There are over 4,000 nail salons in New York City, and more than 40,000 nail salon workers across the State; and

Whereas, The majority of these workers are immigrant women; and

Whereas, For years, this industry has been plagued by problems related to worker exploitation, unhealthy working conditions, and wage theft; and

Whereas, In 2015, The New York Times published an article exposing many of these problems, prompting former New York Governor, Andrew Cuomo, to introduce a package of legislation and convene a multi-agency taskforce aimed at improving conditions in the nail salon industry; and

Whereas, The regulatory changes established both a bill of rights for nail salon workers and strict requirements on providing workers with personal protective equipment; and

Whereas, The taskforce, meanwhile, was given the authority to recover lost wages and close businesses that were either unlicensed or not in compliance with the law; and

Whereas, Although the 2015 changes did help to provide a level of protection for nail salon workers, labor violations are still frequent in the industry; and

Whereas, In February 2020, the New York Nail Salon Workers Association released the results from a survey they conducted of nail salon workers in New York State; and

Whereas, According to their findings, 82 percent of the respondents reported being victims of wage theft; and

Whereas, These hardworking nail salon workers were missing wages that on average totaled $181 per week, or $9,412 a year; and

Whereas, Although the survey and report occurred before the declaration of the COVID-19 emergency, 86 percent of respondents reported not receiving paid sick leave from their employers, even though they were entitled to this leave; and

Whereas, At a time when nail salons were forced to close for months due to the COVID-19 pandemic, this theft of wages and sick leave is particularly devastating; and

Whereas, At the State level, Assemblymember Catalina Cruz and Senator Diane Savino have introduced S.4638/A.2307, respectively, as a way to strengthen protections for New York's nail salon workers; and

Whereas, This legislation, known as the Nail Salon Accountability Act, would make a number of changes to existing law in order to strengthen worker protections in the nail salon industry; and

Whereas, For instance, if enacted, the new law would require nail salon owners and operators to undergo training on how to provide adequate information to their staff on worker entitlements, such as wages, leave, and occupational health and safety; and

Whereas, Salon owners and operators would also be required to submit payroll records each month, and their licenses could be denied or not renewed if they fail to meet any of the workplace standards; and

Whereas, Linking the businesses' licenses to their compliance with labor laws is an important tool to reduce wage theft and worker exploitation by ensuring accountability and flushing out bad actors; and

Whereas, In 2019, former New York Governor Andrew Cuomo announced that the State would begin phasing out the subminimum wage, which allows employers to pay workers below the minimum wage if they receive tips; and

Whereas, In theory, eliminating the subminimum wage is meant to raise the wages of nail salon workers and eliminate the confusing tip credit; and

Whereas, The report by New York Nail Salon Workers Association, however, showed that 79 percent of those surveyed were not even receiving the subminimum wage, therefore making it unlikely that these workers will receive the new higher pay once it goes into effect by the end of 2020; and

Whereas, As the New York Nail Salon Workers Association states, "Compliance with the law must become part of the cost of doing business"; and

Whereas, Nail technicians themselves have to be licensed, and this process includes taking a 250-hour approved course and successfully sitting an exam; and

Whereas, Given that a majority of nail salon workers in New York are immigrant women, who are particularly vulnerable to exploitation, strengthening the law to protect their wages, working conditions and their worker entitlements, should be a given; 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 sign, S.4638/A.2307, known as the Nail Salon Accountability Act, which aims to raise standards and improve working conditions for those in the nail salon industry.

Referred to the Committee on Health.

Res. No. 212

Resolution calling upon the United States Congress to pass, and the President to sign, the Stephanie Tubbs Jones Uterine Fibroid Research and Education Act of 2021.

By Council Members Brannan, Hanif and Gennaro

Whereas, According to the U.S. Department of Health & Human Services' (HHS) Office on Women's Health, fibroids are muscular tumors that grow in the wall of the uterus or womb; and

Whereas, Fibroids are almost always benign, and, while not all people with fibroids have symptoms, people who do have symptoms often find fibroids hard to live with because of pain, heavy menstrual bleeding, and other symptoms; and

Whereas, According to the American Board of Obstetrics & Gynecology, uterine fibroids can result in reproductive problems, such as infertility, multiple miscarriages, or early labor; and

Whereas, According to a 2013 study published in the American Journal of Obstetrics and Gynecology titled *The Health Disparities of Uterine Fibroids for African American Women: A Public Health Issue*, "ultrasound evidence shows that more than 80 percent of African American women and approximately 70 percent of white women will have uterine fibroids by age 50"; and

Whereas, In addition to a having greater lifetime incidence of fibroids, African American women have a 3-fold increased age-adjusted incidence rate and 3-fold increased relative risk of fibroids when adjusted for other confounding factors; and

Whereas, Some investigators suggest a doubling of risk for Hispanic women as well; and

Whereas, The size and growth rates of fibroids are greater in African American women, and they are more likely to undergo surgical intervention than other racial groups; and

Whereas, Since only 20 percent to 50 percent of all people with fibroids experience related symptoms and screenings are not routinely performed, true incidence of uterine fibroids is difficult to ascertain; and

Whereas, Symptoms can alter one's quality of life and reproductive health; and

Whereas, Treatment options include many alternatives to hysterectomy, including medical therapies, minimally invasive surgery, and others, yet hysterectomy remains the most common intervention, and, in the United States, fibroids are the leading indication for hysterectomies; and

Whereas, According to the study, "African American women have higher rates of surgery for fibroids and therefore may have more postoperative complications than other racial groups," and fibroids as the primary indication for hysterectomy was much higher for African American women (61 percent vs 29 percent for white women); and

Whereas, There are clear reasons uterine fibroids are a public health concern, and particularly an equity concern; and

Whereas, The Stephanie Tubbs Jones Uterine Fibroid Research and Education Act of 2021, sponsored by Congresswoman Yvette Clarke and Senator Cory Brooker, directs HHS to expand research on, and take other actions to address, uterine fibroids; and

Whereas, The bill would establish new research funding, totaling $150 million over five years, and would expand a Centers for Medicare & Medicaid Services database on chronic conditions to include information on services provided to individuals with fibroids; and

Whereas, The bill would also create a public education program through the Centers for Disease Control and Prevention (CDC) and direct the Health Resources and Services Administration to develop and disseminate fibroids information to health care providers; and

Whereas, The bill also highlights the need for improved patient and provider education surrounding the heightened risk for fibroids faced by women of color; and

Whereas, As noted in the press release by Congresswoman Clarke, approximately 25 percent of Black women will suffer from uterine fibroids by the age of 25, and 80 percent will have them by age 50; and

Whereas, While language within reports, bills, and other materials refers to "women" when speaking to the issue of uterine fibroids, all individuals with a uterus, including those who may not identify as women, are at risk for fibroids and, although language may not be inclusive of this, it is something known and recognized by the Council; and

Whereas, The glaring health inequalities related to uterine fibroids must be addressed, and the country must increase research, education, and access to care for those living with uterine fibroids; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Congress to pass, and the President to sign, the Stephanie Tubbs Jones Uterine Fibroid Research and Education Act of 2021.

Referred to the Committee on Health.

Res. No. 213

Resolution calling on Congress and the President to stop attacks on animal welfare laws by opposing H.R.4417/S.2019, the Ending Agricultural Trade Suppression (EATS) Act.

By Council Members Brannan, Schulman and Hanif.

Whereas, In many states and cities across the United States, voters and legislators have passed laws protecting farmed animals from egregious cruelty in the factory farming industry, including laws designed to address intensive animal confinement systems that make use of gestation crates, veal crates, battery cages, and force feeding; and

Whereas, For example, in 2019, the New York City Council overwhelmingly passed legislation banning the sale of foie gras in New York City because of its heinous production practices; and

Whereas, Foie gras is produced through a process known as gavage, where ducks are force-fed a fatty corn-based mixture that engorges their livers, which swell up to 10 times their normal size, leaving the ducks too big to walk or even breathe before they are slaughtered; and

Whereas, In 2018, California passed Proposition 12, a ballot measure requiring farmers to provide more space in cages and pens for breeding pigs, egg-laying hens, and calves raised for veal; and

Whereas, Proposition 12 banned the sale of pork, eggs, and veal raised in conditions that did not meet the minimum standards for confined pigs, chickens, and calves under California law; and

Whereas, In an attempt to continue profiting from cruel confinement practices, the pork industry sued California and lost when the U.S. Supreme Court voted to uphold Proposition 12 in 2023; however, Proposition 12 and similar laws remain under relentless attack from large animal agricultural corporations and trade groups; and

Whereas, H.R.4417/ S.2019, known as the Ending Agricultural Trade Suppression (EATS) Act , was introduced in Congress by Representative Ashley Hinson and Senator Robert Marshall, respectively, to strip states and localities of their right to impose standards or conditions on the types of products sold in their marketplaces and the production or manufacturing of agricultural products under their jurisdiction; and

Whereas, If this dangerous bill were to become law, years' worth of legislative victories for farmed animals at the state and local level could be imperiled; and

Whereas, The bill's broad language could also jeopardize state and local laws that are designed to protect dogs from the cruelty of puppy mills, promote food and food packaging safety, protect rural communities, and preserve the environment; and

Whereas, A recent study by Harvard University found that the EATS Act could endanger more than 1,000 public health, safety, and animal welfare laws; and

Whereas, The EATS Act will also set an alarming precedent for future agricultural reforms; and

Whereas, In letters to the House and Senate Agricultural Committees, 215 Members of Congress voiced their opposition to the EATS Act and warned that the EATS Act will "harm America's small farmers, threaten numerous state laws, and infringe on the fundamental rights of states to establish laws and regulations within their own borders"; and

Whereas, While the bill's sponsors claim the EATS Act protects agricultural trade, its real goal is to erase state and local animal welfare regulations that are already in place, and instead to protect large animal agricultural corporations that profit from animal cruelty, worker exploitation, and environmental destruction; now, therefore, be it

Resolved, That the Council of the City of New York calls on Congress and the President to stop attacks on animal welfare laws by opposing H.R.4417/S.2019, the Ending Agricultural Trade Suppression (EATS) Act.

Referred to the Committee on Health.

Res. No. 214

Resolution calling upon the New York State Legislature to pass and the Governor to sign legislation that would create a New York City Parks Construction Authority.

By Council Members Brannan and Yeger.

Whereas, The Department of Parks and Recreation (DPR) has been criticized for delays and cost overruns in parks capital projects; and

Whereas, Notwithstanding DPR's commitment to streamline and shorten the capital process, DPR still allots themselves 30 to 45 months for on-time projects, a negligible decrease from the allotted time in 2013, 33 to 45 months; and

Whereas, The capital process has five stages which include Needs Assessment, Project Initiation, Design, Procurement and Construction; and

Whereas, Needs Assessment includes DPR, community members and elected officials identifying a need for a park or recreational facility in a particular area followed by a cost estimate for the site prepared by DPR; and

Whereas, Only after the estimated project cost is fully funded can the project proceed to Project Initiation; and

Whereas, Project Initiation typically takes one to two months and DPR staff and/or an outside consultant are assigned to the project to review project plans, often with external agencies such as the Department of Environmental Protection to decide as to whether a completely new specialty design is warranted or, in the case of an existing park, if it may be replaced in-kind, with a similar park; and

Whereas, The final step of Project Initiation is a scope meeting, which brings together DPR and members of the community to determine the scope of the project; and

Whereas, The Design stage, which typically takes 10 to 15 months, is itself broken down into four discrete sub-stages including, Design Development (two to five months), Internal Schematic Approvals (one month), External Schematic Approvals (two to three months), and Construction Document Preparation and Permit Applications (five to six months); and

Whereas, The Procurement stage, which typically takes seven to ten months, is broken down into four discrete sub-stages: Pre-Solicitation Review (two to three months), Solicitation (one to one and a half months), Pre-Award (three to four and a half months), and Award and Registration (one month); and

Whereas, After legal reviews, bid reviews and the chosen contractor providing insurance, DPR then submits the package to the City Comptroller who registers the contract, and DPR will publicly notice the award to the contractor; and

Whereas, The Construction stage typically takes 12 to 18 months and is closely supervised by DPR staff who oversee the daily operations of the project to ensure that it is built to contract specifications and to resolve any issues that arise; and

Whereas, Construction supervision responsibilities include subcontractor approvals, submittals, change orders and overruns, and payments, which occur simultaneously on a project; and

Whereas, Construction staff submit weekly progress reports with percent completion information and are published to the Capital Tracker on DPR's website; and

Whereas, DPR capital projects, historically, have experienced large delays and substantial cost overruns; and

Whereas, Delays in DPR capital projects have generally been attributed to the overuse of private management consultants, poor project planning and inaccurate early cost estimates; and

Whereas, An authority that exclusively manages the design and construction of DPR capital projects may be able to increase the number capital projects which are completed on time and within budget; and

Whereas, An authority would not require multiple approvals from the Office of Management and Budget or the NYC Comptroller; and

Whereas, An authority may have a simplified procurement process for construction and contracted services; 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 create a New York City Parks Construction Authority.

Referred to the Committee on Parks and Recreation.

Res. No. 215

Resolution calling upon the Metropolitan Transportation Authority (MTA) to make subways and buses fare-free on major holidays.

By Council Members Brannan, Yeger and Hanif.

Whereas, According to TransitCenter, a foundation that works on the improvement of public transit, as of January 2019, there were 97 cities and towns across the world that provide fully fare-free public transit, and there is a growing movement both in the United States and abroad in favor of fare elimination as part of addressing climate change, rising income inequality and socioeconomic disparity; and

Whereas, Currently, the Department of Transportation (DOT) suspends alternate side parking on 37 legal and major holidays in New York City, and DOT also suspends parking meter regulations on some major legal holidays including New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas; and

Whereas, Several metropolitan jurisdictions offer free New Year's Eve transit to help ease travel options and reduce drunk driving, such as Los Angeles, California (CA); Milwaukee, Wisconsin; Minneapolis (MN), Minnesota; Toronto, Ontario; and Vancouver, British Columbia; among others; and

Whereas, New York City's buses, subways, and commuter rail lines were free between 8 am and 8 pm on New Year's Eve in 1984 and 1985; and

Whereas, Major cities in the United States have offered free transit for selected holidays such as Saint Paul, MN in connection with St. Patrick's Day festivities, and Los Angeles, CA; Dallas, Texas (TX); Houston, TX; and Tampa, Florida offered free buses and trains on Election Day, November 6, 2018; and

Whereas, In 2005, the MTA offered a fare discount for the holiday season, reducing the base fare by half at the time, to $1 for weekends between Thanksgiving and New Year's Day as well as throughout the last week of December; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Metropolitan Transportation Authority (MTA) to make subways and buses fare-free on major holidays.

Referred to the Committee on Transportation and Infrastructure.

Res. No. 216

Resolution calling upon the Metropolitan Transportation Authority to make any subway stations undergoing enhancement or renovation fully accessible to people with disabilities.

By Council Members Brannan, Yeger and Hanif.

Whereas, The subway system is the backbone of New York City's transportation network, serving as an essential mode of transportation that millions of New Yorkers rely on every day; and

Whereas, For most people, the subway system is an extensive network serving neighborhoods throughout the city, but the ability of people with disabilities, particularly those with mobility impairments, to access the system is extremely limited; and

Whereas, Only 117 out of a total of 493 stations in the City's subway system, which is operated by the Metropolitan Transportation Authority ("MTA"), are fully accessible to people with disabilities; and

Whereas, In 2016, the MTA began the Enhanced Station Initiative ("ESI"), a more than $900 million program to make physical improvements at 32 stations including enhanced lighting, improved signage and new station finishes such as canopies, fare control area barriers and seating using design-build contracting and station closures to allow for compressed construction timelines; and

Whereas, The ESI program attracted criticism for not including accessibility upgrades such as elevators and was ultimately terminated in April 2018 after its funding was exhausted with only 20 stations receiving upgrades; and

Whereas, In 2019, a United States District Court found that the MTA violated the Americans with Disabilities Act by failing to put in an elevator when it renovated a Bronx subway station, and federal officials subsequently stated that the MTA must install elevators in any subway station that undergoes renovation; and

Whereas, When work is being performed at a station, especially when service is interrupted, the MTA should use that opportunity to add elevators instead of delaying such work, potentially necessitating further disruption in the future; and

Whereas, All New Yorkers fundamentally deserve equal access to a public good as important as the subway system, regardless of their physical abilities; 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 calling upon the Metropolitan Transportation Authority to make any subway stations undergoing enhancement or renovation fully accessible to people with disabilities.

Referred to the Committee on Transportation and Infrastructure.

Res. No. 217

Resolution calling on the United States House of Representatives to pass, H. Res. 151, condemning all forms of anti-Asian sentiment as related to COVID-19.

By Council Members Brannan, Powers, Farías, Hanif, Won and Gennaro.

Whereas, SARS-CoV-2 is the virus known for causing the infectious disease known as COVID-19; and

Whereas, The earliest known cases of COVID-19 originated in Wuhan, China; and

Whereas, The origin of the virus has led to increased xenophobia and discrimination against Asian-Americans; and

Whereas, The use of anti-Asian terminology, such as referring to COVID-19 as the "Chinese virus" or "Kung Flu," has continued the scapegoating of Asian-Americans in an attempt to place blame for the spreading of the virus; and

Whereas, New York City, in particular, has experienced a growth of anti-Asian sentiment manifesting through hateful rhetoric, and both physical and cyber harassment; and

Whereas, New York City has seen a drastic increase in physical attacks against Asian-Americans which include Asian-Americans being pushed onto subway tracks, physically assaulted, spit on and in at least one case, doused in harmful chemicals leading the victim to flee to the emergency room with second degree burns; and

Whereas, In April of 2020, during the height of the pandemic, 248 cases of discrimination and/or harassment were reported to the New York City Commission on Civil and Human Rights ("CCHR"), which found 105 of these cases were perpetrated against people of Asian descent; and

Whereas, The rise of anti-Asian sentiment is cause for deep concern, as in the same period of 2019, there were only five anti-Asian discrimination complaints reported to CCHR; and

Whereas, Congressmember Grace Meng, representing New York City's 6th Congressional district, introduced H. Res. 151 in the U.S. House of Representatives, which denounces the anti-Asian sentiment caused by the outbreak of COVID-19; and

Whereas, H. Res. 151 highlights the increased anti-Asian sentiment on a national scale, and also specifically cites an incident that occurred in New York City where an Asian woman wearing a mask was kicked and punched at a subway station; and

Whereas, Such discriminatory and violent behavior should not be tolerated, and should be openly addressed and denounced; now, therefore, be it

Resolved, That the Council of the City of New York calls on the United States House of Representatives to pass, H. Res. 151, condemning all forms of anti-Asian sentiment as related to COVID-19.

Referred to the Committee on Civil and Human Rights.

Res. No. 218

Resolution calling upon the New York City Department of Education to require that all public school students from kindergarten through grade 5 receive three hours of art and music education per school week.

By Council Members Brannan, Powers, Farías, Hanif, Won and Gennaro.

Whereas, Art and music are core subjects in public education and promote a positive, healthy lifestyle; and

Whereas, The elementary school years are a formative part of social, emotional, intellectual, and sensory development and are when children develop foundational skills that they use throughout their personal, academic, and professional lives; and

Whereas, The arts allow children to actively experiment, which fosters a deeper level of engagement and a stronger desire to acquire knowledge; and

Whereas, The arts enhance visual, verbal and non-verbal communication in children, and has been found to help with language development; and

Whereas, An education in the arts promotes action, experimentation, critical thinking, and both collaborative and individual expression; and

Whereas, An analysis of four United States Department of Education longitudinal studies by the National Endowment for the Arts found that eighth graders with high levels of art engagement from kindergarten to grade 5 received higher test scores in science and writing than students with a lower level of art engagement; and

Whereas, Among children with a low socioeconomic status, 74% of eighth graders with a high level of art engagement aspired to graduate from a college with a Bachelor's Degree, compared to 43% of eighth graders with a low level of art engagement; and

Whereas, Education in the arts makes eighth graders more likely to engage in civic minded behavior throughout their lives including by participating in student government, volunteering at least once a month, reading the news at least once a week, and voting in local elections; and

Whereas, A report by the NAMM Foundation found that more than 88% of teachers say music education helps children express themselves, become more confident, develop better study habits, and display more self-control; and

Whereas, The NAMM Foundation report also found that the average student in the United States has only three years of art and music education; and

Whereas, Almost 80% of teachers and parents interviewed in the report said that class duration and class frequency are significant factors for a high-quality music education; and

Whereas, A 2019 survey from the Ipsos Social Research Institute found that 84% of people believe that it's important for students in elementary schools to receive an education in the arts; and

Whereas, According to the 2017 New York State P-12 Learning Standards for the Arts recommendations, only 20% of weekly class time in grades 1 to 3 is spent on the arts and 10% of weekly class time in grades 4 to 6; and

Whereas, According to the New York City Department of Education, public schools are required to provide 101 hours of arts education for grades 1 to 3 and 93 hours for grades 4 to 6; and

Whereas, In a school year that has a minimum of 900 hours, the New York City Department of Education's requirements are below the recommended amount of class time stated in the 2017 P-12 Learning Standards for the Arts; and

Whereas, According to the New York City Department of Education's annual Art in Schools Report, submitted pursuant to Local Law 123 of 2013, of the 796 responding New York City schools that serve grades 1 to 5 in the 2018-2019 school year, 10% did not offer a music course and 3% did not offer a visual arts course; and

Whereas, The Art in Schools Report 2018-2019, submitted pursuant to Local Law 123 of 2013, also found that 22% of music classes and 10% of art classes from grades 1 to 5 are not taught by school-based art teachers; and

Whereas, Only 46% of New York City public elementary schools have a full time certified music teacher, and only 43% have a full time certified arts teacher; and

Whereas, The National Center of Education Statistics found that in the past decade of academic school years, 35% of the nation's elementary schools with the highest poverty concentration lacked a dedicated music room with special equipment, and 32% of the nation's schools with the highest poverty concentration lacked a dedicated art room with special equipment; and

Whereas, Art and music programs are among the first to be cut in a school budget; and

Whereas, According to a report entitled, "Space Crunch in New York City Public Schools," published by Class Size Matters in 2009, 25% of the nearly 500 principals surveyed reported losing their art, dance, or music rooms to make more academic classroom space; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Department of Education to require that all public school students from kindergarten through grade 5 receive three hours of art and music education per school week.

Referred to the Committee on Education.

Res. No. 219

Resolution calling on the Mayor of New York City to permanently staff all Fire Department of New York (FDNY) engine companies with five firefighters and an officer at the outset of each tour.

By Council Members Brannan, Ariola and Yeger.

Whereas, The Uniformed Firefighters Association of Greater New York (UFA) represents over 8,000 FDNY firefighters and personnel; and

Whereas, In labor negotiations between the UFA and the City of New York, whether a FDNY engine company should be staffed with five firefighters and an officer (known as having a "fifth firefighter") or four firefighters and an officer at the outset of each tour has remained a key bargaining point; and

Whereas, Prior to 1988, FDNY engine companies were staffed with five firefighters, and one officer, which was a higher-ranking FDNY member, such as a Lieutenant, that would supervise over the company; and

Whereas, However, beginning in 1988, the FDNY began to reduce engine company staffing from five firefighters and an officer to four firefighters and an officer, so that, in 2011, no engine company in the city operated with a fifth firefighter; and

Whereas, Notably, the most recently available, although expired, collective bargaining agreement between the UFA and the City looked to change this staffing reduction, allowing the FDNY to designate five engine companies with a fifth firefighter at the outset of each tour, effective February 1, 2016, with an additional five engine companies to be staffed with a fifth firefighter effective February 1, 2017; February 1, 2018; and February 1, 2019; and

Whereas, As per this agreement, a total of 20 engine companies throughout the City are staffed with a fifth firefighter, however, this agreement stipulates that the FDNY, on the first day of each month, can review these engine companies' firefighter availability for the preceding 365 days and in the event that firefighter average medical leave, including both line-of-duty and non-line-of-duty, exceeds the "designated absence rate" of 7.50%, the FDNY will discontinue that engine company's staffing of a fifth firefighter for the remainder of that month; and

Whereas, The FDNY defines the role of the fifth firefighter as the "Door" position, meaning that they facilitate the advancement of the hose-line into the fire area and prevent it from getting stuck if turns need to be made; and

Whereas, The UFA, in their support for a fifth firefighter on engine companies, has pointed to a FDNY study done in 1987, where a former division commander for midtown Manhattan concluded that an engine company with only four firefighters is ineffective in service delivery and has a 75 percent increase in hose-stretch time; and

Whereas, Although dated, the UFA still looks to these findings as reliable and, potentially, more true now, as the weight that firefighters now carry has drastically increased since 1987; and

Whereas, Additionally, a National Institute of Standards and Technology 2013 study analyzed 14 high-risk tasks undertaken by firefighters, finding that three-member firefighter crews took almost 21 minutes longer than five-member crews to complete all tasks, while four-member crews took nine minutes longer than five-member crews to complete those same tasks; and

Whereas, Furthermore, the Daily News reported that the FDNY's own studies show that engine companies equipped with a fifth firefighter can get water on a fire twice as quickly; and

Whereas, Having a fifth firefighter staffed on an engine company drastically improves the effectiveness of that engine company, thus the permanent staffing of a fifth firefighter on all engine companies throughout the City would decrease the time it takes to put out fires, decrease deaths and injuries due to fires, and reduce overall costs of medical leave and fire damage; now, therefore, be it

Resolved, That the Council of the City of New York calls on the Mayor of New York City to permanently staff all Fire Department of New York (FDNY) engine companies with five firefighters and an officer at the outset of each tour.

Referred to the Committee on Fire and Emergency Management.

Res. No. 220

Resolution calling on the New York State Legislature to pass, and the Governor to sign, A.181/S.178, in relation to amending the New York State Constitution to remove the requirement that registration for purposes of voting be completed at least 10 days before election day.

By Council Members Brannan, Menin and Hanif.

Whereas, All eligible New Yorkers deserve a reasonable opportunity to exercise their fundamental voting rights; and

Whereas, New York State consistently has one of the lowest voter turnout rates, ranking 39th among states in the 2022 General Election; and

Whereas, Potential voters often find it challenging to register, due to confusing rules and/or lack of time, resulting in only 63.2 percent of eligible voters being registered in 2022, according to the Census Bureau; and

Whereas, Article 2, Section 5 of the New York State Constitution requires that voter registration be completed at least 10 days before each election; and

Whereas, A 2019 amendment to the Election Law allowed voters in New York State to register to vote 25 days before any election event, including general, primary, and special elections; and

Whereas, Under the current process, the voter registration deadline being nearly one month before an election could cause many hopeful registrants to not be eligible to vote in the following election; and

Whereas, A.181, introduced by Assembly Member Robert C. Carroll and pending in the New York State Assembly, and companion bill S.178, introduced by State Senator Michael Gianaris and pending in the New York State Senate, seek to amend the New York State Constitution by removing the requirement that registration for purposes of voting be completed at least 10 days before election day; and

Whereas, Removing barriers towards making the voter registration deadline closer to election events can only benefit New Yorkers, by granting more time to register to vote; 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.181/S.178, in relation to amending the New York State Constitution to remove the requirement that registration for purposes of voting be completed at least 10 days before election day.

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

Res. No. 221

Resolution calling upon the City University of New York to divest from fossil fuel company investments and reinvest those funds in renewable energy, sustainability, and social-minded companies.

By Council Members Brannan, Hanif and Won (by request of the Queens Borough President).

Whereas, The City University of New York (CUNY) is the public university system of New York City and the largest urban university in the United States, with more than 269,000 degree-credit students and 247,000 continuing and professional education students enrolled at 24 campuses located in all five New York City boroughs; and

Whereas, CUNY's Investment Office manages its Long Term Investment Pool, a diversified portfolio intended to serve the financial needs of the University and participating colleges interested in investing in both endowed and non-endowed assets and the Short Term Investment Pool, a diversified portfolio intended to provide the colleges and related entities with a centralized alternative to money market funds and other low-yielding investment vehicles; and

Whereas, According to the CUNY website, the Investment Pools operate under a CUNY Board of Trustees-approved Investment Policy and are governed by the Board and two Board Committees, Fiscal Affairs and its Subcommittee on Investments, and together with CUNY Investment staff and Pool consultants, are responsible for reviewing asset allocation, new asset classes, investment strategies and manager performance; and

Whereas, According to the CUNY Investment Policy (effective as amended on June 25, 2012), the Board of Trustees is responsible for approving the Policy and all its amendments as well as approving the selection of the Investment Consultant(s); and

Whereas, The Subcommittee on Investments ("Subcommittee") is responsible for the total investment program and providing prudent oversight of the Portfolio in order to further the goals and mission of CUNY, its Colleges and the participating College Foundations; and

Whereas, Vice Chancellor for Budget and Finance Matthew Sapienza is responsible for overseeing and managing the finances of CUNY's 24 colleges and professional schools and of the University's central administration, including its investment portfolio; and

Whereas, According to multiple studies published in peer-reviewed scientific journals, 97 percent, or more, of actively publishing climate scientists agree that climate-warming trends over the past century are very likely due to human activities; and

Whereas, According to Professional Staff Congress-CUNY, the CUNY Long Term Investment Pool invests in mutual funds that own shares in the top 200 fossil fuel companies; and

Whereas, A major driving factor forcing climate change is the burning of fossil fuels, which have increased atmospheric CO_2 concentration by a third since the start of the Industrial Revolution; and

Whereas, The increasingly apparent negative effects of climate change have given birth to a movement, CUNY Divest, with a coalition of current students, alumni, and faculty that believe such investment supports continued degradation and destruction of the planet and are pressuring Vice Chancellor Sapienza and the CUNY Board of Trustees to end the University's $10 million investment in fossil fuel companies and reinvest those funds in renewable energy, sustainability, and social-minded companies; and

Whereas, Fossil fuel divestment is now a full-fledged student-led movement at over 350 colleges and universities across the United States, nine of which have committed to divestment; and

Whereas, The CUNY Board of Trustees has twice approved divestment in the past, once in 1984, divesting from companies conducting business in apartheid South Africa, and again in 1991, divesting from tobacco companies; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the City University of New York to divest from fossil fuel company investments and reinvest those funds in renewable energy, sustainability, and social-minded companies.

Referred to the Committee on Higher Education.

Res. No. 222

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, S. 2562/A. 6578, which would make it a felony to throw or spray water, urine or any other substance on police officers.

By Council Members Brannan, Yeger and Gennaro.

Whereas, In 2019, several incidents of individuals dousing New York City Police Department (NYPD) officers with water were caught on camera and shared widely on social media; and

Whereas, One incident occurred in Brooklyn, where an individual purportedly approached NYPD officers, who were responding to an unruly crowd, and poured a bucket of water over the heads of the officers as the officers walked on the street, according to various sources; and

Whereas, A similar incident occurred in Harlem, according to several media outlets, where a group of individuals allegedly splashed NYPD officers with water, and one individual hurled a red bucket that hit an officer in the head as that officer attempted to make an arrest; and

Whereas, Similarly, according to the Wall Street Journal, two NYPD officers were also allegedly splashed with water while working in Queens just days following the incidents in Harlem and Brooklyn; and

Whereas, According to the Wall Street Journal, NYPD officials launched an investigation into all three incidents and made an arrest in one of the incidents, charging the alleged perpetrator with obstruction of governmental administration and criminal nuisance; and

Whereas, In each of the incidents, the NYPD officers refused to confront and arrest their attackers, exercising tremendous restraint while being humiliated and disrespected; and

Whereas, These incidents were met with a swift and strong rebuke from New York City officials, such as the Mayor, the Public Advocate and many City Council members, according to various sources; and

Whereas, The Police Benevolent Association (PBA) and several Council members have called for "zero tolerance" for such behavior and the prosecution of individuals responsible for these incidents, according to Fox News; and

Whereas, S. 2562, introduced by State Senator Daphne Jordan, and companion bill A. 6578, introduced by State Assembly Member Michael Montesano, would amend the penal law and criminal procedure law to make it a felony for throwing water, urine or other substances on a police officer; and

Whereas, The PBA President supports the legislation and expressed that officers should have the discretion to make arrests that result in felony charges in cases of dousing, according to the Wall Street Journal; and

Whereas, S. 2562/A. 6578, if adopted, would send a message that it is not acceptable to douse police officers with water; 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.2652/A. 6578, which would make it a felony to throw or spray water, urine or any other substance on police officers.

Referred to the Committee on Public Safety.

Int. No. 553

By Council Members Brewer and Won.

A Local Law to amend the administrative code of the city of New York, in relation to housing accommodations and tenant blacklists

Be it enacted by the Council as follows:

Section 1. Subparagraphs 1 and 2 of paragraph a of subdivision 5 of section 8-107 of the administrative code of the city of New York, as amended by local law number 58 for the year 2020, are amended to read as follows:

(a) Housing accommodations. It shall be an unlawful discriminatory practice for the owner, lessor, lessee, sublessee, assignee, or managing agent of, or other person having the right to sell, rent or lease or approve the sale, rental or lease of a housing accommodation, constructed or to be constructed, or an interest therein, or any agent or employee thereof:

(1) Because of the actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, uniformed service, marital status, partnership status, or immigration or citizenship status of any person or group of persons, or because of any lawful source of income of such person or persons, or because children are, may be or would be residing with such person or persons*, or because such person or persons were a party in a past or current landlord-tenant action or housing court proceeding*:

(a) To refuse to sell, rent, lease, approve the sale, rental or lease or otherwise deny to or withhold from any such person or group of persons such a housing accommodation or an interest therein;

(b) To discriminate against any such person or persons in the terms, conditions or privileges of the sale, rental or lease of any such housing accommodation or an interest therein or in the furnishing of facilities or services in connection therewith; or

(c) To represent to such person or persons that any housing accommodation or an interest therein is not available for inspection, sale, rental or lease when in fact it is available to such person.

(2) To declare, print or circulate or cause to be declared, printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of such a housing accommodation or an interest therein or to make any record or inquiry in conjunction with the prospective purchase, rental or lease of such a housing accommodation or an interest therein which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin, gender, age, disability, sexual orientation, uniformed service, marital status, partnership status, or immigration or citizenship status, or any lawful source of income, or whether children are, may be, or would be residing with a person, *or because such person or persons were a party in a past or current landlord-tenant action or housing court proceeding,* or any intent to make such limitation, specification or discrimination.

§ 2. Paragraph c of subdivision 5 of section 8-107 of the administrative code of the city of New York, as amended by local law number 58 for the year 2020, is amended to read as follows:

(c) Real estate brokers. It shall be an unlawful discriminatory practice for any real estate broker, real estate salesperson or employee or agent thereof:

(1) To refuse to sell, rent or lease any housing accommodation, land or commercial space or an interest therein to any person or group of persons or to refuse to negotiate for the sale, rental or lease, of any housing accommodation, land or commercial space or an interest therein to any person or group of persons because of the actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, uniformed service, marital status, partnership status, or immigration or citizenship status of such person or persons, or because of any lawful source of income of such person or persons, or because children are, may be or would be residing with such person or persons, *or because such person or persons were a party in a past or current landlord-tenant action or housing court proceeding,* or to represent that any housing accommodation, land or commercial space or an interest therein is not available for inspection, sale, rental or lease when in fact it is so available, or otherwise to deny or withhold any housing accommodation, land or commercial space or an interest therein or any facilities of any housing accommodation, land or commercial space or an interest therein from any person or group of persons because of the actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, uniformed service, marital status, partnership status, or immigration or citizenship status of such person or persons, or because of any lawful source of income of such person or persons, or because children are, may be or would be residing with such person or persons[.] *, or because such person or persons were a party in a past or current landlord-tenant action or housing court proceeding.*

(2) To declare, print or circulate or cause to be declared, printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of any housing accommodation, land or commercial space or an interest therein or to make any record or inquiry in connection with the prospective purchase, rental or lease of any housing accommodation, land or commercial space or an interest therein which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin, gender, age, disability, sexual orientation, uniformed service, marital status, partnership status, or immigration or citizenship status, or any lawful source of income, or [to] whether children are, may be

or would be residing with a person, *or whether such person or persons were a party in a past or current landlord-tenant action or housing court proceeding,* or any intent to make such limitation, specification or discrimination.

(3) To induce or attempt to induce any person to sell or rent any housing accommodation, land or commercial space or an interest therein by representations, explicit or implicit, regarding the entry or prospective entry into the neighborhood or area of a person or persons of any race, creed, color, gender, age, disability, sexual orientation, uniformed service, marital status, partnership status, national origin, immigration or citizenship status, or a person or persons with any lawful source of income, or a person or persons with whom children are, may be or would be residing[.] *or a person or persons were a party in a past or current landlord-tenant action or housing court proceeding.*

§ 3. Subdivision 5 of section 8-107 of the administrative code of the city of New York, as amended by local law number 115 for the year 2020, is amended by adding a new paragraph q to read as follows:

(q) Applicability; landlord-tenant actions or housing court proceedings. Where the commission finds that a person has engaged in an unlawful discriminatory practice relating to a past or current landlord-tenant action or housing court proceeding, the commission may impose a civil penalty according to the following structure: (i) $100 per unit per month for the first five instances; (ii) $250 per unit per month for instances six through 10; (iii) $500 per unit per month for instances 11 through 15; (iv) $1,000 per unit per month for instances 16 through 20; (v) $2,000 per unit per month for instances 21 and beyond. Owners may voluntarily report violations for a reduction of 50 percent of overall fines, which may be waived at the commission's discretion.

§ 4. Subdivision a of section 8-126 of the administrative code of the city of New York, as amended by local law number 63 for the year 2018, is amended to read as follows:

a. Except as otherwise provided in subdivision *5 and* 13 of section 8-107, in addition to any of the remedies and penalties set forth in subdivision a of section 8-120, where the commission finds that a person has engaged in an unlawful discriminatory practice, the commission may, to vindicate the public interest, impose a civil penalty of not more than $125,000. Where the commission finds that an unlawful discriminatory practice was the result of the respondent's willful, wanton or malicious act or where the commission finds that an act of discriminatory harassment or violence as set forth in chapter 6 of this title has occurred, the commission may, to vindicate the public interest, impose a civil penalty of not more than $250,000.

§ 5. This local law takes effect immediately.

Referred to the Committee on Civil and Human Rights.

Int. No. 554

By Council Member Brewer.

A Local Law to amend the administrative code of the city of New York, in relation to limiting the number of sightseeing bus licenses

Be it enacted by the Council as follows:

Section 1. Section 20-375 of the administrative code of the city of New York is amended to read as follows:

§ 20-375. License plate.

a. Upon the payment of the license fee the commissioner shall issue a license to the owner of the sightseeing bus or horse drawn cab together with a license plate to be securely affixed to a conspicuous and indispensable part of such sightseeing bus or securely and conspicuously affixed to the rear axle of such horse drawn cab, on which shall be clearly set forth the license number of such sightseeing bus or horse drawn cab. The license plate issued to the licensee may, in the discretion of the commissioner, be a plate of a permanent nature with a replaceable date tag attached thereto, indicating the expiration date of the plate during each license year and the issuance of such a plate with such date tag to a person possessing such a plate, shall be deemed issuance of a license plate. Such license plate and the replaceable date tag to be issued from year to year to be attached thereto, shall be of such material, form, design and dimension and set forth such distinguishing number or other identification marks as the commissioner shall prescribe. The commissioner upon renewal of the license

hereunder, may continue the use of the license plate for as many additional license years as he or she in his or her discretion may determine, in which event he or she shall issue and deliver to the licensee a replaceable date tag as evidence of renewal of the license, which shall be attached or affixed in such manner as he or she may prescribe by rule. The failure to affix or display such date tag in a manner prescribed by the commissioner shall constitute a violation of this section. In the event of the loss, mutilation or destruction of any license plate or date tag issued hereunder, the owner may file such statement and proof of facts as the commissioner shall require, with a fee of twenty-five dollars, at the department, and the department shall issue a duplicate or substitute license plate or date tag.

b. The commissioner may issue new sight-seeing bus license plates pursuant to this section provided that the number of active license plates is less than two hundred and twenty-five. For purposes of this subdivision an active license plate is a plate that has been issued for purposes of operating a licensed sight-seeing bus. Nothing in this subdivision shall prevent the commissioner from issuing a replacement license plate to a licensed sight-seeing bus operator.

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

Referred to the Committee on Consumer and Worker Protection.

Int. No. 555

By Council Members Brewer and Won.

A Local Law to amend the administrative code of the city of New York, in relation to licensing tenant screening bureaus

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 38 to read as follows:

Subchapter 38
Tenant Screening Bureaus

§ 20-565.1 Definitions.
§ 20-565.2 License required.
§ 20-565.3 License term; fees.
§ 20-565.4 Applications.
§ 20-565.5 Required and prohibited practices.
§ 20-565.6 Powers and duties of the commissioner.
§ 20-565.7 Civil penalties.
§ 20-565.8 Private right of action.

§ 20-565.1 Definitions. For purposes of this subchapter, the following terms have the following meanings:

File. The term "file" when used in connection with information about any tenant or prospective tenant means all of the information about the tenant or prospective tenant that is recorded and retained by a tenant screening bureau, regardless of how the information is stored.

Housing court proceeding. The term "housing court proceeding" means a judicial or administrative proceeding that is related to residential tenancy, rent or eviction, regardless of the forum in which such proceeding is initiated and regardless of whether such proceeding is initiated by a landlord or a tenant.

Tenant screening. The term "tenant screening" means seeking, obtaining or using a tenant screening report about a prospective tenant for the purpose of assessing whether to make a rental offer to or to accept such an offer from a prospective tenant for residential real property located in the city.

Tenant screening bureau. The term "tenant screening bureau" means a person that, for a fee, regularly engages in the business of assembling or evaluating information about individuals for the purpose of furnishing tenant screening reports to third parties where such reports are used or are intended to be used in connection with the rental of residential real property located in the city. Such term does not include a person who obtains a tenant screening report and provides such report or information contained in such report to a subsidiary or affiliate of such person.

Tenant screening report. The term "tenant screening report" means any written, oral or other communication that purports to contain information about a housing court proceeding involving a tenant or prospective tenant who is the subject of the report and that is used or expected to be used in whole or in part for the purpose of serving as a factor in determining a tenant's or a prospective tenant's suitability for housing.

§ 20-565.2 License required. No person may act as a tenant screening bureau without first having obtained a license in accordance with this subchapter.

§ 20-565.3 License term; fees. a. A license issued pursuant to this subchapter shall be valid for two years unless sooner suspended or revoked.

b. The fee for a license or a renewal thereof is $75.

§ 20-565.4 Applications. a. A person applying for a license or a renewal thereof under this subchapter shall file an application in such form and detail as the commissioner shall prescribe and shall pay the fee required by this subchapter.

b. The commissioner shall require each person applying for a license under this subchapter to provide the following information:

1. The name, address, telephone number and e-mail address of the applicant;

2. If the applicant is a nonresident of the city, the name, address, telephone number and e-mail address of a registered agent in the city upon whom process or other notification may be served or a designation of the commissioner for such purpose; and

3. Any other information that the commissioner deems relevant.

§ 20-565.5 Required and prohibited practices. a. For each housing court proceeding that it refers to, a tenant screening report shall include all of the following information:

1. The names of all petitioners in the housing court proceeding;

2. The names of all respondents in the housing court proceeding;

3. The name and address of the forum where the housing court proceeding was filed;

4. The claims alleged in the petition;

5. In the case of a holdover proceeding, the specific claim or allegation made by the petitioner as grounds for the proceeding;

6. Whether the rent for the unit that was the subject of the housing court proceeding was regulated by law, as alleged in the petition;

7. Whether any respondent filed an answer in the housing court proceeding and, if so, the nature of any defenses asserted in such answer;

8. The outcome, if any, of the housing court proceeding, such as whether the proceeding was settled, discontinued, dismissed or withdrawn or resulted in a possessory judgment for landlord or tenant or in a money judgment for landlord or tenant;

9. If a rent claim made in the housing court proceeding was reduced or abated, either by agreement of the parties or by court order, the amount of such reduction or abatement;

10. The date when information about the housing court proceeding will be permanently removed from the file of the subject of such proceeding; and

11. The most current status of the housing court proceeding.

b. No tenant screening bureau may furnish a tenant screening report containing any information about a housing court proceeding:

1. If such proceeding is the subject of an expungement order issued by any court of competent jurisdiction;

2. If such report does not contain all of the information about such housing court proceeding required by subdivision a of this section; or

3. If such report contains information that the tenant screening bureau knows or should know is inaccurate.

§ 20-565.6 Powers and duties of the commissioner. a. The commissioner shall promulgate such rules as are necessary to implement and enforce this subchapter.

b. The commissioner has the power to enforce this subchapter, to investigate any violation thereof, and to investigate the business, business practices and business methods of any tenant screening bureau if the commissioner determines that such investigation is warranted. A tenant screening bureau that receives a request for information from the commissioner shall supply the requested information promptly in a manner provided by rule.

c. The commissioner may compel the attendance of witnesses and the production of documents in accordance with the provisions of chapter 1 of this title.

d. The commissioner may seek to enjoin a violation of this subchapter and may suspend the issuance of any tenant screening report in order to enforce this subchapter.

§ 20-565.7 Civil penalties. a. A person who, after notice and a hearing, is found to have furnished another with a tenant screening report that violates this subchapter is subject to a civil penalty of $500 for each such tenant screening report furnished.

b. A person who, after notice and a hearing, is found to have acted as a tenant screening bureau without a license in violation of section 20-565.2 is subject to a civil penalty of not less than $1,000 and not more than $5,000.

c. If a person is found to have committed repeated, multiple or persistent violations of any provision of this subchapter, such person may be responsible for all or part of the cost of the department's investigation.

d. Each penalty or cost specified in this section is in addition to any other applicable penalty or cost specified in this section or in other law.

§ 20-565.8 Private right of action. a. A tenant or prospective tenant who has been injured by a violation of this subchapter, except a violation of the requirement to obtain a license, may institute in such tenant's or prospective tenant's own name (i) an action to enjoin such unlawful act or practice, (ii) an action to recover the greater of such person's actual damages or $500 or (iii) both such actions.

b. In an action for damages under this section, a court may award punitive damages if such court finds that the defendant willfully violated this subchapter.

c. In any action under this section, a court shall award reasonable attorney's fees and costs to a prevailing plaintiff.

d. The issuance of a tenant screening report that the tenant screening bureau knew or should have known contained inaccurate information or otherwise violated this subchapter constitutes an injury for purposes of this subdivision. This subdivision does not limit the types of other injuries that are legally cognizable under this section.

e. A tenant or prospective tenant who institutes an action pursuant to this section shall provide notice of such action to the commissioner. The corporation counsel may intervene in any such action on behalf of the city.

f. In any action brought by a resident, former resident or prospective resident of the city involving the reporting of a housing court proceeding, a party who is found during the course of such action to have violated subchapter III of chapter 41 of title 15 of the United States code or article 25 of the general business law shall file a copy of such finding with the commissioner within 60 days of such finding.

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

Referred to the Committee on Consumer and Worker Protection.

Int. No. 556

By Council Members Brewer and Bottcher.

A Local Law to amend the administrative code of the city of New York, in relation to requiring double decker sight-seeing buses to have at least one employee present on the upper level at all times when passengers are present

Be it enacted by the Council as follows:

Section 1. Subchapter 21 of chapter 2 of title 20 of the administrative code of the city of New York is amended by adding a new section 20-376.3 to read as follows:

§ 20-376.3 Staffing for double decker sight-seeing buses. In addition to its driver, any sight-seeing bus with separate lower- and upper-level seating compartments for passengers shall have at least one employee licensed pursuant to section 20-243 present on the upper level at all times when passengers are present on the upper level.

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

Referred to the Committee on Consumer and Worker Protection.

Int. No. 557

By Council Members Brewer, Yeger, Hanif, Bottcher, Gennaro and Ung.

A Local Law to amend the administrative code of the city of New York, in relation to adding a 311 complaint category for unlicensed cannabis retailers.

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-311 to read as follows:

§ 23-311 Unlicensed sale of cannabis. 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.

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 of information technology and telecommunications shall implement and maintain through its 311 citizen service center the capability for the public to file a complaint under the category of "unlicensed cannabis retailer" including on its website, mobile device platforms, and any other platform on which the center routinely utilizes categories to sort complaints. Such complaints shall be routed to the appropriate agency for resolution.

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

Referred to the Committee on Consumer and Worker Protection.

Int. No. 558

By Council Members Brewer, Won and Bottcher.

A Local Law to amend the New York city charter, in relation to creating a historic and cultural marker program

Be it enacted by the Council as follows:

Section 1. Chapter 1 of the New York city charter is amended by adding a new section 20-m to read as follows:

§ 20-m. Historic and cultural marker program. a. For the purposes of this section, the term "marker" shall mean a visual indicator, such as a sign or plaque, to commemorate a person, place, or event.

b. Not later than January 1, 2023, the mayor shall create a historic and cultural marker program. The mayor shall determine which agency shall be responsible for developing, implementing, and overseeing the program. The program would:

1. Commemorate important people, places and events significant to New York City's history and identity through historic and cultural markers;

2. Provide interpretive, interactive, and online materials to educate New York City residents and visitors about a diverse range of cultural and historic sites; and

3. Provide a searchable online database on an official website of the city accessible to the public that shall include a list of all historic and cultural markers.

c. The mayor or, as designated by the mayor, an office of the mayor or any department the head of which is appointed by the mayor shall create a process by which a member of the public may submit a proposal for a historic or cultural marker.

§ 2. This local law takes effect immediately.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Int. No. 559

By Council Members Brewer, Hanif and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to reporting on food and nutrition education in New York city schools

Be it enacted by the Council as follows:

Section 1. Title 21-A of the administrative code of the city of New York is amended by adding a new chapter 29 to read as follows:

CHAPTER 29
REPORTING ON FOOD AND NUTRITION EDUCATION

§ 21-2901 Reporting on food and nutrition education. a. Definitions. For the purposes of this chapter, the following terms have the following meanings:

External food and nutrition education program. The term "external food and nutrition education program" means a program that is implemented by an organization other than a school and that provides school-based food and nutrition education to students either at a school or at an offsite location.

External food and nutrition education provider. The term "external food and nutrition education provider" means an organization other than a school, such as a nonprofit, hospital, company, government agency, university or other entity that contracts with the department to provide school-based food and nutrition education to students either at a school or at an offsite location.

Food and nutrition education. The term "food and nutrition education" means instruction, the provision of materials and the facilitation of educational activities that give students the motivation, skills and knowledge to make and advocate for healthy choices. Food and nutrition education topics include, but are not limited to, food justice, promoting ecological sustainability, the health benefits of nutritious diets, food supply challenges and the relationship between nutrition, physical activity and well-being.

School. The term "school" means a school of the city school district of the city of New York.

b. Annual reporting on food and nutrition education. No later than August 31, 2023 and by August 31 of each calendar year thereafter, the department shall submit to the council, post on the department's website and publish on the city's open data portal in a non-proprietary machine-readable format that permits automated

processing, an annual report based on data from the preceding school year. The report shall include, but need not be limited to, the following:

1. The average frequency and average total minutes per week of food and nutrition education provided to students in each grade level in each school;

2. The average frequency and average total minutes per week of food and nutrition education provided to students in each grade level in each school;

3. The number of students receiving food and nutrition education in each grade level in each school disaggregated by (i) race and ethnicity; (ii) gender; and (iii) eligibility for free or reduced-price lunch as determined annually by the United States Department of Agriculture pursuant to subparagraphs (A) and (B) of paragraph (1) of subsection (b) of section 1758 of title 42 of the United States code;

4. The percentage of total time, including minutes, spent on food and nutrition education facilitated by department personnel and the percentage of total time, including minutes, spent on food and nutrition education facilitated by an external food and nutrition education provider in each grade level in each school;

5. The number of department personnel in each school who have received training in food and nutrition education, including the number of hours of training in food and nutrition education and the name of the facility that provided such training;

6. For each school contracting with external food and nutrition education providers for the purposes of providing food and nutrition education: (i) the name and address of the external food and nutrition education provider; (ii) whether the external food and nutrition education provider is a nonprofit, a hospital, a company, a government agency, a university or some other type of entity; (iii) whether the school incurs additional costs by contracting with the external food and nutrition education provider; (iv) whether the school receives any additional funding to pay for the external food and nutrition education program; and (v) any additional relevant data as determined by the department.

7. The methodology by which the data in paragraphs 1, 2, and 3 of this subdivision is tracked at the school level.

c. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of student information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement.

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

Referred to the Committee on Education.

Int. No. 560

By Council Members Brewer, Yeger, Schulman, Hanif and Ung.

A Local Law to amend the administrative code of the city of New York, in relation to the sale and use of gas-powered leaf blowers

Be it enacted by the Council as follows:

Section 1. Section 24-242 of the administrative code of the city of New York, as added by local law number 113 for the year 2005, is amended to read as follows:

§ 24-242 Lawn Care Devices. (a) No person shall operate, [or] use, or cause to be operated or used, any lawn care device:

(1) On weekdays before [eight] *8* a.m. and after [seven] *7* p.m. or sunset, whichever occurs later; or

(2) On weekends and New York state and federal holidays before [nine] *9* a.m. and after [six] *6* p.m., *except that no gas-powered leaf blower shall be used before noon*; or

(3) At any time in such a way as to create an unreasonable noise. For the purposes of this section unreasonable noise shall include but shall not be limited to an aggregate sound level of 65 [db(A)] *dB(A)* or more *for all non-gas-powered leaf blower lawn care devices, and an aggregate sound level exceeding 65 dB(A) for*

gas-powered leaf blowers, attributable to the source or sources, as measured at any point within a receiving property. The provisions of paragraph (1) of this subdivision shall not apply to an employee of the department of parks and recreation or an agent or contractor of the department of parks and recreation who operates or uses or causes to be operated or used any lawn care device between the hours of [seven] *7* a.m. and [eight] *8* a.m. in any location more than [three hundred] *300* feet from any building that is lawfully occupied for residential use. The distance of [three hundred] *300* feet shall be measured in a straight line from the point on the exterior wall of such building nearest to any point in the location at which such lawn care device is operated or used or caused to be operated or used.

(b) No person shall operate, [or] use, or cause to be operated or used, any *gas-powered* leaf blower [not equipped with a functioning muffler] *between or on the dates of May 15 and September 15 of any calendar year*.

(c) No person shall operate, use, or cause to be operated or used, a gas-powered leaf blower rated to produce a maximum sound level in excess of 65 dB(A) as determined in accordance with the most current version of American national standards institute (ANSI) B175.2-2000.

§ 2. Chapter 4 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 15 to read as follows:

SUBCHAPTER 15
GAS-POWERED LEAF BLOWERS

§ 20-699.12 Prohibited gas-powered leaf blower sales. It shall be unlawful for any person to distribute, sell or offer for sale any gas-powered leaf blower rated to produce a maximum sound level in excess of 65 dB(A) measured 50 feet from the source as determined in accordance with the most current version of American national standards institute (ANSI) B175.2-2000.

§ 20-699.13 Penalty. Any person who violates any provision of this subchapter shall be subject to a civil penalty of not more than $200, except where such person has previously been found to have violated any provision of this subchapter in the previous 24 months, in which case the person shall be subject to a civil penalty of not less than $200 nor more than $1,000.

§ 3. This local law takes effect 1 year after it becomes law.

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

Int. No. 561

By Council Members Brewer, Schulman, Rivera and Bottcher.

A Local Law to amend the administrative code of the city of New York, in relation to requiring authorized emergency vehicles to have an emergency signal device that emits pulsating, low-frequency tones

Be it enacted by the Council as follows:

Section 1. Section 24-241 of the administrative code of the city of New York is amended by adding a new subdivision (c) to read as follows:

(c) All authorized emergency vehicles shall be equipped with an emergency signal device that emits a pulsating, low-frequency tone between 175 and 400 hertz and can be operated simultaneously with the higher-frequency emergency signal device installed on such vehicles. Within one year after the effective date of this subdivision and every two years thereafter, emergency signal devices installed on authorized emergency vehicles shall be tested and certification shall be submitted, in a form approved by the department, that such devices meet the standard set forth in this subdivision. Notwithstanding the foregoing provisions, where compliance with the provisions of this subdivision would create an undue hardship, the owner or operator of an authorized emergency vehicle may submit a plan to the commissioner for emergency signal devices to meet the standard set

forth in this subdivision within two years after the effective date of this subdivision. Such plan shall be submitted within one year after the effective date of this subdivision in lieu of the required certification.

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

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

Int. No. 562

By Council Members Brewer, Won and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to establishing minimum neighborhood service standards and requiring environmental mitigation reports on certain large-scale developments

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 25 of the administrative code of the city of New York is amended by adding a new section 25-120 to read as follows:

§ 25-120 Environmental mitigation report. a. Definitions. For the purposes of this section the following terms have the following meanings:

1. Covered agencies. The term "covered agencies" means the department of education, department of environmental protection, department of parks and recreation, department of sanitation, department of transportation, fire department and police department.

2. Covered development. The term "covered development" means any project resulting in the construction of a building or structure used for commercial, residential or mixed use occupancy where an environmental impact statement is required by law for an application subject to review pursuant to section 197-c of the New York city charter.

b. The department of city planning shall work with each covered agency and submit a report to each council member, the borough president and each community board for the districts and borough in which a covered development is located within sixty days of issuance of a notice of completion of a draft environmental impact statement on the covered development. In preparing such report, each covered agency shall review the draft environmental impact statement and any other relevant information and provide to the mayor's office of environmental coordination and the department of city planning an assessment of:

1. The current level of services (including infrastructure used to provide such services) in the impacted area identified by the environmental impact statement relating to the covered development; and

2. A detailed description of each covered agency's plans to address the differential between such current service levels and the minimum neighborhood services set forth for the respective covered agencies in subdivisions d through j of this section.

c. Each covered agency shall, within 180 days of the effective date of this section, establish minimum neighborhood service standards as set forth in subdivisions d through j of this section, which shall be reevaluated no less often than every two years thereafter and revised as appropriate. These minimum neighborhood service standards shall serve as a standard for measuring the impact of a covered development on neighborhood services.

d. The department of transportation shall establish minimum neighborhood service standards which shall include, but not be limited to, the acceptable average distance to the closest public transportation from a city resident's home to a bus stop or subway station, and the acceptable frequency of each such mode of transportation during peak and off-peak hours, and an acceptable flow of vehicular and pedestrian traffic based on an examination of vehicular and pedestrian traffic patterns in order to identify and alleviate vehicular and pedestrian congestion and access to alternative transportation methods, such as, but not limited to, authorized bicycle lanes. The department of transportation shall periodically review and, as necessary, revise such minimum neighborhood service standards.

e. The department of sanitation shall establish minimum neighborhood service standards for the frequency of the collection of solid waste and designated recyclable materials and street cleaning. The department of sanitation shall periodically review and, as necessary, revise such minimum neighborhood service standards.

f. The department of environmental protection shall establish minimum neighborhood service standards for air quality, ambient noise levels, the provision of potable water and wastewater treatment. The department of environmental protection shall periodically review and, as necessary, revise such minimum neighborhood service standards.

g. The department of education shall establish minimum service standards which shall include, but not be limited to, the number of school seats needed for elementary level, middle school level, and high school level students, respectively, in order to serve the current and expected future school populations. The department of education shall periodically review and, as necessary, revise such minimum neighborhood service standards.

h. The department of parks and recreation shall establish neighborhood service standards for access to parks and open space. Such neighborhood service standards shall include, but not be limited to, the acceptable distance an individual should reside from a park or other open space and the minimum amount of parkland appropriate for a given residential and commercial population. The department shall periodically review and, as necessary, revise such minimum neighborhood service standards.

i. The police department shall establish minimum neighborhood service standards for protection of New York city residents. Such neighborhood service standards shall include, but not be limited to, the appropriate response times for different categories of complaints or requests for assistance received by the police department, and precinct staffing levels and patrol schedules. The police department shall periodically review and, as necessary, revise such minimum neighborhood service standards.

j. The fire department shall establish minimum neighborhood service standards for fire protection, including, but not limited to, the response time necessary to achieve adequate protection against fire and other emergency response conditions within the jurisdiction of the fire department. The fire department shall periodically review and, as necessary, revise such minimum neighborhood service standards.

k. No later than February 28 of each year, the department of city planning shall submit to the city council a report describing for each project approved by the department of city planning any adverse environmental impacts of each such project that were identified in any environmental impact statement prepared in conjunction with such project, what measures are required to be taken to mitigate those impacts, when each such mitigation measure is required to be initiated and the duration of each such mitigation measure. Such report shall include for each such project for the first five years for which each mitigation measure is required to be implemented, what actions have been and will be undertaken with respect to each such mitigation measure.

§ 2. This local law takes effect immediately.

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

Int. No. 563

By Council Members Brewer, Hanif and Ung.

A Local Law to amend the administrative code of the city of New York, in relation to public access to water bottle-filling stations in city buildings

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 Public access to water bottle-filling stations in city buildings. a. Definitions. As used in this section, the following terms have the following meanings:

City building. The term "city building" means a building owned or leased by the city and over which the department of citywide administrative services has operational control.

Commissioner. The term "commissioner" means the commissioner of citywide administrative services.

Water bottle-filling station. The term "water bottle-filling station" means a water bottle fountain or a bottle-less water dispenser.

b. Water bottle-filling stations installed in city buildings shall be made available for use by members of the public, except that the commissioner shall prescribe by rule limitations on such public access to water bottle-filling stations installed in city buildings for purposes of safeguarding public safety or health.

c. The commissioner shall, to the extent feasible, post information regarding the public availability of water bottle-filling stations in city buildings pursuant to subdivision b of this section on the external façade of such city buildings.

§ 2. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-308 to read as follows:

§ 23-308 Water bottle-filling stations. a. Definitions. As used in this section, the term "water bottle-filling station" means a water bottle fountain or bottle-less water dispenser.

b. The department of information technology and telecommunications shall post on the 311 citizen center website and mobile device platforms the locations of city buildings with water bottle-filling stations available for use by members of the public pursuant to section 4-218.

§ 3. This local law takes effect 120 days after it becomes law, except that the commissioner of citywide administrative services shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

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

Int. No. 564

By Council Members Brewer and Hanif.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to creating an archive of official government social media accounts

Be it enacted by the Council as follows:

Section 1. Paragraphs e and f of subdivision 2 of section 3004 of the New York city charter, as amended by local law number 11 for the year 2003, are amended and a new paragraph g is added to read as follows:

e. collect, compile and maintain data and information pertaining to the operation of the city as well as other municipalities, governmental bodies and public authorities and arrange for the exchange, sale, purchase and loan of information materials from and with legislative and research services, libraries and institutions in other municipalities, governmental bodies and public authorities; [and]

f. ensure that each report, document, study or publication that is electronically transmitted to the department of records and information services pursuant to section 1133 of the charter is made available to the public on or through the website of the department, or its successor's website, within ten business days of publication, issuance, release or transmittal to the council or mayor[.]*; and*

g. maintain a publicly accessible and searchable online database that contains all publicly viewable content and metadata shared by an official government social media account.

§ 2. Section 3011 of the New York city charter is amended by adding new subdivisions 10 and 11 to read as follows:

10. "Social media platform" means a website or application that enables users to publish and share information.

11. "Official government social media account" means any account provided to the department of records and information services pursuant to section 23-202 of the administrative code.

§ 3. Chapter 2 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-202 to read as follows:

§ 23-202 Official government social media accounts. a. Definitions. For purposes of this section, the following terms have the following meanings:

Elected official. The term "elected official" means the mayor, comptroller, public advocate, each borough president and each member of the council.

Social media platform. The term "social media platform" means a website or application that enables users to publish and share information.

b. No later than January 31 of each year, each agency, and the office of each elected official, shall provide to the department of records and information services a list of any account on a social media platform associated with such agency or elected official and identified as an official government account.

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

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

Int. No. 565

By Council Members Brewer, Hanif and Ung.

A Local Law to amend the New York city charter, in relation to providing survivors of domestic violence with guidance on making voter registration records confidential and voting by special ballot

Be it enacted by the Council as follows:

Section 1. Subdivision 10 of section 1057-a of the New York city charter, as added by local law number 6 for the year 2019, is redesignated subdivision 11 and a new subdivision 12 is added to read as follows:

12. In addition to the other requirements of this section:

a. The campaign finance board, in collaboration with the office to end domestic and gender-based violence, shall produce and regularly update written guidance on the procedures for making a voter registration record confidential pursuant to section 5-508 of the election law and for voting by special ballot pursuant to section 11-306 of the election law; and

b. The office to end domestic and gender-based violence shall:

(1) Distribute such written guidance to individuals receiving services at family justice centers within the meaning of section 3-180 of the administrative code;

(2) In collaboration with the administration for children's services, the commission on human rights, community boards, the department of health and mental hygiene, the department of homeless services, the department of housing preservation and development, the department of youth and community development, and the human resources administration, distribute such written guidance to survivors within the meaning of section 3-180 of the administrative code who are receiving services and

(2) Upon request, assist such individuals in preparing and submitting any written statement that may be required in order to make a voter registration record confidential pursuant to section 5-508 of the election law or vote by special ballot pursuant to section 11-306 of the election law.

§ 2. This local law takes effect immediately.

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

Int. No. 566

By Council Member Brewer.

A Local Law to amend the administrative code of the city of New York, in relation to an annual plan to expand access to school playgrounds

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 18-160 to read as follows:

§ 18-160 Public access to school playgrounds. a. Definitions. As used in this section, the term "environmental justice area" has the same meaning as set forth in section 3-1001.

b. No later than 90 days after the effective date of the local law that added this section, and annually thereafter, the department shall consult with the department of education to create and submit to the mayor and the speaker of the council a plan to expand public access to playgrounds located at a public school or any facility that is leased by the department of education or over which the department of education has care, custody, and control, in which there is a public school, including a charter school, to provide public access to the playgrounds at 8:00 am to dusk on weekends, school breaks and after school hours whenever school programs are not in session. The plan shall focus on playgrounds that are not already accessible to the public on weekends and after school hours, shall prioritize playgrounds that are located in environmental justice areas, and shall include, but need not be limited to, the following for the upcoming year:

1. A list of at least 25 playgrounds that could be operated and maintained by the department and the department of education and used by the public on weekends and after school hours, and the reasons why the locations were chosen;

2. A list of the proposed duties and responsibilities of the department and the department of education in relation to operating and maintaining such additional playgrounds that would be used by the public on weekends and after school hours;

3. The total estimated budget required to operate and maintain such additional playgrounds that would be used by the public on weekends and after school hours, including a breakdown of specific estimated costs; and

4. Any anticipated challenges with implementing the plan.

§ 2. This local law takes effect immediately.

Referred to the Committee on Parks and Recreation.

Int. No. 567

By Council Member Brewer.

A Local Law to amend the administrative code of the city of New York, in relation to creating the offense of fostering the sale of stolen goods

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 10 of the administrative code of the city of New York is amended by adding a new section 10-184 to read as follows:

§ 10-184 Fostering the sale of stolen goods. a. Definitions. As used in this section, the term "stolen goods" means property unlawfully obtained by larceny, as defined in article 155 of the penal law, in any degree.

b. A person is guilty of fostering the sale of stolen goods when:

1. Such person hosts, advertises, or otherwise assists the sale of stolen goods, including on an internet website; and

2. Such person knew or should have known that such goods were stolen and any lack of knowledge in that respect was the result of a substantial and unjustifiable risk that such person's actions would result in the sale of stolen goods.

c. Fostering the sale of stolen goods is a class A misdemeanor.

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

Referred to the Committee on Public Safety.

Int. No. 568

By Council Members Brewer and Won.

A Local Law to amend the administrative code of the city of New York, in relation to lease agreements concerning storefront premises

Be it enacted by the Council as follows:

Section 1. This local law shall be known and may be cited as the "Storefront Business Bill of Rights".

§ 2. Chapter 10 of title 22 of the administrative code of the city of New York is amended by adding a new section 22-1007 to read as follows:

§ 22-1007 Lease requirements for storefront premises.

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

Best efforts. The term "best efforts" means reasonable efforts.

Ground floor. The term "ground floor" means the ground floor of a building, directly accessible to the public from the street or from the interior of a building.

Ground floor commercial premises. The term "ground floor commercial premises" means any ground floor premises that is occupied or used, or could be occupied or used, for the purpose of offering or selling goods at retail.

Owner. The term "owner" means an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of storefront premises or an agent of an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of storefront premises.

Rent. The term "rent" means any and all consideration received by an owner in connection with the use or occupancy of storefront premises.

Second floor. The term "second floor" means the second floor of a building, visible from the street, and accessible to the public directly from the street or from the interior of a building.

Second floor commercial premises. The term "second floor commercial premises" means any second floor premises that is occupied or used, or could be occupied or used, for the purpose of offering of selling goods at retail.

Storefront premises. The term "storefront premises" means any ground floor commercial premises or second floor commercial premises in the city of New York.

b. Information required to be provided. An owner may not accept an initial rent payment for storefront premises from a tenant unless the owner provides the tenant with the following information:

1. A copy of the certificate of occupancy that covers the storefront premises;

2. An itemized list in writing of the average cost of utilities, insurance, real property taxes, commercial rent taxes, business improvement district assessments, and any other fees or assessments associated with the storefront premises for the preceding 2 years, and a description of the kind of business for which the storefront premises was used during such two-year period, to the extent such information is available to the owner;

3. An itemized list in writing of the reasonably expected average cost of utilities, insurance, real property taxes, commercial rent taxes, business improvement district assessments, and any other fees or assessments associated with the storefront premises for the two-year period following the date on which the tenant is expected to begin occupancy of the storefront premises; and

4. A detailed written history of any known legal or regulatory violations pertaining to the storefront premises issued during the preceding 10 years and any known construction pertaining to the storefront premises during the preceding 10 years, including, but not limited to, any information available on the city open data web portal regarding such violations or construction.

c. Requirement to update contact information. In any case in which an owner leases a storefront premises to a tenant, during the duration of the term of the lease the owner and tenant shall provide one another with current contact information, including address, telephone number and e-mail address, and provide one another with timely notice of updates to such information, if applicable.

d. Time to cure violations. In any case in which an owner leases a storefront premises to a tenant, during the duration of the term of the lease the owner shall provide the tenant with reasonable time to cure lease violations within all applicable requirements under city and state law.

e. Written lease required. No owner may lease storefront premises to a tenant for a term of more than 1 year unless the lease is in writing and includes, but is not limited to, provisions setting forth the following requirements:

1. If the owner and tenant have not come to an agreement regarding a lease renewal by 120 days before the expiration date of the lease, the owner shall provide the tenant with either a lease renewal offer or notification of an intent not to offer a lease renewal. The tenant is not required to notify the owner of an intention with respect to a lease renewal before receiving such offer or notification, nor in any case is the tenant required to notify the owner of an intention with respect to a lease renewal earlier than 120 days before the expiration date of the lease;

2. Within 30 days of receipt by the tenant of a lease renewal offer from the owner no earlier than 150 days before the expiration of the original lease, the tenant shall respond to the owner with an acceptance, counteroffer or rejection;

3. All notifications and responses in the lease renewal negotiation process shall be made in writing by mail, e-mail or text message;

4. Within 30 days of the tenant receiving, no earlier than 150 days before the expiration of the original lease, notification from the owner of an intent not to offer a lease renewal, the tenant shall either:

(a) make an offer for lease renewal to the owner; or

(b) notify the owner that the tenant will not make such an offer and will either (i) vacate the premises in accordance with the existing lease provisions or (ii) exercise an option to extend the lease by a period of time as described in paragraph 6 of this subdivision, if such option is available to the tenant pursuant to the provisions of such paragraph 6;

5. If the tenant makes an offer for lease renewal as described in subparagraph (a) of paragraph 4 of this subdivision or counteroffer as described in paragraph 2 of this subdivision, the owner shall either accept the offer or counteroffer or make best efforts to agree on lease renewal terms, and the tenant shall also make best efforts to agree on lease renewal terms;

6. If, by 30 days before the original date of the expiration of the lease, the owner and tenant have not come to agreement on lease renewal terms, the tenant has a one-time option to extend the original lease then in effect by not more than 1 year, so long as (i) the tenant has made timely rental payments to the owner, (ii) the tenant has not materially breached the lease, (iii) the tenant has not previously notified the owner that the tenant will vacate the storefront premises at the expiration of the original lease, (iv) the tenant notifies the landlord of the intent to extend the original lease by not later than 20 days before the expiration of the original lease, and (v) the owner has not previously notified the tenant that the owner has obtained another tenant to lease the storefront premises after such expiration of the original lease, in which case the existing tenant may extend the lease for a period of up to 90 days, subject to all other requirements described in this paragraph; and

7. The monthly rent increase for the period of a lease extension option pursuant to paragraph 6 of this subdivision shall be:

(a) 10 percent of the average monthly rent payment owed by the tenant for the last year of the lease, if the owner has provided the tenant with a lease renewal offer or notification of intent not to offer a lease renewal earlier than 120 days before the expiration date of the lease;

(b) 9 percent of the average monthly rent payment owed by the tenant for the last year of the lease, if the owner has provided the tenant with a lease renewal offer or notification of intent not to offer a lease renewal between 120 days and 91 days, inclusive, before the expiration date of the lease;

(c) 8 percent of the average monthly rent payment owed by the tenant for the last year of the lease, if the owner has provided the tenant with a lease renewal offer or notification of intent not to offer a lease renewal between 90 days and 61 days, inclusive, before the expiration date of the lease; and

(d) 7 percent of the average monthly rent payment owed by the tenant for the last year of the lease, if the owner has provided the tenant with a lease renewal offer or notification of intent not to offer a lease renewal between 60 days and 31 days, inclusive, before the expiration date of the lease or if no offer of lease renewal or notification of intent not to offer a lease renewal has been provided by the owner.

f. Lease renewal for leases between 6 months and 1 year. In any case in which an owner leases a storefront premises to a tenant for a term between 6 months and 1 year, inclusive, the following procedures regarding lease renewal shall apply:

1. If the owner and tenant have not come to an agreement regarding a lease renewal by 120 days before the expiration date of the lease, the owner shall provide the tenant with either a lease renewal offer or notification of an intent not to offer a lease renewal. The tenant is not required to notify the owner of an intention with respect to a lease renewal before receiving such offer or notification, nor in any case is the tenant required to notify the owner of an intention with respect to a lease renewal earlier than 120 days before the expiration date of the lease;

2. Within 30 days of receipt by the tenant of a lease renewal offer from the owner no earlier than 150 days before the expiration of the original lease, the tenant shall respond to the owner with an acceptance, counteroffer or rejection;

3. All notifications and responses in the lease renewal negotiation process shall be made in writing by mail, e-mail or text message;

4. Within 30 days of the tenant receiving, no earlier than 150 days before the expiration of the original lease, notification from the owner of an intent not to offer a lease renewal, the tenant shall either:

(a) make an offer for lease renewal to the owner; or

(b) notify the owner that the tenant will not make such an offer and (i) will vacate the premises in accordance with the existing lease provisions, or (ii) will exercise an option to extend the lease if a lease provides such an option and the tenant meets the requirements under the lease to exercise such option; and

5. If the tenant makes an offer for lease renewal as described in subparagraph (a) of paragraph 4 of this subdivision or counteroffer as described in paragraph 2 of this subdivision, the owner shall either accept the offer or counteroffer or make best efforts to agree on lease renewal terms, and the tenant shall also make best efforts to agree on lease renewal terms.

g. Extension option for written leases between 6 months and 1 year. 1. In any case in which an owner provides a written lease for a storefront premises to a tenant for a term between 6 months and 1 year, inclusive, such lease shall provide that if, by 30 days before the original date of the expiration of the lease, the owner and tenant have not come to agreement on lease renewal terms, the tenant has a one-time option to extend the original lease then in effect by not more than 6 months, so long as (i) the tenant has made timely rental payments to the owner, (ii) the tenant has not materially breached the lease, (iii) the tenant has not previously notified the owner that the tenant will vacate the storefront premises at the expiration of the original lease, (iv) the tenant notifies the landlord of the intent to extend the original lease by not later than 20 days before the expiration of the original lease, and (v) the owner has not previously notified the tenant that the owner has obtained another tenant to lease the storefront premises after such expiration of the original lease, in which case the existing tenant may extend the lease for a period of up to 90 days, subject to all other requirements described in this paragraph.

2. The monthly rent increase for the period of a lease extension option pursuant to paragraph 1 of this subdivision shall be:

(a) 10 percent of the average monthly rent payment owed by the tenant for the last six months of the lease, if the owner has provided the tenant with a lease renewal offer or notification of intent not to offer a lease renewal earlier than 120 days before the expiration date of the lease;

(b) 9 percent of the average monthly rent payment owed by the tenant for the last six months of the lease, if the owner has provided the tenant with a lease renewal offer or notification of intent not to offer a lease renewal between 120 days and 91 days, inclusive, before the expiration date of the lease;

(c) 8 percent of the average monthly rent payment owed by the tenant for the last six months of the lease, if the owner has provided the tenant with a lease renewal offer or notification of intent not to offer a lease renewal between 90 days and 61 days, inclusive, before the expiration date of the lease; and

(d) 7 percent of the average monthly rent payment owed by the tenant for the last six months of the lease, if the owner has provided the tenant with a lease renewal offer or notification of intent not to offer a lease renewal between 60 days and 31 days, inclusive, before the expiration date of the lease or if no offer of lease renewal or notification of intent not to offer a lease renewal has been provided by the owner.

h. Lease renewal for leases between 3 and 6 months. In any case in which an owner leases a storefront premises to a tenant for a term of at least 3 months but less than 6 months, the following procedures regarding lease renewal shall apply:

1. If the owner and tenant have not come to an agreement regarding a lease renewal by 60 days before the expiration date of the lease, the owner shall provide the tenant with either a lease renewal offer or notification of an intent not to offer a lease renewal. The tenant is not required to notify the owner of an intention with respect to a lease renewal before receiving such offer or notification, nor in any case is the tenant required to notify the owner of an intention with respect to a lease renewal earlier than 60 days before the expiration date of the lease;

2. Within 15 days of receipt by the tenant of a lease renewal offer from the owner no earlier than 75 days before the expiration of the original lease, the tenant shall respond to the owner with an acceptance, counteroffer or rejection;

3. All notifications and responses in the lease renewal negotiation process shall be made in writing by mail, e-mail or text message;

4. Within 15 days of the tenant receiving, no earlier than 75 days before the expiration of the original lease, notification from the owner of an intent not to offer a lease renewal, the tenant shall either:

(a) make an offer for lease renewal to the owner; or

(b) notify the owner that the tenant will not make such an offer and (i) will vacate the premises in accordance with the existing lease provisions, or (ii) will exercise an option to extend the lease if the lease provides such an option and the tenant meets the requirements under the lease to exercise such option; and

5. If the tenant makes an offer for lease renewal as described in subparagraph (a) of paragraph 4 of this subdivision or counteroffer as described in paragraph 2 of this subdivision, the owner shall either accept the offer or counteroffer or make best efforts to agree on lease renewal terms, and the tenant shall also make best efforts to agree on lease renewal terms.

i. Extension option for written leases between 3 and 6 months. 1. In any case in which an owner provides a written lease for a storefront premises to a tenant for a term of at least 3 months but less than 6 months, such lease shall provide that if, by 30 days before the original date of the expiration of the lease, the owner and tenant have not come to agreement on lease renewal terms, the tenant has a one-time option to extend the original lease then in effect by not more than 60 days, so long as (i) the tenant has made timely rental payments to the owner, (ii) the tenant has not materially breached the lease, (iii) the tenant has not previously notified the owner that the tenant will vacate the storefront premises at the expiration of the original lease, and (iv) the tenant notifies the landlord of the intent to extend the original lease by not later than 20 days before the expiration of the original lease; and

2. The monthly rent increase for the period of a lease extension option pursuant to paragraph 1 of this subdivision shall be:

(a) 10 percent of the average monthly rent payment owed by the tenant for the last 3 months of the lease, if the owner has provided the tenant with a lease renewal offer or notification of intent not to offer a lease renewal earlier than 60 days before the expiration date of the lease;

(b) 9 percent of the average monthly rent payment owed by the tenant for the last 3 months of the lease, if the owner has provided the tenant with a lease renewal offer or notification of intent not to offer a lease renewal between 60 days and 51 days, inclusive, before the expiration date of the lease;

(c) 8 percent of the average monthly rent payment owed by the tenant for the last 3 months of the lease, if the owner has provided the tenant with a lease renewal offer or notification of intent not to offer a lease renewal between 50 days and 41 days, inclusive, before the expiration date of the lease; and

(d) 7 percent of the average monthly rent payment owed by the tenant for the last 3 months of the lease, if the owner has provided the tenant with a lease renewal offer or notification of intent not to offer a lease renewal between 40 days and 31 days, inclusive, before the expiration date of the lease or if no offer of lease renewal or notification of intent not to offer a lease renewal has been provided by the owner.

j. Lease renewal for leases between 1 and 3 months. In any case in which an owner leases a storefront premises to a tenant for a term of more than 1 month but less than 3 months, the following procedures regarding lease renewal shall apply:

1. If the owner and tenant have not come to an agreement regarding a lease renewal by 20 days before the expiration date of the lease, the owner shall provide the tenant with either a lease renewal offer or notification of an intent not to offer a lease renewal. The tenant is not required to notify the owner of an intention with respect

to a lease renewal before receiving such offer or notification, nor in any case is the tenant required to notify the owner of an intention with respect to a lease renewal earlier than 20 days before the expiration date of the lease;

2. Within 5 days of receipt by the tenant of a lease renewal offer from the owner no earlier than 25 days before the expiration of the original lease, the tenant shall respond to the owner with an acceptance, counteroffer or rejection;

3. All notifications and responses in the lease renewal negotiation process shall be made in writing by mail, e-mail or text message;

4. Within 5 days of the tenant receiving, no earlier than 25 days before the expiration of the original lease, notification from the owner of an intent not to offer a lease renewal, the tenant shall either:

(a) make an offer for lease renewal to the owner; or

(b) notify the owner that the tenant will not make such an offer and (i) will vacate the premises in accordance with the existing lease provisions, or (ii) will exercise an option to extend the lease if the lease provides such an option and the tenant meets the requirements under the lease to exercise such option; and

5. If the tenant makes an offer for lease renewal as described in subparagraph (a) of paragraph 4 of this subdivision or counteroffer as described in paragraph 2 of this subdivision, the owner shall either accept the offer or counteroffer or make best efforts to agree on lease renewal terms, and the tenant shall also make best efforts to agree on lease renewal terms.

k. Extension option for written leases between 1 and 3 months. 1. In any case in which an owner provides a written lease for a storefront premises to a tenant for a term of more than 1 month but less than 3 months, such lease shall provide that if, by 10 days before the original date of the expiration of the lease, the owner and tenant have not come to agreement on lease renewal terms, the tenant has a one-time option to extend the original lease then in effect by not more than 30 days, so long as (i) the tenant has made timely rental payments to the owner, (ii) the tenant has not materially breached the lease, (iii) the tenant has not previously notified the owner that the tenant will vacate the storefront premises at the expiration of the original lease, (iv) the tenant notifies the landlord of the intent to extend the original lease by not later than 10 days before the expiration of the original lease; and

2. The monthly rent increase for the period of a lease extension option pursuant to paragraph 1 of this subdivision shall be:

(a) 10 percent of the monthly rent payment owed by the tenant for the last month of the lease, if the owner has provided the tenant with a lease renewal offer or notification of intent not to offer a lease renewal earlier than 20 days before the expiration date of the lease;

(b) 9 percent of the monthly rent payment owed by the tenant for the last month of the lease, if the owner has provided the tenant with a lease renewal offer or notification of intent not to offer a lease renewal between 20 days and 17 days, inclusive, before the expiration date of the lease;

(c) 8 percent of the monthly rent payment owed by the tenant for the last month of the lease, if the owner has provided the tenant with a lease renewal offer or notification of intent not to offer a lease renewal between 16 days and 14 days, inclusive, before the expiration date of the lease; and

(d) 7 percent of the monthly rent payment owed by the tenant for the last month of the lease, if the owner has provided the tenant with a lease renewal offer or notification of intent not to offer a lease renewal between 13 days and 11 days, inclusive, before the expiration date of the lease or if no offer of lease renewal or notification of intent not to offer a lease renewal has been provided by the owner.

l. Right of action. 1. A tenant may bring an action in any court of competent jurisdiction for a claim of noncompliance with the provisions of this section. If a court of competent jurisdiction finds that an owner has failed to comply with this section in relation to a tenant, the court:

(a) May impose a civil penalty in an amount not to exceed 3 percent of the assessed value of the property in which the storefront premises is located, as such assessed value is determined for the current fiscal year in accordance with section 1506 of the charter;

(b) May issue an order directing the owner to ensure that no further violation occurs; and

(c) May award such other relief as the court deems appropriate, including but not limited to, injunctive relief, equitable relief, compensatory or punitive damages and reasonable attorneys' fees and court costs.

2. This subdivision does not limit or abrogate any claim or cause of action a person has under common law or by statute. The provisions of this subdivision are in addition to any such common law and statutory remedies.

3. No provision in this section shall be construed as creating any private right of action on the part of any person or entity against the city or any agency, official or employee thereof.

m. Applicability. This section shall apply with respect to any lease entered into after the effective date of the local law that added this section.

n. Administration. The commissioner shall administer the provisions of this section and shall consult with other agencies as appropriate in administering such provisions.

§ 3. Subdivision a of section 22-1002 of the administrative code of the city of New York, as amended by local law number 155 for the year 2019, is amended to read as follows:

a. The commissioner shall post on the city's website online business tools and resources, including but not limited to:

1. Tools provided by the department, which may include accounting, recordkeeping and bookkeeping resources;

2. A searchable and interactive guide to aid current or prospective business owners in understanding city laws and rules applicable to such business, including the applicable licenses, permits, and certifications the owner must obtain. Such guide shall encompass provisions in the administrative code and the rules of the city of New York, including licensing, permitting, and operational requirements, that are applicable to the particular type of business. The guide shall include zoning information and a brief description of applicable regulations and requirements, written in plain language that is likely to be understood by business owners; [and]

3. *A model commercial lease, with optional clauses, for different term lengths, including 6-month, one-year, two-year, three-year, five-year, and ten-year leases, and a translation of such leases into the designated citywide languages described in section 23-1101. Such model commercial leases shall be specifically designed for storefront premises, as defined in section 22-1007, and shall include, but not be limited to, the applicable requirements described in subdivisions b through k of such section; and*

4. Such other tools and resources as the commissioner may deem appropriate.

§ 4. No provision enacted in this local law shall be construed as creating a private right of action on the part of any person or entity against the city or any agency, official or employee thereof.

§ 5. This local law takes effect 120 days after it becomes law, except that the commissioner of small business services shall take such measures as are necessary for the implementation of this local law before such date.

Referred to the Committee on Small Business.

Int. No. 569

By Council Members Brewer, Restler, Marte, Yeger, Won, Hanif, Abreu, Bottcher and Avilés.

A Local Law to amend the administrative code of the city of New York, in relation to reducing noise caused by sightseeing helicopters that meet federal noise reduction standards

Be it enacted by the Council as follows:

Section 1. Legislative findings and intent. The Council finds that there is significant noise pollution caused by the dozens of sightseeing helicopters operating daily from heliports owned by the city. The heliports used by sightseeing helicopters are near water which carries the sound of those helicopters and significantly disrupts the daily lives of city residents who live and work near the heliports or across the East River. A previous local law limited sightseeing tour operators to the stage 3 noise levels as determined by the federal aviation administration, however the Council finds that no current noise reduction measures will be acceptable to ensure the quiet repose of the affected communities. Therefore the Council finds that the prohibition on sightseeing helicopters needs to be extended to include helicopters that meet the stage 3 noise levels as well.

§ 2. Subdivision a of section 24-244.1 of the administrative code of the city of New York, as added by proposed introduction number 859-2015, is amended by adding a new definition of "stage 3 noise level" in alphabetical order to read as follows:

Stage 3 noise level. The term "stage 3 noise level" means stage 3 noise level as such term is defined by subsection (h) of section 36.1 of title 14 of the code of federal regulations.

§ 3. Subdivision b of section 24-244.1 of the administrative code of the city of New York, as added by proposed introduction number 859-2015, is amended to read as follows:

b. Sightseeing helicopters. No person shall use or permit the use of any sightseeing helicopter that meets stage 1 noise levels, [or] stage 2 noise levels *or stage 3 noise levels* to take off or land from any property owned or managed by the city of New York, except in emergency situations or as otherwise directed by an aviation control tower or air traffic control center.

§ 4. This local law takes effect 270 days after it becomes law, provided that it is approved by the United States secretary of transportation pursuant to the federal airport noise and capacity act of 1990.

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

Int. No. 570

By Council Members Brewer, Hanif, Sanchez, Nurse, Won and Bottcher.

A Local Law to amend the administrative code of the city of New York, in relation to creating a land bank

Be it enacted by the Council as follows:

Section 1. Title 25 of the administrative code of the city of New York is amended by adding a new chapter 9 to read as follows:

CHAPTER 9

NEW YORK CITY LAND CORPORATION

§ 25-901 Definitions.
§ 25-902 Land corporation established; purpose.
§ 25-903 Members.
§ 25-904 Incorporators; board of directors.
§ 25-905 Disposition of real property.
§ 25-906 Review by urban development corporation; incorporation; adoption of initial bylaws.
§ 25-907 Appendix A; Initial Certificate of Incorporation of New York City Land Corporation.
§ 25-908 Appendix B; Initial Bylaws of the New York City Land Corporation.

§ 25-901 Definitions. For the purposes of this chapter, the following terms have the following meanings:

Affordable housing unit. The term "affordable housing unit" means a dwelling unit that (i) is or will be permanently restricted by a restrictive covenant, possibility of reverter or other similar deed restriction or by an agreement made with or approved and enforceable by the land corporation, to occupancy by households whose incomes at the time of initial occupancy do not exceed a certain amount, provided that such amount does not exceed 80 percent of the area median income, and (ii) contains floor area equal to or greater than the average non-affordable unit floor area for the zoning lot containing the dwelling unit.

Area median income. The term "area median income" means the New York city metropolitan area median income, adjusted for family size, as determined by the United States department of housing and urban development.

Average non-affordable unit floor area. The term "average non-affordable unit floor area" means the number obtained for a particular zoning lot by dividing the total floor area contained within dwelling units, other than affordable housing units, by the total number of dwelling units, other than affordable housing units.

Director. The term "director" has the same meaning as in section 102(a)(6) of the not-for-profit corporation law. For the purposes of this chapter, "director" refers to directors of the land corporation.

Dwelling unit. The term "dwelling unit" has the same meaning as in paragraph 13 of subdivision a of section 27-2004.

Floor area. The term "floor area" has the same meaning as in section 12-10 of the New York city zoning resolution.

Household. The term "household" means, prior to initial occupancy of an affordable housing unit, all of the persons intending to occupy the affordable housing unit at initial occupancy. After initial occupancy of an affordable housing unit, household means all of the persons occupying the affordable housing unit.

Incorporator. The term "incorporator" means the person identified in subdivision a of section 25-904.

Initial occupancy. The term "initial occupancy" means the first date upon which a particular household lawfully occupies a particular affordable housing unit.

Land corporation. The term "land corporation" means the New York city land corporation established under this chapter.

Member. The term "member" has the same meaning as in section 102(a)(9) of the not-for-profit corporation law. For the purposes of this chapter, the term "member" refers to members of the land corporation.

Real property. The term "real property" has the same meaning as in section 1602(f) of the not-for-profit corporation law.

Zoning lot. The term "zoning lot" has the same meaning as in section 12-10 of the New York city zoning resolution.

§ 25-902 Land corporation established; purpose. a. There is hereby created a "New York City land corporation," which shall be a charitable not-for-profit corporation and, upon approval of this chapter by the urban development corporation under subdivision (g) of section 1603 of the not-for-profit corporation law, a land bank under article 16 of the not-for-profit corporation law.

b. The purpose of the land corporation shall be to fulfill the purposes of, and perform the functions of, a land bank organized under article 16 of the not-for-profit corporation law; to efficiently acquire, warehouse and transfer real property to expedite the development, rehabilitation and preservation of affordable housing; and to encourage property uses that best serve the interests of the community but which are not sufficiently provided for by the free market, including industrial, manufacturing and maritime activities; fresh food stores; public and open spaces; and wildlife conservation areas.

§ 25-903 Members. The mayor and the speaker of the council shall be the members of the land corporation.

§ 25-904 Incorporators; board of directors. a. The following persons shall serve as the incorporators of the land corporation and shall serve as the initial directors until new directors are appointed under subdivision b of this section:

1. The president and chief executive officer of the New York city economic development corporation;

2. The commissioner of housing preservation and development;

3. The chair of the city planning commission; and

4. Two designees of the speaker of the council.

b. No later than three months after the filing of the certificate of incorporation of the land corporation under subdivision b of section 25-906, the mayor shall appoint a number of directors equal to one-half the total number of directors, rounded up to the nearest whole number, and the speaker of the council shall appoint a number of directors equal to one-half the total number of directors, rounded down to the nearest whole number.

c. A person may not serve or continue serving as a director unless such person (i) has appropriate experience in real estate, finance, property management, community planning and development, organized community-based activities or other relevant field of endeavor; and (ii) is a resident of the city throughout his or her service on the board of directors.

d. Unless otherwise provided in the bylaws of the land corporation, the total number of directors, other than initial directors, shall be 11.

§ 25-905 Disposition of real property. a. Except as otherwise provided in subdivision b of this section, the land corporation may only convey, lease as lessor or otherwise dispose of real property for one or more of the following:

1. Uses that would result in the creation or preservation of affordable housing units;

2. If the property to be disposed of is located in an industrial business zone established under section 22-626, uses related to industrial, manufacturing or maritime activities;

3. If the property to be disposed of is located within a FRESH food store designated area, as described in section 63-02 of the New York city zoning resolution, use as a FRESH food store, as defined by section 63-01 of the New York city zoning resolution;

4. Use as a public space or place; or

5. Use as a wildlife conservation area.

b. The land corporation may convey, lease as lessor or otherwise dispose of property for a use other than a use described in subdivision a of this section only if:

1. No less than 180 days and no more than one year before the disposition, the land corporation holds a public hearing, solicits public comments with respect to the disposition and considers the results of such public hearing and comments;

2. No more than 90 days after the public hearing described in paragraph 1 of this subdivision, the land corporation finds that the disposition will best serve the interests of the community and prepares and makes publicly available online a report, signed by at least two-thirds of the directors, setting forth all information supporting the finding including:

(a) All benefits that the disposition will provide for the community;

(b) All negative impacts that the disposition will have on the community;

(c) A description of each public comment received and how the comment has been or will be addressed; and

(d) How the disposition will better serve the community than the disposition for a use described in subdivision a;

3. No more than 60 days and no less than 30 days after publication of the report described in paragraph 2 of this subdivision, the land corporation holds a public hearing with respect to the report, solicits public comment and considers the results of the public hearing and comments;

4. No more than 20 days after the public hearing described in paragraph 3 of this subdivision, at least two-thirds of the directors vote to approve the disposition; and

5. No more than seven days after the disposition, the land corporation prepares and makes publicly available online the following information, in addition to the information required by subdivision (b) of section 1609 of the not-for-profit corporation law:

(a) The address of the property disposed of;

(b) The name, address and telephone number of the person to whom the property was conveyed, leased or otherwise disposed of; and

(c) The proposed use of the property.

c. When conveying, leasing as lessor or otherwise disposing of real property for a use that would result in the creation or preservation of affordable housing units, the land corporation shall prioritize disposition to a community land trust, as defined by section 12773(b) of title 42 of the United States code, a community housing development organization, as defined by section 12704(6) of title 42 of the United States code, or a nonprofit organization, as defined by section 12704(5) of title 42 of the United States code, and shall prioritize disposition for a proposed use that will maximize the number of affordable housing units at the zoning lot containing the property and the affordability of such units.

d. When conveying, leasing as lessor or otherwise disposing of real property, the land corporation shall prioritize disposition for a proposed use that will maximize the creation of prevailing wage jobs pursuant to the bylaws of the land corporation.

§ 25-906 Review by urban development corporation; incorporation; adoption of initial bylaws. a. No later than 30 days after the effective date of the local law that added this chapter, the mayor shall amend the certificate of incorporation for the land corporation, as set forth in section 25-907, to include the names and addresses of the initial directors identified in subdivision a of section 25-904 and shall prepare and forward the following information to the urban development corporation for review and approval under subdivision (g) of section 1603 of the not-for-profit corporation law:

1. A copy of the local law that added this chapter, amended as provided in this subdivision; and

2. All other materials and information required by the urban development corporation.

b. No later than 30 days after approval of this chapter by the urban development corporation under subdivision (g) of section 1603 of the not-for-profit corporation law, the incorporators shall execute the certificate of incorporation for the land corporation, as provided in section 25-907 and amended under subdivision a of this section, and file the amended certificate with the department of state in accordance with article 1 of the not-for-profit corporation law.

c. No later than 30 days after filing the amended certificate under subdivision b of this section, the directors shall adopt the bylaws provided in section 25-908 as the initial bylaws for the land corporation.

§ 25-907 Appendix A; Initial Certificate of Incorporation of New York City Land Corporation.

CERTIFICATE OF INCORPORATION
OF
NEW YORK CITY LAND CORPORATION
(Under section 402 of the Not-for-Profit Corporation Law)

1. Name. The name of the corporation is NEW YORK CITY LAND CORPORATION (hereafter referred to as the Corporation).

2. Type of Corporation. The Corporation is a "corporation" as defined in subparagraph (5) of paragraph (a) of Section 102 of the Not-for-Profit Corporation Law and is a charitable corporation under Section 201 of said law. The Corporation is also a "land bank" pursuant to Section 1602 of the Not-for-Profit Corporation Law.

3. Purposes. The Corporation is formed for the following purposes and to achieve the following lawful public or quasi-public objectives:

a. To perform the functions and fulfill the purposes of a land bank as described in Article 16 of the Not-for-Profit Corporation Law;

b. To efficiently acquire and transfer properties to expedite the development, rehabilitation and preservation of affordable housing and to encourage property uses that best serve the interests of the community but which are not sufficiently provided for by the free market, which uses include industrial, manufacturing, and maritime activities; fresh food stores; public and open spaces; and wildlife conservation areas;

c. To conduct regular inventories of vacant properties and provide the public with efficient access to a listing of these inventories;

d. To aggregate and responsibly hold properties for future productive use;

e. To eliminate blight by the removal of barriers to returning vacant properties to productive use;

f. To effectively market and strategically convey, lease as lessor or otherwise dispose of properties of the Corporation; and

g. Notwithstanding any other provision of this Certificate, the Corporation is organized exclusively for charitable, educational, and nonprofit purposes, and not for pecuniary or financial gain, as specified in Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future tax code.

4. Powers. In furtherance of the purposes and objectives set forth in Article 3, the Corporation shall have all of the powers now or hereafter set forth in Sections 202 and 1607 of the Not-for-Profit Corporation Law and any other applicable law except as limited herein.

5. Office. The office of the Corporation is to be located in the County of New York, State of New York.

6. Registered Agent. The Secretary of the State of New York is hereby designated the agent of the Corporation upon whom process against it may be served. The Secretary of State shall mail a copy of any process against the Corporation served upon the Secretary of State as agent of the Corporation to the Mayor of the City of New York at City Hall, New York City, New York 10007.

7. The corporation is formed to engage in an activity or for a purpose requiring consent or approval of a state official, department, board, agency or other body. Such consent or approval is attached.

8. Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code. The following language relates to the corporation's tax exempt status and is not a statement of purposes and powers. Consequently, this language does not expand or alter the corporation's purposes or powers set forth in paragraphs THIRD or FOURTH.

§ 25-908 Appendix B; Initial Bylaws of the New York City Land Corporation. The initial bylaws of the land corporation shall read as follows:

BYLAWS
OF
NEW YORK CITY LAND CORPORATION

1. Members. a. The members of the New York City Land Corporation (hereafter referred to as the Corporation) shall be the Mayor of the City of New York (Mayor) and the Speaker of the Council of the City of New York (Speaker), pursuant to Section 25-903 of the Administrative Code of the City of New York.

b. Annual meeting. The first annual meeting of the members shall, pursuant to Subdivision b of Section 25-904 of the Administrative Code of the City of New York, be held within three months of the date on which the Corporation's Certificate of Incorporation (hereafter referred to as the Certificate) is filed with the Department of State. Annual meetings shall be held each year thereafter on the anniversary date of such filing except that if such anniversary date falls on a Saturday, Sunday, or holiday, the annual meeting shall be held on the first business day occurring thereafter.

2. Directors. a. The powers of the Corporation shall be exercised by a board of directors.

b. Number of directors. The Corporation shall have five (5) initial directors and thereafter shall have eleven (11) directors.

c. Appointment. The directors, other than the initial directors, shall be appointed by the Mayor and the Speaker pursuant to Subdivision b of Section 25-904 of the Administrative Code of the City of New York. Two of the directors appointed by the Mayor and two of the directors appointed by the Speaker shall be employees, members or directors of entities that are (i) not-for-profit corporations, advocacy organizations, civic associations, community-based organizations or other similar entities and (ii) working in the field of housing, planning or community development.

d. Term. Each director shall serve a term of two years.

3. Amendments to Certificate of Incorporation or Bylaws; Selling Substantially All Assets. The board of directors may amend the Certificate and these Bylaws without the approval of the members, except that approval of all of the members shall be required for any proposed amendment to Article 1, 2, 3 or 4 of these Bylaws. In

the event that the Corporation undertakes to sell or otherwise dispose of substantially all of its assets, such action must be approved by the members in accordance with Section 510 of the Not-for-Profit Corporation Law.

4. Encouraging the creation of prevailing wage jobs. a. Except as provided in Subdivision e of this Article, the Corporation may only convey, lease as lessor or otherwise dispose of real property for use as a prevailing wage property.

b. For the purposes of this Article, the term "prevailing wage property" means real property where, pursuant to a restrictive covenant, possibility of reverter or other similar deed restriction for the property or an agreement made with or approved and enforceable by the Corporation, all natural persons performing work of any kind, other than construction work, at the property for a covered owner or occupant of the property, including work of any kind, other than construction work, performed at the property pursuant to an agreement made between such covered owner or occupant and a third party, are paid no less than the prevailing wage.

c. (i) For the purposes of this Article, a "covered owner or occupant" means an owner or occupant of real property, other than real property in which more than seventy-five percent (75%) of the floor area is comprised of affordable housing units, as such terms are defined by Section 25-901 of the Administrative Code of the City of New York; provided, however, that such affordable housing units may be permanently affordable to households whose incomes at the time of initial occupancy do not exceed one hundred twenty-five percent (125%) of the area median income, as such terms are defined by Section 25-901 of the Administrative Code of the City of New York.

(ii) Notwithstanding Paragraph i of this Subdivision, the term "covered owner or occupant" shall not include an owner or occupant that:

(A) Has annual gross revenues of less than five million dollars ($5,000,000.00) when such revenues are aggregated with the revenues of each parent entity of such owner or occupant, each subsidiary entity of such owner or occupant and each entity owned or controlled by a parent entity of such owner or occupant;

(B) Is a not-for-profit corporation, as defined by Paragraph 10 of Subdivision a of Section 102 of the Not-For-Profit Corporation Law;

(C) Is using the property primarily for industrial, manufacturing or maritime activities; or

(D) Is using the property primarily to operate a FRESH food store, as defined by Section 63-01 of the New York City Zoning Resolution.

d. For the purposes of this Article, the term "prevailing wage" means the rate of wage and supplemental benefits paid in the locality to workers in the same trade or occupation and annually determined by the Comptroller of the City of New York in accordance with the provisions of section 234 of the Labor Law. As provided under section 231 of the Labor Law, the obligation of an employer to pay prevailing supplements may be discharged by furnishing any equivalent combinations of fringe benefits or by making equivalent or differential payments under rules and regulations established by the Comptroller.

e. The Corporation may convey, lease as lessor or otherwise dispose of real property for a use other than use as a prevailing wage property only where the Corporation complies with Subdivision b of Section 25-905 of the Administrative Code of the City of New York; provided further that, in the report required by Paragraph 2 of Subdivision b of Section 25-905 of such code, the Corporation shall specify the reason that disposition of the property for use as a prevailing wage property is impracticable or undesirable.

5. Strategic Plan. The Corporation shall develop a strategic plan to address the purposes for which it has been formed and shall update such plan from time to time as needed. The Corporation shall provide a copy of such plan, and any updates thereto, to each member.

6. Nondiscrimination and Affirmative Action Policy. The Corporation shall have a nondiscrimination and affirmative action policy which shall read as follows:

"NEW YORK CITY LAND CORPORATION
NONDISCRIMINATION AND AFFIRMATIVE ACTION POLICY

The New York City Land Corporation (NYCLC) shall not discriminate against any person upon the basis of race, color, religion, national origin, sex, disability, sexual orientation, gender identity, age, familial status, marital status, partnership status, lawful occupation, lawful source of income, military status, alienage or citizenship status, or on the grounds that a person is a victim of domestic violence, dating violence, or stalking. This policy also prohibits retaliation.

NYCLC shall also ensure that any transferee or purchaser of any property from NYCLC, and any successor in interest thereto, abides by this policy in the sale, lease or rental, or in the use or occupancy of the property or improvements erected or to be erected thereon or any part thereof."

§ 2. This local law takes effect immediately. This local law expires 1 year after enactment unless the urban development corporation approves this local law under subdivision (g) of section 1603 of the not-for-profit corporation law within 1 year after enactment.

Referred to the Committee on Housing and Buildings.

Int. No. 571

By Council Members Brewer and Ayala.

A Local Law in relation to the establishment of a Wards Island affordable housing task force

Be it enacted by the Council as follows:

Section 1. Definitions. For purposes of this local law, the following terms have the following meanings:

City. The term "city" means the city of New York.

Task force. The term "task force" means the Wards Island affordable housing task force established by this local law.

§ 2. Task force established. There is hereby established a task force to be known as the Wards Island affordable housing task force.

§ 3. Duties. a. The task force shall study the feasibility of building affordable housing on Wards Island and shall make recommendations for legislation and policy in furtherance of that objective.

b. In studying the feasibility of building housing on Wards Island, the task force shall take into account the following factors:

1. Potential demand for housing on Wards Island;

2. The cost of building affordable housing on Wards Island and possible sources of funding;

3. Whether any restrictions on permissible land use on Wards Island would need to be modified or amended, and

4. How city services and amenities could be provided to potential residents of Wards Island.

§ 4. Membership. a. The task force shall be composed of the following members:

1. The commissioner of parks and recreation or such commissioner's designee, who shall serve as chair;

2. The commissioner of health and mental hygiene, or such commissioner's designee;

3. The chancellor of the city school district, or such chancellor's designee;

4. The commissioner of environmental protection, or such commissioner's designee;

5. The commissioner of housing preservation and development, or such commissioner's designee;

6. Three members appointed by the mayor, including one member who shall represent tenant advocates, one member who shall represent affordable housing providers, and one member who shall represent populations at risk of homelessness; and

7. Three members appointed by the speaker of the city council, including one member who shall represent tenant advocates, one member who shall represent affordable housing providers, and one member who shall represent populations at risk of homelessness.

b. 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.

c. All appointments required by this section shall be made no later than 90 days after the effective date of this local law.

d. 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 270 days after the effective date of this local law, the task force shall submit a report to the mayor and the speaker of the council setting forth its findings and recommendations for legislation and policy relating to affordable housing on Wards Island. The report shall include a summary of information the task force considered in formulating its recommendations.

b. The commissioner of parks and recreation shall publish the task force's report electronically on the website of the department of parks and recreation 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 Housing and Buildings.

Int. No. 572

By Council Member Brewer (by request of the Brooklyn Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to requiring increased transparency regarding the sale of housing development fund company units

Be it enacted by the Council as follows:

Section 1. Title 26 of the administrative code of the city of New York is amended by adding a new chapter 35 to read as follows:

CHAPTER 3c5
HOUSING DEVELOPMENT FUND COMPANIES

§ 26-3501 Definitions. For the purposes of this chapter, the following terms have the following meanings:

Department. The term "department" means the department of housing preservation and development.

Housing development fund company. The term "housing development fund company" has the same meaning ascribed to such term in subdivision 9 of section 572 of the private housing finance law.

§ 26-3502 Sale of housing development fund company units. a. No later than June 1, 2023, and annually thereafter, the department shall submit a report to the mayor and the speaker of council on the sale prices of housing development fund company units sold within each community board district.

b. The report required by subdivision a of this section shall include, but need not be limited to, the following information for the preceding calendar year, for each community district:

1. The total number of housing development fund company units sold;

2. The average sale price of housing development fund company units sold; and

3. The median sale price of housing development fund company units sold.

§ 2. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 573

By Council Members Brewer, Dinowitz, Feliz, Yeger, Won, Hanif and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to increasing the number of drinking fountains adjacent to public parks and greenstreets

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 18-158 to read as follows:

§*18-158 Drinking fountains and parks. a. For purposes of this section, "greenstreets" shall mean a location under the jurisdiction of the commissioner that is used as a pedestrian thoroughfare that is not inside of or adjacent to a park.*

b. The commissioner shall on a regular basis, beginning on January 1, 2023 and no less than every five years thereafter, complete an evaluation of the need for drinking fountains on locations under the jurisdiction of the commissioner, that are adjacent to non-park land, including both greenstreets and the perimeters of public parks. Such evaluation shall consider both the proximity of existing sources of public drinking water and how heavily trafficked such locations are by pedestrians and bicyclists. At the conclusion of each evaluation, the commissioner shall report to the council on the seventy-five such locations, as identified by the commissioner, that would most benefit from the installation of drinking fountains for public use.

c. Prior to July 1, 2023, no less than twenty-five drinking fountains available for public use shall be installed and maintained at locations identified by the commissioner in the report issued pursuant to subdivision b of this section. Every five years hence, the department shall install and maintain no less than twenty-five additional drinking fountains for public use, at locations identified by the commissioner pursuant to subdivision b. Anytime after July 2, 2033, the commissioner may determine not to install any further drinking fountains under this section and shall inform the speaker of the council in writing of such determination and the reasons therefor.

§2. This local law takes effect immediately.

Referred to the Committee on Parks and Recreation.

Int. No. 574

By Council Members Brewer and Gutiérrez.

A Local Law to amend the administrative code of the city of New York, in relation to expanding the information provided on the open space coordination platform

Be it enacted by the Council as follows:

Section 1. Section 23-804 of the administrative code of the city of New York, as added by local law number 7 for the year 2021, is amended to read as follows:

§ 23-804 Open space coordination platform. a. Definitions. For purposes of this section, the following terms have the following meanings:

Art and cultural institutions. The term "art and cultural institutions" means not-for-profit art and cultural groups, organizations, venues or institutions within the city of New York.

[Office. The term "office" means the mayor's office of citywide event coordination and management established pursuant to executive order number 105, dated September 17, 2007, or another office or agency designated by the mayor.]

Department. The term "department" means the department of transportation or another agency or office designated by the mayor,

Open space. The term "open space" means a roadway space, park space, or another public outdoor location, including but not limited to a pedestrian plaza, *playground, open street* or public parking lot[, that is made available by the office for use by art and cultural institutions for outdoor performances or as a rehearsal space].

b. Website for coordinating the use of open space [for art and cultural programming]. The [office] *department* shall, in consultation with any other relevant agency or office, including but not limited to the department of cultural affairs, the department of parks and recreation, *the mayor's office of citywide event coordination and management* and the department of information technology and telecommunications, create a website that:

1. Provides information about open space, *including open hours for each open space, any rules that apply to the use of each open space, and any cost associated with any use of an open space*;

2. Facilitates the use of open space by art and cultural institutions, *vendors, community boards, business improvement districts and the general public*;

3. Allows users to search for open space, by location and on a map; [and]

4. Provides information on permits or licenses needed for the use of open spaces for various purposes and provides links to the application for each such permit or license; and

[4] *5*. Allows users to search for information about outdoor programs offered by art and cultural institutions [that are coordinated by the office]. Such website may also provide information about other events hosted by art and cultural institutions and outdoor events held on private property, to the extent such information is provided to the [office] *mayor's office of citywide event coordination and management or another agency or office* for inclusion on such website.

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

Referred to the Committee on Transportation and Infrastructure.

Res. No. 223

Resolution calling on the New York State Assembly to pass A.4938-B and A.5310 and the Governor to sign A.4938-B/S.154-C and A.5310/S.157, which would set standards for lithium-ion batteries used in specific electric mobility devices and prohibit the sale of second-use lithium-ion batteries intended for use in a bicycle with electric assist, an electric scooter or a limited use motorcycle.

By Council Members Brewer and Gennaro.

Whereas, During the past several years, New York City has experienced a rapid increase in lithium-ion battery related fires, largely associated with E-bikes; and

Whereas, The construction of these batteries contain a pressurized electrolyte fluid that makes them dangerous in a range of circumstances, which may compromise the battery's integrity and cause the battery to explode or ignite; and

Whereas, These circumstances include but are not limited to: (i) impact damage to the battery; (ii) a manufacturing flaw; (iii) aging and deterioration of the battery components; (iv) extreme temperatures; and (v) overcharging; and

Whereas, The New York City Fire Department ("FDNY") investigated 44 lithium-ion fires related to E-bikes and electric scooters during 2020, none of which resulted in deaths; and

Whereas, During 2021 and 2022, respectively, the FDNY reported investigating 104 and 220 fires resulting in 4 and 6 deaths; and

Whereas, On June 20, 2023, an early-morning fire at an E-bike store in lower Manhattan, caused by lithium-ion batteries, resulted in the death of four individuals; and

Whereas, In March of 2023, the Council passed a package of E-bike safety legislation, including:(i) Local Law 39 of 2023, which prohibits the sale, lease, or rental of powered mobility devices, such as e-bikes and electric scooters, and storage batteries for these devices, that fail to meet recognized safety standards and (ii) Local Law 42 of 2023, which prohibits the sale of reconditioned lithium-ion batteries that use cells removed from used storage batteries; and

Whereas, A.4938-B, introduced by New York State Assemblymember Jeffrey Dinowitz, and companion bill S.154-C, introduced by New York State Senator Liz Krueger, would require lithium-ion batteries sold in the State and to be used in a light electric-powered vehicle or personal mobility device to be manufactured in accordance with certain standards and specifications; and

Whereas, A.4938-B/S.154-C would amend the New York State General Business Law ("GBL") by prohibiting the manufacturing, distribution, sale of lithium-ion battery or chargers for E-bikes, electric scooters, and other small mobility devices that do not comply with one of the listed standards set out by *Underwriter Laboratories*; and

Whereas, A.4938-B/S.154-C would create a civil penalty that ranges from $500 for a first violation to $1000 for each subsequent for anyone who violates the law; and

Whereas A.5310, introduced by Assemblymember Jeffrey Dinowitz, and companion bill S.157, introduced by Senator Liz Krueger, would prohibit the sale of second-use lithium-ion batteries intended for use in a bicycle with electric assist, an electric scooter or a limited use motorcycle; and

Whereas, A.5310/S.157 would amend the GBL by prohibiting the distribution, assembly, or sale of second-use lithium-ion batteries for E-bikes and electric scooters that have been assemble or reconditioned using cells removed from used batteries; and

Whereas, A.5310/S.157 would create a civil penalty that ranges from $200 for a first violation to $1000 for each subsequent violation within two years for anyone who violates the law; and

Whereas, On June 1, 2023, the New York State Senate passed S.157 and was delivered to the New York State Assembly on the same day; and

Whereas, On June 8, 2023, the New York State Senate passed S.154-C and was delivered to the New York State Assembly on the same day; and

Whereas, Currently, the New York State Assembly has yet to hold a vote on A.4938-B or A.5310; and

Whereas, Prohibiting the sale of second-use lithium-ion batteries intended for the use in E-bikes and electric scooters statewide would further preclude the use of these dangerous products within the City and better ensure the safety of all New Yorkers; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Assembly to pass A. 4938-B and A.5310 and the Governor to sign A.4938-B/S.154-C and A.5310/S.157, which would set standards for lithium-ion batteries used in specific electric mobility devices and prohibit the sale of second-use lithium-ion batteries intended for use in a bicycle with electric assist, an electric scooter or a limited use motorcycle.

Referred to the Committee on Consumer and Worker Protection.

Res. No. 224

Resolution calling on the New York State Legislature to pass, and the New York State Governor to sign, S.7587/A.7833, known as the "Commercial E-Bike Licensing Act," which requires the registration of bicycles with electric assist used for commercial purposes and creates liability for employers for certain violations.

By Council Members Brewer and Gennaro.

Whereas, Bicycles equipped with an electric motor (e-bikes) have become a popular mode of transportation for individuals and method of delivery for food and small goods, since 2020, when New York State (NYS) made it legal for people to operate e-bikes on some streets and highways; and

Whereas, Under NYS Law, e-bikes may operate on highways with a posted speed limit of 30 miles per hour or less; municipalities can further regulate the time, place and manner of operation of e-bikes; and e-bikes cannot be operated on a sidewalk unless authorized by local law or ordinance; and

Whereas, E-bikes offer a convenient and effective option for personal transportation, but also for workers in the delivery industry; and

Whereas, According to estimates, in New York City (NYC), there are approximately 65,000 food-delivery workers that work on behalf of mobile app delivery services such as Uber Eats, DoorDash and Grubhub, and according to the Workers Justice Project, about 80% of delivery workers rely on e-bikes or motorbikes; and

Whereas, With the increased prevalence of e-bikes in NYC, road users have noted the danger these devices can sometimes pose to pedestrians, other cyclists, and themselves when operated impermissibly, including being driven on sidewalks and riders not complying with traffic safety regulations; and

Whereas, It is possible that food delivery workers choosing to engage in dangerous riding behavior is largely fueled by pressure from delivery companies requiring delivery workers to conduct delivery of food and goods as fast as possible; and

Whereas, For 2022, according to the NYC Department of Transportation, e-bikes with pedals were involved in nine fatalities, and, as of July 4, 2023, for 2023, e-bikes with pedals were involved in 12 fatalities; and

Whereas, In an effort to ensure that commercial e-bike users comply with regulations and operate in a safe manner, for the well-being of both themselves and others, while ultimately reducing the number of fatalities and injuries related to such devices, S7587/A.7833, known as the "Commercial E-Bike Licensing Act," was introduced at the state level; and

Whereas, S.7587, introduced by NYS Senator Brad Hoylman-Sigal, and A.7833, introduced by NYS Assemblymember Tony Simone, would require the registration and licensure of e-bikes used for commercial purposes, and directs the costs of violations relating to riding such a bicycle on a sidewalk to the employer of the commercial e-bike rider; and

Whereas, By requiring the registration of e-bikes used for commercial purposes and requiring visible license information, delivery e-bikes involved in dangerous situations could be easily identified, with any fines or violations being placed on the employer, and not the delivery worker; 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 New York State Governor to sign, S.7587/A.7833, known as the "Commercial E-Bike Licensing Act," which requires the registration of bicycles with electric assist used for commercial purposes and creates liability for employers for certain violations.

Referred to the Committee on Consumer and Worker Protection.

Res. No. 225

Resolution calling on Congress to pass, and the President to sign, the Prescription Pricing for the People Act of 2023 and the Pharmacy Benefit Manager Transparency Act of 2023.

By Council Member Brewer.

Whereas, In the United States (U.S.), prescription drug prices have been on the rise, with prices widely varying across cities and states, making it difficult for many Americans to access and afford their medications; and

Whereas, According to GoodRx Health, New York (NY) is the sixth most expensive U.S. state for prescription drugs, where residents pay 10.4% above the national average for their medications; and

Whereas, New York Public Interest Research Group Fund (NYPIRG) reports huge prescription drug price differences within and among NY counties; and

Whereas, For example, Spiriva, a medication for asthma and COPD, on average costs $308.92 in Onondaga and $322.64 in the Bronx; and

Whereas, Meanwhile, just within New York City (NYC), Spiriva can cost as high as $698.72 or as low as $224.95, a difference of $473.77; and

Whereas, Over the past few years, the U.S. Senate has been examining the ever-increasing price of prescription drugs; and

Whereas, In 2019, the Senate Committee on Finance held a three-part hearing on drug pricing in America and examined the role that Pharmacy Benefit Managers (PBMs) play in increasing the cost of drugs for consumers; and

Whereas, PBMs are intermediaries that manage prescription drug benefits on behalf of health insurers, Medicare Part D drug plans, and large employers, and have significant influence over the prices and availability of prescription medications; and

Whereas, PBMs negotiate with drug manufacturers, using their buying power to get the best deal on medications on behalf of insurance companies and their customers; and

Whereas, PBMs are large corporations, and the three largest—CVS Health/Caremark, Cigna/Express Scripts, and UnitedHealth/OptumRx—control about 80% of the prescription drug market; and

Whereas, However, consumer and patient advocates have argued that PBMs act only to increase their bottom line, and not to make prescription medications more affordable for consumers and patients; and

Whereas, The National Community Pharmacists Association, for example, argues that PBMs will select medications for inclusion in a plan if a rebate is paid to the PBM, but not necessarily because including the medication would be in the consumers' best interests; and

Whereas, PBMs operate with little to no transparency, making it difficult to understand how they determine prices for prescription drugs, and whether they engage in anticompetitive or deceptive practices that harm consumers, pharmacies, and health plans; and

Whereas, PBMs may steer patients to pharmacies in which they have an ownership interest, or use formulary designs to favor drugs that generate higher rebates from manufacturers; and

Whereas, In a practice known as "spread pricing," PBMs may charge health plans more than they reimburse pharmacies for the same drugs, and keep the difference as profit; and

Whereas, PBMs may engage in "clawbacks" by imposing inflated copayments on consumers while charging pharmacies direct and indirect remuneration fees to reduce their reimbursement rates or decrease future payments to pharmacies to offset "negative funding" to an amount that is slightly above the drug acquisition cost, allowing PBMs to pocket most of the money; and

Whereas, Due to such practices, while patients are forced to pay more money for the same drug at a particular pharmacy, which could often be higher than the out-of-pocket cost of their prescription, pharmacies also suffer through low reimbursements and decreased customer trust, which could threaten their viability; and

Whereas, Part of the difficulty in assessing the actions of PBMs stems from the fact that there is little regulation of the industry and it lacks transparency; and

Whereas, To address these issues, Senator Chuck Grassley has introduced S.133, the Prescription Pricing for the People Act of 2023, which would require the Federal Trade Commission to study the role of PBMs in the pharmaceutical supply chain and report to Congress on their anticompetitive practices and other trends that may impact the cost of prescription drugs; and

Whereas, S.127, the Pharmacy Benefit Manager Transparency Act of 2023 introduced by Senator Maria Cantwell, would prohibit PBMs from engaging in spread pricing, clawbacks, steering, and other unfair or deceptive practices when managing prescription drug benefits; and

Whereas, Together these bills would increase transparency and accountability in the PBM industry, protect consumers and pharmacies from abusive practices, and promote competition and lower prices in the prescription drug market; and

Whereas, Given that New Yorkers already pay one of the highest rates for their prescription drugs, it is vital that these bills become law; now, therefore, be it

Resolved, That the Council of the City of New York calls on Congress to pass, and the President to sign, the Prescription Pricing for the People Act of 2023 and the Pharmacy Benefit Manager Transparency Act of 2023.

Referred to the Committee on Consumer and Worker Protection.

Res. No. 226

Resolution calling on the New York State Legislature to amend the Hudson River Park Trust Act by banning non-essential use of its heliport.

By Council Members Brewer, Holden and Avilés.

Whereas, In 1998, the New York State legislature passed and then-Governor Pataki signed the Hudson River Park Act ("HRPA"), which formally designated parkland along the City's westside; and

Whereas, Hudson River Park is a 550-acre riverfront park and estuarine sanctuary spanning four miles along the west side of Manhattan, from the northern boundary of Battery Park City in Tribeca to W 59 St. in Hell's Kitchen; and

Whereas, Hudson River Park attracts over 17 million visits annually and offers numerous athletic and recreational activities including baseball, basketball, running, cycling and kayaking; and

Whereas, In addition to the creation of Hudson River Park, HRPA established a New York State public benefit corporation called the Hudson River Park Trust to continue the planning, construction, management and operation of the park; and

Whereas, Among Hudson River Park's management responsibilities is the operation of the frequently trafficked West 30th Street heliport; and

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

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

Whereas, New York City residents are exposed to noise and pollutants from over a thousand monthly helicopter flights; and

Whereas, According to the Natural Resources Defense Council's study "Needless Noise: The Negative Impacts of Helicopters Traffic in New York City and the Tri-State Region," exposure to frequent overhead flights are associated with a number of health effects in children, including high blood pressure, neuroendocrinological issues, impaired psychological and cognitive functions, learned helplessness, poorer long-term memory, and diminished reading comprehension; and

Whereas, Helicopters emit air pollutants such as particulate matter, nitrogen oxide and formaldehyde, which are known to cause asthma, cancer and other illnesses; and

Whereas, In addition to the health concerns there have been several notable helicopter related accidents over the City's airspace, raising congestion and safety issues; and

Whereas, In May of 2019, a charter helicopter crashed into the Hudson River while the pilot, who suffered a hand injury, was moving the aircraft from the fueling area to the customer section of the Hudson River Park's West 30th Street Heliport; and

Whereas, Parks and heliports, especially one that is heavily trafficked as the West 30th Street heliport, are not meant for co-location; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to amend the Hudson River Park Trust Act by banning non-essential use of its heliport.

Referred to the Committee on Economic Development.

Res. No. 227

Resolution calling on Congress to pass, and the President to sign, a renewed Farm Bill that increases funding for life-saving food aid.

By Council Members Brewer and Louis.

Whereas, According to the New York City Mayor's Office of Food Policy, 14.6 percent of New York City residents were food insecure in 2022; and

Whereas, According to the New York City Human Resources Administration, 1,754,927 New York City residents received benefits under the Supplemental Nutrition Assistance Program (SNAP) in February 2023; and

Whereas, The Farm Bill is a multiyear federal law that governs an array of agricultural and food programs and funds vital food and nutrition assistance programs that support New York City residents, including SNAP; and

Whereas, Congress must renew the Farm Bill on a regular basis, which historically it has done approximately every 5 years; and

Whereas, The 2018 Farm Bill expired on September 30, 2023, but Congress has temporarily extended its appropriations in a Continuing Resolution that extends funding for all federal programs until it expires on November 17, 2023; and

Whereas, SNAP provides essential food benefits to low-income families to supplement their grocery budget so they can afford the nutritious food essential to health and well-being; and

Whereas, Funding for SNAP and other Farm Bill programs is vital and should be continued and increased; and

Whereas, Any cuts to the life-saving food aid provided in the Farm Bill will increase food insecurity in New York City and threaten the health and lives of the City's most vulnerable residents; and

Whereas, Congress and the President have the opportunity not only to reauthorize the Farm Bill but also to increase its funding for SNAP and other food and nutrition assistance programs; now, therefore, be it

Resolved, That the Council of the City of New York calls on Congress to pass, and the President to sign, a renewed Farm Bill that increases funding for life-saving food aid.

Referred to the Committee on General Welfare.

Res. No. 228

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.660/A.274.

By Council Members Brewer and Hanif.

Whereas, The right to vote is essential to a well-functioning democracy; and

Whereas, The New York State Constitution sets the minimum voting age at eighteen; and

Whereas, Sixteen year-olds shoulder many of the same responsibilities as adults; and

Whereas, In New York, sixteen year-olds can work and pay taxes; and

Whereas, According to an article in the George Washington Law Review, studies have shown that by the time an individual reaches the age of sixteen they have developed the cognitive abilities required to engage in the reasoned decision making that is necessary for voting; and

Whereas, Without the right to vote sixteen year-olds lack a voice in government decisions that affect their lives, such as who oversees their schools and how their tax dollars are spent; and

Whereas, S.2562, introduced by Senator Brad Hoylman-Sigal and pending in the New York State Senate, and its companion bill A.330 introduced by Assembly Member Robert Carroll and pending in the New York State Assembly would amend the New York State Constitution to lower the minimum voting age to sixteen for state and local elections; and

Whereas, S.660, introduced by Senator Brad-Hoylman-Sigal and pending in the New York State Senate and its companion bill, A.274 introduced by Assembly Member Robert Carrol and pending in the New York State Assembly, amends the New York State election law to conform with the Constitutional changes made by S.2562/A.330; and

Whereas, S.660/A.274 amends the New York State election law to allow sixteen year-olds to vote in state and local elections; and

Whereas, New York election law requires citizens to register prior to voting; and

Whereas, S. 660/A.274 amends the New York State election law to allow anyone who turns sixteen years old by December 31st of the calendar year to register to vote in state and local elections; and

Whereas, S.660/A.274 would mandate that high schools in New York State provide all students turning sixteen years old within the calendar year with both a voter registration form and a voter registration opt-out form; and

Whereas, S.660/A.274 would require that students be afforded classroom time to fill out either a voter registration form or a voter registration opt-out form; and

Whereas, According to a report by the Campaign for the Civic Mission of Schools, students who receive a high-quality civics education are more likely to vote, discuss policy issues with their friends and family and volunteer in their communities; and

Whereas, Civic education can help young people develop the knowledge and habits needed to actively participate in civic affairs; and

Whereas, S.660/A.274 would require that students in the 9th through the 12th grade receive a minimum of eight class periods worth of civics education; 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.660/A.274.

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

Res. No. 229

Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation to ease systemic barriers in opening birth centers in New York City and New York State.

By Council Member Brewer.

Whereas, According to the American Association of Birth Centers, a birth center is a freestanding healthcare facility where childbirth care is provided within the midwifery and wellness model by licensed and qualified staff, that supports a person's right to give birth in a nurturing and more natural home-like setting as opposed to that of a traditional hospital; and

Whereas, According to the New York City Department of Health and Mental Hygiene, a midwife is described as a clinician who provides a range of pregnancy and birth health care after having completed an accredited midwifery education program, passing a national certifying exam and for some, obtaining a license from the New York State Education Department; and

Whereas, According to the Commonwealth Fund, fully incorporating midwives into the United States (U.S.) maternity care systems could reduce healthcare disparities and dramatically improve outcomes for

childbearing people by potentially averting 41 percent of maternal deaths, 39 percent of neonatal deaths, and 25 percent of stillbirths; and

Whereas, Out of the 345 birth centers in the U.S., New York State has just three, with two being located downstate in Brooklyn; and

Whereas, On January 2, 2022, Governor Kathy Hochul announced the signing of S.1414-A/A.259-A, legislation intended to streamline the process for opening accredited midwifery birth centers in New York State; and

Whereas, While S.1414-A/A.259-A was enacted to ensure regulations governing the licensing, establishment, and operation of midwifery birth centers were consistent with the Midwifery Practice Act or the standards of national accrediting bodies specializing in midwifery birth centers, advocates argue the proposed regulations did not align with national accreditation standards for birthing centers as required in the new law; and

Whereas, According to advocates, rather than streamlining the licensing procedures and regulations to incentivize the creation of more midwife led freestanding birthing centers, several of the legislation's provisions created additional barriers which are onerous, restrictive, and require fees that are deemed too expensive for many applicants; and

Whereas, Prior to being signed into law in 2022, advocates were surprised to learn of last minute changes to the legislation which excluded the adoption of accreditation standards of the Commission for the Accreditation of Birth Centers (CABC), and instead required applicants to show their ability and intent to obtain that accreditation by first seeking and gaining approval from New York State's Public Health and Health Planning Commission (PHHPC), which includes an appointment by the Governor; and

Whereas, Another last minute change to the legislation requires applicants to show their ability to cover the costs of funding, renovation, construction, and the ability to meet safety standards at the time they submit their request for a particular building location intended for use as a birthing center—an existing standard previously put in place for larger hospitals; and

Whereas, Additionally, while an address must be provided for accreditation consideration, applicants have complained that having to rent or lease an empty commercial space before the application has been approved is financially untenable; and

Whereas, Additionally, the onerous Certificate of Need (CON) application process required by PHHPC entails a two-year process before construction may begin; and

Whereas, Other last minute changes require PHHPC to review completed and submitted birth center applications on a regular basis instead of within months, as some applicants have complained; and

Whereas, Significantly, another last minute change to the legislation gives midwives the opportunity to go before the Council of PHHPC to argue their case as to why CABC's rules should be adopted; and

Whereas, If CABC's and PHHPC's standards and regulations differ, the State's legislation requires the state government officials to work with midwives to "harmonize" them; and

Whereas, Advocates and midwives worry that despite the directive for state officials to work in harmony with midwives, historically the panel of hospital representatives, now set to hear these arguments have been on record as having been against incorporating midwives as part of an interdisciplinary team of health care professionals; and

Whereas, The financial and opportunity costs involved in adhering to what is arguably a restrictive licensing process may dissuade many individuals who seek to open birthing centers in order to provide safe, affordable care as an alternative to in-patient hospital care for persons giving birth; 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 ease systemic barriers in opening birthing centers in New York City and New York State.

Referred to the Committee on Health.

Res. No. 230

Resolution calling on the United States Citizenship and Immigration Services (USCIS) and the Secretary of Homeland Security to grant humanitarian parole, of at least two years, to asylum seekers who entered the United States prior to the date this parole is announced.

By Council Members Brewer and Hanif.

Whereas, The path to accessing employment authorization is a lengthy and complex process for asylum seekers; and

Whereas, Due to the complexity of the applications, the processing backlogs, and the 150 day waiting period, asylum seekers may not be able to access employment authorization for over 2 years after their entry into the United States.; and

Whereas, According to a recent report from *Make the Road New York, i*n New York City, 97% of asylum seekers surveyed did not have work permits; and

Whereas, Without access to work permits, tens of thousands of asylum seekers do not have the option to work legally in the United States, which could force them to enter an underground employment market where they may be victims of wage theft and other forms of exploitation; and

Whereas, However, asylum seekers who have come to New York City over the past year are also eligible for humanitarian parole; and

Whereas, Often these individuals are fleeing countries suffering from significant political, economic, or humanitarian crises; and

Whereas, Humanitarian parole provides temporary lawful status to individuals for 'urgent humanitarian reasons' or 'significant public benefit'; and

Whereas, Although individuals from countries such as Haiti, Nicaragua, Venezuela, and Cuba have been included in parole programs specific to their countries, this program only applies to individuals who have entered the United States after October 19, 2022 for Venezuelans, and after January 9, 2023 for Cubans, Venezuelans, and Nicaraguans; and

Whereas, The existing parole program does not encompass the asylum seekers who crossed into the U.S. before those dates or individuals who are part of the recent asylum seeker influx from other countries; and

Whereas, USCIS and the Secretary of Homeland Security have the authority to temporarily designate humanitarian parole and can use their discretion to apply parole to any noncitizen who fulfills the relevant criteria; and

Whereas, Although humanitarian parole is temporary and does not provide a pathway to citizenship, it does not preclude individuals from applying for asylum; and

Whereas, Individuals can immediately apply to employment authorization by filing an I-765 employment authorization application after being paroled; and

Whereas, Asylum seekers in New York City are struggling to navigate a lengthy and complicated process to safely and legally work in the United States; and

Whereas, Without access to work permits, asylum seekers will not be able to provide for themselves or their families; and

Whereas, USCIS can use their discretion for humanitarian parole to give our newest New Yorkers temporary lawful status and an easier pathway to access work in their new city; now, therefore, be it

Resolved, That the Council of the City of New York Resolution calling on the United States Citizenship and Immigration Services (USCIS) and the Secretary of Homeland Security to grant humanitarian parole, of at least two years, to asylum seekers who entered the United States prior to the date this parole is announced.

Referred to the Committee on Immigration.

Res. No. 231

Resolution calling on the New York State Legislature to pass, and the Governor to sign, A.1679/S.561, in relation to increasing the penalty for leaving the scene of an accident involving an e-scooter and further calling upon the New York State Legislature to include e-bikes in such legislation.

By Council Members Brewer and Gennaro.

Whereas, The transportation sector within the City of New York ("the City") has rapidly expanded and is becoming increasingly multimodal; and

Whereas, In 2019, the Council of the City of New York passed, and Mayor Bill de Blasio signed, Local Law 195 of 2019, which, among other street safety and major transportation improvements, requires the New York City Department of Transportation ("DOT") to install at least 250 protected bike lanes and redesign at least 2,000 signalized intersections; and

Whereas, With the emergence of new technologies, as well as the City's vast investment in transportation improvement projects, the adoption of electric bikes ("e-bikes") and electric scooters ("e-scooters") within the City of New York has become more common; and

Whereas, In 2020, the New York State Legislature passed legislation allowing for people to operate e-bikes and e-scooters on many streets within the State and the City Council subsequently passed legislation removing prohibitions in local law; and

Whereas, The New York City administrative code states that e-bikes and e-scooters cannot ride on sidewalks; and

Whereas, According to an analysis of 311 compliant data by the not-for-profit news organization, The City, complaints filed reporting instances of cycling, scootering, and in-line skating occurring in unwanted locations has dramatically increased, from 484 complaints in 2019 to 1,036 in 2021; and

Whereas, New York State Vehicle and Traffic Law prohibits any person operating a motor vehicle from leaving the scene of a traffic accident without reporting it; and

Whereas, According to former DOT Commissioner Polly Trottenberg, who was quoted in a 2018 article by the New York Times, "[Crash investigations provide] crucial information about what happens in particular crashes," and, according to the article, such investigations help DOT identify roadways in need of redesign or other safety measures needed; and

Whereas, In 2021, the New York City Council passed, and Mayor Bill de Blasio signed, Local Law 49 of 2021, which required the Department of Transportation to create a crash investigation and analysis unit tasked with investigating, analyzing and reporting on all vehicle crashes involving significant injury; and

Whereas, Local Law 49 also requires the Department of Transportation to make recommendations for safety-improving changes to street design and infrastructure, and to post reports regarding its crash reviews on the Department of Transportation's website; and

Whereas, The City has an overall interest in ensuring that individuals do not leave the scene of a traffic collision; and

Whereas, A.1679 by Assemblymember Linda B. Rosenthal and S.561 by State Senator Brad Hoylman-Sigal would amend the New York State Vehicle and Traffic law to increase the penalties for leaving the scene of an accident involving an electric scooter without reporting it: in the second degree from a violation to a Class-A misdemeanor; and in the first degree from a Class-B misdemeanor to a Class-E felony; and

Whereas, Such legislation might encourage e-scooter riders involved in a collision to stay at the scene of the collision site, which could potentially increase pedestrian and traffic safety; and

Whereas, Including e-bikes in such legislation could potentially further increase pedestrian and traffic safety; 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, A.1679/S.561, in relation to increasing the penalty for leaving the scene of an accident involving an e-scooter and further calls upon the New York State legislature to include e-bikes in such legislation.

Referred to the Committee on Transportation and Infrastructure.

Res. No. 232

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.2960/A.5741, to provide for annual adjustment of the maximum income threshold eligibility for the Senior Citizen Rent Increase Exemption (SCRIE), Disability Rent Increase Exemption (DRIE), Senior Citizen Homeowners' Exemption (SCHE), and Disabled Homeowners' Exemption (DHE) by any increase in the Consumer Price Index.

By Council Members Brewer, Bottcher, Schulman, Hanif, Won and Gennaro.

Whereas, U.S. Census Bureau data show that the median income among Americans aged 55 years to 64 years declined by 2.6 percent between 2020 and 2021, from an estimated $77,872 per year to an estimated $75,842 per year; and

Whereas, Similarly, the median income among U.S. adults aged 65 years and older decreased by 2.6 percent between 2020 and 2021, from an estimated $48,866 per year to an estimated $47,620 per year; and

Whereas, U.S. Census Bureau data also reveal that the prevalence of poverty among Americans aged 65 years and older increased between 2020 and 2021, from 8.9 percent, or over 4.8 million people, to 10.3 percent, or more than 5.8 million older adults; and

Whereas, Moreover, 4.2 percent, or over 2.3 million, of U.S. adults aged 65 years and older lived in deep poverty in 2021; and

Whereas, Furthermore, 24.9 percent, or more than 3.9 million, of disabled U.S. adults were in poverty in 2021; and

Whereas, The number of disabled U.S. adults living in poverty grew between 2020 and 2021, from about 3.7 million to over 3.9 million; and

Whereas, As of 2021, 7.7 percent of adults in New York State and 6.9 percent of adults in New York City were disabled; and

Whereas, According to the New York State Office of Temporary and Disability Assistance, as of November 2021, 631,101 people in New York State and 372,302 people in New York City received Supplemental Security Income (SSI)—a program providing monthly payments to supplement modest incomes of disabled people and of people aged 65 years and older; and

Whereas, New York State Department of Labor data demonstrate that 10.9 percent of adults aged 55 years to 74 years and 13.1 percent of adults aged 75 years and older in New York State lived in poverty in 2021; and

Whereas, Likewise, 15.6 percent of adults aged 55 years to 74 years and 19.8 percent of adults aged 75 years and older in New York City were in poverty in 2021; and

Whereas, According to the U.S. Bureau of Labor Statistics, between April 2022 and April 2023, prices paid by urban consumers for all items, as measured by the Consumer Price Index, increased by 4.9 percent nationally and by 3.7 percent in New York State; and

Whereas, Between May 2022 and May 2023, residential rent in the New York Metropolitan Area grew by 6 percent; and

Whereas, To contextualize residential rent increase in the New York Metropolitan Area, the U.S. Census Bureau reported that the median rent in New York City in 2021 was $1,579 per month or $18,948 per year; and

Whereas, The U.S. Census Bureau also calculated that in New York City, the median monthly homeowner costs, inclusive of a mortgage, amounted to $2,913 in 2021; and

Whereas, According to the U.S. Internal Revenue Service, as of 2023, the median property tax in New York State was $3,755 per year, or, on average, 1.23 percent of the property value; and

Whereas, Among the counties encompassed by New York City, as of 2023, the median property tax was $2,653 per year in Bronx County, $2,903 per year in Kings County, $5,873 per year in New York County, $2,914 per year in Queens County, and $2,842 per year in Richmond County; and

Whereas, A number of programs in New York offer assistance to older adults and disabled persons to address rent increases and property taxes; and

Whereas, The Senior Citizen Rent Increase Exemption (SCRIE) and the Disability Rent Increase Exemption (DRIE) help eligible persons aged 62 years and older and eligible tenants with disabilities, respectively, to remain in affordable housing by freezing their rent, with their landlords receiving a property tax credit to cover the difference between the increased and the original rent amount; and

Whereas, To be eligible for SCRIE or DRIE, a tenant's combined annual household income has to be $50,000 or less; and

Whereas, However, per the Economic Policy Institute's Family Budget Calculator, a household of one adult and no children needs an annual income of $56,718 in 2020 dollars to attain a modest, yet adequate standard of living in the New York Metropolitan Area; and

Whereas, According to the U.S. Bureau of Labor Statistics' Consumer Price Index Inflation Calculator, a household with an annual income of $50,000 in May 2022 dollars needs an annual income of $52,023 in May 2023 dollars to sustain the same standard of living in the New York Metropolitan Area; and

Whereas, The Senior Citizen Homeowners' Exemption (SCHE) and the Disabled Homeowners' Exemption (DHE) provide a property tax exemption for eligible persons aged 65 years and older and for disabled people, respectively, who own one-, two-, or three-family homes, condominiums, or cooperative apartments, provided that the total combined annual income of the property owner and spouse or co-owner does not exceed $58,399; and

Whereas, However, per the U.S. Bureau of Labor Statistics' Consumer Price Index Inflation Calculator, a household with an annual income of $58,399 in May 2022 dollars needs an annual income of $60,762 in May 2023 dollars to sustain the same standard of living in the New York Metropolitan Area; and

Whereas, Moreover, the U.S. Social Security Administration implements an annual cost-of-living adjustment, based on the Consumer Price Index, to Social Security and Supplemental Security Income benefits to ensure that the purchasing power of benefits is not eroded by inflation; and

Whereas, For example, Social Security and Supplemental Security Income benefits were increased by 5.9 percent in January 2022 and by 8.7 percent in January 2023; and

Whereas, Given that an applicant's income calculations for SCRIE, DRIE, SCHE, and DHE include Social Security benefits, and income calculations for SCRIE and DRIE additionally incorporate Supplemental Security Income benefits, a cost-of-living adjustment to these benefits could render an otherwise eligible tenant or homeowner ineligible for rent freezing or a property tax exemption, thereby placing the person at risk of housing displacement and homelessness; and

Whereas, With the aim of ensuring that older adults and disabled persons are not displaced from their homes, and that many more people are able to benefit from SCRIE, DRIE, SCHE, and DHE, State Senator Brian Kavanagh introduced S.2960 in the New York State Senate, and Assembly Member Deborah J. Glick introduced companion bill A.5741 in the New York State Assembly, which would provide for annual adjustment of the maximum income threshold for eligibility for SCRIE, DRIE, SCHE, and DHE by any increase in the Consumer Price Index; 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.2960/A.5741, to provide for annual adjustment of the maximum income threshold eligibility for the Senior Citizen Rent Increase Exemption (SCRIE), Disability Rent Increase Exemption (DRIE), Senior Citizen Homeowners' Exemption (SCHE), and Disabled Homeowners' Exemption (DHE) by any increase in the Consumer Price Index.

Referred to the Committee on Aging.

Res. No. 233

Resolution calling upon the United States Federal Aviation Administration to ban all non-essential helicopter travel, including tourist and chartered helicopter flights over New York City.

By Council Members Brewer, Yeger, Hanif, Won and Holden (by request of the Manhattan and Brooklyn Borough Presidents).

Whereas, There are thousands of commercial helicopter flights over the City of New York each month; and

Whereas, There have been several notable accidents over the City's airspace, raising congestion and safety issues; and

Whereas, In May of 2019, a charter helicopter crashed into the Hudson River while the pilot, who suffered a hand injury, was moving the aircraft from the fueling area to the customer section of the West 30th Street Heliport; and

Whereas, A month later in June of 2019, a helicopter crashed on the roof of a building in Manhattan, killing the pilot who was the sole person in the aircraft; and

Whereas, Before these incidents, there were several other notable accidents over the City's airspace; and

Whereas, In April of 1997, a corporate helicopter taking off from a heliport on East 60th Street, crashed into the East River, killing one passenger and injuring three others; and

Whereas, Later that same year, a helicopter was forced to make an emergency landing after clipping a Manhattan building, resulting in damage to the helicopter's rotor; and

Whereas, In 2007, a tour helicopter had to make an emergency landing in the Hudson River on its emergency pontoons; and

Whereas, On August 8, 2009, a helicopter operated by Liberty Helicopter Tours collided with a small private plane over the Hudson River resulting in the deaths of all nine individuals aboard both crafts making the incident one of the deadliest helicopter accidents in New York City history; and

Whereas, In October of 2011, a woman was killed and four others were injured when a tour helicopter crashed into the East River; and

Whereas, In June of 2013, a tour helicopter carrying a family of four and their pilot made an emergency landing in the Hudson River after the helicopter lost power; and

Whereas, In March of 2018, another helicopter operated by Liberty Helicopter Tours crashed in the East River resulting in the deaths of five passengers on board, however the pilot survived; and

Whereas, This accident was the third involving Liberty Helicopter since 2007 and since this incident, the United States Federal Aviation Administration ("FAA") banned flights that use restraints in which passengers cannot easily free themselves ; and

Whereas, These accidents are reminders of the dangers associated with helicopters in an urban setting; and

Whereas, According to the Natural Resources Defense Council's 1999 study "Needless Noise: The Negative Impacts of Helicopter Traffic in New York City and the Tri-State Region," exposure to frequent overhead flights are associated with a number of health effects in children, including high blood pressure, neuroendocrinological issues, impaired psychological and cognitive functions, learned helplessness, poorer long-term memory, and diminished reading comprehension; and

Whereas, Helicopters emit air pollutants such as particulate matter, nitrogen oxide, and formaldehyde, which are known to cause asthma, cancer and other illnesses; and

Whereas, The federal government regulates airspace and the FAA is the entity that is charged with developing airspace regulations; and

Whereas, In an attempt to make the airspace over New York City safer, on September 2, 2009, the FAA announced new recommendations that would include new training programs for pilots, air-traffic controllers, and tourist helicopter operators, set new mandatory speed limits for these vehicles and require all pilots to tune into the same radio channel; and

Whereas, Despite these proposed safety measures, some public officials felt the recommendations did not go far enough, because air traffic controllers would still not be required to monitor aircraft below 1,000 feet; and

Whereas, In April 2010, the New York City Economic Development Corporation ("EDC") released a Helicopter Sightseeing Plan (the Plan) to address the problems presented by tourist helicopter flights operating on city-owned property; and

Whereas, The Plan eliminated short tours, sightseeing tours over Central Park and the Empire State Building and sightseeing flights over Brooklyn; and

Whereas, The Plan also improved sightseeing tour routes and added an enhanced 3-1-1 protocol directing helicopter complaints to 3-1-1 representatives for input, improving EDC's ability to track complaints and allowing the agency to report data on noise complaints more effectively; and

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

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

Whereas, However, the airspace above New York City remains dangerous for these types of vehicles; and

Whereas, A great deal of public outcry for relief from harms caused by helicopter tours in New York City still exists, including from a wide range of public officials; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Federal Aviation Administration to ban all non-essential helicopter travel, including tourist and chartered helicopter flights over New York City.

Referred to the Committee on Economic Development.

Res. No. 234

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

By Council Members Brewer, Hanif, Hudson, Joseph and Avilés.

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

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

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

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

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

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

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

Whereas, Specifically relating to New York City, the *Safe and Quiet Skies Act of 2021* would prohibit tour flights from: (i) operating at an altitude of less than 1,500 feet; (ii) require tour flights over residentials, commercial, and recreational areas to be no louder than 55 decibels; and (iii) permit states and localities to impose additional requirements that are stricter than the minimum federal requirements; and

Whereas, The *Safe and Quiet Skies Act of 2021* would help reduce air and noise pollution that affect the millions of residents in our great City; now, therefore, be it

Resolved, That the Council of the City of New York calls on the United States Congress to pass, and the president to sign, H.R. 389, known as the *Safe and Quiet Skies Act of 2021*.

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

Res. No. 235

Resolution calling on United States Citizenship and Immigration Services to quickly clear the backlog of I-765 applications for employment authorization.

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

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

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

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

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

Whereas, The United States Citizen and Immigration Service, pursuant to its own rules, is required to process employment authorization documents for asylum seekers within 30 days; and

Whereas, the COVID pandemic, lack of funding, and staffing vacancies at the United States Citizenship and Immigration Service have caused processing delays for 1-765 applications; and

Whereas, According to the USCIS's own data, processing times for I-765 applications in fiscal year 2002 took, on average, between 4.1 and 6.9 months depending on the basis for filing; and

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

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

Resolved, That the Council of the City of New York Calls on the United States Citizenship and Immigration Services quickly clear the backlog of I-765 applications for employment authorization.

Referred to the Committee on Immigration.

Int. No. 575

By Council Member Brooks-Powers.

A Local Law to amend the New York city charter, in relation to studying and reporting on transportation impacts of decisions of the city planning commission in connection with certain land use actions

Be it enacted by the Council as follows:

Section 1. Chapter 8 of the New York city charter is amended by adding a new section 207 to read as follows

§ 207. Review of actual transportation impacts. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Block. The term "block" has the meaning given to that term in section 12-10 of the zoning resolution.

CEQR technical manual. The term "CEQR technical manual" means the city environmental quality review technical manual issued in 2014 by the mayor's office of environmental coordination, together with any updates, supplements and revisions thereto.

Covered land use action. The term "covered land use action" means an application:

(1) that the city planning commission has approved or approved with modifications for a matter described in paragraph one, three, four, five, six, eight, ten, or eleven of subdivision a of section 197-c or a change in the text of the zoning resolution pursuant to section two hundred or two hundred one;

(2) the commission decision for which has been approved or approved with modifications by the council pursuant to section one hundred ninety-seven-d and is not subject to further action pursuant to subdivision e or f of such section; and

(3) which involves at least four adjacent blocks of real property.

EIS. The term "EIS" means a final environmental impact statement prepared pursuant to chapter 5 of title 62 of the rules of the city of New York in connection with an application subject to review of the city planning commission pursuant to section 197-c.

Lead agency. The term "lead agency" has the meaning given to that term in section 5-02 of title 62 of the rules and regulations of the city of New York.

Study area. The term "study area" means the geographic area or areas analyzed for potential transportation impacts as part of an EIS prepared in connection with a covered land use action.

Vehicle miles traveled. The term "vehicle miles traveled" means the total miles of annual vehicular travel generated by a covered land use action.

b. In connection with each covered land use action certified by the city planning commission on or after January 1, 2019, the department or, if the city planning commission is not the lead agency, the lead agency, in coordination with the department of transportation, shall conduct studies of transportation impacts in the relevant study area for the following periods:

1. from the date of final approval of such covered land use action to a date four years after such final approval; and

2. from the date of final approval of such covered land use action to a date 10 years after such final approval.

c. Each study conducted pursuant to subdivision b of this section shall:

1. Using the methodology for analyzing existing transportation conditions, as prescribed in the CEQR technical manual, compare such transportation conditions existing at the time of such study to the projected transportation impacts or lack of impacts identified in the EIS prepared in connection with such covered land use action; and

2. Analyze whether any mitigation provided for in the EIS offset any potential transportation impact identified in such EIS and provide the date of implementation of each such mitigation measure.

d. For each study conducted pursuant to this section, the department or, if the city planning commission is not the lead agency, the lead agency shall report its findings to the mayor, the speaker of the council, the affected borough president, the affected community board, and the affected council member. Such findings shall discuss the reasons for any similarities and disparities between the existing transportation conditions and the projected transportation impacts described in the EIS prepared in connection with the covered land use action. If such findings reveal a disparity in any metric of more than five percent between the potential for such impacts identified in the EIS and the existing transportation condition analyzed pursuant to subdivision c of this section, or if the study reveals any impacts not discussed in an EIS prepared in connection with the application, such report shall make recommendations for amending the CEQR technical manual to more accurately predict the transportation impacts of future land use actions. Recommendations shall include discussion of whether a vehicle miles traveled model could more accurately and usefully capture transportation impacts of future land use actions. The department or the lead agency shall issue each report prepared pursuant to this subdivision no later than six months after the end of the applicable study period described in subdivision b of this section.

§ 2. This local law takes effect immediately.

Referred to the Committee on Land Use.

Int. No. 576

By Council Members Dinowitz and Ung.

A Local Law to amend the administrative code of the city of New York, in relation to requiring annual reports on employment turnover of school safety agents and other school safety personnel

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 14-152.1 to read as follows:

§ 14-152.1 Reporting on employment turnover of school safety agents. a. Report required.

1. Not later than March 31, 2023, and quarterly thereafter, the commissioner shall submit to the mayor and the speaker of the council and post on its website a report on employment turnover of school safety agents during the preceding quarter. At a minimum, the report shall include the following information regarding the employment of school safety agents, disaggregated by school district:

(a) For any school safety agent who began employment during the relevant reporting period, the date that such employment began;

(b) Whether any school safety agent's employment was involuntarily terminated, and if so, the reason for the termination;

(c) Whether any school safety agent was transferred, and if so, (i) the reason for the transfer; and (ii) the number of times such school safety agent has been transferred, as applicable;

(d) Whether any school safety agent resigned, and if so, the reason for resignation where such information is available; and

(e) The average length of employment of the school safety agents employed in the school district.

2. Any information required to be included in the report under paragraph 1 of this subdivision that is not ascertainable shall be indicated as such in the report.

3. The report required under paragraph 1 of this subdivision shall not include any individually identifiable information with respect to a school or a school safety agent.

b. Agents employed by the department of education. In any case in which a school safety agent is an employee of the department of education, the reporting requirement under subdivision a of this section shall not apply with respect to the commissioner, but shall apply instead with respect to the chancellor of the city school district of the city of New York.

§ 2. Title 21-A of the administrative code of the city of New York is amended by adding a new chapter 29 to read as follows:

CHAPTER 29
SCHOOL SAFETY

§ 21-1000 Reporting on employment turnover of school safety personnel. a. On June 30, 2023, and annually thereafter, the department shall submit to the mayor and the speaker of the council and post on its website a report on employment turnover of school safety personnel during the preceding year. At a minimum, the report shall include the following information regarding the employment of school safety personnel, disaggregated by school district:

1. For any school safety personnel who began employment during the calendar year, the date that such employment began;

2. Whether any school safety personnel's employment was involuntarily terminated, and if so, the reason for the termination;

3. Whether any school safety agent was transferred, and if so, (i) the reason for the transfer; and (ii) the number of times such school safety agent has been transferred, as applicable;

4. Whether any school safety personnel resigned, and if so, the reason for resignation where such information is available; and

5. The average length of employment of the school safety personnel employed in the school district.

b. Any information required to be included in the report under subdivision a of this section that is not ascertainable shall be indicated as such in the report.

c. The report required under subdivision a of this section shall not include any individually identifiable information with respect to a school or school safety personnel.

§ 3. This local law takes effect immediately.

Referred to the Committee on Education.

Int. No. 577

By Council Members Dinowitz, Won, Schulman, Hanif, Bottcher, Gennaro and Brewer.

A Local Law in relation to requiring the department of education to conduct a study on the feasibility of installing green roofs on schools

Be it enacted by the Council as follows:

Section 1. Green roofs on schools. a. Definitions. For the purposes of this local law, the following terms have the following meanings:

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

Green roof. The term "green roof" means a living vegetative system partially or wholly covering a roof.

b. The chancellor, or such other agency or city official as the mayor shall designate, shall conduct a study to assess the feasibility of installing a green roof on at least two schools in each community school district. Such study shall be conducted in consultation with the New York city school construction authority, the department of environmental protection, the department of buildings, and any other office or agency as the mayor shall designate. No later than 180 days after the effective date of this local law, the chancellor shall submit to the speaker of the council a report with the findings of such study.

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

Referred to the Committee on Education.

Int. No. 578

By Council Members Dinowitz, Schulman, Gennaro, Brewer and Ung.

A Local Law to amend the administrative code of the city of New York, in relation to requiring reporting on projected and actual school enrollment numbers

Be it enacted by the Council as follows:

Section 1. Subdivisions b and c of section 21-978 of the administrative code of the city of New York, as added by local law number 72 for the year 2018, are amended to read as follows:

b. The department shall submit to the speaker of the council, and post conspicuously on the department's website, the following reports regarding application, offer, available seat and enrollment information:

1. Not later than May 15, 2018, and annually thereafter on or before May 15, a report including, but not limited to (a) for each community school district, the total number of individuals who (1) applied for admission to grades pre-kindergarten, kindergarten or six in a school located in such community school district for the following school year; and (2) received an offer of admission to grades pre-kindergarten, kindergarten or six in a school located in such community school district for the following school year; and (b) for each school, the total number of individuals who (1) applied for admission to grades pre-kindergarten, kindergarten, six or nine in such school, as applicable, for the following school year; and (2) received an offer of admission to grades pre-kindergarten, kindergarten, six or nine in such school, as applicable, for the following school year;

2. Not later than March 15, 2019, and annually thereafter on or before March 15, a report including, but not limited to (a) for each community school district, the total number of students who enrolled in [grades pre-kindergarten, kindergarten or six] *each grade* in a school located in such community school district in the current school year; [and] (b) for each school, the total number of students who enrolled in [grades pre-kindergarten, kindergarten, six or nine] *each grade* in such school[, as applicable,] in the current school year*; and (c) for each school, a comparison of the total number of students who had been projected to enroll in the current school year with the total number of students who actually enrolled*.

3. The data required to be reported pursuant to this subdivision b shall be disaggregated by (i) community school district of residence of individuals or students, as applicable; (ii) zip code of residence of individuals or students, as applicable; (iii) primary home language of individuals or students, as applicable and (iv) grade level.

c. Not later than May 15, 2018, and annually thereafter on or before May 15, the department shall submit to the speaker of the council and post conspicuously on the department's website a report that shall include, but not be limited to, for each school, the total number of seats anticipated to be available *and the total number of students projected to enroll* in the following school year.

§ 2. This local law takes effect immediately.

Referred to the Committee on Education.

Int. No. 579

By Council Members Dinowitz, Yeger, Won, Hanif and Bottcher.

A Local Law to amend the New York city charter, in relation to requiring information about elections for non-municipal offices, ballot proposals and referenda in the voter guide

Be it enacted by the Council as follows:

Section 1. Paragraphs 1 and 2 of subdivision b of section 1052 of the New York city charter, as amended by local law number 48 for the year 2022, are amended to read as follows:

b. 1. The board shall take [such] actions [as it deems necessary and appropriate] to improve public awareness of the candidates, ballot proposals or referenda in all elections in which there are *(i)* contested elections for the offices of mayor, public advocate, borough presidents, comptroller, or city council or ballot proposals or referenda pursuant to this charter or the municipal home rule law, [including] *and (ii) other contested elections held in the city of New York for city, county, state or federal office or ballot proposals or referenda pursuant to city, county, state or federal law that coincide with the elections, ballot proposals or referenda described in (i) of this paragraph, excluding elections for positions provided by articles 2 and 6 of the election law. Such actions shall include*, but not necessarily *be* limited to the publication of *and outreach to voters and stakeholders regarding* a non-partisan, impartial voter guide in at least two media formats, including but not necessarily limited to a printed voter guide and a voter guide to be published online, providing information on *such* candidates, ballot proposals and referenda, and the distribution of one copy of such printed guide to each household in which there is at least one registered voter eligible to vote in the election involved. A voter may opt out of receiving a copy of such printed guide, and the board shall comply with this request to the extent feasible.

2. The board shall also take [such] actions [as it deems necessary and appropriate] to improve public awareness of the candidates in all other contested elections held in the city of New York for any city, county, state, or federal office or ballot proposals or referenda pursuant to city, county, state, or federal law, including but not necessarily limited to the publication of *and outreach to voters and stakeholders regarding* a non-partisan, impartial voter guide in at least one media format, including but not necessarily limited to a voter guide to be published online, providing information on such candidates, ballot proposals or referenda.

§ 2. The opening paragraph and paragraph 1 of subdivision a of section 1053 of the New York city charter, as amended by local law number 48 for the year 2022, are amended to read as follows:

a. For all elections in which there are *(i)* contested elections for the offices of mayor, public advocate, borough presidents, comptroller, or city council or ballot proposals or referenda pursuant to this charter or the municipal home rule law, [each printed and online] *and (ii) other contested elections held in the city of New York for city, county, state or federal office or ballot proposals or referenda pursuant to city, county, state or federal law that coincide with the elections, ballot proposals or referenda described in item (i) of this subdivision, excluding elections for positions provided by articles 2 and 6 of the election law, there shall be a printed and an online* voter guide published by the board, *which* shall contain:

1. material explaining the date and hours during which the polls will be open for that election; when, where, and how to register to vote; when an eligible voter is required to reregister; when, where, and how absentee ballots are obtained and used; instructions on how to vote, *including, but not limited to, information about how to fill out the ballot for each office, proposal or referendum on any such ballot*; information on the political subdivisions applicable to a particular voter's address; and any other general information on voting deemed by the board to be necessary or useful to the electorate or otherwise consistent with the goals of this charter;

§ 3. Subdivision b of section 1053 of the New York city charter, as amended by local law number 48 for the year 2022, is amended to read as follows:

b. For all other elections in which there are contested elections held in the city of New York for any city, county, state, or federal office or ballot proposals or referenda pursuant to city, county, state, or federal law, [each] *there shall be an online* voter guide, *which* shall contain information that [the board deems necessary or useful to the electorate or is otherwise] *is* consistent with the board's responsibility under this chapter to improve public awareness of candidates, ballot proposals, or referenda.

§ 4. This local law takes effect January 1, 2023, except that the campaign finance board shall take such measures as are necessary for the implementation of this local law, including the promulgation of any rules, before such date.

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

Int. No. 580

By Council Member Dinowitz.

A Local Law to amend the administrative code of the city of New York, in relation to reporting on the number of bedrooms created though inclusionary housing programs

Be it enacted by the Council as follows:

Section 1. Subdivision 5 of section 26-1702 of the administrative code of the city of New York, as added by local law number 200 for the year 2017, is amended to read as follows:

5. The number of affordable housing units *and the number of bedrooms within such units* located at or provided in connection with such lot, disaggregated by income band;

§ 2. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 581

By Council Members Dinowitz and Brewer.

A Local Law to amend the New York city charter, in relation to notification of hate crimes

Be it enacted by the Council as follows:

Section 1. Paragraphs 7 and 8 of subdivision b of section 20-g of the New York city charter, as added by local law number 49 for the year 2020, are amended to read as follows:

7. Provide relevant information to the affected community, including the local community board, within 72 hours of a determination that a [violent] hate crime has occurred. Such information shall include how the administration is responding to the alleged [violent] hate crime and the resources currently available to affected persons. This paragraph does not require the disclosure of confidential information or any material that could

compromise the safety of the public or police officers or could otherwise compromise law enforcement investigations or operations;

8. Within 24 hours of a determination that a [violent] hate crime has occurred, notify the mayor, speaker of the council, public advocate and council member of the relevant district that such hate crime occurred, the date and time the incident was reported, and the date and time the incident was referred to the hate crimes task force of the New York City police department; and

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Int. No. 582

By Council Member Dinowitz.

A Local Law to amend the administrative code of the city of New York, in relation to creating a mobile application to support the efficient handling of 311 service requests by city employees

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-308 to read as follows:

§ 23-308 Mobile application to support efficient handling of 311 service requests. a. Definitions. For purposes of this section, the following terms have the following meanings:

311 service request. The term "311 service request" means a request for service or a complaint submitted to the 311 customer service center.

Department. The term "department" means the department of information technology and telecommunications.

Mobile application. The term "mobile application" means a type of application software designed to run on a mobile device, such as a smartphone or tablet computer.

b. Mobile application required. No later than 180 days following the effective date of the local law that added this section, the department shall create a mobile application that may be used by a city employee in carrying out work to respond to a 311 service request. At a minimum, the mobile application shall be designed:

1. To provide a city employee to whom a 311 service request is assigned with relevant information necessary to complete the work for the 311 service request; and

2. To indicate when a 311 service request has been completed.

c. Assistance of other agencies. In developing the mobile application required by subdivision b, the department shall consult with agencies responsible for carrying out 311 service requests, and such agencies shall cooperate with, and provide assistance to, the department as necessary in developing such application.

d. Privacy protections. 1. The mobile application required by subdivision b shall not:

(a) Retain internet protocol addresses or data regarding the device operating system;

(b) Have access to data or information stored on the mobile device;

(c) Have access to microphones, cameras or Bluetooth on the mobile device; or

(d) Be able to activate or deactivate Wi-Fi on the mobile device.

2. Any data collected by such mobile application shall not be retained for more than six months from the date of completion of the applicable 311 service request.

§ 2. This local law takes effect immediately.

Referred to the Committee on Technology.

Int. No. 583

By Council Members Dinowitz, Hanif and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the 311 customer service center to provide live chat functionality

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-312 to read as follows:

§ 23-312 Service requests or complaints; live chat. Any website or mobile device application used by the 311 customer service center for the intake of 311 requests from the public shall be capable of live chat functionality in connection with all requests for service or complaints. Such live chat functionality shall include, at minimum, a text-based instant messaging service that allows for synchronous written communication with a natural person. The department of information technology and telecommunications shall transmit live chat logs to relevant agencies and shall make such logs available to inspectors or other relevant persons within such agencies.

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

Referred to the Committee on Technology.

Int. No. 584

By Council Members Dinowitz, Hanif, Gennaro and Brewer.

A Local Law to amend the administrative code of the city of New York, in relation to providing an estimated wait time to 311 call center customers

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 23-302 of the administrative code of the city of New York, as added by local law 29 for the year 2011, is amended to read as follows:

§ 23-302 High call volume protocol. a. No later than [September 30, 2011] *August 31, 2023*, the 311 customer service center shall implement a protocol for responding to high call volume. Such protocol shall include, but not be limited to, (i) a system to efficiently and effectively answer, direct and track all calls; (ii) increased utilization of automated telephone messages, short message services, social media, email alerts, and the city's website to disseminate information and to reduce non-critical information requests; [and] (iii) a plan to ensure adequate staffing both in anticipation of, and in response to, high call volume incidents*; and (iv) a virtual queue system that provides estimated wait time to callers*.

§ 2. This local law takes effect immediately.

Referred to the Committee on Technology.

Int. No. 585

By Council Members Dinowitz, Louis, Riley, Hanif, Farías, Sanchez, Gutiérrez, Brannan, Hanif and Gennaro/

A Local Law to amend the administrative code of the city of New York, in relation to a teacher retention reporting requirement and task force

Be it enacted by the Council as follows:

Section 1. Title 21-A of the administrative code of the city of New York is amended by adding a new chapter 29 to read as follows:

CHAPTER 29
TEACHER RETENTION

§ 21-1000 Definitions
§ 21-1001 Reporting
§ 21-1002 Task force

§ 21-1000. Definitions. For the purposes of this chapter, the following terms have the following meanings:

Career development. The term "career development" means professional development opportunities for teachers provided by the department, including but not limited to the teacher career pathways programs and the graduate scholarship program.

Non-teaching staff member. The term "non-teaching staff member" means a school-based department employee who does not have a teacher title.

School survey. The term "school survey" means the survey administered annually by the department to teachers, students and parents to collect information about each school's ability to support student success.

Teacher. The term "teacher" means a school-based department employee who has a teacher title.

Type of classroom. The term "type of classroom" means the setting in which a teacher is placed, including but not limited to general education, special education, integrated co-teaching classrooms and any other types of classrooms, which may include additional services or supplementary aids.

Unique employee identification. The term "unique employee identification" means a sequentially assigned indicator that represents an individual department employee.

§ 21-1001. Reporting. a. Annual report. No later than November 30 of the year following the effective date of this chapter and annually thereafter, the department shall submit to the speaker of the council information for the prior school year pursuant to subdivisions c, d and e of this section. The first report provided pursuant to this section shall include data from the 1999-2000 school year through the most recent completed school year, to the extent practicable.

b. School level reports. Beginning November 30 of the year following the effective date of this section and annually thereafter, the department shall post on each school's website:

1. The information for teachers at such school required by paragraphs 1 through 5 of subdivision c of this section; and

2. Such school's average numbers for paragraphs 4 and 5 of subdivision c of this section.

c. Teacher tenure data. Each row in this dataset shall be an individual teacher and, to the extent practicable, the corresponding columns shall include but not be limited to:

1. Unique employee identification;
2. School year;
3. Date of hire;
4. Length of time teaching in total;
5. Length of time teaching at school for reported school year;
6. Gender identity;
7. Race;
8. Ethnicity;
9. Age;
10. Title;
11. Provisional status;
12. Highest level of education;
13. Area(s) of teaching certification;
14. Any career development the teacher has attained;
15. Salary;
16. School name;
17. School district borough number;
18. Grade(s) taught;
19. Subject(s) taught;

20. Language(s) of instruction;
21. Type of classroom(s);
22. Percentage of white students;
23. Percentage of black students;
24. Percentage of hispanic students;
25. Percentage of asian students;
26. Percentage of students in multiple race categories not otherwise specified;
27. Percentage of students in economic need as determined by the department;
28. Percentage of students with individualized education plans;
29. Percentage of students in temporary housing;
30. Average number of students in classroom;
31. Number of student removals;
32. Number of students sent to principal;
33. Number of students sent to superintendent;
34. Number of students expelled;
35. Number of students with removals or suspensions;
36. Number of students with multiple removals and/or suspensions;
37. Number of students transported by EMS;
38. Number of students with removals or suspensions resulting from incidents involving NYPD;
39. Average student academic grade;
40. Average student personal behaviors grade;
41. Whether teacher experienced emotional trauma while working; and
42. Whether teacher experienced physical trauma while working.

d. School survey data. Each row in this dataset shall be an individual teacher and, to the extent practicable, the corresponding columns shall include but not be limited to the teacher's unique employee identification, school year, school name, school district borough number and the teacher's responses to the school survey questions. If, after the effective date of this subchapter, the survey questions administered to teachers change, the department shall continue to report teacher responses to questions in the areas of effective leadership, safety, program coherence, peer support for academic work and supportive environment. This dataset shall include for each teacher the following school survey responses:

1. Students in class listen carefully when teacher gives directions;
2. Students in class follow the rules in class;
3. Students in class do their work when they are supposed to;
4. Students in class feel it is important to come to school every day;
5. Students in class feel it is important to pay attention in class;
6. Students in class think doing homework is important;
7. Students in class try hard to get good grades;
8. Students are safe outside and around school;
9. Students are safe traveling between home and school;
10. Students are safe in the hallways, bathrooms, locker rooms, and cafeteria of school;
11. Students are safe in class and/or classes;
12. Discipline is applied to students fairly in school;
13. Principal/school leader makes clear to staff expectations for meeting instructional goals;
14. Principal/school leader communicates a clear vision for the school;
15. Principal/school leader understands how children learn;
16. Principal/school leader sets high standards for student learning;
17. Principal/school leader sets clear expectations for teachers about implementing what they have learned in professional development;
18. Principal/school leader carefully tracks student academic progress;
19. Principal/school leader knows what is going on in their classroom;
20. Principal/school leader participates in instructional planning with teams of teachers;
21. When the school starts a new program, there is follow-up to make sure the program is working;
22. It is clear how all of the programs offered are connected to school's instructional vision; and

23. School curriculum, instruction and learning materials are all well-coordinated across different grade levels.

e. Non-teaching staff member data. Each row in the dataset shall be an individual non-teaching staff member and the corresponding columns shall include but not be limited to:

1. Unique employee identification;

2. School year;

3. School name;

4. School district borough number;

5. Date of hire;

6. Length of time employed in this area in total;

7. Length of time employed at school for reported school year;

8. Gender identity;

9. Race;

10. Ethnicity;

11. Age;

12. Title; and

13. Provisional status.

§ 21-1002. Task force. a. There shall be a task force convened for the purpose of improving retention of department teachers.

b. Composition. The task force shall consist of at least 13 members as follows:

1. The mayor, or the mayor's designee;

2. The speaker of the council, or the speaker's designee;

3. The chancellor, or the chancellor's designee;

4. Five members appointed by the mayor, including one member who is a member of a union representing teachers, one member who is a member of a union representing principals, one member who is an expert in the field of study that examines education and the creation of effective teacher development, one member who is a behavioral scientist who studies learning and assessment and one member who is an expert in assessment, evaluation, testing and other aspects of educational measurement; and

5. Five members appointed by the speaker of the council, including one member who is a member of a union representing teachers, one member who is a member of a union representing principals, one member who is an expert in the field of study that examines education and the creation of effective teacher development, one member who is a behavioral scientist who studies learning and assessment and one member who is an expert in assessment, evaluation, testing and other aspects of educational measurement.

c. Member appointment. All members shall be appointed no later than 30 days after the department submits its first report pursuant to subdivision a of section 21-1001. No member shall be removed except for cause by the appointing authority. In the event of a vacancy during the term of an appointed member, a successor shall be selected in the same manner as the original appointment.

d. Terms of membership. Members of the task force shall not be required to take or file oaths of office before serving on the task force. Each member of the task force shall serve without compensation.

e. Task force meeting and hearing requirements. The task force shall meet no later than 45 days after the department submits its first report pursuant to subdivision a of section 21-1001. The task force shall meet no less than monthly. The task force shall hold at least one public hearing every quarter to solicit public comment and recommendations about improving retention of department teachers.

f. Report. The task force shall submit a report of its findings and recommendations to the mayor and the speaker of the council no later than one year after its first meeting. The report shall also be posted to the department's website. The report shall include but not be limited to a review of the datasets submitted pursuant to section 21-1001, recommendations to improve teacher retention and suggestions of additional data needed to analyze teacher turnover. The task force shall dissolve upon submission of the report required by this subdivision.

g. This section expires and is deemed repealed after the submission of the report required by subdivision f of this section.

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

Referred to the Committee on Education.

Int. No. 586

By Council Members Dinowitz, Riley, Yeger, Won and Schulman.

A Local Law to amend the administrative code of the city of New York, in relation to the designation of rapid emergency response centers in each community district

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 30 of the administrative code of the city of New York is amended by adding a new section 30-117 to read as follows:

§ 30-117 Community district emergency response center. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Emergency response center. The term "emergency response center" means a facility in each community district designated as a relief area for displaced residents following a natural or human-caused disaster.

Feminine hygiene products. The term "feminine hygiene products" means menstrual cups, tampons, and sanitary napkins used in connection with the menstrual cycle.

b. The commissioner, in consultation with the office of the mayor and community boards, shall identify and designate at least 1 facility within each community district to serve as an emergency response center. In determining locations for emergency response centers the department shall prioritize proximity to other emergency services where practicable.

c. Emergency response centers designated pursuant to subdivision b of this section shall contain the following supplies:

1. Coats and outerwear;

2. Toiletries;

3. Blankets;

4. School supplies;

5. Diapers;

6. Feminine hygiene products;

7. Potable water;

8. Personal hygiene products;

9. Face coverings;

10. First aid kits and supplies;

11. Baby formula; and

12. Any other supplies deemed appropriate by the commissioners of emergency management and citywide administrative services.

d. The commissioner may coordinate with community-based and not-for-profit organizations in each community district, except as otherwise limited by applicable laws and rules, to aid in providing supplies listed in subdivision c of this section.

e. No later than 18 months after the effective date of the local law that added this section, and annually thereafter, the commissioner, in consultation with the commissioner of citywide administrative services, shall complete an inventory and submit to the mayor and the speaker of the council a report which provides the total number of supplies, disaggregated by type, at each emergency response center designated pursuant to subdivision b of this section.

§ 2. This local law takes effect immediately.

Referred to the Committee on Fire and Emergency Management.

Int. No. 587

By Council Members Dinowitz, Bottcher, Mealy, Joseph, Hudson, Farías, Schulman, Hanif, Abreu and Hanif.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the 311 customer service center to conduct customer satisfaction surveys after each 311 call intake is closed and to publish agency report cards

Be it enacted by the Council as follows:

Section 1. Section 23-306 of the administrative code of the city of New York, as added by local law number 26 for the year 2021, is amended to read as follows:

§ 23-306 Customer satisfaction survey.

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

Customer satisfaction survey. The term "customer satisfaction survey" means a survey used to evaluate the experiences of individuals who contact the 311 customer service center and to determine their overall level of satisfaction with 311 call intake.

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

b. [The 311 customer service center shall annually conduct at least five campaigns in which customer satisfaction surveys are sent to individuals who have contacted the 311 customer service center in the previous six months.] *The 311 customer service center shall conduct customer satisfaction surveys, sent to the individual who contacted the 311 customer service center, once each complaint is designated "closed." The survey shall, at minimum, provide the customer (i) the opportunity to indicate whether the complaint has been prematurely closed and (ii) the option to provide written feedback. When a customer indicates that a complaint has been prematurely closed, the 311 customer service center shall automatically resubmit the complaint for review by the relevant city agency.*

c. Every customer satisfaction survey administered by the 311 customer service center or by an entity contracting with the city to conduct such customer satisfaction survey shall be made available in all designated citywide languages.

d. The 311 customer service center shall maintain on the 311 website and app agency report cards, to be updated quarterly. The agency report card shall indicate the satisfaction and resolution rates, number of cases, and complaint type of each city agency that addresses 311 complaints.

[d] *e*. No later than July 1 of each year, the department of information technology and telecommunications shall issue a report to the speaker of the council and the mayor [including] *summarizing* the *aggregate* results of [each survey] *the surveys* required by subdivision b of this section, disaggregated by the language in which such survey was conducted, *and the most recent agency report cards*.

§ 2. This local law shall take effect immediately.

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

Int. No. 588

By Council Members Dinowitz, Louis, Riley, Joseph, Brewer, Ung and Sanchez.

A Local Law to amend the administrative code of the city of New York, in relation to 311 transmitting image and video data for service requests or complaints

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-308 to read as follows:

§ 23-308 Service requests or complaints by video or photograph. Any website or mobile device application used by the 311 customer service center for the intake of 311 requests from the public shall be capable of receiving image and video data in connection with all requests for service or complaints other than those relating to housing. Such data shall be transmitted to an agency as appropriate and be made available to inspectors or other relevant persons within such agencies.

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

Referred to the Committee on Technology.

Int. No. 589

By Council Members Dinowitz, Williams, Hanif and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to requiring that 311 allow persons to request snow and ice removal on pedestrian bridges and that those reports be routed to the appropriate agency

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-311 to read as follows:

§ 23-311 Reporting snow and ice conditions on pedestrian bridges. The department of information technology and telecommunications shall create a mechanism for persons using the 311 app, 311 website, and 311 phone line to report snow and ice conditions on pedestrian bridges, and for such reports to be routed to the appropriate agency.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of information technology and telecommunications shall take all actions necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Technology.

Res. No. 236

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.285/A.1502, to incorporate arts and music education into the public school curriculum.

By Council Members Dinowitz, Hanif and Joseph.

Whereas, Music training promotes sensorimotor development, accelerates maturation of certain neural functions, such as auditory processing and response in the brain, boosts IQ, and is positively correlated with enhanced language skills, vocabulary, verbal memory, spatial reasoning, information processing, and attention; and

Whereas, Moreover, music education, particularly based on participation in choirs, bands, and orchestras, fosters development of interpersonal networks and social skills, such as cooperative collaboration and team-based problem-solving and achievement of goals; and

Whereas, Skills developed through music education are valued in the American labor market, as exemplified by surveys in which more than 80 percent of responding corporate organizations and businesses with 100 and more workers reported utilizing some type of team-based work approach, and as many as 91 percent of surveyed Fortune 1000 companies stated that they use team-based problem-solving; and

Whereas, Furthermore, music improves physical and emotional functioning by reducing elevated blood pressure, blood levels of the stress hormone adrenaline, and anxiety, as well as by positively influencing depressive symptoms, self-worth, and sense of identity and purpose; and

Whereas, Exposure to arts education promotes self-expression and critical thinking skills, reduces disciplinary incidents, improves writing achievement and verbal skills, increases compassion for others, school engagement, college aspirations, and empathy; and

Whereas, 88 percent of Americans agree that arts instruction is a part of a well-rounded K-12 education; and

Whereas, Despite public support and growing evidence of the individual, social, and economic benefits of arts and music education, teachers report a reduction in time spent on the arts, particularly at schools identified as needing improvement and schools with higher percentages of minority students; and

Whereas, Additionally, teachers at elementary schools with high percentages of low-income or minority students reported larger average reductions in weekly arts instruction time; and

Whereas, In New York State, as of the 2019-2020 school year, 112,572 students had no access to arts and music instruction, and fewer students in high-poverty schools were enrolled in arts education than in low-poverty schools; and

Whereas, In New York City, the percentage of schools serving grades 1 through 5 that offer one or more arts disciplines declined between the 2016-2017 and 2018-2019 school years; and

Whereas, The above trend was mirrored among New York City schools serving grades 6 through 8 that offer one or more arts disciplines; and

Whereas, In January 2023, with the stated aim of ensuring that arts and music education is incorporated into the public school curriculum for all students, S.285/A.1502 were introduced in the New York State Legislature, which would amend section 3204 of the New York Education Law to include arts and music education as a required course of study in first through eighth grades, as well as into high school; 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.285/A.1502, to incorporate arts and music education into the public school curriculum.

Referred to the Committee on Education.

Res. No. 237

Resolution calling on Congress to pass, and the President to sign, S.1488/H.R.3183, the "Enhance Access to SNAP Act of 2023" (EATS Act of 2023), to remove certain eligibility disqualifications that restrict otherwise eligible students from participating in the Supplemental Nutrition Assistance Program.

By Council Members Dinowitz, Hanif and Louis.

Whereas, The U.S. Department of Agriculture defines food insecurity as the limited or uncertain availability of nutritionally adequate and safe food; and

Whereas, According to a 2021 report by the Hope Center for College, Community, and Justice at Temple University, 39 percent of students at two-year higher education institutions and 29 percent of students at four-year higher education institutions experienced food insecurity in 2020 in the United States (U.S.); and

Whereas, The Hope Center's data reveal that during 2020, among students at American two-year higher education institutions, 22 percent experienced a very low level of food security, and 16 percent experienced a low level of food security; and

Whereas, The Hope Center also documented that during 2020, among students at U.S. four-year higher education institutions, 17 percent experienced a very low level of food security, and 12 percent experienced a low level of food security; and

Whereas, The Hope Center additionally found that during 2020, 17 percent of students at two-year higher education institutions and 12 percent of students at four-year higher education institutions in the U.S. lost weight because of food insecurity; and

Whereas, Per the Hope Center's 2021 report, as of 2020, indigenous, Black, and Hispanic students at American two- and four-year higher education institutions experienced a significantly higher prevalence of basic needs insecurity, including food insecurity, compared with their White counterparts; and

Whereas, Also per the Hope Center's 2021 report, LGBTQIA+ students at American two- and four-year higher education institutions experienced a higher rate of basic needs insecurity, including food insecurity, than their non-LGBTQIA+ peers; and

Whereas, The Hope Center's data demonstrate that as of 2020, at American two- and four-year higher education institutions, first-generation, low-income, part-time, foster-care involved, justice-system involved, and parenting students experienced a higher incidence of basic needs insecurity, including food insecurity; and

Whereas, A 2021 study by the Urban Food Policy Institute at the City University of New York (CUNY) reported that even before the COVID-19 pandemic exacerbated food insecurity in the U.S., 40 percent to 50 percent of the State University of New York's students experienced hunger; and

Whereas, CUNY Urban Food Policy Institute's 2021 research also reveals that in 2020, 18 percent of CUNY students experienced chronic or episodic hunger, 27 percent of CUNY students cut or skipped meals due to insufficient financial means, and 50 percent of CUNY students were concerned about food running out before being able to purchase more; and

Whereas, In contrast, data from the U.S. Census Bureau show that 13.7 percent of adults in the U.S. and 16.2 percent of adults in New York State experienced food insecurity in 2020; and

Whereas, Research, including studies published in 2016 in the Journal of the Academy of Nutrition and Dietetics, in 2019 in the American Journal of Public Health, and in 2022 in Public Health Nutrition, found that food insecurity among college and university students is associated with poor sleep, impaired focus, lower grades, delayed graduation, a higher risk of dropping out, a lower likelihood of graduation, increased stress, and higher rates of diabetes, obesity, high blood pressure, depression, and anxiety; and

Whereas, According to a 2022 report by the Center on Budget and Policy Priorities, a research and policy organization, the Supplemental Nutrition Assistance Program (SNAP) reduces the prevalence of food insecurity by as much as 30 percent and is associated with improved current and long-term health and lower healthcare costs; and

Whereas, SNAP eligibility is primarily based on a household's income and certain other characteristics, but the Food Stamp Act Amendments of 1980 restricted access to SNAP benefits for individuals enrolled half time or more in an institution of higher education; and

Whereas, The Food Stamp Act Amendments of 1980 established several exemptions to the college student SNAP restriction, which apply if a student is either: 1) younger than the age of 18 or aged 50 years or older, 2) a parent caring for a child under the age of 6, 3) a parent caring for a child aged 6 years to 11 years and unable to obtain childcare to attend school and work, 4) a single parent caring for a child under the age of 12 and enrolled full-time, 5) working a minimum of 20 hours per week at paid employment, 6) participating in a state- or federally-financed work-study program, 7) receiving Temporary Assistance for Needy Families benefits, 8) not physically or mentally fit, or 9) enrolled in certain programs for the purpose of employment and training; and

Whereas, In its 2018 Report to Congressional Requesters, the U.S. Government Accountability Office (GAO) reported that of the 5.5 million low-income American students at-risk for food insecurity, 25 percent or over 1.3 million did not meet a SNAP student exemption and were not receiving SNAP benefits; and

Whereas, The Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (CRRSA Act) added temporarily, until the end of the COVID-19 public health emergency, two new types of exemptions to the SNAP student rule; and

Whereas, A CRRSA Act exemption would apply if a student either has an Expected Family Contribution (EFC) of $0 in the current academic year on the Free Application for Federal Student Aid or is eligible to participate in a state or a federally financed work-study program during the regular school year; and

Whereas, According to the Hope Center's 2021 report, in 2019-2020, nationally, there were about 6 million undergraduate students at $0 EFC at public colleges and universities, representing approximately 35 percent of all undergraduate students at public colleges and universities nationwide; and

Whereas, Per the Hope Center's 2021 report, roughly 3.5 million undergraduate students at $0 EFC at public colleges and universities were made eligible for SNAP benefits by the CRRSA Act; and

Whereas, With the intent of addressing the growing crisis of food insecurity among American college students, U.S. Senator Kirsten E. Gillibrand introduced S.1488 in the U.S. Senate, and U.S. Representative James

Gomez introduced companion bill H.R.3183 in the U.S. House of Representatives, known as the "Enhance Access to SNAP Act of 2023" (EATS Act of 2023), which would amend the Food and Nutrition Act of 2008 to remove certain eligibility disqualifications that restrict otherwise eligible students from participating in the Supplemental Nutrition Assistance Program; now, therefore, be it

Resolved, That the Council of the City of New York calls on Congress to pass, and the President to sign, S.1488/H.R.3183, the "Enhance Access to SNAP Act of 2023" (EATS Act of 2023), to remove certain eligibility disqualifications that restrict otherwise eligible students from participating in the Supplemental Nutrition Assistance Program.

Referred to the Committee on General Welfare.

Res. No. 238

Resolution calling upon the City University of New York to compile data on bias incidents and hate crimes reported in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act into a single report, which should include greater specificity on bias classification, and to institute a campaign or initiative to educate students, faculty and staff about the rise of such incidents and how to report them.

By Council Members Dinowitz and Gennaro.

Whereas, The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act requires postsecondary institutions to report hate crime incidents, which the National Center for Education Statistics (NCES) defines as "criminal offense[s] which [are] motivated, in whole or in part, by an offender's bias(es) against a race, religion, disability, sexual orientation, ethnicity, gender, or gender identity"; and

Whereas, Hate does not always manifest as strictly criminal behavior and, as such, hate crimes statistics cannot fully capture the pervasiveness of hateful ideology on college campuses across the United States (U.S.); and

Whereas, A bias incident, per the U.S. Department of Justice, is "any hostile expression that may be motivated by another person's race, color, disability, religion, national origin, sexual orientation, or gender identity"; and

Whereas, In 2019, according to the latest available NCES data, there were 757 reported criminal incidents classified as hate crimes that occurred on the campuses of postsecondary institutions, which translates to an average of 5.1 hate crime incidents occurring per 100,000 full-time-equivalent students enrolled; and

Whereas, However, the Federal Bureau of Investigation's 2020 hate crime report cautions that the actual number is likely higher due to victims' reluctance to report such incidents or ignorance of how to do so; and

Whereas, Over the past several years, bias incidents and hate crimes have been on the rise nationally, emanating from groups and individuals engaged in an array of activities, including threatening local officials, funding terrorism, conducting cyber-attacks, organizing rallies, engaging in propaganda distributions and committing violence; and

Whereas, In 2021, the Anti-Defamation League (ADL) reported a total of 4,851 bias incidents of racist, antisemitic and other hateful messages, which is the second-highest level of incidents since they began tracking such data, and which is nearly double the 2,724 cases that were reported in 2019; and

Whereas, According to ADL, throughout 2021, white supremacist propaganda was reported in every state except Hawaii, and the state of New York ("New York" or "State") ranked seventh among states with the highest level of such activity; and

Whereas, New York leads the nation in antisemitic incidents; per ADL's annual Audit of Antisemitic Incidents, the number of reported incidents increased 24 percent from 336 in 2020 to 416 in 2021, which includes 51 assaults motivated by anti-Jewish bias, the highest number ever recorded by ADL in the State; and

Whereas, In New York City ("NYC" or "City"), hate crimes have more than doubled since 2020; according to NYC Police Department (NYPD) data on confirmed incidents, hate crimes increased 196 percent, from 266 incidents in 2020 to 522 in 2021; and

Whereas, In both 2020 and 2021, per NYPD data, the four communities most targeted in hate crimes were the Jewish community, the Asian community, the LGBTQ+ community and the Black community; and

Whereas, NYPD data show that in 2020 and 2021, Jews were the most targeted group, with a total of 317 incidents against the Jewish community, accounting for 40 percent of the hate crimes reported in NYC during that period; and

Whereas, According to NYPD statistics, hate crimes against Asian New Yorkers have also been on the rise in the City over the past two years, having more than quadrupled from 28 incidents in 2020 to 131 in 2021, compared to just one in 2019; and

Whereas, Similarly, per NYPD statistics, reported incidents targeting the male LGBTQ+ community increased 154 percent from 28 in 2020 to 71 in 2021, while reported incidents targeting the Black community increased 2.7 percent from 37 in 2020 to 38 in 2021; and

Whereas, The high incidence of antisemitic propaganda has continued in 2022; to-date, ADL's Tracker of Antisemitic Incidents ("Tracker") has counted 42 cases of anti-Jewish vandalism, harassment and assault in NYC; and

Whereas, For 2022, ADL's Tracker includes a swastika found drawn onto the scaffolding outside of the New York University Tisch School of the Arts building, as well as two instances of assault and antisemitic harassment by Yeshiva University's Zysman Hall building, that left one student with minor injuries; and

Whereas, Not included in ADL's Tracker, is a swastika and the words "KKK LIVES" that were found carved onto a public bulletin board in January of 2022 at Queens College at the City University of New York ("CUNY" or "University"); and

Whereas, CUNY is the largest urban public university in the U.S., serving more than 261,000 degree and non-degree seeking students, and offering adult and continuing education with over 185,000 course registrations at 25 colleges across the City's five boroughs; and

Whereas, While only 61 years old, the University's history dates back to 1847, when the Free Academy, which was renamed the City College of New York ("City College") in 1866, was founded by the president of the Board of Education, Townsend Harris, as the first publicly-financed institution of higher education in NYC; and

Whereas, In March of 1847, Harris shared his vision for free public college in a letter published in two NYC newspapers: "… open the doors to all – let the children of the rich and the poor take their seats together and know of no distinction save that of industry, good conduct and intellect"; and

Whereas, A couple months later, the Free Academy received its charter from the State Legislature, with the mission to provide children of immigrants and the poor access to free higher education based on academic merit alone; and

Whereas, While William Hallett Greene, who went on to become the country's first Black meteorologist, became the first Black graduate of City College 35 years after the Free Academy's inaugural class in 1884, and women were not admitted until 1930, the Free Academy showed greater tolerance for diversity at the time in comparison to the private universities in NYC; and

Whereas, For example, in the early 1900s the then-City College president instituted a more secular orientation by abolishing mandatory chapel attendance at a time when an increasing number of Jewish students were enrolling; and

Whereas, Founded on the principles on which the Free Academy was established, CUNY's mission today remains the same: to be "of vital importance as a vehicle for the upward mobility of the disadvantaged in the [City]… [to] remain responsive to the needs of its urban setting… [while ensuring] equal access and opportunity" to students, faculty and staff "from all ethnic and racial groups" and without regard to gender; and

Whereas, As such, it is imperative that the University uphold its commitment to equity and diversity by thoroughly addressing incidents of bias and hate that occur on CUNY campuses; and

Whereas, This should include promoting and engaging in a University-wide dialogue with campus and community partners around the rise of bias incidents and hate crimes on campuses, with an aim to cultivate a culture that is intolerant to such behavior; and

Whereas, In order to develop appropriate responses and ensure greater accuracy in reporting, this should also include educating students, faculty and staff on how bias incidents and hate crimes are defined and how to report them, as well as reporting greater specificity on bias motivation for each incident, whether it be antisemitic or biphobic, for example; and

Whereas, A commitment to fostering a welcoming community for all students, faculty and staff includes an informed awareness of the climate on campuses, which is essential to create a supportive academic environment for CUNY's diverse population; now, therefore be it

Resolved, That the Council of the City of New York calls upon the City University of New York to compile data on bias incidents and hate crimes reported in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act into a single report, which should include greater specificity on bias classification, and to institute a campaign or initiative to educate students, faculty and staff about the rise of such incidents and how to report them.

Referred to the Committee on Higher Education.

Res. No. 239

Resolution calling upon the New York State Department of Education to implement a robust requirement for civics education at the elementary, middle and high school level for all public schools in New York.

By Council Members Dinowitz, Hanif and Bottcher (by request of the Manhattan Borough President).

Whereas, Civics, defined by Merriam Webster's Dictionary as the study of the rights and duties of citizens and of how government works, is an important component of a democratic society; and

Whereas, Civics education helps promote democratic ideals by preparing students to be engaged citizens; and

Whereas, Enhancing youth participation in community service and political engagement could help foster future behaviors that would provide long-term benefits to communities; and

Whereas, A robust civics curriculum in public schools could help to ensure such engagement; and

Whereas, The foundation for Social Studies in New York State is the New York State K-12 Social Studies Framework, which was adopted by the Board of Regents in 2014 and subsequently revised in 2016 for grades K-8 and in 2017 for grades 9-12; and

Whereas, Civics, Citizenship, and Government is one of the 5 New York State Learning Standards for Social Studies to be taught across elementary, intermediate and high school grade levels, culminating in a Participation in Government course in 12th grade; and

Whereas, It is essential that civics curriculum be updated and enhanced and its implementation monitored; and

Whereas, In January 2014, the New York State Bar Association (NYSBA) President David Schraver sent a letter to then-Governor Andrew Cuomo about the critical need to enhance civics education in New York State; and

Whereas, A February 2014 statement issued by the NYSBA referenced a "shocking level of decline" in Americans' grasp and understanding of the structure of American democracy as found by the Association's Law Youth and Citizenship Committee's report on civics education; and

Whereas, According to findings of this report, fifty-eight percent of New Yorkers could not name either of their two current United States Senators; and

Whereas, Furthermore, the report indicates that only five percent of New Yorkers surveyed knew that the Constitution was designed to prevent both tyranny of the majority and of a small, influential minority; and

Whereas, Changes in educational priorities which focus on factors such as career readiness and standardized test results are thought to exacerbate the lack of a first-rate civics focused curriculum; and

Whereas, According to the executive director of the Center for Civic Education, the United States is "focused more upon developing the worker at the expense of developing the citizen"; and

Whereas, A 2011 study by the Brennan Center gave New Yorkers failing grades in civic literacy and stated that meaningful democracy requires civic literacy and that civic illiteracy puts American democracy at risk; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Department of Education to implement a robust requirement for civics education at the elementary, middle and high school level for all public schools in New York.

Referred to the Committee on Education.

Res. No. 240

Resolution calling on the New York City Department of Education to provide civic engagement training for all public high school students and to award credentials to students who complete such training.

By Council Members Dinowitz, Williams and Schulman.

Whereas, The Civics Secures Democracy Act of 2021 (S.879/H.R.1814), sponsored by United States Senator Christopher Coons and United States Representative Rose DeLauro, includes in its definition of civic education the "[d]evelopment of civic behaviors, including civic habits and practices such as voting, serving on juries, engagement in deliberative discussions, volunteering, attending public meetings, and other activities related to civic life"; and

Whereas, a June 2020 Brookings Institution report by Rebecca Winthrop, entitled "The Need for Civic Education in 21st-Century Schools," noted a lack of engagement in civic behaviors, especially among young voters, and called on schools to play a pivotal role in increasing civic engagement by "helping young people develop and practice the knowledge, beliefs, and behaviors needed to participate in civic life"; and

Whereas, CivXNow, a cross-partisan coalition of over 250 nonprofit and philanthropic organizations and higher education institutions, points out that civic education must help students develop the attitudes and skills they need to engage in important civic behaviors, including voting, volunteering, attending public meetings, and engaging in other ways with their communities; and

Whereas, New York City (NYC) public high schools enroll about 315,000 students, who, with appropriate instruction and support, could become actively engaged in civic and community activities in NYC; and

Whereas, All NYC youth aged 11 and older are eligible to take part in NYC's Participatory Budgeting process, which invites community members to come together to discuss and propose how $5 million of the NYC budget should be spent to build stronger communities; and

Whereas, NYC youth aged 16 and older are eligible to be appointed by the Borough Presidents to serve on NYC's 59 Community Boards, which deal with community issues, including land use, transportation, small businesses, youth programs, education, and the environment; and

Whereas, Participation in Government and Civics, usually taught in grade 12, is a required course for high school graduation in New York State, but does not specify that students must be actively engaged in civic behaviors as part of the course; and

Whereas, The New York City Department of Education (DOE) could provide civic engagement training through the Participation in Government and Civics course, through other curricula, or through a variety of in-school and after-school clubs, organizations, and activities in order to get students actively engaged in civic behaviors while still in high school; and

Whereas, The DOE could provide credentials to students to signify the successful completion of civic engagement training such that students would be able to include that credential on their college applications, job applications, and résumés; now, therefore, be it

Resolved, That the Council of the City of New York call on the New York City Department of Education to provide civic engagement training for all public high school students and to award credentials to students who complete such training.

Referred to the Committee on Education.

Int. No. 590

By Council Member Gennaro..

A Local Law to amend the administrative code of the city of New York, in relation to voiding no-rehire provisions in settlement agreements for persons aggrieved by unlawful discriminatory practices

Be it enacted by the Council as follows:

Section 1. Section 8-115 of the administrative code of the city of New York is amended by adding a new subdivision e to read as follows:

e. Any agreement resulting from a method of dispute resolution prescribed by rule of the commission shall not prohibit, prevent, or otherwise restrict the complainant from working for the respondent or any parent company, subsidiary, division, or affiliate of the respondent. Any such agreement entered into prior to the effective date of this subdivision shall be deemed to expire five years after the date on which it was entered. Any provision of an agreement that is inconsistent with this subdivision shall be void as contrary to public policy. Nothing in this subdivision shall be construed to prohibit an agreement to end an existing agency or employment relationship or to require a respondent to continue to employ or rehire a person if there is a legitimate non-discriminatory or non-retaliatory reason for terminating the agency or employment relationship or refusing to rehire the person.

§ 2. Section 8-502 of the administrative code of the city of New York is amended by adding a new subdivision i to read as follows:

i. Any agreement to settle a claim brought under this section shall not prohibit, prevent, or otherwise restrict the person aggrieved from working for the covered entity or any parent company, subsidiary, division, or affiliate of the covered entity. Any such agreement entered into prior to the effective date of this subdivision shall be deemed to expire five years after the date on which it was entered. Any provision of an agreement that is inconsistent with this subdivision shall be void as contrary to public policy. Nothing in this subdivision shall be construed to prohibit an agreement to end an existing agency or employment relationship or to require an employer or principal to continue to employ or rehire a person if there is a legitimate non-discriminatory or non-retaliatory reason for terminating the agency or employment relationship or refusing to rehire the person.

§ 3. This local law takes effect immediately.

Referred to the Committee on Civil and Human Rights.

Int. No. 591

By Council Member Gennaro, the Public Advocate (Mr. Williams) and Council Member Hanif.

A Local Law to amend the administrative code of the city of New York, in relation to extending the statute of limitations for commencing a private cause of action under the city human rights law

Be it enacted by the Council as follows:

Section 1. Subdivisions d and e of section 8-502 of the administrative code of the city of New York, subdivision d of such section as amended by local law number 63 for the year 2018 and subdivision e of such section as added by local law number 39 for the year 1991, are amended to read as follows:

d. A civil action commenced under this section must be commenced within [three] *6* years after the alleged unlawful discriminatory practice or act of discriminatory harassment or violence as set forth in chapter 6 of this title occurred. Upon the filing of a complaint with the city commission on human rights or the state division of human rights and during the pendency of such complaint and any court proceeding for review of the dismissal of such complaint, such [three-year] *6-year* limitations period shall be tolled.

e. Notwithstanding any inconsistent provision of this section, where a complaint filed with the city commission on human rights or state division of human rights is dismissed for administrative convenience and such dismissal is due to the complainant's malfeasance, misfeasance or recalcitrance, the [three year] 6-year limitations period on commencing a civil action pursuant to this section shall not be tolled. Unwillingness to accept a reasonable proposed conciliation agreement shall not be considered malfeasance, misfeasance or recalcitrance.

§ 2. This local law takes effect immediately.

Referred to the Committee on Civil and Human Rights.

Int. No. 592

By Council Members Gennaro, Restler, Joseph, Farías, Hanif and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to requiring individuals registering as lobbyists to complete an annual anti-sexual harassment interactive training and to provide the certification of completion as part of registration

Be it enacted by the Council as follows:

Section 1. Subdivision (c) of section 3-213 of the administrative code of the city of New York, as amended by local law number 129 for the year 2013, is amended to read as follows:

(c) Such statement of registration shall contain:

(1) [the] *The* name, home and business addresses and business telephone number of the lobbyist and the name and home and business addresses of the spouse or domestic partner of the lobbyist, and if the lobbyist is an organization the name, home and business addresses and business telephone number of any officer or employee of such lobbyist who engages in any lobbying activities or who is employed in an organization's division that engages in lobbying activities of the organization and the name and home and business addresses of the spouse or domestic partner of such officers or employees, provided that, notwithstanding any provision of this subchapter to the contrary, the home address of the lobbyist, including, if the lobbyist is an organization, the home address of any officer or employee of such lobbyist who engages in any lobbying activities or who is employed in an organization's division that engages in lobbying activities of the organization, and the names and home and business addresses of spouses and domestic partners of such lobbyists, officers and employees, whether contained in an original or amended statement of registration, shall not be made available to the public, but may be accessed by the campaign finance board for the sole purpose of determining whether a campaign contribution is matchable pursuant to section 3-702 of the New York City campaign finance act; provided, however, that notwithstanding any other provision of law, in making information on campaign contributions publicly available, the campaign finance board shall not disclose that any specific contributor is the spouse, domestic partner or unemancipated child of such a lobbyist, officer or employee;

(2) [the] *The* name, address and telephone number of the client by whom or on whose behalf the lobbyist is retained, employed or designated;

(3) [if] *If* such lobbyist is retained or employed pursuant to a written agreement of retainer or employment, a copy of such shall also be attached and if such retainer or employment is oral, a statement of the substance thereof;

(4) [a] *A* written authorization from the client by whom the lobbyist is authorized to lobby, unless such lobbyist has filed a written agreement of retainer or employment pursuant to paragraph three of this subdivision;

(5) [a] *A* description of the subject or subjects on which the lobbyist is lobbying or expects to lobby, including information sufficient to identify the local law or resolution, procurement, real property, rule, rate making proceeding, determination of a board or commission, or other matter on which the lobbyist is lobbying or expects to lobby;

(6) [the] *The* names of the persons and agencies before which the lobbyist has lobbied or expects to lobby;

(7) [if] *If* the lobbyist has a financial interest in the client, direct or indirect, information as to the extent of such interest and the date on which it was acquired; [and]

(8) [if] *If* the lobbyist is retained, employed or designated by more than one client, a separate statement of registration shall be required for each such client*; and*

(9) A certification showing that the lobbyist has completed within the previous year an anti-sexual harassment interactive training that meets the requirements of subdivision 30 of section 8-107.

§ 2. Subdivision 30 of section 8-107 of the administrative code of the city of New York is amended by adding a new paragraph (h) to read as follows:

(h) Any individual required to register as a lobbyist pursuant to section 3-213 shall annually complete a training that meets the requirements of this subdivision regardless of whether the individual's employer is required to provide such training pursuant to this subdivision.

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

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

Res. No. 241

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.

By Council Members Gennaro, Yeger, Schulman, Hanif, Won and Bottcher.

Whereas, Sikhism is a religion and philosophy founded in the Punjab region of the Indian subcontinent in the late 15th century; and

Whereas, There are an estimated 25-30 million adherents of Sikhism, called Sikhs, worldwide according to various sources, including the Encyclopedia Britannica and BBC News, making it the world's fifth-largest organized religion; and

Whereas, Sikhs first came to the United States in the late 1800s according to the Sikh Coalition, a national organization based in New York City; and

Whereas, The U.S. Census Bureau does not collect data on religious affiliation, so there is no official U.S. government data on the number of Sikhs in this country, but estimates of the number of Sikhs in the U.S. today range from 500,000 to 700,000, according to the Sikh Coalition and the Sikh American Legal Defense and Education Fund (SALDEF), a national civil rights and educational organization based in Washington, DC; and

Whereas, Although there is no official count of Sikhs in New York City, the Sikh Coalition estimated the City's Sikh population at approximately 50,000 in 2007, while a representative with United Sikhs, a U.N. affiliated, international non-profit, humanitarian relief, education and advocacy organization headquartered in New York, estimated the number of Sikhs in the City at around 80,000 in 2010, with the largest concentration of 50,000 to 60,000 in Richmond Hill, Queens alone; and

Whereas, Sikh New Yorkers have contributed to this City for many decades but have received very little recognition of their efforts as a group or of their faith; and

Whereas, For example, unlike holidays of other groups, such as the Christian holiday of Easter, the Jewish holiday of Yom Kippur, the Muslim holiday of Eid al-Fitr and the East Asian Lunar New Year, the Sikh holiday of Vaisakhi is not widely known or recognized; and

Whereas, According to the British Broadcasting Corporation, Vaisakhi—the Sikh New Year festival, usually celebrated on April 13 or 14—started as a harvest festival in the Punjabi region of northern India and marks the start of the Punjabi New Year; and

Whereas, Vaisakhi is also a day to celebrate 1699—the year when Sikhism was born as a collective faith—and is one of the most important dates in the Sikh calendar; and

Whereas, In reality, most New Yorkers and other Americans know little to nothing about Sikhs or Sikhism, and this lack of awareness and understanding has contributed to an increase in bias incidents and hate crimes against Sikhs according to the Sikh Coalition; and

Whereas, According to data compiled by the Sikh Coalition, Sikhs are among the nation's most-targeted religious groups and are hundreds of times more likely than their fellow Americans to experience hate crimes because of their distinct appearance, including the wearing of turbans; and

Whereas, In particular, a wave of hate began in the immediate aftermath of the 9/11 attacks in 2001, with over 300 cases of violence and discrimination against Sikh Americans throughout the U.S. in the first month after 9/11 documented by the Sikh Coalition; and

Whereas, Since then, the Sikh Coalition has received thousands of reports from the Sikh community about hate crimes, workplace discrimination, school bullying, and racial and religious profiling; and

Whereas, More recently, in April 2021, four Sikhs were killed in a mass shooting at a FedEx facility in Indianapolis, as reported by the Associated Press and other media outlets; and

Whereas, Promoting greater awareness and understanding of Sikhs and their religious practices and traditions may help to reduce the number of bias-based incidents and bullying; and

Whereas, New York City has a history of recognizing and celebrating its diverse ethnic communities and the Mayor's office can play a major role in promoting greater awareness and appreciation of Sikhs by designating April 13 to recognize Vaisakhi and celebrate Sikh heritage; and

Whereas, For example, while Sikhs do celebrate Vaisakhi with a parade, it is not widely recognized or televised like the St. Patrick's, Columbus or Puerto Rican Day parades, nor are alternate side of the street parking regulations suspended as is the case for Lunar New Year, Eid al-Fitr, Diwali and most major Christian and Jewish holidays; and

Whereas, Schools can also play an important role in raising awareness and understanding of Sikhs and helping to reduce bias and bullying; and

Whereas, A 2008 report by the Sikh Coalition based on a survey of Sikhs in New York City found that half of the City's Sikh students reported being teased or harassed because of their Sikh identity and, among those who wear turbans or patkas, 3 out of 5 Sikh children had been harassed and verbally or physically abused; and

Whereas, Currently, the New York City Department of Education (DOE) permits students to take an excused absence for religious observances such as Vaisakhi and, similarly, allows employees time off for religious observance, but there is no other acknowledgement of Sikh students or employees; and

Whereas, The DOE is shifting to a new educational strategy called "culturally responsive-sustaining education (CR-SE)" which is a cultural view of learning in which multiple forms of diversity, including nationality and religion, "are recognized, understood, and regarded as indispensable sources of knowledge for rigorous teaching and learning"; and

Whereas, Additionally, the DOE is investing $202 million in FY22 to develop a rigorous, inclusive, and affirming curriculum by fall 2023 called the Universal Mosaic Curriculum; and

Whereas, It is critically important that the DOE include discussion and awareness of the Sikh culture, traditions and religious observances, especially Vaisakhi, into their CR-SE and Universal Mosaic Curriculum, since it is one of the most historically significant days of the year for Sikhs, and it provides an excellent opportunity for education during the month of April; and

Whereas, Both the Mayor's office and the DOE can play a critical role in raising awareness and understanding of Sikhs and helping to reduce bias, bullying and hate crimes against them; now, therefore, be it

Resolved, That the Council of the City of New York calls 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.

Referred to the Committee on Education.

Res. No. 242

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, S.1075A/A.6319A, which would amend the penal law to remove the penetration requirement from the rape statutes as well as to define rape as sexual intercourse, oral sexual conduct, or anal sexual conduct, and to explicitly recognize rape with an object.

By Council Members Gennaro and Hanif.

Whereas, The Federal Bureau of Investigation's (FBI) Uniform Crime Report (UCR) Summary Reporting System (SRS), also known as the national "report card" on serious crime, is a trusted source of statistics for use in law enforcement; and

Whereas, The UCR SRS utilized an outdated and narrow definition of "forcible rape" that had been unchanged since 1927 until 2012, when the United States (U.S.) Attorney General revised the definition of rape to ensure rape is more accurately reported nationwide; and

Whereas, For the first time, the new definition of rape, "[t]he penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim," includes any gender of victim and perpetrator, as well as recognizes rape with an object; and

Whereas, This revised definition sends an important message to all victims that what happens to them matters, and to perpetrators that they will be held accountable; and

Whereas, A U.S. Department of Justice study indicates that 60 percent of sexual assault crimes are not reported to the police, while a U.S. Centers for Disease Control survey on intimate partner and sexual violence found that over 18 percent of women reported being raped in their lifetime; and

Whereas, In New York City ("NYC" or "City"), the NYC Alliance Against Sexual Assault estimates that nearly 50,000 women are raped annually; and

Whereas, Currently, New York State ("State") rape statutes include a penetration requirement and refers to oral and anal sexual conduct as "criminal sexual acts"; and

Whereas, Not only is this definition more restrictive than the federal definition of rape, it is archaic; distinguishing different types of nonconsensual contact of a sexual organ reduces the perceived severity of the crime as well as contributes to the underreporting of rape; and

Whereas, Moreover, the current State legal definition of rape would not recognize an instance where one man rapes another man anally, as rape; and

Whereas, S.1705A/A.6319A, also referred to as the "Rape is Rape" bill, sponsored by State Senator Brad Hoylman and State Assembly Member Catalina Cruz, respectively, would broaden the legal definition of rape beyond vaginal penetration; and

Whereas, In redefining rape, S.1705A/A.6319A should also include an explicit recognition of rape with an object, which is currently classified as aggravated sexual abuse in different degrees; and

Whereas, Survivors of rape and their advocates have been pushing for the passage of this bill since it was first introduced in 2011; and

Whereas, Rape, in any form, is traumatic and victims of rape deserve justice; 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.1075A/A.6319A, which would amend the penal law to remove the penetration requirement from the rape statutes as well as to define rape as sexual intercourse, oral sexual conduct, or anal sexual conduct, and to explicitly recognize rape with an object.

Referred to the Committee on Public Safety.

Res. No. 243

Resolution declaring July annually as Muslim-American Heritage Month in the City of New York to celebrate the culture and history of Muslim Americans and their contributions to New York City communities.

By Council Members Gennaro, Won and Bottcher.

Whereas, Representative Karen Bass (D-CA) introduced House Resolution (H. Res.) 541 on July 20, 2021, in the United States (U.S.) House of Representatives, "[e]xpressing support for the recognition of July as 'Muslim-American Heritage Month' and celebrating the heritage and culture of Muslim Americans in the United States"; and

Whereas, Senator Cory Booker (D-NJ) introduced companion Senate Resolution (S. Res.) 361 on September 14, 2021, in the U.S. Senate; and

Whereas, Muslims arrived in the American colonies and later in the U.S. both as slaves and as indentured workers in the 17th, 18th, and 19th centuries; and

Whereas, From the 19th century until today in the U.S., new waves of immigration have brought Muslims pursuing economic, social, and religious freedom and opportunity; and

Whereas, These immigrants have become students, workers, and humanitarians in U.S. communities, including in New York City (NYC), and have made contributions in a wide variety of fields, including the arts, architecture, business, government, law, medicine, the military, religion, and sports; and

Whereas, Prominent Muslim Americans, who are too numerous to list, include a broad array of respected and celebrated individuals from all walks of life—from civil rights activist Malcolm X to heavyweight boxing champion Muhammad Ali; and

Whereas, There are currently more than 3,450,000 Muslims living in the U.S., and that figure has been increasing for over a decade; and

Whereas, According to World Population Review in 2023, Muslim Americans are a very diverse racial and ethnic group—about 25 percent Black, 24 percent white, 18 percent Asian, 18 percent Arab, 7 percent mixed race, and 5 percent Hispanic; and

Whereas, According to 2016 data from Muslims for American Progress, a project of the Institute for Social Policy and Understanding (ISPU), more than 765,000 Muslims make up about 9 percent of NYC residents; and

Whereas, According to a 2022 ISPU national survey, about 62 percent of Muslim Americans (with a higher percentage of those under 50 years of age) reported facing religious discrimination; and

Whereas, Data from 2019 and 2022 surveys conducted by the Muslim Community Network (MCN) in NYC showed that Muslim youth between 10 and 18 years of age experienced or witnessed hate crimes most frequently of all age groups; and

Whereas, Senator Booker noted that his Senate resolution "recognizes the incredible contributions made by Muslims living in the [U.S.] and also highlights the urgent need to work together to address anti-Muslim bias and hate that has tragically become too commonplace"; and

Whereas, According to the Senate resolution, "[T]here is a need for public education, awareness, and policies that are culturally competent when describing, discussing, or addressing the impacts of being Muslim American" in U.S. society; and

Whereas, That public education and awareness can begin in NYC by honoring the contributions of Muslim Americans in July each year with appropriate ceremonies and activities; and

Whereas, Muslim Americans and Muslim immigrants have enriched the multiethnic, multiracial, and multilingual fabric of NYC for centuries; now, therefore, be it

Resolved, That the Council of the City of New York declares July annually as Muslim-American Heritage Month in the City of New York to celebrate the culture and history of Muslim Americans and their contributions to New York City communities.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Res. No. 244

Resolution calling on the New York State Legislature to adopt the same exemptions as FMCSA for approved digital mirror systems with respect to operation in intrastate commerce.

By Council Member Gennaro.

Whereas, According to the New York City (NYC) Department of Transportation (DOT), each year about 365 million tons of cargo enters, leaves, or passes through NYC, with about 89 percent of it being carried by truck; and

Whereas, The NYC DOT estimates that by 2045, the tonnage of cargo within the City is expected to increase by 68 percent, to 540 million tons, with the same proportion (89 percent) expected to be delivered by truck; and

Whereas, As of March 2022, the total number of daily packages delivered to NYC is about 3.6 million; and

Whereas, The United States Department of Transportation (USDOT) and New York State Department of Motor Vehicles (NYSDMV) each have their own vehicle requirements and regulations for the operation of commercial motor vehicles; and

Whereas, Having different vehicle mirror requirements for interstate and intrastate commerce could make the commercial delivery process confusing and cumbersome in the State of New York; and

Whereas, The USDOT's Federal Motor Carrier Safety Administration's (FMCSA) regulations require that each bus, truck, and truck-tractor be equipped with 2 rear-vision mirrors, 1 at each side; and

Whereas, FMCSA has granted certain exemptions to allow motor carriers to operate commercial motor vehicles that are equipped with specific digital mirror systems instead of 2 rear-vision mirrors as required by their regulations; and

Whereas, These digital mirror systems consist of 3 cameras, each with a specific field of view, firmly mounted to the top of the vehicle, and presenting a clear image to the driver by means of an internal monitor firmly mounted to the structural member between the windshield and the door of the motor vehicles cab; and

Whereas, According to FMCSA, although no State may enforce any law or regulation applicable to interstate commerce that conflicts with or is inconsistent with FMCSA's regulation exemption, States may, but are not required to, adopt the same exemption with respect to operation in intrastate commerce; and

Whereas, The NYSDMV requires that every commercial vehicle be equipped with a mirror or other reflecting device and an outside rear-view mirror mounted on the driver's side of the vehicle, and does not permit the use of any alternatives to mirrors or other reflecting devices for intrastate commerce; and

Whereas, According to FMCSA, digital mirror systems provide a greater field of vision when compared to standard rear-view mirrors because they eliminate the blind spots on both sides of operating vehicles, provide a monitor with a low light sensitivity sensor, and include a camera heating system, all which exceed current requirements; and

Whereas, FMCSA has determined that granting the exemption to allow these digital mirror systems would likely achieve a level of safety equivalent to or greater than the level of safety provided by the regulation; and

Whereas, Traffic safety measures that potentially exceed current safety regulations could enhance street safety in the City of New York; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to adopt the same exemptions as FMCSA for approved digital mirror systems with respect to operation in intrastate commerce.

Referred to the Committee on Transportation and Infrastructure.

Res. No. 245

Resolution declaring April as Sikh Awareness and Appreciation Month in New York City.

By Council Members Gennaro, Lee, Cabán, Louis, Hanif, Farías, Brannan, Menin, Won and Carr.

Whereas, Sikhism is a religion and philosophy founded by Guru Nanak in the Punjab region of the Indian subcontinent in the late 15th century; and

Whereas, According to the encyclopedia Britannica, in Punjabi the word Sikh means "learner" and the Sikh worldview centers around the idea of oneness and the belief of a divine presence in all people; and

Whereas, Sikh tradition calls upon its followers to participate in prayerful action known as *seva*, and Sikhs are expected to serve humanity while cultivating their own spirituality by practicing their principles daily, which include truthful living, service to humanity and a devotion to God; and

Whereas, Following the annexation by the British of the Punjab province in 1849, in hopes of securing a better economic future, Sikhs with a background in agriculture immigrated to the U.S.; and

Whereas, According to the University of California at Davis, during the 1940s, and in response to the success of Japanese farmers in California, public opinion turned against many Asian immigrants and Sikhs were met with newly enacted discriminatory laws branding most immigrants ineligible from holding leases on agricultural lands or securing U.S. citizenship; and

Whereas, These restrictions caused Sikh immigrants to secure employment as laborers for railroad construction projects and western frontier lumber mills and eventually to accept work as farm laborers for large agricultural growers in California's Imperial Valley; and

Whereas, According to the University of California at Davis, despite their significant contributions to building the infrastructure of America, a fundamental misunderstanding and mistrust of Sikhs by white Americans led to acts of violence and discrimination against many Sikh communities since their arrival to this country in the nineteenth century; and

Whereas, Riots against Sikhs in rural towns can be traced back to 1907 in Bellingham, Washington, when attacks upon Sikhs were spearheaded by the Asian Exclusion League, an organization formed to marginalize Asians economically that was supported by many white political and labor organizations; and

Whereas, In 1917, the Asian Barred Zone Act stopped almost all Asian immigration to the U.S., leaving many Punjabi families separated for decades and unable to join loved ones already working in the U.S. until the laws were amended in the 1940s; and

Whereas, Since the attacks of September 11, 2001, Sikhs, who for religious reasons wear long beards and turbans and are often misidentified as Muslim, are particularly vulnerable to discrimination and continue to be the target of attacks and hate crimes; and

Whereas, Despite Sikhism having more than 25 million followers worldwide and being the world's fifth largest religion, a 2015 national survey conducted in the U.S. by Hart Research Associates found that a majority of Americans—60 percent—admitted they knew nothing at all about Sikh culture; and

Whereas, Contributions by Sikhs to American life and prosperity include helping to settle the Western frontier and build America's railroads, service in the U.S. military, service in the U.S. House of Representatives, contributions as physicians, university professors, businesspersons, celebrated recording artists, inventors of technology such as fiber optics, and many other contributions to all facets of life in the U.S. and New York City; and

Whereas, While neither the United States Census nor the New York City Department of City Planning collects specific data on religion, according to a 2007 Sikh Coalition Advocacy Survey, there were an estimated 50,000 Sikhs living in Queens, based upon reported membership in Sikh places of worship, known as *gurdwaras*; and

Whereas, Current estimates of Sikhs living in Richmond Hill, Queens are believed to be approximately 60,000, yet without equitable representation within local, state and federal government it remains difficult to promote awareness of Sikh culture and contributions; and

Whereas, To coincide with *Vaisakhi*, a significant day of the year for Sikhs which marks the harvest and beginning of the Sikh New Year, the Sikh Coalition helped to create and enact the nation's first Sikh Awareness

and Appreciation Month during April in California, Colorado, Connecticut, Delaware, Georgia, Illinois, Indiana, Massachusetts, Michigan, New Jersey, Oregon, Pennsylvania, Washington, Wisconsin, Virginia and Utah; and

Whereas, Sikhs have lived and worked in the U.S. for more than a century, making vital and significant contributions to daily life in New York City, yet American society is largely unaware and ignorant of their history, community and culture, which puts Sikhs at continued risk for high rates of violence, discrimination, bullying and profiling at work, home and school; now, therefore be it

Resolved, That the Council of the City of New York declares April as Sikh Awareness and Appreciation Month in New York City.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Int. No. 593

By Council Members Holden, Ariola and Paladino.

A Local Law to amend the administrative code of the city of New York, in relation to door to door commercial solicitations

Be it enacted by the Council as follows:

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

SUBCHAPTER 26
DOOR TO DOOR COMMERCIAL SOLICITATIONS

§ 20-880 Definitions.
§ 20-881 Prohibited activity.
§ 20-882 Penalties.

§ 20-880 Definitions. For the purposes of this subchapter the following terms shall have the following meanings:

Door to door commercial solicitation. The term "door to door commercial solicitation" shall mean to go upon, ring the doorbell affixed to, knock on the door of or attempt to gain admission to any private or multiple dwelling for the purpose of advertising a business or soliciting business.

Multiple dwelling. The term "multiple dwelling" shall have the same meaning as defined in paragraph 7 of section 4 of article 1 of the multiple dwelling law.

Person. The term "person" shall mean any natural person, firm, partnership, joint venture, corporation or association.

Private dwelling. The term "private dwelling" shall have the same meaning as defined in paragraph 6 of section 4 of article 1 of the multiple dwelling law.

§ 20-881 Prohibited activity. a. No person shall engage in door to door commercial solicitation at any private dwelling or multiple dwelling where, in a conspicuous location at the entrance to such private dwelling or multiple dwelling, a sign is posted stating that door to door commercial solicitation is prohibited.

b. 1. In a private dwelling that is entirely owner-occupied and is designed for and occupied exclusively by no more than two families, any owner of such property shall have the authority to post such sign.

2. In all other private and multiple dwellings, the property owner shall only post such sign if the owner or lessee of each separate dwelling unit on such property or within such building indicates a desire to prohibit door to door commercial solicitations. Where one or more of such owners or lessees do not consent to the prohibition of door to door commercial solicitations, the property owner may post a sign prohibiting door to door commercial solicitation as long as the sign indicates those units where door to door commercial solicitation is permitted.

3. The signs permitted by this section shall be in a size and style to be determined by the commissioner.

§ 20-882 Penalties. A civil penalty of not less than $250 nor more than $1,000 shall be imposed for each violation of the provisions of this subchapter.

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

Referred to the Committee on Consumer and Worker Protection.

Int. No. 594

By Council Members Holden, Yeger, Gennaro, Ung, Ariola, Paladino and Vernikov.

A Local Law to amend the administrative code of the city of New York, in relation to increasing penalties for excessive noise from speakers and motor vehicles

Be it enacted by the Council as follows:

Section 1. Section 24-233 of the administrative code of the city of New York is amended by adding a new subdivision (d) to read as follows:

(d) A motor vehicle shall be towed and retained by the police department for a second or any subsequent violation of this section, and shall be released to the motor vehicle owner upon payment of the associated civil penalty set forth in section 24-257.

§ 2. Subchapter 6 of chapter 2 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-233.1 to read as follows:

§ 24-233.1 Affixing audio output devices to motor vehicles prohibited. (a) Definitions. As used in this section, the term "audio output device" means any device that can receive and process an audio signal for the purpose of playing sound.

(b) Prohibition. No motor vehicle owner shall affix an audio output device to the exterior of the motor vehicle or permit an audio output device to be affixed to the exterior of the motor vehicle.

(c) Enforcement. (1) Notice of violation. A motor vehicle owner shall be issued a notice of violation pursuant to section 24-259 for violations of this section.

(2) Hearing. A motor vehicle owner may contest allegations of violations contained in a notice of violation issued pursuant to this section and request a hearing in a written response to such notice. Such written response shall be in a form prescribed by the board and shall be served upon the department and filed with the board within 5 days of receipt of a notice of violation. The department shall hold a hearing for a motor vehicle owner to contest allegations of violations contained in a notice of violation within 10 days after a request for a hearing has been made.

(3) Penalties. A motor vehicle owner who violates any provision of this section shall be liable for a civil penalty of not more than $225 and not less than $100 for a first violation, not more than $400 and not less than $150 for a second violation, and not more than $575 and not less than $200 for a third and any subsequent violation. A motor vehicle shall be towed and retained by the police department for a second or any subsequent violation of this section, and shall be released to the motor vehicle owner upon payment of the associated civil penalty set forth in section 24-257.

§ 3. The rows beginning 24-233(a), 24-233(b)(1) and 24-233(b)(2) of table 1 of paragraph 5 of subdivision b of section 24-257 of the administrative code of the city of New York, as amended by local law number 80 for the year 2020, are amended and a new row 24-233.1 is added to read as follows:

24-233(a)	[175] *225*	[50] *100*	[350] *400*	[100] *150*	[525] *575*	[150] *200*
24-233(b)(1)	[175] *225*	[50] *100*	[350] *400*	[100] *150*	[525] *575*	[150] *200*

24-233(b)(2)	[350] *400*	[100] *150*	[700] *750*	[200] *250*	[1,050] *1,100*	[300] 350
24-233.1	*225*	*100*	*400*	*150*	*575*	*200*

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

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

Int. No. 595

By Council Members Holden, Hanif, Brewer, Ariola, Paladino and Vernikov.

A Local Law to amend the administrative code of the city of New York, in relation to creating an annual report on the performance of department of homeless services providers

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 21-311.1 to read as follows:

§ 21-311.1 Fiscal year provider reporting requirements. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Average length of stay. The term "average length of stay" means the average number of days that an individual or family spends in a drop-in center, safe haven or shelter.

Critical incident. The term "critical incident" means (i) a life-threatening assault or injury to a client or employee in a drop-in center, safe haven or shelter or (ii) an environmental concern that results in the evacuation of a drop-in center, safe haven or shelter.

Drop-in center. The term "drop-in center" has the same meaning as is ascribed to such term in section 21-317.

Open violation. The term "open violation" means an open violation identified during an inspection by the department of buildings, the department of housing preservation and development, the fire department or the department of health and mental hygiene.

Per-diem rate. The term "per-diem rate" means the average daily cost to operate a drop-in center, safe haven or shelter.

Rate of housing placements. The term "rate of housing placements" means the percentage of individuals or families relocated from a drop-in center, safe haven or shelter to permanent housing, including subsidized and unsubsidized permanent housing.

Rate of return. The term "rate of return" means the percentage of individuals or families placed into permanent housing who returned to the department within one year.

Safe haven. The term "safe haven" has the same meaning as is ascribed to such term in section 21-317.

Shelter. The term "shelter" has the same meaning as is ascribed to such term in section 21-317.

b. The commissioner shall submit an annual report to the speaker of the council that provides the following information for the prior fiscal year for each provider of homeless services in the city, disaggregated by each drop-in center, safe haven and shelter that such provider operates:

1. The rate of return;

2. The per-diem rate;

3. The average length of stay;

4. The rate of housing placements;

5. The number of critical incidents;

6. The number of open violations; and

7. Whether the contract for the prior fiscal year was registered on time.

c. No more than 30 days after the report is submitted to the speaker of the council, the commissioner shall post the report on the department's website.

d. Reports required by this section shall not contain any personally identifiable information.

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

Referred to the Committee on General Welfare.

Int. No. 596

By Council Members Holden, Yeger, Bottcher, Ariola, Paladino and Vernikov.

A Local Law to amend the New York city charter, in relation to the mayor's office of operations establishing and maintaining an online tool for measuring performance of city agencies

Be it enacted by the Council as follows:

Section 1. Section 15 of the New York city charter is amended by adding a new subdivision l to read as follows:

l. The office of operations shall:

1. Establish and maintain an online performance measurement tool for each agency that includes metrics integral to the quality of life in the city, and make such tool available on the city's website;

2. Update daily the information measured by the metrics applied by the performance measurement tool;

3. Ensure that information is presented by the performance measurement tool in a format that is clear and supports ease of use and understanding;

4. At least twice each year, review the effectiveness of the performance measurement tool and consider additional metrics and information from agencies, including information available on the open data portal, that may be included to measure agency performance and additional ways to facilitate and increase use of the performance measurement tool by the public;

5. Consult with agencies as appropriate in considering additional information that may be included to measure agency performance; and

6. Implement modifications to the performance measurement tool based on the reviews required by paragraph 4.

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

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

Int. No. 597

By Council Members Holden, Yeger, Ariola, Paladino and Vernikov.

A Local Law to amend the New York city charter, in relation to requiring an affirmative vote of at least two-thirds of all council members for the passage of any local law or resolution that raises taxes

Be it enacted by the Council as follows:

Section 1. Section 34 of the New York city charter, as amended by a vote of the electors on November 4, 195, is amended to read as follows:

§34. Vote required for local law or resolution. a. Except as otherwise provided by law, no local law or resolution shall be passed except by at least the majority affirmative vote of all the council members.

b. A local law or resolution shall not be passed except by an affirmative vote of at least two-thirds of all the council members if such local law, as determined by the council's director of finance or his or her designee, provides for a net increase in city revenues in the form of:

1. the imposition of any new tax;

2. an increase in a tax rate or rates;

3. a reduction or elimination of a tax deduction, exemption, exclusion, credit or other tax exemption feature in computing tax liability;

4. an increase in a statutorily prescribed city fee or assessment or an increase in a statutorily prescribed maximum limit for an administratively set fee;

5. the imposition of any new city fee or assessment or the authorization of any new administratively set fee; or

6. the elimination of an exemption from a statutorily prescribed city fee or assessment.

c. The requirements contained in subdivision b shall not apply to:

1. the effects of inflation, increasing assessed valuation or any other similar effect that increases city revenue but is not caused by an affirmative act of the council; or

2. fees and assessments that are authorized by law, but are not prescribed by formula, amount or limit, and are set by a city officer or agency.

§ 2. This local law takes effect immediately upon approval by the electorate at the next general election succeeding its enactment.

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

Int. No. 598

By Council Members Holden, Paladino and Vernikov.

A Local Law to amend the administrative code of the city of New York, in relation to spending by foreign nationals and foreign-influenced entities in connection with city elections

Be it enacted by the Council as follows:

Section 1. Section 3-702 of the administrative code of the city of New York is amended by adding new subdivisions 24 and 25 to read as follows:

24. Foreign-influenced entity. The term "foreign-influenced entity" means any entity, as defined in clause (ii) of subparagraph (a) of paragraph 15 of subdivision a of section 1052 of the charter, for which at least one of the following conditions is met:

a. A single foreign national holds, owns, controls, or otherwise has direct or indirect beneficial ownership of five percent or more of the total equity, outstanding voting shares, membership units, or other applicable ownership interests of the entity;

b. Two or more foreign nationals, in aggregate, hold, own, control, or otherwise have direct or indirect beneficial ownership of 20 percent or more of the total equity, outstanding voting shares, membership units, or other applicable ownership interests of the entity; or

c. A foreign national participates directly or indirectly in the entity's decision-making process with respect to the entity's political activities in the United States, including the entity's political activities with respect to a covered election.

25. Foreign national. The term "foreign national" means:

a. A foreign national, as defined in subsection (b) of section 30121 of title 52 of the United States code, including but not limited to a foreign government or a foreign principal; or

b. An entity for which, in aggregate, one or more foreign nationals, as defined in subsection (b) of section 30121 of title 52 of the United States code, own, control, or otherwise have direct or indirect beneficial ownership of 50 percent or more of the equity, outstanding voting shares, membership units, or other applicable ownership interests of the entity.

§ 2. Chapter 7 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-721 to read as follows:

§ 3-721 Prohibition of spending by foreign nationals and foreign-influenced entities. a. A foreign national or foreign-influenced entity shall not make, directly or through any other person, a contribution, expenditure or independent expenditure, as defined in clause (i) of subparagraph (a) of paragraph 15 of subdivision a of section 1052 of the charter, in connection with any covered election.

b. The board may, upon notice and opportunity to be heard, assess a civil penalty in an amount not in excess of $10,000 for each violation of this section. The intentional or knowing violation of this section shall be punishable as a misdemeanor in addition to any other penalty provided under law.

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

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

Int. No. 599

By Council Members Holden, Yeger, Gennaro, Ung, Ariola and Paladino.

A Local Law to amend the administrative code of the city of New York, in relation to increasing certain penalties for excessive noise from a personal audio device on or inside a motor vehicle

Be it enacted by the Council as follows:

Section 1. Table I of paragraph 5 of subdivision b of section 24-257 of the administrative code of the city of New York, as amended by local law number 80 for the year 2021, is amended to read as follows:

Violations related to section and subdivision						
	First Violation		**Second Violation***		**Third and Subsequent Violations***	
	Maximum	**Minimum**	**Maximum**	**Minimum**	**Maximum**	**Minimum**
24-216(d)	2,625	650	5,250	1,300	7,875	1,950
24-218(a)	150	75	250	150	500	350
24-218(a-1)	350	350	700	700	1050	1,050
24-218 (e)	1,000	350	2,000	700	3,000	1,050
24-218.1	50	50	50	50	50	50
24-220	1,400	440	2,800	880	4,200	1,320
24-222	3,500	875	7,000	1,750	10,500	2,625
24-223	3,500	875	7,000	1,750	10,500	2,625
24-224	3,500	875	7,000	1,750	10,500	2,625
24-225	1,400	440	2,800	880	4,200	1,320
24-226	1,400	440	2,800	880	4,200	1,320
24-227	220	220	440	440	660	660
24-228	1,400	440	2,800	880	4,200	1,320
24-229	1,400	440	2,800	880	4,200	1,320
24-230	1,400	440	2,800	880	4,200	1,320

24-231(a)	2,000	2,000	4,000	4,000	6,000	6,000
24-231(d)	560	560	1,120	1,120	1,680	1,680
24-232	440	440	880	880	,1320	1,320
24-233(a)	175	50	350	100	525	150
24-233(b)(1)	175	50	350	100	525	150
24-233(b)(2)	[350] *700*	[100] *200*	[700] *1,400*	[200] *400*	[1,050] *2,100*	[300] *600*
24-234	175	50	350	100	525	150
24-235	175	50	350	100	525	150
24-236(a)	525	150	1,050	300	1,575	450
24-236(b)(c)(d)	1,440	440	2,800	880	4,200	1,320
24-237(a)	1,000	150	2,00]	300	3,000	450
24-237(b)	875	220	1,750	440	2,625	660
24-237(c)	875	220	1,750	440	2,625	660
24-237(d)	350	350	700	700	1,050	1,050
24-238(a)	220	220	440	440	660	660
24-238(b)	875	220	1,750	440	2,625	660
24-239(b)	350	100	700	200	1,050	300
24-241	1,400	440	2,800	880	4,200	1,320
24-242	220	220	440	440	660	660
24-244(a)	1,750	440	3,500	880	5,250	1,320
24-244(b)	440	440	880	880	1,320	1,320
24-245	2,625	660	5,250	1,320	7,875	1,980
All remaining sections and subdivisions	875	220	1,750	440	2,625	660

* By the same respondent of the same provision of law, order, rule or regulation and, if the respondent is the owner, agent, lessee or other person in control of the premises with respect to which the violation occurred, at the same premises (all violations committed within two years).

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Int. No. 600

By Council Members Holden, Won, Ung, Paladino and Vernikov.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the commissioner of sanitation to report on sidewalk obstruction enforcement

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-118.2 to read as follows:

§ 16-118.2 Report on sidewalk obstruction enforcement. a. No later than September 1, 2022, and every three months thereafter, the department shall submit to the speaker of the council and to the mayor a report of its enforcement actions pursuant to subdivision 2 of section 16-118, disaggregated by council district and community district:

b. The report shall include at minimum:

1. The total number of complaints of violations of subdivision 2 of section 16-118 received within the quarter;

2. The nature of each such complaint, including but not limited to the placement of sandwich or A-frame signs; and

3. The disposition of each such complaint.

§ 2. This local law takes effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 601

By Council Members Holden, Yeger and Paladino.

A Local Law to amend the administrative code of the city of New York, in relation to a database and map of media and entertainment production activities

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 22 of the administrative code of the city of New York is amended by adding a new section 22-205-a, to read as follows:

§22-205-a Database and interactive map, displaying media production activities with permits. No later than October 1, 2023, the commissioner of the mayor's office of media and entertainment, or any other entity designated by the mayor to issue film and television production permits pursuant to paragraph r of subdivision 1 of section 1301 of the New York city charter, shall develop and maintain a searchable electronic database and interactive map displaying the locations of current media and entertainment production activities for which such a permit is required, including those issued pursuant to section 22-205 of this chapter for movie-making, telecasting and photography activities. The commissioner shall update such database and map within three days following the issuance of any such new permit, permit renewal, or changes to the locations of such media and entertainment activities in any such permit or permit renewal. Such database and map shall be posted on the mayor's office of media and entertainment's website, shall have the ability to produce reports by query, and shall include, but not be limited to, the following information:

1. Address, borough, block and lot number;

2. Permit applicant and contact information; and

3. Whether such permit includes a request for the removal of on-street parking, parking privileges or other street closure.

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

Referred to the Committee on Technology.

Int. No. 602

By Council Members Holden, Yeger, Ariola, Paladino and Vernikov.

A Local Law to amend the administrative code of the city of New York, in relation to reports of illegal towing to 311

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-308 to read as follows:

§ 23-308 Complaints related to tow trucks. The department of information technology and telecommunications shall implement on its 311 citizen service center website, telephone and mobile device platforms the capability to file a complaint reporting a tow truck company that tows an immobilized vehicle in violation of paragraph 2 of subdivision b of section 20-518. Such option shall allow the complainant to include a photograph or video when submitting a complaint through such 311 website and mobile device platforms.

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

Referred to the Committee on Technology.

Int. No. 603

By Council Members Holden, Yeger, Ariola, Paladino and Vernikov.

A Local Law to amend the administrative code of the city of New York, in relation to requiring that the department of transportation maintain curb heights following street construction

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 19-147 of the administrative code of the city of New York, as amended and renumbered by local law number 104 for the year 1993, is amended to read as follows:

§ 19-147. Replacement of pavement and maintenance of street hardware.

a. General provisions. Whenever any pavement, sidewalk, curb or gutter in any street shall be taken up, the person or persons by whom or for whose benefit the same is removed shall restore such pavement, sidewalk, curb or gutter to its proper condition to the satisfaction of the commissioner of transportation. *The department shall ensure that appropriate curb heights are maintained whenever the department takes up and restores any pavement, sidewalk, curb or gutter in any street.*

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

Referred to the Committee on Transportation and Infrastructure.

Int. No. 604

By Council Members Holden, Yeger, Paladino and Vernikov.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to inform car accident victims on the directed accident response program

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 20-518 of the administrative code of the city of New York is amended by adding a new paragraph 6 to read as follows:

6. A police officer arriving at the scene of a vehicular accident shall inform a person in charge of a disabled vehicle of towing procedures under the directed accident response program, which shall include, but need not be limited to, the following:

(a) The police department's procedures under the directed accident response program;

(b) The rights and responsibilities of any person in charge of a disabled vehicle relating to such person's disabled vehicle;

(c) How to determine whether a tow truck is licensed pursuant to section 20-498 of this subchapter;

(d) How to determine whether a tow truck is the tow truck directed by police officers to tow the disabled vehicle pursuant to the directed accident response program; and

(e) How to report a tow truck that attempts to tow a disabled vehicle and is either unlicensed or is not the tow truck directed by police officers to tow the disabled vehicle.

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

Referred to the Committee on Public Safety.

Int. No. 605

By Council Members Holden, Brannan, Paladino and Vernikov.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting school bus parking on city streets overnight and on weekends

Be it enacted by the Council as follows:

Section 1. Subdivision 1 of section 19-162 of the administrative code of the city of New York, as amended by local law number 104 for the year 1993, is amended to read as follows:

1. Notwithstanding any local law or regulation to the contrary, but subject to the provisions of the vehicle and traffic law, it shall be permissible for a bus owned, used or hired by public or nonpublic schools to park [at any time, including overnight,] upon any street or roadway, provided said bus occupies a parking spot in front of and within the building lines of the premises of the said public school or nonpublic school, *and further provided said bus shall not park on any street or roadway on weekdays between the hours of 5:00 p.m. and 5:00 a.m. or on weekends between the hours of 5:00 p.m. on Friday and 5:00 a.m. on Monday*.

§ 2. This local law takes effect 120 days after it becomes law, provided that the commissioner of transportation must take such measures as are necessary for the implementation of this local law, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 606

By Council Members Holden, Vernikov, Yeger, Farías, Riley, Brannan, Dinowitz, Ossé, Bottcher, Gennaro, Menin, Abreu, Ung, Lee, Williams, Narcisse, Zhuang, Hanks, Stevens, Ariola, Paladino, Carr and Marmorato.

A Local Law to amend the administrative code of the city of New York, in relation to requiring that every bicycle with electric assist, electric scooter and other legal motorized vehicle be licensed and registered

Be it enacted by the Council as follows:

Section 1. Subchapter 3 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-176.4 to read as follows:

§ 19-176.4 Licensing and registration of bicycles with electric assist, electric scooters and other legal motorized vehicles. a. For the purposes of this section, the following terms have the following meanings:

Bicycle with electric assist. The term "bicycle with electric assist" means any electric bicycle as defined in section 102-c of the vehicle and traffic law.

Electric scooter. The term "electric scooter" means any electric scooter as defined in section 114-e of the vehicle and traffic law.

Other legal motorized vehicle. The term "other legal motorized vehicle" means any wheeled device powered by an electric motor or by a gasoline motor that may be legally operated in the city, is not capable of being registered with the New York state department of motor vehicles and is not a bicycle with electric assist or electric scooter.

b. Every bicycle with electric assist, electric scooter and other legal motorized vehicle shall be registered with the commissioner and provided a distinctive identification number and a license plate corresponding to that distinctive identification number.

c. The license plate issued pursuant to subdivision b of this section shall be of such material, form, design and dimensions and contain such distinguishing number as the commissioner shall prescribe, provided, however, that there shall be at all times a marked contrast between the color of the plate and that of the numerals or letters thereon. Each such plate shall identify whether the bicycle with electric assist, electric scooter or other legal motorized vehicle is personal or commercial in nature. The fee for such plate shall be determined by the commissioner.

d. The license plate issued pursuant to subdivision b of this section shall be conspicuously displayed on the rear of the bicycle with electric assist, electric scooter or other legal motorized vehicle, and securely fastened so as to prevent the same from swinging. No bicycle with electric assist, electric scooter or other legal motorized vehicle shall display any plate other than that issued by the commissioner.

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

Referred to the Committee on Transportation and Infrastructure.

Int. No. 607

By Council Members Krishnan, Avilés, Restler, Brewer, Gutiérrez, Schulman, Ossé, Rivera, Won, Sanchez, Bottcher, Ayala, Marte, Louis and Ung.

A Local Law to amend the administrative code of the city of New York, in relation to requiring tenant relocation services to the same community district, a nearby community district, or the same borough

Be it enacted by the Council as follows:

Section 1. The undesignated subparagraph of paragraph (a) of subdivision 1 of section 26-301 of the administrative code of the city of New York, as amended by local law number 159 for the year 2019, is amended to read as follows:

Such services may be provided as such commissioner may deem necessary, useful or appropriate for the relocation of such tenants, including but not limited to the gathering and furnishing of information as to suitable vacant accommodations, the making of studies and surveys for the purpose of locating such accommodations and the provision of facilities for the registration of such accommodations with the department of housing preservation and development by owners, lessors and managing agents of real property and others. For any tenant applying for relocation services pursuant to subparagraph (v) of this paragraph, such services may also include the provision of temporary housing. Such commissioner shall not impose any deadline or limitation of time in which a tenant may apply for relocation services pursuant to subparagraph (v) of this paragraph. *Tenants receiving relocation services pursuant to subparagraph (v) of this paragraph shall be relocated at their request to suitable vacant accommodations in the same community district, or an immediately adjacent community district, as the building from which such tenants were displaced. If, following such a request, suitable vacant*

accommodations are unavailable in such same or immediately adjacent community district, then such tenants shall be relocated to suitable vacant accommodations in the nearest community district in the same borough, where possible. For purposes of this chapter, "temporary housing" includes, but is not limited to, hotels, motels, or other temporary shelter provided to a tenant by or on behalf of the department or provided pursuant to an agreement with the department.

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

Referred to the Committee on Housing and Buildings.

Int. No. 608

By Council Members Krishnan, Avilés, Restler, Brewer, Gutiérrez, Schulman, Ossé, Rivera, Won, Sanchez, Bottcher, Ayala, Marte, Louis and Ung.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of housing preservation and development to increase tenant relocation services in the event of a vacate order

Be it enacted by the Council as follows:

Section 1. Subdivision f of section 15-227 of the administrative code of the city of New York, as amended by local law 23 of 1990, is amended to read as follows:

f. The commissioner shall give written notice of the closing of any building or structure or part thereof pursuant to this section, and any subsequent actions taken with respect thereto, as soon as practicable, to (i) the borough president of the borough within which the closing has occurred; (ii) the council member representing the district within which the closing has occurred; and (iii) the local community board. *Where a vacate order has been issued for a dwelling unit or other space lawfully used for residential purposes, the commissioner shall give notice as soon as practicable to the commissioner of housing preservation and development and the commissioner of buildings.* On January first of each year, the commissioner shall submit a report to the council, setting forth the number of closings made in the previous year, the locations of such closings, and the nature and use of the premises closed. The commissioner shall, in addition, as soon as practicable after a building, structure or part thereof has been closed, make and publish a report of said closing in a manner calculated to quickly notify the local community in which such closing occurred. The commissioner shall also make and publish a report of any premises reopened pursuant to his or her permission under this section. Failure to comply with this subdivision shall not invalidate any action taken by the commissioner pursuant to this section.

§ 2. Section 17-159 of the administrative code of the city of New York is amended to read as follows:

§ 17-159. Infected and uninhabitable houses; vacation orders.

a. Whenever it shall be certified to the department by an officer or inspector of the department that any building or any part thereof in the city is infected with communicable disease, or by reason of want of repair has become dangerous to life or is unfit for human habitation because of defects in drainage, plumbing, ventilation, or the construction of the same, or because of the existence of a nuisance on the premises which is likely to cause sickness among its occupants, the department may issue an order requiring all persons therein to vacate such building or part thereof for the reasons to be stated therein. The department shall cause such order to be affixed conspicuously in such building or part thereof and to be personally served on the owner, lessee, agent, occupant, or any person having the charge or care thereof. If the owner, lessee or agent can not be found in the city or does not reside therein, or evades or resists service, then such order may be served by depositing a copy thereof in the post-office in the city, properly enclosed and addressed to such owner, lessee or agent, at his or her last known place of business and residence, and prepaying the postage thereon; such building or part thereof within ten days after such order shall have been so posted and mailed, or within such shorter time, not less than twenty-four hours, as in such order may be specified, shall be vacated[, but the department whenever it shall become satisfied that the danger from such building or part thereof has ceased to exist, or that such building has been repaired so as to be habitable, may revoke such order].

b. Where the department has issued a vacate order for a dwelling unit or other space lawfully used for residential purposes, the department shall give notice as soon as practicable to the commissioner of housing preservation and development and the commissioner of buildings.

c. If, after the amount of time specified in the vacate order or 5 days have elapsed since the building or part thereof was vacated pursuant to subdivision a of this section, whichever is longer, the department finds that the conditions necessitating the vacate order have not been resolved, the department shall notify the commissioner of housing preservation and development.

§ 3. Subdivision 1 of section 26-301 of the administrative code of the city of New York is amended by adding a new subdivision f to read as follows:

(f) To ensure that representatives of the agency are dispatched to the site of the vacated building upon either the issuance of a vacate order or the receipt of notification that another agency has issued a vacate order. Such representatives shall provide materials to any displaced tenants informing them of their eligibility for relocation assistance in their preferred language, or, if necessary, through translation services. Such representatives shall also ensure that displaced tenants have access to the vacated unit and any personal effects therein provided that the commissioner or other city official has determined that the unit is safe for entry.

§ 4. Subdivision c of section 27-2140 of the administrative code of the city of New York is amended by adding a new paragraph 3 to read as follows:

3. Where a dwelling or part thereof has been vacated for the amount of time specified in the order pursuant to paragraph 1 and more than 5 additional days have elapsed, or the department has received notification that a vacate order has not been resolved pursuant to section 17-159, and any such order has not been revoked or extended, the department shall initiate a special proceeding pursuant to subdivision 1 of section 770 of the real property actions and proceedings law.

§ 5. Subdivision d of section 27-2142 of the administrative code of the city of New York is amended to read as follows:

d. [The department may require as a condition for revocation of a vacate order, that] Where applicable, the owner *shall* make reasonable [effort] *efforts* to notify any tenants who may have vacated the dwelling pursuant to [such] *an* order *to vacate* that said tenant has a right to re-occupy the dwelling.

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

Referred to the Committee on Housing and Buildings.

Int. No. 609

By Council Members Krishnan, Avilés, Restler, Brewer, Gutiérrez, Schulman, Ossé, Rivera, Won, Sanchez, Bottcher, Ayala, Marte and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of housing preservation and development to report on the special repair fund

Be it enacted by the Council as follows:

Section 1. Section 27-2111 of the administrative code of the city of New York is amended to read as follows:

§ 27-2111 Moneys collected by department payable to special repair fund. a. All penalties and all other moneys recovered for costs, expenses and disbursements that are reimbursable under this code for the repair or rehabilitation of a dwelling shall be paid into a separate fund in the treasury of the city. Such fund shall be available to the department for the purpose of meeting the costs, expenses and disbursements for the repair or rehabilitation of dwellings pursuant to the provisions of this code.

b. No later than September 1 of each year, the department shall submit to the council and post on its website a report describing the deposits into and disbursements from the special repair fund established pursuant to this section. The report shall include the following information for the prior fiscal year:

1. A table in which each row references a building address from which the department has collected any moneys that have been deposited into the special repair fund, and which indicates, for each building address,

the unique identification number and description for any corresponding violations, whether the moneys were collected as a penalty or reimbursement, the date of collection, the docket number for any corresponding litigation, and the unique identification number for any corresponding work orders;

2. The total amount deposited in the special repair fund;

3. A table in which each row references a building address where the department has made repairs using any moneys from the special repair fund, and which indicates, for each building address, the unique identification number and description of any violations corrected, the date the repairs were completed, the docket number for any corresponding litigation, and the unique identification number for any corresponding work order; and

4. The total amount disbursed from the special repair fund.

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

Referred to the Committee on Housing and Buildings.

Int. No. 610

By Council Members Lee, Salaam, Dinowitz, Ariola, Stevens, Ung, Krishnan, Williams, Narcisse and Powers

A Local Law to amend the administrative code of the city of New York, in relation to a vehicle theft prevention program

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 14-194 to read as follows:

§ 14-194 Vehicle theft prevention program. a. Program. Subject to appropriation, the department shall establish a program to provide devices to the public that help to prevent vehicle theft, including but not limited to steering wheel locking devices. The department shall also provide to the public educational materials on any known software issues that make vehicles easier to steal, and, to the extent feasible, provide assistance in installing software updates that address such issues.

b. Public outreach. The department shall engage in a public outreach campaign to inform the public about the program and any other programs administered by the department to prevent vehicle theft.

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

Referred to the Committee on Public Safety.

Int. No. 611

By Council Members Marte and Hanif.

A Local Law to amend the New York city charter, in relation to requiring simultaneous translation of certain city public meetings

Be it enacted by the Council as follows:

Section 1. Chapter 47 of the New York city charter is amended by adding a new section 1063-a as follows:

§ 1063-a. Language services in public meetings. a. Definitions. As used in this section:

City entity. The phrase "city entity" means any community board, task force and any entity subject to paragraph d of section 1063.

Simultaneous language services. The term "simultaneous language services" means (i) the contemporaneous interpretation of everything that is spoken in a public meeting from English into another

language, including sign language, whether in person or via a real-time feed and whether by means of another person or software and (ii) if practicable, prior or simultaneous translation of written text central to the meeting at issue, including documents covered by subdivision e of section 103 of the public officers law.

b. Except as otherwise provided by law, each city entity, for every meeting thereof (i) that is required to be public pursuant to article 7 of the public officers law and which 65 or more members of the public are expected to attend, or (ii) that is open to the public pursuant to section 42, 43, 85 or 2800 of the charter, shall ensure that simultaneous language services for such meeting are available in each of the top three non-English languages spoken, as determined by the department of city planning, in the city or in the relevant borough or community district, as applicable.

c. Except as otherwise provided by law, each city entity, for every meeting thereof required by law to be public shall provide a mechanism by which members of the public may request simultaneous language services for any meeting or language not required by subdivision b of this section. Such city entity shall, upon receiving such a request, provide the requested simultaneous language services if possible. Providing such services is presumed to be possible if the request is received at least 72 hours in advance of the meeting at issue.

d. This section does not create any cause of action or constitute a defense in any legal, administrative or other proceeding, and does not authorize any violation of any other federal, state or local law.

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

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

Int. No. 612

By Council Member Marte.

A Local Law to amend the administrative code of the city of New York, in relation to requiring photographic documentation evidencing certain violations enforced by the department of buildings

Be it enacted by the Council as follows:

Section 1. Chapter 2 of Title 28 of the administrative code of the city of New York is amended by adding a new section 28-201.5 to read as follows:

§28-201.5 Photographic Evidence of Violations. a. All notices of violation issued by the department for a violation, which as determined by the commissioner by rule is viewable and capable of being captured by photograph, shall contain a photograph of the underlying condition resulting in the violation.

b. The official record of any subsequent inspection of violations subject to the requirement established in subdivision a of this section and for which a violator was granted an opportunity to cure, must include a photograph confirming that such violation has been cured.

c. The department shall publish on its website a list of violations subject to the requirements of subdivision a of this section.

§ 2. This local law shall take effect 120 days after its enactment except that except that the commissioner may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, prior to such date.

Referred to the Committee on Housing and Buildings.

Int. No. 613

By Council Members Marte, Hanif and Bottcher.

A Local Law in relation to requiring a report on outreach by the police department and fire department to police officers, firefighters, and civilian employees potentially exposed to environmental hazards as a result of the terrorist attack on the World Trade Center on September 11, 2011 and its aftermath

Be it enacted by the Council as follows:

Section 1. No later than one year after the effective date of this local law, the police department and fire department shall submit to the council a report on all police officers, firefighters, and civilian employees who conducted rescue, recovery, clean-up, or served in any other capacity which could have resulted in exposure to environmental hazards as a result of the terrorist attack on the World Trade Center on September 11, 2011 and its aftermath. Such report shall, at a minimum:

1. Include information about all efforts to inform such individuals about their eligibility for any programs to help, monitor, or compensate individuals who may have been harmed as a result of the terrorist attack on the World Trade Center on September 11, 2001 and its aftermath, including, without limitation, the World Trade Center Health Registry, the World Trade Center Health Program, the September 11th Victim Compensation Fund and all pension, disability or retirement benefits available from the police department and fire department;

2. Identify any difficulties in identifying or contacting such individuals as well as any other gaps or deficiencies in such outreach efforts; and

3. Make recommendations regarding further outreach to such individuals

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Int. No. 614

By Council Member Marte.

A Local Law to amend the administrative code of the city of New York, in relation to creating a website to produce and sign petitions seeking particular actions by city government

Be it enacted by the Council as follows:

Section 1. Title 23 of the administrative code of the city of New York is amended by adding a new chapter 9 to read as follows:

CHAPTER 9
PETITIONING CITY GOVERNMENT

§ 23-901 Definitions. For the purposes of this chapter, the following terms have the following meanings:

Department. The term "department" means the department of information technology and telecommunications.

Public authority. The term "public authority" means a state authority or local authority as defined in section 2 of the public authorities law that operates within the city of New York.

Online petition. The term "online petition" means a petition that:

1. Calls for an action to be taken by an agency or public authority;

2. Is available on the website required by subdivision a of section 23-902; and

3. Can be signed with individual electronic signatures.

§ 23-902 Website for petitioning city government. a. The department shall establish a website that allows members of the public to create and sign online petitions and allows city agencies or public authorities to post public responses to online petitions.

b. After an online petition reaches a threshold number of electronic signatures, as determined by the department by rule, such petition shall be transmitted to the appropriate agency or public authority for a public response.

c. The department shall make a request for information at least once every six months from each agency or public authority that received at least one online petition from the department during the preceding six months. Such request shall be for information including, but not limited to, (i) the public response from each agency or public authority to each petition it received from the department, if any, and (ii) a summary of the actions taken by such agency or public authority in response to such petition, if any.

d. This section does not prohibit an agency from maintaining a separate process for public submission of petitions.

§ 23-903 Reporting. a. The department shall maintain an automated reporting system, available to the public, on the website created pursuant to subdivision a of section 23-902. Such reporting system shall include, at a minimum, (i) the number of online petitions transmitted to each agency or public authority, (ii) the number of such petitions to which each agency or public authority has responded, and (iii) each agency or public authority's public response to each petition.

b. No later than June 30 of the year following effective date of this chapter, and each year thereafter, the department shall issue a report to the speaker of the council and the mayor containing, at a minimum, a list of online petitions transmitted to each agency or public authority, the relevant agency or public authority's public response to such petition, if any, and a summary of the actions taken by the relevant agency or public authority in response to such petition, if any.

§ 2. This local law takes effect 120 days after it becomes law, except that the department of information technology and telecommunications shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Technology.

Int. No. 615

By Council Member Marte, the Public Advocate (Mr. Williams) and Council Members Hanif, Holden, Louis, Won, Banks, Hanks, Cabán, Ossé, Nurse, Restler and Marmorato.

A Local Law to amend the administrative code of the city of New York, in relation to maximum working hours for home care aides

Be it enacted by the Council as follows:

Section 1. Paragraph 3 of subdivision a of section 20-1208 of the administrative code of the city of New York, as amended by local law number 80 for the year 2020, is amended to read as follows:

3. For each violation of:

(a) Section 20-1204,

(1) Rescission of any discipline issued, reinstatement of any employee terminated and payment of back pay for any loss of pay or benefits resulting from discipline or other action taken in violation of section 20-1204;

(2) $500 for each violation not involving termination; and

(3) $2,500 for each violation involving termination;

(b) Section 20-1221, $200 and an order directing compliance with section 20-1221;

(c) Section 20-1222, payment of schedule change premiums withheld in violation of section 20-1222 and $300;

(d) Section 20-1231, payment as required under section 20-1231, $500 and an order directing compliance with section 20-1231;

(e) Section 20-1241, $300 and an order directing compliance with section 20-1241;

(f) Subdivision a of section 20-1251, the greater of $500 or such employee's actual damages;

(g) Subdivisions a and b of section 20-1252, $300; [and]

(h) Subdivision a or b of section 20-1262, $500 and an order directing compliance with such subdivision, provided, however, that an employer who fails to provide an employee with the written response required by subdivision a of section 20-1262 may cure the violation without a penalty being imposed by presenting proof to the satisfaction of the department that it provided the employee with the required written response within seven days of the department notifying the employer of the opportunity to cure*; and*

(*i) Section 20-1282, $500 and an order directing compliance with section 20-1282*.

§ 2. Subdivision a of section 20-1211 of the administrative code of the city of New York, as amended by local law number 2 for the year 2021, is amended to read as follows:

a. Claims. Any person, including any organization, alleging a violation of the following provisions of this chapter may bring a civil action, in accordance with applicable law, in any court of competent jurisdiction:

1. Section 20-1204;
2. Section 20-1221;
3. Subdivisions a and b of section 20-1222;
4. Section 20-1231;
5. Subdivisions a, b, d, f and g of section 20-1241;
6. Section 20-1251;
7. Subdivisions a and b of section 20-1252; [and]
8. Section 20-1272; and
9. Section 20-1282.

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

SUBCHAPTER 8
MAXIMUM HOURS FOR HOME CARE AIDES

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

Home care aide. The term "home care aide" means a home health aide, personal care aide, personal care attendant, consumer directed personal assistant, home attendant, or other licensed or unlicensed person whose primary responsibility includes the provision of in-home assistance with activities of daily living, instrumental activities of daily living or health-related tasks, or the provision of companionship or fellowship, excluding any person who provides any such service to a family member.

Shift. The term "shift" means any period of time during which a home care aide: (i) is the sole home care aide at the place of employment who is able to provide the services for which the home care aide is engaged; (ii) is required to be available to provide such services; or (iii) is not permitted to leave the place of employment.

Unforeseeable emergent circumstance. The term "unforeseeable emergent circumstance" means an unpredictable or unavoidable occurrence that requires immediate action.

§ 20-1282 Maximum home care hours. a. No employer shall assign any home care aide to work:

1. Any single shift exceeding 12 hours;

2. Consecutive 12-hours shifts; or

3. Shifts totaling more than 12 hours in any 24-hour period.

b. In the event of an unforeseeable emergent circumstance, an employer may assign a home care aide hours in excess of the limitations set forth in subdivision a, provided that the employer has exhausted all reasonable efforts to obtain proper staffing. Such excess hours shall not exceed 2 hours per day or 10 hours per week. A staffing shortage shall not constitute an unforeseeable emergent circumstance.

c. Except when subdivision b of this section applies, no employer shall assign any home care aide to work more than 56 hours in a week unless the employer:

1. Provides notice to propose such assignment to such home care aide 2 weeks in advance of the first day of the applicable week;

2. Obtains consent to such assignment from such home care aide in writing before the applicable week, which may be provided electronically; and

3. Files with the department, in a manner acceptable to the commissioner, a record containing the following information related to such assignment:

(a) The date and hours of each shift assigned;

(b) The wages and any other compensation to be paid for such assignment;

(c) Proof of compliance with paragraph 1 of this subdivision in a manner acceptable to the commissioner;

(d) The basis for assigning hours in excess of 56 in a week; and

(e) Any other information the commissioner requires for the purpose of carrying out the provisions of this section.

d. Any requirement of a home care aide to accept an assignment for hours in excess of the limitations set forth in subdivision a contained in any contract, agreement, or understanding executed or renewed after the effective date of the local law that added this section shall be void.

e. The department shall maintain all records submitted pursuant to subdivision c of this section for the purpose of enforcing the requirements of this section. The commissioner shall determine a maximum amount of such records that may be filed by an employer in any 3-month period before an audit of such employer's records shall be conducted to assess compliance with this section. Any such audit may include interviews with affected home care aides, or 15 percent of the total number of home care aides employed by such employer, whichever is larger. Upon request by a home care aide, the department shall provide interpretation services for the purpose of conducting an interview pursuant to this subdivision.

§ 20-1283 Notice of rights. a. In addition to outreach and education conducted pursuant to section 12-1202, the commissioner shall develop a form notice of rights intended to inform home care aides of their rights under this subchapter and the manner in which violations of this subchapter may be enforced. Such form notice shall be posted on the department's website and provided to any person upon request. Such notice shall be made available in no fewer than 10 languages, and translated into additional languages upon the request of an employer or a home care aide.

b. An employer of a home care aide shall provide such home care aide with a copy of the form notice required by subdivision a of this section in the preferred language of such home care aide.

§ 4. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-153 to read as follows:

§ 21-153 Maximum hours for home care aides. The commissioner shall establish a program for the purpose of facilitating compliance with subchapter 8 of chapter 12 of title 20 in the administration of medicaid.

§ 5. This local law takes effect October 1, 2024, except that the commissioner of consumer and worker protection and the commissioner of social services shall make best efforts to conduct outreach and education about the provisions of this local law to persons affected by this local law, including home care aides, employers of home care aides, and patients of home care aides, before such date.

Referred to the Committee on Civil Service and Labor.

Int. No. 616

By Council Members Marte, Schulman, Hanif and Brewer (by request of the Manhattan Borough President).

A Local Law in relation to requiring a report on outreach by the department of education and the department of health and mental hygiene to individuals who were students, teachers and staff at schools near the World Trade Center during the 2001-2002 school year

Be it enacted by the Council as follows:

Section 1. No later than the first anniversary of the effective date of this local law, the department of education, in collaboration with the department of health and mental hygiene, shall submit to the council a report on outreach to all individuals who were enrolled as students or employed as teachers or staff members at schools within one and one-half miles of the World Trade Center during the 2001-2002 school year. Such report shall, at a minimum:

1. Include information about all efforts to inform such individuals about their eligibility for any programs to help, monitor or compensate individuals who may have been harmed as a result of the terrorist attack on the World Trade Center on September 11, 2001 and its aftermath, including, without limitation, the World Trade

Center Health Registry, the World Trade Center Health Program and the September 11th Victim Compensation Fund;

2. Identify any difficulties in identifying or contacting such individuals as well as any other gaps or deficiencies in such outreach efforts; and

3. Make recommendations regarding further outreach to such individuals.

§ 2. This local law takes effect immediately.

Referred to the Committee on Health.

Int. No. 617

By Council Members Marte, Louis, Ayala, Cabán, Hudson, Ossé and Riley.

A Local Law to amend the administrative code of the city of New York, in relation to information on affordable housing units

Be it enacted by the Council as follows:

Section 1. Chapter 33 of title 26 of the administrative code of the city of New York, as added by local law number 169 for the year 2021, is redesignated chapter 34 of such title, and sections 26-3301 and 26-3302 are redesignated 26-3401 and 26-3402, respectively.

§ 2. Title 26 of the administrative code of the city of New York is amended by adding a new chapter 35 to read as follows:

CHAPTER 35
INFORMATION ON AFFORDABLE HOUSING UNITS

§ 26-3501 Definitions. As used in this section, the term "affordable housing unit" has the same meaning ascribed to such term in section 26-2201.

§ 26-3502 Affordable housing units. The commissioner of buildings shall require applicants applying to perform proposed work or alterations to a building to indicate on the department of buildings' PW1 application form, and any other application form required for proposed work or alterations, the following information:

a. The total number of affordable housing units in the building;

b. The total number of additional affordable housing units that will be constructed as part of the proposed work or alteration, if any; and

c. The income eligibility criteria for each affordable housing unit in the building and each additional affordable housing unit that will be constructed, if any.

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

Referred to the Committee on Housing and Buildings.

Int. No. 618

By Council Members Marte and Won (by request of the Manhattan Borough President).

A Local Law to amend the New York city charter, in relation to the establishment and development of school gardens

Be it enacted by the Council as follows:

Section 1. Section 20 of the New York city charter is amended by adding a new subdivision k to read as follows:

k. Interagency school gardens team. 1. There is hereby established within the office an interagency school gardens team under the management of the director or the director's designee to support the creation and maintenance of school gardens.

2. The interagency school gardens team shall include as members the commissioners of buildings, education, environmental protection, health and mental hygiene, parks and recreation, and the chairperson of the city planning commission, or their respective designees, and such other members as the director shall designate.

3. The interagency school gardens team shall:

i. identify and catalogue existing school garden locations and potential school garden locations;

ii. develop and administer incentive programs to encourage public or private entities to help schools identify and develop school garden locations;

iii. promote community participation and community assistance in the identification and development of school garden locations;

iv. disseminate information to schools about the resources that are available for identifying and developing school garden locations;

v. facilitate interactions among city agencies, community based organizations, environmental experts, and schools regarding school gardens;

vi. support the efforts of schools to obtain and utilize federal, state, and private incentives to identify and develop school garden locations; and

vii. take other such actions as may be necessary to facilitate the identification and development of school garden locations.

4. No later than April 22, 2023, and no later than every April 22 thereafter, the interagency school gardens team shall prepare and submit to the mayor and the speaker of the city council a report on the city's school gardens, disaggregated by community district and council district, where possible. Such report may be included in the office's annual report on the city's long-term planning and sustainability efforts. The report shall include, but not be limited to:

i. locations of existing school gardens;

ii. potential locations for future school gardens; and

iii. the ways in which schools have implemented school garden programs, such as whether the gardens are part of the curriculum or extra-curricular activities and whether the gardens serve as a source of food to the school and/or surrounding community.

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

Referred to the Committee on Parks and Recreation.

Int. No. 619

By Council Members Marte, the Public Advocate (Mr. Williams), Won, Hanif and Ung.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of transportation to install bilingual street name signs

Be it enacted by the Council as follows:

Section 1. 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 19-159.6 to read as follows:

§ 19-159.6 Bilingual street name signs. a. Definitions. For purposes of this section, the following terms have the following meanings:

Bilingual street name sign. The term "bilingual street name sign" means a street sign that provides the name of the street in English and another language.

Chinatown. The term "Chinatown" means the neighborhood in the borough of Manhattan with the borders as determined by the study required by subdivision b of this section.

b. Chinatown bilingual street name signs. The commissioner shall establish a program to ensure that each street name sign in Chinatown is a bilingual street name sign with the name of the street in Chinese and English. As part of such program, the commissioner shall do the following:

1. Conduct a study to determine the borders of Chinatown and issue a report on such study's findings to the mayor, the speaker of the council and the public advocate and publish such report on the department's website;

2. For each street name sign within the borders determined by the study pursuant to paragraph 1 of this subdivision, add the Chinese name of the street to each street name sign that is not a bilingual street name sign, at a rate of no fewer than 50 bilingual street name signs annually, until each such sign has the street name in Chinese and English; and

3. Beginning 50 years after the effective date of the local law that added this section, and continuing every 50 years thereafter, conduct a study to reassess the borders of Chinatown and the street name signs within such borders.

c. Citywide bilingual street name signs. The commissioner shall establish a program to allow bilingual street name signs to be made available throughout the City. Such program shall include, but need not be limited to:

1. On an ongoing basis, replace any damaged bilingual street name sign in the city with a new bilingual street name sign and enter such replacement on the portal required by subdivision d of this section; and

2. Notwithstanding the program established by subdivision b of this section, add the name of a street on a street name sign in a language other than English, at the request of a council member or the public advocate on the portal required by subdivision d of this section. The council member or the public advocate shall provide documentation on the portal in support of such request, which shall include, but need not be limited to, (i) a letter of approval from a community board, (ii) a statement regarding such sign's necessity from the council member or the public advocate and (iii) the signature of the relevant council member for a request by the public advocate. A council member or the public advocate may not request the addition of more than 15 such signs at one time and more than 60 such signs within a four-year period. The department shall add such signs at a rate of no fewer than 250 bilingual street name signs per year in each borough of the city.

d. Publication required. The department shall publish and maintain a unique page on its website regarding bilingual street name signs in the city, which the department shall quarterly update. Such page shall include, but need not be limited to, the following:

1. A portal for a council member or the public advocate to enter a request to add a bilingual street name sign pursuant to subdivision c of this section;

2. A searchable map of all bilingual street name signs in the city; and

3. A searchable database of all bilingual street name signs in the city with each separate row of the database referencing a unique bilingual street name sign and providing the following information about such sign set forth in separate columns:

1. The street name on such sign;

2. The languages in which such sign provides the street name;

3. The community district and borough in which such sign is located;

4. The date that a council member or the public advocate requested the department add such sign, if applicable; and

5. The date that the department added or replaced such sign, if applicable.

e. Each street name sign subject to this section shall be installed and maintained to the satisfaction of the department.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of transportation 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 Transportation and Infrastructure.

Int. No. 620

By Council Members Menin, Schulman, Gennaro, Louis and Ung.

A Local Law in relation to the development by the commissioner of health and mental hygiene of materials on the consequences of off-label use for weight loss of prescription drugs

Be it enacted by the Council as follows:

Section 1. a. Definitions. As used in this section, the following terms have the following meanings:

Off-label use. The term "off-label use" means the use of a prescription drug in a manner that is not approved by the federal food and drug administration.

Prescription drug. The term "prescription drug" means any drug that under federal law can be dispensed only with a physician's prescription.

b. Materials on the consequences of off-label use for weight loss of prescription drugs. No later than 90 days after the effective date of this local law, the commissioner of health and mental hygiene shall develop written materials containing information about the potential negative consequences of prescribing and using prescription drugs for off-label use for weight loss, including but not limited to the medical side effects of such use and reductions in the supply of such prescription drugs. The commissioner shall include a statement in such materials encouraging hospitals to share such materials with their patients.

c. Publication and distribution. 1. No later than 15 days after developing materials in compliance with subdivision b of this section, the commissioner shall post such materials on the website of the department of health and mental hygiene.

2. No later than 60 days after developing such materials, the commissioner shall provide such materials to hospitals that are not affiliated with the city that provide healthcare services in the city for distribution to patients at the discretion of such hospitals.

3. No later than 60 days after developing such materials, the commissioner shall provide such materials to hospitals operated by the New York city health and hospitals corporation for distribution to patients at the discretion of the New York city health and hospitals corporation.

§ 2. This local law takes effect immediately.

Referred to the Committee on Health.

Int. No. 621

By Council Members Nurse, Abreu, Sanchez, Ossé, De La Rosa, Krishnan, Gutiérrez, Stevens, Won, Louis, Hanif, Ayala, Marte, Salaam, Rivera, Brewer and Cabán.

A Local Law to amend the administrative code of the city of New York, in relation to expanding the definition of tenant harassment to include unlawful evictions and expanding the certificate of no harassment program to include unlawful evictions

Be it enacted by the Council as follows:

Section 1. Subparagraph g of paragraph 48 of subdivision a of section 27-2004 of the administrative code of the city of New York, as amended by local law number 15 for the year 2017, is amended and a new subparagraph h is added to read as follows:

g. other repeated acts or omissions of such significance as to substantially interfere with or disturb the comfort, repose, peace or quiet of any person lawfully entitled to occupancy of such dwelling unit and that cause or are intended to cause such person to vacate such dwelling unit or to surrender or waive any rights in relation to such occupancy, including improperly requiring such person to seek, receive or refrain from submitting to medical treatment in violation of subdivision b of section 26-1201[.] *;*

h. any conduct in violation of section 26-521.

§ 2. Subdivision b of section 27-2093.1 of the administrative code of the city of New York, as amended by local law number 140 for the year 2021, is amended to read as follows:

b. Pilot program list. The department shall compile and publish a pilot program list. The criteria used to select buildings to be included on the pilot program list shall be promulgated by the department in rules and shall be limited to:

(1) Buildings with scores on the building qualification index indicating significant distress as determined by the department;

(2) (i) Buildings where a full vacate order has been issued by the department or the department of buildings, except where such vacate order was issued due to a fire, or (ii) buildings where there has been active participation in the alternative enforcement program which have been discharged from such program;

(3) Buildings where there has been a final determination by New York state homes and community renewal or any court having jurisdiction that one or more acts of harassment were committed at such building within the 60 months prior to the effective date of the local law that added this section or on or after the effective date of the local law that added this section. The department shall establish a method of identifying buildings where there have been adjudications of harassment after the effective date of the local law that added this section, and may request the cooperation of the tenant harassment prevention task force to establish and effectuate such method. The department shall add a building to the pilot program list within 30 days after it is identified in accordance with such method; [and]

(4) Buildings where an administrator has been discharged under article 7-A of the real property actions and proceedings law unless such building is the subject of a loan provided by or through the department or the New York city housing development corporation for the purpose of rehabilitation, as provided in rules of the department[.]*; and*

(5) Buildings where an owner has been found by a court or administrative agency to have committed conduct in violation of section 26-521 or section 768 of the real property actions and proceedings law, or been subject to a special proceeding pursuant to subdivision 10 of section 713 of the real property actions and proceedings law regardless of whether a final judgment of possession was awarded against the owner in such action or proceeding.

§ 3. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 622

By Council Members Nurse, Abreu, Sanchez, Ossé, De La Rosa, Krishnan, Gutiérrez, Stevens, Won, Louis, Hanif, Ayala, Marte, Salaam, Rivera and Cabán.

A Local Law to amend the administrative code of the city of New York, in relation to injunctive relief for lawful occupants of rental units

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 27-2120 of the administrative code of the city of New York, as added by local law number 7 for the year 2008, is amended to read as follows:

b. Any tenant, or person or group of persons lawfully entitled to occupancy may individually or jointly apply to the housing part of the civil court for an order restraining the owner of the property from engaging in harassment. *The housing part of the civil court may not deny an application for relief, including restoration of possession, on the basis that the person applying for such relief is not a tenant so long as such person is lawfully entitled to occupancy, or on the basis that the court deems restoration futile because the person applying for such relief would be subject to a meritorious claim of possession against them in a proceeding under article 7 of the real property actions and proceedings law, as long as no such judgment of possession has actually yet been granted.* Except for an order on consent, such order may be granted upon or subsequent to a determination that a violation of subdivision d of section 27-2005 of this chapter has occurred.

§ 2. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 623

By Council Members Nurse, Abreu, Sanchez, Ossé, De La Rosa, Krishnan, Gutiérrez, Stevens, Won, Louis, Hanif, Ayala, Bottcher, Marte, Salaam, Rivera and Cabán.

A Local Law to amend the administrative code of the city of New York, in relation to increasing penalties for unlawful evictions

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 26-523 of the administrative code of the city of New York is amended to read as follows:

b. Such person also be subject to a civil penalty of not less than [one thousand] *$5,000* nor more than [ten thousand dollars] *$20,000* for each violation. Each such violation shall be a separate and distinct offense. In the case of a failure to take all reasonable and necessary action to restore an occupant pursuant to subdivision b of section 26-521 [of this chapter], such person shall be subject to an additional civil penalty of not more than [one hundred dollars] *$1,000* per day from the date on which restoration to occupancy is requested until the date on which restoration occurs, provided, however, that such period shall not exceed [six] *12* months.

§ 2. Article 1 of subchapter 4 of chapter 2 of title 27 of the administrative code of the city of New York is amended by adding a new section 27-2093.2 to read as follows:

§ 27-2093.2 Unlawful eviction penalties. a. The owner of a building where a person was found to intentionally violate or assist in the violation of any of the provisions of section 26-521 shall be prohibited from taking part in any subsidy program, tax abatement program or tax exemption program of the city of New York for a period of 60 months from the date of the unlawful eviction.

b. Cure agreement; mandatory set-asides. 1. The owner of a building where a person was found to intentionally violate or assist in the violation of any of the provisions of section 26-521 may cure such violations for the purposes of this section and on the records of the department with a written agreement in which the owner commits to engage in or provide for new low income housing as such term is defined in section 27-2093.1 through an entity identified by the department as capable of developing such housing in the same community district as the building in which the unlawful eviction occurred. Such new low income housing shall be within the building in which the unlawful eviction occurred, in a new building at the same site as the building in which the unlawful eviction occurred, or in a building within the same community district, in accordance with rules promulgated by the department, provided that such owner shall construct or provide no less than the greater of: (i) 25 percent of the total residential floor area of such building in which the unlawful eviction occurred, or (ii) 20 percent of the total floor area of any separate building. Lawful occupants who were victims of unlawful eviction in such owner's building shall have priority in the allocation of low income units established pursuant to this agreement if such lawful occupants otherwise qualify for such units.

2. The department shall promulgate rules providing for the administration and enforcement of an agreement pursuant to this subdivision, and shall establish criteria for such an agreement to ensure the effective implementation thereof.

3. As part of the agreement established by this subdivision, the owner shall attest that no such construction of low income housing pursuant to such agreement shall be used by the owner to satisfy an eligibility requirement of any real property tax abatement or exemption program, or of a floor area ratio increase pursuant to section 23-90 of the zoning resolution, for which the owner otherwise may be eligible to apply, or to apply for a hardship waiver from any existing code or zoning resolution requirements. The department shall ensure that floor area of low income housing required by this subdivision is in addition to and not in substitution for floor area of low income housing that may be used by the owner to satisfy an eligibility requirement of any real property tax

abatement or exemption program, or of a floor area ratio increase pursuant to section 23-90 of the zoning resolution, for which the owner may apply. The department shall ensure that a city, state or federal subsidy shall not be used for the construction of low income housing required pursuant to this subdivision.

4. Any owner entering into an agreement pursuant to this subdivision shall record and index a restrictive declaration with respect to such agreement with the city register or the county clerk.

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

Referred to the Committee on Housing and Buildings.

Res. No. 246

Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation requiring unlawful eviction cases to be heard within five days.

By Council Members Nurse, Abreu, Sanchez, Ossé, De La Rosa, Krishnan, Gutiérrez, Stevens, Louis, Hanif, Ayala, Bottcher, Marte, Salaam, Rivera and Cabán.

Whereas, Evicting tenants without getting an order from housing court is a crime and a property owner could receive a summons or even go to jail for up to a year; and

Whereas, According to an article by the City, an online publication, some property owners have been disregarding the law by changing locks and turning off utilities to get tenants to leave their apartment without first going to court; and

Whereas, The article mentioned that New York City ("NYC") tenants filed 2,642 illegal lockout cases in 2020 and 2021 in housing court; and

Whereas, Unlawful evictions can increase the risk of homelessness and elevate long-term residential instability; and

Whereas, According to the Coalition for the Homeless, a homeless advocacy group, in the past few years homelessness in NYC has reached the highest levels since the Great Depression of the 1930s; and

Whereas, The courts should act swiftly in unlawful eviction cases and restore a lawful tenant back to their apartment; and

Whereas, Section 110(9) of the NYC Civil Court Act states that such cases shall be "…returnable within five days, or within any other time period in the discretion of the court"; and

Whereas, Housing court should not have the discretion to hear unlawful eviction cases on a slower timetable than within five days; and

Whereas, Expediting the process to hear these type of cases could help prevent unnecessary displacement and reduce the risk of homelessness; 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 requiring unlawful eviction cases to be heard within five days.

Referred to the Committee on Housing and Buildings.

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Int. No. 624

By Council Members Paladino, Ariola and Carr.

A Local Law to amend the administrative code of the city of New York, in relation to reporting on criteria for mask mandates in schools within the city school district upon the implementation of such a mandate and monthly thereafter for the duration of such a mandate

Be it enacted by the Council as follows:

Section 1. Chapter 8 of title 21-A of the administrative code of the city of New York is amended by adding a new section 21-970 to read as follows:

§ 21-970 Reports on masking criteria for students in New York City public schools.

a. Upon implementing a mask mandate in schools and monthly thereafter for the duration of such a mandate, the chancellor shall submit to the speaker of the council and shall post conspicuously on the department's website a report regarding the criteria the department uses in deciding whether to implement or maintain mask mandates in schools within the city school district.

b. The report shall include but not be limited to the following information, as well as any additional information the chancellor deems appropriate:

1. A list of the criteria the department uses to determine whether to implement or maintain a mask mandate in schools within the city district, noting whether mental health repercussions for students are on the list of criteria;

2. A justification for each of the criteria used, and if mental health repercussions for students are not used, a justification for its omission from the list of criteria;

3. A list of experts the department relied on to formulate its list of criteria; and

4. A description of the department's decision making process for implementing its criteria in imposing or maintaining a mask mandate in public schools.

c. The report required by subdivision b of this section shall include a data dictionary.

d. No report required by subdivision b of this section shall contain personally identifiable information.

e. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of student information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If a category contains between one and five students, or contains an amount that would allow another category that contains between one and five students to be deduced, the number shall be replaced with a symbol. A category that contains zero shall be reported as zero, unless such reporting would violate any applicable provision of federal, state or local law relating to the privacy of student information.

§ 2. This local law takes effect immediately.

Referred to the Committee on Education.

Res. No. 247

Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation that would prohibit the alteration of terms and conditions of employment for all employees during a state disaster emergency.

By Council Members Paladino, Mealy, Ariola, Carr and Borelli.

Whereas, Terms and conditions of employment refer to the matters that define the essential aspects of the employment relationship between an employer and an employee; and

Whereas, These terms and conditions, generally through a written contract or agreement, may include work hours, termination policy, job responsibilities, benefits, salary and employer policies; and

Whereas, The United States Department of Labor (DOL) administers and enforces more than 180 federal laws to ensure minimum standards for terms and conditions of employment are upheld, including rules regarding the minimum wage, overtime pay, the standard workweek, mandated break times, worker safety and discrimination issues; and

Whereas, In addition to the DOL's standards, New York State and New York City laws establish additional rights and responsibilities of New York employers and employees; and

Whereas, New York State law grants the Governor authority to declare a state disaster emergency to respond to a disaster for which local governments are unable to respond adequately, including events that may cause widespread or severe damage, injury or loss of life; and

Whereas, The declaration of a state disaster emergency allows the Governor to direct local officials and state agencies, and to suspend state and local laws and regulations to facilitate disaster response efforts; and

Whereas, In addition, the Mayor has the authority to declare a state of emergency within New York City, of which generally directs agencies to preserve public safety and the health of their employees, while also protecting the security, well-being and health of the residents of the City; and

Whereas, Notably, as a result of the COVID-19 pandemic, and the related state disaster emergency declared by the Governor and the local state of emergency declared by the Mayor, New York City established COVID-19 vaccination requirements for public and private employees; and

Whereas, As a result of the COVID-19 vaccination requirements, many public and private employees have lost their jobs due to refusal to comply with the requirement, citing violations of religious and medical rights; and

Whereas, In an effort to ensure that all employees in New York City and New York State are provided fair and constant terms and conditions of employment throughout their employment, the alteration of terms and conditions of employment should be prohibited during a declared state disaster emergency; 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 prohibit the alteration of terms and conditions of employment for all employees during a state disaster emergency.

Referred to the Committee on Contracts.

Res. No. 248

Resolution calling upon the Mayor and the New York City Department of Education to establish rigorous scientific criteria, including an emphasis on mental health repercussions, that must be met before masking is mandated upon schoolchildren.

By Council Members Paladino, Ariola, Carr and Borelli.

Whereas, The first cases of COVID-19, the disease caused by the severe acute respiratory syndrome coronavirus2, were reported in December 2019, according to the World Health Organization (WHO), which declared the COVID-19 outbreak a global pandemic on March 11, 2020; and

Whereas, In response to the global COVID-19 pandemic, schools across the United States (U.S.) and many other countries were closed in an effort to limit the spread of the virus; and

Whereas, In New York City (NYC), public schools were closed effective Monday, March 16, 2020, with the closure subsequently extended through the end of the school year; and

Whereas, As a result, the NYC Department of Education (DOE) transitioned to remote learning for all students, providing online instruction to students at home for the remainder of the school year; and

Whereas, For the 2020-21 school year, in order to minimize potential exposure to COVID-19, the DOE offered students either a hybrid model, consisting of a combination of in-school instruction and remote learning for students, or a fully remote option; and

Whereas, Starting in September 2020, DOE implemented a number of COVID prevention protocols, including requiring the use of face masks by students who chose to return to in-person learning several days a week, as well as by all staff and visitors; and

Whereas, In May 2021, then-Mayor de Blasio announced a full return to in-person learning for all students in September 2021, with no remote option; and

Whereas, COVID protocols for the September 2021 school reopening continued to require universal masking inside school buildings for all staff, visitors and students regardless of vaccination status unless students had a medical exemption.; and

Whereas, From the time that schools first reopened in September 2020, DOE based its mask mandate on requirements issued by the New York State (NYS) Education Department and Department of Health in July 2020, which were based on guidance from the Centers for Disease Control and Prevention (CDC); and

Whereas, Early CDC guidance on school masking recommended "universal indoor masking by all students (age 2 and older), staff, teachers, and visitors to K–12 schools, regardless of vaccination status"; and

Whereas, The CDC relaxed mask recommendations in February 2022, recommending universal indoor masking in communities with high rates of COVID-19 transmission, with mask-wearing optional in low or medium transmission areas; and

Whereas, Subsequently, NYS Governor Kathy Hochul ended the state mask requirement in schools effective March 2, 2022; and

Whereas, NYC Mayor Eric Adams lifted the mask mandate for students in kindergarten through 12th grade beginning March 7, but did not end the mandate for children under 5 in preschool and daycare programs until June 13, 2022; and

Whereas, Neither the CDC, NYS or NYC ever issued specific scientific criteria to determine when masking was required or recommended; and

Whereas, The lack of rigorous scientific criteria, as well as the fact that the World Health Organization (WHO) did not recommend mask mandates for school children and few other countries imposed such mandates, have fueled controversy and concerns over mask mandates for children; and

Whereas, Not only has there been very little systemic research on the effectiveness of mask mandates for school children in reducing COVID transmission, the short-term and long-term consequences of this practice are also not well understood; and

Whereas, According to a January 26, 2022 article in *The Atlantic*, recent studies have found evidence that masking is a barrier to speech recognition, hearing, and communication, and may also hinder language and speech development, which is especially concerning for young children and those who do not speak English; and

Whereas, Masks impede children's ability to decode facial expressions and may impede emotion recognition, even in adults, but particularly in children, according to *The Atlantic* article; and

Whereas, Further, a significant percentage of parents whose children wore masks in school during the pandemic believe it harmed their education, social interactions and mental health, according to a *POLITICO*-Harvard survey, as reported on March 25, 2022; and

Whereas, The survey found that 46% of parents said mask-wearing hurt their child's social learning and interactions, and 39% told pollsters it affected their child's mental and emotional health; and

Whereas, Parents voiced concerns that wearing masks in school every day increased anxiety and depression in students, especially for those who also suffered trauma from the loss of family members to COVID; and

Whereas, For those reasons, masks should not be mandated for children in schools in the future unless there are clear and compelling science-based criteria that also take into account potential mental health consequences to justify such action; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Mayor and the New York City Department of Education to establish rigorous scientific criteria, including an emphasis on mental health repercussions, that must be met before masking is mandated upon schoolchildren.

Referred to the Committee on Education.

Res. No. 249

Resolution calling upon the New York State Legislature to pass, and Governor to sign, S.7545 /A.9342, to make the extension of certain local emergency orders subject to the approval of the local governing.

By Council Members Paladino, Ariola, Carr, Borelli and Yeger.

Whereas, The state of emergency to address the threat and impact of COVID-19 in the City of New York was first declared in Emergency Executive Order No. 98, issued on March 12, 2020; and

Whereas, On July 5, 2022, Mayor Adams issued Emergency Executive Order No. 135, further extending the state of emergency for five additional days; and

Whereas, New York City has therefore been in a state of emergency related to the spread of COVID-19 for over two years; and

Whereas, Pursuant to New York State (NYS) law, chief elected officials are authorized to declare and extend a local disaster emergency; and

Whereas, This unilateral power circumvents the legislative process, limiting the input of elected representatives; and

Whereas, NYS Senate Bill S.7545, introduced by Senator Patrick Gallivan, and Assembly Bill A.9342, introduced by Assembly Member Stephen Hawley, would empower local legislative bodies to approve any renewal of a local state of emergency; and

Whereas, Under the proposed legislation, orders issued by a local health agency would also be limited to five days in duration, with extension permitted only upon approval of the relevant local legislative body; and

Whereas, As New York City seeks to emerge from the worst phases of the COVID-19 pandemic, NYS should implement stronger good governance laws to create more accountability to executive power; now, therefore, be it

Resolved, That the Council of the City of New York calls upon New York State Legislature to pass the Governor to sign, S.7545/A.9342, to make the extension of certain local emergency orders subject to the approval of the local governing body

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

Int. No. 625

A Local Law to amend the administrative code of the city of New York, in relation to housing decisions for transgender, gender nonconforming, non-binary and intersex individuals

By Council Members Powers, Cabán, Hudson, Ossé and Hanif.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 9 of the administrative code of the city of New York is amended by adding a new section 9-168 to read as follows:

§ 9-168 Housing requests related to gender identity. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Gender identity. The term "gender identity" means a person's sense of their own gender which may be the same as or different from their sex assigned at birth.

Gender nonconforming. The term "gender nonconforming" means a person whose gender expression differs from gender stereotypes, norms, and expectations in a given culture or historical period., which may include a person who is transgender.

Intersex. The term "intersex" refers to a person whose sex characteristics including, but not limited to chromosomes, hormones, gonads, and genitalia, do not conform with a binary construction of sex as either male or female. This term may not be the same as a person's gender identity and is not the same as a person's sexual orientation.

Non-binary. The term "non-binary" refers to a person whose gender identity is not exclusively male or female, which may include a person who is transgender.

Transgender. The term "transgender" refers to a person whose gender identity does not conform to the sex assigned at birth.

b. Prior to arraignment, all persons shall be advised by the department that if they are charged to the care, custody, and control of the department they have the right to request be held in an intake facility that aligns with both their gender identity and personal sense of safety. The person shall further be advised that they have the right to inform their attorney about whether a men's or women's intake facility best matches their sense of safety and gender identity. The attorney shall inform their client that, once at the intake facility, the department will conduct further screening concerning housing placement. The attorney will state on the record their client's determination as to which intake facility best matches their sense of safety and gender identity. An attorney's representation shall be honored by the department unless the department issues a written determination that a person presents a clear danger of committing gender-based violence against others. The same must be provided upon return on a warrant, sentencing of an individual not yet in DOC custody, violation of a condition of release, or any other circumstance where a TGNCNBI person is entering DOC custody.

c. The attorney shall fill out a provided form indicating the intake facility most closely aligned with the individual's sense of safety and gender identity. This shall be stapled to the Securing Order and travel with the individual to and from all court appearances and supercedes the sex marker on the Securing Order except where the department has issued a written determination that a person presents a clear danger of committing gender-based violence against others.

d. Once in an intake facility, and at any time upon transfer to another facility, the department shall assess all incarcerated individuals during an intake screening and upon transfer to another facility for their risk of being sexually abused by other incarcerated individuals or sexually abusive toward other incarcerated individuals. The department shall consider, at minimum, the following criteria to assess incarcerated individuals for risk of sexual victimization:

1. Whether the incarcerated individual has a mental, physical or developmental disability;

2. The age of the incarcerated individual;

3. The physical build of the incarcerated individual;

4. Whether the incarcerated individual has previously been incarcerated;

5. Whether the incarcerated individual's criminal history is exclusively nonviolent;

6. Whether the incarcerated individual has prior convictions for sex offenses against an adult or child;

7. Whether the incarcerated individual is or is perceived to be gay, lesbian, bisexual, transgender, intersex, non-binary or gender nonconforming;

8. Whether the incarcerated individual has previously experienced sexual victimization;

9. The incarcerated individual's own perception of vulnerability; and

10. Whether the incarcerated individual is detained solely for civil immigration purposes.

e. The department shall establish a process for transgender, intersex, non-binary and gender nonconforming individuals to self-identify as such and to use such self-identification to make housing and programming assignments on an individualized basis. The department shall house a person in a facility most closely aligned with their gender identity and in the manner most similar to a cisgender person facing similar security needs and shall not remove them from such housing unless (1) the person does not want to be so housed or (2) the department can overcome such a presumption by a determination in writing by the Commissioner or the Commissioner's designee that there is clear and convincing evidence that such person presents a current danger of committing gender-based violence against others. Such a denial cannot be based on unsubstantiated or unfounded allegations of misconduct or any discriminatory reasons including but not limited to:

1. *past or current sex characteristics including chromosones, genitals, gonads, or any external reproductive anatomy, secondary sex characteristics, or hormone levels and functions of the person whose housing is at issue;*
2. *the sexual orientation of the person whose housing is at issue;*
3. *complaints of other incarcerated people who do not wish to be with a transgender, gender nonconforming, non-binary, and/or intersex person due to the person's gender identity or perceived gender identity or sexuality or perceived sexuality;*
4. *a factor present among other people confined or previously confined in the presumptive housing unit or facility;*
5. *classification as a different gender during a previous incarceration; or*
6. *absence of documentation or other evidence indicating medical transition.*

f. At a minimum, in any facility designated by the department as housing women, the department shall maintain a voluntary unit known as the Special Considerations Unit which houses transgender, intersex, non-binary, and gender nonconforming individuals and other vulnerable people. Such a unit shall be staffed by persons trained and knowledgeable in the particular experiences and needs of such persons.

g. The department shall establish a process for allowing transgender, intersex, non-binary and gender nonconforming individuals who have requested entrance into a type of housing facility due to identifying as transgender, intersex, non-binary or gender nonconforming to appeal denials of such requests. The department shall maintain formal written procedures consistent with this policy and with the following provisions:

11. The department shall have forty-eight hours to render a decision denying request as described in subsection (e) above. It must provide a denial of the requested placement in writing to the affected person within twenty-four hours of the Department's decision. The decision shall include a description of all evidence supporting the decision and an explanation as to why the evidence supports a determination that the individual presents a current danger of committing gender-based violence against others. All supporting documentation shall be attached to the written decision but may be redacted only to the extent necessary to protect any person's privacy or safety.

a. As pertaining to housing within a Special Considerations Unit, an individual may be moved out of such a unit pending conclusion of an investigation if the alleged perpetrator and alleged victim would otherwise remain housed together on the unit. However, temporary removal from the unit shall never result in non-voluntary removal from gender-aligned housing.

12. The department shall provide written notice to such individuals that such a determination may be appealed and shall describe the appeals process in plain and simple language. The department shall ensure that such written notice is available in English and the designated citywide languages as defined in section 23-1101.

13. Any individual denied gender-aligned or Special Considerations Unit housing has the right to re-apply for such housing at any time when there is information that was not previously submitted or if previous information was not properly weighed.

14. The department shall immediately forward all appeals to the board of correction. The board of correction may issue a written opinion within 24 hours of receipt of an appeal.

15. The department shall create an appellate review board consisting of the commissioner of correction or their designee, the deputy commissioner responsible for determining housing classifications or their designee, an appropriate member of correctional health services knowledgeable in medical and mental health issues specific to transgender, intersex, non-binary and gender nonconforming individuals, and the director or designee of LGBTQIA+ Initiatives, or any successor program designed to provide individuals in the LGBTQIA+ community programming, resources, and access to LGBTQIA+ affirming services to review the initial decision. The appellate review board shall not include individuals who made the initial housing determinations. The appellate review board shall consider the written opinion of the board of correction, if applicable, in making its determination.

16. The appellate review board shall issue a determination within 48 hours of receipt of any appeal.

17. Within 24 hours of making its determination, the appellate review board shall provide the incarcerated individual with a written copy of the determination specifying the facts and reasons underlying such determination as well as the evidence relied upon, subject to redactions required by law. Upon request by the incarcerated individual or their counsel, the appellate review board shall provide a copy of the decision and the evidence relied upon, subject to redactions required by law, to counsel.

18. The department shall provide all written materials regarding the appeals process in English and the designated citywide languages as defined in section 23-1101 and shall ensure that incarcerated individuals are given any verbal assistance necessary to meaningfully understand such procedures.

§ 2. Subdivision b of Section 9-165 of the administrative code of the city of New York is amended by adding a new paragraph 10 to read as follows:

10. The total number of people denied placement in an intake facility that most closely aligns with their gender identity after making a request for such housing at arraignment.

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

Referred to the Committee on Criminal Justice.

Int. No. 626

By Council Members Powers and Dinowitz.

A Local Law to amend the administrative code of the city of New York, in relation to the use of global positioning system coordinates for 311 complaints and service requests

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-311 to read as follows:

§ 23-311 Location data. a. Definitions. For purposes of this section, the following terms have the following meanings:

Department. The term "department" means the department of information technology and telecommunications.

GPS. The term "GPS" means the global positioning system, or a comparable location tracking technology, that uses navigational satellites to determine a location in real time and is capable of collecting, storing, and transmitting geographical data.

b. GPS data. The department shall ensure that the 311 website and mobile device platforms have the ability to track and accept GPS data for the purpose of pinpointing the location of a complaint or request for service on a map.

c. Privacy and security of information. 1. The department shall ensure that customers are prompted to allow or disallow real-time location sharing each time they open the website or mobile device platform.

2. Except where otherwise required by federal, state, or local law, GPS location data collected pursuant to this section shall be kept confidential by the department, and shall be used or disclosed by the department solely for purposes related to providing 311 services in response to complaints and service requests submitted through the 311 website or mobile platforms.

3. The department shall ensure that the 311 website and mobile device platforms give customers the ability to stop, at any time, the website or mobile platform from detecting or tracking real-time location and to delete previously recorded GPS location data from their 311 accounts on the website or mobile platform.

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

Referred to the Committee on Technology.

Int. No. 627

By the Public Advocate (Mr. Williams) and Council Member Won.

A Local Law to amend the administrative code of the city of New York, in relation to the establishment of a home sharing program for homeless individuals and reporting in relation thereto

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-148 to read as follows:

§ 21-148 Home sharing program for homeless individuals. a. Definitions. For the purposes of this section, the following terms have the following meanings:

City-administered facilities. The term "city-administered facilities" has the meaning ascribed to such term in paragraph 4 of subdivision a of section 3-113.

Guest. The term "guest" means a homeless individual who occupies a spare private bedroom and the common living spaces in the home of a host in exchange for rent, companionship and/or assistance with household duties.

Homeless individual. The term "homeless individual" means a street homeless individual or an individual utilizing city-administered facilities.

Host. The term "host" means a leaseholder or homeowner who shares their home and resides with a guest.

Program. The term "program" means the program established pursuant to this section that houses guests in the homes of hosts to provide homeless individuals with housing and transition them from homelessness.

Relevant agencies. The term "relevant agencies" means the department of housing preservation and development, the department for the aging, the department for youth and community development and any other agency that the commissioner deems to be a relevant agency.

Street homeless individual. The term "street homeless individual" means an individual who:

1. Lives on the street or in a place not meant for human habitation; or

2. Receives services from the department because such individual is or was living on the street or in a place not meant for human habitation.

b. Program established. No more than 180 days after the effective date of the local law that added this section, the commissioner shall establish a program to house homeless individuals in shared living arrangements with hosts. The commissioner shall determine and implement the following, in consultation with relevant agencies:

1. The program's staffing;

2. The eligibility criteria for the hosts and guests, including, but not limited to, any age requirements for the hosts and guests and requiring compliance with the host's lease and all applicable laws;

3. The process to select the hosts and guests, including, but not limited to, applications, screenings and interviews;

4. The process to match the hosts and guests;

5. The move-in process, including, but not limited to, meetings to acquaint the matched host and guest, a home safety check to assess the safety of the host's home and a home share agreement to establish the agreed-upon terms and details of the home sharing arrangement;

6. The measures to protect the confidentiality of the information that the hosts and guests provide to participate in the program, including, but not limited to, anonymization;

7. The services provided to the hosts and guests, including, but not limited to, mediation and conflict resolution to resolve disputes between the hosts and guests, social services assistance and home visits;

8. The host's responsibilities, including, but not limited to, providing a habitable living accommodation; and

9. The guest's responsibilities, including, but not limited to, timely paying rent to the host, providing the host with companionship and/or performing household duties.

c. Program outreach. Beginning no more than 150 days after the effective date of the local law that added this section, and continuing thereafter, the commissioner, in collaboration with relevant agencies, shall conduct culturally appropriate outreach on the program in the designated citywide languages, as defined in section 23-1101. Such outreach shall include, but need not be limited to, the following:

1. The department and relevant agencies posting information on their respective websites, advertising the program in public spaces and promoting the program to government, stakeholders, staff and clients; and

2. City-administered facilities posting information about the program in a conspicuous location accessible to all individuals utilizing such facility.

d. Reporting. Beginning one year after the effective date of the local law that added this section, and continuing annually thereafter, the commissioner shall submit a report on the program to the mayor, the speaker of the council and the public advocate, which the commissioner shall post on the department website. Such report shall be anonymized and include, but need not be limited to, the following:

1. The number of host and guest applications, screenings, interviews and matches;

2. The percentage of matches that result in a shared living arrangement;

3. The guests' average length of stay;

4. A description of the program outreach efforts;

5. A description of the services provided to the hosts and guests;

6. Anonymous feedback from program staff, hosts and guests;

7. A description of the challenges with the program and the efforts made to address such challenges; and

8. Recommendations to expand and improve the program.

e. The commissioner shall promulgate rules necessary and appropriate to the administration of this section.

§ 2. This local law takes effect immediately.

Referred to the Committee on General Welfare.

Int. No. 628

By the Public Advocate (Mr. Williams) and Council Members Won, Hanif and Bottcher.

A Local Law to amend the administrative code of the city of New York, in relation to signage regarding transgender rights and services at hospitals

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 17-167.2 to read as follows:

§ 17-167.2 Signage regarding transgender rights and services at hospitals. a. Transgender patient rights. No later than March 1, 2023, the department shall distribute signs on transgender and gender non-conforming patient rights to every hospital in the city. Such signage shall include, but need not be limited to, information on the right to be referred to by an individual's preferred name, title, gender and pronoun. The department shall post information on transgender and gender non-conforming patient rights conspicuously on its website.

b. Transgender-specific services offered. Within six months of the effective date of the local law that added this section, to the extent practicable, the department shall:

1. Coordinate with every hospital in the city to determine the services offered by each hospital related to a transgender individual's medical transition and any other transgender-specific services offered;

2. Establish guidance to encourage hospitals to list and conspicuously post the transgender-specific services offered by each hospital and provide such guidance to every hospital in the city;

3. Coordinate with every hospital in the city to update any such list of transgender-specific services provided by each hospital, as needed; and

4. Post such guidance and such list of transgender-specific services provided by each hospital conspicuously on the department's website.

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

Referred to the Committee on Health.

Int. No. 629

By the Public Advocate (Mr. Williams) and Council Members Won and Hanif.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to report on training for medical care for transgender and gender non-conforming persons

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 17-167.2 to read as follows:

§ 17-167.2 Report on training for transgender and gender non-conforming medical care. a. No later than February 1, 2023, and annually thereafter, the commissioner shall submit to the speaker of the council and publish on the department's website a report regarding training on medical care for transgender and gender non-conforming individuals provided to medical staff at hospitals. To the extent such information is available to

the department, such report shall include, but need not be limited to, the following information, disaggregated by hospital:

1. The number of physicians, nurses and other medical staff who have received training on the provision of medical care to transgender or gender non-conforming individuals, including but not limited to (i) common medical needs of transgender and gender non-conforming patients; (ii) medical and surgical treatment; and (iii) treatment and care related to social and medical transitions; and

2. A summary of the information included in any training provided by a hospital to medical staff relating to the provision of medical care to transgender or gender non-conforming individuals, including whether such training includes information on sensitivity and patient interactions or bias or discrimination in relation to medical care.

b. Information required to be reported pursuant to this section shall be reported in a manner that does not violate any applicable provision of federal, state or local law relating to the privacy of information.

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

Referred to the Committee on Health.

Int. No. 630

By the Public Advocate (Mr. Williams) and Council Member Won.

A Local Law to amend the administrative code of the city of New York, in relation to establishing a commission to study and make recommendations regarding the root causes of violence in the city

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 17-199.18 to read as follows:

§ 17-199.18 Community violence commission. a. Short title. This section shall be known as and may be cited as the "community violence prevention law".

b. Definitions. For the purposes of this section, the following terms have the following meanings:

Assault. The term "assault" means the offenses of:

1. Assault in the first and second degree as such offenses are defined in article 120 of the penal law;

2. Gang assault in the first and second degree as such offenses are defined in article 120 of the penal law;

3. Assault on a peace officer, police officer, fireman or emergency medical services professional as such offense is defined in article 120 of the penal law;

4. Assault on a judge as such offense is defined in article 120 of the penal law;

5. Aggravated assault upon a police officer or a peace officer as such offense is defined in article 120 of the penal law;

6. Aggravated assault upon a person less than 11 years old as such offense is defined in article 120 of the penal law; and

7. Strangulation in the first and second degree as such offenses are defined in article 121 of the penal law.

Commission. The term "commission" means the community violence commission created by this section.

Murder. The term "murder" means the offenses of aggravated manslaughter in the first and second degree, manslaughter in the first and second degree, aggravated murder and murder in the first and second degree as such offenses are defined in article 125 of the penal law.

Rape. The term "rape" means the offenses of rape in the first, second and third degree as such offenses are defined in article 130 of the penal law.

Robbery. The term "robbery" means the offenses of robbery in the first, second and third degree as such offenses are defined in article 160 of the penal law.

c. Commission; creation, composition, election of chair, removal of members and compensation. 1. A commission is hereby established to study the root causes of violence in city neighborhoods with high rates of

violent crime and to make recommendations on how the city may address such violence from a public health perspective. This commission shall be known as the community violence commission.

2. The commission shall consist of the following members:

(a) The commissioner of health and mental hygiene or a deputy commissioner designated by such commissioner;

(b) The commissioner of children's services or a deputy commissioner designated by such commissioner;

(c) The commissioner of social services or a deputy commissioner designated by such commissioner;

(d) The commissioner of youth and community development or a deputy commissioner designated by such commissioner;

(e) The chancellor of the city school district or a deputy chancellor designated by such chancellor;

(f) The director of probation or a deputy director designated by such director;

(g) The president of the New York city economic development corporation or a vice president designated by such president;

(h) Five persons, one residing in each borough and selected by a majority vote of the council delegation for each borough;

(i) Two persons, appointed by the mayor, who have a background in crime prevention, youth violence, victim support services, mental health or assisting the formerly incarcerated; and

(j) One person, appointed by the speaker of the council, who has a background in crime prevention, youth violence, victim support services, mental health or assisting the formerly incarcerated.

3. At its first meeting, the commission shall select a chair from among its members by majority vote.

4. No member of the commission may be removed except for cause and upon notice and hearing by the appropriate appointing or designating official or delegation. Any vacancy shall be filled in the same manner as the original appointment.

5. Members of the commission shall serve without compensation and shall meet no less than once a month during the period in which such commission is developing the one-year plans required by this section.

d. Commission objectives. 1. No later than March 1, 2023, and by each March 1 thereafter, the commission shall identify the 10 neighborhoods with the highest total number of complaints for assault, murder, rape and robbery during the two preceding calendar years.

2. For each such neighborhood identified pursuant to paragraph 1 of this subdivision, the commission shall develop a specific one-year plan recommending measures the city should take to address violent crime in such neighborhood from a public-health perspective and other relevant perspectives. No such plan shall require the allocation or reallocation of police department resources. Each such plan shall include, but need not be limited to:

(a) Recommendations for health and mental health programs, anti-violence programs, education programs, job development and readiness programs, poverty reduction programs and other similar programs; and

(b) An assessment of the effectiveness of any relevant programs overseen by the center for economic opportunity.

3. No later than 90 days after identifying neighborhoods with high rates of violent crime for each annual cycle pursuant to paragraph 1 of this subdivision, the commission shall issue to the mayor and the speaker of the council a report outlining each one-year plan developed pursuant to paragraph 2 of this subdivision, and the commissioner of health and mental hygiene shall make such one-year plans available on the department's website.

4. No later than 90 days after the designated end date of each one-year plan, the commission shall issue to the mayor and the council a report that includes:

(a) An assessment of the extent to which each such plan has been implemented; and

(b) The effect of each such plan or parts thereof that have been implemented.

5. No later than January 31, 2024, and every January 31 thereafter, the commission shall issue to the mayor and the council a summary of its activities during the previous year. The commissioner of health and mental hygiene shall promptly make the commission's annual summary available on the department's website.

6. The commissioner of health and mental hygiene shall accept by e-mail and regular mail, and shall consider, public comments on the one-year plans and annual summaries created pursuant to this subdivision and shall promptly make all such comments publicly available on the department's website.

§ 2. This local law takes effect immediately.

Referred to the Committee on Health.

Int. No. 631

By the Public Advocate (Mr. Williams).

A Local Law to amend the administrative code of the city of New York, in relation to requiring owners to notify tenants of unsafe conditions of exterior walls of buildings

Be it enacted by the Council as follows:

Section 1. Section 28-302.3 of chapter 3 of title 28 of the administrative code of the city of New York as added by local law number 33 for the year 2007, is amended to read as follows:

§ 28-302.3 Immediate notice of unsafe condition. Whenever a registered design professional learns of an unsafe condition through a critical examination of a building's exterior walls and appurtenances thereof, such person shall notify the owner and the department immediately in writing of such condition. *Upon such notification, the owner shall immediately notify the occupants of the building of any unsafe condition by affixing a notice describing each unsafe condition in a conspicuous location in the lobby area of the building, which notice shall remain in place until each unsafe condition is corrected. Notice shall also be given to occupants in at least one additional manner as established by the commissioner by rule.*

§ 2. This local law shall take effect 120 days after it becomes law, except that the commissioner of buildings shall promulgate any rules and perform all other actions necessary for the implementation of this local law prior to its effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 632

By the Public Advocate (Mr. Williams).

A Local Law to amend the administrative code of the city of New York, in relation to responding to complaints filed about immediately hazardous and hazardous conditions in multiple dwellings

Be it enacted by the Council as follows:

Section 1. Article one of subchapter four of chapter two of title 27 of the administrative code of the city of New York is amended by adding a new section 27-2096.3 to read as follows:

§ 27-2096.3 Inspections for immediately hazardous and hazardous conditions. a. For any dwelling unit in a multiple dwelling for which a complaint was filed describing a condition that would constitute an immediately hazardous violation, the department shall contact the complainant within five hours of receiving such complaint to determine whether the condition described in the complaint requires further investigation or inspection. The department shall conduct an inspection of the dwelling no later than one day after receiving such complaint, provided that an inspection is warranted after responding to such complaint, and shall notify the complainant.

b. For any dwelling unit in a multiple dwelling for which a complaint was filed describing a condition that would constitute a hazardous violation, the department shall contact the complainant within two days of receiving such complaint to determine whether the condition described in the complaint requires further investigation or inspection. The department shall conduct an inspection of the dwelling no later than one day after receiving such complaint, provided that an inspection is warranted after responding to such complaint, and shall notify the complainant.

c. No violation issued pursuant to a complaint filed pursuant to this section shall be closed until such violation has been certified to be corrected to the satisfaction of the department.

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

Referred to the Committee on Housing and Buildings.

Int. No. 633

By the Public Advocate (Mr. Williams) and Council Member Won.

A Local Law in relation to creating an interagency task force to be charged with studying the obstacles faced by children of incarcerated parents, from arrest to reunification

Be it enacted by the Council as follows:

Section 1. a. There shall be an interagency task force to study the obstacles faced by children of incarcerated parents, from arrest to reunification.

b. The task force shall consist of nine members that shall be:

1. the commissioner of the department of correction, or their designee, who shall serve as chair;

2. the commissioner of children's services, or their designee;

3. the police commissioner, or their designee;

4. three members appointed by the mayor with relevant expertise in the area of children of incarcerated parents; and

5. three members appointed by the speaker of the city council with relevant expertise in the area of children of incarcerated parents.

c. The task force shall invite representatives of the New York state office of children and family services, the New York state department of correction, and any other relevant state agency or state elected official, as identified by the task force, to participate in the development of the task force report pursuant to subdivision g of this section.

d. Members of such task force shall serve until the task force submits the report required by subdivision g of this section. Any vacancy shall be filled in the same manner as the original appointment. All members shall be appointed to the task force within 60 days of the enactment of this local law.

e. Members of the task force shall serve without compensation and shall meet no less often than on a quarterly basis.

f. No member of the task force shall be removed except for cause and upon notice and hearing by the appropriate appointing official.

g. The task force shall submit a report of its findings and recommendations to the mayor and the speaker of the city council no later than 12 months after the effective date of the local law that added this section. Such report shall include recommendations in areas including, but not limited to: (i) arrest protocols for custodial parents; (ii) child-centered visitations and facilities at incarceration facilities; (iii) mental health supports and services for children of incarcerated parents; and (iv) support services for incarcerated parents and their children upon reentry.

h. The task force shall terminate upon the issuance of the report required by subdivision g of this section.

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Int. No. 634

By the Public Advocate (Mr. Williams)

A Local Law to amend the administrative code of the city of New York, in relation to 311 transmitting image and video data for housing service requests or complaints

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-308 to read as follows:

§ 23-308 Housing service requests or complaints. Any website or mobile device application used by the 311 customer service center for the intake of 311 requests from the public shall be capable of receiving image and video data in connection with all requests for service or complaints for either the department of buildings or the department of housing preservation and development. Such data shall be transmitted to each such agency as appropriate and be made available to inspectors or other relevant persons within such agencies.

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

Referred to the Committee on Technology.

Int. No. 635

By the Public Advocate (Mr. Williams) and Council Members Cabán, Won, Hanif and Brewer.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of correction to assist incarcerated individuals in obtaining school transcripts, social security cards and driver licenses

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 9-128 of the administrative code of the city of New York, as added by local law 64 of 2007, is amended to read as follows:

c. Notwithstanding any other provision of law, any person *in custody of the department* born in the city of New York [and sentenced to ninety days or more in a New York city correctional facility who will serve, after sentencing, thirty days or more in a New York city correctional facility,] shall be provided by the department before or at release, or within two weeks thereafter if extenuating circumstances exist, at no cost to such person, a certified copy of [his or her] *their* birth certificate to be used for any lawful purpose; provided that such person has requested a copy of [his or her] *their* birth certificate from the department at least two weeks prior to release. Upon such request, the department shall request such certificate from the department of health and mental hygiene in a form and manner approved by the commissioner of the department of health and mental hygiene. The department shall inform such person of [his or her] *their* ability to receive such certificate pursuant to the provisions of this subdivision within three days of [his or her] *their* admission to a sentencing facility. No person shall receive more than one birth certificate *pursuant to this subdivision* without charge [*pursuant to this subdivision*].

§ 2. Section 9-128 of the administrative code of the city of New York is amended by adding a new subdivision d to read as follows:

d. The department shall, upon request, assist all incarcerated individuals in acquiring their social security card, driver license and transcripts from elementary school, middle school, high school, college or any other school. If such documents are available to obtain through online or mail application, the department shall ensure that incarcerated individuals can obtain such documents at no cost.

§ 3. Section 9-129 of the administrative code of the city of New York, as amended by chapter 322 of the laws of 2021, is amended to read as follows:

§ 9-129 Reporting. [The commissioner of correction shall submit a report to the mayor and the council, by October first of each year regarding implementation of sections 9-127 and 9-128 of this title and other discharge planning efforts, and, beginning October first, two thousand eight and annually thereafter,] *No later than October 1, 2008, and annually thereafter, the commissioner of correction shall submit to the mayor, the public advocate*

and the speaker of the council and shall post conspicuously on the department's website an annual report regarding recidivism among incarcerated individuals receiving discharge planning services from the department of correction or any social services organization under contract with the department of correction. *Such report shall include the following:*

1. The number of birth certificates requested, disaggregated by whether such birth certificates were received;

2. The number of school transcripts requested, disaggregated by whether the transcripts were for elementary school, middle school, high school, college, or another school and further disaggregated by whether or not such transcripts were received;

3. The number of driver licenses requested, disaggregated by whether or not they were received; and

4. The number of social security cards requested, disaggregated by whether or not they were received.

§ 4. Subdivision a of section 9-139 of the administrative code of the city of New York, as amended by local law 194 for the year 2019, is amended to read as follows:

a. The department shall inform every incarcerated individual upon admission to the custody of the department, in writing, using plain and simple language, of their rights under department policy, which shall be consistent with federal, state[,] and local laws, and board of correction minimum standards, on the following topics: non-discriminatory treatment, personal hygiene, recreation, religion, attorney visits, access to legal reference materials, the ability to request documents pursuant to subdivisions c and d of section 9-128, visitation, telephone calls and other correspondence, media access, due process in any disciplinary proceedings, health services, safety from violence[,] and the grievance system.

§ 5. Subdivisions g and h of section 9-139 of the administrative code of the city of New York, as added by local law 194 for the year 2019 are redesignated subdivisions i and j of such section.

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

Referred to the Committee on Criminal Justice.

Int. No. 636

By the Public Advocate (Mr. Williams) and Council Member Brewer (by request of the Queens Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to imposing civil penalties on contractors who perform work after the expiration of a permit

Be it enacted by the Council as follows:

Section 1. Section 28-213.2 of the administrative code of the city of New York, as added by local law number 33 for the year 2007, is amended to read as follows:

§ 28-213.2 [Waiver. Such penalty and the permit fee shall be payable by] *Liability. a. No permit issued. Where work has been performed and a permit has never been issued for such work,* the owner of the building on which the unpermitted work was performed *shall be liable for such penalty and permit fee*. A waiver or reduction of such penalty shall be available to a subsequent bona fide purchaser of the premises pursuant to department rules.

b. Expired permit. Where work has been performed after the date on which a duly issued permit has expired, the contractor who performed the unpermitted work shall be liable for such penalty, the fee to reinstate the permit and any inspection fee imposed pursuant to section 28-213.7.

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

Referred to the Committee on Housing and Buildings.

Int. No. 637

By the Public Advocate (Mr. Williams) and Council Members Louis, Hanif, Hudson and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to creating a three-digit mental health emergency hotline

Be it enacted by the Council as follows:

Section 1. Chapter 21 of title 17 of the administrative code of the city of New York is amended by adding a new chapter section 17-2108 to read as follows:

§ 17-2108 Mental health emergency hotline. a. Three-digit hotline. The office shall establish a three-digit hotline for individuals experiencing a mental health emergency. Such hotline:

1. Shall direct calls to a centralized call center operated by the office and staffed by mental health call operators;

2. Shall not direct calls to the 911 system unless the mental health call operator determines that there is a public safety emergency;

3. Shall be capable of receiving calls originating through the 911 and 311 systems; and

4. Shall be available for use no later than December 31, 2022.

b. Mental health emergency response protocol. In accordance with the mental health emergency response protocol established pursuant to section 17-2103 of this chapter, the office shall establish guidelines for call operators of the three-digit hotline established pursuant to subdivision a of this section, to identify calls as potential mental health emergencies.

c. Public outreach. The office shall conduct public outreach and education publicizing the three-digit hotline established pursuant to subdivision a of this section.

§ 3. This local law takes effect on the same date as a local law amending the administrative code of the city of New York, relating to creating an office of community mental health and a citywide mental health emergency response protocol, as proposed in introduction number ___ for the year 2022, takes effect.

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

Int. No. 638

By the Public Advocate (Mr. Williams) and Council Members Hanks, Louis and Ayala.

A Local Law to amend the administrative code of the city of New York, in relation to requiring that New York city police department vehicles be equipped with bulletproof glass

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 10 of the administrative code of the city of New York is amended by adding a new section 10-184 to read as follows:

§ 10-184 Bulletproof glass. a. All patrol vehicles utilized by the department shall be equipped with bulletproof glass.

§2. This local law takes effect one year after it becomes law.

Referred to the Committee on Public Safety.

Int. No. 639

By the Public Advocate (Mr. Williams) and Council Members Lee and Hanif.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of small business services to offer training and education to small businesses regarding accessibility of the workplace and inclusion of workers with disabilities

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 22-1003 of the administrative code of the city of New York, as added by local law number 156 for the year 2019, is amended to read as follows:

a. The department shall provide business services including training and education to small businesses regarding the following subjects:

1. Business operations, including the establishment and use of technological or other systems to deliver goods or services to customers efficiently, reduce costs, and maximize profits;

2. Marketing, including identifying market opportunities, preparing and executing marketing plans, developing pricing strategies, locating contract opportunities, negotiating contracts, utilizing public relations and advertising techniques, engaging in e-commerce, and retail merchandizing;

3. Compliance obligations, including education about regulatory requirements and assistance in understanding laws and rules applicable to small businesses; [and]

4. *Increasing workplace accessibility and inclusion of workers with disabilities, including how to make workplaces more accessible and provide accommodations for workers with disabilities, information about resources available to help small businesses accomplish these goals, the benefits of hiring workers with disabilities and information about organizations that can help small businesses connect with and hire workers with disabilities; and*

[4]*5*. Such other training and education as the commissioner may deem appropriate.

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

Referred to the Committee on Small Business.

Int. No. 640

By the Public Advocate (Mr. Williams) and Council Members Dinowitz, Hanif and Brewer.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the 311 customer service center to accept requests for service and complaints using video call functionality

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-311 to read as follows:

§ 23-311 Service requests or complaints; video functions. a. The commissioner of information technology and telecommunications shall ensure that any website or mobile device application used by the 311 customer service center for the intake of 311 requests from the public is capable of video call functionality in connection with all requests for service and complaints.

b. Any video call taken pursuant to this section shall have the ability to be displayed with communication access real-time translation or similar captioning in English and, upon request and if technically feasible, each of the designated citywide languages as defined in section 23-1101. At all times the 311 customer service center shall have at least 3 call takers fluent in American Sign Language available for such video calls.

c. If the 311 customer service center records a video call in which a request for service or complaint was made, the department shall make such recording or a transcript thereof available to inspectors or other

appropriate employees or contractors of relevant agencies. Such recordings or transcripts shall be kept in accordance with any applicable data retention policies of the department of information technology and telecommunications.

d. This section shall not be construed to require the 311 customer service center to record a video call in which a request for service or complaint is made, nor to prohibit such center from accepting a request for service or complaint by means other than a video call, at the requestor's or complainant's option.

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

Referred to the Committee on Technology.

Int. No. 641

By Council Members Riley, Schulman, Abreu, Gutiérrez, Stevens, Won, Narcisse, Feliz, Salaam, Gennaro, Farías, De La Rosa and Marmorato.

A Local Law to amend the administrative code of the city of New York, in relation to nutrition standards and beverage options for children's meals served in food service establishments

Be it enacted by the Council as follows:

Section 1. Section 17-199.11 of the administrative code of the city of New York, as added by local law number 75 for the year 2019, subdivision d as amended by local law number 80 for the year 2021 and subdivision f as added by local law number 80 for the year 2021, is amended to read as follows:

§ 17-199.11 Food service establishment *nutrition standards and* beverage options for children's meals.

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

Children's meal. The term "children's meal" means a food or combination of food items listed on a menu or menu board and intended for consumption by children to which the presumption described in subdivision [e] g attaches.

Food. The term "food" has the same meaning as in article 71 of the New York city health code.

Food service establishment. The term "food service establishment" means any establishment inspected pursuant to the restaurant grading program established pursuant to subdivision a of section 81.51 of the New York city health code.

Menu or menu board. The term "menu or menu board" has the same meaning as in section 81.49 of the New York city health code.

b. The selection of beverages listed as part of the children's meal shall be limited to the following:

1. Water, sparkling water or flavored water, with no added natural or artificial sweeteners;

2. [Flavored or unflavored] *Unflavored* nonfat or [one] *1* percent fat dairy milk, [or flavored] or unflavored non-dairy beverage that is nutritionally equivalent to fluid milk, in a serving size of [eight] *8* ounces or less; or

3. One hundred percent fruit or vegetable juice, or any combination thereof, with no added natural or artificial sweeteners, in a serving size of [eight] *6.75* ounces or less. Such juice may contain water or carbonated water.

c. Nothing in this section prohibits a food service establishment from providing upon request by a customer a substitute beverage other than the beverage required under subdivision b of this section.

d. A food service establishment that offers children's meals shall offer at least 2 children's meals that:

1. Contain no trans fat and no more than:

(a) 550 calories;

(b) 700 milligrams of sodium;

(c) 10 percent of calories from saturated fat; and

(d) 15 grams of added sugar; and

2. Contain servings of at least 2 of the following, at least 1 of which shall comply with subparagraph (a) or (b):

(a) At least one half cup of fruit, or a serving of fruit juice that complies with paragraph 3 of subdivision b of this section;

(b) At least one half cup of vegetables;

(c) At least one half cup of nonfat or low-fat yogurt or a beverage that complies with paragraph 2 of subdivision b of this section;

(d) At least 1 ounce of meat, meat alternative, or other protein, including poultry, seafood, eggs, pulses, soy products, nuts and seeds; or

(e) A whole grain product that contains at least 8 grams of whole grains and also:

(1) Lists whole grain as the first ingredient;

(2) Contains at least 50 percent whole grains by weight of the product; or

(3) Contains at least 50 percent whole grains by weight of the grains.

e. The department shall promulgate rules regarding how restaurants shall identify and promote the children's meals that comply with the nutrition standards in subdivision d of this section on menus and menu boards.

f. Any food service establishment that violates any of the provisions of this section or any rule promulgated thereunder by the department shall be liable for a civil penalty of $100. Where a person is found to have violated this section or any rule promulgated thereunder by the department, the department shall commence a proceeding to recover any civil penalty authorized by this section by the service of a summons returnable to the office of administrative trials and hearings.

[e.] *g.* It shall be a rebuttable presumption that a food item or combination of food items on a menu or menu board is intended for consumption by children if the item or items are shown on the menu or menu board in any one of the following ways:

1. Alongside any of the following words: "child," "children," "kids," "junior," "little," "kiddie," "kiddo," "tyke," any synonym or abbreviation of such words, or any word the department determines would similarly identify a children's meal;

2. Alongside a cartoon illustration, puzzle or game;

3. Accompanied *by* or being offered with a toy or [kid's] *or* game *for children*; or

4. With a limitation on the maximum age of a person who can select the item or items.

[f.] *h.* Any food service establishment that violates this section or any rules promulgated thereunder shall not be subject to a civil penalty for a first-time violation if such person proves to the satisfaction of the department, within seven days of the issuance of the notice of violation and prior to the commencement of an adjudication of the violation, that the violation has been cured. The submission of proof of a cure, if accepted by the department as proof that the violation has been cured, shall be deemed an admission of liability for all purposes. The option of presenting proof that the violation has been cured shall be offered as part of any settlement offer made by the department to a person who has received, for the first time, a notice of violation of this section or any rules promulgated pursuant thereto. The department shall permit such proof to be submitted electronically or in person. A person may seek review, in the office of administrative trials and hearings, of the determination that the person has not submitted proof of a cure within 15 days of receiving written notification of such determination.

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

Referred to the Committee on Health.

Int. No. 642

By Council Members Riley, Stevens, Narcisse, Feliz and Salaam.

A Local Law in relation to renaming a park in the Borough of the Bronx, Marcus Garvey Square, and to amend the official map of the city of New York accordingly

Be it enacted by the Council as follows:

Section 1. The following park name, in the Borough of the Bronx, is hereby renamed as hereafter indicated.

New Name	Present Name	Limits
Marcus Garvey Square	Williamsbridge Square	An existing park located on White Plains Road, between East 212 Street and Magenta Street.

§2. The official map of the city of New York shall be amended in accordance with the provisions of section one of this local law.

§3. This local law shall take effect immediately.

Referred to the Committee on Parks and Recreation.

Int. No. 643

By Council Members Riley, Gutiérrez, Stevens, Won, Feliz, Salaam, Brewer, Hanif, Farías and De La Rosa.

A Local Law in relation to a plan to identify and facilitate the use of indoor facilities for basketball games

Be it enacted by the Council as follows:

Section 1. a. Definitions. As used in this local law, the term "basketball league" means an organized league that has a valid permit approved by the department of parks and recreation to reserve an outdoor basketball court in advance for a specified time and date.

b. Plan. No later than 120 days after the effective date of this local law, the department of parks and recreation, in coordination with the department of education, shall prepare and submit to the mayor and the speaker of the council, and post on its website, a plan to identify and facilitate the use of indoor basketball courts and gyms which may be used by basketball leagues on days when the weather does not permit use of outdoor basketball courts. The department of parks and recreation shall implement the plan no later than 60 days after the plan has been submitted. The plan shall address, but need not be limited to:

1. How the department of parks and recreation and the department of education will facilitate the use of indoor basketball courts and gyms that are maintained or operated by the city;

2. How the department of parks and recreation will coordinate with other relevant agencies to facilitate the use of indoor basketball courts and gyms; and

3. Ways to identify private indoor basketball courts and gyms that are available for use by basketball leagues.

§ 2. This local law takes effect immediately.

Referred to the Committee on Parks and Recreation.

Int. No. 644

By Council Members Riley, Stevens, Salaam, Hanks, Farías and De La Rosa.

A Local Law to amend the administrative code of the city of New York, in relation to structurally unsound privately-owned trees

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 18-160 to read as follows:

§ 18-160 Structurally unsound privately-owned trees. a. Definitions. As used in this section, the term "structurally unsound privately-owned tree" means a tree that: (i) poses a near-term danger of falling on persons or property outside of the property where it is located, (ii) is not under the jurisdiction of the department, and (iii) is not located within a special natural area district, as defined in chapter 5 of article 10 of the zoning resolution.

b. The department shall on its website provide a means for the submission of information regarding privately-owned trees that are suspected of posing a near-term danger to persons or property outside of the property where they are located. The department shall inspect any such trees within 4 days of receiving such information.

c. If the department determines that a tree is a structurally unsound privately-owned tree it shall issue a written order to the owner of the tree directing the owner to take corrective action to abate the danger posed by such tree. Such written order shall state the corrective action to be undertaken and shall fix a time for compliance, which shall be no longer than 21 days. If the owner does not comply with the order within the stated time for compliance, the department may, after the opportunity for a hearing, perform the corrective action specified in the order.

d. If the department determines that a structurally unsound privately-owned tree poses an imminent danger to persons or property outside of the property wherein it is located, the department may perform the work necessary to abate such danger without first issuing an order or providing an opportunity for a hearing to the owner of the tree, or prior to the expiration of the time for compliance specified in an order issued pursuant to subdivision c of this section.

e. Whenever the department has incurred expenses for undertaking corrective action relating to a structurally unsound privately-owned tree pursuant to this section, the department shall send to the owner or the owner's designee a statement of account with the expense incurred and a demand for payment thereof. Any amount not paid within 60 days of receipt of the statement shall constitute a lien on the real property where the corrective action was undertaken. Such lien shall have priority over all other liens and encumbrances on the premises except for the lien of taxes and assessments.

f. Nothing in this section shall be construed to create a private right of action.

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

Referred to the Committee on Parks and Recreation.

Int. No. 645

By Council Members Riley, Stevens, Hanif, Won, Feliz, Salaam, Farías and De La Rosa.

A Local Law in relation to establishing a pilot program to match small businesses with social media content creators for assistance with marketing and advertising, and providing for the repeal of such provisions upon the expiration thereof

Be it enacted by the Council as follows:

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

Content creator. The term "content creator" means a person who creates material to be shared publically on a social media platform.

Commissioner. The term "commissioner" means the commissioner of small business services.

Department. The term "department" means the department of small business services.

Small business. The term "small business" means a retail establishment that has annual gross revenues of less than $5,000,000 and employs 25 or fewer employees. For purposes of determining whether an entity qualifies as a small business, the revenues of any parent entity, any subsidiary entities, and any entities owned or controlled by a common parent entity shall be aggregated.

b. Small business content creator matching pilot program. The commissioner shall establish a pilot program to match small businesses that are looking for support with marketing and advertisement with content creators who can use their social media platforms to bring attention to the small businesses they are matched with.

c. Outreach. The commissioner shall engage in public outreach to assess the amount of interest content creators and small businesses have in participating in the program and shall post explanatory information about the program on the department's website.

d. Enrollment. 1. The commissioner shall develop an application for small business enrollment in the pilot program established pursuant to subdivision b of this section. Such application shall require small businesses wishing to enroll in such program to submit the following information to the department:

(a) The name of the small business;

(b) The address of the small business;

(c) The name, telephone number, and e-mail address of an individual associated with the small business who will serve as a point of contact for purposes of such program;

(d) The preferred method of communication;

(e) The hours of operation of the small business;

(f) A general description of the small business, including type of goods and products sold or services provided;

(g) Consent to share relevant business revenue and other information to assist the department in determining program eligibility and assessing the impact of the program; and

(h) Any other information deemed relevant by the commissioner.

2. The commissioner shall develop an application for content creator enrollment in the pilot program established pursuant to subdivision b of this section. Such application shall require content creators wishing to enroll in such program to submit the following information to the department:

(a) Name;

(b) Address, telephone number, and e-mail address;

(c) Social media platforms that the content creator posts publically on;

(d) Links to social media platforms that the content creator intends to use as part of the program and the content creator's handle or username on each such platform; and

(e) Any other information deemed relevant by the commissioner.

3. The commissioner shall determine the duration of the enrollment period for such program.

4. The commissioner shall match content creators with small businesses from the applicant pool based on the department's determination that such content creator might be able to provide the marketing support the small business is seeking.

5. Within 30 days after the end of such enrollment period, the department shall notify each small business and each content creator that submitted an application pursuant to this subdivision whether they have been selected for participation in the program. The department shall notify each participant of their match and shall facilitate the connection between matched content creators and small businesses. If the department of small business services has rejected any applicants, the department shall notify such applicant and provide an explanation for the rejection.

e. Implementation. The pilot program established pursuant to subdivision b of this section shall commence no later than 180 days after the effective date of this local law. The duration of such program shall be 1 year.

f. Report. No later than 1 year after the end of the pilot program established pursuant to subdivision b of this section, the commissioner shall submit to the mayor and the speaker of the council a report on such program. Such report shall include, but need not be limited to, the following information:

1. The cost of such program;

2. The number of small businesses that participated in such program;

3. The number of content creators who participated in such program;

4. An analysis of the effect the program had on revenue of small business participants;

5. An analysis of the traits of content creators that led to increased revenue for small business participants;

6. Any challenges experienced by the department and any known challenges experienced by the participants during the course of such program.

g. The commissioner may promulgate rules necessary for the implementation of this local law.

h. This local law shall not be construed as a warranty of the completeness, accuracy, content, or fitness for any particular purpose of any information generated by a content creator for a small business, nor are any such warranties to be implied or inferred with respect to such information. The city shall not be held liable for any deficiencies in the completeness, accuracy, content, or fitness for any particular purpose or use of information provided by any third party through the pilot program established pursuant to this local law. The city does not guarantee any particular result to participants in such program.

§ 2. This local law takes effect 180 days after it becomes law and expires and is deemed repealed 3 years after it becomes law.

Referred to the Committee on Small Business.

Int. No. 646

By Council Members Riley, Stevens, Hanif, Won, Feliz, Salaam, Gennaro, Hanks, Brewer, Farías, Cabán and Marmorato.

A Local Law to amend the administrative code of the city of New York, in relation to accessibility for the deaf, hard of hearing, or deaf-blind community in the implementation of text-to-911

Be it enacted by the Council as follows:

Section 1. Subdivision (b) of section 10-174 of the administrative code of the city of New York, as added by local law number 78 of 2016, is amended to read as follows:

(b) By no later than six months after the end of each fiscal year, the commissioner, in consultation with the police commissioner and fire commissioner, shall issue to the mayor and the council, and make publicly available online, a report on the implementation of next generation 911 within the 911 emergency assistance system. Such report shall contain (i) a description of the current implementation plan, including planned next steps, (ii) a description of steps taken towards implementation since the prior report, (iii) a description of the feasibility of implementing a 911 text message transmission capability before full implementation of next generation 911, *(iv) a description of any outreach efforts to hire or retain experts on accessibility for the deaf, hard of hearing, or deaf-blind community, (v) information on any deaf, hard of hearing, or deaf-blind accessibility subject matter experts hired or retained to assist in implementing next generation 911, (vi) a description of the public education plans for informing persons who are deaf, hard of hearing, or deaf-blind on the availability of next generation 911, including 911 text message transmission capability* and [(iv)] *(vii)* any other information the commissioner deems relevant.

§ 2. This local law takes effect immediately and is deemed repealed six months after the final report required by subdivision c of section 10-174 of the administrative code of the city of New York.

Referred to the Committee on Technology.

Int. No. 647

By Council Members Riley, Stevens, Salaam, Farías and De La Rosa.

A Local Law to amend the administrative code of the city of New York, in relation to bus lane restrictions

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-162.6 to read as follows:

§ 19-162.6 Bus lane restrictions. a. Signage. The department shall post signs indicating the days and hours during which bus lane restrictions are in effect for all streets that are subject to any such restrictions. The

department shall post at least one such sign on every block that is subject to such a restriction and shall make all such signs clearly visible from the street.

b. Publication. The department shall publish and maintain on its website the days and hours during which bus lane restrictions are in effect for all streets that are subject to any such restrictions. Such publication shall at a minimum be searchable by street name.

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

Referred to the Committee on Transportation and Infrastructure.

Int. No. 648

By Council Members Riley, Joseph, Gutiérrez, Stevens, Won, Narcisse, Feliz, Salaam, Hanks, Brewer, Farías, De La Rosa and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the disclosure of school admissions policies and procedures

Be it enacted by the Council as follows:

Section 1. Subdivision d of section 21-978 of the administrative code of the city of New York, as added by local law number 72 for the year 2018, is relettered subdivision e.

§ 2. Section 21-978 of the administrative code of the city of New York is amended by adding a new subdivision d to read as follows:

d. For each school, the department shall make available on its website, and update at least once per year, information regarding the admissions policies and procedures for such school, including an explanation, in plain language, of:

1. The application process for such school;

2. All priority groups and selection criteria used to assign seats and any minimum standards for admission;

3. Procedures and methods for evaluation of applications; and

4. Any other information necessary to understand admissions policies and procedures at such school.

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

Referred to the Committee on Education.

Int. No. 649

By Council Members Riley, Williams, Stevens, Farías, Nurse, Marte, Won, Gutiérrez, Hanif, Narcisse, Feliz, Brewer, De La Rosa and Cabán.

A Local Law to amend the New York city charter, in relation to the establishment of an office of cannabis business services

Be it enacted by the Council as follows:

Section 1. Chapter 56 of the New York city charter is amended by adding a new section 1309 to read as follows:

§ 1309 Office of cannabis business services. a. Definitions. As used in this section, the following terms have the following meanings:

Cannabis. The term "cannabis" has the same meaning as such term is defined in section three of the cannabis law.

Cannabis control board. The term "cannabis control board" has the same meaning as such term is defined in section three of the cannabis law.

Cannabis establishment. The term "cannabis establishment" means any business engaging in commercial cannabis activity.

Commercial cannabis activity. The term "commercial cannabis activity" means the production, processing, possession, storing, laboratory testing, packaging, labeling, transportation, delivery, or sale of cannabis and cannabis products.

Communities disproportionately impacted. The term "communities disproportionately impacted" has the same meaning as such term is defined in section eighty-seven of the cannabis law.

Social and economic equity applicant. The term "social and economic equity applicant" has the same meaning as such term is defined in section three of the cannabis law.

b. There shall be an office of cannabis business services within the department. The purpose of such office shall be to establish goals and promote equitable ownership and participation in cannabis establishments for individuals who are from communities disproportionately impacted by the enforcement of cannabis prohibition in the city.

c. The responsibilities of the office shall include:

1. monitoring the implementation of regulations pursuant to the cannabis law governing cannabis and cannabis establishments in the city;

2. establishing citywide social and economic cannabis equity goals at no less than those established under section eighty-seven of the cannabis law;

3. assisting social and economic equity applicants in applying for a license to operate cannabis establishments in accordance with article four of the cannabis law; and

4. offering, to the extent permitted under the cannabis law, incentives and programs to social and economic equity applicants in the city.

d. The office shall offer the following incentives and programs for social and economic equity applicants, to the extent permitted under the cannabis law:

1. legal and technical advice;

2. a subsidized loan program or programs;

3. assistance in identifying appropriate commercial locations including affordable retail space; and

4. any other benefit or mechanism that the office believes will further the purpose of an equity program.

e. One year from the enactment of this local law and every six months thereafter, the commissioner shall submit a report to the mayor and the council on matters relating to the status of commercial cannabis activity within the city. Such report shall include, but shall not be limited to, the total number of cannabis establishments, total local tax revenue collected from such establishments, the participation of social and economic equity applicants in cannabis establishments, and the impact of cannabis legalization on public safety, land use, environmental protection, health, consumer protection and social justice. Such report shall also include an evaluation of the social and economic equity incentives and programs offered by the office of cannabis business services and recommendations for improvement.

§ 3. This local law takes effect immediately.

Referred to the Committee on Economic Development.

Int. No. 650

By Council Members Riley, Powers, Holden, Yeger, Stevens, Feliz, Salaam, Gennaro, Hanks, Farías, Dinowitz, De La Rosa and Marmorato.

A Local Law to amend the administrative code of the city of New York, in relation to the cleaning and maintenance of city property

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 Cleaning and maintenance of city property. a. As used in this section, the following terms have the following meanings:

City property. The term "city property" means real property and physical structures owned by the city of New York including, but not limited to, roadways and sidewalks.

Cleaning. The term "cleaning" has its ordinary meaning and also includes weed removal, where appropriate, and snow removal when required for pedestrian and vehicular safety.

Park. The term "park" refers to public parks, beaches, waters, pools, boardwalks, playgrounds, recreation centers and all other property, buildings and facilities under the jurisdiction, charge or control of the department of parks and recreation.

Step street. The term "step street" means a city-owned staircase, whether mapped as a street or not, that leads from one sidewalk level to another.

b. The department of sanitation shall clean and maintain all center malls, traffic islands, triangles, medians, sitting areas, underpasses, overpasses, safety zones, step streets, throw-out areas at the end of dead-end streets and pedestrian walkways and other strips of city property adjacent to streets. This subdivision shall not be construed to conflict with or lessen the department of parks and recreation's responsibility for maintaining trees and other forms of vegetation, pursuant to section 18-104.

c. The department of parks and recreation shall clean and maintain all areas and all city properties that are located entirely within the boundaries of any park except those properties located within the right-of-way of arterial highways which are the responsibility of the department of transportation. This subdivision shall not be construed to conflict with or lessen the department of sanitation's responsibility for snow removal, pursuant to section 16-124.

d. The department of transportation shall clean and maintain all areas and all city properties that are located on or along arterial highways, except those portions which run through parks which are the responsibility of the department of parks and recreation, including those areas and city properties which are part of exits and entrances to an arterial highway extending outward from the roadway until they reach a fence or other barrier designed to limit access to the main road, the curb of a street, service road or other roadway which is not an arterial highway or a cliff or steep embankment which restricts passage beyond that point. This subdivision shall not be construed to conflict with or lessen the department of sanitation's responsibility for snow removal, pursuant to section 16-124, or with the department of parks and recreation's responsibility for maintaining trees and other forms of vegetation, pursuant to section 18-104.

e. Each department specified in subdivisions b, c or d of this section shall develop and maintain a web-based application on its respective website to track such department's progress in cleaning and maintaining properties pursuant to such subdivisions b, c and d.

f. It shall be the responsibility of any agency or other governmental body having jurisdiction over any subway, railway or developed property to clean alongside such subway, railway or developed property. When cleaning of such areas or properties is not performed, the commissioner of sanitation shall order compliance as provided in subdivision c of section 753 of the charter.

g. Nothing in this section shall be construed as prohibiting or conflicting with any obligation pursuant to the highway law.

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

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

Int. No. 651

By Council Members Riley, Farías, Louis, Gutiérrez, Stevens, Hanif, Won, Narcisse, Feliz, Salaam, Gennaro, Hanks, De La Rosa, Ung, Cabán and Marmorato.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to create pamphlets identifying mental health resources available to individuals experiencing pregnancy loss

Be it enacted by the Council as follows:

Section 1. Section 17-199.21 of the administrative code of the city of New York, as added by local law number 108 for the year 2023, is redesignated section 17-199.24.

§ 2. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.24.1 to read as follows:

§ 17-199.24.1 Mental health resource pamphlets for individuals experiencing pregnancy loss. a. Definitions. For purposes of this section, the following terms have the following meanings:

Designated citywide languages. The term "designated citywide languages" has the same meaning as set forth in subdivision a of section 23-1101.

Pregnancy loss. The term "pregnancy loss" means the loss of a fetus by miscarriage, stillbirth, termination, or other reason.

b. The commissioner shall create pamphlets that contain information about the possible effects of pregnancy loss on mental health and identify mental health resources available to individuals who have experienced pregnancy loss. Such pamphlets shall be made available in the designated citywide languages and reviewed and updated regularly as appropriate. Each pamphlet shall address a single type of pregnancy loss, including but not necessarily limited to miscarriage, stillbirth, or termination, and specific information and resources related to such type of loss. The commissioner shall provide such pamphlets to all facilities operated by the department or a provider under contract with the department and that provide reproductive healthcare, and shall make available such pamphlets to all reproductive healthcare providers in the city, for distribution to individuals who may benefit from such pamphlets. The commissioner shall post such pamphlets on the department's website.

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

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

Res. No. 250

Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation that would require all school buses operating within the state, regardless of seating capacity, to have a stop-arm on each side, and to prohibit any school buses from operating if they do not have functioning stop-arms.

By Council Members Riley, Abreu, Gutiérrez, Schulman, Stevens, Won, Feliz, Salaam, Gennaro, Farías, Cabán and Marmorato.

Whereas, According to the Governor's Traffic Safety Committee (GTSC), 2.3 million children are transported by more than 50,000 school buses annually within New York State (NYS); and

Whereas, The New York City (NYC) Department of Education provides all eligible NYC students in public, charter, and non-public schools with transportation, and it is estimated that the City spends about $1.25 billion annually to transport about 150,000 students to and from school; and

Whereas, As school buses have bigger blind spots, take longer to stop, and need more room to maneuver than a standard vehicle, school buses are and should be treated differently; and

Whereas, The NYS Department of Motor Vehicles (DMV) advises that when drivers encounter a school bus they should slow down, be alert, come to a complete stop at least 20 feet away from the bus, and be extra careful before moving their vehicle, as children and pedestrians may be walking in front of, behind, or on the side of the buses; and

Whereas, In 2019, according to data from the National Highway Traffic Safety Administration, 109 people were killed nationwide in school bus-related crashes with 8 deaths, or 7% of the total, occurring within NYS; and

Whereas, According to the DMV, fatal crashes involving students who were struck by passing motorists typically involved motorists in one or more of the following circumstances: attempting to pass the bus; claiming they did not have time to wait; not seeing the flashing lights of the bus due to visibility issues; being waved on

by the bus driver; being unaware of a child crossing; and/or simply disregarding the law and children's safety; and

Whereas, Surveys conducted by the New York Association for Pupil Transportation, in partnership with the GTSC, show that approximately 50,000 motorists illegally pass school buses in NYS each school day, and that illegally passing a school bus has the potential for serious injury or even fatality; and

Whereas, According to NYS law, the Commissioner of the DMV, in consultation with the NYS Commissioner of Transportation, has the authority to promulgate rules and regulations for the use of stop-arms on school buses which shall include provisions for an additional stop-arm to be located on the right side of the bus and/or an additional stop-arm to be located on the driver's side as close as is practical to the rear corner of the bus; and

Whereas, Presently, NYS law requires that every school bus designed with a capacity of 45 persons or more, and manufactured for use in NYS on or after 2002, be equipped with an additional stop-arm on the rear corner of the driver's side in compliance with regulations; and

Whereas, However, all school buses operating in NYS still do not have a stop-arm on each side of the school bus, which proponents think will enhance student safety; and

Whereas, The adoption of a state law requiring that all school buses, regardless of seating capacity, have a stop-arm on each side, and that any school bus without properly functioning stop-arms be prohibited from being used would ensure that motorists on any side of a school bus are alerted to the presence of children and pedestrians, so that children may be safely picked up and dropped off by school buses; 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 require all school buses operating within the state, regardless of seating capacity, to have a stop-arm on each side, and to prohibit any school buses from operating if they do not have functioning stop-arms.

Referred to the Committee on Education.

Res. No. 251

Resolution calling on the New York State Education Department to allow a lifeguard certification to substitute for Physical Education Credit for high school seniors aged 17 years and older.

By Council Members Riley, Stevens, Won, Feliz, Salaam, Farías, De La Rosa and Marmorato.

Whereas, According to the United States (U.S.) Centers for Disease Control and Prevention (CDC), it is estimated that each year in the U.S., there are roughly 4,000 fatal unintentional drownings, or an average of 11 drowning deaths per day, and approximately 8,000 non-fatal drownings, or an average of 22 non-fatal drownings per day; and

Whereas, Per the CDC, for every child under the age of 18 years who dies from drowning, another 7 children receive emergency department care for a non-fatal drowning; and

Whereas, Also per the CDC, almost 40 percent of drowning cases treated in emergency departments in the U.S. require a hospitalization or a transfer for further care, in contrast with 10 percent for all unintentional injuries; and

Whereas, Moreover, the CDC emphasizes that non-fatal drowning injuries can cause brain damage and other serious outcomes, including long-term disability; and

Whereas, Data compiled by the New York State Department of Health (NYS DOH) reveals that between 2011 and 2020, across New York State, there were 27 drowning incidents at swimming pools and 21 drowning incidents at bathing beaches; and

Whereas, Furthermore, data by the NYS DOH also shows that although bathing facilities located at New York State parks represent only 1 percent of all bathing facilities in the state, they account for 16 percent of the drowning incidents that occurred in New York State between 1987 and 2020; and

Whereas, According to a 2021 report by the New York City Department of Investigation (NYC DOI), the New York City Department of Parks and Recreation (NYC DPR) maintains 14 miles of beach and 53 outdoor pools between Memorial Day weekend and mid-September, as well as 12 indoor pools year-round, for swimming and recreational activities in New York City; and

Whereas, Per the same report, the Lifeguard Division at the NYC DPR is responsible for public safety at New York City's public beaches and pools, for which purpose it employs, recruits, and trains lifeguards; and

Whereas, Also per the same report by the NYC DOI, although the Lifeguard Division at the NYC DPR has about 60 permanent employees, the majority of lifeguards are seasonal employees; and

Whereas, The New York Times reported in May 2023 that the NYC DPR employed only 529 lifeguards by the time public outdoor pools opened in late June 2022, with the total number rising to 900 lifeguards in early July 2022, which was significantly fewer than 1,400 lifeguards the NYC DPR stated were needed to fully staff the city's public beaches and pools; and

Whereas, Moreover, according to the New York Times, as of May 2023, the NYC DPR employed only 480 lifeguards, including 280 returning lifeguards and 200 new recruits, in contrast with about 1,500 lifeguards hired in 2016 and approximately 1,000 lifeguards employed in 2021; and

Whereas, The NYC DPR offers free Swim Skills Clinics on Saturdays at Constance Baker Motley Recreation Center in Manhattan, where participants learn and develop advanced swim skills, including proper swim form and speed, to help prepare those working on passing the NYC Parks Lifeguard qualifying test; and

Whereas, Individuals who successfully pass the NYC Parks Lifeguard qualifying test can then enroll in the Municipal Lifeguard Training Program, a state-certified, 40-hour program that teaches the critical skills of CPR, first-aid, and techniques for saving a swimmer in distress to become certified as a New York City Lifeguard; and

Whereas, As part of the Municipal Lifeguard Training Program, the NYC DPR provides passes that allow participants to practice at all of New York City's 12 public indoor pools to strengthen their swimming skills and improve their conditioning in preparation for the final swim test required for a New York City Lifeguard certification; and

Whereas, New York City Lifeguard-certified individuals may then qualify for employment by the NYC DPR as lifeguards at New York City's public beaches and pools; and

Whereas, One solution for addressing the shortage of lifeguards in New York City is to incentivize high school seniors aged 17 years and older to become certified lifeguards by substituting a lifeguard certification for Physical Education Credit; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Education Department to allow a lifeguard certification to substitute for Physical Education Credit for high school seniors aged 17 years and older.

Referred to the Committee on Education.

Res. No. 252

Resolution calling on the New York State Legislature to pass, and the New York State Governor to sign, legislation, which would create unlimited transfers within the two-hour period of paying the Metropolitan Transportation Authority subway or bus fare for pay-per-ride users.

By Council Members Riley, Gutiérrez, Stevens, Hanif, Won, Feliz, Salaam, Hanks, Farías, De La Rosa and Cabán.

Whereas, The Metropolitan Transportation Authority (MTA) is North America's largest transportation network, providing transportation to a population of 15.3 million people across New York City (NYC), Long Island, southeastern New York State (NYS), and Connecticut; and

Whereas, According to the MTA, on April 26, 2023, daily subway ridership was 3,994,458, which was 72 percent of daily ridership on the same day pre-pandemic, and bus ridership was 1,519,574, which was 70 percent of daily ridership on the same day pre-pandemic; and

Whereas, In order to ride the subway or bus in NYC, riders must either buy a MetroCard or utilize a contactless credit or debit card, smartphone, or OMNY card; and

Whereas, The fares for most riders increased in August 2023 on subways and local, limited, and Select Bus Service throughout NYC from $2.75 to $2.90, and for Express Bus service from $6.75 to $7; and

Whereas, One free transfer from subway to bus, bus to subway, or bus to bus within two hours of paying the fare is encoded on the device or the MetroCard used; and

Whereas, Despite the one free transfer, many people are faced with longer and complex trips that ultimately require additional transfers, which then increases the price of the total trip, as riders are forced to pay additional fares; and

Whereas, Increases in costs to riders who have to pay additional fares due to the one free transfer policy has exacerbated impacts on specific groups throughout the City, as a 2021 TransitCenter study found that, for the New York region, which includes NYC: transit provides less access to opportunities for Black and Latinx residents than other residents; transportation and development patterns create longer transit trips to healthcare and food; and expensive fares put opportunity out of reach for some riders; and

Whereas, These impacts have most likely increased since 2021, as the MTA has fallen into a worse budget deficit, with current projections, as of December 2022, indicating that there is a $600 million deficit that MTA officials have stated that they need to fill with additional state and city funds, otherwise this could lead to fare hikes, spending cuts and service reductions; and

Whereas, S.627, sponsored by NYS Senator Leroy Comrie, and A.774, sponsored by NYS Assemblymember Jeffrey Dinowitz, have been introduced at the state level to ensure that riders of the MTA system do not incur extra costs due to complex trips and a lack of an additional free transfer with the establishment of a "two free transfers policy," provided that the MTA shall not pay any costs related to the policy from its operating or capital budgets and may only implement the policy with funds appropriated by the state; and

Whereas, Although these bills will provide some relief to riders, many riders need more than two free transfers, thus, legislation should be adopted that would require the MTA to expand the one free transfer policy to unlimited free transfers in an effort to ensure that riders who have complex and long trips via subway and bus throughout NYC do not have to pay more than riders with shorter and less complex trips; 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 New York State Governor to sign, legislation, which would create unlimited transfers within the two-hour period of paying the Metropolitan Transportation Authority subway or bus fare for pay-per-ride users.

Referred to the Committee on Transportation and Infrastructure.

Res. No. 253

Resolution calling on the New York State Legislature to pass, and the New York State Governor to sign, S.7647/A.8029, which directs the Metropolitan Transportation Authority and the New York City Transit Authority to rename the 23rd Street Subway Station to the 23rd Street Baruch College Station.

By Council Member Rivera.

Whereas, In 1919, City College's School of Business and Civic Administration was established; and

Whereas, In 1953, the school was renamed to Baruch College, in honor of Bernard M. Baruch-a statesman, financier, and devoted alumnus, and in 1968, Baruch College became an independent senior college in The City University of New York (CUNY) system; and

Whereas, The location of Baruch College (23rd Street and Lexington Avenue) is significant, as it occupies the site of the Free Academy, which was the nation's first free public institution of higher education; and

Whereas, Baruch College offers 29 undergraduate majors, 60 undergraduate minors, and 56 graduate-level specializations/programs to a total of over 19,700 students through its three schools: the Zicklin School of

Business-one of the largest and most respected business schools in the nation; the Mildred and George Weissman School of Arts and Sciences; and the Austin W. Marxe School of Public and International Affairs; and

Whereas, Baruch College also offers non-degree and certificate programs through the Division of Continuing and Professional Studies; and

Whereas, The 23rd Street Subway Station on Park Avenue is the nearest subway station to Baruch College; and

Whereas, Over the years, several CUNY colleges, including Brooklyn College, City College, Hunter College and Medgar Evers Community College, have had their nearest subway stations named after them; and

Whereas, As Baruch College has established a national and international reputation for academic excellence, the 23rd Street Subway Station should be renamed the 23rd Street Baruch College Station; and

Whereas, The Metropolitan Transportation Authority (MTA) has three requirements for renaming a station: not interfering with commuters' ability to travel through the system and identify the system; having a "compelling link" between the station and the sponsor; and the sponsor being responsible for paying the costs of making new signs, tiles and maps; and

Whereas, Baruch College fulfills all these requirements, and would also benefit from the increased presence of its name in the subways; and

Whereas, S.7647, sponsored by New York State (NYS) Senator Kristen Gonzalez, and A.8029, sponsored by NYS Assemblymember Harvey Epstein, would direct, upon determination that sufficient funds have been committed, the MTA and the NYC Transit Authority to rename the 23rd Street Subway Station to the 23rd Street Baruch College Station; 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 New York State Governor to sign, S.7647/A.8029, which directs the Metropolitan Transportation Authority and the New York City Transit Authority to rename the 23rd Street Subway Station to the 23rd Street Baruch College Station.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 652

By Council Members Sanchez, Stevens, Menin, Ossé, Gutiérrez, Lee, Joseph, Hudson, the Public Advocate (Mr. Williams), Nurse and Louis.

A Local Law in relation to requiring the commissioner of health and mental hygiene to establish and operate a pilot program providing free mental health services to children who have been returned to their home following a removal, and providing for the repeal of such provisions upon the expiration thereof

Be it enacted by the Council as follows:

Section 1. Mental health services for children returned home after removal. a. Definitions. For purposes of this local law, the following terms have the following meanings:

ACS. The term "ACS" means the administration for children's services, or any successor agency charged with operating the city of New York's child welfare system.

Removal. The term "removal" means the temporary removal of a child from their home pursuant to Article 10 of the family court act.

Mental health services. The term "mental health services" means in-person or telehealth services including, but not limited to: (i) providing psychotherapy services; (ii) providing psychiatric assessments to diagnose mental illness, conduct diagnosis follow-up, or coordinate clinical treatment plans; (iii) liaising with or providing referrals to emergency medical or psychiatric care providers; or (iv) providing medication monitoring or management.

b. The commissioner of health and mental hygiene shall establish and operate a pilot program to provide mental health services to children who have been returned to the custody of their parent or legal guardian following a removal and who are unable to access mental health services at no cost. Such services shall be provided at no cost to such children or their parents or legal guardians for up to 1 year for each participating child.

c. The commissioner of health and mental hygiene, in consultation with the commissioner of ACS, shall conduct culturally appropriate outreach on the pilot program required by subdivision b of this section in the designated citywide languages, as defined in section 23-1101. The commissioner of health and mental hygiene shall post conspicuously on the website of the department of health and mental hygiene, and the website of any mayoral agency that provides or coordinates the provision of mental health services, information on how to apply for participation in the pilot program required by subdivision b of this section.

d. No later than 1 year after this local law takes effect, the commissioner of health and mental hygiene, in consultation with the commissioner of ACS, shall submit to the mayor and the speaker of the council a report on the feasibility of permanently operating or expanding the pilot program required by subdivision b of this section. Such report shall include, but not be limited to, the following information:

1. The number of children served by the pilot program;
2. An estimate of the number of children citywide who may be eligible for participation in such program;
3. The cost of operating such program;
4. An estimated cost to make such program permanent;
5. An estimated cost to make participation in such program available to all eligible children;
6. Any barriers to providing mental health services to such children; and
7. Recommendations to address any such barriers.

§ 2. This local law takes effect 180 days after it becomes law and expires and is deemed repealed 3 years after it becomes law.

Referred to the Committee on Children and Youth.

Preconsidered Int. No. 653

By Council Members Sanchez, Brannan and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to continuation of the New York city rent stabilization law of nineteen hundred sixty-nine

Be it enacted by the Council as follows:

Section 1. Section 26-502 of the administrative code of the city of New York, as amended by local law number 69 for the year 2022, is amended to read as follows:

§ 26-502 Additional findings and declaration of emergency. The council hereby finds that a serious public emergency continues to exist in the housing of a considerable number of persons within the city of New York and will continue to exist on and after [July] *April* 1, [2022] *2024* and hereby reaffirms and repromulgates the findings and declaration set forth in section 26-501 of this title.

§ 2. Section 26-520 of the administrative code of the city of New York, as amended by local law number 69 for the year 2022, is amended to read as follows:

§ 26-520 Expiration date. This chapter shall expire on April 1, [2024] *2027* unless rent control shall sooner terminate as provided in subdivision three of section one of the local emergency housing rent control law.

§ 3. This local law takes effect immediately.

Adopted by the Council (preconsidered but laid over by the Committee on Housing and Buildings).

Int. No. 654

By Council Member Sanchez (by request of the Mayor).

A Local Law to amend the administrative code of the city of New York, in relation to abatement of taxation for alterations and improvements to certain multiple dwellings

Be it enacted by the Council as follows:

Section 1. Title 11 of the administrative code of the city of New York is amended by adding a new section 11-243.2 to read as follows:

§ 11-243.2 Tax abatement for alterations and improvements to certain multiple dwellings.

a. Definitions. As used in this section, the following terms shall have the following meanings:

1. "Certificate of eligibility and reasonable cost" means a document issued by the department of housing preservation and development that establishes that a property is eligible for rehabilitation program benefits and sets forth the certified reasonable cost of the eligible construction for which such benefits shall be received.

2. "Certified reasonable cost schedule" means a table providing maximum dollar limits for specified alterations and improvements, established, and updated as necessary, by the department of housing preservation and development.

3. "Checklist" means a document that the department of housing preservation and development issues requesting additional information or documentation that is necessary for further assessment of an application for a certificate of eligibility and reasonable cost where such application contained all information and documentation required at the initial filing.

4. "Commencement date" means, with respect to eligible construction, the date on which any physical operation undertaken for the purpose of performing such eligible construction lawfully begins.

5. "Completion date" means, with respect to eligible construction, the date on which:

(a) every physical operation undertaken for the purpose of all eligible construction has concluded; and

(b) all such eligible construction has been completed to a reasonable and customary standard that renders such eligible construction capable of use for the purpose for which such eligible construction was intended.

6. "Dwelling unit" means any residential accommodation in a class A multiple dwelling that:

(a) is arranged, designed, used or intended for use by 1 or more persons living together and maintaining a common household;

(b) contains at least 1 room; and

(c) contains within such accommodation lawful sanitary and kitchen facilities reserved for its occupants.

7. "Dwelling unit floor area" means the gross square footage within the dwelling unit measured from the interior faces of the demising partitions or party walls.

8. "Eligible building" means an eligible rental building, an eligible homeownership building, or an eligible regulated homeownership building, provided that such building contains 3 or more dwelling units.

9. "Eligible construction" means alterations or improvements to an eligible building that:

(a) are specifically identified on the certified reasonable cost schedule;

(b) meet the minimum scope of work threshold;

(c) have a completion date that is after June 29, 2022 and prior to June 30, 2026 and that is not more than 30 months after their commencement date; and

(d) are not attributable to any increased cubic content in such eligible building.

10. "Eligible homeownership building" means an existing building that:

(a) is a class A multiple dwelling operated as condominium or cooperative housing;

(b) is not operating in whole or in part as a hotel; and

(c) has an average assessed valuation, including the valuation of the land, that as of the commencement date does not exceed the homeownership average assessed valuation limitation.

11. "Eligible regulated homeownership building" means an existing building that is a class A multiple dwelling owned and operated by either:

(a) a mutual company that continues to be organized and operated as a mutual company and that has entered into and recorded a mutual company regulatory agreement; or

(b) a mutual redevelopment company that continues to be organized and operated as a mutual redevelopment company and that has entered into and recorded a mutual redevelopment company regulatory agreement.

12. "Eligible rental building" means an existing building that:

(a) is a class A multiple dwelling in which all of the dwelling units are operated as rental housing;

(b) is not operating in whole or in part as a hotel; and

(c) satisfies 1 of the following conditions:

(1) not less than 50 percent of the dwelling units in such building are qualifying rental units;

(2) such building is owned and operated by a limited-profit housing company; or

(3) such building is the recipient of substantial governmental assistance.

13. "Existing building" means an enclosed structure which:

(a) is permanently affixed to the land;

(b) has 1 or more floors and a roof;

(c) is bounded by walls;

(d) has at least 1 principal entrance utilized for day-to-day pedestrian ingress and egress;

(e) has a certificate of occupancy or equivalent document that is in effect prior to the commencement date; and

(f) exclusive of the land, has an assessed valuation of more than $1,000 for the fiscal year immediately preceding the commencement date.

14. "Homeownership average assessed valuation limitation" means an average assessed valuation of $45,000 per dwelling unit.

15. "Limited-profit housing company" has the same meaning as "company" set forth in section 12 of the private housing finance law.

16. "Market rental unit" means a dwelling unit in an eligible rental building other than a qualifying rental unit.

17. "Marketing band" means maximum rent amounts ranging from 20 percent of 80 percent of the area median income, adjusted for family size, to 30 percent of 80 percent of the area median income, adjusted for family size.

18. "Minimum scope of work threshold" means a total amount of certified reasonable cost established by rules and regulations of the department of housing preservation and development, provided that such amount shall be no less than $1,500 for each dwelling unit in existence on the completion date.

19. "Multiple dwelling" has the meaning set forth in section 4 of the multiple dwelling law.

20. "Mutual company" has the meaning set forth in section 12 of the private housing finance law.

21. "Mutual company regulatory agreement" means a binding and irrevocable agreement between a mutual company and the commissioner of housing of the state of New York, the mutual company supervising agency, the New York city housing development corporation, or the New York state housing finance agency prohibiting the dissolution or reconstitution of such mutual company pursuant to section 35 of the private housing finance law for not less than 15 years from the commencement of rehabilitation program benefits for the existing building owned and operated by such mutual company.

22. "Mutual company supervising agency" has the same meaning, with respect to any mutual company, as "supervising agency" set forth in section 2 of the private housing finance law.

23. "Mutual redevelopment company" has the same meaning as "mutual" when applied to a redevelopment company as set forth in section 102 of the private housing finance law.

24. "Mutual redevelopment company regulatory agreement" means a binding and irrevocable agreement between a mutual redevelopment company and the commissioner of housing of the state of New York, the redevelopment company supervising agency, the New York city housing development corporation, or the New York state housing finance agency prohibiting the dissolution or reconstitution of such mutual redevelopment company pursuant to section 123 of the private housing finance law until the earlier of: (a) 15 years from the commencement of rehabilitation program benefits for the existing building owned and operated by such mutual redevelopment company; or (b) the expiration of any tax exemption granted to such mutual redevelopment company pursuant to section 125 of the private housing finance law.

25. "Qualifying rent" means the maximum rent within the marketing band that is allowed for a qualifying rental unit as such rent is established by the department of housing preservation and development.

26. "Qualifying rental unit" means a dwelling unit in an eligible rental building that, as of the filing of an application for a certificate of eligibility and reasonable cost, has a rent at or below the qualifying rent.

27. "Redevelopment company" has the meaning set forth in section 102 of the private housing finance law

28. "Redevelopment company supervising agency" has the same meaning, with respect to any redevelopment company, as "supervising agency" set forth in section 102 of the private housing finance law.

29. "Rehabilitation program benefits" means abatement of real property taxes pursuant to this section.

30. "Rent regulation" means, collectively, the emergency housing rent control law, any local law enacted pursuant to the local emergency housing rent control act, the rent stabilization law of 1969, the rent stabilization code, and the emergency tenant protection act of 1974, all as in effect as of October 23, 2023, or as any such statute is amended thereafter, together with any successor statutes or regulations addressing substantially the same subject matter.

31. "Restriction period" means, notwithstanding any termination or revocation of rehabilitation program benefits prior to such period, 15 years from the initial receipt of rehabilitation program benefits, or such additional period of time as may be imposed pursuant to paragraph 7 of subdivision d of this section.

32. "Substantial governmental assistance" means grants, loans, or subsidies from any federal, state or local governmental agency or instrumentality in furtherance of a program for the development of affordable housing approved by the department of housing preservation and development, provided that such grants, loans, or subsidies are provided in accordance with a regulatory agreement entered into with such agency or instrumentality that is in effect for no less than 15 more years as of the filing date of the application for a certificate of eligibility and reasonable cost.

33. "Substantial interest" means an ownership interest of 10 percent or more.

b. Abatement. Notwithstanding the provisions of section 11-243 of the administrative code or of any general, special or local law to the contrary, real property taxes on an eligible building in which eligible construction has been completed may be abated by an aggregate amount that shall not exceed 70 percent of the total certified reasonable cost of such alterations or improvements, as determined under rules and regulations of the department of housing preservation and development, provided that:

(1) such abatement shall not be effective for a period of more than 20 years;

(2) the annual abatement of real property taxes on such eligible building shall not be greater than eight and one-third percent of the total certified reasonable cost of such eligible construction;

(3) the annual abatement of real property taxes on such eligible building in any consecutive 12 month period shall in no event exceed the amount of real property taxes payable in such 12 month period for such building, provided, however, that such abatement shall not exceed 50 percent of the amount of real property taxes payable in such 12 month period for any of the following:

(a) an eligible rental building owned by a limited-profit housing company or a redevelopment company;

(b) an eligible homeownership building; and

(c) an eligible regulated homeownership building;

(4) such abatement shall become effective beginning with the first quarterly tax bill immediately following the date of issuance of the certificate of eligibility and reasonable cost;

(5) such abatement shall not be applied to abate or reduce the taxes upon the land portion of real property, which shall continue to be taxed based upon the assessed valuation of the land and the applicable tax rate at the time such taxes are levied;

(6) such abatement shall not be allowed for any eligible building receiving a tax exemption or abatement concurrently for rehabilitation or new construction under any other provision of state or local law with the exception of any eligible construction to an eligible building receiving a tax exemption or abatement under the provisions of the private housing finance law;

(7) such abatement shall not be allowed for any item of eligible construction in an eligible building if such eligible building is receiving a tax exemption or abatement for the same or a similar item of eligible construction as of the December 31 preceding the date of application for a certificate of eligibility and reasonable cost for such abatement;

(8) where the eligible construction includes or benefits a portion of an eligible building that is not occupied for dwelling purposes, the assessed valuation of such eligible building and the cost of the eligible construction

shall be apportioned so that such abatement shall not be provided for eligible construction made for other than dwelling purposes.

c. Application.

(1) An application for a certificate of eligibility and reasonable cost shall be made after the completion date and no later than on or before the later of: (a) 4 months from the effective date of this local law, or (b) 4 months from such completion date.

(2) Such application shall include evidence of eligibility for rehabilitation program benefits and evidence of reasonable cost as shall be satisfactory to the department of housing preservation and development including, but not limited to, evidence showing the cost of eligible construction.

(3) The department of housing preservation and development shall require a non-refundable filing fee that shall be paid by a certified check or cashier's check upon the filing of an application for a certificate of eligibility and reasonable cost. Such fee shall be (a) $1,000, plus (b) $75 for each dwelling unit in excess of 6 dwelling units in the eligible building that is the subject of such application.

(4) Any application that is filed pursuant to this subdivision that is missing any of the information and documentation required at initial filing by this local law and the rules and regulations of the department of housing preservation and development shall be denied, provided that a new application for the same eligible construction, together with a new non-refundable filing fee, may be filed within 15 days of the date of issuance of such denial. If such second application is also missing any such required information and documentation, it shall be denied and no further applications for the same eligible construction shall be permitted.

(5) The failure of an applicant to respond to any checklist within 30 days of the date of its issuance by the department of housing preservation and development shall result in denial of the application for which such checklist was issued, and no further applications for the same eligible construction shall be permitted. The department of housing preservation and development shall issue not more than 3 checklists per application. An application for a certificate of eligibility and reasonable cost shall be denied when the department of housing preservation and development does not have a sufficient basis to issue a certificate of eligibility and reasonable cost after the timely response of an applicant to the third checklist concerning such application. After the department of housing preservation and development has denied an application for the reason described in the preceding sentence, the department of housing preservation and development shall permit no further applications for the same eligible construction.

(6) An application for a certificate of eligibility and reasonable cost shall also include an affidavit of no harassment.

(a) Such affidavit shall set forth the following information:

(i) the name of every owner of record and owner of a substantial interest in the eligible building or entity owning the eligible building or sponsoring the eligible construction; and

(ii) a statement that none of such persons had, within the 5 years prior to the completion date, been found to have harassed or unlawfully evicted tenants by judgment or determination of a court or agency, including a non-governmental agency having appropriate legal jurisdiction, under the penal law, any state or local law regulating rents or any state or local law relating to harassment of tenants or unlawful eviction.

(b) No eligible building shall be eligible for rehabilitation program benefits where:

(i) any affidavit required under this paragraph has not been filed; or

(ii) any such affidavit contains a willful misrepresentation or omission of any material fact; or

(iii) any owner of record or owner of a substantial interest in the eligible building or entity owning the eligible building or sponsoring the eligible construction has been found, by judgment or determination of a court or agency, including a non-governmental agency having appropriate legal jurisdiction, under the penal law, any state or local law regulating rents or any state or local law relating to harassment of tenants or unlawful eviction, to have, within the 5 years prior to the completion date, harassed or unlawfully evicted tenants, until and unless the finding is reversed on appeal.

(c) Notwithstanding the provisions of any general, special or local law to the contrary, the corporation counsel or other legal representative of the city of New York or the district attorney of any county, may institute an action or proceeding in any court of competent jurisdiction that may be appropriate or necessary to determine whether any owner of record or owner of a substantial interest in the eligible building or entity owning the eligible building or sponsoring the eligible construction has harassed or unlawfully evicted tenants as described in this paragraph.

(7) Notwithstanding the provisions of any general, special or local law to the contrary, applications for a certificate of eligibility and reasonable cost shall be filed electronically if the department of housing preservation and development makes electronic filing available and requires such filing by rules and regulations.

d. Additional requirements for an eligible rental building other than one owned and operated by a limited-profit housing company. In addition to all other conditions of eligibility for rehabilitation program benefits, an eligible rental building, other than one owned and operated by a limited-profit housing company, must also comply with all provisions of this subdivision. Notwithstanding the foregoing, an eligible rental building that is the recipient of substantial governmental assistance shall not be required to comply with the provisions of paragraph 2 of this subdivision.

(1) Notwithstanding any provision of rent regulation to the contrary, any market rental unit within such eligible rental building subject to rent regulation as of the filing date of the application for a certificate of eligibility and reasonable cost and any qualifying rental unit within such eligible rental building shall be subject to rent regulation until such unit first becomes vacant after the expiration of the restriction period at which time such unit, unless it would be subject to rent regulation for reasons other than the provisions of this section, shall be deregulated, provided, however, that during the restriction period, no exemption or exclusion from any requirement of rent regulation shall apply to such dwelling units.

(2) Additional requirements for an eligible rental building that is not a recipient of substantial governmental assistance.

(a) Not less than 50 percent of the dwelling units in such eligible rental building shall be designated as qualifying rental units.

(b) The owner of such eligible rental building shall ensure that no qualifying rental unit is held off the market for a period that is longer than reasonably necessary.

(c) The department of housing preservation and development may establish by rules and regulations such requirements as it deems necessary or appropriate for designating qualifying rental units, including, but not limited to, designating the unit mix and distribution requirements of such qualifying rental units in an eligible rental building;

(3) The owner of such eligible rental building shall waive the collection of any major capital improvement rent increase granted by the New York state division of housing and community renewal pursuant to rent regulation that is attributable to eligible construction for which such eligible rental building receives rehabilitation program benefits, and shall file a declaration with the New York state division of housing and community renewal providing such waiver.

(4) The owner of such eligible rental building shall not engage in or cause any harassment of the tenants of such eligible rental building or unlawfully evict any such tenants during the restriction period.

(5) No dwelling units within such eligible rental building shall be converted to cooperative or condominium ownership during the restriction period.

(6) No dwelling unit in such eligible rental building shall be rented on a temporary, transient or short-term basis. Each such dwelling unit must be leased for permanent residential purposes for a term of not less than 1 year during the restriction period. Every lease and renewal thereof for each such dwelling unit shall be for a term of 1 or 2 years, at the option of the tenant, and shall include a notice in at least 12 point type informing such tenant of their rights pursuant to this section, including an explanation of the restrictions, if any, on rent increases that may be imposed on such dwelling unit.

(7) Any non-compliance of an eligible rental building with the provisions of this subdivision shall permit the department of housing preservation and development to take the following action:

(a) extend the restriction period;

(b) increase the number of qualifying rental units in such eligible rental building;

(c) impose a penalty of not more than the product of $1,000 per instance of non-compliance and the number of dwelling units contained in such eligible rental building; and

(d) terminate or revoke any rehabilitation program benefits in accordance with subdivision p of this section.

e. Compliance with applicable law. Rehabilitation program benefits shall not be allowed for any eligible building unless and until such eligible building complies with all applicable provisions of law. Rehabilitation program benefits shall not be allowed if the department of housing preservation and development determines that eligible construction was not carried out in conformity with all applicable provisions of law.

f. Bedroom count. If eligible construction results in a change in the number of dwelling units in an eligible building, then, upon the completion date, the number of bedrooms in such eligible building shall be equal to no less than 75 percent of the total number of dwelling units, provided, however, that if the average dwelling unit floor area in such eligible building is 1,000 square feet or more, the requirement that the number of bedrooms be equal to no less than 75 percent of the total number of dwelling units shall not be applicable and, provided further, that such requirement shall be reduced to the extent the application of such requirement would necessitate a reduction in the number of dwelling units which are contained in such eligible building prior to the commencement date.

g. Tenant notification. Notwithstanding any provision of this section to the contrary, no rehabilitation program benefits shall be granted for any eligible construction with a commencement date on or after the effective date of this local law unless the applicant provides to tenants, if any, of such eligible building prior to the commencement date, notice of the following information: (1) the proposed work, (2) the identity and contact information of the eligible building's representative, and (3) the tenants' rights under applicable law with respect to such work; provided that, in the case of a loan program supervised by the department of housing preservation and development, the department may provide the required notice to the tenants.

h. Notice of intent. An applicant for rehabilitation program benefits for any eligible construction with a commencement date on or after the effective date of this local law shall file with the department of housing preservation and development a form supplied by such department which (1) states an intention to file for rehabilitation program benefits, (2) describes the work for which rehabilitation program benefits will be claimed, (3) estimates the cost of such work which will be eligible for rehabilitation program benefits, and (4) provides proof of the notice required under subdivision g of this section. Such form shall be filed prior to the commencement date. If the scope of such work or the estimated cost thereof changes materially, such applicant shall file a revised notice of intent. An applicant who fails to comply with the requirements of this subdivision shall be subject to a penalty not to exceed 100 percent of the filing fee otherwise payable pursuant to paragraph 3 of subdivision c of this section.

i. Re-inspection penalty. If any eligible construction claimed on an application for a certificate of eligibility and reasonable cost cannot be verified upon the first inspection by the department of housing preservation and development, such applicant shall be required to pay 10 times the actual cost of any additional inspection needed to verify such eligible construction.

j. Strict liability for inaccurate applications. If the department of housing preservation and development determines that an application for a certificate of eligibility and reasonable cost contains a false statement or omission as to any material matter, such application shall be rejected and no other applications pursuant to this section with respect to such eligible building shall be allowed for a period of 3 years following such determination. An applicant shall not be relieved from liability under this subdivision because it submitted its application under a mistaken belief of fact. Furthermore, any person or entity that files more than 6 applications containing such a false statement or omission within any 12 month period shall be barred from submitting any new application for a certificate of eligibility and reasonable cost on behalf of any eligible building for a period of 5 years.

k. False statements. Any person who shall knowingly and willfully make any false statement or omission as to any material matter in any application for a certificate of eligibility and reasonable cost shall be guilty of an offense punishable by a fine of not more than $500 or imprisonment for not more than 90 days, or both.

l. Implementation of rehabilitation program benefits. Upon issuance of a certificate of eligibility and reasonable cost and payment of outstanding fees, the department of housing preservation and development may transmit such certificate of eligibility and reasonable cost to the department of finance. Upon receipt of a certificate of eligibility and reasonable cost, the department of finance shall certify the amount of taxes to be abated pursuant to subdivision b of this section and pursuant to such certificate of eligibility and reasonable cost provided by the department of housing preservation and development.

m. Outstanding taxes and charges. Rehabilitation program benefits shall not be allowed for an eligible building in either of the following cases:

(1) there are outstanding real estate taxes or water and sewer charges or payments in lieu of taxes that are due and owing as of the last day of the tax period preceding the date of the receipt of the certificate of eligibility and reasonable cost by the department of finance; or

(2) real estate taxes or water and sewer charges due at any time during the authorized term of such benefits remain unpaid for 1 year after the same are due and payable.

n. Investigatory authority. The department of housing preservation and development may require such certifications and consents necessary to access records, including other tax records, as may be deemed appropriate to enforce the eligibility requirements of this section. For purposes of determining and certifying eligibility for rehabilitation program benefits and the reasonable cost of any eligible construction, the department of housing preservation and development shall be authorized to:

(1) administer oaths to and take the testimony of any person, including, but not limited to, the owner of such eligible building;

(2) issue subpoenas requiring the attendance of such persons and the production of any bills, books, papers or other documents as it may deem necessary;

(3) make preliminary estimates of the maximum reasonable cost of such eligible construction;

(4) establish maximum allowable costs of specified units, fixtures or work in such eligible construction;

(5) require the submission of plans and specifications of such eligible construction before the commencement thereof;

(6) require physical access to inspect the eligible building; and

(7) on an annual basis, require the submission of leases for any dwelling unit in an eligible rental building granted a certificate of eligibility and reasonable cost.

o. No owner of an eligible building to which rehabilitation program benefits shall be applied, nor any agent, employee, manager or officer of such owner shall directly or indirectly deny to any person because of race, color, creed, national origin, gender, sexual orientation, disability, marital status, age, religion, alienage or citizenship status, or the use of, participation in, or being eligible for a governmentally funded housing assistance program, including, but not limited to, the section 8 housing voucher program and the section 8 housing certificate program, 42 U.S.C. § 1437 et. seq., or the senior citizen or persons with disabilities rent increase exemption program, pursuant to either chapter 7 of title 26 of this code or section 26-509 of such code, any of the dwelling accommodations in such property or any of the privileges or services incident to occupancy therein. The term "disability" as used in this subdivision shall have the meaning set forth in section 8-102 of the code. Nothing in this subdivision shall restrict such consideration in the development of housing accommodations for the purpose of providing for the special needs of a particular group.

p. Termination or revocation. Failure to comply with the provisions of this section, any rules and regulations promulgated thereunder, or any mutual company regulatory agreement or mutual redevelopment company regulatory agreement entered into thereunder may result in revocation of any rehabilitation program benefits retroactive to the commencement thereof. Such termination or revocation shall not exempt such eligible building from continued compliance with the requirements of this section, such rules and regulations, and such mutual company regulatory agreement or such mutual redevelopment company regulatory agreement.

q. Criminal liability for unauthorized uses. In the event that any recipient of rehabilitation program benefits uses any dwelling unit in an eligible building in violation of the requirements of this section and any rules and regulations promulgated pursuant thereto, such recipient shall be guilty of an unclassified misdemeanor punishable by a fine in an amount equivalent to double the value of the gain of such recipient from such unlawful use or imprisonment for not more than 90 days, or both.

r. Private right of action. Any prospective, present, or former tenant of an eligible rental building may sue to enforce the requirements and prohibitions of this section, or any rules and regulations promulgated thereunder, in the supreme court of New York. Any such individual harmed by reason of a violation of such requirements and prohibitions may sue therefor in the supreme court of New York on behalf of himself or herself, and shall recover threefold the damages sustained and the cost of the suit, including a reasonable attorney's fee. The department of housing preservation and development may use any court decision under this subdivision that is adverse to the owner of an eligible building as the basis for further enforcement action. Notwithstanding any other provision of law, an action by a tenant of an eligible rental building under this subdivision must be commenced within 6 years from the date of the latest violation.

s. Appointment of receiver. In addition to the remedies for non-compliance provided for in paragraph 7 of subdivision d and subdivision p of this section, the department of housing preservation and development may make application for the appointment of a receiver in accordance with the procedures contained in this subdivision. Any receiver appointed pursuant to this subdivision shall be authorized, in addition to any other

powers conferred by law, to effect compliance with the provisions of this section and any rules and regulations of the department of housing preservation and development promulgated thereunder. Any expenditures incurred by the receiver to effect such compliance shall constitute a debt of the owner and a lien upon the eligible building, and upon the rents and income thereof, in accordance with the procedures contained in this subdivision. The department of housing preservation and development in its discretion may provide funds to be expended by the receiver, and such funds shall constitute a debt recoverable from the owner in accordance with applicable local laws.

(1) Power to order corrections of violations. Whenever the department of housing preservation and development determines that any violation of the provisions of this section, any rules and regulations promulgated thereunder, or any mutual company regulatory agreement or mutual redevelopment company regulatory agreement entered into thereunder, has occurred, it may order the owner of the eligible building or other responsible party to correct such violation. An order issued pursuant to this paragraph shall state the violations involved and the corrective action to be taken, and shall specify a time for compliance, which shall be not less than 21 days from the date of service of the order, except that where a condition dangerous to human life and safety or detrimental to health exists or is threatened, a shorter period for compliance may be specified.

(2) Grounds for appointment of receiver. Upon failure of an eligible building to comply with an order to correct issued pursuant to paragraph 1 of this subdivision within the specified time for compliance, the department of housing preservation and development may apply for the appointment of a receiver to correct the violations.

(3) Notice to owner, mortgagees and lienors.

(a) If the department of housing preservation and development intends to seek the appointment of a receiver pursuant to this subdivision, it shall serve upon the owner, along with the order authorized pursuant to paragraph 1 of this subdivision, a notice stating that in the event the violations covered by the order are not corrected in the manner and within the time specified therein, such department may apply for the appointment of a receiver of the rents, issues and profits of the property with rights superior to those of the owner and any mortgagee or lienor.

(b) Within 5 days after service of the order and notice upon the owner, the department of housing preservation and development shall serve a copy of the order and notice upon every mortgagee and lienor of record, personally or by registered or certified mail, at the address set forth in the recorded mortgage or lien. If no address appears therein, a copy shall be sent by registered mail to the person at whose request the instrument was recorded.

(c) The department of housing preservation and development shall file a copy of the notice and order in the office of the county clerk in which mechanics liens affecting the eligible building would be filed.

(4) Order to show cause.

(a) The department of housing preservation and development, upon failure of the owner to comply with an order issued pursuant to paragraph 1 of this subdivision within the time provided therein, may thereafter apply to a court of competent jurisdiction in the county where the eligible building is situated for an order directing the owner and any mortgagees or lienors of record to show cause why the commissioner of housing preservation and development should not be appointed receiver of the rents, issues and profits of the eligible building and why the receiver should not correct such violation and obtain a lien in favor of the department of housing preservation and development against the eligible building having the priority provided in article 8 of subchapter 5 of chapter 2 of title 27 of the administrative code to secure repayment of the costs incurred by the receiver in removing such conditions. Such application shall contain (i) proof by affidavit that an order of the department has been issued, served on the owner, mortgagees and lienors, and filed, in accordance with subparagraph (c) of paragraph 3 of this subdivision; (ii) a statement that a violation continued to exist in such eligible building after the time fixed in the order for correction of the condition, and a description of the eligible building and violations involved; and (iii) a brief description of the nature of the actions required to correct the violations and an estimate as to the cost thereof.

(b) The order to show cause shall be returnable not less than 5 days after service is completed.

(c) A copy of the order to show cause, and the papers on which it is based, shall be served on the owner, mortgagees of record, and lienors. If any such persons cannot with due diligence be served personally within the city of New York within the time fixed in the order, then service may be made by posting a copy of the order in a conspicuous place on the eligible building, and by sending a copy thereof by registered mail to the owner

at the last address, if any, registered by such owner with the department of housing preservation and development, or to his or her last address, if any, known to the department of housing preservation and development, or, in the case of a mortgagee or lienor, to the address set forth in the recorded mortgage or lien, and by publication in a newspaper of general circulation in the county where such eligible building is located. Service shall be deemed complete on filing proof thereof in the office of the clerk of the court in which application for such order is made.

(5) Proceedings on return of order to show cause.

(a) On the return of the order to show cause, determination thereof shall have precedence over every other business of the court unless the court shall find that some other pending proceeding, having a similar statutory preference, has priority.

(b) If the court finds that the facts stated in the application warrant the granting thereof, then it shall appoint the commissioner of housing preservation and development receiver of the rents, issues and profits of the eligible building.

(c) Notwithstanding subparagraph (b) of this paragraph, if, after determination of the issue, the owner, or any mortgagee or lienor or other person having an interest in the eligible building, shall apply to the court to be permitted to correct the violations set forth in the department of housing preservation and development's application and shall (i) demonstrate the ability to promptly undertake the actions required; and (ii) post security for the performance thereof within the time, and in the amount and manner, deemed necessary by the court, then the court may in lieu of appointing a receiver issue an order permitting such person to perform the actions within a time fixed by the court. If at the time fixed in the order the actions have not been satisfactorily done, the court shall appoint such receiver. If after the granting of an order permitting a person to perform the actions but before the time fixed by the court for the completion thereof it shall appear to the department of housing preservation and development that the person permitted to do the same is not proceeding with due diligence, then such department may apply to the court, on notice to those persons who have appeared in the proceeding, for a hearing to determine whether a receiver shall be appointed immediately. On the failure of any person to complete the corrective actions in accordance with the provisions of an order under this subparagraph, such department, or any receiver thereafter appointed shall be reimbursed for costs incurred by him or her in correcting the violation and other charges herein provided for out of the security posted by such person.

(6) Powers and duties of receiver.

(a) A receiver appointed pursuant to this subdivision shall have all of the powers and duties of a receiver appointed in an action to foreclose a mortgage on real property, together with such additional powers and duties as herein granted and imposed. Such receiver shall not be required to file any bond.

(b) The receiver shall with all reasonable speed remove violations in the eligible building. Such receiver shall have the power to let contracts or incur expenses therefor in accordance with the provisions of law applicable to contracts for public works except that advertisement shall not be required for each such contract. Notwithstanding any provision of law, the receiver may let contracts or incur expenses for individual items without the procurement of competitive bids where the total amount of any such individual item does not exceed $2,500.

(c) The receiver shall collect the accrued and accruing rents, issues and profits of the eligible building and apply the same to the cost of the corrective actions authorized in subparagraph (b) of this paragraph, to the payment of expenses reasonably necessary to the proper operation and management of the eligible building, including insurance and the fees of the managing agent, and the necessary expenses of his or her office as receiver, the repayment of all moneys advanced to the receiver by the department of housing preservation and development to cover the costs incurred by the receiver and interest thereon; and then, if there be a surplus, to unpaid taxes, assessments, water rents, sewer rents and penalties and interest thereon, and then to sums due to mortgagees or lienors. If the income of the eligible building shall be insufficient to cover the cost of the repairs and improvements or the expenses reasonably necessary to the proper operation and management of such eligible building and other necessary expenses of the receiver, the department of housing preservation and development shall advance to the receiver any sums required to cover such cost and expense and thereupon shall have a lien against such eligible building having the priority provided in article 8 of subchapter 5 of chapter 2 of title 27 of the administrative code for any such sums so advanced with interest thereon.

(d) The receiver shall be entitled to the same fees, commissions and necessary expenses as receivers in actions to foreclose mortgages. Such fees and commissions shall be paid into the fund created pursuant to section

27-2111 of the administrative code. The receiver shall be liable only in his or her official capacity for injury to person and property by reason of conditions of the eligible building in a case where an owner would have been liable; such receiver shall not have any liability in his or her personal capacity. The personnel and facilities of the department of housing preservation and development and the corporation counsel shall be availed of by the receiver for the purpose of carrying out his or her duties as receiver, and the costs of such services shall be deemed a necessary expense of the receiver.

(7) Discharge of receiver. The receiver shall be discharged upon rendering a full and complete accounting to the court when the actions herein authorized are completed and the cost thereof and all other costs authorized herein have been paid or reimbursed from the rents and income of the eligible building and the surplus money, if any, has been paid over to the owner or the mortgagee or lienor as the court may direct. However, at any time, the receiver may be discharged upon filing his or her account as receiver without affecting the right of the department of housing preservation and development to its lien. Upon the completion of the repairs and improvements, the owner, the mortgagee or any lienor may apply for the discharge of the receiver upon payment to the receiver of all moneys expended by him or her therefor and all other costs authorized by paragraph 6 of this subdivision which have not been paid or reimbursed from the rents and income of such eligible building.

(8) Recovery of expenses of receivership; lien of receiver.

(a) The expenditures made by the receiver pursuant to paragraph 6 of this subdivision shall, to the extent that they are not recovered from the rents and income of the eligible building collected by the receiver, constitute a debt of the owner and a lien upon such building and lot, and upon the rents and income thereof. Except as otherwise provided in this paragraph, the provisions of article 8 of subchapter 5 of chapter 2 of title 27 of the administrative code shall govern the effect and enforcement of such debt and lien; references therein to the department shall, for purposes of this article be deemed to refer to the receiver and, after such receiver's discharge, the department of housing preservation and development.

(b) Failure to serve a copy of the order and notice required in the manner specified by paragraph 3 of this subdivision, or failure to serve any mortgagee or lienor with a copy of the order to show cause as required by subparagraph (c) of paragraph 4 of this subdivision, shall not affect the validity of the proceeding or the appointment of a receiver, but the rights of the department of housing preservation and development or of the receiver shall not in such event be superior to the rights of any mortgagee or lienor who has not been served as provided therein.

(c) Any mortgagee or lienor who at his or her expense corrects the violations to the satisfaction of the court pursuant to the provisions of subparagraph (c) of paragraph 5 of this subdivision shall have and be entitled to enforce a lien equivalent to the lien granted to the receiver in favor of the department of housing preservation and development hereunder. Any mortgagee or lienor who, following the appointment of a receiver by the court, shall reimburse the receiver and the department of housing preservation and development for all costs and charges as hereinabove provided shall be entitled to an assignment of the lien granted to the receiver in favor of the department of housing preservation and development.

(9) Obligations of owner not affected. Nothing herein contained shall be deemed to relieve the owner of any civil or criminal liability incurred or any duty imposed by law by reason of acts or omissions of the owner prior to the appointment of a receiver; nor shall anything contained herein be construed to suspend during the receivership any obligation of the owner for the payment of taxes or other operating and maintenance expenses of the eligible building nor of the owner or any other person for the payment of mortgages or liens.

t. Rulemaking. Each agency or department to which functions are assigned by this section may adopt and promulgate rules and regulations for the effectuation of the purpose of this section.

u. State enabling law. This section is enacted pursuant to the provisions of subdivision 21 of section 489 of the real property tax law.

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

Referred to the Committee on Housing and Buildings.

Int. No. 655

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

A Local Law in relation to requiring the department of buildings to report on the efficacy of fuel oil catalyst reformers

Be it enacted by the Council as follows:

Section 1. As used in this local law, the term "fuel oil catalyst reformer" means accessory equipment that reforms fuel oil in the supply line at or near the burner.

§ 2. By no later than December 31, 2022, the department of buildings shall prepare and file with the mayor and the council, and post on its website, a report analyzing whether fuel oil catalyst reformers enhance the efficiency of heating oil and, if so, the fuel savings which would result from such enhancement, the environmental impact of such enhancement and the cost of such reformers.

§ 3. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Res. No. 254

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 Member Sanchez.

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. 255

Resolution calling upon the New York state legislature to pass, and the Governor to sign, S.1631, which would support the expansion eligibility for the CityFHEPS (New York City Family Homelessness and Eviction Prevention Supplement) program in New York City.

By Council Members Sanchez and Hanif.

Whereas, In New York City there are a number of public benefits that support residents to secure access affordable housing; and

Whereas, One such program is CityFHEPS (New York City Family Homelessness and Eviction Prevention Supplement); and

Whereas, CityFHEPS assists individuals or families with rental subsidies to help them access and keep safe housing; and

Whereas, Typically, a CityFHEPS applicant must meet one of the following criteria: 1) the household includes someone who served in the U.S. Armed Forces and is at risk of homelessness; 2) the household gets Pathway Home benefits and would be eligible for CityFHEPS if they were in a Department of Homeless Services (DHS) or Human Resources Administration (HRA) shelter; or 3) the household was referred by a CityFHEPS qualifying program, and Department of Social Services (DSS) determined that CityFHEPS was needed to avoid shelter entry; or 4) the household is facing eviction in court (or was evicted in the past year) and includes someone: who has previously lived in a DHS shelter, who has an active Adult Protective Services (APS) case or is in a designated community guardianship program; or lives in a rent-controlled apartment and will use CityFHEPS to stay in that apartment; and

Whereas, In addition to meeting one of the above listed criteria, a household was also previously required to earn a gross income at or below 200 percent of the federal poverty level; and

Whereas, However, in order to broaden the scope of eligibility, late last year, Mayor Adams removed this requirement so that single adults working full-time can apply, even if their income is above 200 percent of the federal poverty level; and

Whereas, Although these and other changes made to CityFHEPS should allow more people to access the rental supplement program, there are still large proportions of vulnerable populations that are excluded; and

Whereas, For instance, undocumented immigrants are largely prohibited from benefiting from CityFHEPS, due to restrictions under federal law; and

Whereas, According to research from the Mayor's Office of Immigrant Affairs (MOIA), there were approximately 476,000 undocumented immigrants in New York City in 2021; and

Whereas, Over the past year, it is likely that this figure has grown substantially because there has been an influx of asylum seekers that have been transported to the City from some southern states; and

Whereas, According to information provided to the New York City Council by the Administration, as of January 8, 2023, there were approximately 38,700 asylum seekers, including children, that have arrived in the City since the Spring of 2022; and

Whereas, New York City is also a right to shelter city, which means that all who apply for shelter, must be given a bed for the night; and

Whereas, Recently, however, the City has struggled to meet this mandate and has, at times, violated this law; and

Whereas, At other times, the City was forced to establish temporary "tent shelters" to house some of the newly arrived asylum seekers; and

Whereas, All of this has occurred while the City is already dealing with a housing crisis; and

Whereas, Although federal law generally prohibits undocumented people from accessing benefits, there is a subdivision that allows for a state or its locality to deem undocumented persons eligible for public benefits if a state law is enacted to affirm this eligibility; and

Whereas, Currently, the New York state legislature has before it S.1631, which would support New York City to further expand CityFHEPS to undocumented immigrants; and

Whereas, This legislation would also ensure that any State funds appropriated for CityFHEPS would be available to the City to cover the expansion; and

Whereas, This change would allow the City to provide additional housing benefits to a wider range of New Yorkers; and

Whereas, Given that New York City is a city of immigrants and is a right to shelter city it is important that the State provide this authority to expand CityFHEPS; now, therefore, be it

Resolved, That the New York state legislature pass, and the Governor sign, S.1631, which would support the expansion eligibility for the CityFHEPS (New York City Family Homelessness and Eviction Prevention Supplement) program in New York City.

Referred to the Committee on General Welfare.

Preconsidered Res. No. 256

Resolution determining that a public emergency requiring rent control in the City of New York continues to exist and will continue to exist on and after April 1, 2024.

By Council Members Sanchez, Brannan, Louis, Brewer and Dinowitz.

Whereas, The City, acting by the Mayor, has caused a survey to be made of the supply of housing accommodations and the need for continuing the regulation and control of residential rents and evictions within the City, and such survey has been submitted to the Council in accordance with the law; now, therefore, be it

Resolved, That the Council hereby determines that the public emergency requiring the regulation and control of residential rents and evictions within the City continues to exist and will continue to exist on and after April 1, 2024, and that an acute shortage of dwellings continues to exist and will continue to exist on and after April 1, 2024, that such shortage constitutes a threat to the citizens of New York City and creates a special hardship to persons and families of limited and moderate means; that unless residential rents and evictions continue to be regulated and controlled, there will be excessive rent increases and evictions for failing to pay such increases, which will produce serious threats to the public health, safety and general welfare, that to prevent such perils to the public health, safety and general welfare, preventive action through local legislation of the City continues to be imperative; that such action, as a temporary measure to be effective until it is determined by the Council that such emergency no longer exists, is necessary in order to prevent threats to the public health, safety and general welfare; that the transition from regulation to a normal market of free bargaining between landlord and tenant, while still the object of State and City policy, must be administered with due regard for such emergency; and be it further

Resolved, That the Council of the City of New York, for the reasons hereinabove set forth, hereby determines, pursuant to subdivision 3 of section 1 of Chapter 21 of the Laws of 1962, as amended, that the continuation of the regulation and control of residential rents and evictions on and after April 1, 2024 is necessary to protect the public health, safety and general welfare and that such regulation and control should be continued as now or hereafter provided pursuant to the provisions of Chapter 3 of Title 26 of the Administrative Code of the City of New York, subject to such amendment as may be enacted into law.

Referred to the Committee on Housing and Buildings (preconsidered but laid over by the Committee on Housing and Buildings).

Res. No. 257

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 and Salamanca Jr.

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.

Preconsidered L.U. No. 29

By Council Member Salamanca:

Application number G 240044 SCX (New 547-Seat Primary School Facility) submitted by the New York City School Construction Authority, pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 547-Seat Primary School facility, located at Block 5841, Lots 1968, 1978, & 1988, Borough of the Bronx, Community District 8, Council District 11, Community School District 10.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions).

L.U. No. 30

By Council Member Salamanca:

Application number C 240092 ZSQ (Willets Point Phase II) submitted by Queens Development Group, LLC, City Football Stadium Group, LLC, and the New York City Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 124-60* of the Zoning Resolution to allow the distribution of total allowable floor area without regard for zoning lot lines or district boundaries and to modify: the required parking regulations of Sections 25-23 (Requirements Where Group Parking Facilities are Provided), 25-251 (Income-restricted housing units), 36-21(General Provisions) and 124-50 (OFF-STREET PARKING REGULATIONS), the sign regulations of Sections 32-60 (SIGN REGULATIONS) and 124-15 (Modification of Sign Regulations), the loading requirements of Section 36-62 (Required Accessory Off-Street Loading Berths), the retail continuity regulations of Section 124-14 (Retail Continuity), the height and setback regulations of Section 124-22 (Height and Setback Regulations), the street network requirements of Section 124-30 (Mandatory Improvements), the public open space requirements of Section 124-42 (Types and Standards of Publicly Accessible Open Space) and the curb cut requirements of Section 124-53 (Curb Cut Restrictions) in connection with a proposed mixed-use development on property generally bounded by Northern Boulevard, 27th Street, Willets Point Boulevard, 126th Lane**, 39th Avenue**, Roosevelt Avenue, and Seaver Way (Block 1833, Lots 117, 120, 130, 135 and 140; Block 1823, Lots 12, 19, 20, 21, 23, 26, 28, 33, 40, 44, 47, 52 and 55; Block 1824, Lots 1, 12, 19, 21, 26, 28, 33, 38, 40, 45, 53 and 100; and Block 1825, Lots 1, 19, 21, 25, 28, 30, 37, 46, 48, 53, 55, 58 and 150; Block 1822, Lot 17; and Block 1820, Lots 1, 6, 9, 18, 34 and 108), within a C4-4 District in the Special Willets Point District, Borough of Queens, Community District 7, Council District 21.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 31

By Council Member Salamanca:

Application number C 240094 ZSQ (Willets Point Phase II) submitted by Queens Development Group, LLC, City Football Stadium Group, LLC, and the New York City Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-41 of the Zoning Resolution to allow an arena with a maximum capacity of 25,000 seats on property generally bounded by Seaver Way, 35th Avenue, 127th Street, Willet Point Boulevard, and 38th Avenue** (Tax Block 1823, Lots 12, 19, 20, 21, 23, 26, 28, 33, 40, 44, 47, 52 and 55; Tax Block 1824, Lots 1, 12, 19, 21, 26, 28, 33, 38, 40, 45, 53 and 100; and Tax Block 1825, Lots 1, 19, 21, 25, 28, 30, 37, 46, 48, 53, 55, 58 and 150), in a C4-4 District, within the Special Willets Point District, Borough of Queens, Community District 7, Council District 21.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 32

By Council Member Salamanca:

Application number C 240095 ZSQ (Willets Point Phase II) submitted by Queens Development Group, LLC, City Football Stadium Group, LLC, and the New York City Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-802 of the Zoning Resolution to allow a transient hotel (Use Group 5), in connection with a proposed mixed-use development, on property generally bounded by Seaver Way, 38th Avenue, and the southeasterly centerline prolongation of Willets Point Boulevard** (Block 1833, Lot 117), in a C4-4 District, within the Special Willets Point District. Borough of Queens, Community District 7, Council District 21.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 33

By Council Member Salamanca:

Application number N 240093 ZRQ (Willets Point Phase II) submitted by Queens Development Group, LLC, City Football Stadium Group, LLC and the New York City Economic Development Corporation, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying provisions of Article XII, Chapter 4 (Special Willets Point District), Borough of Queens, Community District 7, Council District 21.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 34

By Council Member Salamanca:

Application number C 240058 MMQ (Willets Point Phase II) submitted by the New York City Economic Development Corporation, Queens Development Group, LLC, and CFG Stadium Group, LLC, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code, for an amendment to the City Map involving:. the establishment of 38th Avenue, 39th Avenue, 126th Lane, and a portion of Willets Point Boulevard within an area generally bounded by Van Wyck Expressway Extension, Roosevelt Avenue, Seaver Way, and Northern Boulevard, the elimination, discontinuance and closing of 36th Avenue, east of Seaver Way, the elimination, discontinuance, and closing of streets within an area generally bounded by 127th Street, Northern Boulevard, Van Wyck Expressway Extension, and Roosevelt Avenue, the raising of grades within streets generally bounded by Northern Boulevard, 127th Street, Willets Point Boulevard, 38th Avenue, and Seaver Way, the adjustment of grades and block dimensions necessitated thereby and any acquisition or disposition of real properties related thereto, Borough of Queens, Community District 7, Council District 21.

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

Friday, March 8, 2024

Council Chambers, City Hall

10:00 a.m.	**Criminal Justice Committee**
10:00 a.m.	Department of Probation
11:00 a.m.	Department of Correction
1:30 p.m.	Board of Correction
2:30 p.m.	Public

250 Broadway, 16th Floor Committee Room

11:30 a.m.	**Technology Committee**
11:30 a.m.	Office of Technology & Innovation
12:30 p.m.	Public

Committee Room, City Hall

1:00 p.m.	**Aging Committee**
1:00 p.m.	Department for the Aging
3:00 p.m.	Public

Monday, March 11, 2024

Council Chambers, City Hall

10:00 a.m.	**General Welfare Committee**
10:00 a.m.	Department of Social Services (Human Resources Administration and Department of Homeless Services)
1:30 p.m.	Public

Committee Room, City Hall

1:00 p.m.	**Housing and Buildings Committee**
1:00 p.m.	Department of Housing Preservation and Development
2:30 p.m.	Department of Buildings
4:30 p.m.	Public

Committee on Standards and Ethics — Sandra Ung, Chairperson

Oversight - Meeting pursuant to Council Rule 10.80.

Committee Room – 250 Broadway, 14th Floor……..…….....……..…….....3:30 p.m.

Tuesday, March 12, 2024

Subcommittee on Zoning & Franchises Kevin C. Riley, Chairperson
See Land Use Calendar
Committee Room – 250 Broadway, 14th Floor……..…….....…….…….....11:00 a.m.

250 Broadway, 16th Floor Committee Room

11:30 a.m. **Small Business Committee**
11:30 a.m. Department of Small Business Services
12:30 p.m. Public

Council Chambers, City Hall

12:00 p.m. **Cultural Affairs, Libraries, & International Intergroup Relations Committee**
12:00 p.m. Libraries
2:00 p.m. Department of Cultural Affairs
4:00 p.m. Public

Committee Room, City Hall

1:00 p.m. **Public Housing Committee**
1:00 p.m. New York City Housing Authority
3:00 p.m Public

Thursday March 14, 2024

Council Chambers, City Hall

10:00 a.m. **Transportation and Infrastructure Committee**
10:00 a.m. MTA/NYC Transit
12:00 p.m. Department of Transportation
2:00 p.m. Taxi and Limousine Commission
3:00 p.m. Department of Design and Construction
4:00 p.m. Public

250 Broadway, 16th Floor Committee Room

11:30 a.m. **Oversight and Investigations Committee**
11:30 a.m. Department of Investigation
1:30 p.m. Public

Committee Room, City Hall

1:00 p.m. **Sanitation and Solid Waste Management Committee**
1:00 p.m. Department of Sanitation
3:00 p.m. Public

Friday, March 15, 2024

Council Chambers, City Hall

10:00 a.m. **Fire and Emergency Management Committee**
10:00 a.m. Fire/Emergency Medical Service
12:00 p.m. NYC Emergency Management
1:00 p.m. Public

250 Broadway, 16th Floor Committee Room

11:30 a.m.	**Civil and Human Rights**
11:30 a.m.	City Commission on Human Right
12:30 p.m.	Equal Employment Practice Commission
1:30 p.m.	Public

Subcommittee on Landmarks, Public Sitings and Dispositions — Kamillah Hanks, Chairperson
See Land Use Calendar
Committee Room – 250 Broadway, 14th Floor……..…..…….....……..... 12:45 p.m.

Committee Room, City Hall

1:00 p.m.	**Economic Development Committee**
1:00 p.m.	Economic Development Corporation
3:00 p.m.	Public

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 Floor……..…..…….....……...……..... 1:00 p.m.

Monday, March 18, 2024

Council Chambers, City Hall

10:00 a.m.	**Education Committee**
10:00 a.m.	Department of Education Expense)
1:30 p.m.	School Construction Authority (Capital)
2:30 p.m.	Public

Committee Room, City Hall

1:00 p.m.	**Higher Education Committee**
1:00 p.m.	City University of New York
3:00 p.m.	Public

Tuesday, March 19, 2024

Stated Council Meeting
Council Chambers – City Hall……...……..…..Agenda – 1:30 p.m.

NEW YORK CITY COUNCIL

New York City Council Budget and Oversight Hearings on The Preliminary Budget for Fiscal Year 2025
The Preliminary Capital Plan for Fiscal Years 2024-2028, and
The Fiscal 2024 Preliminary Mayor's Management Report

Monday, March 4, 2024

Council Chambers, City Hall

10:00 a.m.	**Finance Committee**
10:00 a.m.	Office of Management and Budget
1:00 p.m.	Comptroller
2:00 p.m.	Independent Budget Office
3:00 p.m.	Department of Finance
4:00 p.m.	Public

Tuesday, March 5, 2024

Council Chambers, City Hall

10:00 a.m.	**Immigration Committee**
10:00 a.m.	Office of Immigrant Affairs & Office of Asylum Seeker Operations
1:00 p.m.	Public

250 Broadway, 16th Floor Committee Room

11:30 a.m.	**Governmental Operations, State & Federal Legislation Committee**
11:30 a.m.	Department of Citywide Administrative Services
12:30 p.m.	Law Department
1:30 p.m.	Office of Administrative Trials and Hearings
2:30 p.m.	Board of Elections
3:30 p.m.	Department of Records and Information Services
4:00 p.m.	Public

Committee Room, City Hall

1:00 p.m.	**Hospitals Committee**
1:00 p.m.	Health + Hospitals
3:00 p.m.	Public

Friday, March 8, 2024

Council Chambers, City Hall

10:00 a.m. **Criminal Justice Committee**
10:00 a.m. Department of Probation
11:00 a.m. Department of Correction
1:30 p.m. Board of Correction
2:30 p.m. Public

250 Broadway, 16th Floor Committee Room

11:30 a.m. **Technology Committee**
11:30 a.m. Office of Technology & Innovation
12:30 p.m. Public

Committee Room, City Hall

1:00 p.m. **Aging Committee**
1:00 p.m. Department for the Aging
3:00 p.m. Public

Monday March 11, 2024

Council Chambers, City Hall

10:00 a.m. **General Welfare Committee**
10:00 a.m. Department of Social Services (Human Resources Administration and Department of Homeless Services)
1:30 p.m. Public

Committee Room, City Hall

1:00 p.m. **Housing and Buildings Committee**
1:00 p.m. Department of Housing Preservation and Development
2:30 p.m. Department of Buildings
4:30 p.m. Public

Tuesday March 12, 2024

250 Broadway, 16th Floor Committee Room

11:30 a.m. **Small Business Committee**
11:30 a.m. Department of Small Business Services
12:30 p.m. Public

Council Chambers, City Hall

12:00 p.m. Cultural Affairs, Libraries, & International Intergroup Relations Committee
12:00 p.m. Libraries
2:00 p.m. Department of Cultural Affairs
4:00 p.m. Public

Committee Room, City Hall

1:00 p.m. Public Housing Committee
1:00 p.m. New York City Housing Authority 3:00 p.m. Public

Thursday March 14, 2024

Council Chambers, City Hall

10:00 a.m. Transportation and Infrastructure Committee
10:00 a.m. MTA/NYC Transit
12:00 p.m. Department of Transportation
2:00 p.m. Taxi and Limousine Commission
3:00 p.m. Department of Design and Construction
4:00 p.m. Public

250 Broadway, 16th Floor Committee Room

11:30 a.m. Oversight and Investigations Committee
11:30 a.m. Department of Investigation
1:30 p.m. Public

Committee Room, City Hall

1:00 p.m. Sanitation and Solid Waste Management Committee
1:00 p.m. Department of Sanitation
3:00 p.m. Public

Friday, March 15, 2024

Council Chambers, City Hall

10:00 a.m. Fire and Emergency Management Committee
10:00 a.m. Fire/Emergency Medical Service
12:00 p.m. NYC Emergency Management
1:00 p.m. Public

250 Broadway, 16th Floor Committee Room

11:30 a.m. Civil and Human Rights
11:30 a.m. City Commission on Human Right
12:30 p.m. Equal Employment Practice Commission
1:30 p.m. Public

Committee Room, City Hall

1:00 p.m. **Economic Development Committee**
1:00 p.m. Economic Development Corporation
3:00 p.m. Public

Monday, March 18 2024

Council Chambers, City Hall

10:00 a.m. **Education Committee**
10:00 a.m. Department of Education (Expense)
1:30 p.m. School Construction Authority (Capital)
2:30 p.m. Public

Committee Room, City Hall

1:00 p.m. **Higher Education Committee**
1:00 p.m. City University of New York
3:00 p.m. Public

Wednesday, March 20, 2024

Council Chambers, City Hall

10:00 am **Public Safety**
10:00 a.m. Police Department
1:00 p.m. Civilian Complaint Review Board
2:00 p.m. District Attorneys/Special Narcotics Prosecutor
4:00 p.m. Public

Committee Room, City Hall

1:00 p.m. **Consumer Affairs and Worker Protection Committee**
1:00 p.m. Department of Consumer and Worker Protection
2:30 p.m. Public

Thursday March 21, 2024

Council Chambers, City Hall

10:00 a.m. **Health Committee jointly with the Committee on Mental Health, Disabilities, & Addiction**
10:00 a.m. Department of Health and Mental Hygiene
12:30 p.m. Medical Examiner
1:30 p.m. Public

250 Broadway, 16th Floor Committee Room

11:30 a.m. **Land Use Committee**
11:30 a.m. Landmarks Preservation Commission
12:30 p.m. Department of City Planning
1:30 p.m. Public

Committee Room, Citay Hall

1:00 p.m.	**Parks & Recreation Committee**
1:00 p.m.	Department of Parks & Recreation
3:00 p.m.	Public

Friday March 22, 2024

Council Chambers, City Hall

10:00 a.m.	**Children and Youth**
10:00 a.m.	Department of Youth and Community Development
1:00 p.m.	Administration for Children's Services
3:00 p.m.	Public

250 Broadway, 16th Floor Committee Room

11:30 a.m.	**Environmental Protection, Resiliency and Waterfronts**
11:30 a.m.	Department of Environmental Protection
1:00 p.m.	Public

Committee Room, City Hall

1:00 p.m.	**Contracts Committee**
1:00 p.m.	Mayor's Office of Contract Services
2:30 p.m.	Public

Monday March 25, 2024

Council Chambers, City Hall

10:00 a.m.	**Veterans**
10:00 a.m.	Department of Veteran Affairs
11:00 a.m.	Public

The following comments were among the remarks made by the Speaker (Council Member Adams) during the Communication from the Speaker segment of this meeting:

The Speaker (Council Member Adams) acknowledged the recent death of a New Yorker who was killed in a fatal fire in Council Member Sanchez's district. The blaze took place on March 1, 2024 in the University Heights neighborhood of the Bronx. She also wished a speedy recovery to the FDNY firefighter who was injured while responding bravely to the fire. On behalf of the Council, the Speaker (Council Member Adams) offered her thoughts and prayers to their loved ones during this difficult time.

The Speaker (Council Member Adams) acknowledged the presence in the Chambers of members of the late former Council Member Paul A. Vallone's family including his wife Anna-Marie and their children. She noted that Paul's brother, former Council Member Peter F. Vallone, Jr., had also been at City Hall earlier in the day. The Speaker (Council Member Adams) noted that her bill Int. No. 1-B, being voted on by the Council at this Stated Meeting, would designate the Animal Care Centers of NYC facility in Queens as the Paul A. Vallone Queens Animal Care Center. She spoke of how the late former Council Member had been a passionate advocate for animals and their care and had advanced many bills to support their well-being. She added that former Council Member Vallone's legislation was the culmination of a multi-generational effort that started with his father the former Speaker Peter F. Vallone, Sr. and his brother former Council Member Peter F. Vallone, Jr. The Speaker (Council Member Adams) thanked the beloved Vallone family for their dedicated public service to the city and to New Yorkers overall and for their long-standing commitment to the welfare of animals.

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During the Communication from the Speaker segment of this Stated Meeting, the Speaker (Council Member Adams) acknowledged the upcoming start of *Ramadan* and extended her best wishes and a greeting of Ramadan Mubarak to our Muslim neighbors. The Speaker (Council Member Adams) also acknowledged the various St. Patrick's Day celebrations taking place that month and noted that she would once again march in the upcoming St. Patrick's Day parade on Fifth Avenue.

Whereupon on motion of the Speaker (Council Member Adams), the Majority Leader and Acting President Pro Tempore (Council Member Farías) adjourned these proceedings to meet again for the Stated Meeting on Tuesday, March 19, 2024.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor's Note: For the transcript of these proceedings, please refer to the respective attachment section of items introduced or adopted at this Stated Meeting of March 7, 2024 on the New York City Council website at https://council.nyc.gov.