

THE COUNCIL

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

of

Tuesday, March 19, 2024, 2:05 p.m.

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

Council Members

Adrienne E. Adams, *The Speaker*

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

Parental: 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 50 Council Members marked present at this Stated Meeting held in the Council Chambers at City Hall, New York, N.Y. (including Council Members Caban, Hanif, and Moya who participated remotely).

INVOCATION

The Invocation was delivered by Monsignor James Sullivan, Church of our Savior, located at 59 Park Avenue, New York, N.Y. 10016.

Almighty God,
 we call you by different names,
 draw near, we pray in the season
 that is sacred to many of us;
 for Christians during this holy 40-day season of Lent;
 we pray, we fast, we increase our charity
 to draw closer to your Holiness
 and allow that Holiness to deepen in our lives;
 for Muslims during this holy month of Ramadan,
 these very same practices
 draw your people closer to you
 and to one another;
 for Jews in about a month
 they will gather for *Sedar* meals
 in the eight days of Passover
 to mark a journey out of oppression.

But as we raise up these sacred seasons,
 we must confess to you our creator, our sustainer,
 that we, your people, are not always so holy,
 and the words and actions of our lives
 betray what we mock,
 and sometimes we even use them in a perverted way
 to spew hate and violence
 on those who call you by different names,
 worship you in different ways,
 or wear different garb.
 We ask your mercy, and ask that you
 help us to amend our ways.

And Almighty God, we admit our failings,
 but please permit me, with more than a little trepidation
 and ready to dodge lightning bolts,
 to raise up some of your failings.
 Are you not a God of Peace?
 Where are you in Gaza and Israel?
 Are you not a God that protects your children?
 Where are you in Haiti and Miramar?
 Are you not a God of solidarity?
 Where are you in the Sudan and Senegal?
 Are you not a God of just order?
 What about Venezuela and Nicaragua?
 Are you not a God who cares for human rights?

Where are you in Russia and China?
 And are you not a God
 that protects your children when attacked?
 Where are you in the Ukraine?
 So, God please not count me too brash
 for having overstepped;
 I'd go on, but I think you get the point.

But now, Almighty God,
 allow me to draw you closer to home,
 where we need your presence and help,
 because even with our strong efforts,
 the powers of darkness are great.
 So, please protect our city,
 those who ride our subways;
 who deliver our food,
 oh God, yes, please,
 a personal prayer of forgiveness for me,
 because I do cuss those on motorbikes
 when they almost run me over
 going the wrong way on the streets (I'm sorry).
 So, help our teachers to teach better;
 our students to learn better.
 Help those who struggle to pay their rent.
 And in these holy seasons,
 when many voluntarily fast, help those,
 especially your children, who involuntarily fast.
 We call that hunger,
 because they do not have enough food to eat;
 help those who serve them with the resources
 needed to feed our hungry neighbors.

And, Almighty God, while material things are essential
 to preserving and enhancing human dignity,
 so too are the spiritual ones
 that go to the core of our humanity,
 Almighty God, reduce
 our hate and anger at one another,
 especially when rooted in religious,
 ethnic, or class differences.
 Rid us of anti-Semitism;
 mazeophobia; xenophobia, nimbyism,
 and every other phobia and -ism
 from our words, actions and hearts.
 May our protests be passionate and respectful;
 our disagreements even when intense, be civil.

You know, Almighty God,
 maybe my prayer is just too dark and negative,
 so let me not forget to say, thank you,
 for all the good things
 you bestowed upon us in this great city;
 thank you that we have welcomed

almost 2,000 newcomers these past two years;
and 100,000 of them are now making it in our city;
and we thank you that 34,000 children
are being educated in our schools,
and that many have access to health care.
We thank you that our city and nonprofit workers
are moving towards fairer wages,
reflected of the hard and dedicated work
they do for all of us.
And we thank you in a very basic way
that millions and millions of the city are working
every day caring for their families,
using our parks, riding safely our buses and subways;
preparing meals for their apartments;
and talking to their neighbors.

Almighty God,
I've rambled on too long, and you're busy,
and the members of this Council
are now turning back
to their screens of their devices;
so let me end by saying,
thank you for the dedication
of the members of this Council,
and ask you your blessing upon them
and the people of this great city.
Protect them, guide them
in integrity for the sake of us all,
and let all of us say,
Amen.

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

ADOPTION OF MINUTES

Council Member Rivera moved that Minutes of the Stated Meeting of February 28, 2024 be adopted as printed.

LAND USE CALL-UPS

M-34

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

Pursuant to Sections 11.20(b-d) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Application Nos. C 230339 ZSK and C 230340 ZSK (341 10th Street Rezoning) shall be subject to Council review. These items are related to Application Nos. C 230337 ZMK and N 230338 ZRK, and G 240045 XAK.

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, De La Rosa, Dinowitz, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Krishnan, Lee, Louis, Marmorato, Marte, Mealy, Menin, Moya, 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) - **50**.

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 Aging

Report for Int. No. 228-A

Report of the Committee on Aging in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the provision of information regarding the NYC Care program to older adults.

The Committee on Aging, to which the annexed proposed amended local law was referred on February 28, 2024 (Minutes, page 582), respectfully

REPORTS:

I. INTRODUCTION

On March 19, 2024, the Committee on Aging, chaired by Council Member Crystal Hudson, held a vote on Introduction Number 228-A (Int. No. 228-A) by Council Member Hudson, in relation to the provision of information regarding the NYC Care program to older adults. Int. No. 228-A passed with six votes in the affirmative, with no nays or abstentions.

On February 27, 2024, the Committee on Aging heard this legislation and received testimony from the New York City (“NYC” or “City”) Department for the Aging (“DFTA”), Mayor’s Office of Immigrant Affairs (“MOIA”), providers of and advocates for immigrant and aging services, advocacy organizations, and other interested stakeholders and members of the public.

II. BACKGROUND

a. RECENT HISTORY OF IMMIGRANTS IN NYC

Nearly 40 percent of the City’s population are immigrants¹ who hail from more than 150 countries.² It is believed that approximately six-in-ten New Yorkers are either immigrants or the children of immigrants.³ Immigration has played a key role in the City’s recent history. As of 2015, “[s]ince 1970, the number of immigrants (and their share of the City’s population) has more than doubled.”⁴ In the 1980s and 1990s, increasing in-migration helped grow NYC’s population following a net migration loss of 429,000 people between 1975 and 1980 amidst NYC’s fiscal crisis.⁵ The majority of in-migrants in the 1980s and 1990s “came from abroad, a cumulative effect of the 1965 Immigration Act.”⁶ “Between 2000 and 2011, the foreign-born population in the

¹ NEW YORK CITY MAYOR’S OFFICE OF IMMIGRANT AFFAIRS, *2022 Report on New York City’s Immigrant Population and Initiatives of the Office* (2023) at 9, available at

https://www.nyc.gov/assets/immigrants/downloads/pdf/MOIA_WeLoveImmigrantNYC_AR_2023_final.pdf.

² New York City Comptroller Scott M. Stringer, “Our Immigrant Population Helps Power NYC Economy,” Bureau of Budget, January 2017 at 4, available at <https://comptroller.nyc.gov/wp-content/uploads/documents/Our-Immigrant-Population-Helps-Power-NYC-Economy.pdf>.

³ NEW YORK CITY MAYOR’S OFFICE OF IMMIGRANT AFFAIRS, *2021 Annual Report*, Mar. 24, 2022, at 8, available at <https://www.nyc.gov/assets/immigrants/downloads/pdf/MOIA-2021-Report.pdf>.

⁴ Thomas P. DiNapoli, “The Role of Immigrants in the New York City Economy,” November 2015, available at <https://www.osc.ny.gov/files/reports/osdc/pdf/report-7-2016.pdf>.

⁵ NYC Planning, “Intro Brief: Migration to and from NYC,” August 2017, available at <https://www.nyc.gov/assets/planning/download/pdf/about/dcp-priorities/data-expertise/migration-info-brief.pdf>.

⁶ *Id.*

city increased by 195,600 or 7 percent, from 2.87 million to 3.1 million.”⁷ After the City’s immigrant population peaked at 3.2 million in 2015,⁸ the City experienced a decline of about 75,000 immigrant residents in 2018, potentially attributable to the indirect effects of the immigration policies of then-President Donald Trump.⁹ Since then, the City’s immigrant population has steadily increased since 2019.¹⁰ Most recently, since April 2022, more than 200,149 migrants have come to New York State (“NYS” or “State”), most of them to NYC, seeking asylum and other forms of immigration relief.¹¹

b. OLDER IMMIGRANTS IN NYC

Immigrants make up the majority of NYC’s 65-and-older population;¹² 23 percent of the 3.1 million immigrants who call NYC home are age 65 or older.¹³ As of 2019, 37.3 percent of New Yorkers were foreign-born, of which 27 percent were naturalized citizens, while 13.4 percent were green card holders or other statuses, and 1.9 percent were undocumented.¹⁴ As a group, naturalized citizens are more likely to have lived in the United States (U.S.) 20 years or more than those immigrants that have not sought naturalization.¹⁵

Over the past decade, according to the Center for an Urban Future, NYC’s older adult population has become more diverse than ever.¹⁶ The population rate of immigrant older adults in the City is growing faster than that of native-born older adults.¹⁷ Across the five boroughs, the older immigrant population increased by 49 percent, and in Staten Island, it grew by 67 percent, which is the fastest rate in NYC and the second-fastest among all counties in the State.¹⁸ Today, older immigrants make up 31 percent of all older adults on Staten Island.¹⁹ In Queens, the older immigrant population increased by 60 percent compared to the U.S.-born older adult population, which increased 14 percent.²⁰ Brooklyn’s older adult population growth is largely driven by the 46 percent growth in the older immigrant population, which increased 24 percent over the past decade.²¹ Immigrants currently comprise 58 percent of Brooklyn’s older adult population.²² In Manhattan, the older immigrant population increased by 43 percent, compared to the 27 percent increase among U.S.-born older adults.²³ Immigrants comprise 40 percent of Manhattan’s older adult population, which is the third highest share of any county in the State.²⁴ In the Bronx, the older immigrant population increased by 30 percent over the past decade.²⁵

⁷ NYC Planning, “Chapter 2: Growth and Composition of the Immigrant Population,” *The Newest New Yorkers: Characteristics of the City’s Foreign-Born Population*, 2013 Edition, December 2013, at 12, available at https://www.nyc.gov/assets/planning/download/pdf/planning-level/nyc-population/nnny2013/nnny_2013.pdf.

⁸ NEW YORK CITY MAYOR’S OFFICE OF IMMIGRANT AFFAIRS, *2021 Annual Report*, Mar. 24, 2022, at 12, available at <https://www.nyc.gov/assets/immigrants/downloads/pdf/MOIA-2021-Report.pdf>.

⁹ NEW YORK CITY MAYOR’S OFFICE OF IMMIGRANT AFFAIRS, *Annual Report (Calendar year 2019)*, (March 2020) at 15, <https://www1.nyc.gov/assets/immigrants/downloads/pdf/MOIA-Annual-Report-for-2019.pdf>.

¹⁰ NEW YORK CITY MAYOR’S OFFICE OF IMMIGRANT AFFAIRS, *2022 Report on New York City’s Immigrant Population and Initiatives of the Office* (2023) at 14, available at https://www.nyc.gov/assets/immigrants/downloads/pdf/MOIA_WeLoveImmigrantNYC_AR_2023_final.pdf.

¹¹ Keith Collins, Raúl Vilchis and Olivia Bensimon, “Making a Home and Avoiding Deportation in New York City,” *The New York Times*, Nov. 21, 2023, available at <https://www.nytimes.com/interactive/2023/11/21/nyregion/migrant-pathways.html>.

¹² Winnie Hu and Jeffrey E. Singer, “Many Older Immigrants in New York Are Struggling: ‘I Have No Future,’” *The New York Times*, Jan. 13, 2024, available at <https://www.nytimes.com/2024/01/13/nyregion/older-immigrants-retirement.html>.

¹³ NEW YORK CITY MAYOR’S OFFICE OF IMMIGRANT AFFAIRS, *2022 Annual Report* (2023) at 14-15, available at https://www.nyc.gov/assets/immigrants/downloads/pdf/MOIA_WeLoveImmigrantNYC_AR_2023_final.pdf.

¹⁴ NEW YORK CITY MAYOR’S OFFICE OF IMMIGRANT AFFAIRS, *Annual Report (Calendar year 2019)*, (March 2020), <https://www1.nyc.gov/assets/immigrants/downloads/pdf/MOIA-Annual-Report-for-2019.pdf>.

¹⁵ *Id.*

¹⁶ Jonathan Bowles, Eli Dvorkin & Charles Shaviro, *Keeping Pace with an Aging New York State*, Center for an Urban Future (Jan. 2023), accessible at <https://nycfuture.org/research/keeping-pace-with-an-aging-new-york-state>.

¹⁷ Jonathan Bowles, Eli Dvorkin & Charles Shaviro, *Keeping Pace with an Aging New York State*, Center for an Urban Future (Jan. 2023), accessible at <https://nycfuture.org/research/keeping-pace-with-an-aging-new-york-state>.

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Id.*

²² *Id.*

²³ *Id.*

²⁴ *Id.*

²⁵ *Id.*

Meanwhile, the number of Black, Hispanic, and Asian older adults has outpaced the older white population.²⁶ Queens, for example, has the second-most diverse older adult population in the State: 35 percent are white while 25 percent are Asian, 20 percent are Hispanic, and 16 percent are Black.²⁷

Immigrant groups with the fastest growing populations of older adults are also among the poorest in the State.²⁸ While the statewide poverty rate for older immigrants is 17.5 percent – a decrease from 19.3 percent in 2011 – poverty rates have increased in several parts of the State.²⁹ This includes Staten Island, where the poverty rate among older immigrants increased from 8.4 percent in 2011 to 13.5 percent in 2021 and the Bronx, where the poverty rate among older immigrants increased from 25.1 percent in 2011 to 29.8 percent in 2021.³⁰

III. NYC DEPARTMENT FOR THE AGING

In a 2017 letter to older New York immigrants, DFTA and MOIA assert that they are “committed to maintaining the diversity and inclusion upon which New York City was built.”³¹ Further, the agencies highlight the City’s strong policies to protect private information, including immigration status, consistent with law and DFTA’s policies.³² For example, staff at older adult centers may not ask about immigration status except to assess eligibility for benefits and answering the question is completely voluntary.³³ All New Yorkers, regardless of immigration status, can access DFTA and City services.³⁴ More specifically, DFTA offers several services and programming that aim to promote social inclusion, enhance quality of life, and address the unique challenges faced by immigrant older adults in NYC. Some of these services include:

- **Language Access.** DFTA provides language access services so that immigrant older adults can access programming and services in their preferred language. This may include interpretation services and translated materials.³⁵
- **Immigrant Outreach and Education.** DFTA conducts outreach and education initiatives targeting immigrant communities to increase awareness about available services and resources. This may involve community workshops, information sessions, and partnerships with community-based organizations.³⁶
- **Older Adult Centers.** DFTA funds and supports older adult centers across the five boroughs that offer various programming and activities catering to the diverse needs and interests of older adults, including immigrant older adults.³⁷
- **Case Management Services.** DFTA-funded case management agencies assist immigrant older adults in accessing a range of supportive services, including healthcare, housing assistance, legal aid, and benefits enrollment.³⁸
- **Cultural Competency Training.** DFTA provides cultural competency training to staff and service providers to ensure sensitivity to the unique cultural backgrounds and preferences of immigrant older adults.³⁹

²⁶ *Id.*

²⁷ *Id.*

²⁸ *Id.*

²⁹ *Id.*

³⁰ *Id.*

³¹ NYC Department for the Aging, Letter to Older New York Immigrants (Apr. 2017), accessible at <https://www.nyc.gov/site/dfta/about/letter-to-older-new-york-immigrants.page>.

³² *Id.*

³³ *Id.*

³⁴ *Id.*

³⁵ NYC Department for the Aging, Department for the Aging (DFTA) Language Access Policy and Plan (May 2021), accessible at <https://www.nyc.gov/assets/dfta/downloads/pdf/about/LanguageAccessImplementationPlan0521.pdf>.

³⁶ NYC Department for the Aging, NYC Aging General Program Standards of Operation (Jan. 2023), accessible at <https://www.nyc.gov/assets/dfta/downloads/pdf/community/General-Program-Standards-v02-01-2023.pdf>.

³⁷ NYC Department for the Aging, Older Adult Centers (n.d.), accessible at <https://www.nyc.gov/site/dfta/services/older-adult-center.page>.

³⁸ NYC Department for the Aging, In-Home Services, Case Management (n.d.), accessible at <https://www.nyc.gov/site/dfta/services/in-home-services.page>.

³⁹ NYC Department for the Aging, NYC Aging General Program Standards of Operation (Jan. 2023), accessible at <https://www.nyc.gov/assets/dfta/downloads/pdf/community/General-Program-Standards-v02-01-2023.pdf>.

- **Immigrant-specific Programs.** DFTA may fund or collaborate with community-based organizations to develop and implement programs specifically tailored to the needs of immigrant older adults. Such programs may focus on topics like immigration rights, citizenship assistance, acculturation, and intergenerational activities.⁴⁰
- **Nutrition Services.** DFTA-funded nutrition programs, such as congregate meals at older adult centers and home-delivered meals, are often designed to ensure that immigrant older adults have access to nutritious food options that align with their cultural preferences and dietary needs.⁴¹

IV. NYC MAYOR'S OFFICE OF IMMIGRANT AFFAIRS

MOIA is tasked with responsibilities related to the immigrant residents of NYC.⁴² This includes providing advice and assistance to the city's agencies and administration on immigrant-related policies and programs, tracking and advocating on state and federal policies affecting immigrants, conducting outreach to immigrant communities to improve access to city services, and facilitating access to immigration legal services.⁴³ Some of the services coming directly from MOIA, or funded by MOIA, include English language learning through We Speak NYC,⁴⁴ legal service access through Action NYC⁴⁵ and the Asylum Seeker Legal Assistance Network,⁴⁶ and support for Haitian New Yorkers through the Haitian Response Initiative.⁴⁷ MOIA also facilitates immigrant rights workshops through immigrant-serving organizations.⁴⁸ MOIA's website also points to a number of city initiatives and programs that are beneficial and available to immigrants, regardless of their immigration status.⁴⁹ This includes food assistance services, housing services, and disaster assistance services.⁵⁰ Relevant to older immigrants, MOIA flags food assistance for seniors⁵¹ and lotteries for affordable residences, including senior residences.⁵² It is unclear if MOIA has performed outreach or introduced initiatives specific to older immigrants, but in 2017, DFTA and MOIA released a joint letter for older New York immigrants making clear that DFTA older adult centers are available to immigrants, regardless of immigration status.⁵³

V. NYC CARE

NYC Care is a health care access program that guarantees low-cost and no-cost services offered by NYC Health + Hospitals (H+H) to New Yorkers in all five boroughs who do not qualify for or cannot afford health

⁴⁰ *Id.*

⁴¹ Hunter College New York City Food Policy Center, Testimony to City Council: Home Delivered and Emergency Meal Services for Seniors through DFTA's HDM Program and GetFoodNYC (Sept. 24, 2021), accessible at <https://www.nycfoodpolicy.org/testimony-home-delivered-and-emergency-meal-services-for-seniors/>.

⁴² NYC Mayor's Office of Immigrant Affairs. *About MOIA*. NYC.GOV. Available at: <https://www.nyc.gov/site/immigrants/about/about.page>. [Accessed on February 20, 2024].

⁴³ *Id.*

⁴⁴ NYC Mayor's Office of Immigrant Affairs. *We Speak NYC*. NYC.GOV Available at: <https://www.nyc.gov/site/immigrants/language-needs/we-speak-nyc.page> [Accessed on February 24, 2024];

⁴⁵ NYC Mayor's Office of Immigrant Affairs. *Immigration Legal Services*. NYC. GOV. Available at: <https://www.nyc.gov/site/immigrants/legal-resources/immigration-legal-services.page>. [Accessed on February 20, 2024].

⁴⁶ Abruzzese, Rob., "NYC Launches Asylum Seeker Legal Assistance Network." Brooklyn Eagle. (August 10, 2023). Available at: <https://brooklyneagle.com/articles/2023/08/10/nyc-launches-asylum-seeker-legal-assistance-network-with-5m-investment/>.

⁴⁷ NYC Mayor's Office of Immigrant Affairs. *Resources for Haitian New Yorkers: MOIA Haitian Response Initiative*. NYC.GOV. Available at: <https://www.nyc.gov/site/immigrants/legal-resources/haitian-response-initiative.page>. [Accessed on February 20, 2024].

⁴⁸ NYC Mayor's Office of Immigrant Affairs. *Immigrant Rights Workshops (IRWs)*. NYC.GOV. Available at: <https://www.nyc.gov/site/immigrants/legal-resources/immigrant-rights-workshops.page>. [Accessed on February 20, 2024].

⁴⁹ NYC Mayor's Office of Immigrant Affairs. *Resources for Immigrant New Yorkers*. NYC.GOV. Available at: <https://www.nyc.gov/site/immigrants/city-services/basic-care.page>. [Accessed on February 20, 2024].

⁵⁰ <https://www.nyc.gov/site/immigrants/city-services/basic-care.page>

⁵¹ NYC Mayor's Office of Immigrant Affairs. *Food Assistance*. NYC.GOV. Available at: <https://www.nyc.gov/site/immigrants/city-services/food-assistance.page>. [Accessed on February 20, 2024].

⁵² NYC Mayor's Office of Immigrant Affairs. *Housing*. NYC.GOV. Available at: <https://www.nyc.gov/site/immigrants/city-services/housing.page>. [Accessed on February 20, 2024].

⁵³ NYC Department for the Aging. *Letter to Older New York Immigrants*. NYC.GOV. (April 2017). Available at: <https://www.nyc.gov/site/dfta/about/letter-to-older-new-york-immigrants.page>

insurance based on federal guidelines.⁵⁴ Launched in 2019 by Mayor Bill de Blasio, NYC Care is the largest health care access program in the U.S. to guarantee health care and is available regardless of immigration status or ability to pay.⁵⁵ As of February 2024, 125,000 individuals are enrolled in NYC Care.⁵⁶ On February 7, 2024, MOIA hosted an immigrant media roundtable with H+H and the Mayor's Public Engagement Unit to highlight NYC Care's 125,000 enrollment milestone.⁵⁷ H+H further announced that NYC Care will support efforts to inform New Yorkers of a new health insurance option for undocumented immigrants over 65.⁵⁸ This new insurance is through Medicaid Managed Care plans, with a carved-out Fee-for-Service pharmacy benefit.⁵⁹

VI. ISSUES AND CONCERNS FOR OLDER IMMIGRANTS

a. SAFETY NET ACCESS

While Social Security and Medicare have been responsible for keeping many older adults out of poverty, these programs are less accessible to immigrant older adults.⁶⁰ The Social Security Administration finds that workers who have immigrated to the U.S. are likely to receive lower benefits than native-born workers. Because Social Security requires 40 quarters of covered earnings before an individual is eligible to receive any benefits, many immigrants may not meet eligibility requirements.⁶¹ According to the Center for an Urban Future, the City's older adult population will continue to grow more linguistically and ethnically diverse but will also be poorer with less access to financial safety nets.⁶²

b. SOCIAL ISOLATION AND MENTAL HEALTH

Social bonds for older adults are crucial for healthy aging.⁶³ The importance of social interactions is particularly true for older immigrants.⁶⁴ The relationships available through neighborhoods, religious institutions, family, and friends are vital for the health and wellbeing of immigrants, and older adult immigrants typically rely on these "close-knit social networks" more than older native-born adults.⁶⁵ Social engagement is important for older immigrants but must be accessible both culturally and linguistically to be effective.⁶⁶ It is equally important to understand immigration history and status to effectively respond to mental health problems for older immigrants.⁶⁷ For older adults with undocumented status, studies suggest that chronic psychosocial stressors such as financial insecurity, acculturative stress, and limited access to healthcare contribute to mental health problems.⁶⁸ Studies also suggest that older refugees, in particular, significantly struggle with mental

⁵⁴ N.Y.C. Health + Hospitals, *About NYC Care*, <https://www.nyccare.nyc/about/>. [Accessed on February 21, 2024].

⁵⁵ *Id.*

⁵⁶ N.Y.C. Health + Hospitals, *Press Releases: NYC Health + Hospitals' NYC Care Reaches 125,000 Members* (Feb. 7, 2024), <https://www.nychealthandhospitals.org/pressrelease/nyc-health-hospitals-nyc-care-reaches-125000-members/>. [Accessed on February 21, 2024].

⁵⁷ N.Y.C. Mayor's Office of Immigrant Affairs, *Newsroom: MOIA Joined NYC Health + Hospitals & The Mayor's Public Engagement Unit for an Immigrant Media Roundtable to Announce NYC Care Reaching 125,000 Members* (Feb. 7, 2024), <https://www.nyc.gov/site/immigrants/about/press-releases/nyc-care-reaching-125000-members.page>. [Accessed on February 21, 2024].

⁵⁸ *Id.*

⁵⁹ *Id.*

⁶⁰ Suzanne Travers, *Aging in New York: City Wrestles with Poverty Among Seniors*, *City Limits* (June 25, 2015), <http://citylimits.org/2015/06/25/nyc-wrestles-with-poverty-among-seniors/>.

⁶¹ Social Security: Office of Retirement and Disability Policy, *Perspectives: Immigrants and Retirement Resources*, Vol. 74 No. 1, 2014, available at <https://www.ssa.gov/policy/docs/ssb/v74n1/v74n1p27.html>.

⁶² Jonathan Bowles, Eli Dvorkin & Charles Shaviro, *Keeping Pace with an Aging New York State*, Center for an Urban Future (Jan. 2023), accessible at <https://nycfuture.org/research/keeping-pace-with-an-aging-new-york-state>.

⁶³ Maron, Dina Fine. "It's not your life span you need to worry about. It's your health span." *National Geographic*. (January 19, 2024). Available at: <https://www.nationalgeographic.com/premium/article/live-better-longer-healthspan>.

⁶⁴ Rote, Sunshine, and Kyriakos Markides. "Aging, Social Relationships, and Health among Older Immigrants." *Generations: Journal of the American Society on Aging* 38, no. 1 (2014): 51–57. <https://www.jstor.org/stable/26556029>.

⁶⁵ *Id.*

⁶⁶ *Id.*

⁶⁷ *Id.*

⁶⁸ Garcini, Luz Maria, Vyas Sarabu, Elizabeth Buchwald, Lauren Rahman, and Jin Yan. "Aging and Immigration Nexus: health Ramifications for Older Adults with Undocumented Legal Status." *Rice University's Baker Institute for Public Policy*. (Dec. 7, 2023).

health.⁶⁹ Mental health concerns for older immigrants are complicated by social isolation.⁷⁰ For recently arrived immigrants arriving to New York City in the influx of the last two years, their wellbeing is complicated further by their residence in the city's temporary shelter system.⁷¹ Low-to-the-ground beds and limited access to health services were some of the documented problems for newly arrived older immigrants and as of January 7, 2024, at least 110 immigrants aged 65 or older live in these shelters.⁷²

VII. FINANCE

In Fiscal Year (Fiscal) 2024, the Council allocated \$29 million to community-based organizations to support older adults, of which \$5.7 million is specifically targeted for immigrant older adults. The Council funds two initiatives dedicated to supporting immigrant older adults in the City. The first initiative, "Elie Wiesel Holocaust Survivors," is funded at \$4.2 million in Fiscal 2024 and supports Holocaust survivors who are below the poverty line by offering a range of social services to maintain and improve their quality of life. The second initiative, "Older Adult Clubs for Immigrant Populations," is funded at \$1.5 million in Fiscal 2024 and provides operational support to culturally competent and linguistically accessible older adult clubs not affiliated with NYC Aging, and programmatic support for NYC Aging older adult clubs that predominantly serve immigrant older adults. Both initiatives support community-based organizations that serve older adult immigrant populations. Additionally, while the Council's other older adult initiatives aren't specifically dedicated to immigrants, they also provide support to community-based organizations that serve older adults who are immigrants.⁷³

VIII. LEGISLATIVE ANALYSIS

Int. No. 228-A

This bill would require DFTA to make information available to older adults about NYC Care. DFTA would be required to ensure that such information describes the NYC Care initiative and provides eligibility guidelines for the initiative. This information would be provided to older adults in paper form and made available at all locations where DFTA or DFTA-contracted entities provide services to clients. Such information would include a statement that eligibility to participate in NYC Care is not based on immigration status, and that support services are offered through NYC Care, including access to social workers and care coordinators that connect eligible individuals with housing, legal services, financial assistance, and food assistance.

Since being heard, the bill received technical edits, and was further amended to clarify that NYC Care provides low or no-cost primary care to income-eligible New York City residents, and that eligibility for NYC Care is not based on immigration status.

. (The following is the text of the Fiscal Impact Statement:)

Available at: <https://www.bakerinstitute.org/research/aging-and-immigration-nexus-health-ramifications-older-adults-undocumented-legal-status>.

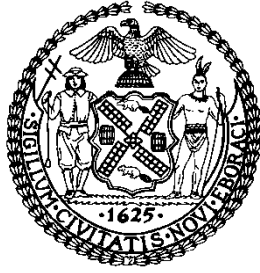
⁶⁹ Supra note 49 (Bei Wu)

⁷⁰ Wu, Bei. "New Older Immigrants in the U.S.: Challenges, Coping, and Intervention Strategies." Generations American Society on Aging. (March 23, 2022). Available at: <https://generations.asaging.org/new-older-immigrants-us>

⁷¹ Daniel Parra, "In City's Tent Shelter for Immigrants, Illness and Aging Pose Challenges," City Limits, Jan. 30, 2024, available at <https://citylimits.org/2024/01/30/in-citys-tent-shelter-for-immigrants-illness-and-aging-pose-challenges/>.

⁷² Id.

⁷³ Fiscal 2024 Schedule C, June 30, 2023, pages 136-152, see: <https://council.nyc.gov/budget/wp-content/uploads/sites/54/2023/08/Fiscal-2024-Schedule-C-Merge-Final.pdf>.



**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: 228

COMMITTEE: Aging

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the provision of information regarding the NYC Care program to older adults.

SPONSOR(S): Council Members Hudson, Brooks-Powers, Fariás, Schulman, Stevens.

SUMMARY OF LEGISLATION: Proposed Int. No. 228 would require the New York City (NYC) Department for the Aging (DFTA) to make information available to older adults about NYC Care, the NYC Health + Hospitals initiative to provide low or no-cost primary health care to income-eligible NYC residents. DFTA would be required to ensure that such information describes the NYC Care initiative and provides eligibility guidelines for the initiative. This information would be provided to older adults in paper form and made available at all locations where DFTA or DFTA-contracted entities provide services to clients. Such information would include a statement that eligibility to participate in NYC Care is not based on immigration status, and that support services are offered through NYC Care, including access to social workers and care coordinators that connect eligible individuals with housing, legal services, financial assistance, and food assistance.

EFFECTIVE DATE: This local law would take effect 90 days 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 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 the agency responsible for carrying out its requirements would use existing resources to fulfill its requirements.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Saiyemul Hamid, Financial Analyst

ESTIMATE REVIEWED BY: Julia K. Haramis, Unit Head
Chima Obichere, Deputy Director
Jonathan Rosenberg, Managing Deputy Director
Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: This legislation was heard jointly by the Committee on Aging and the Committee on Immigration as a Pre-considered Introduction on February 27, 2024, and laid over. The legislation was subsequently introduced to the Council on February 28, 2024, as Proposed Intro. No. 228, and was referred to the Committee on Aging (the Committee). The legislation has been amended and the amended version, Proposed Intro. No. 228-A, will be considered by the Committee at a hearing on March 19, 2024. Upon a successful vote by the Committee, Proposed Intro. No. 228-A, will be submitted to the full Council for a vote on March 19, 2024.

DATE PREPARED: March 12, 2024.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 228-A:)

Int. No. 228-A

By Council Members Hudson, Farías, Stevens, Brooks-Powers, Schulman, Mealy, Avilés and Dinowitz.

A Local Law to amend the administrative code of the city of New York, in relation to the provision of information regarding the NYC Care program to older adults

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-214 to read as follows:

§ 21-214 *Provision of information regarding initiatives to provide low or no-cost primary health care to income-eligible New York city residents.* a. *Definitions.* For purposes of this section, the following terms have the following meanings:

Client. The term “client” means an older adult to whom direct services are provided by the department or by a person that contracts with the department to provide such services.

NYC care initiative. The term “NYC care initiative” means the health care access program operated by the New York city health and hospitals corporation to provide low or no-cost primary care to income-eligible New York city residents, or any such successor program.

b. The department shall make available to all clients information regarding the NYC care initiative. Such information shall describe the NYC care initiative and provide eligibility guidelines for such initiative. The department shall make such information available to clients in paper form at all locations where the department, or a person contracting with the department, provides services to clients. Such information shall, at minimum, include:

1. A statement that eligibility to participate in the NYC care initiative is not based on immigration status; and

2. Information regarding support services offered through the NYC care initiative, including, as applicable, access to social workers and care coordinators that connect eligible individuals with housing, legal services, financial assistance, and food assistance.

c. The department shall post, and update as necessary, the information required by subdivision b of this section on the department's website and shall post a link to such information on the 311 citizen center website.

The department shall make such information available in the designated citywide languages as defined in section 21-211.

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

CRYSTAL HUDSON, *Chairperson*; LINDA LEE, DARLENE MEALY, LYNN C. SCHULMAN, YUSEF SALAAM, SUSAN ZHUANG; 6-0-0; *Absent*: Chris Banks; Committee on Aging, March 19, 2024.

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

Report of the Committee on Education

Report for Int. No. 45-A

Report of the Committee on Education in favor of approving and adopting, a Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to requiring the New York city department of education to report actual class sizes and expand reports on the number of students in special programs in New York city public schools.

The Committee on Education, to which the annexed proposed local law was referred on February 8, 2024 (Minutes, page 247), respectfully

REPORTS:

I. INTRODUCTION

On March 19, 2024, the Committee on Education, chaired by Council Member Rita Joseph, will consider Proposed Introduction Number (Int. No.) 45-A, sponsored by Council Member Rita Joseph, related to requiring the New York city department of education to report actual class sizes and expand reports on the number of students in special programs in New York city public schools.

The Committee previously held a hearing on Int. No. 45-A on February 29, 2024 and heard testimony from the New York City (NYC) Department of Education (DOE), NYC Public Advocate Jumaane Williams, and New York State Senator John Liu. The Committee also heard testimony from unions, non-profits, community-based organizations, advocates, and members of the public.

II. BACKGROUND

In 2022, the New York State Legislature passed legislation mandating that the DOE limit the number of students in classrooms across all of its K-12 schools, through a 5-year phase-in process beginning in fall of 2023. Though DOE currently provides reporting on the average class size of all DOE schools and programs, reporting on actual class size would provide increased transparency that will allow the public to assess DOE's progress towards compliance with the law.

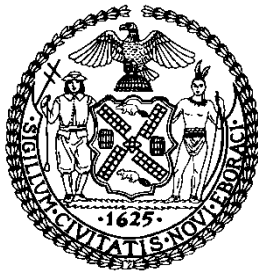
III. BILL ANALYSIS

Proposed Int. No. 45-A – A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to requiring the New York city department of education to report actual class sizes and expand reports on the number of students in special programs in New York city public schools

This bill would mandate that DOE report the actual class size of all classes in DOE schools and programs. This bill would also require the DOE to report on a district, borough, and citywide level, the number and percentage of students in special programs, disaggregated by program type, grade, race or ethnicity, gender, and English language learner status.

Since it was heard, the bill was amended to include an additional reporting period and reporting on classes primarily serving students with autism in class size reports. Additionally, this bill was amended to include disaggregated reporting on students in foster care and those receiving special education services in reports on students in special programs. This bill also received technical edits.

(The following is the text of the Fiscal Impact Statement for Int. No. 45-A:)



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

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

RICHARD LEE, FINANCE DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 45-A

COMMITTEE: Education

TITLE: A Local Law to amend the New York City charter and the administrative code of the city of New York, in relation to requiring the New York city department of education to report actual class sizes and expand reports on the number of students in special programs in New York city public schools.

SPONSOR(S): By Council Members Joseph, Louis, Brooks-Powers, Avilés, Farías, Cabán, Stevens, Gennaro, Rivera, Schulman, Gutiérrez, Krishnan, Hudson, Nurse, Hanks, Salaam, Marte, Riley, Banks, Bottcher, Won, Brewer, Williams, Narcisse, Feliz, Hanif, Ung and Marmorato.

SUMMARY OF LEGISLATION: This bill would require the Department of Education (DOE) to report the actual class size of all classes in DOE schools and programs three times annually. This bill would also require the DOE to report on a district, borough, and citywide level, the number and percentage of students in special programs, disaggregated by program type, grade level, race or ethnicity, gender, special education status, and English language learner status.

EFFECTIVE DATE: This local law takes 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 estimated that there would be no impact on expenditures resulting from the enactment of this legislation, as DOE would use existing resources to fulfill its requirement.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

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

ESTIMATE REVIEWED BY: Aliya Ali, Unit Head, NYC Council Finance Division
Chima Obichere, Deputy Director, NYC Council Finance Division
Jonathan Rosenberg, Managing Deputy Director,
NYC Council Finance Division
Kathleen Ahn, Counsel, NYC Council Finance Division

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on February 8, 2024, as Intro. No. 45 and referred to the Committee on Education (Committee). The Committee heard the legislation on February 29, 2024, and the legislation was laid over. The legislation was subsequently amended, and the amended version, Proposed Intro. No. 45-A, will be considered by the Committee on March 19, 2024. Upon successful vote by the Committee, Proposed Intro. No. 45-A will be submitted to the full Council for a vote on March 19, 2024.

DATE PREPARED: March 16, 2024,

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 45-A:)

Int. No. 45-A

By Council Members Joseph, Louis, Brooks-Powers, Avilés, Farías, Cabán, Stevens, Gennaro, Rivera, Schulman, Gutiérrez, Krishnan, Hudson, Nurse, Hanks, Salaam, Marte, Riley, Banks, Bottcher, Won, Brewer, Williams, Narcisse, Feliz, Hanif, Ung, Dinowitz and Marmorato.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to requiring the New York city department of education to report actual class sizes and expand reports on the number of students in special programs in New York city public schools

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 522 of the New York city charter, as added by local law number 125 for the year 2005, is amended to read as follows:

c. Class size reporting. The department of education shall submit a report *on class sizes* to the city council [twice] *3 times* annually, on or before November [fifteenth] *15*, [and] February [fifteenth] *15*, *and June 30* of each year[, with respect to]. *Each November 15 report shall reflect preliminary class sizes as of the preceding October 31, each February 15 report shall reflect updated class sizes as of the preceding October 31, and each June 30 report shall reflect class sizes as of the preceding June 15. Such reports shall include the following* information regarding class sizes in New York city public schools:

1. For each school and, separately, for each academic program within a school or school building, including smaller schools housed within larger institutions and specialized programs, such as those for gifted students and for students with special needs, the average class size per grade of all classes, *including classes primarily serving students with autism, and the actual class size of each class* in such school or program;

2. For each school district [and for each region], the average class size per grade of all classes in such district [and region];

3. For each borough, the average class size per grade of all classes in such borough;

4. Citywide, the average class size per grade; and

5. A detailed description of the methodologies used to calculate all such grade size data reported.

6. *Such report shall, when reporting data for middle school and high school classes with students in different grade levels, report class sizes per grade band and subject.*

§ 2. Section 21-957 of the administrative code of the city of New York, as amended by local law number 223 for the year 2019 and subdivisions a and b of such section as amended by local law number 147 for the year 2023, is amended to read as follows:

§ 21-957 Annual report on the demographics of students in grades kindergarten through [eight] *8*. Not later than December 31, 2015, and by December 1 of each year thereafter, the department shall submit to the speaker of the council and post on its website a report regarding the following:

a. For each community school district, school within such district, special program within such school, and grade within such school, the total number of [public school] students enrolled in the preceding school year in grades kindergarten through [eight] *8* and the number and percentage of such students who:

1. Receive special education services;

2. Are English language learners;

3. Are eligible for the federal free or reduced price meals program;

4. Reside in temporary housing;

5. Are in foster care;

6. Are attending school out of the attendance zone in which the student resides; and

7. Are attending school out of the community school district in which the student resides.

b. The data provided pursuant to subdivision a shall be disaggregated by:

1. Grade level;

2. Race or ethnicity;

3. Gender;

4. Special education status;

5. English language learner status; and

6. Primary home language.

c. For each community school district, each borough, and citywide, the number and percentage of students enrolled in special programs in the preceding school year in grades kindergarten through 8 and the number and percentage of students who:

- 1. Receive special education services;*
 - 2. Are English language learners;*
 - 3. Are eligible for the federal free or reduced price meals program;*
 - 4. Reside in temporary housing;*
 - 5. Are in foster care;*
 - 6. Are attending school out of the attendance zone in which the student resides; and*
 - 7. Are attending school out of the community school district in which the student resides.*
- d. The data provided pursuant to subdivision c shall be disaggregated by:*

- 1. Program type;*
- 2. Grade level;*
- 3. Race or ethnicity;*
- 4. Gender;*
- 5. Special education status; and*
- 6. English language learner status.*

[c.] *e. For students in grades [three] 3 through [eight] 8, the data provided pursuant to subdivision a of this section shall indicate:*

- 1. The number of students who completed the New York state mathematics examination, disaggregated by performance level; and*
- 2. The number of students who completed the New York state English language arts examination, disaggregated by performance level.*

[d.] *f. For each school and special program set forth in subdivision a of this section, the department shall report:*

- 1. The admissions process used by such school or special program, including but not limited to, whether admission to such school or special program is based on a lottery; a geographic zone; an audition; a screening of candidates for such school; including a detailed description of such screening; or a standardized test;*
- 2. Any criteria or methods that are used to supplement the admissions process, including but not limited to, preferences established under the department's diversity in admissions pilot, composite score formulas, waitlists or a principal's discretion;*
- 3. A side-by-side comparison of the racial and ethnic demographics of such school or special program with the racial and ethnic demographics of all students in grades kindergarten through [eight] 8 that reside within the applicable attendance zone, and, if the applicable attendance zone is smaller than the community school district, a side-by-side comparison of the racial and ethnic demographics of the school or special program, the applicable attendance zone, and the applicable community school district; and*
- 4. Whether such school or special program is becoming more or less similar to the racial and ethnic demographics of the applicable attendance zone and the community school district, based on the comparison required pursuant to paragraph 3 of this subdivision.*

[e.] *g. For each community school district, the department shall report on whether the department made any efforts in such community school district during the preceding school year to encourage a diverse student body in its schools and special programs and, if so, the details of such efforts, including, but not limited to, strategic site selection of new schools and special programs, making recommendations to the community education council to draw attendance zones with recognition of the demographics of neighborhoods, the allocation of resources for schools and special programs, and targeted outreach and recruitment efforts.*

[f.] *h. 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] 1 and [five] 5 students, or contains an amount that would allow another category that contains between [one] 1 and [five] 5 students to be deduced, the number*

shall be replaced with a symbol. A category that contains [zero] 0 shall be reported as [zero] 0, unless such reporting would violate any applicable provision of federal, state, or local law relating to the privacy of student information.

[g.] i. The report required pursuant to this section shall, to the extent the department has such information, include data regarding charter schools located within the [five] 5 boroughs.

§ 3. This local law takes effect immediately.

RITA C. JOSEPH, *Chair*; ERIC DINOWIZ, JENNIFER GUTI'ERREZ, KAMILLAH M. HANKS, SHEKAR KRISHNAN, LINDA LEE, FARAH N. LOUIS, MERCEDES NARCISSE, PIERINA A. SANCHEZ, LYNN C. SCHULMAN, ALTHEA V. STEVENS; 11-0-0; *Absent*: James F. Gennaro; *Medical*: Shahana K. Hanks; Committee on Education, March 19, 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 General Welfare

Report for Int. No. 349

Report of the Committee on General Welfare in favor of approving and adopting, a Local Law to amend the administrative code of the city of New York, in relation to requiring quarterly reports on removals involving individuals experiencing homelessness and the outcomes for those individuals.

The Committee on General Welfare, to which the annexed proposed local law was referred on February 28, 2024 (Minutes, page 768), respectfully

REPORTS:

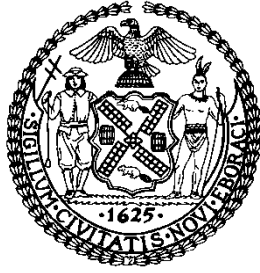
I. Introduction

On March 19, 2024, the Committee on General Welfare, chaired by Deputy Speaker Diana Ayala, will consider Introduction Number (Int. No.) 349, sponsored by Council Member Sandy Nurse. The Committee previously held a hearing on Int. No. 349 on March 1, 2024, where the Committee received testimony from the New York City Department of Social Services, service providers, and advocacy organizations.

II. Bill Analysis

This bill would amend Local Law 34 of 2024 to require submission of reports on a quarterly basis. This bill would take effect immediately.

(The following is the text of the Fiscal Impact Statement for Int. No. 349:)



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: 349

COMMITTEE: General Welfare

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring quarterly reports on removals involving individuals experiencing homelessness and the outcomes for those individuals.

SPONSOR(S): Council Members Nurse, Ayala, Won, Rivera, Stevens and Brooks-Powers.

SUMMARY OF LEGISLATION: Proposed Int. No. 349 would make clarifying edits to Local Law 34 of 2024 to indicate that required reports are to be submitted on a quarterly basis.

EFFECTIVE DATE: This local law would take effect immediately.

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 the Department of Social Services 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
Department of Social Services
Mayor's Office of Office of Management and Budget
Mayor's Office of City Legislative Affairs

ESTIMATE PREPARED BY: Phariha Rahman, Financial Analyst

ESTIMATE REVIEWED BY: Julia K. Haramis, Unit Head
Elizabeth Hoffman, Assistant Director
Chima Obichere, Deputy Director
Jonathan Rosenberg, Managing Deputy Director
Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council on February 28, 2024, as Int. No. 349 and was referred to the Committee on General Welfare (the Committee). A hearing was held by the Committee on March 1, 2024, and the legislation was laid over. Proposed Int. No. 349, will be considered by the Committee at a hearing on March 19, 2024. Upon a successful vote by the Committee, Proposed Intro. No. 349 will be submitted to the full Council for a vote on March 19, 2024.

DATE PREPARED: March 12, 2024.

Accordingly, this Committee recommends its adoption.

(The following is the text of Int. No. 349:)

Int. No. 349

By Council Members Nurse, Ayala, Won, Rivera, Stevens, Brooks-Powers and Riley.

A Local Law to amend the administrative code of the city of New York, in relation to requiring quarterly reports on removals involving individuals experiencing homelessness and the outcomes for those individuals

Be it enacted by the Council as follows:

Section 1. The opening paragraphs of subdivisions b and c of section 21-152 of the administrative code of the city of New York, as added by local law number 34 for the year 2024, are amended to read as follows:

b. No later than 1 month after the effective date of the local law that added this section, and quarterly thereafter, the commissioner, in consultation with the police commissioner, the commissioner of sanitation, and the commissioner of parks and recreation, shall submit to the speaker of the council, the public advocate, and the mayor, and publish on the department's website, in a machine readable format, a report on removals conducted during the prior [month] *quarter*. The report shall include a table in which each row references a unique occurrence of a removal. Each such row shall include the following information and any additional information the commissioner deems appropriate, set forth in separate columns:

c. No later than 1 month after the effective date of the local law that added this section, and quarterly thereafter, the commissioner shall submit to the speaker of the council, the public advocate, and the mayor, and publish on the department's website, in a machine readable format, a report on the same-day outcomes for individuals experiencing homelessness involved in a removal during the prior [month] quarter. Such report shall include a table in which each row references a unique occurrence of a removal. Each such row shall include the following information, as well as any additional information the commissioner deems appropriate, set forth in separate columns:

§ 2. This local law takes effect immediately.

DIANA I. AYALA, *Chairman*; KEVIN C. RILEY, TIFFANY L. CABAN, ALEXA AVILÉS, CHI A, OSSÉ, LINCOLN RESTLER, SANDRA UNG; 7-0-0; *Absent*: Chris Banks and Althea V. Stevens; Committee on General Welfare, March 19, 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 Housing and Buildings

Report for Int. No. 653-A

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, in relation to continuation of the New York city rent stabilization law.

The Committee on Housing and Buildings, to which the annexed proposed amended local law was referred on March 7, 2024 (Minutes, page 1306), respectfully

REPORTS:

INTRODUCTION

On March 19, 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. 653-A, sponsored by Council Member Sanchez, in relation to continuation of the New York city rent stabilization law, and Res. No. 256, sponsored by Council Member Sanchez, 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. The Committee on Housing and Buildings first heard Int. No. 653-A and Res. No. 256 on March 6, 2024.

LEGISLATION

Int. No. 653-A

Int. No. 653-A would declare a continued need for rent regulation and control, and would extend the expiration date of the New York City Rent Stabilization Law of 1969 from April 1, 2024 to April 1, 2027.

This legislation would take effect immediately.

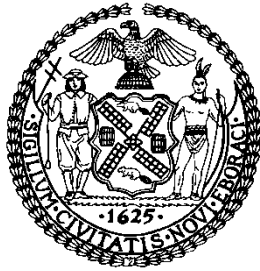
Res. No. 256

As a result of the 2023 HVS finding that the citywide rental vacancy rate is less than 5%, the City can declare that there is still a need for rent regulation. This resolution states that the New York City Council has determined 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.

UPDATE

On Tuesday, March 19, 2024, the Committee adopted Int. No. 653-A by a vote of seven in the affirmative, zero in the negative, and zero abstentions; and Res. No. 256 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. 653-A:)



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

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

RICHARD LEE, FINANCE DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 653-A

COMMITTEE: Housing and Buildings

TITLE: 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.

SPONSOR(S): Council Members Sanchez, Brannan, and Louis.

SUMMARY OF LEGISLATION: Proposed Int. No. 653-A would extend the expiration date of the New York City Rent Stabilization Law of 1969 from April 1, 2024 to April 1, 2027.

EFFECTIVE DATE: This local law would take effect immediately.

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. According to the most recent New York City Housing and Vacancy Survey conducted in 2023, rent-stabilized units numbered 996,600 and rent-controlled units numbered 14,050 out of a total of 2,391,130 rental units. If this legislation is not passed and wholesale deregulation occurred, the City could see some increase in property tax revenue once property assessments were fully increased to reflect higher rents. However, since this legislation would not alter current property assessments, no estimate of such revenue is provided here.

IMPACT ON EXPENDITURES: It is anticipated that this legislation would have no impact on expenditures. The legislation extends existing rent regulations and should not have any new impact on costs associated with housing displacement or affordability.

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 Deputy Director
Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: The legislation was first considered by the Committee on Housing and Buildings (Committee) as a Pre-Considered Introduction on March 6, 2024. Following the hearing, the legislation was introduced to the full Council and referred back to the Committee on March 7, 2024, as Intro. No. 653. The bill has been amended, and the amended version, Proposed Intro. No. 653-A will be considered by the Committee on March 19, 2024, and upon a successful vote by the Committee, Proposed Intro. No. 653-A will be submitted to the full Council for a vote on March 19, 2024.

DATE PREPARED: March 18, 2024.

(For text of Res. No. 256, please see the Report of the Committee on Housing and Buildings for Res. No. 256 printed in the voice-vote Resolutions calendar section of these Minutes; for text of Int. No. 653-A please see below)

Accordingly, this Committee recommends the adoption of Int. Nos. 653-A and Res. No. 256.

(The following is the text of Int. No. 653-A:)

Int. No. 653-A

By Council Members Sanchez, Brannan, Louis, Brewer and Dinowitz.

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

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 [with] *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.

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 19, 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 Land Use

Report for L.U. No. 15

Report of the Committee on Land Use in favor of approving Application number C 240029 HAK (Brownsville Arts Center and Apartments) 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 392 Rockaway Avenue/47 Chester Street (Block 3499, Lot 15) Borough of Brooklyn, Community District 16, Council District 41.

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:

SUBJECT

**BROOKLYN CB-16 - THREE APPLICATIONS RELATED TO BROWNSVILLE
ARTS CENTER AND APARTMENTS (BACA)**

C 240029 HAK (L.U. No. 15)

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 392 Rockaway Avenue/47 Chester Street (Block 3499, Lot 15) 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 a

developer to be selected by HPD;

to facilitate the development of a nine-story mixed-use building containing approximately 290 affordable housing units and community facility space.

C 240030 ZMK (L.U. No. 16)

City Planning Commission decision approving an application submitted by the New York City Department of Housing Preservation and Development, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 17d:

1. eliminating from within an existing R6 District a C2-3 District bounded by a line 615 feet northerly of Pitkin Avenue, Rockaway Avenue, the westerly centerline prolongation of Glenmore Avenue, and Chester Street;
2. changing from an R6 District to an R7A District property bounded by a line 615 feet northerly of Pitkin Avenue, Rockaway Avenue, the westerly centerline prolongation of Glenmore Avenue, and Chester Street;
3. changing from a C4-3 District to an R7A District property bounded by the westerly centerline prolongation of Glenmore Avenue, Rockaway Avenue, a line 270 feet northerly of Pitkin Avenue, and Chester Street; and
4. establishing within the proposed R7A District a C2-4 District bounded by a line 615 feet northerly of Pitkin Avenue, Rockaway Avenue, a line 270 feet northerly of Pitkin Avenue, and a line midway between Rockaway Avenue and Chester Street;

as shown on a diagram (for illustrative purposes only) dated August 21st, 2023.

N 240031 ZRK (L.U. No. 17)

City Planning Commission decision approving an application submitted by the New York City Department of Housing Preservation and Development, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

INTENT

To approve the Project as an urban development action area designation, project approval, and disposition of city-owned property; amend to rezone R6/C2-3 and C4-3 zoning districts to R7A and R7A/C2-4 zoning districts; and amend the zoning text to designate the project area as a Mandatory Inclusionary Housing (MIH) area, to facilitate a nine-story mixed-use building with 290 income restricted housing units, approximately 25,500 square feet of ground floor community facility uses for arts and cultural space, and approximately 17,150 square feet of outdoor open space, on property that is vacant and city-owned. The proposed development will have a total of approximately 257,700 square feet of floor area (including approximately 232,180 square feet of residential area).

PUBLIC HEARING**DATE:** February 29, 2024**Witnesses in Favor:** Five**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** March 19, 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. 15 through 17.

In Favor:

Hanks
Brannan
Feliz
Farías
Marte
Nurse
Salaam

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** March 19, 2024

The Committee recommends that the Council approve the attached resolutions.

In Favor:

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

Against:

None

Abstain:

None

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

Res. No. 295

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 240029 HAK, approving the designation of an Urban Development Action Area, an Urban Development Action Area Project, and the disposition of city-owned property located at 392 Rockaway Avenue/47 Chester Street (Block 3499, Lot 15), Borough of Brooklyn, Community District 16, to a developer selected by HPD (L.U. No. 15; C 240029 HAK).

By Council Members Salamanca and Hanks.

WHEREAS, the City Planning Commission filed with the Council on January 29, 2024 its decision dated January 24, 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 392 Rockaway Avenue/47 Chester Street (Block 3499, Lot 15), (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 actions would facilitate a nine-story mixed-use building with 290 income-restricted housing units, approximately 25,500 square feet of ground floor community facility uses for arts and cultural space, and approximately 17,150 square feet of outdoor open space, on property that is vacant and city-owned in which the proposed development will have a total of approximately 257,700 square feet of floor area (including approximately 232,180 square feet of residential area) in the Borough of Brooklyn, Community District 16 (ULURP No. C 240029 HAK) (the “Application”);

WHEREAS, the Application is related to applications C 240030 ZMK (L.U. No. 16), a zoning map amendment to change R6/C2-3 and C4-3 zoning districts to R7A and R7A/C2-4; and N 240031 ZRK (L.U. No. 17), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area;

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 29, 2024 and submitted to the Council on January 29, 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 29, 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 18, 2023 (CEQR No. 20HPD019K) (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 Section 197-d of the New York City Charter, based on the environmental determination and the consideration described in the report C 240029 HAK 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 240029 HAK 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.

ATTACHMENT:**PROJECT SUMMARY**

- | | | | |
|-------------------------------|--|------------------|---------------------------------------|
| 1. PROGRAM: | EXTREMELY LOW AND LOW INCOME AFFORDABILITY PROGRAM | | |
| 2. PROJECT: | Brownsville Arts Center and Apartment (BACA) | | |
| 3. LOCATION: | | | |
| a. BOROUGH: | Brooklyn | | |
| b. COMMUNITY DISTRICT: | 16 | | |
| c. COUNCIL DISTRICT: | 41 | | |
| d. DISPOSITION AREA: | <u>BLOCK</u>
3499 | <u>LOT</u>
15 | <u>ADDRESS</u>
366 Rockaway Avenue |

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 the 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:** 290 dwelling units, plus 1 unit for superintendents
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 DHS and other City agencies will pay up to 30% of their income as rent. All units will be subject to rent stabilization.
10. **INCOME TARGETS** 30% to 80% of AMI
11. **PROPOSED FACILITIES:** Approximately 25,507 square feet of community facility space. Additionally, open space will be provided
12. **PROPOSED CODES/ORDINANCES:** None
13. **ENVIRONMENTAL STATUS:** Negative Declaration
14. **PROPOSED TIME SCHEDULE:** Approximately 23 months from closing to completion of construction

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI, 11-0-0; *Other Council Members Attending: Darlene Mealy*; Committee on Land Use, March 19, 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. 16

Report of the Committee on Land Use in favor of approving Application number C 240030 ZMK (Brownsville Arts Center and Apartments) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 17d, eliminating from within an existing R6 District a C2-3 District, changing from an R6 District to an R7A District, changing from a C4-3 District to an R7A District and establishing within the proposed R7A District a C2-4 District, Borough of Brooklyn, Community.

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. 15 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. 296

Resolution approving the decision of the City Planning Commission on ULURP No. C 240030 ZMK, a Zoning Map amendment (L.U. No. 16).

By Council Members Salamanca and Hanks.

WHEREAS, the New York City Department of Housing Preservation and Development, 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. 17d, by eliminating from within an existing R6 District a C2-3 District, changing from an R6 District to an R7A District, changing from a C4-3 District to an R7A District, and establishing within the proposed R7A District a C2-4 District, which in conjunction with the related actions would facilitate a nine-story mixed-use building with 290 income restricted housing units, approximately 25,500 square feet of ground floor community facility uses for arts and cultural space, and approximately 17,150 square feet of outdoor open space, on property that is vacant and city-owned, in which the proposed development will have a total of approximately 257,700 square feet of floor area (including approximately 232,180 square feet of residential area) in the Borough of Brooklyn, Community District 16 (ULURP No. C 240030 ZMK) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on January 29, 2024 its decision dated January 24, 2024 (the “Decision”) on the Application;

WHEREAS, the Application is related to applications C 240029 HAK (L.U. No. 15), an urban development action area designation (UDAA), project approval (UDAAP), and disposition of City-owned property; and N 240031 ZRK (L.U. No. 17), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on February 29, 2024;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued on August 18, 2023 (CEQR No. 20HPD019K) (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, and based on the environmental determination and consideration described in the report, C 240030 ZMK, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 17d:

1. eliminating from within an existing R6 District a C2-3 District bounded by a line 615 feet northerly of Pitkin Avenue, Rockaway Avenue, the westerly centerline prolongation of Glenmore Avenue, and Chester Street;
2. changing from an R6 District to an R7A District property bounded by a line 615 feet northerly of Pitkin Avenue, Rockaway Avenue, the westerly centerline prolongation of Glenmore Avenue, and Chester Street;
3. changing from a C4-3 District to an R7A District property bounded by the westerly centerline prolongation of Glenmore Avenue, Rockaway Avenue, a line 270 feet northerly of Pitkin Avenue, and Chester Street; and
4. establishing within the proposed R7A District a C2-4 District bounded by a line 615 feet northerly of Pitkin Avenue, Rockaway Avenue, a line 270 feet northerly of Pitkin Avenue, and a line midway between Rockaway Avenue and Chester Street;

as shown on a diagram (for illustrative purposes only) dated August 21st, 2023, Borough of Brooklyn, Community District 16.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI, 11-0-0; *Other Council Members Attending: Darlene Mealy*; Committee on Land Use, March 19, 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. 17

Report of the Committee on Land Use in favor of approving Application number N 240031 ZRK (Brownsville Arts Center and Apartments) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 16, Council District 41.

The Committee on Land Use, to which the annexed Land Use item was referred on February 8, 2024 (Minutes, page 329) 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. 15 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. 297

Resolution approving the decision of the City Planning Commission on Application No. N 240031 ZRK, for an amendment of the text of the Zoning Resolution (L.U. No. 17).

By Council Members Salamanca and Hanks.

WHEREAS, the New York City Department of Housing Preservation and Development, filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, which in conjunction with the related actions would facilitate a nine-story mixed-use building with 290 income-restricted housing units, approximately 25,500 square feet of ground floor community facility uses for arts and cultural space, and approximately 17,150 square feet of outdoor open space, on property that is vacant and city-owned, in which the proposed development will have a total of approximately 257,700 square feet of floor area (including approximately 232,180 square feet of residential area) in the Borough of Brooklyn, Community District 16 (ULURP No. N 240031 ZRK), (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on January 29, 2024, its decision dated January 24, 2024 (the “Decision”) on the Application;

WHEREAS, the Application is related to applications C 240029 HAK (L.U. No. 15), an urban development action area (UDAA) designation, project approval (UDAAP), and disposition of City-owned property; and C 240030 ZMK (L.U. No. 16), a zoning map amendment to change R6/C2-3 and C4-3 zoning districts to R7A and R7A/C2-4;

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 29, 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 18, 2023 (CEQR No. 20HPD019K) (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, and based on the environmental determination and consideration described in the report, N 240031 ZRK, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

Matter underlined is new, to be added;

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

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

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

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

* * *

Brooklyn Community District 16

Map 6 – [date of adoption]



Portion of Community District 16, Brooklyn

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI, 11-0-0; *Other Council Members Attending: Darlene Mealy*; Committee on Land Use, March 19, 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. 18

Report of the Committee on Land Use in favor of approving Application number M 210229 LDQ (88-08 Justice Avenue Restrictive Declaration Termination) submitted by Justice Avenue Tower, LLC, for a modification pursuant to Section 8 of the Declaration D-60 (CP-21465A) to cancel said Declaration D-60, to facilitate as-of-right uses within an existing building on property located at 88-08 Justice Avenue (Block 1842, Lots 39 & 66), within a C4-2 District, Borough of Queens, Community District 4, Council District 25.

The Committee on Land Use, to which the annexed Land Use item was referred on February 8, 2024 (Minutes, page 329) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:**SUBJECT****QUEENS CB - 4****M 210229 LDQ**

City Planning Commission decision approving an application submitted by Justice Avenue Tower, LLC, for a modification pursuant to Section 8 of the Declaration D-60 (CP-21465A) to cancel said Declaration D-60, to facilitate as-of-right uses within an existing building on property located at 88-08 Justice Avenue (Block 1842, Lots 39 & 66), within a C4-2 District.

INTENT

To cancel a previously-approved Restrictive Declaration (D-60) to facilitate commercial use in an existing 18-story, mixed-use building located within the project area (Block 1842, Lots 39 and 66), within a C4-2 District in the Borough of Queens, Community District 4.

PUBLIC HEARING**DATE:** February 26, 2024**Witnesses in Favor:** One**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** March 12, 2024

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

In Favor:
Riley

Against:
None

Abstain:
None

Moya
Abreu
Hanks
Schulman
Carr

COMMITTEE ACTION

DATE: March 15, 2024

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca
Rivera
Riley
Brooks-Powers
Abreu
Farias
Hudson
Sanchez
Borelli

Against:

None

Abstain:

None

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

Res. No. 298

Resolution approving the decision of the City Planning Commission on Application No. M 210229 LDQ for the modification of Restrictive Declaration D-60, to cancel said Declaration D-60, to facilitate as-of-right uses within an existing building on property located at 88-08 Justice Avenue (Block 1842, Lots 39 & 66), within a C4-2 District, Borough of Queens, Community District 4 (the “Project Site”) (L.U. No. 18).

By Council Members Salamanca and Riley.

WHEREAS, the original, approved Restrictive Declaration D-60 (the “Declaration”) dates from July 27, 1972, and was recorded on September 26, 1972, in connection with a rezoning of the project area from an R6 zoning district to a C4-2 zoning district and required development in accordance with plans attached to the Declaration, which included the development of a 14-story office building, a movie theater, and retail shopping area along with a two-story garage structure. Additionally, the Declaration limited retail use to no more than 10,000 square feet per establishment and the upper level of the proposed parking facility was to be closed between 7:00 PM and 7:00 AM, with lighting designed not to reflect beyond the structure to adjacent uses. As an alternative, the Declaration also permitted any development pursuant to R6 zoning district regulations;

WHEREAS, under ULURP Application No. C-21465A, a modification to the Declaration, dated October 7, 1977, was recorded on December 21, 1977, which required development in accordance with plans attached to the modified Declaration, including limited commercial development in the form of an eating and

drinking establishment (approximately 6,000 square feet), a four-story office building (approximately 45,000 square feet), and a parking structure (142 parking spaces);

WHEREAS, under non-ULURP Application No. N 800429 ZDQ, a second modification to the Declaration, dated December 19, 1980, was recorded on February 27, 1981, which required development in accordance with plans attached to the modified Declaration and permitted the premises to be utilized as a public parking lot for a temporary term of five years, and including screening, lighting and operational regulations;

WHEREAS, Justice Avenue Tower, LLC, the current owner of the Project Site, proposes to include commercial uses in the existing building (e.g., 23,000 square feet of commercial office space and 25,000 square feet of retail space) in a manner inconsistent with certain aspects of the Declaration, as modified, and submitted an application to the City Planning Commission, designated number M 210229 LDQ (the “Application”), requesting cancellation of the Declaration, which, under the terms of said Declaration, requires the approval of both the City Planning Commission and the New York City Council, as successor to the Board of Estimate;

WHEREAS, the City Planning Commission filed with the Council on January 29, 2024 its decision dated January 24, 2024 (the “Decision”), on the Application;

WHEREAS, the Decision is subject to review and action by the Council, as the successor in jurisdiction to the New York City Board of Estimate, pursuant to the terms of the Declaration;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on February 26, 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 October 2, 2023 (CEQR No. 23DCP171Q) and the Environmental Assessment Statement (EAS) dated September 29, 2023 which concluded that the proposed actions would not result in any significant adverse environmental impact (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 the terms of Restrictive Declaration D-60, and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report of the City Planning Commission for M 210229 LDQ, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Kamillah M. Hanks; *Medical*: Francisco P. Moya; Committee on Land Use, March 15, 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. 24

Report of the Committee on Land Use in favor of approving, as modified, Application number C 230255 ZMK (Jennings Hall Expansion) submitted by St. Nicks Alliance pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 13b: changing from an R6B District to an R7A District and changing from an R7A District to an R7X District, Borough of Brooklyn, Community District 1, Council District 34.

The Committee on Land Use, to which the annexed Land Use item was referred on February 28, 2024 (Minutes, page 1018), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 24 & Res. No. 300 printed in the General Orders Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Kamillah M. Hanks; *Medical*: Francisco P. Moya; Committee on Land Use, March 15, 2024.

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

Report for L.U. No. 25

Report of the Committee on Land Use in favor of approving, as modified, Application number N 230256 ZRK (Jennings Hall Expansion) submitted by St. Nicks Alliance pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 1, Council District 34.

The Committee on Land Use, to which the annexed Land Use item was referred on February 28, 2024 (Minutes, page 1018), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 25 & Res. No. 301 printed in the General Orders Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Kamillah M. Hanks; *Medical*: Francisco P. Moya; Committee on Land Use, March 15, 2024.

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

Report for L.U. No. 26

Report of the Committee on Land Use in favor of approving Application number C 230306 ZMQ (21-17 37th Avenue Rezoning) submitted by 21-17 37th Ave LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9b, by changing from an M1-1 District to an M1-5 District property bounded a line 90 feet northeasterly of 37th Avenue, 22nd Street, 37th Avenue, and 21st Street, Borough of Queens, Community District 1, Council District 26.

The Committee on Land Use, to which the annexed Land Use item was referred on February 28, 2024 (Minutes, page 1018) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:**SUBJECT****QUEENS CB - 1****C 230306 ZMQ**

City Planning Commission decision approving an application submitted by 21-17 37th Ave., LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9b, by changing from an M1-1 District to an M1-5 District property bounded a line 90 feet northeasterly of 37th Avenue, 22nd Street, 37th Avenue, and 21st Street, Borough of Queens, Community District 1, as shown on a diagram (for illustrative purposes only) dated September 11, 2023, and subject to the conditions of CEQR Declaration E-718.

INTENT

To approve the amendment to rezone the project area from an M1-1 zoning district to an M1-5 zoning district to facilitate the development of a new seven-story building with 84,500 square feet containing light industrial and commercial office uses at 21-17 37th Avenue in the Ravenswood neighborhood of Queens, Community District 1.

PUBLIC HEARING**DATE:** February 26, 2024**Witnesses in Favor:** One**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** March 12, 2024

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

In Favor:

Riley
Moya
Abreu
Hanks
Schulman
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: March 15, 2024

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca
Rivera
Riley
Brooks-Powers
Abreu
Farias
Hudson
Sanchez
Borelli

Against:

None

Abstain:

None

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

Res. No. 299

Resolution approving the decision of the City Planning Commission on ULURP No. C 230306 ZMQ, a Zoning Map amendment (L.U. No. 26).

By Council Members Salamanca and Riley.

WHEREAS, 21-17 37th Ave., 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. 9b, by changing from an M1-1 District to an M1-5 District at 21-17 37th Avenue in the Ravenswood neighborhood of Queens, Community District 1 (ULURP No. C 230306 ZMQ) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on February 9, 2024 its decision dated February 7, 2024 (the "Decision") on the Application;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on February 26, 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 September 11th, 2023 (CEQR No. 23DCP060Q), which includes an (E) designation on the development site to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-718) (the “Negative Declaration”).

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designation (E-718) and Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 230306 ZMQ, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 9b, changing from an M1-1 District to an M1-5 District bounded by a line 90 feet northeasterly of 37th Avenue, 22nd Street, 37th Avenue, and 21st Street, Borough of Queens, Community District 1, as shown on a diagram (for illustrative purposes only) dated September 11, 2023, and subject to the conditions of CEQR Declaration E-718.

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Kamillah M. Hanks; *Medical*: Francisco P. Moya; Committee on Land Use, March 15, 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. 27

Report of the Committee on Land Use in favor of approving, as modified, Application number C 230241 ZMM (East 94th Street Rezoning) submitted by LM East 94 LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6b, changing from an M1-4 District to a C2-8 District and changing from an M1-4 District to a C4-6 District, Borough of Manhattan, Community District 8, Council District 5.

The Committee on Land Use, to which the annexed Land Use item was referred on February 28, 2024 (Minutes, page 1018), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 27 & Res. No. 302 printed in the General Orders Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Kamillah M. Hanks; *Medical*: Francisco P. Moya; Committee on Land Use, March 15, 2024.

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

Report for L.U. No. 28

Report of the Committee on Land Use in favor of approving, as modified, Application number N 230242 ZRM (East 94th Street Rezoning) submitted by LM East 94 LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Manhattan, Community District 8, Council District 5.

The Committee on Land Use, to which the annexed Land Use item was referred on February 28, 2024 (Minutes, page 1019), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 28 & Res. No. 303 printed in the General Orders Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Kamillah M. Hanks; *Medical*: Francisco P. Moya; Committee on Land Use, March 15, 2024.

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

GENERAL ORDERS CALENDAR

Report for L.U. No. 24 & Res. No. 300

Report of the Committee on Land Use in favor of approving Application number C 230255 ZMK (Jennings Hall Expansion) submitted by St. Nicks Alliance pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 13b: changing from an R6B District to an R7A District and changing from an R7A District to an R7X District, Borough of Brooklyn, Community District 1, Council District 34.

The Committee on Land Use, to which the annexed Land Use item was referred on February 28, 2024 (Minutes, page 1018) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS

SUBJECT

BROOKLYN CB-1 – TWO APPLICATIONS RELATED TO JENNINGS HALL EXPANSION

C 230255 ZMK (L.U. No. 24)

City Planning Commission decision approving an application submitted by St. Nicks Alliance, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 13b, by changing from an R6B District to an R7A District and changing from an R7A District to an R7X District, as shown on a diagram (for illustrative purposes only) dated September 11, 2023, and subject to the conditions of CEQR Declaration E-729.

N 230256 ZRK (L.U. No. 25)

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

INTENT

To approve the amendment to rezone the project area from an R6B, R7A, and R7A/C2-4 zoning districts to an R7A, R7X, and R7X/C2-4 and amend the zoning text to designate the project area as a Mandatory Inclusionary Housing (MIH) area to facilitate the development of a new 14-story mixed-use building with 218 Affordable Independent Residences for Seniors (“AIRS”) and ground-floor retail located at 819 Grand Street in the East Williamsburg neighborhood of Brooklyn, Community District 1.

PUBLIC HEARING**DATE:** February 26, 2024**Witnesses in Favor:** Four**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** March 12, 2024

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission on L.U. No. 24 and approve with modifications the decision of the City Planning Commission on L.U. No. 25.

In Favor:

Riley
Moya
Abreu
Hanks
Schulman
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** March 15, 2024

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Rivera
Riley
Brooks-Powers
Abreu
Farias
Hudson
Sanchez
Borelli

Against:

None

Abstain:

None

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSIONS

The City Planning Commission filed a letter dated _____, 2024, with the Council on _____, 2024, 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. 300

Resolution approving the decision of the City Planning Commission on ULURP No. C 230255 ZMK, a Zoning Map amendment (L.U. No. 24).

By Council Members Salamanca and Riley.

WHEREAS, St. Nicks Alliance 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. 13b, by changing from an R6B District to an R7A District and changing from an R7A District to an R7X District, which in conjunction with the related action would facilitate the development of a new 14-story mixed-use building with 218 Affordable Independent Residences for Seniors (“AIRS”) and ground-floor retail located at 819 Grand Street in the East Williamsburg neighborhood of Brooklyn, Community District 1 (ULURP No. C 230255 ZMK) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on February 9, 2024 its decision dated February 7, 2024 (the “Decision”) on the Application;

WHEREAS, the Application is related to application N 230256 ZRK (L.U. No. 25), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on February 26, 2024;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued on September 11, 2023 (CEQR No. 23DCP133K), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials and noise (E-729). In order to avoid the potential for significant adverse historic and cultural resources impact, the applicant has entered into a Restrictive Declaration, committing to the completion of a Phase 1B archaeological study (prior to any construction activity) as part of the proposed project, to be reviewed for approval by the New York City Landmarks Preservation Commission (LPC). Consequently, no significant adverse impacts related to historic and cultural resources are expected to result from the proposed actions.

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designation (E-729) and Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 230255 ZMK, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 13b:

1. changing from an R6B District to an R7A District property bounded by Powers Street, a line 290 feet easterly of Bushwick Avenue, a line midway between Powers Street and Grand Street, and a line 100 feet easterly of Bushwick Avenue; and
2. changing from an R7A District to an R7X District property bounded by Powers Street, a line 100 feet easterly of Bushwick Avenue, a line midway between Powers Street and Grand Street, a line 200 feet easterly of Bushwick Avenue, Grand Street, and Bushwick Avenue;

as shown on a diagram (for illustrative purposes only) dated September 11, 2023, and subject to the conditions of CEQR Declaration E-729, Borough of Brooklyn, Community District 1.

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Kamillah M. Hanks; *Medical*: Francisco P. Moya; Committee on Land Use, March 15, 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. 25 & Res. No. 301

Report of the Committee on Land Use in favor of approving, as modified, Application number N 230256 ZRK (Jennings Hall Expansion) submitted by St. Nicks Alliance pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 1, Council District 34.

The Committee on Land Use, to which the annexed Land Use item was referred on February 28, 2024 (Minutes, page 1018) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 24 & Res. No. 300 printed above 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. 301

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 230256 ZRK, for an amendment of the text of the Zoning Resolution (L.U. No. 25).

By Council Members Salamanca and Riley.

WHEREAS, St. Nicks Alliance filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, which in conjunction with the related

action would facilitate the development of a new 14-story mixed-use building with 218 Affordable Independent Residences for Seniors (“AIRS”) and ground-floor retail located at 819 Grand Street in the East Williamsburg neighborhood of Brooklyn, Community District 1 (ULURP No. N 230256 ZRK) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on February 9, 2024, its decision dated February 7, 2024 (the “Decision”) on the Application;

WHEREAS, the Application is related to application C 230255 ZMK (L.U. No. 24), a zoning map amendment to change R6B, R7A, and R7A/C2-4 zoning districts to R7A, R7X, and R7X/C2-4 districts;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on February 26, 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 September 11, 2023 (CEQR No. 23DCP133K), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials and noise (E-729). In order to avoid the potential for significant adverse historic and cultural resources impact, the applicant has entered into a Restrictive Declaration, committing to the completion of a Phase 1B archaeological study (prior to any construction activity) as part of the proposed project, to be reviewed for approval by the New York City Landmarks Preservation Commission (LPC). Consequently, no significant adverse impacts related to historic and cultural resources are expected to result from the proposed actions.

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designation (E-729) and Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 230256 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

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

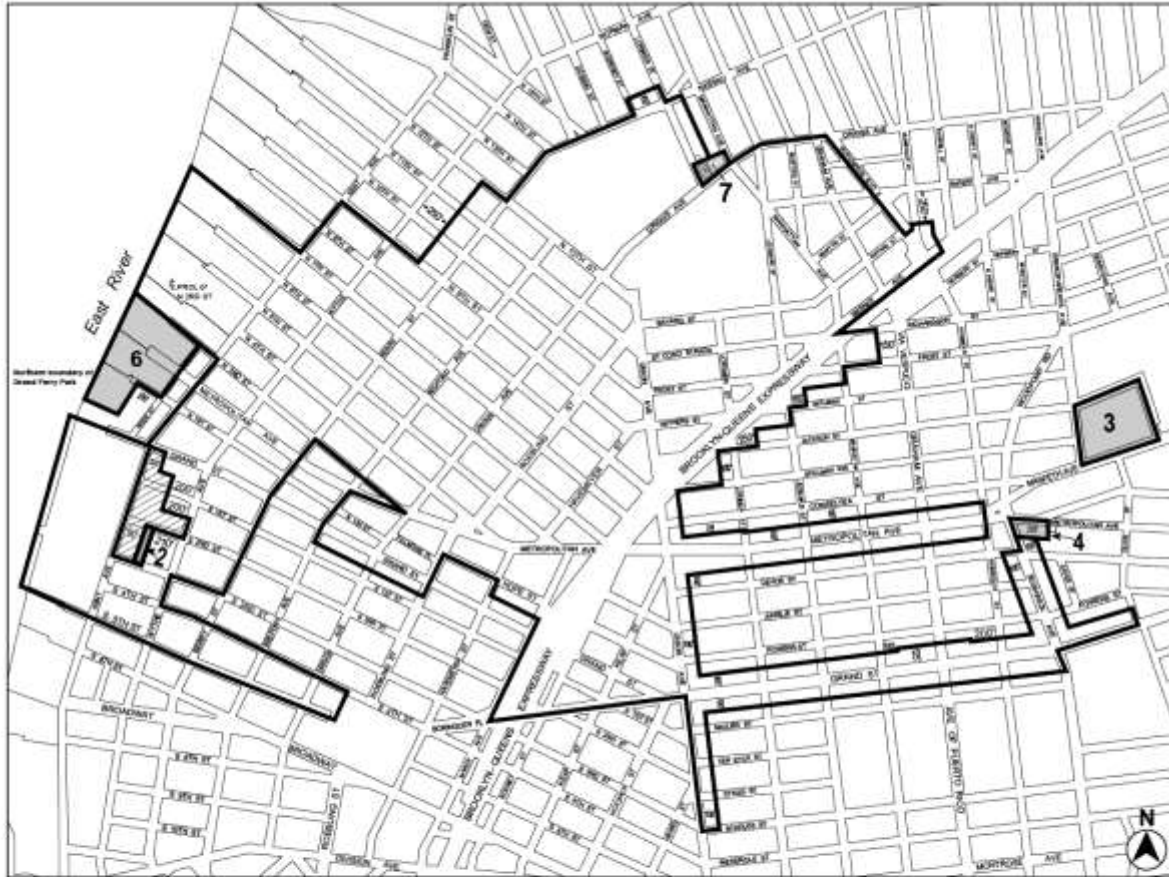
* * *

Brooklyn Community District 1

* * *

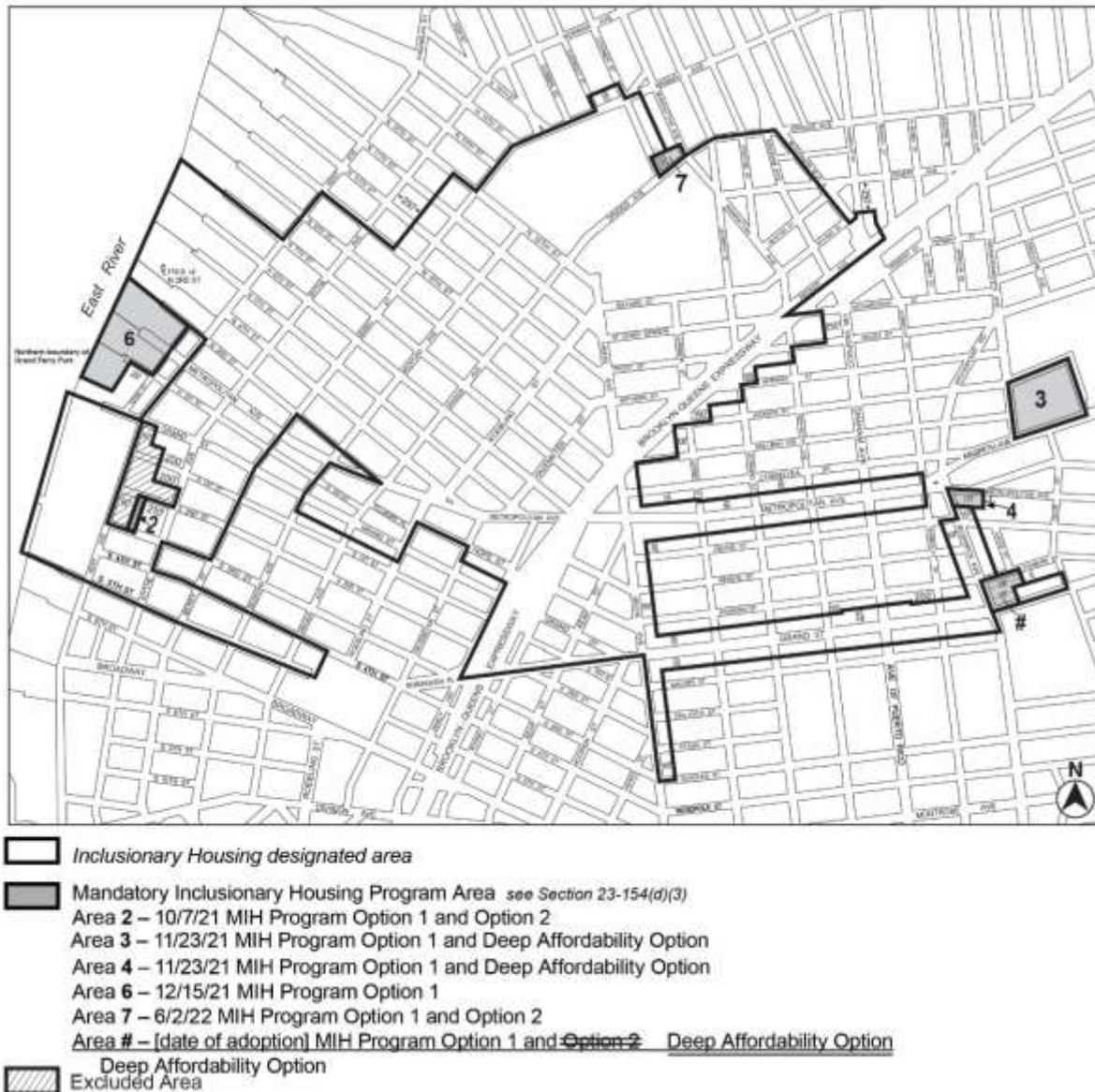
Map 2 – [date of adoption]

[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]



Portion of Community District 1, Brooklyn

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Kamillah M. Hanks; *Medical*: Francisco P. Moya; Committee on Land Use, March 15, 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. 27 & Res. No. 302

Report of the Committee on Land Use in favor of approving, as modified, Application number C 230241 ZMM (East 94th Street Rezoning) submitted by LM East 94 LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6b, changing from an M1-4 District to a C2-8 District and changing from an M1-4 District to a C4-6 District, Borough of Manhattan, Community District 8, Council District 5.

The Committee on Land Use, to which the annexed Land Use item was referred on February 28, 2024 (Minutes, page 1018) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:**SUBJECT**

**MANHATTAN CB-8 – TWO APPLICATIONS RELATED TO EAST 94TH STREET
REZONING**

C 230241 ZMM (L.U. No. 27)

City Planning Commission decision approving an application submitted by LM East 94, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6b:

1. changing from an M1-4 District to a C2-8 District property bounded by a line 315 feet westerly of Second Avenue, a line midway between East 95th Street and East 94th Street, a line 125 feet westerly of Second Avenue, and East 94th Street;
2. changing from an M1-4 District to a C4-6 District property bounded a line 125 feet easterly of Third Avenue, a line midway between East 95th Street and East 94th Street, a line 315 feet westerly of Second Avenue, and East 94th Street;

as shown on a diagram (for illustrative purposes only) dated October 16, 2023, and subject to the conditions of CEQR Declaration E-739.

N 230242 ZRM (L.U. No. 28)

City Planning Commission decision approving an application submitted by LM East 94, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

INTENT

To approve the amendment to rezone the project area from an M1-4 zoning district to C4-6 and C2-8 zoning districts and amend the zoning text to designate a Mandatory Inclusionary Housing (MIH) area to facilitate the development of a mixed-use development with a Mandatory Inclusionary Housing (MIH) requirement, located at 205-239 East 94th Street (Block 1540, Lots 13, 14, and 18), in the Yorkville neighborhood of Manhattan Community District 8.

PUBLIC HEARING**DATE:** February 26, 2024**Witnesses in Favor:** Seven**Witnesses Against:** Nine**SUBCOMMITTEE RECOMMENDATION****DATE:** March 12, 2024

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission on L.U. No. 27 and approve with modifications the decision of the City Planning Commission on L.U. No. 28.

In Favor:

Riley
Moya
Abreu
Hanks
Schulman
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** March 15, 2024

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Rivera
Riley
Brooks-Powers
Abreu
Farias
Hudson
Sanchez
Borelli

Against:

None

Abstain:

None

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSIONS

The City Planning Commission filed a letter dated _____, 2024, with the Council on _____, 2024, 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. 302

Resolution approving the decision of the City Planning Commission on ULURP No. C 230241 ZMM, a Zoning Map amendment (L.U. No. 27).

By Council Members Salamanca and Riley.

WHEREAS, LM East 94, 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. 6b, by changing from an M1-4 District to a C2-8 District and changing from an M1-4 District to a C4-6 District, which in conjunction with the related action would facilitate the development of a mixed-use development with a Mandatory Inclusionary Housing (MIH) requirement, located at 205-239 East 94th Street (Block 1540, Lots 13, 14, and 18), in the Yorkville neighborhood of Manhattan Community District 8 (ULURP No. C 230241 ZMM) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on February 9, 2024 its decision dated February 7, 2024 (the "Decision") on the Application;

WHEREAS, the Application is related to application N 230242 ZRM (L.U. No. 28), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on February 26, 2024;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued on October 13, 2023 (CEQR No. 22DCP186M), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials and air quality (E-739). The application contained project components related to the environment (PCREs), and the applicant will enter into a Restrictive Declaration at the time of approval of land-use related actions and prior to issuance of any permits.

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designation (E-739) and Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 230241 ZMM, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 6b:

1. changing from an M1-4 District to a C2-8 District property bounded a line 315 feet westerly of Second Avenue, a line midway between East 95th Street and East 94th Street, a line 125 feet westerly of Second Avenue, and East 94th Street; and
2. changing from an M1-4 District to a C4-6 District property bounded by a line 125 feet easterly of Third Avenue, a line midway between East 95th Street and East 94th Street, a line 315 feet westerly of Second Avenue, and East 94th Street;

as shown on a diagram (for illustrative purposes only) dated October 16, 2023, and subject to the conditions of CEQR Declaration E-739, Borough of Manhattan, Community District 8.

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Kamillah M. Hanks; *Medical*: Francisco P. Moya; Committee on Land Use, March 15, 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. 28 & Res. No. 303

Report of the Committee on Land Use in favor of approving, as modified, Application number N 230242 ZRM (East 94th Street Rezoning) submitted by LM East 94 LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Manhattan, Community District 8, Council District 5.

The Committee on Land Use, to which the annexed Land Use item was referred on February 28, 2024 (Minutes, page 1019) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 27 printed above 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. 303

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 230242 ZRM, for an amendment of the text of the Zoning Resolution (L.U. No. 28).

By Council Members Salamanca and Riley.

WHEREAS, LM East 94, LLC, filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, which in conjunction with the related

action would facilitate the development of a mixed-use development with a Mandatory Inclusionary Housing (MIH) requirement, located at 205-239 East 94th Street (Block 1540, Lots 13, 14, and 18), in the Yorkville neighborhood of Manhattan Community District 8 (ULURP No. N 230242 ZRM), (the "Application");

WHEREAS, the City Planning Commission filed with the Council on February 9, 2024, its decision dated February 7, 2024 (the "Decision") on the Application;

WHEREAS, the Application is related to application C 230241 ZMM (L.U. No. 27), a zoning map amendment to change an M1-4 zoning district to C4-6 and C2-8 zoning districts;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on February 26, 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 October 13, 2023 (CEQR No. 22DCP186M), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials and air quality (E-739). The application contained project components related to the environment (PCREs), and the applicant will enter into a Restrictive Declaration at the time of approval of land-use related actions and prior to issuance of any permits.

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designation (E-739) and Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 230242 ZRM, 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

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

MANHATTAN

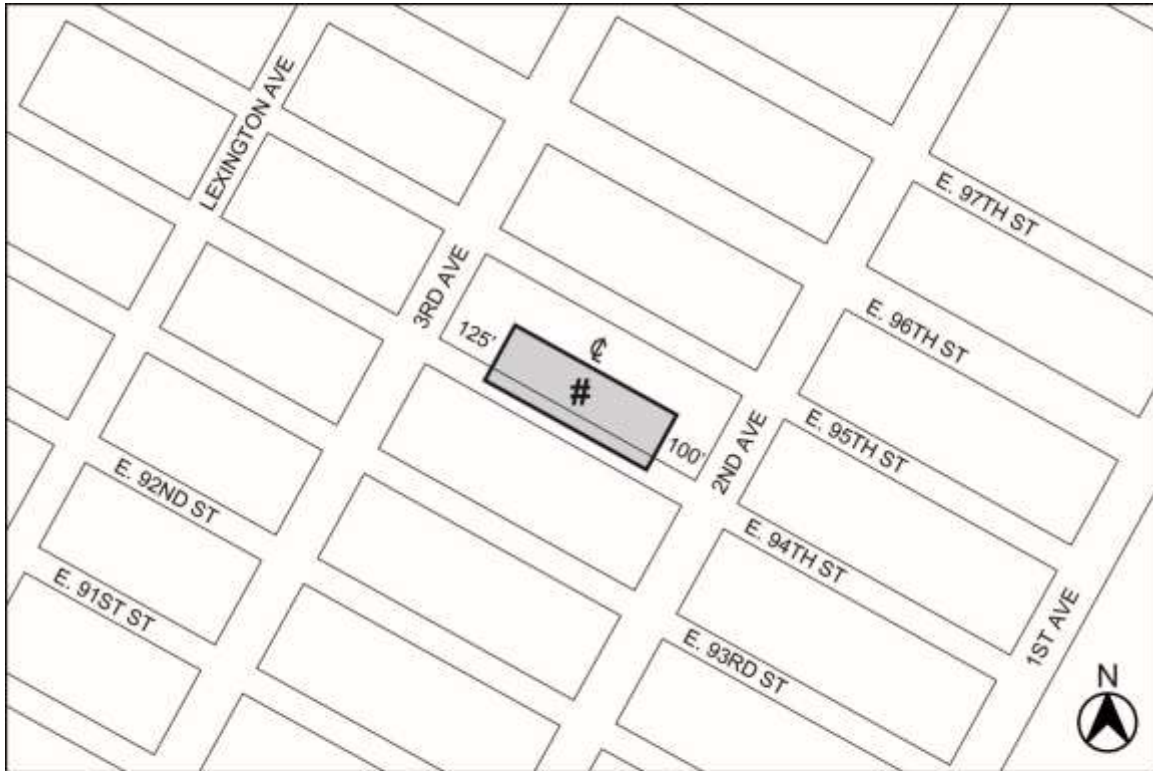
* * *

Manhattan Community District 8

* * *

Map 2 [date of adoption]

[PROPOSED MAP]



Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*

Area # — [date of adoption] MIH Program ~~Option 1~~ Option 2

Portion of Community District 8, Manhattan

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Kamillah M. Hanks; *Medical*: Francisco P. Moya; Committee on Land Use, March 15, 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) Int. No. 45-A - | New York City Department of Education to report actual class sizes and expand reports on the number of students in special programs in New York city public schools. |
| (2) Int. No. 228-A - | Provision of information regarding the NYC Care program to older adults. |
| (3) Int. No. 349 | Quarterly reports on removals involving individuals experiencing homelessness and the outcomes for those individuals. |
| (4) Int. No. 653-A - | Continuation of the New York City Rent Stabilization Law. |
| (5) L.U. No. 15 &
Res. No. 295 - | App. C 240029 HAK (Brownsville Arts Center and Apartments) , Borough of Brooklyn, Community District 16, Council District 41. |
| (6) L.U. No. 16 &
Res. No. 296 - | App. C 240030 ZMK (Brownsville Arts Center and Apartments) , Borough of Brooklyn, Community. |
| (7) L.U. No. 17 &
Res. No. 297 - | App. N 240031 ZRK (Brownsville Arts Center and Apartments) , Borough of Brooklyn, Community District 16, Council District 41. |
| (8) L.U. No. 18 &
Res. No. 298 - | App. M 210229 LDQ (88-08 Justice Avenue Restrictive Declaration Termination) , Borough of Queens, Community District 4, Council District 25. |
| (9) L.U. No. 24 &
Res. No. 300 - | App. C 230255 ZMK (Jennings Hall Expansion) , Borough of Brooklyn, Community District 1, Council District 34. |
| (10) L.U. No. 25 &
Res. No. 301 - | App. N 230256 ZRK (Jennings Hall Expansion) , Borough of Brooklyn, Community District 1, Council District 34. |

- | | |
|--------------------------------------|--|
| (11) L.U. No. 26 &
Res. No. 299 - | App. C 230306 ZMQ (21-17 37th Avenue Rezoning), Borough of Queens, Community District 1, Council District 26. |
| (12) L.U. No. 27 &
Res. No. 302 - | App. C 230241 ZMM (East 94th Street Rezoning), Borough of Manhattan, Community District 8, Council District 5. |
| (13) L.U. No. 28 &
Res. No. 303 - | App. N 230242 ZRM (East 94th Street Rezoning), Borough of Manhattan, Community District 8, Council District 5. |

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, De La Rosa, Dinowitz, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Krishnan, Lee, Louis, Marmorato, Marte, Mealy, Menin, Moya, 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) - **50**.

The General Order vote recorded for this Stated Meeting was 50-0-0 as shown above with the exception of the votes for the following legislative items:

The following was the vote recorded for **Int. No. 653-A (Continuation of the New York City Rent Stabilization Law)**:

Affirmative – Abreu, Ariola, Avilés, Ayala, Banks, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Krishnan, Lee, Louis, Marmorato, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Powers, 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) - **48**.

Negative – Carr and the Minority Leader (Council Member Borelli) - **2**

RESOLUTIONS
presented for voice-vote

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

Report for voice-vote item Res. No. 256

Report of the Committee on Housing and Buildings in favor of approving a 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.

The Committee on Housing and Buildings, to which the annexed resolution was referred on March 7, 2024 (Minutes, page 1319), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Housing and Buildings for Int. No. 653-A printed in Reports of the Standing Committees section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 256:)

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.

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 19, 2024.

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

The following 2 Council Members formally noted their intention to vote negative on this item: Council Members Carr and the Minority Leader (Council Member Borelli).

Adopted by the Council by voice-vote.

INTRODUCTION AND READING OF BILLS

Int. No. 656

By Council Members Abreu and Menin.

A Local Law to amend the administrative code of the city of New York, in relation to food retailer pricing accuracy

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 20-708.1 of the administrative code of the city of New York is amended by adding a new paragraph 11 to read as follows:

11. "Retail food store" shall mean a store which has as its principal line of business the sale at retail of a broad range of food items.

§ 2. Subdivision e of section 20-708.1 of the administrative code of the city of New York, as added by local law 84 for the year 1991, is amended to read as follows:

e. Price accuracy. 1. No retail store shall charge a retail price for any stock keeping item, whether or not exempt under subdivision c of this section, which exceeds the lower of any item, shelf, sale or advertised price of such stock keeping item.

2. If there is a discrepancy between the retail price and the item price, shelf price, sale price, or advertised price on any stock keeping item, and the retail price is not the lowest price or does not reflect any qualifying discount from valid coupons, quantity purchases, or loyalty programs, a retail food store:

(a) Shall not charge the consumer for 1 unit of the stock keeping item, if the lowest price is \$10 or less;

(b) Shall charge the consumer the lowest price less \$10 for 1 unit of the stock keeping item, if the lowest price is more than \$10; and

(c) Shall charge the consumer the lowest price for any additional units of the stock keeping item.

3. Paragraph 2 of this subdivision shall not apply where:

(a) There is evidence of willful tampering, such as the removing, altering or moving of price tags, stamps, marks, or signs;

(b) The discrepancy is a gross error, in that the lowest price is less than half of the retail price, and the consumer cannot show that in the previous 30 days, the retail store sold or advertised the stock keeping item at the lowest price; or

(c) A consumer seeks additional price reductions required pursuant to subparagraphs a and b of paragraph 2 of this subdivision at any retail food store after an initial purchase of the same item within 24 hours.

4. Price discrepancies should first be brought to the attention of the store manager, and if not thereby resolved, any person alleging a violation of this subdivision may file a complaint with the department within 30 days of an attempted purchase. Upon receipt of such a complaint, the department may elect to inspect the retail food store's checkout system in accordance with subdivision f of this section.

5. A notice regarding the provisions of this subdivision shall be clearly and conspicuously posted by all retail food stores.

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

Referred to the Committee on Consumer and Worker Protection.

Int. No. 657

By Council Members Ariola, Menin and Gutiérrez.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a small business disaster recovery and resiliency advisory board

Be it enacted by the Council as follows:

Section 1. Title 22 of the administrative code of the city of New York is amended by adding a new chapter 13 to read as follows:

*CHAPTER 13
DISASTER RECOVERY AND RESILIENCY*

§ 22-1301 Definitions. For purposes of this chapter, the following terms have the following meanings:

Board. The term “board” means the small business disaster recovery and resiliency advisory board.

Disaster. The term “disaster” means an event that causes widespread and severe damage to property or human life, regardless of the cause of such damage.

§ 22-1302 Small business disaster recovery and resiliency advisory board. a. Board created. There is hereby created a small business disaster recovery and resiliency advisory board.

b. Purpose of board. The board shall study and report on disaster-related issues affecting small businesses in the city. The board shall make recommendations to the mayor and the council on potential legislation, regulation, policies, procedures and initiatives for helping small businesses to:

- 1. Engage in strategic planning to become more resilient to future disasters; and*
- 2. Rebuild and reopen after suffering damage during a disaster.*

c. Composition of board; term; vacancy; removal of member; compensation. 1. The board shall consist of nine members, five of whom shall be appointed by the mayor and four of whom shall be appointed by the speaker of the council. The board shall comprise at least one member residing in each borough and no more than two members from any borough.

2. Members of the board shall be appointed for two-year terms, and any vacancy shall be filled in the same manner as the original appointment.

3. No member of the board may be removed except for cause. Before a member may be removed, such member shall be provided with notice of the alleged cause for removal and a hearing before the elected official who appointed such member, which official shall determine whether cause for removal exists. The board shall be led by a chairperson, who shall be selected by a majority vote of the total membership of the board at the board’s first meeting.

4. The board shall select a chairperson from among its members by a majority vote of the total membership at the board’s first meeting. Thereafter, the board shall select a new chairperson in the manner provided by this paragraph whenever necessary to fill a vacancy.

5. Members of the board shall serve without compensation.

d. Meetings of the board. 1. The board shall meet no fewer than five times annually, and at least one meeting shall be held in each borough annually.

2. All meetings of the board shall be open to the public.

3. Notice for meetings of the board shall be provided in accordance with section 104 of the public officers law.

e. The board may request information from city agencies in furtherance of its purpose as stated in this section. Any agency from which the board requests information shall designate a liaison to work with the board and shall provide the board with the requested information in a timely manner, as practicable.

f. No later than May 1 of each year, the board shall report its findings and recommendations to the mayor and the council. Notwithstanding the foregoing sentence, no report is due until at least 90 days have passed after this section becomes law.

§ 2. This local law takes effect immediately.

Referred to the Committee on Small Business.

Res. No. 270

Resolution calling upon the New York City Department of Education to update its student absence notification protocols.

By Council Member Ariola.

Whereas, Attendance is vital to academic success and lost education poses a potential risk of under achievement; and

Whereas, Protecting the safety and wellbeing of students through reporting and monitoring of absenteeism is the responsibility of both parents/guardians and schools; and

Whereas, Schools need to know when and why a student is absent and parents/guardians need to know if their child is not at school; and

Whereas, Prompt communication also promotes daily school attendance; and

Whereas, Early morning notification of a student's absence allows time for the parent or guardian to respond in a proper and timely fashion; and

Whereas, Technology is available that would allow Department of Education (DOE) to maximize the chance of reaching a parent/guardian, close the feedback loop with a parent/guardian more quickly and allow DOE to contact parents/guardians not only about student absence but also period absence and tardiness; and

Whereas, The Chancellor is responsible for setting the standards for school-based attendance programs and issuing guidelines related to attendance issues and services; and

Whereas, Principals are responsible for ensuring that their school's attendance program meets the standards for attendance services, as mandated by state requirements and as required by this regulation and other DOE guidelines; and

Whereas, The last time the DOE changed its Standards for Attendance Programs was September 28, 2017; and

Whereas, The DOE should mandate that notification of a student's absence should be no later than 9am for elementary schools and 2nd period for middle and high school 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 update its student absence notification protocols.

Referred to the Committee on Education.

Res. No. 271

Resolution expressing support of ElectrifyNY and its work to improve the environmental and public health outcomes for communities that are most impacted by the negative effects of the transportation sector's dependency on fossil fuel.

By Council Members Avilés, Gennaro and Gutiérrez.

Whereas, Each day, emissions from transportation, largely from cars, buses, and trucks, contribute a large amount of pollution to New York State's (NYS) air; and

Whereas, For New York City (NYC), according to the NYC Department of Environmental Protection, motor vehicles contribute about 11 percent of the local fine particulate matter and 28 percent of the nitrogen oxide emissions annually; and

Whereas, Although NYS and NYC have made strides to improve environmental and public health outcomes for its communities, air pollution remains a major threat; and

Whereas, ElectrifyNY is a statewide coalition of advocates for environmental justice, public transportation, social justice, and good jobs, formed to combat this threat and ensure that NYS has a clean and equitable electric transportation future; and

Whereas, The coalition includes, among others, the NYC Environmental Justice Alliance, the Tri-State Transportation Campaign, Environmental Advocates of New York, The Sierra Club, and Jobs to Move America; and

Whereas, According to the coalition, transportation is the largest source of pollution in NYS and the only sector in which pollution levels are higher than they were in 1990; and

Whereas, In addition to this, transportation systems are facing a number of challenges, including underfunding, cutbacks, and limited service in low-income communities; and

Whereas, To rectify these problems and secure a more equitable, environmentally-friendly future, the coalition advocates for advancements in public health, transit, jobs, and state policy, which largely focus on the transition to clean-powered transportation; and

Whereas, Specifically, ElectrifyNY campaigns for NYS to, among other things: set a 55 percent ground transportation emissions reductions target by 2035; convert its vehicles and fleets to zero tailpipe emissions through transparent and equitable processes; ensure that investment is made within its charging infrastructure; and maximize the impacts of the Green Transit Bill and Green Jobs Bills; and

Whereas, ElectrifyNY is working with the Metropolitan Transportation Authority (MTA) to ensure transparency in the procurement, construction, and siting of transportation needs aspects of the Authority's commitment to transition to a fully clean-emissions bus fleet by 2040; and

Whereas, The coalition is also ensuring that communities disproportionately impacted by air pollution receive assistance from the MTA to mitigate such impacts; and

Whereas, As ElectrifyNY is an important coalition of advocates that looks to ensure that NYS and NYC have an equitable and clean future while ensuring communities most impacted by transportation-related pollution can thrive, it is important for the Council to support its work; now, therefore, be it

Resolved, That the Council of the City of New York expresses support of ElectrifyNY and its work to improve the environmental and public health outcomes for communities that are most impacted by the negative effects of the transportation sector's dependency on fossil fuel.

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

Int. No. 658

By Council Members Bottcher and Gutiérrez.

A Local Law to amend the administrative code of the city of New York, in relation to monitoring and evaluating homelessness prevention and aftercare programs

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 21-152 to read as follows:

§ 21-152 *Evaluation of homelessness prevention and aftercare services. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

ACCESS HRA. The term "ACCESS HRA" means the website, mobile application, and any related or successor platforms through which individuals obtain information about and apply for some HRA benefits and clients obtain some HRA benefits case information.

Case. The term "case" means a matter that is opened upon a determination of a client's eligibility to receive services through a covered program and is resolved upon either: (i) delivery of all services for which such client is eligible; (ii) a change of eligibility or application status or availability of new information that renders such client ineligible for further service provision; or (iii) such client's voluntary disengagement with all covered programs for which they are eligible.

Client. The term "client" means a unique individual or household that is assessed for services or receives services from a covered provider.

Covered program. The term “covered program” means a program, including the program known as Homebase Homelessness Prevention Program and any successor program, that provides homelessness prevention services to at-risk clients or assists clients in securing permanent and habitable housing.

Covered provider. The term “covered provider” means an entity that has entered into a contract with the department or the department of homeless services to deliver homelessness prevention and aftercare services through a covered program.

HRA. The term “HRA” means the human resources administration.

Visitor. The term “visitor” means a unique individual or household that contacts a covered provider to inquire about services or eligibility to receive services through a covered program or HRA, whether in person, by telephone, online, or through the use of a mobile device application.

b. Annual report. No later than December 1, 2024, and annually thereafter, the department shall, in coordination with relevant covered providers, submit to the mayor and the speaker of the council and post on its website a report evaluating the outcomes and operations of covered programs during the preceding fiscal year. The report shall include, at minimum, the following information for the preceding fiscal year:

1. Services offered. The report shall describe:

(a) Services offered through covered programs and eligibility requirements for each service, as applicable, including but not limited to outreach, eligibility assessment, advice and assistance, case management for shelter aftercare services, and referrals for legal assistance, financial assistance, mediation services, training or employment-related services, language access services, or coordination with other programs that serve the same or similar clients;

(b) Number of clients who received each type of service, disaggregated by month;

(c) Number of clients who received upgraded or downgraded services pursuant to an override of the eligibility assessment results, disaggregated by month; and

(d) Average length of client engagement, in number of days, as measured from first contact to case closure;

2. Population served. The report shall include, at minimum, the following information with respect to each covered provider, if known:

(a) List of funding sources available, including a description of each source’s eligibility requirements for clients to receive services;

(b) Total number of visitors, disaggregated by month;

(c) The method by which visitors learned about the covered program or other services;

(d) Number of visitors identified as eligible to receive services, disaggregated by month;

(e) Total number of clients served, disaggregated by month;

(f) Demographic information for all visitors and clients, to include race or ethnicity, gender, community district, primary language, income level, family type, and any other information the department deems relevant;

(g) Number of clients represented by legal counsel at time of first contact with a covered provider;

(h) Number of clients represented by legal counsel at time of case closure;

(i) For visitors not served, whether a referral to an alternative agency, service provider, or online assistance platform was offered, and if so to which agency, service provider, or platform they were referred; and

(j) For visitors not served, reason for not receiving services, to include, at minimum, the number found to be:

(1) Ineligible, specifying all applicable reasons for ineligibility; or

(2) Eligible, but did not receive services, specifying all applicable reasons for not receiving services, if known, including, but not limited to (i) became ineligible after being accepted as a client, but before receiving any services; (ii) insufficient staff capacity; (iii) received assistance or referral for assistance from a program or service provider other than a covered program or provider, or an online assistance platform such as ACCESS HRA; (iv) elected not to continue, and reason why, if known; or (v) other reason, to be specified;

3. Program outcomes. The report shall include, at minimum, information about the following:

(a) Average timeframe, in number of days, per client case, measured from a client’s first contact with a covered provider to case closure;

(b) Return rates for clients, including average timeframe, in number of days, between case closure and return to the covered program; and

(c) For clients served during the year prior to the preceding fiscal year, rate of client application to enter or entry into shelter within a year of receiving services;

4. *Recommendations.* The report shall include, at minimum, the following recommendations:

(a) *Proposed criteria to monitor and evaluate outcomes of a covered program, including metrics to be measured or data to be collected in the future; and*

(b) *Recommendations for improving visitor and client outcomes, including by identifying best practices implemented by top-performing covered providers, legal or policy measures to expand eligibility or otherwise improve access to services, and any additional services or interventions that could contribute to improved outcomes for visitors or clients.*

5. *For all information required to be reported pursuant to this subdivision, if such information is not known, the department shall report on any actions that would be needed to make such information known, including, but not limited to, systems upgrades, additional staffing, and any other actions the department deems relevant.*

c. *Analysis of contractor performance.* No later than December 1, 2024, and every third year thereafter, the department shall include with the report required pursuant to subdivision b of this section an assessment of each covered provider's contract performance for delivery of the covered program, to include, at minimum, the following information with respect to each covered provider:

1. *Overall quality of outcomes for clients and the metrics used to determine quality of outcomes;*

2. *Work environment in which services are provided, including data on current staffing levels, vacancies, and retention rates, employee pay and benefits structures and trends, ratio of client-facing staff to non-client-facing or support staff, and average case load per client-facing employee for each covered provider;*

3. *Degree to which contractual requirements to deliver services pursuant to the covered program were met by each covered provider over the previous 3 years;*

4. *Changes made by covered providers, if any, in response to feedback provided by the department over the previous 3 years;*

5. *Methodology for data gathering, retention, review, and analysis, including, but not limited to, regular audits, in relation to each covered provider; and*

6. *Identified best practices from top-performing providers and recommendations for implementation of the same or similar practices by the department or other covered providers.*

d. *Privacy and confidentiality.* All information required to be provided pursuant to this section shall be individualized and anonymized, as applicable. No information that is required to be provided pursuant to this section shall be disclosed in a manner that would violate any applicable provision of federal, state, or local law relating to the privacy of information.

e. *Data sharing.* Relevant agencies, including, but not limited to, the department of homeless services, shall share with the department the data necessary to produce the reports required pursuant to this section.

§ 2. a. *Definitions.* For purposes of this section, the terms "covered program" and "covered provider" have the same meaning as set forth in section 21-152 of the administrative code of the city of New York.

Department. The term "department" means the department of social services.

b. *Report on early indicators of housing instability.* No later than January 31, 2025, the department shall submit to the mayor and the speaker of the council a report that provides, at minimum, the following:

1. *Description of any early indicators the department has identified for individuals or households at elevated risk of losing access to housing;*

2. *Recommendations for early or additional intervention opportunities that could complement or expand services currently offered through covered programs or by covered providers;*

3. *Recommendations for expanding the populations served by covered programs; and*

4. *Proposed service delivery framework for the recommended services or interventions.*

c. *Privacy protections.* No information that is required to be provided pursuant to this section shall be disclosed in a manner that would violate any applicable provision of federal, state, or local law relating to the privacy of information.

§ 3. This local law takes effect immediately.

Referred to the Committee on General Welfare.

Int. No. 659

By Council Members Bottcher, Sanchez, Powers and Hanif (in conjunction with the Manhattan Borough President).

A Local Law to amend the New York city building code, in relation to preventing interference of sidewalk sheds in parks and playgrounds

Be it enacted by the Council as follows:

Section 1. Section 3307.6.4.9 of the New York city building code, as amended by local law number 126 for the year 2021, is amended and a new section 3307.6.4.9.1 is added to read as follows:

§ 3307.6.4.9 Avoid interference. Sidewalk sheds shall be installed and located so to not unreasonably obstruct, either visually or physically, traffic, curb cuts, vehicular access points, street lighting poles, traffic lights or signs, fire hydrants, fire department connections, water sampling stations, bus shelter, or other street furniture, trees, adjacent show windows, [or] means of ingress/ egress[.], parks or playgrounds.

§ 3307.6.4.9.1 Sidewalk sheds located in parks or playgrounds. Sidewalk sheds located in parks or playgrounds shall be constructed to allow for the elimination of any cross-bracing and shall be constructed such that the passageway under the shed shall have a minimum clear ceiling height of 12 feet (3658 mm), while still maintaining all sidewalk shed safety requirements. Existing sidewalk sheds located in parks or playgrounds shall be replaced with sidewalk sheds that meet the requirements of this section.

§ 2. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 660

By Council Members Bottcher, Sanchez, Powers, Yeager and Hanif (by request of the Manhattan Borough President).

A Local Law to amend the New York city building code, in relation to the required lighting under sidewalk sheds

Be it enacted by the Council as follows:

Section 1. Section 3307.6.4.8 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

3307.6.4.8 Lighting. Sidewalk shed lighting shall be in conformance with the following:

1. The underside of sidewalk sheds shall be illuminated at all times either by daylight or electric light. The level of illumination shall be uniformly distributed along the entire length of the shed with a minimum of 1 footcandle (11 lux) measured at the level of the walking surface with a minimum luminous efficacy of [45] 90 lumens per watt or greater and be rated to operate at temperatures of 5°F (-15°C) and higher.
2. All lamps shall be enclosed in water-resistant and vandal-resistant fixtures, and all lamps, wiring, and accessory components shall conform to the requirements of the New York City Electrical Code.

3. Photosensors may be used to control electric lighting according to the amount of daylight available. All photosensors shall be equipped for fail-safe operation ensuring that if the sensor or control fails, the lamps will provide the lighting levels required by this section.

4. LED lighting shall be used to satisfy the requirements of this section.

§ 2. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 661

By Council Members Bottcher, Sanchez, Powers and Hanif.

A Local Law to amend the administrative code of the city of New York, in relation to penalties for failure to apply for corresponding work permits after installing a sidewalk shed

Be it enacted by the Council as follows:

Section 1. Article 112 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-112.4.1 to read as follows:

§ 28-112.4.1 Sidewalk shed installed before work permit application. Any property owner who does not submit an application for the corresponding work permits within 6 months after installing a sidewalk shed required pursuant to Section 3307.6.2 shall be subject to a penalty, determined by the department, in addition to the required permit fees.

§ 2. Section 28-103.11 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:

§ 28-103.11 Applications and permits. The department shall receive and review applications, construction documents, and other related documents and shall issue permits, in accordance with the provisions of this code. The department shall inform applicants of any expected delay in the issuance of corresponding work permits following the issuance of a sidewalk shed permit. The department shall, on a weekly basis, send council members and community boards, by electronic mail, a copy of all completed applications for a new building or an alteration that will require a new certificate of occupancy for a building, received during the prior week, disaggregated by community board. In addition, the department shall post such information on its website on a weekly basis.

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

Referred to the Committee on Housing and Buildings.

Int. No. 662

By Council Members Bottcher, Ung, Lee, Brannan, Brewer, Vernikov, Yeager, Zhuang, Gennaro and Won (by request of the Manhattan Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to increasing certain penalties for excessive noise from motor vehicles

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 72 for the year 2016, 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)	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	875	0	1,750	440	2,625	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)	8,000	0	16,000	4,000	24,000	6,000
24-231(b)	1,750	440	3,500	880	5,250	1,320
24-231(c)	875	350	1,750	700	2,625	1,050
24-232	1,400	440	2,800	880	4,200	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	100	700	200	1,050	300
24-234	175	50	350	100	525	150
24-235	175	50	350	100	525	150
24-236(a)	[525] 1,050	[150] 300	[1,050] 2,100	[300] 600	[1,575] 3,150	[450] 900
24-236(b)[(c)](d)	1,440	440	2,800	880	4,200	1,320

24-236(c)	2,160	660	4,200	1,320	6,300	1,980
24-237(a)	[1,000] 2,000	[150] 300	[2,000] 4,000	[300] 600	[3,000] 6,000	[450] 900
24-237(b)	[875] 1,325	[220] 330	[1,750] 2,625	[440] 660	[2,625] 3,950	[660] 990
24-237(c)	875	220	1,750	440	2,625	660
24-237(d)	1,000	350	2,000	700	3,000	1,050
24-238	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	875	220	1,750	440	2,625	660
24-244	1,750	440	3,500	880	5,250	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

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Int. No. 663

By Council Members Bottcher and Ung.

A Local Law to amend the administrative code of the city of New York, in relation to newsrack requirements and to repeal and replace subdivision a of section 19-128.1 of the administrative code of the city of New York

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 19-128.1 of the administrative code of the city of New York, as added by local law number 23 for the year 2002, is REPEALED and a new subdivision a of section 19-128.1 is added to read as follows:

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

Board. The term “board” means the environmental control board of the city of New York.

Bus stop. The term “bus stop” means that area of sidewalk which begins at the bus stop sign, continues in the opposite direction of traffic, and ends at the next regulatory sign, or, if there is no sign, at the corner area.

Close proximity. The term “close proximity” means a distance adjacent to an area designed to facilitate safe ingress or egress that will reasonably permit and protect such safe ingress or egress.

Corner area. The term “corner area” means that area of a sidewalk encompassed by the extension of the building lines to the curb on each corner.

Crosswalk. The term “crosswalk” means that part of a roadway, whether marked or unmarked, which is included within the extension of the sidewalk lines between opposite sides of the roadway at an intersection.

Crosswalk area. The term “crosswalk area” means that area of the sidewalk bounded by the extension of the lines of a crosswalk onto the sidewalk up to the building or property line.

Historically present publication. The term “historically present publication” means a publication that was offered from a single newsrack on the sidewalk block(s) identified in a modular newsrack plan within the six months immediately preceding submission of such plan to the department.

Modular newsrack. The term “modular newsrack” means a newsrack that is designed with multiple enclosed compartments to accommodate the display, sale or distribution of multiple publications to the general public.

Modular newsrack plan. The term “modular newsrack plan” means a plan submitted to the department pursuant to subdivision g of this section.

Newsrack. The term “newsrack” means any self-service or coin-operated box, container or other dispenser installed, used or maintained for the display, sale or distribution of publications to the general public. A newsrack may be modular or single.

Owner. The term “owner” means a natural person, partnership, corporation, limited liability company or other association in ownership of one or more newsracks.

Publication. The term “publication” means a newspaper, periodical or other similar written material.

Sidewalk block. The term “sidewalk block” means the areas of sidewalk on both sides of a roadway, spanning from one intersection to the next intersection.

Single newsrack. The term “single newsrack” means a newsrack that is designed to accommodate the display, sale or distribution of one publication to the general public.

§ 2. Subdivisions b and d of section 19-128.1 of the administrative code of the city of New York, as amended by local law number 36 for the year 2004, are amended to read as follows:

b. Requirements. It shall be a violation [for any person] to place, install or maintain a newsrack on any sidewalk unless such newsrack is in compliance with the provisions of this section.

1. [The maximum height of any newsrack containing a single publication shall be fifty inches. The maximum width of any such newsrack shall be twenty-four inches. The maximum depth of any such newsrack shall be twenty-four inches.] *Newsracks shall be made of materials approved by the department, and shall conform to standards developed by the department regarding the size, shape and appearance of such newsracks.*

2. No newsrack shall be used for advertising or promotional purposes, other than announcing the name [and/or] or website or both of the [newspaper or other written matter] *publication* offered for distribution in such newsrack. *A publication offered in a modular newsrack installed after July 1, 2022 may display its logo on the door of the space(s) in which it is offered, in a size not to exceed 50 percent of the door space.*

3. Each newsrack used to sell [newspapers or other written matter] *publications* shall be equipped with a coin return mechanism in good working order so as to permit a person to secure a refund in the event that the newsrack malfunctions.

4. The owner [or person in control of each newsrack] shall affix [his or her] *to the newsrack the owner’s* name, address, telephone number, and email address, if any, [on the newsrack] in a readily visible location on the front or sides of the newsrack and shall conform such information to any changes required to be reported to the department in accordance with the provisions of subdivision c of this section. In no event shall a post office box be considered an acceptable address for purposes of this paragraph.

5. Subject to the limitations set forth in this section, newsracks shall be placed near a curb.

6. A newsrack shall not be placed, installed or maintained: (a) within [fifteen] 15 feet of any fire hydrant; (b) in any driveway or within close proximity of any driveway; (c) in any curb cut designed to facilitate street access by disabled persons or within two feet of any such curb cut; (d) within close proximity of the entrance or exit of any railway station or subway station; (e) within any bus stop; (f) within a crosswalk area; (g) within a corner area or within five feet of any corner area; (h) on any surface where such installation or maintenance will cause damage to or will interfere with the use of any pipes, vault areas, telephone or electrical cables or other similar locations; (i) on any cellar door, grating, utility maintenance cover or other similar locations; (j) on, in or over any part of the roadway of any public street; (k) unless eight feet of sidewalk width is preserved for unobstructed pedestrian passage; (l) in any park or on any sidewalk immediately contiguous to a park where such sidewalk is an integral part of the park design, such as the sidewalks surrounding Central Park or Prospect Park; (m) on any area of lawn, flowers, shrubs, trees or other landscaping or in such a manner that use of the newsrack would cause damage to such landscaping; [or] (n) *within four feet of street furniture*; (o) *within five feet of a bike share station*; (p) *within eight feet of a bike rack*; (q) *within five feet of a department of environmental protection water sampling station*; or (r) where such placement, installation or maintenance

endangers the safety of persons or property. Any limitation on the placement or installation of newsracks pursuant to this paragraph shall be no more restrictive than necessary to ensure the safe and unobstructed flow of pedestrian and vehicular traffic, and otherwise to assure the safety of persons and property.

7. [Every newsrack] *The department shall develop standards regarding the placement of newsracks including, but not limited to, the manner in which newsracks shall be placed or installed [in a manner that will ensure that such newsrack cannot be tipped] to prevent newsracks from tipping over. In the event of non-compliance with such standards, the commissioner shall issue a notice of correction as provided in subparagraph a of paragraph 1 of subdivision f of this section.*

d. Indemnification and insurance. 1. Each [person who owns or controls] *owner of a newsrack placed or installed on any sidewalk shall indemnify and hold the city harmless from any and all losses, costs, damages, expenses, claims, judgments or liabilities that the city may incur by reason of the placement, installation or maintenance of such newsrack, except to the extent such damage results from the negligence or intentional act of the city.*

2. Each [person who owns or controls] *owner of a newsrack placed or installed on any sidewalk shall maintain a general liability insurance policy naming the city of New York, and its departments, boards, officers, employees and agents as additional insureds for the specific purpose of indemnifying and holding harmless those additional insureds from and against any and all losses, costs, damages, expenses, claims, judgments or liabilities that result from or arise out of the placement, installation [and/or] or the maintenance of any newsrack. The minimum limits of such insurance coverage shall be no less than [three hundred thousand dollars] \$300,000 combined single limit for bodily injury, including death, and property damage, except that any [person] owner who maintains an average of [one hundred] 100 or more newsracks at any one time shall maintain such minimum insurance coverage of [one million dollars] \$1,000,000. An insurance certificate demonstrating compliance with the requirements of this subdivision shall be submitted annually by December [31st] 31 to the commissioner by the [person who owns or controls] owner of such insured newsracks. Should said policy be called upon to satisfy any liability for damages covered by said policy, the policy must be of such a nature that the original amount of coverage is restored after any payment of damages under the policy. Failure to maintain a satisfactory insurance policy pursuant to this subdivision or failure to submit an annual insurance certificate to the commissioner pursuant to this subdivision, shall be deemed a violation of this section subject to subparagraph b-1 of paragraph 1 of subdivision f of this section.*

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

Referred to the Committee on Transportation and Infrastructure.

Res. No. 272

Resolution calling on the New York State Legislature to pass, and the Governor to sign, A.7001B/S.6677A to enact the Gender Identity Respect, Dignity and Safety Act, which would allow for appropriate treatment and placement of incarcerated people based upon their gender identity.

By Council Members Bottcher, Hudson, Cabán, Hanif and Gutiérrez.

Whereas, The National Center for Transgender Equality (NCTE) confirmed transgender, gender nonconforming, non-binary, and intersex (TGNCNBI) people regularly experience social and economic discrimination based upon their race, gender and immigration status; and

Whereas, The New York Civil Liberties Union (NYCLU) found TGNCNBI New Yorkers experience persistent discrimination challenges in many fundamental aspects of daily life, such as trying to earn a living, going to school, finding housing and even “safely walking down the street”; and

Whereas, A 2021 McKinsey & Co. report found transgender adults were twice as likely as cisgender adults with similar education levels to be unemployed, and when they did secure employment, cisgender employees earned up to 32 percent more money each year than their transgender counterparts; and

Whereas, According to a National Crime Victimization Survey, TGNCNBI individuals were found to be four times more likely than cisgender people to be victims of violent crimes; and

Whereas, The NYCLU found TGNCNBI individuals are more frequently policed and criminalized and therefore more likely to be at risk for incarceration than their cisgender counterparts; and

Whereas, According to the NCTE, one in six transgender people—and one in two Black transgender women—report having been incarcerated at some point in their lifetime; and

Whereas, According to the NYCLU, TGNCNBI New Yorkers in the carceral system are increasingly and disproportionately vulnerable to acts of discrimination and violence, and are 10 times more likely to face sexual assault by fellow prisoners and guards than the general prison population; and

Whereas, According to an NYCLU survey, 95 percent of TGNCNBI respondents reported having been verbally harassed by correction staff; and

Whereas, A 2021 report by the NYCLU found TGNCNBI people being 10 times more likely to be sexually assaulted than the general prison population with 75 percent of respondents reporting at least one instance of sexual violence and assault by correction officers; and

Whereas, The NYCLU reports discriminatory policies in New York jails and prisons exacerbate abuse, misgendering and the denial of essential medical care like hormone therapy for TGNCNBI incarcerated individuals; and

Whereas, The 2022 Report of the NYC Task Force on Issues Faced by TGNCNBI People in Custody, convened by the NYC Board of Correction, determined transgender women were routinely sent and kept in men's NYC Department of Correction jail intake facilities and threatened by Correction officers with opposite-sex housing for minor rules infractions; and

Whereas, According to the NYCLU the vast majority of incarcerated TGNCNBI individuals are placed in facilities that do not match their gender identities serving to further exacerbate incidences of violence from other detainees and correctional staff; and

Whereas, A.7001B, sponsored by New York State Assembly Member Nily Rozic, and companion bill S.6677A, sponsored by State Senator Julia Salazar last session, would increase safety for TGNCNBI individuals by requiring New York prisons and jails to presumptively house people consistent with their gender identities unless they opt out; and

Whereas, A.7001B/S.6677A would ensure facilities staff respect a person's gender identity in all contexts during incarceration including search procedures, as well as mandating access to clothing and toiletry items consistent with a person's gender identification; and

Whereas, A.7001B/S.6677A would place a 14-day limit on involuntary protective custody, also known as isolated confinement, which disincentivizes individuals from reporting incidence of harassment and assault; and

Whereas, Respecting and upholding the rights of TGNCNBI people during incarceration will serve to decrease violence and save lives; therefore, be it

Resolved, That the New York City Council calls on the New York State Legislature to pass, and the Governor to sign, A.7001B/S.6677A to enact the Gender Identity Respect, Dignity and Safety Act, which would allow for appropriate treatment and placement of incarcerated people based upon their gender identity.

Referred to the Committee on Criminal Justice.

Int. No. 664

By Council Members De La Rosa and Gutiérrez.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to creating a school diversity monitor within the human rights commission

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 905 of the New York city charter, as added by a vote of the electors on November 6, 2001, is amended to read as follows:

c. Studies. 1. To study the problems of prejudice, intolerance, bigotry, discrimination and disorder occasioned thereby in all or any fields of human relationship; and

(2) To study the prevalence and causes of racial segregation in schools of the city school district of the city of New York, including charter schools, and develop recommendations for remedying such segregation.

§ 2. Title 8 of the administrative code of the city of New York is amended by adding a new chapter 9 to read as follows:

Chapter 9: School Diversity Monitor

§ 8-901 Definitions. As used in this chapter, 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.

Commission. The term “commission” means the city commission on human rights.

Department. The term “department” means the New York city department of education.

School. The term “school” means a school of the city school district of the city of New York, or a charter school under the jurisdiction of the department.

§ 8-902 School diversity monitor. a. There shall be a school diversity monitor which shall be appointed by the commission.

b. Whenever in the judgment of the mayor or the chairperson of the commission the public interests shall so require, the school diversity monitor may be removed from office by either.

c. Whenever a vacancy shall occur, a school diversity monitor shall be appointed by the commission within 30 days thereafter.

d. The school diversity monitor shall, in collaboration with the department pursuant to section 906 of the New York city charter:

1. Identify how school diversity data held by the department can be analyzed to best support the department’s school integration efforts;

2. Develop appropriate professional development training for department teachers in culturally responsive pedagogical practices;

3. Secure additional federal and state funding to train and supports teachers and staff in culturally responsive instruction;

4. Ensure that individual education programs are translated for all students, parents or guardians requesting such translation; and

5. Monitor racial and socio-economic segregation in schools and make recommendations to alleviate disparate impact discrimination.

e. The school diversity monitor shall possess such powers in addition to any other powers that may be assigned to him or her, pursuant to any other provision of law, by the mayor or the commission wherein such position has been established.

f. On or before February 1, 2023, and annually thereafter, the school diversity monitor shall report to the mayor, the speaker of the council and post to the commission’s website a report outlining the school diversity monitor’s work pursuant to subdivision d of this section for the previous calendar year.

§ 8-903 Rules. The commission may promulgate rules necessary to implement the provisions of this chapter.

§ 2. This local law takes effect immediately.

Referred to the Committee on Civil and Human Rights.

Int. No. 665

By Council Members De La Rosa and Hanif.

A Local Law to amend the administrative code of the city of New York, in relation to the provision of union membership guidance for public-sector employees in New York City

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 12 of the administrative code of the city of New York is amended by adding a new section 12-209 to read as follows:

§ 12-209 *Union membership guidance.* a. *Definitions.* For purposes of this section, the term “agency” has the same meaning as such term is defined in section 1150 of the charter.

b. The department shall create a pamphlet that sets forth in simple and understandable terms the following minimum requirements:

1. An explanation of the Supreme Court decision in *Janus v. AFSCME Council 31*;
2. The definition of a public employer;
3. An explanation that public-sector workers have the right to unionize pursuant to state and local law;
4. The prohibition of public employers interfering with public-sector employees right to unionize; and
5. The loss of benefits to public employees who choose not to join a union pursuant to subdivision 2 of section 209-a of the civil service law.

c. The department shall distribute to all current agency employees the pamphlet required pursuant to this section. Within 30 days of an employee first being employed or reemployed by an agency, the department shall distribute the pamphlet required pursuant to this section to such employee.

d. The department shall make available on its website the pamphlet required pursuant to this section.

§ 2. This local law takes effect immediately.

Referred to the Committee on Civil Service and Labor.

Int. No. 666

By Council Members De La Rosa, Won and Hanif.

A Local Law to amend the administrative code of the city of New York, in relation to increasing civil penalties and prohibiting issuance of the food service establishment permit for outstanding penalties for violations of the fair work week law

Be it enacted by the Council as follows:

Section 1. Section 20-1209 of the administrative code of the city of New York, as added by local law number 107 for the year 2017, is amended to read as follows:

§ 20-1209 Specific civil penalties payable to the city. a. For each violation of this chapter, an employer is liable for a penalty of \$500 for the first violation and, for subsequent violations that occur within two years of any previous violation of this chapter, up to [\$750] \$1,500 for the second violation and up to [\$1,000] \$2,000 for each succeeding violation.

b. The penalties imposed pursuant to this section shall be imposed on a per employee and per instance basis for each violation.

§ 2. Subdivision c of section 20-1212 of the administrative code of the city of New York, as added by local law number 107 for the year 2017, is amended to read as follows:

c. Civil penalty. In any civil action commenced pursuant to subdivision a of this section, the trier of fact may impose a civil penalty of not more than [\$15,000] \$30,000 for a finding that an employer has engaged in a pattern or practice of violations of this chapter. Any civil penalty so recovered shall be paid into the general fund of the city.

§ 3. Subchapter 1 of chapter 12 of title 20 of the administrative code of the city of New York, as amended by local law number 107 for the year 2017, is amended by adding a new section 20-1213 to read as follows:

§ 20-1213 *Effect of violations and penalties on the food service establishment permit.* The commissioner may, after due notice and an opportunity to be heard, direct the commissioner of the department of health and mental hygiene to suspend, revoke, deny or refuse to renew the permit required by subdivision (a) of section 81.05 of the health code if the commissioner makes a determination that, with respect to violations of this chapter or chapter 8 of this title:

a. The applicant has failed to satisfy a fine or civil penalty ordered against such applicant in a judicial or administrative proceeding arising out of any such violation;

b. A court of competent jurisdiction has found that the applicant has engaged in a pattern or practice of such violations; or

c. The applicant has been ordered to pay an aggregate of \$500,000 or more in civil penalties or monetary relief for such violations over a three-year period.

§ 4. Subchapter 1 of chapter 12 of title 20 of the administrative code of the city of New York, as amended by local law number 107 for the year 2017, is amended by adding a new section 20-1214 to read as follows:

§ 20-1214. *Severance. Any employee of a fast food establishment affected by the suspension or revocation of a food service establishment permit pursuant to this subchapter shall be paid a severance by the employer for work lost during the first fourteen calendar days of any suspension, revocation, or denial of issuance or renewal.*

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

Referred to the Committee on Consumer and Worker Protection.

Int. No. 667

By Council Members De La Rosa, Won and Gutiérrez.

A Local Law to amend the administrative code of the city of New York, in relation to requiring a workers' rights training for certain fast food employees

Be it enacted by the Council as follows:

Section 1. Section 20-1202 of the administrative code of the city of New York, as amended by local law 80 for the year 2020, is amended to read as follows:

§ 20-1202 Outreach[and], education *and required trainings.*

a. The commissioner shall conduct outreach and education about the provisions of this chapter. Such outreach and education shall be provided to employers, employees and members of the public who are likely to be affected by this law. Such outreach and education shall include a training on the rights provided to fast food employees as set forth in subdivision b of this section.

b. Fast food workers' rights training. 1. (a) The department shall provide a training for fast food employees on the rights afforded to them under city employment laws, including under this title. Such training shall be conducted by the department or the department's designee, which may be another agency or a community organization selected by the department. The training shall be no longer than two hours in duration and shall consist of participatory teaching whereby the trainee is engaged in a trainer-trainee interaction, use of audio-visuals, a computer or online training program or other participatory forms of training as determined by the department.

(b) If the department chooses to designate a community organization to conduct the training required by this paragraph, the department shall consider:

(1) The organization's qualifications and experience related to conducting workers' rights trainings and participatory trainings generally;

(2) The organization's expertise in the rights afforded to fast food employees under this chapter;

(3) The organization's ability to communicate with fast food employees in their preferred language; and

(4) Any other factors the department deems relevant to the efficacy of the training.

2. Upon 45 days' notice by the department, fast food employers shall make their fast food employees available for the training required by paragraph one of this subdivision. Fast food employers shall compensate each fast food employee who receives the training for the time spent traveling to and from the location where the training is held, if not the employee's typical work location, and for the time spent receiving the training.

3. The department shall determine whether to require a fast food employer to make their fast food employees available to attend the training required by this subdivision by considering: (i) the number and severity of violations of this chapter and (ii) any other factors the department deems relevant; provided, however, that the department shall not require a fast food employer to make available any fast food employee who has received the training within the past year.

4. The training required by this subdivision is intended to establish a minimum threshold and shall not be construed to prohibit any fast food employer from making their fast food employees available for more frequent or additional training on the same topic.

§ 2. Subparagraph 3 of subdivision a of section 20-1208 of the administrative code of the city of New York is amended by adding a new subparagraph (a) to read as follows, and by relettering existing subparagraphs (a) through (h) as (b) through (i):

(a) Subdivision b of section 20-1202, \$500 for each employee that the fast food employer failed to make available for training;

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

Referred to the Committee on Consumer and Worker Protection.

Int. No. 668

By Council Members De La Rosa, Gennaro and Hanif.

A Local Law to amend the New York city building code, in relation to requiring newly constructed multiple dwellings to provide adequate space to store and sort organic waste

Be it enacted by the Council as follows:

Section 1. Section 1213.1 of the New York city building code, as amended by local law number 60 for the year 2012, is amended to read as follows:

1213.1 General. Multiple dwellings shall comply with Section 18 of the *New York State Multiple Dwelling Law* and Section 27-2021 of the *New York City Housing Maintenance Code*. In Group R-2 occupancies, space shall be provided for the storage of refuse, [and] recyclables and organic wastes, as a common accessory space. The location of such refuse, [and] recyclables and organic wastes storage space shall be clearly identified on the construction documents and configured to permit separate unobstructed access by building personnel to stored refuse, [and] recyclables and organic wastes. Such refuse, [and] recyclables and organic wastes storage space shall be a minimum of [1.5] 2 square feet ([0.139] 0.186 m²) per dwelling unit, or a minimum of [350] 450 square feet ([32.516] 41.806 m²), whichever is less, for the storage of collected refuse and recyclables.

Exceptions:

1. In multiple dwellings required to have a compactor in accordance with Section 1213.2, such refuse, [and] recyclables and organic wastes storage space shall be, in addition to space required for equipment or circulation, a minimum of 1.0 square foot (0.094 m²) per dwelling unit, or a minimum of 350 square feet (32.516 m²), whichever is less, for the storage of collected refuse, [and] recyclables and organic wastes.
2. Refuse, [and] recyclables and organic wastes storage space shall not be required in multiple dwellings equipped with a chute system that provides for source separation of refuse, [and] recyclables and organic waste materials without cross contamination and an integrated mechanical system to transport such materials off-site that has been approved by the commissioner.

§ 2. Section 1213.1.1 of the New York city building code, as amended by local law number 60 for the year 2012, is amended to read as follows:

1213.1.1 Interior space. Where an interior room is provided for the storage of refuse, [and] recyclables and organic wastes, such room shall be completely enclosed by construction that has a fire-resistance rating of not less than 2 hours, with self-closing opening protectives having a fire protection rating of not less than 1½ hours.

§ 3. Section 1213.1.2 of the New York city building code, as amended by local law number 60 for the year 2012, is amended to read as follows:

1213.1.2 Exterior space. Where space is provided on the exterior of a building for the storage of refuse, [and] recyclables and organic wastes, such refuse, [and] recyclables and organic wastes storage space shall include a minimum of 4 square feet (0.372 m²) in addition to the space per dwelling unit required by Section 1213.1, shall be clearly identified on the construction documents, and shall not be located in the public right-of-way.

§ 4. This local law takes effect January 1, 2023.

Referred to the Committee on Housing and Buildings.

Int. No. 669

By Council Members De La Rosa and Gutiérrez.

A Local Law to amend the New York city charter, in relation to establishing an office of sexual orientation and gender identity and expression

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-o to read as follows:

§ 20-o. *Office of sexual orientation and gender identity and expression. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Director. The term “director” means the director of the office of sexual orientation and gender identity and expression who is appointed pursuant to subdivision b of this section.

Office. The term “office” means the office of sexual orientation and gender identity and expression that is established by subdivision b of this section.

b. Establishment of office; director. The mayor shall establish an office of sexual orientation and gender identity and expression, the head of which shall be a director appointed by the mayor. Such office may be established in any office of the mayor or may be established as a separate office.

c. Powers and duties. The director shall have the following powers and duties:

1. To define issues of concern to lesbian, gay, bisexual, transgender, queer, questioning, intersex, asexual, nonbinary, gender nonconforming and other individuals identified by the director as appropriate, and the families and communities of such individuals, and work to find innovative ways of utilizing city resources to help address such issues of concern;

2. To review, at the request of the mayor, agency budgets and recommend to the mayor budget priorities to promote programs related to affairs of individuals described in paragraph 1 of this subdivision;

3. To advise and assist the mayor in the coordination and cooperation among city agencies that are involved in the administration, regulation or management of programs identified pursuant to paragraph 2 of this subdivision;

4. To promote public awareness of resources available with respect to the issues described in paragraph 1 and to refer members of the public to providers for advice, assistance and available services in connection with particular issues;

5. To conduct community outreach and education targeted to the individuals, families and communities described in paragraph 1 of this subdivision; and

6. To perform such other duties as the mayor may assign.

d. Annual report. No later than January 1, 2024, and annually thereafter, the director shall prepare and submit to the mayor and the speaker of the council a report on the activities carried out by the office during the preceding year.

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

Referred to the Committee on Women and Gender Equity.

Int. No. 670

By Council Members De La Rosa, Won, Hanif and Gutiérrez (by request of the Queens Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to New York City agencies policies regarding work-related communications during non-work hours

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 12 of the administrative code of the city of New York is hereby amended to add a new section 12-141 to read as follows:

§ 12-141. *Work-related communications during non-work hours. a. Within 90 days of the enactment of this local law, each agency of the city of New York shall generate a policy regarding the off-hour work-related usage of electronic communications, including but not limited to, mobile phones and electronic mail. Such policy may contain:*

(a) Guidelines for usage by such agency's employees of city-owned mobile phones during non-work hours;

(b) guidelines for such agency's employees accessing of city electronic mail accounts during non-work hours;

(c) guidelines for such agency's employees usage of other forms of communication in connection with their employment during non-work hours;

(d) clear differentiation, if necessary, if any elements of the policy are different for managerial and non-managerial employees; and

(e) exceptions, if any, to such policy.

b. Within 120 days of the enactment of this local law, each agency shall transmit its policy regarding work-related communications during non-work hours to the mayor.

§ 2. This local law takes effect immediately.

Referred to the Committee on Civil Service and Labor.

Int. No. 671

By Council Members De La Rosa, Riley, Hanif and Gutiérrez.

A Local Law to amend the administrative code of the city of New York, in relation to civil service examination fee waivers

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 12 of the administrative code of the city of New York is amended by adding a new section 12-216 to read as follows:

§ 12-216 *Civil service examination waivers. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Civil service examination. The term “civil service examination” means a competitive examination administered in accordance with the civil service law to determine the merit and fitness of applicants for the civil service.

Department. The term “department” means the department of citywide administrative services.

High school. The term “high school” means a school of the city school district of the city of New York that contains any combination of grades from and including grade 9 through grade 12.

Student. The term “student” means any pupil who does not have a high school diploma and who is enrolled in a high school.

b. The department may waive the fee for a civil service examination for any individual who meets one of the following conditions at the time of filing for the examination:

1. The individual is a high school student; or

2. The individual has not filed for a civil service examination administered by the department.

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

Referred to the Committee on Civil Service and Labor.

Int. No. 672

By Council Members De La Rosa, Gutiérrez, Gennaro and Hanif (by request of the Manhattan Borough President).

A Local Law in relation to the creation of a COVID-19 memorial 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.

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

Task force. The term “task force” means the COVID-19 memorial task force established by this local law.

§ 2. Task force established. There is hereby established a task force to be known as the COVID-19 memorial task force.

§ 3. Duties. The task force shall consider the various factors involved in creating a memorial on Hart Island dedicated to those who died as a direct result of COVID-19, including potential sites on Hart Island for the memorial, resources necessary to create such memorial and the level of coordination among appropriate stakeholders that would be necessary for the creation of such memorial. The task force shall make recommendations in furtherance of creating such memorial and such recommendations shall take into account potential effects on the health and welfare of persons in the city, the projected costs of implementing such recommendations, anticipated effects on stakeholders and any other considerations the task force deems relevant.

§ 4. Membership. a. The task force shall be composed of the following members:

1. The commissioner of cultural affairs or such commissioner’s designee, who shall serve as chair;

2. The commissioner of parks and recreation or such commissioner’s designee;

3. Two members appointed by the mayor, provided that at least 1 such member is a family member of a person who died as a direct result of COVID-19 and is buried on Hart Island; and

4. Two members appointed by the speaker of the council, provided that at least 1 such member is a family member of a person who died as a direct result of COVID-19 and is buried on Hart Island.

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 to the speaker of the council setting forth its recommendations for a memorial on Hart Island dedicated to those who died as a direct result of COVID-19. The report shall include a summary of information the task force considered in formulating its recommendations.

b. The commissioner of cultural affairs shall publish the task force's report electronically on the website for the department of cultural affairs no later than 10 days after submitting such report to the mayor and to 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 Parks and Recreation.

Int. No. 673

By Council Members De La Rosa, Restler, Cabán, Hanif, Gennaro and Gutiérrez.

A Local Law to amend the administrative code of the city of New York, in relation to adding a 311 complaint category for dog runs

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 *Dog run complaints.* a. *Definitions.* For the purposes of this section, the term “dog run” means an enclosed area of a park in which a pet dog, accompanied by the owner of or person supervising such dog, is permitted to engage in leisure activity without use of a leash or other restraint.

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, service request, or information request under the category of “dog runs,” including on its website, mobile device platforms, and any other platform on which the center routinely utilizes categories to sort complaints and requests.

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

Referred to the Committee on Technology.

Int. No. 674

By Council Member De La Rosa (by the request of the Manhattan Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a residential parking permit system in Northern Manhattan

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 Residential parking permit system in Northern Manhattan. a. The department shall create and implement a residential parking permit system in Northern Manhattan, to include all areas north of 60th street through Inwood, as bounded by the intersection of Spuyten Duyvil Creek and Harlem River, which fixes and requires the payment of fees applicable to parking within the area in which such parking system is in effect in accordance with the provisions of this section.

b. In creating such residential parking system, the department shall:

- 1. designate the specific areas in which such parking system applies;*
- 2. provide the times of the day and days of the week during which permit requirements shall be in effect; and*

3. make not less than twenty percent of all spaces within the permit area available to non-residents and provide for short-term parking of not less than ninety minutes in duration in such area; and

4. provide that motor vehicles registered pursuant to section 404-a of the New York vehicle and traffic law be exempt from any permit requirement; and

5. provide the schedule of fees to be paid for residential permits; and

6. provide that such fees shall be credited to the general fund of the city of New York.

c. Notwithstanding the provisions of this section, no such residential parking permit shall be required on streets where the adjacent properties are zoned for commercial, office and/or retail use.

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

Referred to the Committee on Transportation and Infrastructure.

Res. No. 274

Resolution calling on the New York State Legislature to pass, and the Governor to sign, A.9398/S.8166, to establish the Nail Salon Minimum Standards Act.

By Council Members De La Rosa, Gennaro, Hanif and Gutiérrez.

Whereas, Labor regulations have historically excluded industries that depend on disproportionate numbers of female and immigrant workers; and

Whereas, New York's growing nail salon industry, the most geographically concentrated of any state, is overwhelmingly staffed by women of color and recent immigrants; and

Whereas, Years of reporting have indicated that nail salons are rife with exploitation including wage theft and harassment; and

Whereas, Many workers in these salons report the enforcement of a rigid ethnic and racial hierarchy which leaves members of certain ethnic groups with fewer protective gear and less desirable assignments; and

Whereas, Work in nail salons presents occupational hazards such as lengthy hours, unpredictable schedules, and exposure to potentially harmful chemical fumes; and

Whereas, Nail salon employees report that salon owners have skirted recent labor reforms regarding minimum wage, while academic studies suggest workers in the New York City metropolitan area make less than those elsewhere in the state and significantly less than a living wage for a single adult, despite the city's higher cost of living; and

Whereas, Nail salon employees report that few owners comply with the bill of rights, established by the New York Department of State, that entitles workers in the industry to mandatory breaks, tips, and a minimum wage; and

Whereas, Nail salons rarely provide their employees with benefits such as health insurance; and

Whereas, Immigrant workers with limited English speaking ability or awareness of local laws may not know what protections they are entitled to receive; and

Whereas, Employees in industries without robust labor protections may face retaliation for attempts to organize their fellow worker; and

Whereas, The high level of competition in the nail salon business incentivizes charging the lowest possible prices and can discourage owners from paying higher wages or providing benefits without industry-wide coordination; and

Whereas, Recently passed state legislation, such as the 2019 Farm Labor Fair Practices Act, provides a model for how laws can help workers in industries that have often been cut out of labor protections and foster organization for collective bargaining to improve pay and conditions; and

Whereas, the Nail Salon Minimum Standards Act would establish a Nail Salon Minimum Standards Council to investigate wages and standards within the nail salon industry and submit recommendations on minimum wages, regulations and standards for nail salon workers; 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.9398/S.8166, to establish the Nail Salon Minimum Standards Act.

Referred to the Committee on Civil Service and Labor.

Res. No. 275

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

By Council Members De La Rosa, Won, Hanif and Gutiérrez.

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

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

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

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

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

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

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

data from the current and projected cost of living indices for the affected areas; and other data as made available; and

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

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

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

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

Referred to the Committee on Housing and Buildings.

Int. No. 675

By Council Members De La Rosa, Farías, Gennaro and Gutiérrez.

A Local Law in relation to the establishment of a task force to study the gender pay disparity and economic self-sufficiency among the labor force in the city

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.

Economic self-sufficiency. The term "economic self-sufficiency" means earning the amount of income necessary in the city of New York to meet basic needs, including food, housing, utilities, health care, transportation, taxes, dependent care, and clothing, without public subsidies and without private or informal assistance.

Task force. The term "task force" means the gender pay disparity and economic self-sufficiency task force established by this local law.

§ 2. Task force established. There is hereby established a task force to be known as the gender pay disparity and economic self-sufficiency task force.

§ 3. Duties. The task force shall review the public, private, and non-profit labor force to:

- a. Determine the best method or methods to measure the gender pay disparity in the labor force in the city;
- b. Determine an economic self-sufficiency standard for the labor force in the city; and
- c. Conduct a study of the gender pay disparity and economic self-sufficiency among the labor force in the city.

§ 4. Membership. a. The task force shall be composed of the following members:

1. The executive director of the commission on gender equity or such executive director's designee, who shall serve as chair;
2. The executive director of the office for economic opportunity or such executive director's designee;
3. The commissioner of citywide administrative services or such commissioner's designee;
4. The commissioner of the office of labor relations or such commissioner's designee;
5. The president of the New York city economic development corporation or such president's designee;

6. Three members appointed by the mayor, at least one of whom shall be a representative from a labor union and two of which shall be representatives from nonprofits; and

7. Three members appointed by the speaker of the council who shall be individuals with expertise in gender pay disparity or economic self-sufficiency, including individuals who do advocacy work or research in such topics.

b. All appointments required by this section shall be made no later than 90 days after the effective date of this local law.

c. 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 selected in the same manner as the original appointment. 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.

b. The task force may invite relevant experts and stakeholders to attend its meetings and to otherwise 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. The task force shall hold at least one public hearing before submitting the report required by section six.

d. The meeting requirement of subdivision c shall be suspended when the task force submits its report as required by section six.

§ 6. Report. a. No later than one year after the first meeting of the task force, the task force shall submit a report to the mayor and the speaker of the council setting forth its recommendations for legislation, policy and best practices relating to decreasing the gender pay disparity and increasing economic self-sufficiency in the city. The report shall include a summary of information the task force considered in formulating its recommendations.

b. The commission on gender equity shall publish the task force's report electronically on its website no later than 30 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 Women and Gender Equity.

Res. No. 273

Resolution calling on New York State to offer civil service exams, training materials, and assistance, at all Department of Corrections and Community Supervision (DOCCS) facilities.

By Council Members De La Rosa and Gutiérrez.

Whereas, America has the highest incarceration rate in the world – 629 per 100,000 people – compared to Rwanda, the second highest with a rate of 580 per 100,000; and

Whereas, In 2019, there were approximately two million people behind bars in this country; and

Whereas, In New York State's prison system, there were more than 7,500 people incarcerated as of March 2021; and

Whereas, Reentry into the workforce after release from jail or prison is crucial for those formerly incarcerated, their families, and society at large; and

Whereas, For instance, research shows that a steady job and regular income reduces recidivism, thereby increasingly public safety; and

Whereas, Meanwhile, the national economy is harmed when these individuals are excluded from the workforce; and

Whereas, Data from 2016, for example, showed that the country’s “annual gross domestic product (GDP) was reduced \$78-87 billion due to the exclusion of people with felony convictions from the workforce. When accounting for the exclusion from entrepreneurial opportunities and the exclusion of those with misdemeanor convictions, the impact to GDP is likely to be higher”; and

Whereas, Furthermore, with employment often being a condition of parole, those reentering the workforce after incarceration, even if they find employment, are vulnerable to exploitation, feeling forced to accept low-paying jobs or poor working conditions; and

Whereas, Alternatively, employment in the civil service offers job security, health and labor benefits and long-term career opportunities; and

Whereas, In order to ensure people are suitable for positions within the public service, the process involves taking an exam and being entering onto a hiring list; and

Whereas, The exams protect against nepotism and favoritism, but the process can be long and burdensome; and

Whereas, Offering assistance, information and training materials to those in DOCCS facilities would allow more incarcerated people the opportunity to join the civil service; and

Whereas, The Biden Administration recently recognized this important pathway and have developed a Guide to Federal Employment for Second Chance Applicants, and held webinars and briefing seminars in order to boost recruitment of previously incarcerated individuals into the federal workforce; and

Whereas, California is also taking steps to expand the opportunities of the civil service to those previously incarcerated; and

Whereas, In November 2021, the California State Prison in Solano held a civil service workshop and hiring event, the second time it has done so; and

Whereas, After the event, a number of incarcerated individuals took the entry-level Highway Maintenance Worker or Landscape Maintenance Worker exam; and

Whereas, Nearly all of the applicants were successful on the exam and secured conditional job offers; and

Whereas, In addition to making the civil service more diverse, helping formerly incarcerated individuals find secure, well-paying jobs that can lead to long-term careers is important; and

Whereas, Secure employment is a cornerstone of successful reentry and the civil service offers this foundation; now, therefore, be it

Resolved, That the Council of the city of New York calls on New York State to offer civil service exams, training materials, and assistance, at all Department of Corrections and Community Supervision (DOCCS) facilities.

Referred to the Committee on Civil Service and Labor.

Res. No. 276

Resolution calling on the New York State Legislature to reintroduce, pass, and the Governor to sign, S416A/A3481B (2021-2022), known as the Fairness and Opportunity for Incarcerated Workers Act.

By Council Members De La Rosa, Cabán, Rivera, Hanif and Gutiérrez.

Whereas, Federal and state laws and policies often exclude incarcerated workers from recognized workplace protections like Occupational Safety and Health Administration protections, including minimum wage and overtime protections, the right to unionize, certain workplace safety protections, and speedy access to resolve worker rights complaints; and

Whereas, As industrial jobs and vocational training programs are declining nationwide, prison labor programs fail to provide incarcerated workers with transferable skills as they re-enter their communities; and

Whereas, Without proper training and skills, people re-entering society are increasingly being relegated to maintenance and other manual labor jobs because their skills have eroded while they are in jail and they are not provided with new training or jobs that help develop marketable skills; and

Whereas, The current system of little or no pay for those working while incarcerated allows for unfair profiteering and drives communities of color into debt as evidenced by reports that indicate one out of three families supporting an incarcerated loved one go into debt; and

Whereas, Incarcerated people often earn nominal pay for their labor yet must pay for food, clothing, toiletries, and phone calls to maintain contact with family, friends and their attorneys; and

Whereas, Incarcerated workers in the state earn a starting wage of 16 cents per hour, which can be increased to 65 cents per hour, according to the Prisoners' Rights Project within the Legal Aid Society; and

Whereas, S416A sponsored by State Senator Myrie, and A3481B, sponsored by Assemblymember Epstein, introduced in the 2021-2022 legislative session, seek to provide fair wages and treatment of incarcerated individuals and establish a prison labor board to develop, monitor, and enforce policies, plans, and programs for the operation of an equitable and rehabilitative system of prison labor which provides vocational or occupational training; and

Whereas, The Labor Board established by S416A/A3481B is mandated to prohibit the forced labor of incarcerated individuals, ensure that wages paid to incarcerated workers are consistent with Article 19 of the Labor Law, establish and maintain working conditions consistent with workplace health and safety protections required by federal and state law, and power to investigate, review, or take action on any prison labor enterprise or program; and

Whereas, S416A/A3481B will create a system of labor for incarcerated individuals that prohibits forced labor, raises wages without unfair garnishments, protects worker safety and health, and create job training programs that provide real pathways to employment post release; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to reintroduce and pass, and the Governor to sign, S416A/A3481B (2021-2022), known as the Fairness and Opportunity for Incarcerated Workers Act.

Referred to the Committee on Criminal Justice.

Int. No. 676

By Council Members Farías, Gennaro and Gutiérrez.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the taxi and limousine commission to conduct a study and report on increasing the use of electric for-hire vehicles and installing new charging infrastructure

Be it enacted by the Council as follows:

Section 1. The taxi and limousine commission shall conduct a study on costs, challenges, and opportunities related to increasing the use of electric for-hire vehicles and installing new charging infrastructure. No later than 1 year after the effective date of this local law, the taxi and limousine commission shall submit a report on the study's findings to the mayor and the speaker of the council. Such report shall include, but need not be limited to:

1. An estimate of the total number of electric vehicle charging stations required to transition all licensed for-hire vehicles to electric vehicles;
2. How the availability of overnight charging impacts the number of rides for-hire vehicle drivers can provide and the income of drivers;
3. An assessment of whether and how additional electric vehicle charging stations in the borough of Manhattan would affect congestion and traffic flow;
4. Recommended locations for additional electric vehicle charging stations based on the residences of for-hire vehicle drivers;

5. An analysis of the cost and feasibility of installing electric vehicle charging stations in the locations that the taxi and limousine commission recommends;

6. The estimated utilization of any charging locations that the taxi and limousine commission recommends;

7. The average fuel and maintenance costs of an electric for-hire vehicle over the average time period that an electric vehicle is used as a for-hire vehicle compared to the average fuel and maintenance costs of an internal combustion engine for-hire vehicle over the average time period that an internal combustion engine vehicle is used as a for-hire vehicle;

8. The average weekly and monthly cost for a for-hire vehicle driver to rent a for-hire electric vehicle licensed by the taxi and limousine commission compared to the weekly and monthly cost to rent a licensed for-hire internal combustion vehicle; and

9. An analysis of potential incentive programs to encourage the adoption of electric for-hire vehicles, including the issuance of additional for-hire vehicle licenses when internal combustion engine for-hire vehicles are replaced by electric for-hire vehicles.

§ 2. Chapter 5 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-557 to read as follows:

§ 19-557 Electric vehicles and charging stations. a. The commission shall establish targets for the issuance of vehicle licenses to electric vehicles and the installation of charging infrastructure. Each January 1 and July 1, the commission shall submit a report to the mayor and the speaker of the council on progress towards these targets. Such report shall include the following:

1. The number and location of electric vehicle charging stations installed since the preceding report, disaggregated by charging level, borough, and whether the charger was installed at a gas station; and

2. The number of vehicle licenses issued by the commission for electric vehicles since the preceding report.

§ 3. This local law takes effect immediately.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 677

By Council Members Gennaro, Hanif and Gutiérrez.

A Local Law to amend the administrative code of the city of New York, in relation to signs near diaper changing tables

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-518.2 to read as follows:

§ 24-518.2 Signs near diaper changing tables. The owner of a building containing space that (i) is intended for public or common use and (ii) contains a diaper changing table within a restroom shall post and maintain a sign on or near the entrance to each such restroom stating that baby wipes should not be flushed. Such sign shall be posted and maintained in a form and manner determined by the commissioner of environmental protection.

§ 2. This local law takes effect immediately.

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

Int. No. 678

By Council Members Gennaro and Gutiérrez.

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 measure pollutants near potential pollution hotspots in community air quality surveys

Be it enacted by the Council as follows:

Section 1. Subdivisions a and b of section 17-125 of the administrative code of the city New York, as added by local law number 103 for the year 2015, are amended to read as follows:

a. For [the] purposes of this section, *the following terms have the following meanings:*

Pollutants. The term "pollutants" means particulate matter that is less than 2.5 micrometers in diameter, nitrogen dioxide, nitric oxide, sulfur dioxide and ground-level ozone.

Potential pollution hotspot. The term "potential pollution hotspot" means a location in close proximity to a source that is likely to significantly increase the concentrations of pollutants in its immediate vicinity.

b. The department shall conduct a community air quality survey on an annual basis. Such survey shall:

1. Measure pollutants at street-level at monitoring sites across the city of New York over every season of the year, selected to ensure that the number of monitoring sites provides adequate information to assess the range of common emissions sources and neighborhood pollutant concentrations across the city, as determined by the department. *At least 50 of such monitoring sites shall be located at potential pollution hotspots.* At the discretion of the department, data on ozone may be measured in the summer months only and data on sulfur dioxide may be measured in the winter months only;

2. Determine whether and how concentrations of pollutants near monitor sites vary across the city and the relationship, if any, of such concentrations to local traffic, building emissions and other factors;

3. Identify the major local sources of pollutants that contribute to local variation in the concentrations thereof;

4. Identify patterns of pollutants by geographic area, by source, and by season or time of year;

5. Produce maps indicating the varying concentration levels of pollutants across neighborhoods, *at potential pollution hotspots,* and by pollutant;

6. Write an annual report summarizing the results of the activities described in paragraphs [one] 1 through [five] 5 of this subdivision;

7. Include in such report the findings of any completed or ongoing health surveillance or research studies using community air quality survey data to estimate population exposure to pollutants; and

8. Describe in the report the scientific methodology used to select monitor locations for measuring pollutants, *including the scientific methodology used to select potential pollution hotspots,* and *the scientific methodology used* for studying variations in pollutant concentrations.

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

Referred to the Committee on Health.

Res. No. 277

Resolution calling on the State Legislature to pass, and the Governor to sign, S.943-A/A.5050, which would establish an abatement and exemption from real property taxes for capital improvements to reduce carbon emissions.

By Council Members Gennaro, Lee and Schulman.

Whereas, the New York State Climate Leadership and Community Protection Act (Climate Act) imposes a statewide goal of reducing greenhouse gas emissions by 40 percent of 1990 levels by 2030 and no less than 85 percent by 2050 across the entire state economy; and

Whereas, Local Law 97 of 2019, later amended by Local Law 147 of 2019 (Local Law 97), imposes energy efficiency requirements on most buildings in New York City over 25,000 square feet; and

Whereas, These requirements require a 40 percent reduction in emissions produced by these buildings by the year 2030, increasing to 80 percent by the year 2050; and

Whereas, Achieving these goals will require buildings to reduce their total energy use and transition to utilizing lower-carbon energy sources; and

Whereas, In April 2023, the PlaNYC strategic climate plan projected 85 percent of the City's multi-family residential buildings would not be in compliance with the Local Law 97 emissions limits for the year 2030; and

Whereas, Board presidents of multi-family residential buildings have cited costs in the tens of millions of dollars to bring their buildings into compliance with Local Law 97; and

Whereas, Raising the necessary funds to achieve compliance would necessitate raising common charges on building residents, exacerbating the City's affordable housing crisis; and

Whereas, S.943-A, introduced by New York State Senator Kevin Parker, and its companion bill, A.5050, introduced by Assembly Member Edward Braunstein, would establish for eligible Class A or Class B multi-family dwellings a real property tax exemption for any increased assessment for a period of twenty years to the extent an improvement necessary for building emissions compliance would increase building value, as well as a real property tax abatement to reduce taxes owed in correspondence to the reduction of greenhouse gas emissions; and

Whereas, the social and fiscal benefits to the City of combating climate change and preventing increased housing costs compensate for foregone fiscal benefit from otherwise realized property tax revenue; now, therefore, be it

Resolved, That the Council of the City of New York calls on the State Legislature to pass, and the Governor to sign, S.943-A/A.5050, which would establish an abatement and exemption from real property taxes for capital improvements to reduce carbon emissions.

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

Res. No. 278

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.1152/A.3218, in relation to excluding social security payments and supplemental security income from the definition of "income" for the purposes of determining eligibility under the senior citizen rent increase exemption (SCRIE).

By Council Members Gutiérrez, Hudson and Gennaro.

Whereas, According to the 2021 American Community Survey (ACS), conducted by the U.S. Census Bureau, over 1.3 million people ages 65 and older live in New York City (NYC), accounting for 16.2 percent of New York City's population in 2021, up from 12.3 percent in 2011; and

Whereas, 2021 ACS data also showed that about 17 percent of NYC's older adults live below the poverty line, with an additional 8.9 percent living at 100 to 149 percent of the poverty level; and

Whereas, The Senior Citizen Rent Increase Exemption (SCRIE) program is administered by the New York City Department of Finance (DOF) and Department of Housing Preservation and Development (HPD), and protects low-income tenants aged 62 and older from rent increases in rent-regulated apartments and certain cooperative apartments by freezing their rents at a set amount and applying credits for the difference to the property owner's property tax bill; and

Whereas, Eligibility requirements for SCRIE include: not being a participant in any other rent, or carrying charge, subsidy program, such as Section 8; spending more than one-third of monthly household income on rent; and having a combined household income of less than \$50,000, which takes into account sources of income like Social Security, Supplementary Security Income (SSI), pension, and other public assistance benefits; and

Whereas, The U.S. has been experiencing a cost-of-living crisis, with inflation reaching record highs of 7 to 9 percent in the wake of the COVID-19 pandemic, while the U.S. Bureau of Labor Statistics has found consumer prices remaining high for crucial categories like food and rent, reporting a month-to-month increase of 10% and 8.2%, respectively, in February 2023; and

Whereas, Older adults in NYC are being particularly affected by this crisis, because while Social Security benefits are given cost-of-living adjustments so that the monthly payments can keep pace with inflation, as of June 2023 the average monthly benefit was \$1,701.62 while SSI's monthly average payment was \$677.26, meaning they have still been outpaced by the rising cost of living in New York City, where median rent prices continued to hit record levels in 2023, with some estimates finding the median asking rent for a one-bedroom apartment to be \$3,900 per month; and

Whereas, Rent regulated apartments in NYC have been no exception to these rising costs, as in June 2023 the New York City Rent Guidelines Board (RGB) voted to increase rents on rent-stabilized units for the second consecutive year; and

Whereas, The RGB's 2023 Income and Affordability study reported an increase of rent-burdened households in NYC in 2021, at 54.1 percent of renting households, meaning that at least 30 percent of their household income was going towards rent, while the 2021 NYC Housing Vacancy Survey, conducted by HPD in partnership with the U.S. Census Bureau, reported that 40 percent of NYC households with at least one or more older adult were paying over half their household income toward rent, while another 21 percent of those households were paying 30 to 50 percent of their income toward rent; and

Whereas, Because so many older New Yorkers are rent burdened, and so many rely on a fixed income that can be sourced from different entities, such as Social Security and a pension plan, their checks can arrive at different times during the month, or even late, making paying rent each month in a timely manner an increasingly difficult experience as rents increase; and

Whereas, In addition, some older New Yorkers may find themselves ineligible for SCRIE because their Social Security payments can end up placing them just beyond the income threshold to qualify for SCRIE, leading to housing insecurity where these older adults may be displaced into an adult home or the city's homeless shelter system, as well as situations where older adult tenants have to make dire choices such as choosing between groceries or making rent; and

Whereas, New York State Senate Bill S.1152, sponsored by State Senator Cordell Cleare, and New York State Assembly Bill A.3218, sponsored by State Assemblymember Daniel J. O'Donnell, would permit a municipality to make all social security income exempt from the calculation for SCRIE program eligibility; and

Whereas, S.1152/A.3218 would allow New York City to qualify more seniors for SCRIE, thus enabling more older New Yorkers to be more secure in their housing and potentially free up more of their fixed income towards other necessities including groceries, medication, internet access, and emergency expenses; 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.1152/A.3218, in relation to excluding social security payments and supplemental security income from the definition of "income" for the purposes of determining eligibility under the senior citizen rent increase exemption (SCRIE).

Referred to the Committee on Aging.

Int. No. 679

By Council Members Holden and Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to contact information for outdoor advertising companies

Be it enacted by the Council as follows:

Section 1. Section 28-502.5 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:

§ 28-502.5 Display of name and registration number of outdoor advertising company. On and after a date to be prescribed by rule, the commissioner shall require that each outdoor advertising company display, in a manner to be provided by rule, on each sign under its control or on the building or premises where each sign under its control is located or both, (i) the name, *phone number* and registration number of such company and, (ii) unless a permit is not required, the work permit identification number for the installation, alteration or erection of the sign pursuant to chapter 1 of this code and, if applicable, for the maintenance of the sign pursuant to article 501.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of buildings shall take any actions necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Housing and Buildings.

Int. No. 680

By Council Members Holden and Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to reporting of foreclosing residential properties to council members

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 27-2109.1 of the administrative code of the city of New York is amended by adding a new paragraph 4 to read as follows:

4. The department shall, on a quarterly basis, report to each council member a list of all properties in such member's district, identified by block and lot number, along with the name, mailing address and telephone number of the mortgagee plaintiff that issued the notice pursuant to paragraph 1 of this subdivision.

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

Referred to the Committee on Housing and Buildings.

Int. No. 681

By Council Members Holden and Yeger.

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 housing preservation and development

Be it enacted by the Council as follows:

Section 1. 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 27-2091.1 to read as follows:

§ 27-2091.1 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.

Referred to the Committee on Housing and Buildings.

Int. No. 682

By Council Members Holden and Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to violations of certain requirements for places of assembly

Be it enacted by the Council as follows:

Section 1. Section 28-201.2.1 of the administrative code of the city of New York is amended by adding a new item 21 to read as follows:

21. A violation of section 28-117.4, a violation of section 28-117.1 in the case of a violator that offers for sale beverages for on-premises consumption, or a violation of section 28-117.1.2 in the case of a violator that offers for sale beverages for on-premises consumption.

§ 2. Section 28-117.4.2 of title 28 of the administrative code of the city of New York is amended to read as follows:

§ 28-117.4.2 Responsibility for violations. Notwithstanding any provision of this section, only the holder of a certificate of operation shall be liable for violations of this article that relate to such holder's obligations regarding security guards, *except that a person who pays a certificate holder for the use of the premises is deemed to be a certificate holder for purposes of this section, including with respect to penalties imposed for violations of this section.*

§ 3. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 683

By Council Members Holden, Gennaro and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to creating an interagency task force on illegal conversions and occupancies

Be it enacted by the Council as follows:

Section 1. Article 210 of chapter 2 of Title 28 of the administrative code of the city of New York is amended by adding a new section 28-210.5 to read as follows:

§ 28-210.5 Illegal conversions and occupancies task force. a. For the purposes of this section, “illegal conversion” means a modification, alteration or otherwise unlawful action taken with regard to an existing building with the intent to create additional housing units without prior department approval.

b. There shall be an interagency task force to facilitate cooperation on the issue of illegal conversions and occupancies. Such task force shall, at minimum, study and report on the forces contributing to the demand for illegally converted housing units and the prevalence of such illegal housing in the city, the effects such housing arrangements have on the health, safety and welfare of residents and landlords, and the enforcement of existing laws and regulations related to illegal conversions. The task force shall propose changes to the laws, rules, regulations and policies with regard to illegal conversions where appropriate.

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

- 1. The director of the office of special enforcement, or their designee;*
- 2. The fire commissioner, or their designee;*
- 3. The commissioner of housing and preservation development, or their designee;*
- 4. The commissioner of buildings, or their designee;*
- 5. The commissioner of health and mental hygiene, or their designee;*
- 6. The director of city planning, or their designee;*
- 7. One member appointed by the public advocate; and*
- 8. Three members appointed by the speaker of the council.*

d. Unless otherwise determined by the mayor, the chair of such committee shall be the director of the office of special enforcement or such director’s designee.

e. The task force shall invite representatives from relevant city and state agencies, elected officials and advocacy organizations, as identified by the task force, to participate in the development of task force reports.

f. All members shall be appointed to the task force within 60 days of the effective date of the local law that added this section. The members shall serve without compensation, except that each member shall be allowed actual and necessary expenses to be audited in the same manner as other city expenses. Each member shall serve for a term of two years to commence after the final member is appointed, and any vacancies shall be filled in the same manner as the original appointment.

g. Such task force shall meet at least five times a year and shall convene a public hearing in each of the five boroughs.

h. No later than 180 days after the effective date of the local law that added this section, and annually thereafter, the task force shall issue a report to the mayor and the council detailing its activities and recommendations, which shall be made publicly available on the city’s website and the website of the council.

§ 2. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 684

By Council Member Holden.

A Local Law to amend the New York city charter, in relation to requiring each community board to establish a veterans committee

Be it enacted by the Council as follows:

Section 1. Subdivision d of section 2800 of the New York city charter is amended by adding a new subparagraph 23 to read as follows:

(23) Establish a committee dedicated to the needs of veterans and their families, with the meetings of such committee open to the public except as otherwise provided by law.

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

Referred to the Committee on Veterans.

Int. No. 685

By Council Members Holden and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to procurement opportunities for veteran owned business enterprises

Be it enacted by the Council as follows:

Section 1. Section 6-138 of the administrative code of the city of New York, as added by local law number 144 for the year 2013, is amended to read as follows:

§ 6-138 Participation by veteran owned business enterprises in city procurement. *a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Commissioner. The term “commissioner” means the commissioner of small business services.

Veteran owned business enterprise. The term “veteran owned business enterprise” means a business enterprise authorized to do business in this state, including sole proprietorships, partnerships and corporations, in which (i) at least 51 percent of the ownership interest is held by United States citizens or lawful permanent residents who are veterans, as defined in section 3101 of the charter; (ii) the ownership interest of such individuals is real, substantial and continuing; and (iii) such individuals have and exercise the authority to control independently the day to day business decisions of the enterprise. Veteran owned business enterprise includes a business enterprise that is licensed by or located in the city of New York and that has been verified as a service-disabled veteran-owned small business or a veteran-owned small business pursuant to part 74 of title 38 of the code of federal regulations, or certified as a service-disabled veteran-owned business enterprise pursuant to subdivision 5 of section 369-i of the executive law.

b. Report. The commissioner [of the department of small business services], in consultation with the city chief procurement officer, shall analyze veteran owned business enterprises and opportunities for such business enterprises in city procurements and shall, by December 1, 2014, determine the need for a citywide program to promote opportunities in city procurement for veterans. At such time, the commissioner shall submit to the council a report on such analysis including the basis for such determination. If the commissioner determines that there is a need for such a citywide program, such report shall also contain recommendations concerning measures to enhance the opportunities of such businesses with respect to city procurement, which shall include but need not be limited to, outreach and notification of contract opportunities, certification of veteran owned business enterprises, recommendations regarding the establishment of participation goals, and tracking and reporting the utilization of such business enterprises. The commissioner shall periodically review opportunities for veterans in city procurement and, if the commissioner determines necessary, prepare and submit an updated report to the council with recommendations for additional city procurement opportunities for veteran owned business enterprises.

c. Registration as veteran owned business enterprise. The commissioner, in consultation with the city chief procurement officer, shall include a mechanism wherever businesses register to conduct business with the city, including on the city website and any other means of registration, for veteran owned business enterprises to identify as a veteran owned business enterprise.

d. Veteran leadership advisory program. The commissioner, in consultation with the department of veterans’ services, shall establish a veteran leadership advisory program to educate veteran owned business enterprises about federal, state and city procurement opportunities and to support veteran owned business enterprises when applying for such procurement opportunities. The veteran leadership advisory program shall be located within

the department of small business services and shall coordinate and facilitate technical assistance and educational programs, including but not limited to procurement workshops and mentorship programs, to enhance participation in city procurement for veteran owned business enterprises.

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

Referred to the Committee on Veterans.

Int. No. 686

By Council Members Holden and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to supporting veteran vendors

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 20-465.2 of the administrative code of the city of New York, as added by local law number 18 for the year 2021, is amended to read as follows:

a. There is hereby established a street vendor advisory board consisting of the commissioner of consumer and worker protection, the commissioner of health and mental hygiene, the commissioner of small business services, the commissioner of transportation, *the commissioner of veterans' services*, and the police commissioner, or the designee of any such commissioner, [six] 7 members appointed by the speaker, [two] 2 of whom represent street vendors, [one] 1 of whom [represent] *represents* the small business community, [one] 1 of whom represents organizations representing workers at retail food stores, [one] 1 of whom represents property owners, *1 of whom represents the veteran community*, and [one] 1 of whom who represents a community organization, and [four] 4 members appointed by the mayor, [two] 2 of whom represent street vendors and [two] 2 of whom represent the small business community.

§ 2. Title 31 of the administrative code of the city of New York is amended by adding a new section 31-113 to read as follows:

§ 31-113 *Information and resources for veteran vendors. a. Definitions. For purposes of this section, the term "small business" means a business which is resident in the State of New York, independently owned and operated, not dominant in its field, and employs 100 or fewer persons.*

b. The department shall post on its website information and resources related to supporting veterans who are general vendors, as defined in subdivision b of section 20-452, including, but not limited to:

- 1. A brief history in relation to veteran general vendors;*
- 2. An overview of relevant terms, including a description of applicable licenses and permits for veteran general vendors;*
- 3. Information related to applicable federal, state, and local laws, rules, and regulations;*
- 4. Information related to completing the application process for any applicable licenses, permits, programs, support, and grants;*
- 5. Information related to tax preparation resources, including but not limited to tax preparation assistance for small business owners;*
- 6. Links to city webpages that contain information related to assistance, resources, or relevant support for veteran general vendors;*
- 7. A copy of the most recent recommendation made by the street vendor advisory board, as required by subdivision b of section 20-465.2; and*
- 8. Information regarding opportunities for veteran general vendors to seek and obtain financial support.*

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

Referred to the Committee on Veterans.

Int. No. 687

By Council Member Holden.

A Local Law to amend the administrative code of the city of New York, in relation to waiving permit fees for mobile food unit commissaries that reserve space for veteran vendors

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 17-307 of the administrative code of the city of New York is amended to read as follows:

c. It shall be unlawful for any person to operate a commissary, or place of food distribution, or a place wherein five or more pushcarts, or more than one vehicle are stored, without first obtaining a permit. *The commissioner shall waive the fee for such permit for any commissary operator that reserves at least one space for the storage of a mobile food unit operated by a veteran, as defined in subdivision j of section 17-306.*

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

Referred to the Committee on Veterans.

Int. No. 688

By Council Members Holden, Borelli, Ariola, Yeger, Carr, Vernikov and Paladino.

A Local Law to amend the administrative code of the city of New York, in relation to cure periods for certain violations by veterans service organizations

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 15 of the administrative code of the city of New York is amended by adding a new section 15-147 to read as follows:

§ 15-147 Cure periods for certain department violations issued to veterans service organizations. *a. Definitions. For the purposes of this section, the term “veterans service organization” has the same meaning as set forth in section 31-101.*

b. Pursuant to this section and any rule promulgated thereunder, notwithstanding any other provision of law, a veterans service organization has 120 days from the service of a notice of a department violation to cure such violation without incurring a fine or civil penalty. The department shall determine by rule which violations are curable pursuant to this section and the process for curing any such violation. The submission of proof of a cure, if accepted by the department, is deemed an admission of liability for all purposes. The department shall not apply such cure period to any violation that is an immediate threat to safety.

c. After the cure period established by subdivision b of this section expires, the veterans service organization may request an extension of time from the department to cure the violation. The veterans service organization shall make such a request in a manner and form determined by the department by rule and shall include proof that such organization attempted to cure the violation within the initial cure period established by subdivision b of this section.

§ 2. Chapter 1 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-144 to read as follows:

§ 16-144 Cure periods for certain department violations issued to veterans service organizations. *a. Definitions. For the purposes of this section, the term “veterans service organization” has the same meaning as set forth in section 31-101.*

b. Pursuant to this section and any rule promulgated thereunder, notwithstanding any other provision of law, a veterans service organization has 120 days from the service of a notice of a department violation to cure such violation without incurring a fine or civil penalty. The department shall determine by rule which violations are curable pursuant to this section and the process for curing any such violation. The submission of proof of a

cure, if accepted by the department, is deemed an admission of liability for all purposes. The department shall not apply such cure period to any violation that is an immediate threat to safety.

c. After the cure period established by subdivision b of this section expires, the veterans service organization may request an extension of time from the department to cure the violation. The veterans service organization shall make such a request in a manner and form determined by the department by rule and shall include proof that such organization attempted to cure the violation within the initial cure period established by subdivision b of this section.

§ 3. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-200.1 to read as follows:

§ 17-200.1 Cure periods for certain department violations issued to veterans service organizations. a. *Definitions. For the purposes of this section, the term “veterans service organization” has the same meaning as set forth in section 31-101.*

b. Pursuant to this section and any rule promulgated thereunder, notwithstanding any other provision of law, a veterans service organization has 120 days from the service of a notice of a department violation to cure such violation without incurring a fine or civil penalty. The department shall determine by rule which violations are curable pursuant to this section and the process for curing any such violation. The submission of proof of a cure, if accepted by the department, is deemed an admission of liability for all purposes. The department shall not apply such cure period to any violation that is an immediate threat to safety.

c. After the cure period established by subdivision b of this section expires, the veterans service organization may request an extension of time from the department to cure the violation. The veterans service organization shall make such a request in a manner and form determined by the department by rule and shall include proof that such organization attempted to cure the violation within the initial cure period established by subdivision b of this section.

§ 4. Subchapter 1 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-159.7 to read as follows:

§ 19-159.7 Cure periods for certain department violations issued to veterans service organizations. a. *Definitions. For the purposes of this section, the term “veterans service organization” has the same meaning as set forth in section 31-101.*

b. Pursuant to this section and any rule promulgated thereunder, notwithstanding any other provision of law, a veterans service organization has 120 days from the service of a notice of a department violation to cure such violation without incurring a fine or civil penalty. The department shall determine by rule which violations are curable pursuant to this section and the process for curing any such violation. The submission of proof of a cure, if accepted by the department, is deemed an admission of liability for all purposes. The department shall not apply such cure period to any violation that is an immediate threat to safety.

c. After the cure period established by subdivision b of this section expires, the veterans service organization may request an extension of time from the department to cure the violation. The veterans service organization shall make such a request in a manner and form determined by the department by rule and shall include proof that such organization attempted to cure the violation within the initial cure period established by subdivision b of this section.

§ 5. Title 24 of the administrative code of the city of New York is amended by adding a new chapter 11 to read as follows:

CHAPTER 11 CURE PERIODS FOR VETERANS SERVICE ORGANIZATIONS

§ 24-1101 *Definitions. As used in this chapter, the following terms have the following meanings:*

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

Veterans service organization. The term “veterans service organization” has the same meaning as set forth in section 31-101.

§ 24-1102 Cure periods for certain department violations issued to veterans service organizations. a. Pursuant to this section and any rule promulgated thereunder, notwithstanding any other provision of law, a veterans service organization has 120 days from the service of a notice of a department violation to cure such violation without incurring a fine or civil penalty. The department shall determine by rule which violations are

curable pursuant to this section and the process for curing any such violation. The submission of proof of a cure, if accepted by the department, is deemed an admission of liability for all purposes. The department shall not apply such cure period to any violation that is an immediate threat to safety.

b. After the cure period established by subdivision a of this section expires, the veterans service organization may request an extension of time from the department to cure the violation. The veterans service organization shall make such a request in a manner and form determined by the department by rule and shall include proof that such organization attempted to cure the violation within the initial cure period established by subdivision a of this section.

§ 6. Section 28-202.1 of the administrative code of the city of New York is amended by adding a new exception 13 to read as follows:

13. Pursuant to this section and any rule promulgated thereunder, notwithstanding any other provision of law, a veterans service organization, as defined by section 31-103, has 120 days from the service of a notice of a department violation to cure such violation without incurring a fine or civil penalty. The department shall determine by rule which violations are curable pursuant to this section and the process for curing any such violation. The submission of proof of a cure, if accepted by the department, is deemed an admission of liability for all purposes. The department shall not apply such cure period to any violation that is an immediate threat to safety. After such cure period expires, the veterans service organization may request an extension of time from the department to cure the violation. The veterans service organization shall make such a request in a manner and form determined by the department by rule and shall include proof that such organization attempted to cure the violation within the initial cure period established by this exception.

§ 7. Section 31-101 of the administrative code of the city of New York is amended by adding a new definition of “veterans service organization” in alphabetical order to read as follows:

Veterans service organization. The term “veterans service organization” means an association, corporation or other entity that qualifies under paragraphs (2), (4), (7), (8), (10), (19) or (23) of subsection (c) of section 501 of the internal revenue code as a tax-exempt organization that has been organized for the benefit of veterans; and that is (i) chartered by congress under part B of subtitle II of title 36 of the United States code, or (ii) recognized or approved by the secretary of the federal department of veterans affairs for purposes of preparation, presentation and prosecution of laws administered by such department under section 5902 of title 38 of the United States code and paragraphs (a) and (c) of section 628 of part 14 of title 38 of the code of federal regulations.

§ 8. Title 31 of the administrative code of the city of New York is amended by adding a new section 31-113 to read as follows:

§ 31-113 Outreach campaign pertaining to cure periods for certain violations. The department shall conduct a public information and outreach campaign to inform veterans service organizations about the cure periods available pursuant to sections 15-147, 16-144, 17-200.1, 19-159.7, 24-1102, and 28-202.1. The department shall also post information about such cure periods on its website.

§ 9. This local law takes effect 120 days after it becomes law, except that the fire department, department of sanitation, department of health and mental hygiene, department of transportation, department of environmental protection, and department of buildings shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Veterans.

Res. No. 279

Resolution calling on the United States Congress to pass, and the President to sign, legislation declaring April 26 annually as Korean War Veterans and Korean Defense Veterans Recognition Day to celebrate the bravery and sacrifice of those who served

By Council Members Holden, Paladino and Gennaro.

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

Whereas, On June 25, 1950, North Korean soldiers attacked along the 38th parallel, which divided the North and South, and invaded South Korea, officially known as the Republic of Korea; and

Whereas, After the attack was condemned by the United Nations (UN) Security Council, members of the U.S. Armed Forces served with the forces of the Republic of Korea and 20 allied nations under the UN Command; and

Whereas, During the three-year war, more than 5 million U.S. servicemembers supported the war effort, with almost 1.8 million of them fighting on Korean soil in some of the most brutal wartime conditions ever recorded; and

Whereas, The U.S. Armed Forces sustained 36,574 in-theater deaths, including 2,373 servicemembers from New York State (NYS), and brought back another 103,284 wounded servicemembers; and

Whereas, On July 27, 1953, the Korean Armistice Agreement brought an end to armed conflict through a military truce rather than a formal peace treaty, separating the two parts of the Korean Peninsula by a Demilitarized Zone (DMZ), which still exists today; and

Whereas, U.S. servicemembers have been stationed in South Korea ever since the end of the war in order to maintain peace and freedom for those living in the Republic of Korea; and

Whereas, Currently, there are approximately 28,500 U.S. servicemembers stationed in South Korea, mostly at Camp Humphreys, which is the largest U.S. overseas military base; and

Whereas, These U.S. servicemembers who have safeguarded the Republic of Korea during peacetime, upon discharge, join the ranks of Veterans known as Korean Defense Veterans; and

Whereas, The NYS Assembly and Senate passed resolutions in April 2023 to “celebrat[e] the courage and bravery of New York State’s Korean War Veterans and recognize[e] the men and women who served with dignity and honor during this historic time period at the Senate’s Inaugural Korean War Veteran Celebration on April 26, 2023”; and

Whereas, According to the NYS resolutions, “From the ashes of war and the sharing of spilled blood on the battlefield, the United States and the Republic of Korea have continuously stood shoulder-to-shoulder to promote and defend international peace and security, economic prosperity, human rights, and the rule of law both on the Korean Peninsula and beyond”; and

Whereas, New York City (NYC) honors Korean War Veterans with the New York Korean War Veterans Memorial, which was designed by artist Mac Adams and dedicated in 1991; and

Whereas, The NYC monument displays a 15-foot black granite slab with a cut-out in the shape of a soldier, symbolizing loss and death; and

Whereas, Citizens of the U.S. and the Republic of Korea owe a continuing debt of gratitude to all U.S. Veterans who served on Korean soil during wartime and during the ensuing years in keeping a fragile peace; 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, legislation declaring April 26 annually as Korean War Veterans and Korean Defense Veterans Recognition Day to celebrate the bravery and sacrifice of those who served.

Referred to the Committee on Veterans.

Int. No. 689

By Council Members Hudson, Gennaro, Gutiérrez, Zhuang and Louis.

A Local Law to amend the New York city charter, in relation to a cabinet for older New Yorkers

Be it enacted by the Council as follows:

Section 1. Chapter 66 of the New York city charter is amended by adding a new section 2405 to read as follows:

§ 2405. Cabinet for older New Yorkers. a. Definitions. For the purposes of this section, the term “mayor’s office for people with disabilities” means the office established under executive order number 17 for the year 1990 or any successor office or agency that carries out the same or substantially similar functions.

b. Cabinet. There shall be a cabinet for older New Yorkers. The cabinet shall meet at least once every 6 months.

c. Duties. The cabinet shall facilitate coordination across agencies to further the elimination of age-related barriers and inequities in the provision of services to older adults and review current and future initiatives to ensure that they are inclusive of older adults.

d. Members. The cabinet shall be composed of the following members, or their designees:

- 1. Commissioner for the aging, who shall serve as chair;*
- 2. Commissioner of information technology and telecommunications;*
- 3. Chair of the civic engagement commission;*
- 4. Commissioner of cultural affairs;*
- 5. Commissioner of health and mental hygiene;*
- 6. Commissioner of housing preservation and development;*
- 7. Commissioner of parks and recreation;*
- 8. Commissioner of social services;*
- 9. Commissioner of transportation;*
- 10. Commissioner of youth and community development;*
- 11. Director of the office of immigrant affairs;*
- 12. Director of the mayor's office for people with disabilities; and*
- 13. Commissioner of veterans’ services.*

e. Required invitations. The commissioner for the aging shall also invite to participate in the work of the cabinet the following persons, or their designees:

- 1. Chancellor of the city school district of the city of New York;*
- 2. Chief executive officer of the New York city health and hospitals corporation; and*
- 3. Chief executive officer of the New York city housing authority.*

f. Optional invitations. The commissioner for the aging may also invite representatives of any other relevant federal, state or local agency to participate in the work of the cabinet.

g. Report. One year after the effective date of the local law that added this section and annually thereafter, the commissioner for the aging shall submit to the speaker of the council and post on the website of the department a report on the work of the cabinet. Such report shall include but need not be limited to:

- 1. Actions taken or proposed as a result of the meeting of the cabinet;*
- 2. Attendance at cabinet meetings, and*
- 3. Minutes of cabinet meetings.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Aging.

Int. No. 690

By Council Members Lee, Schulman, Gutiérrez and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the provision of mental health first aid training

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.26 to read as follows:

§ 17-199.26 *Mental health first aid training.* a. No later than one year after the effective date of the local law that added this section, the commissioner, in collaboration with the office of community mental health, shall offer mental health first aid training to the general public. Such training shall instruct participants on how to identify, understand, and respond to the signs and risk factors for mental illness and substance abuse disorders. Such training shall be conducted every day, excluding holidays, at no cost to participants.

b. The training offered pursuant to subdivision a of this section shall be conducted in English, and, in addition, at least 6 times per year in each of the designated citywide languages, as defined in section 23-1101.

c. The commissioner, in collaboration with the office of community mental health, shall conduct outreach to increase awareness of the availability of the training offered pursuant to subdivision a of this section. The commissioner shall also conduct additional outreach specifically targeted to encourage individuals that have roles or professions that require frequent interaction with the public, such as salon workers, religious leaders, and community leaders, to participate in the training.

§ 2. This local law takes effect immediately.

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

Int. No. 691

By Council Members Louis, Stevens, Salaam, Ossé, Gennaro, Hanks, Feliz, Brooks-Powers, Marte, Gutiérrez, Narcisse, Farías and Riley.

A Local Law to amend the administrative code of the city of New York, in relation to annual reporting on racial and gender disparities in STEM education for high school students

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 9 to read as follows:

CHAPTER 9
SCIENCE, TECHNOLOGY, ENGINEERING, AND MATH EDUCATION

§ 21-971 *Reporting on science, technology, engineering, and math education.* a. *Definitions.* For the purposes of this section, the following terms have the following meanings:

High school. The term “high school” means a school of the city school district of the city of New York that contains any combination of grades from and including grade 9 through grade 12.

STEM. The term “STEM” means science, technology, engineering or math.

STEM class. The term “STEM class” means a class in a STEM subject offered by a high school or an extracurricular STEM program offered by the department that is available to high school students.

High school student. The term “high school student” means any pupil who does not have a high school diploma and who is enrolled in a high school as of September first of the school year being reported.

b. *Annual poll.* The department shall conduct an annual poll of high school students about their experiences with STEM education. Such poll shall include questions that are intended to ascertain the reasons for any racial and gender disparities in enrollment and disenrollment in STEM classes.

c. *Annual STEM report.* No later than January 1 of each year, the commissioner shall submit to the mayor and the speaker of the council and shall post conspicuously on the department’s website a report on STEM education for high school students.

1. The annual report shall include a table in which every row is a STEM class that was offered in the previous academic year. Each such row shall include the following information, set forth in separate columns:

(a) The school or site where the class was offered;

(b) *Whether the STEM class is a class in a STEM subject offered by a high school or an extracurricular STEM program;*

(c) *Whether or not the STEM class is an advanced placement class;*

(d) *For each class for which applications are required for participation, the number of applications submitted, in total and disaggregated by race and gender;*

(e) *The number of high school students enrolled in the STEM class, in total and disaggregated by race and gender; and*

(f) *The retention and disenrollment rates of high school students in the STEM class, in total and disaggregated by race and gender.*

2. Such annual report shall include a narrative description of the results of the poll conducted pursuant to subdivision b of this section, including, to the extent applicable, potential causes for low student STEM enrollment rates, decreasing student STEM enrollment rates, student disenrollment in STEM classes, and racial and gender disparities in enrollment, retention, and disenrollment in STEM classes.

3. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of student information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If a category contains between 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 120 days after it becomes law.

Referred to the Committee on Women and Gender Equity.

Res. No. 280

Resolution designating November 30 annually as Shirley Chisholm Day in the City of New York to recognize her contributions as an educator, activist, and elected official, who served the people of New York City with passion and dignity.

By Council Members Louis, Williams, Brooks-Powers, Salaam, Ossé, Hanks, Feliz, Stevens, Marte, Gutiérrez, Narcisse and Farías.

Whereas, Shirley Anita St. Hill Chisholm was born in Brooklyn on November 30, 1924, to Charles St. Hill, a factory worker from Guyana, and Ruby Seale St. Hill, a seamstress from Barbados; and

Whereas, Having spent some years of her childhood in Barbados with her grandmother, she returned to Brooklyn and became an accomplished graduate of Brooklyn Girls' High in 1942 and Brooklyn College in 1946; and

Whereas, She began her career teaching in a Harlem childcare center and, in 1952, earned a master's degree from Teachers College, Columbia University, before serving as the director of a childcare center and, eventually, as a consultant to the New York City (NYC) Bureau of Child Welfare; and

Whereas, In a collection of reflections from Teachers College alumni, she wrote that she believed that "education is the only real passport out of poverty" and that her only ambition was to "use whatever gifts [she had] to open the door for others"; and

Whereas, Using those gifts in 1964, she became the second Black person ever elected to the New York State (NYS) Assembly; and

Whereas, Just four years later, she became the first Black woman ever elected to the United States (U.S.) House of Representatives, representing New York's 12th Congressional district for seven terms from 1969 to 1983, during which time she was a founding member of the Congressional Black Caucus; and

Whereas, In 1972, she became the first Black candidate to seek a major party's presidential nomination and the first woman to run for the Democratic Party's nomination, where she competed in 12 primaries and won 152 delegates (10 percent of those awarded); and

Whereas, Her presidential campaign buttons included her famous slogan *Unbought and Unbossed*, which was also the title of her 1970 autobiography; and

Whereas, After retiring from Congress, she taught at Mount Holyoke College and cofounded the National Political Congress of Black Women; and

Whereas, In her own words, she commented that she wanted “to be remembered as a woman...who dared to be a catalyst of change,” another of her popular campaign slogans; and

Whereas, She died on January 1, 2005, and was honored at that time by the New York City Council with an In Memoriam resolution, which noted that “[h]er many successes and achievements, often in the face of often overwhelming odds, are powerful reminders of her faith, her determination and her fierce intelligence” and that, while serving in Congress, “she earned a reputation as a firebrand with a gift for oratory, an outspoken champion of women, minorities and the disadvantaged, and a staunch critic of the Vietnam War”; and

Whereas, In 2015, she was posthumously awarded the Presidential Medal of Freedom by President Barack Obama; and

Whereas, She was honored in 2019 with the dedication of Shirley Chisholm State Park in Brooklyn; and

Whereas, She married Conrad Q. Chisholm, a private investigator, in 1949 and, after their divorce in 1977, married Arthur Hardwick, Jr., a NYS Assembly member from Buffalo, whom she had met while serving in the Assembly; and

Whereas, November 30, 2024, will mark the 100th birthday of Shirley Chisholm; and

Whereas, The designation of a day in her honor is fitting to commemorate, in the words of the New York City Council’s In Memoriam resolution, that Shirley Chisholm left NYC as “a richer, better place, with greater opportunities for minorities and with a government more responsive to the needs of its constituents”; now, therefore, be it

Resolved, That the Council of the City of New York designates November 30 annually as Shirley Chisholm Day in the City of New York to recognize her contributions as an educator, activist, and elected official, who served the people of New York City with passion and dignity.

Referred to the Committee on Civil and Human Rights.

Res. No. 281

Resolution calling on the Mayor's Office to identify and implement measures to reduce disparities faced by businesses owned by women of color in obtaining and fulfilling public contracts

By Council Members Louis, Narcisse, Salaam, Ossé, Gennaro, Hanks, Feliz, Stevens, Brooks-Powers, Marte and Farías.

Whereas, The New York City Comptroller's FY23 Annual Report on Minority and Women-Owned Business Enterprise (M/WBE) Procurement found ongoing, significant disparities in the share of city contracts and contract dollars awarded to M/WBEs, particularly those owned by women of color; and

Whereas, The report reveals a severe "disparity within the disparity," with businesses owned by women of color facing the most extreme underutilization in City contracting; and

Whereas, Only 1.03% of the value of contracts subject to M/WBE participation goals went to businesses owned by women of color, with over half going to Asian women-owned firms, highlighting the near total exclusion of Black and Hispanic women entrepreneurs; and

Whereas, Black women-owned businesses received only 0.39% of overall citywide contract value, Hispanic women-owned businesses 0.11%, and Asian women-owned businesses 0.53%; and

Whereas, Women-owned M/WBEs are drastically underrepresented compared to their male counterparts, with male-owned M/WBEs receiving nearly 8 times the number of contracts as women-owned M/WBEs; and

Whereas, In FY23, M/WBEs accounted for only 5.33% of the total value of all new City contracts and purchase orders, despite representing 18.39% of the total number of awards; and

Whereas, The average value of contracts awarded to M/WBEs was only 11% of the average value of contracts awarded to non-certified firms, indicating M/WBEs primarily receive lower-value contracts; and

Whereas, Only 20% of certified M/WBEs received a city contract in FY23, suggesting barriers preventing many certified firms, particularly those owned by women of color, from accessing contracting opportunities; and

Whereas, Over 61% of contracts with M/WBEs were registered retroactively after the contract start date, causing cash-flow challenges for M/WBEs, which disproportionately impacts smaller firms owned by women of color until they obtain payment from the City; and

Whereas, The City has a responsibility to ensure equitable access to economic opportunities and address historic disparities impacting women- and minority-owned businesses; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Mayor's Office to identify and implement measures to reduce disparities faced by businesses owned by women of color in obtaining and fulfilling public contracts.

Referred to the Committee on Contracts.

Res. No. 282

Resolution designating March 24 annually as Women of Color in Tech Day in the City of New York to recognize the contributions of women of color to the technology industry and to acknowledge the challenges they still face.

By Council Members Louis, Gutiérrez, Salaam, Ossé, Gennaro, Hanks, Feliz, Stevens, Brooks-Powers, Marte, Narcisse and Farías.

Whereas, NPower, an organization established in 2000 and headquartered in Brooklyn, offers a training model for the technology (“tech”) workforce, reaching approximately 1,300 18- to 25-year-olds annually; and

Whereas, NPower celebrated the first Women of Color in Tech Day on March 12, 2020, with a proclamation on the steps of Brooklyn Borough Hall; and

Whereas, NPower noted that Women of Color in Tech Day was “designed to promote the importance of respect, dignity, fairness and equity in supporting Black and Latina women as they pursue tech careers”; and

Whereas, Three years later in New York State (NYS), the NYS Senate adopted Resolution Number (NYS Senate Res. No.) 62 to designate March 12, 2023, as Women of Color in Tech Day in NYS; and

Whereas, NYS Senate Res. No. 62 described Women of Color in Tech Day as “an annual day of information distribution, recruitment, training and job placement”; and

Whereas, NYS Senate Res. No. 62 noted that the tech sector in NYS is getting larger and is adding high-paying jobs to the economy; and

Whereas, NYS Senate Res. No. 62 noted that encouraging women of color to enter the tech industry is particularly important inasmuch as they might not have had traditional paths into the industry available to them; and

Whereas, In 2023, United States (U.S.) Senators Jacky Rosen, Roger Wicker, Tammy Duckworth, and Mazie Hirono introduced bipartisan Senate Resolution (S.Res.) 124 to designate March 24, 2023, as National Women of Color in Tech Day; and

Whereas, S.Res. 124 acknowledges the importance of women of color in tech in the U.S., including Katherine Johnson, an engineer at the National Aeronautics and Space Administration; Marie Van Brittan Brown, the inventor of home security systems; and Patricia Bath, the inventor of a tool to remove cataracts; and

Whereas, S.Res. 124 acknowledges that women and girls of color too often face opportunity and achievement gaps in their education in the fields of science, engineering, and computer science and do not have the number of role models to look up to that they need in these fields; and

Whereas, S.Res. 124 notes that “evidence suggests that structural and social barriers in tech education, tech workforce development, the tech workforce, and venture capital investment in tech can disproportionately and negatively affect women of color”; and

Whereas, S.Res. 124 notes that the demand for a trained workforce in the tech industry will continue to grow significantly in the next decade; and

Whereas, S.Res. 124 acknowledges that, although women of color are 39 percent of the U.S. female population, a 2018 study by Women of Color in Computing Research Collaborative found that women of color in the U.S. are awarded fewer than 10 percent of the bachelor’s degrees in computing and fewer than 5 percent of the doctorates in computer science; and

Whereas, S.Res. 124 resolves that the Senate “commits to working to eliminate barriers to entering the technology sector faced by women of color” and pledges to ensure that girls of color have access to the tech-related education they need to compete in a 21st century economy; and

Whereas, S.Res. 124 is endorsed by a variety organizations, including Girls Who Code, the Society of Hispanic Professional Engineers the Computer Science Teachers Association, and the Girl Scouts; and

Whereas, March 24, 2024, is currently designated as National Women of Color in Tech Day; and

Whereas, There are women of color in New York City (NYC) today excelling in the tech sector of the workforce, helping to address discrimination and inequality of opportunity in the tech sector, and serving as role models for younger girls of color; and

Whereas, Designating a Women of Color in Tech Day in NYC would encourage New Yorkers to celebrate these important contributions; now, therefore, be it

Resolved, That the Council of the City of New York designates March 24 annually as Women of Color in Tech Day in the City of New York to recognize the contributions of women of color to the technology industry and to acknowledge the challenges they still face.

Referred to the Committee on Women and Gender Equity.

Res. No. 283

Resolution calling on the Metropolitan Transportation Authority to provide non-police staff working in the subway system with training and a protocol for handling issues with mentally ill customers.

By Council Members Louis, Brooks-Powers and Narcisse.

Whereas, In October 2022, New York City (NYC) Mayor Eric Adams asserted in a press conference that the recent rise in subway crime is driven by people with mental health issues; and

Whereas, People with mental health issues can be a danger to others on subway platforms, as demonstrated by the January 2022 case of 40-year-old Michelle Go, who was pushed in front of an oncoming subway train in the Times Square station by a 62-year-old chronically mentally ill man; and

Whereas, According to a 2015 assessment by the U.S. Department of Housing and Urban Development, 564,708 people were homeless on a given night in the United States (U.S.), with a minimum of 25 percent being seriously mentally ill and 45 percent having any mental illness; and

Whereas, Mentally ill individuals experiencing homelessness can have difficulty keeping on track with taking their prescribed medications and can become disruptive in subway stations and on subway trains; and

Whereas, By the end of October 2022, a total of 25 people had been pushed onto subway tracks in 2022, with two resulting fatalities; and

Whereas, There has been an unprecedented increase in New York Police Department and Metropolitan Transportation Authority (MTA) Police Department presence in the subway system since October 2022, with officers posted in two out of three stations during peak times, to help combat the rise in violence against subway riders; and

Whereas, People with mental health issues can also be a danger to themselves in the subway system, including from suicide attempts, as demonstrated in the August 2019 case of a woman who jumped onto the

subway tracks and was saved by MTA signal worker Anthony Mannino, who heroically followed her onto the tracks and flagged down an approaching train to prevent it from hitting her; and

Whereas, In addition to MTA police officers, other MTA workers located in the subway system can find themselves as first responders to subway station and subway track incidents that could potentially seriously injure or kill MTA customers; and

Whereas, Those MTA workers could benefit from training in how to deal most effectively with MTA customers who appear to be experiencing mental health issues and might be a threat to themselves or others; and

Whereas, Those MTA workers could benefit from having a clear protocol to follow in cases where an MTA customer appears to be a threat due to mental illness; now, therefore, be it

Resolved, That the Council of the City of New York calls on the Metropolitan Transportation Authority to provide non-police staff working in the subway system with training and a protocol for handling issues with mentally ill customers.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 692

By Council Members Nurse, Gennaro, Won, Hanif, Abreu, Gutiérrez, Louis, Brewer and Ung.

A Local Law to amend the administrative code of the city of New York, in relation to testing drinking water for the presence of microplastics

Be it enacted by the Council as follows:

Section 1. Subchapter 4 of chapter 3 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-370 to read as follows:

§ 24-370 *Testing drinking water for microplastics.* a. *Definitions.* For the purposes of this section, the following terms have the following meanings:

Microplastic. The term “microplastic” means a piece of plastic that is one nanometer to five millimeters in size.

Street-side drinking water sampling station. The term “street-side drinking water sampling station” means a drinking water sampling station located at the end point of the city’s drinking water distribution system, before drinking water enters the local service line.

b. The department, as part of its regular testing protocol, shall test for the presence of microplastics in drinking water at each street-side drinking water sampling station. Such testing results shall be included in any report the department prepares on the sampling, testing and monitoring of the city’s drinking water. The department shall post on its website such testing results.

c. The department shall promulgate regulations to create standards or methods for testing the city’s drinking water for microplastics.

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

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

Int. No. 693

By Council Members Nurse, Cabán, Farías, Gennaro, Hanif, Gutiérrez and Louis.

A Local Law to amend the New York city charter, in relation to requiring the office of urban agriculture to create and implement a plan to convert unused industrial areas to urban agriculture sites

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 20-a of the New York city charter is amended by adding a new paragraph 7 to read as follows:

7. No later than January 1, 2026, create a plan, in cooperation with relevant agencies and stakeholders, including but not limited to the office of food policy, the office of urban agriculture, the economic development corporation, the department of consumer and worker protection, the department of small business services, and urban agriculture community organizations, to be utilized in converting unused and underutilized industrial areas in each borough into means of ensuring local food resiliency. The plan shall include a preamble that addresses the long-term benefits of food resiliency, including but not limited to public health, community resilience, and employment opportunities. The plan shall address, but need not be limited to, the following issues related to food resiliency: (i) identifying city-owned, economic development corporation-owned or privately owned industrial areas in each of the five boroughs that are unused or underutilized and facilitating or funding means to convert the sites to hydroponic farming, urban farming, aquaponics, rooftop farming, food production, food distribution, food storage or food hubs, (ii) implementing means of ensuring industrial areas repurposed for food resiliency efforts are protected from environmental dangers, including but not limited to natural disasters, rising sea levels or pollutants, (iii) creating programs that incentivize local community organizations and minority- and women-owned businesses that assist in the creation or daily operation of converted sites, including programs that support the long-term affordability of operating such converted sites, (iv) for sites that are converted to a food production purpose, developing partnerships with local food networks to ensure distribution to low-income communities within New York city, (v) for sites that are converted to a food storage purpose, developing partnerships with farms located within New York state. For purposes of this paragraph, the term “economic development corporation” includes any successor local development corporation or other not-for-profit corporation, a majority of whose members are appointed by the mayor, that contracts with the city to provide or administer economic development benefits on behalf of the city and expends city capital appropriations in connection therewith.

§ 2. This local law takes effect immediately.

kplReferred to the Committee on Economic Development.

Int. No. 694

By Council Members Nurse, Farías, Joseph, Won, Hanif, Gutiérrez, Louis and Ung.

A Local Law to amend the New York city charter, in relation to a long-term citywide bathroom strategy

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

Accessible. The term “accessible” means a facility that complies with the Americans with Disabilities Act, chapter 126 of title 42 of the United States code, and any standards or regulations promulgated thereunder, and any additional applicable federal, state, and local laws relating to accessibility for persons with disabilities.

Departments. The term “departments” means the department of city planning, the office of operations established pursuant to section 15, the department of parks and recreation, the department of transportation, the department of citywide administrative services, the department of small business services, the department of design and construction, the department of environmental protection, and the office of management and budget.

Public bathroom. The term “public bathroom” means a bathroom facility open to the public as a matter of law or policy, containing one or more toilets and one or more washbasins, including those located on land owned by the city, those operated or maintained by an agency, and those owned, operated, or maintained by a private entity for public use.

Target ratio. The term “target ratio” means 1 toilet per 2,000 city residents, where such toilet is located in a public bathroom.

Underserved area. The term “underserved area” means an area of the city that has insufficient access to public bathrooms, whether because of a lack of public bathrooms or limited opening hours of existing public bathrooms, relative to localized needs, as determined by population density, estimated daily foot traffic, public transportation routes, equity concerns in relation to gender, ethnicity and race, physical and mental health, age, disability, socioeconomic status, and other relevant factors as determined by the departments.

b. Not later than the September 1, 2024 and every fourth year thereafter, the chief public realm officer as established pursuant to executive order number 27 of 2023, as amended, or any successor office or officer, the department of city planning, and the office of operations established pursuant to section 15 shall coordinate with the department of parks and recreation, the department of transportation, the department of citywide administrative services, the department of small business services, the department of design and construction, the department of environmental protection, the office of management and budget, and the department of sanitation to file with the mayor, the speaker of the council, the public advocate, the borough presidents, and the community boards a joint strategic planning report for establishing and maintaining a citywide public bathroom network. In developing the strategic planning report, the departments shall also consult with a contracted entity as defined in section 22-821 of the administrative code. The report shall include, but need not be limited to, the following components:

1. A statement of a joint strategic planning policy for the departments with respect to the expansion and maintenance of the public bathroom network to reach the city’s target ratio, which shall take into consideration, among other things:

(a) Relevant city strategies and plans including the 10-year capital strategy, the 4-year capital plan, the strategic policy statements provided for in section 17, and plans approved pursuant to section 197-a;

(b) The distribution of existing and planned public bathrooms, including in relation to underserved areas; and

(c) The opening hours, accessibility, conditions, design features, and public awareness of existing public bathrooms, including in relation to underserved areas;

2. A proposed 10-year capital strategy that would enable the city to meet the target ratio by January 1, 2035, and to maintain the target ratio after that date, taking into account the city’s projected population growth;

3. Recommendations for legislative or policy changes that would enable the city to meet and maintain the target ratio, taking into account cost and time efficiencies, equity considerations, and interagency coordination needs;

4. Recommendations for types of sites or facilities, whether publicly or privately owned, that could be adapted, acquired, or leased by the city, or regulations or policies that could be amended, consistent with the considerations enumerated in paragraph 1 of this subdivision, to allow for the building, retrofitting, or opening of bathroom facilities to the public in sufficient quantity to meet the target ratio by January 1, 2035, including an estimate of the number of public bathrooms that each type of site or facility could be expected to yield citywide. The recommendations need not include specific site proposals, but must take into consideration, at a minimum, the following types of sites or facilities and any anticipated implementation challenges with respect to each type:

(a) Existing and planned bathrooms in city-owned or operated buildings that could be converted to public use, or the potential to acquire new city facilities that have publicly accessible bathroom facilities;

(b) Existing and planned bathroom facilities located on privately owned properties that could be converted to public use through public-private partnerships or programs;

(c) Potential sites for bathroom construction identified pursuant to local law number 114 for the year 2022, as may be amended from time to time, taking into account any challenges identified pursuant to paragraphs 4 and 5 of subdivision b of section 1 of that local law, and other potential sites for bathroom construction on publicly owned or funded properties or facilities that are or could be made accessible to the public, such as parking structures, storage facilities, or other public infrastructure that the departments deem suitable;

(d) Existing and planned bathrooms, or potential bathroom sites, in or near commercial or other privately owned or managed spaces, where such spaces are open to public use, including but not limited to privately owned public spaces as defined in section 25-114 of the administrative code, business improvement districts as

defined in chapter 4 of the administrative code, public plazas as defined in section 19-157 of the administrative code, and other such spaces that the departments deem suitable;

(e) Existing, planned, or potential developments managed by a contracted entity, as defined in section 22-821 of the administrative code, that could accommodate public bathrooms;

(f) Any other types of sites or facilities that the departments deem suitable pursuant to current law and policy or any recommended changes thereto;

5. One or more design models for a modular bathroom facility that complies with city zoning and construction requirements across a variety of site-specific needs, including for accessibility and cost feasibility, as well as recommendations for when and how the approval and installation of such facilities may be streamlined;

6. A map of existing and planned public bathroom facilities, to be posted on the websites of the departments of city planning, transportation, citywide administrative services, and small business services, and to include the following information for each facility:

(a) Current, seasonal, or planned hours of operation;

(b) The extent to which the facility and toilet stalls are accessible;

(c) The agency or other entity responsible or to be responsible for maintenance;

(d) Where relevant, the date by which each planned bathroom facility is to be opened to the public; and

(e) For city-run facilities, and to the extent such information may be reasonably obtained, for privately run facilities, other features of the facility, such as changing tables, lockers, showers, access to gender neutral facilities, and proximity to bicycle parking; and

7. Proposals for implementing the coordinated planning policy, including but not limited to, amendment of the zoning resolution, development of plans, and coordination with private entities or additional agencies.

§ 2. This local law takes effect immediately.

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

Int. No. 695

By Council Members Nurse, Gennaro, Won, Hanif, Gutiérrez, Brewer and Ung (by request of the Manhattan Borough President).

A Local Law in relation to a study of single-use plastics

Be it enacted by the Council as follows:

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

Plastic. The term “plastic” means a synthetic material made from organic polymers, including, but not limited to, polypropylene and polystyrene, that can be molded into shape while soft, and then set into a rigid or slightly elastic form.

Single-use. The term “single-use” means a product that is designed and intended to be used only once for drinking, eating, or packaging retail goods for sale or delivery; and is generally recognized by the public as an item that is to be discarded after one use.

§ 2. Single-use plastics study. 1. The department of sanitation shall, in consultation with the department of consumer and worker protection, the department of health and mental hygiene, the department of environmental protection, the department of small business services and the mayor's office for people with disabilities, conduct a comprehensive study of new waste policy initiatives that would reduce the sale, distribution and use of single-use plastic items and advance environmental justice in the city in such sale, distribution and use. In conducting the study, the department of sanitation, at a minimum, shall:

(a) Conduct a thorough review of the research and literature on reducing single-use plastic items and on the impact of such items on marginalized communities;

(b) Review laws or regulations in other jurisdictions aimed at reducing consumer reliance on single-use plastic items and on advancing environmental justice through the reduction of such items, including any effectiveness data and reports available that review the implementation of such laws or regulations;

(c) Conduct interviews of scientists, experts, government officials and representatives of not-for-profit organizations, including environmental justice organizations, with relevant expertise;

(d) Assess the alternatives to single-use plastic items, including availability, cost and whether such alternatives are compatible with the overall goal of waste reduction, the city's existing recycling and composting programs and with advancing environmental justice in the city;

(e) Conduct a comprehensive review of the recyclability of single-use plastic items, whether through use of city-operated recycling facilities or facilities operated by other entities, and identify categories of single-use plastics that should be prioritized for reduction. As part of this review, the department shall examine the market demand for post-consumer recycled materials and identify opportunities for increasing such market demand;

(f) Consult with representatives of affected groups including, but not limited to, consumers, including people with disabilities and people especially impacted by environmental and health hazards resulting from the use and disposal of single-use plastic items in the city, business owners, trade associations and labor unions; and

(g) Retain any experts such department may require to carry out the study.

§ 3. The department of sanitation shall on December 1, 2023 submit a final report of its findings to the mayor and the speaker of the council. The report shall include recommendations for legislation or regulatory actions that would achieve the objective of reducing single-use plastics in the city and advancing environmental justice through such reduction.

§ 4. This local law takes effect immediately and remains in effect until the department of sanitation has submitted to the mayor and the speaker of the council the report required by section 3 of this local law.

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 696

By Council Members Nurse, Gennaro, Hanif, Powers, Rivera, Schulman, Marte, Cabán, Gutiérrez, Abreu and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to establishing organic waste composting facilities in each borough

Be it enacted by the Council as follows:

Section 1. Section 16-308 of the administrative code of the city of New York, as amended by local law 85 for the year 2023, is amended by adding a new subdivision a to read as follows:

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

Disproportionate effect. The term "disproportionate effect" has the same meaning as set forth in section 3-1001.

Non-governmental composting site. The term "non-governmental composting site" means a physical location at which a not-for-profit organization or other similar organization engages in composting and operates or makes available to the public a drop off site for uncontaminated source-separated organic waste.

Organic waste composting facility. The term "organic waste composting facility" means a facility that treats the readily biodegradable organic components in source-separated organic waste to produce a mature product for use as a source of nutrients, organic matter, liming value, or other essential constituent for a soil or to help sustain plant growth. For a facility to be covered by this definition, the processes that such facility may use includes composting, vermiculture, and fermentation, and shall not include anaerobic digestion or bioslurry operations preparing organic waste for anaerobic digestion.

Source-separated organic waste. The term "source-separated organic waste" means organic material found in both the residential and commercial waste streams that has been separated at the point of generation

that is readily biodegradable and can be broken down into, or otherwise become part of, usable compost, including, but not limited to, food scraps, food processing waste, soiled or unrecyclable paper, plant trimmings, and yard waste as defined in section 16-303. Source-separated organic waste does not include disposable or compostable plastic food service ware and bags, animal mortalities, textiles, biosolids, sludge, or septage.

Uncontaminated. The term “uncontaminated” means not commingled with, and not containing: other waste; petroleum and petroleum products, except those present solely as a result of normal use of vehicles on roadways or parking areas; pesticides except those present solely as a result of the proper application in normal agricultural or horticultural practices; and hazardous waste.

§ 2. Section 16-308 of the administrative code of the city of New York, as amended by local law 85 for the year 2023, is amended by adding a new subdivision j to read as follows:

j. The department shall establish no less than one organic waste composting facility in each borough, each of which shall accept uncontaminated source-separated organic waste in accordance with the following requirements and pursuant to the requirements set forth in subpart 361-3 of title 6 of the New York codes, rules and regulations, regarding composting and other organics recycling facilities.

1. The cumulative annual processing capacity of uncontaminated source-separated organic waste to be received at each borough’s organic waste composting facility or facilities shall be no less than 180,000 wet tons of uncontaminated source-separated organic waste, or the equivalent in cubic yards of yard trimmings, provided that the department may deduct from such cumulative annual processing capacity of each borough the annual processing capacity of any non-governmental organic waste composting facility or facilities which are located and in operation within such borough during the applicable year and which are of sufficient size so as to be required to be registered or to obtain a permit for the operation of such facility from the New York state department of environmental conservation.

2. In establishing a city-owned, operated, or contracted organic waste composting facility pursuant to this subdivision, the department shall:

(a) provide a forum for community engagement available to persons living within a half-mile radius of any possible organic waste composting facility site which is under consideration for selection, prior to the ultimate selection of such site and in addition to any other required review process;

(b) consult with the composting facility siting task force established by the two thousand and six solid waste management plan, or any successor entity, in selecting sites for new organic waste composting facilities;

(c) consider factors of environmental justice to ensure that environmental justice areas, as such terms are defined in section 3-1001, do not experience a disproportionate effect in the siting, construction, operation, or maintenance of any organic waste composting facility; and

(d) perform outreach to persons living within a half-mile radius of a selected site for any organic waste composting facility informing such persons of potential employment opportunities for the construction, operation, or maintenance of such facility.

3. For each organic waste composting facility, the department shall collaborate with the department of small business services to maximize the use of minority- and women-owned business enterprise noncompetitive small purchases, in accordance with rules promulgated by the procurement policy board and the department of small business services, in the department’s construction, operation, or maintenance of such facility. The department shall encourage economic opportunities for local community organizations, minority- and women-owned business enterprises, and other local business enterprises to contribute to the construction, operation, or maintenance of such facility.

4. The department shall identify any existing organic waste composting facility or facilities and establish any new organic waste composting facility or facilities to comply with this subdivision pursuant to the following schedule:

(a) No later than January 1, 2026, within the borough of Staten Island;

(b) No later than January 1, 2026, within the borough of Queens;

(c) No later than March 1, 2027, within the borough of Brooklyn;

(d) No later than March 1, 2027, within the borough of the Bronx; and

(e) No later than May 1, 2027, within the borough of Manhattan.

§ 3. This local law takes effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 697

By Council Members Nurse, Gennaro, Gutiérrez and Louis (by request of the Brooklyn Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to updated waste characterization studies

Be it enacted by the Council as follows:

Section 1. Section 16-316.1 of the administrative code of the city of New York, as added by local law number 40 for the year 2010, is amended to read as follows:

§ 16-316.1 Waste characterization study. a. The commissioner shall complete follow-up studies to the studies performed in [two thousand five] 2005 regarding the characteristics of the city's residential and institutional waste streams for department-managed solid waste on or before January [thirty-first, two thousand twelve] 31, 2012, and on or before January [thirty-first, two thousand eighteen] 31, 2018. The results of each such study and an analysis of those results shall be submitted to the council and the mayor within [sixty] 60 days of their completion.

b. [On or before January thirty-first, two thousand twenty-four, the] *The* commissioner shall complete [a] 3 detailed, comprehensive citywide multi-season [study] *studies* of the city's residential and institutional waste streams for the purpose of determining the composition of the waste stream characterized by type of material, *the first of which shall be completed on or before January 31, 2024, the second of which shall be completed on or before January 31, 2028, and the third of which shall be completed on or before January 31, 2032.* The results of *each* such study and an analysis of those results shall be submitted to the council and the mayor within [sixty] 60 days of [its] *such study's* completion.

§ 2. This local law takes effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 698

By Council Members Nurse, Powers, Gennaro, Abreu, Gutiérrez and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to clarifying the definition of organic waste drop off site

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 16-308.2 of the administrative code of the city of New York, as added by local law number 89 for the year 2023, is amended to read as follows:

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

Community partner. The term “community partner” means a not-for-profit organization, community garden, or other similar organization that operates or makes available to the public an organic waste drop off site.

Community scale composting facility. The term “community scale composting facility” means a physical location operated by a not-for-profit organization that engages in composting, through a registration or agreement with the department, but that is not of sufficient size so as to be required to obtain a permit for the operation of such facility from the New York state department of environmental conservation.

Organic waste drop off site. The term “organic waste drop off site” means a physical location for the collection of organic waste from members of the public *and does not include a standalone receptacle for the collection of any waste.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management.

Res. No. 284

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.5713/A.3249, to require the establishment of a composting program at dormitories, dining facilities, and other facilities owned, occupied, or operated by the State University of New York, the City University of New York, and institutions subject to their jurisdiction.

By Council Members Nurse, Dinowitz, Gennaro, Hanif and Gutiérrez.

Whereas, According to a 2020 report by the New York City Food Policy Center at the Hunter College in New York City, 72 billion pounds of food, at a total value of \$218 billion, are discarded by food producers, retailers, and dining establishments every year in the United States (U.S.); and

Whereas, The Food Recovery Network, a student-led movement against food waste, estimates that college campuses in the U.S. produce 22 million pounds of food waste each year; and

Whereas, Per the New York City Food Policy Center, 21 percent of landfill volume in the U.S. is food waste, whose decomposition process generates a large amount of methane, a potent greenhouse gas; and

Whereas, The Food and Agriculture Organization of the United Nations in its 2013 summary report on food waste's environmental effects highlighted that food waste was the third-largest emitter of greenhouse gases on the planet; and

Whereas, The U.S. National Aeronautics and Space Administration notes that methane and other greenhouse gases absorb solar radiation, trapping heat in Earth's atmosphere and thereby increasing global temperatures and causing climate change; and

Whereas, The New York City Food Policy Center in its 2020 report emphasized that food waste accounts for approximately 18 percent of all waste in New York State, with about 3.9 million tons of food ending up in landfills each year; and

Whereas, Per the same report, food retailers, dining establishments, colleges, and hospitals generate over 250,000 tons of food waste in New York State each year; and

Whereas, The New York State Department of Environmental Conservation (NYSDEC) estimates that if food waste were diverted from landfills, greenhouse gas emissions could be reduced by more than 120,000 metric tons of carbon dioxide equivalents each year; and

Whereas, According to the New York City Department of Sanitation, 650,000 tons of food waste are generated annually by businesses and institutions in New York City, representing one-third of all citywide commercial waste; and

Whereas, The Natural Resources Defense Council estimated in its 2017 analysis that colleges and universities were responsible for 2 percent of all food waste in New York City; and

Whereas, In 2019, New York State enacted the Food Donation and Food Scraps Recycling law, codified in § 27-2201 of the New York State Environmental Conservation Law, which requires businesses and institutions, including colleges and universities, that generate an annual average of two tons of wasted food per week or more to donate excess edible food and to recycle all remaining food scraps, if they are within 25 miles of an organics recycler; and

Whereas, Every June, NYSDEC publishes annually a list of businesses and institutions identified as designated food scraps generators (DFSG) and their responsibilities under the Food Donation and Food Scraps Recycling law, which newly identified DFSG have to fulfill by January 1 of the following year; and

Whereas, Per NYSDEC's 2022 report, 76 colleges and universities, including 22 State University of New York colleges, were required to comply with the Food Donation and Food Scraps Recycling law in 2022, with 76 of them being required to donate excess edible food and 32 of them being required to recycle food scraps; and

Whereas, Per the same NYSDEC's report, 74 colleges and universities, including 22 State University of New York colleges, were required to comply with the Food Donation and Food Scraps Recycling law in 2023, with 74 of them being required to donate excess edible food and 39 of them being required to recycle food scraps; and

Whereas, The Food Donation and Food Scraps Recycling law limits mandatory participation to the largest commercial food scraps generators located within a very small distance of 25 miles from an organics recycling

facility, while presently, waste in New York State is transported over the average distance of about 60 miles; and

Whereas, The Food Donation and Food Scraps Recycling law thus leaves out those food scraps generators who produce an annual average of less than two tons of wasted food per week or are located within more than 25 miles from an organics recycling facility; and

Whereas, The Food Donation and Food Scraps Recycling law also explicitly excludes New York City, which is governed by Local Law 146 of 2013, codified in § 16-306.1 of the New York City Administrative Code, which requires covered establishments, designated by the Commissioner of the New York City Department of Sanitation based on their size and capacity, to separate organic waste, including food scraps, and to arrange for it to be transported or processed separately from garbage and recycling; and

Whereas, However, Local Law 146 of 2013 leaves out from mandatory participation college dormitories and campuses without food service/preparation facilities, as well as college food service/preparation facilities that are below the specified size and capacity; and

Whereas, With the intent of reducing greenhouse gas emissions, combating climate change, and ensuring that publicly-funded higher education institutions play an active role in this endeavor, State Senator Lea Webb introduced S.5713 in the New York State Senate, and Assembly Member Harvey Epstein introduced companion bill A.3249 in the New York State Assembly, which would require each institution within the State University of New York (SUNY) and the City University of New York (CUNY) to ensure that all compostable waste in dormitories, cafeterias, dining halls or restaurant services operated by the institution and in facilities used for maintenance and landscaping services be separated and placed in labeled containers, and would require the trustees of SUNY and CUNY to annually post a report detailing their composting programs; and

Whereas, S.5713/A.3249 would address shortcomings of the New York State Food Donation and Food Scraps Recycling law and New York City's Local Law 146 of 2013 by expanding mandatory organic waste diversion participation to all SUNY and CUNY institutions irrespective of their size, capacity, or location; 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.5713/A.3249, to require the establishment of a composting program at dormitories, dining facilities, and other facilities owned, occupied, or operated by the State University of New York, the City University of New York, and institutions subject to their jurisdiction.

Referred to the Committee on Sanitation and Solid Waste Management.

Res. No. 285

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.7417/A.8013, to prohibit the use of child day cares, day care centers, or community-based organizations which support activities for children under the age of eighteen as a shelter for migrants.

By Council Members Paladino, Ariola and Vernikov.

Whereas, The migrant crisis in New York City (City) continues to worsen with almost seventy thousand migrants currently in the City's care, and over 170,000 migrants having gone through New York City intake since Spring 2022; and

Whereas, The City has opened over 200 sites, including temporary shelters and Humanitarian Emergency Response and Relief Centers (HERRCs), to house migrants engaged in lengthy legal processes or awaiting work authorization; and

Whereas, Despite the development of these dedicated shelter facilities, there is still not enough sufficient housing for the migrants and asylum seekers entering New York City every day; and

Whereas, Local community centers, such as McCarren Recreation Center and Sunset Park Recreation Center, both in Brooklyn, have previously been used to temporarily shelter migrants, displacing local residents in the process; and

Whereas, Most recently, on January 10, 2024, almost two thousand migrants who were staying at the Floyd Bennet Field tent shelter were evacuated to James Madison High School in Midwood in advance of an extreme weather event; and

Whereas, Due to the use of James Madison High School as an emergency shelter, students were directed to remote learning for the following day and extra-curricular activities were cancelled; and

Whereas, There are known detriments to remote learning including missed learning and negative impacts on behavioral health and social and emotional wellbeing, as cited in a 2021 study from the Harvard Graduate School of Education; and

Whereas, The use of community or recreation centers as emergency shelters for migrants can make activities such as swimming lessons, free fitness classes, recreation for older adults, youth sports, and after school academic enrichment programs inaccessible to children and families who rely on these services; and

Whereas, Additionally, New York City's right-to-shelter consent decree requires that families with children be placed in private rooms and not congregate or semi-congregate shelters to ensure the safety of children; and

Whereas, Despite this rule's suspension under an Executive Order from Mayor Adams, issued on May 10, 2023, the use of existing community centers and schools that have not been designed to house families is still not best practice and could put vulnerable children in dangerous situations; and

Whereas, S.7417, introduced by New York State Senator Jessica Scarcella-Spanton and pending in the State Senate, and companion bill A.8013, introduced by New York State Assembly Member Michael Reilly and pending in the State Assembly, would prohibit the use of schools and community centers as emergency shelters for migrants; and

Whereas, This bill will ensure that New York City children and families do not lose access to critical learning and enrichment environments and that migrant families with children are not put at risk in congregate shelter settings; 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.7417/A.8013, to prohibit the use of child day cares, day care centers, or community-based organizations which support activities for children under the age of eighteen as a shelter for migrants.

Referred to the Committee on General Welfare.

Int. No. 699

By the Public Advocate (Mr. Williams) and Council Members Gennaro, Won, Hanif, Gutiérrez and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to creating a youth employment education program

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-414 to read as follows:

§ 21-414. Youth employment education program. a. The commissioner shall establish an educational program to prepare youth for early work experiences. The program shall run concurrent with summer recess for city public schools between the months of June and September.

b. Program elements. The program established by this section shall include, but need not be limited to:

- 1. Classroom-based training focusing on essential job skills such as time management, professionalism, communication skills, and problem solving; and*
- 2. Shadowing current employees of city agencies.*

c. Program eligibility. All residents of the city of New York between the ages of 14 and 22 years of age shall be eligible to apply for such program. The commissioner shall promulgate rules establishing the application procedure for such program.

d. Program grant. In conjunction with such program, participants shall receive a one-time grant for the purpose of job readiness, which shall not be less than \$1,500 per program participant.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of youth and community development 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 Children and Youth.

Int. No. 700

By the Public Advocate (Mr. Williams) and Council Members Gennaro, Hanif, Gutiérrez and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to developing a college admissions counseling program

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-414 to read as follows:

§ 21-414 College admissions counseling program. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Family. The term “family” means any student’s parents or legal guardians whose information is required for the student’s successful completion of a college application and related documentation.

Student. The term “student” means any prospective college student under the age of 21 who is enrolled as a junior or senior in high school.

b. Program establishment. On or before January 1, 2023, the department shall develop and administer a program that provides college admissions counseling to students and their families. The program shall:

- 1. Provide general information regarding the college admissions process and college readiness;*
- 2. Provide a checklist of information required to successfully complete a college application, including related documentation, applicable deadlines and suggested timelines;*
- 3. Provide information regarding how to access and assemble data and official records required to apply to college;*
- 4. Counsel students and families regarding college options, including tips on how to present a competitive application; and*
- 5. Refer students and families to resources regarding financial aid, scholarships and other college funding options.*

c. Educational outreach. The department shall engage in outreach to inform students and families about the program established pursuant to subdivision b of this section. Such outreach shall include, but shall not be limited to, posting information about the program on the department’s website.

§ 2. This local law takes effect 180 days after it becomes law, except that the commissioner of youth and community development shall 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 Children and Youth.

Int. No. 701

By the Public Advocate (Mr. Williams) and Council Members Won, Hanif, Gutiérrez, Louis and Brewer.

A Local Law to amend the administrative code of the city of New York, in relation to videoconferencing services for individuals in custody of the department of correction

Be it enacted by the Council as follows:

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

§ 9-163 *Videoconferencing services.* The department shall provide videoconferencing services to individuals in the custody of the department at no cost to such individuals or to the party receiving the call. Such individuals shall be authorized a minimum of five videoconferencing calls per week for a minimum duration of one hour per call. Nothing in this section shall be construed to infringe upon the rights of individuals within the custody of the department to have in-person visitation.

§ 2. This local law takes effect immediately.

Referred to the Committee on Criminal Justice.

Int. No. 702

By the Public Advocate (Mr. Williams) and Council Members Hanif, Gutiérrez and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to establishing an emergency student food plan

Be it enacted by the Council as follows:

Section 1. Title 30 of the administrative code of the city of New York is amended by adding a new section 30-104.1 to read as follows:

§ 30-104.1 *Emergency student food plan.* a. *Definitions.* For purposes of this section, the following terms have the following meanings:

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

School. The term “school” means any elementary, middle or high school within the jurisdiction of the New York city department of education and in any educational facility owned or leased by the city of New York, holding some combination thereof, including, but not limited to, district 75 schools.

Student. The term “student” means any pupil under the age of 21 as of September first of the academic period being reported, who does not have a high school diploma and who is enrolled in a school as school is defined in this subdivision.

b. In consultation with the office of food policy and the department of education and any other city agency the commissioner deems appropriate, the commissioner shall develop or update, no later than December 31, 2022, a student food plan to be used when schools are ordered closed pursuant to an order by the governor, mayor or the chancellor, or when any form of remote learning is used by the department of education. Such plan shall include, but not be limited to the following features, provided that nothing herein shall be construed to interfere with the ability of agencies responding to an emergency to implement plans, modify plans, or take steps not described in any written plan, in a manner appropriate to circumstances particular to that emergency:

1. A description of how the city will provide students with access to breakfast, lunch and dinner, including but not limited to how and to what extent the city will disseminate information to the public about the availability of food; manage requests for support from emergency, not-for-profit entities that provide food and water; arrange for or coordinate disaster feeding for students; and coordinate food donations, food business and emergency food providers that may want to provide for feeding students;

2. A description of how the city personnel responsible for implementing such plan will be identified, including how a clear hierarchy and points of contact of such personnel will be established;
 3. If used, criteria for how food distribution points are identified and how such distribution points will be publicized to ensure that the public is aware of the locations of such distribution points; and
 4. A mechanism to provide that, to the extent practicable, all public communications, written or otherwise, are available in the most commonly spoken languages of affected communities; and
 5. Any other contingencies the director deems appropriate.
- c. The plan required pursuant to subdivision b of this section shall be publicly posted on the department of education website. Any modifications to the plan shall be posted within 30 days.
- § 2. This local law takes effect immediately.

Referred to the Committee on Fire and Emergency Management.

Int. No. 703

By the Public Advocate (Mr. Williams) and Council Members Hanif, Gutiérrez and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting unauthorized surveillance by a global positioning system or similar technology

Be it enacted by the Council as follows:

Section 1. Chapter one of title ten 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 *Unauthorized surveillance by global positioning system or similar technology.* a. *Definitions.* For the purposes of this section, the following terms have the following meanings:

Motor vehicle. The term "motor vehicle" has the same meaning ascribed in section one hundred twenty-five of the vehicle and traffic law.

Tracking device. The term "tracking device" means a global positioning system or similar technology that utilizes electronic frequencies or other signal to determine the location of an object.

b. Except as otherwise provided in the provisions of this section, it shall be unlawful for any person to intentionally utilize a tracking device to monitor or determine the location of a motor vehicle without the knowledge or consent of the authorized operator of such motor vehicle or intentionally place in or on a motor vehicle a tracking device and thereby monitor or determine the location of such motor vehicle under circumstances where such authorized operator has a reasonable expectation of the privacy of such information. Such unlawful action shall be a misdemeanor punishable by a fine of not more than \$250, or imprisonment for not more than 30 days or both such fine and imprisonment. In addition to or as an alternative to such penalty, such driver shall also be subject to a civil penalty of not more than \$250 recoverable before the environmental control board. For purposes of this section, a "reasonable expectation of privacy" is not extinguished by the mere presence of a motor vehicle in a public place.

c. This section shall not apply to conduct by a law enforcement official pursuant to a warrant issued by an authorized court or that is authorized by lawful exception to the warrant requirement or to a person who is an owner of the vehicle in or on which the device was placed, when the operator of such vehicle is a minor.

d. It shall be an affirmative defense to subdivision b of this section that, under the circumstances, a person engaged in such conduct for a legitimate purpose and such authorized operator's reasonable expectation of privacy was minimal.

e. Nothing in this section shall be construed to diminish or enlarge any power of the courts, or any authority of law enforcement personnel engaged in the conduct of their authorized duties, with respect to the conduct described in this section.

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

Referred to the Committee on Public Safety.

Int. No. 704

By the Public Advocate (Mr. Williams) and Council Members Gutiérrez and Louis.

A Local Law to amend the administrative code of the City of New York, in relation to requiring police officers to treat breathing difficulties as medical emergencies

Be it enacted by the Council as follows:

Section 1. Chapter 1 of Title 14 of the administrative code of the city of New York is amended by adding a new section 14-193 to read as follows:

§ 14-193 *Breathing difficulties. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Breathing difficulty. The term “breathing difficulty” means any situation in which an individual in police custody displays an inability to breathe, either as recognized by officer observations or through the individual’s own declaration.

Interactive training. The term “interactive training” means participatory teaching that includes trainer-trainee interaction, the use of audio-visuals, computer or online training program or other participatory forms of training as determined by the commissioner. Interactive training is not required to be live or facilitated by an in-person instructor.

Medical emergency. The term “medical emergency” means a life-threatening condition requiring immediate medical attention.

b. Breathing difficulties. The department shall respond to breathing difficulties as medical emergencies.

c. Training. 1. New recruits. All new department recruits shall complete interactive training on identifying and responding to breathing difficulties as part of their academy training.

2. Ongoing training. All uniformed members of the department whose responsibilities include routinely interacting with arrested individuals shall complete interactive training on identifying and responding to breathing difficulties every two years.

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

Referred to the Committee on Public Safety.

Int. No. 705

By the Public Advocate (Mr. Williams) and Council Member Gutiérrez.

A Local Law to amend the administrative code of the city of New York, in relation to the use of conducted electrical weapons by the police department

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 14 of the administrative code of the city of New York is amended by adding a new section 14-193 to read as follows:

§ 14-193 *Conducted electrical weapons. a. Definitions. For the purposes of this section, the term “TRI form” means the threat, resistance or injury incident worksheet or any successor form that is filled out by an officer after discharging a conducted electrical weapon.*

b. Whenever a conducted electrical weapon is discharged, the discharging officer shall be responsible for downloading the data from such weapon at the end of the discharging officer’s tour. Such data shall be attached to the TRI form.

c. Whenever a conducted electrical weapon is discharged, the discharging officer shall note the number of times such weapon was discharged on the TRI form.

d. Beginning January 1, 2023, any new contracts, contract renewals or contract modifications for the purchase of body worn cameras shall require such cameras to be capable of automatically beginning recording when a conducted electrical weapon wirelessly reports that it is armed or that its trigger is being pulled. Such feature shall be enabled during the entirety of an officer's tour whenever such feature is available.

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

Referred to the Committee on Public Safety.

Int. No. 706

By the Public Advocate (Mr. Williams) and Council Members Narcisse, Gutiérrez and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to social workers in city correctional facilities

Be it enacted by the Council as follows:

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

§ 9-163 *Social workers in city correctional facilities. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Full-time. The term "full-time" means working an average of 30 hours or more per week.

Social worker. The term "social worker" means any personnel, licensed and certified by New York state as a licensed master of social work or a clinical social worker as defined in section 7701 of the education law.

b. No later than January 1, 2026, the department of correction shall maintain a ratio of at least one full-time social worker for every 10 incarcerated persons at each city correctional facility.

c. No later than January 31, 2023, and quarterly thereafter, the commissioner of correction shall submit to the mayor and the speaker of the council and shall post conspicuously on the department of correction's website a quarterly report regarding the number of full-time social workers and the number of incarcerated persons at each city correctional facility.

§ 2. This local law takes effect immediately.

Referred to the Committee on Criminal Justice.

Int. No. 707

By the Public Advocate (Mr. Williams) and Council Members Ayala, Gutiérrez and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting non-disclosure agreements relating to development projects

Be it enacted by the Council as follows:

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

§ 6-147 *Non-disclosure agreements relating to city development projects prohibited. a. Definitions. For purposes of this section, the following terms have the following meanings:*

City development project. The term "city development project" means a project undertaken by the city or a city economic development entity for the purpose of improvement or development of real property, economic development, job retention or growth, or other similar purposes.

City economic development entity. The term "city economic development entity" means a local development corporation, not-for-profit organization, public benefit corporation or other entity that provides or administers

economic development benefits on behalf of the city pursuant to paragraph b of subdivision 1 of section 1301 of the charter.

Developer. The term “developer” means any person that owns or leases real property that is part of a city development project, or any assignee or successor in interest of such real property.

Project agreement. The term “project agreement” means a legal binding written agreement between the city or city economic development entity and a developer providing for economic development benefits targeted to a city development project.

b. The city or a city economic development entity shall not, at any point during negotiations with a prospective developer regarding a prospective city development project, enter into any agreement or contract containing any provision, clause or language that prevents disclosure of any information or record relating to such city development project. The provisions of this subdivision apply to (i) any agreement or contract relating to a prospective city development project entered into by the city or a city economic development entity prior to the execution of a project agreement and (ii) any project agreement entered into by the city or a city economic development entity.

c. Any provision, clause or language contained in any agreement or contract entered into by the city or a city economic development entity that violates this section has no force and effect.

d. Nothing in this section requires disclosure of information that is otherwise prohibited or exempted from disclosure by applicable federal, state or local law.

e. This local law does not apply to any project agreement executed prior to the effective date of this local law, except that extension, renewal, amendment or modification of such project agreement, occurring on or after the effective date of this local law, that results in the grant of any additional economic development benefits to a developer shall make such developer subject to the requirements of this local law.

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

Referred to the Committee on Economic Development.

Int. No. 708

By the Public Advocate (Mr. Williams) and Council Members Williams, Gutiérrez and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to private water and sewer pipelines

Be it enacted by the Council as follows:

Section 1. Subchapter 1 of chapter 3 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-309.2 to read as follows:

§ 24-309.2 *Locations of private temporary or shared water service pipelines.* a. *Definitions.* For purposes of this section the following terms have the following meanings:

Shared water service pipeline. The term “shared water service pipeline” means a water pipeline that provides water to one or more properties from one service pipe connection to the city water main.

Temporary water service pipeline. The term “temporary water service pipeline” means a water pipeline that when installed was meant to or will be replaced by a permanent service pipeline.

b. The department of environmental protection shall publish the locations of known private temporary water service pipelines and known private shared water service pipelines on the city’s website in the form of an online interactive map, pursuant to section 23-803. Such online interactive map shall be searchable by address and borough, block and lot number.

§ 2. Chapter 5 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-532 to read as follows:

§ 24-532 *Locations of temporary or shared sewer service pipelines.* a. *Definitions.* For purposes of this section, the term “shared sewer service pipeline” means a sewer pipeline that connects to one or more properties from one service pipe connection to the city sewer main.

b. The department of environmental protection shall publish the locations of known temporary sewer service pipelines, as defined in section 24-506, and known shared sewer service pipelines on the city's website in the form of an online interactive map, pursuant to section 23-803. Such online interactive map shall be searchable by address and borough, block and lot number.

§ 3. Section 23-803 of the administrative code of the city of New York, as added by local law number 65 for the year 2019, is amended to read as follows:

§ 23-803 Online interactive map. The department of environmental protection shall provide to the public, at no charge, on the city's website, an online interactive map pursuant to [section] sections 24-309.1, 24-309.2 and 24-532. All information required by section 24-309.1 shall be available on the city's website on or before June 1, 2019 and updated, at minimum, in June of each year. *All information required by sections 24-309.2 and 24-532 shall be available on the city's website on or before June 1, 2023 and updated, at minimum, in June of each year.* The mayor shall ensure that agencies provide such department with assistance and information as it requires to compile and update the interactive map.

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

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

Int. No. 709

By the Public Advocate (Mr. Williams) and Council Members Louis and Brewer (by request of the Bronx and Brooklyn Borough Presidents).

A Local Law to amend the New York city charter, in relation to the expansion of the Franchise and Concession Review Committee

Be it enacted by the Council as follows:

Section 1. Section 373 of the New York city charter, as added by a vote of the electors on November 7, 1989, is amended to read as follows:

§ 373. Franchise and concession review committee. a. A franchise and concession review committee is hereby established. The committee shall consist of the following officials or their designees: the mayor, who shall serve as chair; the director of the office of management and budget; the corporation counsel; the comptroller; *the public advocate*; and one additional appointee of the mayor. Whenever the committee reviews a proposed franchise or concession or the procedures for granting a particular concession, the borough president of the borough in which such franchise or concession is located or his or her designee shall also serve as a member of the committee. If such a franchise, concession or procedure relates to more than one borough, the borough presidents of such boroughs shall designate one of such borough presidents or another individual to serve as a member of the committee for the purpose of considering such matter.

b. The mayor shall designate a public officer or employee to act as the clerk of the committee who shall be responsible for maintaining the records and minutes of the committee and performing such other duties as may be required.

c. The committee shall act by the affirmative vote of at least [four] *five* members except that the affirmative vote of at least [five] *six* members shall be required to approve a franchise agreement.

d. The committee shall:

(1) adopt rules establishing procedures for granting concessions through public bidding or by other means designed to ensure a competitive and fair process;

(2) review and approve the granting of concessions that are proposed to be granted pursuant to procedures that differ from the procedures established by the rules of the committee; provided, however, that the committee need not review awards of concessions that are not subject to renewal and have a term of less than thirty days;

(3) determine whether each franchise agreement proposed by a city agency is consistent with the request for proposal or other solicitation pursuant to which such agreement was negotiated and require appropriate modifications to any such agreements to correct any significant inconsistencies; and

(4) review and approve the selection of franchisees pursuant to subdivision f of section three hundred sixty-three.

§ 2. This local law shall take effect immediately after it is submitted for the approval of the qualified electors of the city at the next general election held after its enactment and approved by a majority of such electors voting thereon.

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

Int. No. 710

By the Public Advocate (Mr. Williams) and Council Members Avilés, Won, Gutiérrez and Louis.

A Local Law in relation to the creation of a task force to study, report on, and make recommendations to improve New York city housing authority's engagement with tenants and to address tenant concerns about safety and quality of life

Be it enacted by the Council as follows:

Section 1. a. For purposes of this local law, the term "housing authority" means the New York city housing authority.

b. There is hereby established a task force that shall study, identify issues with and recommend changes to the housing authority's policies regarding tenant engagement and addressing tenants' concerns about building safety and quality of life.

c. The task force shall be composed of the following members:

1. Two members who shall be appointed by the mayor;
2. Two members who shall be appointed by the speaker of the council; and
3. Two members who shall be appointed by the public advocate.

d. One member shall be designated as chairperson by the public advocate from among his or her appointees. In addition, the mayor shall invite the housing authority's chief executive officer, the executive vice president for community engagement and partnerships, and the federal monitor's community advisory committee each to appoint a representative to the task force.

e. All members shall be appointed to the task force within 60 days of the effective date of this local law. The task force shall hold its first meeting no later than 30 days after a majority of its members have been designated or appointed pursuant to subdivision c and shall meet at least quarterly thereafter. Members of the task force shall serve without compensation.

f. No member of the task force shall be removed except for cause and upon notice and hearing by the official who appointed that member. In the event of a vacancy, a successor shall be appointed in the same manner as the original appointment to serve the remainder of the unexpired term.

g. Within one year after the first meeting of the task force, and annually thereafter, the task force shall submit a report to the mayor, the speaker of the council, the public advocate, and the federal monitor established pursuant to the January 31, 2019 agreement with the housing authority, identifying key tenant concerns regarding building safety and quality of life, the housing authority's progress in addressing the identified issues, and recommendations for addressing tenant concerns.

h. The task force shall hold at least two public meetings before submitting the report required pursuant to subdivision g of this section.

i. The task force shall continue for as long as the January 31, 2019 agreement establishing a federal monitor is in effect. If such agreement ceases to have effect, the task force shall submit a final report pursuant to subdivision g following such cessation and shall dissolve one year after submitting such final report.

§ 2. This local law takes effect immediately

Referred to the Committee on Public Safety.

Res. No. 286

Resolution calling on the New York State Legislature to pass and the Governor to sign Senate Bill S.5755/A.699, which would ensure all people in custody have the right to vote and require the Department of Corrections and Community Supervision to collaborate state and local board of elections to facilitate voter registration and voting among all incarcerated people.

By the Public Advocate (Mr. Williams) and Council Members Hanif and Gutiérrez.

Whereas, A 2016 report from *The Sentencing Project* estimated that 6.1 million Americans are ineligible to vote as a result of felony disenfranchisement laws; and

Whereas, Even as a number of states have moved to extend voting rights to individuals on parole or probation and to those who have completed their sentence, people convicted of a felony remain disenfranchised while incarcerated; and

Whereas, New York is among the forty-eight states, as well as the District of Columbia, in which persons convicted of a felony lose their right to vote while incarcerated; and

Whereas, New York's felony disenfranchisement law has a disparate effects on Latinx and Black people as a result of their disproportionate felony arrest and conviction rates driven in part by the over-policing of their communities; and

Whereas, As a result, felony disenfranchisement reduces the scale of the Latinx and Black electorates and the political impact of those communities; and

Whereas, Vermont and Maine remain the only two states where incarcerated people, no matter what their conviction is for, do not lose their vote; and

Whereas, The right to vote is a fundamental tenet of democracy and should not be denied to any incarcerated individuals; and

Whereas, S.5755/A.699 introduced by State Senator Kevin Parker would repeal section 5-106 of New York Election Law, which disenfranchises incarcerated people convicted of a felony, and would require the Department of Corrections and Community Supervision, in collaboration with the state and county board of election, to establish a program to facilitate voter registration and voting among all incarcerated people, which includes access and assistance with voter registration forms and a mechanism for voting, including absentee ballots; and

Whereas, Maine, Vermont and the District of Columbia allow incarcerated individuals to retain their voting rights while in custody; and

Whereas, A survey published by *Laleh Ispahani* in 2009 examining disenfranchisement in Europe found that seventeen European nations imposed no bar on incarcerated people voting; and

Whereas, The right of incarcerated people to vote has been affirmed in constitutional court decisions in Canada, South Africa, Israel, Australia, and Kenya; and

Whereas, Permitting incarcerated people to participate in the electoral process improves their chances of successful reentry as it allows them to foster meaningful and positive connections with institutions in their community; and, 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.5755/A.699, which would ensure all people in custody have the right to vote and require the Department of Corrections and Community Supervision to collaborate state and local board of elections to facilitate voter registration and voting among all incarcerated people.

Referred to the Committee on Criminal Justice.

Int. No. 711

By Council Members Rivera, Gennaro, Schulman, Gutiérrez and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to licensing moped repair shops

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
MOPED REPAIR SHOPS**

§ 20-565 Definitions.

§ 20-565.1 Moped repair shop license; application; fee.

§ 20-565.2 Issuance of license.

§ 20-565.3 Denial, renewal, suspension and revocation of license.

§ 20-565.4 Display of license.

§ 20-565.5 Inspections.

§ 20-565.6 Examination of registration.

§ 20-565.7 Rulemaking.

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

Moped. The term “moped” means any limited use motorcycle as defined in section 121-b of the vehicle and traffic law.

Moped repair shop. The term “moped repair shop” means any individual, partnership, corporation, limited liability company, joint venture association or other business entity that engages in the repair of more than five mopeds in any calendar year. “Moped repair shop” shall not include:

1. Any business entity that is required to register as a repair shop pursuant to article 12-A of the vehicle and traffic law; or
2. Any business that is required to register as a dealer in accordance with section 415 of the Vehicle and Traffic Law.

Repair. The term “repair” means any alteration or adjustment to a moped, or diagnosing a malfunction of a moped.

§ 20-565.1 Moped repair shop license; application; fee. a. License required. It shall be unlawful for any person to own, control or operate a moped repair shop without first having obtained a license for such business in the manner provided in this subchapter. All licenses issued pursuant to this subchapter shall be valid for no more than two years and expire on the date the commissioner prescribes by rule.

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

1. The name and address of the applicant;
2. An email address that the applicant monitors where the department can send license application materials, official notifications, and other correspondence;
3. If the applicant does not reside in the city, the name and address of a registered agent within the city upon whom process or other notification may be served; and
4. A signed statement certifying compliance with all applicable laws, regulations and rules.

c. Fee. There shall be a biennial fee of \$200 for a license to operate a moped repair shop.

§ 20-565.2 Issuance of license. A license to operate a moped repair shop shall be granted in accordance with the provisions of this subchapter, chapter 1 of this title, and applicable rules of the commissioner.

§ 20-565.3 Denial, renewal, suspension and revocation of license. In addition to any powers of the commissioner and not in limitation thereof, the commissioner may deny or refuse to renew any license required under this subchapter and may suspend or revoke such license, after due notice and opportunity to be heard, if

the applicant or licensee, or, where applicable, any of its officers or principals, directors, members, managers, employees or other ownership interest of the organization, is found to have:

- 1. Committed two or more violations of any provision of this subchapter or any rules promulgated thereunder in the preceding two years; or*
- 2. Made a material false statement or concealed a material fact in connection with the filing of any application pursuant to this subchapter.*

§ 20-565.4 Display of license. Each licensee shall conspicuously display a true copy of the license issued pursuant to this subchapter in close proximity to the main entrance door of each licensee's moped repair shop in such a manner that the license is visible from outside the building where such center is located.

§ 20-565.5 Inspections. a. The commissioner may inspect a moped repair shop for violations of this subchapter and rules promulgated pursuant to this subchapter.

§ 20-565.6 Examination of registration. a. A licensee shall not repair any moped intended for use on a public highway or street until the licensee has verified the registration of such moped, pursuant to section 2261 of the Vehicle and Traffic Law.

§ 20-565.7 Rulemaking. The commissioner shall promulgate such rules as the commissioner deems necessary to effectuate the provisions of this subchapter.

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

Referred to the Committee on Consumer and Worker Protection.

Int. No. 712

By Council Members Rivera, Won, Hanif, Gutiérrez, Louis 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 create and implement policies to address medical needs during and after lock-ins

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 9-108 of the administrative code of the city of New York is amended by adding a new definition of “lock-in” in alphabetical order to read as follows:

Lock-in. The term “lock-in” means any period of time in which incarcerated individuals are confined to their cells or beds.

§ 2. Subdivision d of section 9-108 of the administrative code of the city of New York, as added by local law number 132 for the year 2019, is amended to read as follows:

d. Where individuals are not produced for medical appointments, department personnel shall record the facility, along with the reason for non-production, including but not limited to: “court”, “visits”, “production refusal”, “walkout”, “programming”, “barbershop”, “recreation,” “*lock-in*” and “other”. For the category, “other,” department personnel shall provide a brief narrative. If the reason for non-production is a refusal or walkout, the department [will] *shall* also record the reason for refusal or walkout, if given. The department shall make such records legible and available to the board of correction at any time. On a monthly basis, the department shall publish an aggregate report on non-production on its website and submit such a report to correctional health services and the city council. This report shall also contain an aggregate count of reasons for production refusal or walkout, if given, and the facility.

§ 3. Section 9-108 of the administrative code of the city of New York is amended by adding new subdivisions f, g and h to read as follows:

f. The department shall, in consultation with correctional health services, develop a plan to address clinic production during and after a lock-in. Such plan shall ensure that the department is communicating with correctional health services throughout a lock-in. Such plan shall ensure that correctional health services determines the order in which individuals who were not produced for a medical appointment due to a lock-in are produced, based on medical necessity. Such plan shall ensure that department staff continue to escort patients to medical appointments during a lock-in whenever practicable.

g. The department shall notify correctional health services of an impending or present lock-in as soon as possible and include all information that had been provided to department staff, including the time the lock-in was initiated, the anticipated length of the lock-in and the reason for such lock-in.

h. Correctional health services shall submit to the speaker of the council a quarterly report on the number of instances of non-production during a lock-in. The first such report shall be due on April 30, 2023, and shall cover the quarter that began on January 1, 2023. Subsequent reports shall be submitted no later than 30 days after the end of each quarter thereafter.

§ 4. Section 9-155 of the administrative code of the city of New York is amended by adding a new subdivision e to read as follows:

e. Thirty days after the end of the quarter beginning April 1, 2023, and no later than 30 days after the end of each subsequent quarter, the department shall post on its website and submit to the speaker of the council a report containing information pertaining to emergency lock-ins of mental health units as defined in section 9-134 that occurred during the preceding quarter. Such report shall include how mental health services were supplemented during the emergency lock-ins.

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

Referred to the Committee on Criminal Justice.

Int. No. 713

By Council Members Rivera, Gutiérrez, Louis and Brewer.

A Local Law to amend the administrative code of the city of New York, in relation to requiring alternating high and low, two-toned signal devices on emergency vehicles

Be it enacted by the Council as follows:

Section 1. Section 24-241 of the administrative code of the city of New York, as added by local law 113 for the year 2005, is amended to read as follows:

§ 24-241. Emergency signal devices. [(a)]a. No person shall operate or use or cause to be operated or used any emergency signal device, except on an authorized emergency vehicle when such vehicle is in the act of responding to an emergency; provided that such device shall not be operated for a period of time longer than is necessary to respond to such emergency. Notwithstanding the foregoing, such a device on a motor vehicle shall be lawful if designed and used solely as an audible motor vehicle burglar alarm in accordance with section 24-238 and a device attached to a vehicle for the purpose of providing an audible warning when the vehicle is backing up shall be permitted even though the audible warning may consist of a gong or bell sound.

[(b)]b. No person shall operate or permit to be operated an emergency signal device installed on an authorized emergency vehicle [that] *unless*:

1. [when]When operated at the maximum level *such emergency signal device* creates a sound level [in excess of] *that does not exceed* 90 dB(A) when measured at a distance of fifty feet from the center of the forward face of such vehicle; *and*

2. *Such emergency signal device produces an alternating high and low, two-toned sound in accordance with implementation standards established by the department.*

c. Within one year after the effective date of [this] subdivision b 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 standards set forth in [this] subdivision b for operation at maximum level *and with an alternating high and low two-toned sound*. Notwithstanding the foregoing provisions, where compliance with the provisions of [this] subdivision *b* 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 standards set forth in [this] subdivision *b* within two years after the effective date of [this] subdivision b. Such plan shall be submitted within one year after the effective date of [this] subdivision b in lieu of the required certification. [This subdivision shall not apply to authorized emergency

vehicles of the police department, fire department or authorized emergency vehicles responding to medical emergencies.]

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

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

Int. No. 714

By Council Members Rivera, Zhuang, Gennaro, Won, Hanif, Gutiérrez and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to installing safety signs near schools

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 19-189.2 to read as follows:

§ 19-189.2 *Installation of school safety signs. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Overhead school safety sign. The term “overhead school safety sign” means a sign supported on posts over a part of the street that allows vehicles to pass underneath and that alerts vehicle traffic to the presence of pedestrians and school-aged children.

Painted school safety sign. The term “painted school safety sign” means a sign that is painted on a street to alert vehicle traffic to the presence of pedestrians and school-aged children.

School. The term “school” has the same meaning as such term is defined in section 19-189.

b. The department shall install a painted school safety sign on each street where a school is present. Such painted school safety sign shall be located no greater than 50 feet from the school entrance, unless the department determines another distance is appropriate. Such painted school safety sign shall be inspected every 5 years, and repainted if necessary.

c. The department shall install one or more overhead school safety signs on each street where a school entrance is present.

§ 2. This local law takes effect one year after it becomes law.

Referred to the Committee on Transportation and Infrastructure.

Res. No. 287

Resolution calling for Congress to pass, and the President to sign, legislation increasing reimbursements in Medicaid’s Federal Medical Assistance Percentage program for Puerto Rico and the other territories of the United States.

By Council Members Rivera and Gutiérrez.

Whereas, Under the Medicaid program, the federal government matches state spending with federal funds to help people with limited income and resources pay for medical costs; and

Whereas, Puerto Rico and the other U.S. territories are not eligible to receive the maximum amount of matching funds available to the 50 U.S. states under the Federal Medical Assistance Percentage (FMAP); and

Whereas, According to the U.S. Census Bureau, the median household incomes of the five inhabited U.S. territories, which include Puerto Rico, Guam, the U.S. Virgin Islands, American Samoa, and the Commonwealth

of the Northern Mariana Islands, are often the lowest in the country, and residents of these territories often experience greater exposure to health risks and decreased access to health services; and

Whereas, In 2020, the U.S. Census Bureau's American Community Survey reported Puerto Rico was one of the poorest parts of the United States, with a median house-hold income of \$21,058, lower than any other U.S. state, and representing the highest amount of income inequality in the nation; and

Whereas, Reimbursement for Medicaid spending under the FMAP is based on the average per capita income; and

Whereas, Under the FMAP, U.S. states receive 83 percent reimbursement for every dollar spent on medical assistance and U.S. territories, including Puerto Rico, only receive a set rate of 55 percent in reimbursement for every dollar the territories spend on Medicaid; and

Whereas, In 2019, the Senate's Natural Resources Committee held a hearing entitled "The Insular Areas Medicaid Cliff," which indicated that the disparate treatment under Medicaid, in comparison to the other U.S. states, has created a shortage of available service providers, medical coverage, eligibility, benefits, and reimbursement rates in the U.S. territories; and

Whereas, According to the Center on Budget and Policy Priorities, 44 percent of residents in Puerto Rico live below the poverty line, with inadequate Medicaid funding adding further economic pressure to the Island; and

Whereas, Most of the federal funding programs in Puerto Rico are set to expire in 2019, causing Puerto Rico's governor to testify before the Senate Energy and Natural Resources Committee that a congressional failure to act would threaten health care for hundreds of thousands of children, seniors, people with disabilities, and pregnant women; and

Whereas, According to the City University of New York's Center for Puerto Rican Studies based at Hunter College, natural disasters in the Caribbean have further diminished access to medical care on the Island, causing individuals from Puerto Rico to migrate to the U.S. mainland with New York being one of the largest arrival destinations of Puerto Rican evacuees; and

Whereas, According to the Center on Budget and Policy Priorities, Congressional funding for disaster relief has not included critical Medicaid funds for the Pacific island territories of Guam, American Samoa, and the Northern Mariana Islands to provide health care for their residents; and

Whereas, The Territories Health Care Improvement Act, H.R.3631, aims to extend full Medicaid coverage to all U.S. territories by amending the Social Security Act in order to provide a temporary increase to the limit on Medicaid payments and the FMAP for U.S. territories between the fiscal years of 2020 and 2025; and

Whereas, The Puerto Rico Health Care Fairness, Accountability, and Beneficiary Access Act of 2021, H.R.1722, which was introduced to the House of Representatives by New York's Congressional Representative Nydia M. Velazquez, would amend the current law so the Island would receive an 85 percent reimbursement rate, providing Puerto Rico with an additional \$15.1 billion in federal funding; and

Whereas, Rep. Velazquez's bill would also institute a 10-year transition period to stabilize the Medicaid program in Puerto Rico, after which the Island would receive the same financial treatment as state Medicaid programs; and

Whereas, There are no justifications for the Medicaid reimbursement rate and federal funding share to be lower in U.S. territories compared to the 50 states, and this disparate treatment amongst U.S. citizens is causing the territorial islands' economy, healthcare, and people to suffer; now, therefore, be it

Resolved, That the Council of the City of New York calls upon Congress to pass, and the President to sign, legislation increasing reimbursements in Medicaid's Federal Medical Assistance Percentage program for Puerto Rico and the other territories of the United States.

Referred to the Committee Cultural Affairs, Libraries and International Intergroup Relations

Int. No. 715

By Council Members Schulman, Marte, Gennaro, Gutiérrez, Louis and Rivera.

A Local Law to amend the administrative code of the city of New York, in relation to requiring food delivery companies to be responsible for the safe operation of electric food delivery bicycles

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 20 of the administrative code of the city of New York is amended by adding a new section 20-563.14 to read as follows:

§ 20-563.14 *Safe operation of electric food delivery bicycles.*

a. *Definition. For purposes of this section, the term “electric food delivery bicycle” means any two or three wheeled electric device, used in the pick-up and delivery of food and beverage items by food delivery workers, that is motor assisted, not propelled exclusively by human power and not eligible for registration by the New York state department of motor vehicles. This definition includes bicycles having an electric motor that provides assistance only when the person operating such bicycle is pedaling, and which ceases to provide assistance when such bicycle reaches a pre-determined speed.*

b. *Any third-party food delivery service licensee shall ensure that any food delivery worker operating an electric food delivery bicycle under its license does not violate any provision of section 19-176 or 19-195.1 or any rule promulgated pursuant thereto. Any civil penalties incurred as a result of a food delivery worker’s violation of either such section or any rule promulgated thereto while engaged in the pick-up and delivery of food and beverage items shall be paid by the third-party food delivery service licensee under which the food delivery worker was operating at the time such fine was issued.*

c. *Any food delivery worker issued a civil penalty for a violation of any and provision of section 19-176 or 19-195.1, or any rule promulgated pursuant thereto, shall notify the third-party food delivery service within ten days of the issuance of such fine.*

§ 2. Section 20-563.10 of the administrative code of the city of New York, as added by local law number 100 for the year 2021, is amended to read as follows:

§ 20-563.10 Enforcement, civil penalties and restitution. a. Any person who violates, or causes another person to violate, a provision of this subchapter or any rule promulgated pursuant thereto, shall be subject to a civil penalty that shall not exceed \$500 for each violation, except that a person that violates any provision of section 20-563.3 or any rule promulgated pursuant thereto shall be subject to a civil penalty that shall not exceed \$1,000 for each violation. Violations by third-party food delivery services under this subchapter shall accrue on a daily basis for each day and for each food service establishment with respect to which a violation of this subchapter or any rule promulgated pursuant to this subchapter was committed. The department may also recover restitution on behalf of any food service establishment or food delivery worker harmed by a violation of this subchapter or any rules promulgated pursuant to this subchapter by a third-party food delivery service. A proceeding to recover any civil penalty or restitution authorized pursuant to this subchapter may be brought in any tribunal established within the office of administrative trials and hearings or within any agency of the city designated to conduct such proceedings.

b. *In any proceeding against a third-party food delivery service for a violation of section 20-563.14, it is an affirmative defense that such third-party food delivery service lacked notice of a fine incurred by a food delivery worker operating under its license.*

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

Referred to the Committee on Consumer and Worker Protection.

Int. No. 716

By Council Members Schulman, Zhuang, Gennaro, Hanif, Gutiérrez and Louis.

A Local Law to amend the New York city charter, in relation to requiring notice of building code, fire code, and health code violations in public schools

Be it enacted by the Council as follows:

Section 1. Chapter 20 of the New York city charter is amended by adding a new section 530-g to read as follows:

§ 530-g *Notification requirements, fire, building, and health code violations.* a. *For the purposes of this section, the following terms have the following meanings:*

1. *"Department" means the department of education.*

2. *"Public school" means any school in a building owned or leased by the department, including charter schools, that contains any combination of grades from kindergarten through grade twelve.*

b. *The department shall notify the parents or guardians of students and the employees in any public school that has been inspected by the department of buildings, the fire department, or the department of health and mental hygiene. Such notifications shall include the results of such inspections and any violations of the New York city building code, the New York city fire code, or the New York city health code identified in connection with such inspections. Such notifications shall be provided within seven days of the department receiving the results of any such inspection. The department shall also post such notifications on the department's website within seven days of receiving such inspection results.*

c. *The notifications required pursuant to subdivision b of this section shall include information setting forth the steps the department has taken and will take to address violations, including the timeframe during which such violations were or will be addressed. If such steps are not completed within such timeframe then the department shall notify such parents or guardians and employees of the new timeframe for such steps. The department shall also notify such parents or guardians and employees within seven days of the date such steps to address such violations are completed. The department shall also post such information on the department's website at the same time such information and notifications are provided to parents or guardians and employees.*

d. *The department shall provide the notifications required pursuant to subdivisions b and c of this section to the New York city council member representing the district in which the school is located at the same time such notifications are provided to such parents or guardians and employees.*

§ 2. This local law takes effect 60 days after its enactment into law.

Referred to the Committee on Education.

Int. No. 717

By Council Members Schulman, Gutiérrez, Louis and Brewer.

A Local Law to amend the administrative code of the city of New York, in relation to rental assistance eligibility requirements for street homeless individuals

Be it enacted by the Council as follows:

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

§ 21-151 *Rental assistance for street homeless individuals.* a. *Definitions. For purposes of this section, the following terms have the following meanings:*

Street homeless. The term "street homeless" means an individual who (i) is living on the street or in a place not meant for human habitation or (ii) is receiving services from the department of homeless services or the

human resources administration because such individual is currently or was formerly living on the street or in a place not meant for human habitation.

Rental assistance program. The term “rental assistance program” means any city rental assistance program that is designed to help homeless individuals by subsidizing rent in which (i) the human resources administration or the department of homeless services determines eligibility and (ii) the program’s eligibility requirements do not require approval from an agency of the state of New York.

b. Rental assistance program eligibility. When an applicant’s eligibility for a rental assistance program is dependent upon being considered street homeless and having received case management services for a specified amount of time is a factor in such consideration, the department shall not require such applicant to have received case management services for more than 30 days as a precondition to such eligibility.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of social 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 General Welfare.

Int. No. 718

By Council Members Schulman, Gennaro, Won, Hanif, Gutiérrez, Restler, Louis and Brewer.

A Local Law to amend the administrative code of the city of New York, in relation to requiring family building benefits for city employees

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 12 of the administrative code of the city of New York is amended by adding a new section 12-141 to read as follows:

§ 12-141 Family building benefits for city employees. *a. Definitions.* For purposes of this section, the following terms have the following meanings:

“Adoption.” The term “adoption” includes the range of services available to adults who intend to adopt a child, including agency and legal services related to the adoption of a child.

“Assisted reproduction.” The term “assisted reproduction” includes the range of services and technologies to assist adults who intend to become parents, including, but not necessarily limited to: egg and sperm donation and preservation; in vitro fertilization; intrauterine insemination; surrogacy; and agency and legal services related to such services and technologies, as well as the establishment of parentage of a child.

“City employee.” The term “city employee” means a person who: is employed by a department or agency of the city; and is paid out of the city treasury; and is employed under terms prescribing a work week regularly consisting of twenty or more hours during the fiscal year; and is not employed by the board of education.

b. The city shall offer family building benefits to city employees for the purpose of defraying the costs of assisted reproduction and adoption. Such benefits shall reimburse city employees for some or all of such costs when another city-provided health insurance plan does not cover them. The office of labor relations may enter into contracts with companies providing insurance coverage for such services and technologies for the purpose of meeting the requirements of this section.

c. The city shall not discriminate on the basis of marital or partnership status in meeting the requirements of this section. Family building benefits offered to city employees pursuant to this section shall not condition eligibility for such benefits on an infertility diagnosis.

d. This section does not affect the mayor’s authority to bargain with certified employee organizations pursuant to chapter 3 of title 12 of the administrative code.

§ 2. This local law takes effect immediately.

Referred to the Committee on Health.

Int. No. 719

By Council Members Schulman, Gennaro, Gutiérrez and Louis.

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 a list of organizations they consult with on chronic diseases

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.7 to read as follows:

§ 17-199.7 Consultation Reporting. No later than February 1 of each year, the department shall submit to the speaker a list of the non-governmental organizations that the department routinely consults with regarding the prevention and management of common chronic diseases, including but not limited to diabetes, hypertension, heart disease, stroke, cancer, obesity, and alzheimer's disease. The organizations in such list shall be categorized by disease.

§ 2. This local law takes effect immediately.

Referred to the Committee on Health.

Int. No. 720

By Council Members Schulman, Gennaro, Hanif, Gutiérrez, Louis and Brewer.

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 maintain a COVID-19 risk alert system

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.20 to read as follows:

§ 17-199.20 COVID-19 risk alert system. a. Definitions. For the purposes of this section, the term "COVID-19" means the disease caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

b. The commissioner shall establish a color-coded system to inform the public of the current risk level of contracting COVID-19. The system shall utilize the colors red, orange, yellow, and green to signify varying levels of risk. The commissioner shall determine the risk level that corresponds to each color and recommended preventive measures members of the public should take in response to each such risk level.

c. The commissioner, in collaboration with the head of any other appropriate agency, shall develop and engage in an ongoing outreach campaign to inform city residents and visitors of the risk level of contracting COVID-19 pursuant to subdivision b of this section. Such outreach campaign shall include, but need not be limited to, sharing the COVID-19 risk level and corresponding preventive measures:

- 1. Daily on the department's website;*
- 2. In newspaper, radio, and television advertisements; and*
- 3. In advertisements at public venues such as subways, buses, and public kiosks.*

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

Referred to the Committee on Health.

Int. No. 721

By Council Members Schulman, Gennaro, Gutiérrez, Louis and Brewer.

A Local Law to amend the administrative code of the city of New York, in relation to holding quarterly meetings on maternal mortality efforts

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 17-199.3.2 to read as follows:

§ 17-199.3.2 *Maternal mortality quarterly meetings.* a. *The department shall hold quarterly meetings on efforts taking place in the city to combat maternal mortality, as defined in subdivision a of section 17-199.3, with the aim to discuss ongoing issues hospitals are facing with maternal mortality and ways these issues can be mitigated.*

b. *The department shall invite all relevant stakeholders to the quarterly meetings including, but not limited to, the following:*

1. *A representative from New York city health and hospitals corporation;*
 2. *The chair of the council committee on health or a successor committee with oversight over health-related issues; and*
 3. *The chair of the council committee on hospitals or a successor committee with oversight over hospitals.*
- § 2. This local law takes effect immediately.

Referred to the Committee on Hospitals.

Int. No. 722

By Council Members Schulman, Hanif, Gutiérrez and Louis.

A Local Law in relation to requiring at least one mental health coordinator at any location where refugees, asylees, and migrants receive services from city agencies or providers upon their arrival in the city of New York

Be it enacted by the Council as follows:

Section 1. a. Definitions. As used in this local law:

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

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

Emergency congregate housing. The term “emergency congregate housing” means any location operated by an agency or a provider under contract or similar agreement with an agency, except for any location operated by the department of social services or provider under contract or similar agreement with the department of social services, where individuals and families reside for more than 96 hours where such individuals and families sleep in a congregate setting with shared facilities including, but not limited to, sleeping quarters and bathrooms.

Mental health coordinator. The term “mental health coordinator” means an agency employee or a contracted employee who can provide resources on trauma-informed, language accessible mental health services in the city.

Resource center. The term “resource center” means a centralized location where services are provided to refugees, asylees, and migrants, including, but not limited to, legal services, healthcare services, benefit enrollment services or school enrollment services.

Provider. The term “provider” means a community-based organization or not-for-profit organization under contract or similar agreement with the department.

Shelter. The term “shelter” means a facility operated by the department of social services or a provider under contract or similar agreement with the department of social services.

b. The office of community mental health shall station at least one mental health coordinator at each location where refugees, asylees, and migrants receives services from agencies or providers upon their arrival in the city. The locations shall be determined by the office of immigrant affairs and shall include but not be limited to emergency congregate housing, shelters, resource centers, and any other systems established to provide housing to refugees, asylees, and migrants.

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

Referred to the Committee on Immigration.

Int. No. 723

By Council Members Schulman and Williams.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a residential parking permit system in Kew Gardens

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 *Residential parking permit system in Kew Gardens.* a. *The department shall create and implement a residential parking permit system in the neighborhood of Kew Gardens, to include the area bounded by Jackie Robinson Parkway to the north, Hillside Avenue to the south, the Van Wyck Expressway to the east and 118th Street to the west, which fixes and requires the payment of fees for parking within the area in which such parking system is in effect in accordance with the provisions of this section.*

b. *In creating such residential parking system, the department shall:*

1. *Designate specific areas in which such parking system applies;*
2. *Provide the times of the day and days of the week during which permit requirements shall be in effect;*
3. *Make not less than 20 percent of all spaces within the permit area available to non-residents and provide for short-term parking of not less than 90 minutes in duration in such area;*
4. *Provide that motor vehicles registered pursuant to section 404-a of the vehicle and traffic law be exempt from any permit requirement;*
5. *Provide the schedule of fees to be paid for residential permits; and*
6. *Provide that such fees shall be credited to the general fund of the city of New York.*

c. *Notwithstanding the provisions of this section, no such residential parking permit shall be required on streets where the adjacent properties are zoned for commercial, office or retail use.*

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

Referred to the Committee on Transportation and Infrastructure.

Int. No. 724

By Council Members Schulman, Yeger, Gennaro, Gutiérrez, Louis and Brewer.

A Local Law to amend the administrative code of the city of New York, in relation to requiring that the department of transportation repair broken curbs as part of resurfacing projects

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 19-111.1 to read as follows:

§ 19-111.1 Repairing curbs. Whenever any street is resurfaced by the department, the department shall also make repairs to any curbs that the department determines to be a safety hazard.

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

Referred to the Committee on Transportation and Infrastructure.

Int. No. 725

By Council Members Schulman, Hudson, Gennaro, Hanif, Gutiérrez and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department for the aging to report on senior and accessible dwelling units

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-210 to read as follows:

§ 21-210 Annual report on seniors and accessible housing. a. Definitions. For the purposes of this section, the following terms have the following meanings:

The term “multiple dwelling” has the same meaning as set forth in paragraph 7 of subdivision a of section 27-2004.

The term “senior” has the same meaning as set forth in subdivision a of section 21-208.

b. Annual report. No later than December 31, 2023 and annually thereafter, the department, in collaboration with the department for housing preservation and development, shall submit to the speaker of the council and post conspicuously to its website a report regarding senior and accessible housing. Such report shall include, but need not be limited to, the following information for the prior year in a non-proprietary format that permits automated processing:

1. The number of seniors living in multiple dwelling units in New York city, disaggregated by zip code and by council district; and

2. The number of multiple dwelling units in New York city which abide by universal design principles or which are otherwise designed or retrofitted to be accessible for individuals with disabilities or mobility issues, disaggregated by zip code and by council district.

c. Personally identifiable information. No report required by subdivision b of this section shall contain personally identifiable information.

§ 2. This local law takes effect immediately.

Referred to the Committee on Aging.

Int. No. 726

By Council Members Schulman, Aviles, Gennaro, Hanif and Gutiérrez.

A Local Law to amend the administrative code of the city of New York, in relation to the assessment of certain children with elevated blood lead levels

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 17-179 of the administrative code of New York, as added by local law number 39 for the year 2021, is amended to read as follows:

c. As part of the investigation required by section 17-911, the department shall provide to the parent or guardian of any child determined to have an elevated blood lead level [information regarding special education services available from the department of education], *as established by department rule, a referral to the committee on special education of the department of education, or another appropriate provider as determined by the department, for a neuropsychological or neurodevelopmental evaluation in order to determine the child's eligibility for special education services.*

1. Such evaluations shall be comprehensive and age appropriate, and shall meet minimum standards as approved by the committee on special education.

2. In the event it is determined, based upon such comprehensive neuropsychological or neurodevelopmental evaluation, that a child suffers from a neurocognitive or behavioral deficit consistent with the effects of lead poisoning, the department shall make a recommendation to the committee on special education that such child is eligible for appropriate health and educational services and interventions related to lead poisoning, and shall recommend the development an individualized education program in consultation with a neuropsychologist and the appropriate disciplines, to provide the child with such appropriate services and interventions.

3. No later than January 1, 2024, and annually thereafter, the department shall submit to the mayor and the speaker of the council an anonymized report, which protects personally identifying information, containing, at a minimum;

(a) The number of children referred for neuropsychological or neurodevelopmental evaluations based on elevated blood levels pursuant to section 17-911;

(b) The number of children determined by comprehensive neuropsychological or neurodevelopmental evaluation to suffer from neurocognitive or behavioral deficits consistent with the effects of lead poisoning;

(c) The number of children referred to the committee on special education for the creation of an individualized education program; and

(d) The number of individualized education programs generated as a result of these requirements.

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

Referred to the Committee on Health.

Int. No. 727

By Council Members Schulman, Hanif and Gutiérrez (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 commercial building owners to provide face coverings

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 17-104.1 to read as follows:

§ 17-104.1 Provision of face coverings. a. Definitions. As used in this section, the following terms have the following meanings:

Commercial building. The term “commercial building” means any building or portion of a building (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 building or a portion of such building has not been issued.

Owner or operator. The term “owner or operator” means the owner, manager, operator or other person having control of a commercial building.

Face covering. The term “face covering” means any face mask or respirator recommended by the department, the federal centers for disease control and prevention or the national institute for occupational safety and health including, but not limited to, KN95, N95, N99, N100, P95, P99, P100, R95, R99 and R100 respirators.

b. No later than 90 days after the effective date of the local law that added this section, a commercial building owner or operator shall equip such commercial building with an appropriate supply of face coverings in order to provide a face covering to any individual entering the premises of such commercial building. Face coverings shall be placed in a conspicuous place near the public entrance or entrances of such commercial building and made readily available upon entry.

c. No later than 30 days after the effective date of the local law that added this section, the department shall conduct outreach and education to commercial building owners and operators about the requirements of this section.

d. Any commercial building owner or operator that violates this section or any rule promulgated pursuant to this section shall be liable for a civil penalty in the amount of \$50 for the first violation, \$100 for the second violation committed on a different day within a period of 12 months, and \$200 for the third and each subsequent violation committed on different days within a period of 12 months. The department shall commence a proceeding to recover any civil penalty authorized pursuant to this section by service of a notice of violation returnable to the office of administrative trials and hearings.

§ 2. 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 *Face covering availability complaints.* The department of information technology and telecommunications shall implement and maintain on its 311 citizen center website and mobile device platforms the capability for the public to file a complaint under the category of “face covering availability complaint.” Such website and platforms shall accept any complaint related to commercial building owners or operators that do not provide face coverings in violation of section 17-104.1, and refer each such complaint to the appropriate agency to take action as necessary to address the complaint.

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

Referred to the Committee on Health.

Int. No. 728

By Council Members Schulman, Narcisse, Hanif and Gutiérrez.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of parks and recreation to charge senior citizens, young adults, active members of the military, veterans and their minor children and persons with disabilities reduced admission fees to recreational facilities

Be it enacted by the Council as follows:

Section 1. Section 18-149 of the administrative code of the city of New York, as added by local law number 133 of the year 2017, is amended to read as follows:

§ 18-149 Discounted recreation center fees. *a. For the purposes of this section, the following terms have the following meanings:*

Recreational facility. The term “recreational facility” means any land, building, structure or improvement maintained and operated by the department, including but not limited to existing community recreational centers, museums, zoos, wildlife sanctuaries, botanical gardens and conservation centers.

Veteran. The term “veteran” means a person:

1. Who served in the active military or naval service of the United States; in active duty in a force of any organized state militia in a full-time status; or in the reserve armed forces of the United States in active duty; and

2. Who was released from such service otherwise than by dishonorable discharge.

b. Annual membership and admissions fees for each recreation [center] facility under the jurisdiction of the department shall be reduced for:

[persons] 1. Persons 62 years of age or older[.];

[persons] 2. *Persons* between 18 and 24 years of age[.];
 [veterans] 3. *Veterans and active members of the United States military and their minor children*; and
 [persons] 4. *Persons* with disabilities.

b. Such reduced fees shall be no greater than 25 percent of the highest annual membership fee or admission fee charged at such recreation center *or facility*.

§ 2. This local law shall take effect 180 days after it becomes law, except that the department 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 Parks and Recreation.

Res. No. 288

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.4533/A.416, to expand humane education requirements to secondary schools and require verification from schools that humane treatment of animals is being taught.

By Council Members Schulman, Gennaro and Gutiérrez.

Whereas, According to the Federal Bureau of Investigation’s National Incident-Based Reporting System, the number of reported and tracked instances of animal cruelty, including simple and gross neglect, increased every year in the U.S. between 2016 and 2019, from 1,126 cases in 2016 to 9,956 cases in 2019; and

Whereas, Similarly, per the Shelter Animals Count’s National Database, shelter intakes for all species grew in the U.S. by 7.5 percent in 2022 and by 3.1 percent in 2023, with 29 percent of these animals having been relinquished by owners in each of those years; and

Whereas, Shelter Animals Count’s data indicate that for dogs, shelter intakes in the U.S. rose by 4.5 percent in 2023, with 25 percent having been relinquished by owners, and with 10 percent overall having been euthanized; and

Whereas, Also per Shelter Animals Count’s data, for cats, shelter intakes expanded nationwide by 1.7 percent in 2023, with 34 percent having been relinquished by owners, and with 6 percent overall having been euthanized; and

Whereas, Shelter Animals Count’s data show that for small mammals, such as guinea pigs, in 2023, 69 percent of shelter intakes in the U.S. were relinquished by owners, and 14 percent overall were euthanized; and

Whereas, According to Shelter Animals Count’s data, in 2023, for all species, 44 percent of shelter intakes in New York State were relinquished by owners, and 7 percent overall were euthanized; and

Whereas, Per the same Shelter Animals Count’s data, in 2023, for dogs, 31 percent of shelter intakes in New York State were relinquished by owners, and 6 percent overall were euthanized; and

Whereas, Shelter Animals Count’s data indicate that for cats, in 2023, 51 percent of shelter intakes in New York State were relinquished by owners, and 4 percent overall were euthanized; and

Whereas, Shelter Animals Count’s data also show that for small mammals, including guinea pigs, in 2023, 84 percent of shelter intakes in New York State were relinquished by owners, and 40 percent overall were euthanized; and

Whereas, According to the Animal Care Centers of NYC, the number of animal intakes in New York City shelters rose from 14,594 in 2021 to 16,565 in 2022; and

Whereas, Also per the Animal Care Centers of NYC, the number of animals relinquished by owners to New York City shelters grew from 6,299 in 2021 to 7,130 in 2022; and

Whereas, Animal Care Centers of NYC’s data reveal that the number of dogs relinquished by owners to New York City shelters increased from 1,962 in 2021 to 2,266 in 2022; and

Whereas, Similarly, per Animal Care Centers of NYC’s data, the number of cats relinquished by owners to New York City shelters also expanded from 3,648 in 2021 to 3,987 in 2022; and

Whereas, Animal Care Centers of NYC’s data additionally indicate that the number of guinea pigs relinquished by owners to New York City shelters rose from 499 in 2021 to 616 in 2022; and

Whereas, One approach to addressing the issue of animal neglect and abandonment is to provide humane education instruction to children; and

Whereas, The National Humane Education Society defines humane education as teaching people how to accept and fulfill their responsibilities to companion animals, such as cats, dogs, rabbits, and guinea pigs, and to all forms of animal life, as well as explaining the consequences of irresponsible behavior and encouraging appreciation for the value of all living things; and

Whereas, Studies evaluating effectiveness and impact of humane education support its value, as exemplified by a 2006 assessment of the Humane Education Project in New York City public elementary and middle schools by Fordham University researchers, and by a 2016 evaluation of In-Class Humane Education Programs in Chicago and New York City public elementary schools by a group of U.S., Belgian, and Italian scholars; and

Whereas, In particular, research demonstrates that humane education increases students' general empathy, frequency of prosocial behaviors, knowledge about animal needs, concern for animals and the environment, and interest in taking humane actions by joining a group to help animals or the environment and by urging their friends to join such a group; and

Whereas, Section 809 of New York State Education Law requires every publicly funded elementary school to provide instruction in the humane treatment and protection of animals and to annually report on such instruction; and

Whereas, State Senator Peter Harckham introduced S.4533 in the New York State Senate, and Assembly Member Linda Rosenthal introduced companion bill A.416 in the New York State Assembly, which would expand a requirement to teach humane education to secondary schools and require verification from schools that this subject is being taught; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, S.4533/A.416, to expand humane education requirements to secondary schools and require verification from schools that humane treatment of animals is being taught.

Referred to the Committee on Education.

Res. No. 289

Resolution calling upon the Metropolitan Transportation Authority to inspect every subway station surveillance camera at least on a quarterly basis to ensure they are working properly and effectuate repairs in a timely manner.

By Council Members Schulman, Zhuang, Gennaro and Gutiérrez.

Whereas, The Metropolitan Transportation Authority (MTA) is the largest transportation network in North America with several operational subsidiaries including the New York City Transit Authority (NYCTA), which provides subway service in New York City (NYC or the City); and

Whereas, NYCTA has 472 subway stations across the boroughs of Manhattan, Brooklyn, Queens and the Bronx; and

Whereas, In 2021, the City's subway system had a daily ridership of approximately 2.4 million and an annual ridership of approximately 760 million, with ridership continuing to increase in 2022 as the City continues to recover from the COVID-19 pandemic; and

Whereas, While overall crime in the subway in 2022 is down 6.5 percent compared to 2019, over the past year there have been several high profile incidents that have made many New Yorkers feel unsafe while riding the subway system; and

Whereas, One of the methods that the MTA relies on to deter crime and keep New Yorkers safe while riding the subway, is the use of surveillance cameras in stations and on platforms; and

Whereas, According to the MTA, there are currently more than 11,000 surveillance cameras spread throughout the City's subway system, with 5,100 of those cameras providing a live feed in real time to the subway's security center; and

Whereas, The MTA also has announced plans to expand the use of surveillance cameras in the subway system, including the installation of at least two cameras on every subway car by the end of 2025; and

Whereas, As with any piece of technological equipment, surveillance cameras need to be regularly inspected and maintained to ensure they are working properly, especially so that they can be ready for use during an emergency; and

Whereas, It has been reported that the surveillance cameras at the 36th Street Subway Station in Brooklyn were not operating properly during a shooting incident that occurred on a train pulling in to the station on April 12, 2022; and

Whereas, Published reports also indicated that the surveillance cameras where the alleged shooter exited the system at the 25th Street Subway Station, in Brooklyn, were also malfunctioning, a situation that may have hampered the timely apprehension of the perpetrator; and

Whereas, An audit report by the New York State (NYS) Comptroller's office in 2018 on safety and security equipment at MTA subway stations found that 31 percent of the 223 surveillance cameras they reviewed had not received their expected preventive maintenance; and

Whereas, The NYS Comptroller's audit report recommended that the MTA focus its resources on meeting preventive maintenance targets and ensuring that defective cameras are repaired in a timely manner; and

Whereas, On November 21, 2022, NYS Governor Kathy Hochul signed into law A.7016B/S.5899A, sponsored respectively by NYS Assembly Member Rodneyse Bichotte Hermelyn and NYS Senator Kevin S. Parker, legislation that is known as "Sedrick's law" and which requires the MTA to install and reasonably maintain the proper operation of surveillance cameras at all city subway stations; and

Whereas, In order to guarantee that surveillance cameras are working properly and that they are being effective crime deterrents, the MTA should make every effort to adhere to their current preventive maintenance schedule and regularly perform these necessary inspections; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Metropolitan Transportation Authority to inspect every subway station surveillance camera at least on a quarterly basis to ensure they are working properly and effectuate repairs in a timely manner.

Referred to the Committee on Transportation and Infrastructure.

Res. No. 290

Resolution calling upon the United States Food and Drug Administration to require warning labels on sugar sweetened beverages

By Council Member Schulman, the Public Advocate (Mr. Williams) and Council Members Gennaro, Hanif and Gutiérrez.

Whereas, The United States is facing an obesity epidemic, and, according to the Centers for Disease Control and Prevention, 42.4 percent of adults in 2017-2018 were obese; and

Whereas, This epidemic also impacts children as approximately 14.4 million children and adolescents between the ages of 2 and 19 were obese in 2017-2018; and

Whereas, There are many factors that contribute to obesity including caloric intake, level of physical activity, environment, and genetics; and

Whereas, Obesity is also an acute problem in New York City, as a majority of New Yorkers are overweight or obese, according to the Department of Health and Mental Hygiene (DOHMH); and

Whereas, According to the DOHMH, a large contributor to obesity is the sugar that people consume; and

Whereas, Sugar-sweetened beverages, such as soda, sports drinks, fruit drinks and tea drinks, are a common source of sugar, with some containing 16 teaspoons of added sugar in a 20-ounce serving; and

Whereas, Due to the negative impact that sugar sweetened beverages can have on an individual's health, many organizations have urged the United States Food and Drug Administration to take action; and

Whereas, The Center for Science in the Public Interest (CSPI), along with other health groups and state agencies, including, but not limited to, the American Public Health Association, the Trust for America's Health, and the New York State Department of Health, have advocated for messages warning consumers about the risks of weight gain, obesity, diabetes, and other associated health problems; and

Whereas, CSPI recommended several labels including: "Drinking too many sugary drinks can promote diabetes and heart disease" and "For better health, the U.S. government recommends that you limit your consumption of sugary drinks"; and

Whereas, CSPI believes that warning labels will raise public awareness about the possible health concerns associated with consuming sugar sweetened beverages; and

Whereas, Government must take an increased role in combating the obesity epidemic; and

Whereas, Providing warning labels on sugar sweetened beverages is one method to educate the public about the serious health consequences associated with these products; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Food and Drug Administration to require warning labels on sugar sweetened beverages.

Referred to the Committee on Health.

Res. No. 291

Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation to protect New York State's safety net providers and Special Needs Plans by eliminating the Medicaid pharmacy carve-out.

By Council Members Schulman, Lee, Gennaro and Gutiérrez.

Whereas, In 1990, Congress created the Medicaid rebate program, which lowered the cost of drugs for Medicaid programs by requiring participating manufacturers to pay rebates to state Medicaid programs for covered outpatient drugs; and

Whereas, In 1992, Congress extended the same Medicaid pharmacy benefits to safety net providers by enacting Section 340B of the Public Health Service Act (the 340B program); and

Whereas, The 340B program requires pharmaceutical manufacturers participating in Medicaid to provide front-end discounts on covered outpatient drugs purchased by specified Managed Care providers that serve low-income and uninsured patients; and

Whereas, Managed Care providers include critical access hospitals (CAHs), sole community hospitals (SCHs), rural referral centers (RRCs), and public and nonprofit disproportionate share hospitals (DSH) that serve low-income and indigent populations; and

Whereas, Managed Care providers also include Special Needs Plans (SNPs), such as HIV SNPs, which provide specialized services for people living with HIV/AIDS; and

Whereas, According to the Medicaid and CHIP Payment and Access Commission (MACPAC), states may offer Medicaid benefits on either a fee-for-service (FFS) basis or through Managed Care, or both; and

Whereas, In April 2020, Governor Cuomo and the New York State Legislature passed a budget that included a plan to transition Medicaid pharmacy benefits from the Managed Care model to a fee-for-service (FFS) model, replacing 340B with NYRx starting April 1, 2023; and

Whereas, Since April 1, 2023, NYRx has carved out pharmacy benefits for an estimated 8 million New Yorkers enrolled in Medicaid Managed Care plans, including Health and Recovery Plans (HARPs) and HIV-Special Needs Plans (HIV-SNPs); and

Whereas, According to the New York State Department of Health (NYSDOH), NYRx allows New York State to pay pharmacies directly for the drugs and supplies of Medicaid members, which gives the State "complete visibility into the underlying cost of prescription drugs and greater control to manage overall prescription drug spending"; and

Whereas, The Medicaid pharmacy carve-out harms 340B providers, including community health centers, HIV providers, sexual health clinics, many rural hospitals, and other safety net providers, by eliminating their ability to purchase prescription drugs at a significantly reduced price; and

Whereas, While NYRx has allowed the State and Federal governments to receive more rebates, it has taken away hundreds of millions of dollars from safety net providers who previously used savings from drug discounts, through 340B, for patient care; and

Whereas, According to NYSDOH, prior to this shift, there were 209 Managed Care providers under the 340B program, totaling 2,191 sites across New York State; and

Whereas, These providers relied on the savings from the 340B program to provide numerous services addressing social determinants of health and health inequities, including transportation assistance, sexually transmitted infection (STI) screenings, nurse triage and education services, care coordination and patient navigation for chronically ill patients, free oncology services, and insurance assistance and enrollment services; and

Whereas, Providers also used these funds to operate food pantries and mental health and wellness programs, including nutrition and diabetes education and harm reduction programs; and

Whereas, Save New York's Safety Net, a statewide coalition of clinics, community-based organizations, and HIV health plans, estimates that the pharmacy benefit carve-out will result in an estimated \$240 million a year in lost revenue for 340B entities, causing many critical medical and supportive services to be reduced and eliminated for vulnerable New Yorkers; and

Whereas, According to the Community Healthcare Association of New York State, extensive harm will occur to community health centers as a result of the pharmacy carve-out, including health center closures, layoffs of hundreds of staff, and losses of over \$100 million in client services; and

Whereas, The End AIDS NY Coalition surveyed 15 of its member organizations that operate HIV clinics, and these 15 organizations alone reported that they will lose \$56.1 million in annual revenue due to the pharmacy carve-out; and

Whereas, According to a letter that hospital leaders sent to former Governor Cuomo and former NYSDOH Commissioner Zucker, about 100 hospitals serving low-income and indigent populations across New York State will lose more than \$87 million in 2024 as a result of this change, in addition to over \$25 billion in losses and expenses incurred due to COVID-19; and

Whereas, New York City (NYC) Commissioner of Health & Mental Hygiene, Ashwin Vasan, warns that NYC Health + Hospitals is expected to lose at least \$123 million per year due to the Medicaid pharmacy carve-out; and

Whereas, Along with Evergreen Health in Buffalo, Heritage Health and Housing in Harlem, which serves approximately 5,500 Black and Latino patients—half of which identify as LGBTQ—has filed a lawsuit against NYSDOH to block NYRx, arguing that 340B funds finance substance abuse and HIV prevention and care services that otherwise might not get funded; and

Whereas, To continue providing essential services to our most venerable population, advocates, including safety net providers and HIV SNPs, are calling for the carve-out to be eliminated; and

Whereas, Given the disproportionate impact of COVID-19 on vulnerable communities and the providers that serve them, eliminating the carve-out is necessary to protect these New Yorkers who need it most; 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 protect New York State's safety net providers and Special Needs Plans by eliminating the Medicaid pharmacy carve-out.

Referred to the Committee on Health.

Int. No. 729

By Council Members Stevens, Riley, Nurse, Narcisse, De La Rosa and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to establishing mental health services for two afterschool programs administered by the department of youth and community development

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-414 to read as follows:

§ 21-414 *Mental health services.* a. *The following programs shall provide mental health services for their beneficiaries: (i) the school-based community center programs known as Beacon community centers, or successor programs, and (ii) the year-round programs for adults and young people based in New York city housing authority community centers known as Cornerstone community centers, or successor programs.*

b. *The mental health services required by subdivision a of this section shall support 3 tiers of mental health interventions for program participants: (i) targeted interventions by program staff or subcontractors to establish or strengthen participants' relationships with specific resources to address identified emotional, behavioral, and mental health needs; (ii) selective interventions by program staff or subcontractors to develop sustainable skills for optimal functioning; and (iii) interventions across the programs to build the foundation to provide services, intervention and supports for the whole community. Such mental health services shall reflect the specific and unique needs of each school, community, or target population and work to advance equity and access to mental health care.*

§ 2. This local law takes effect 30 days after it becomes law. Where the provisions of section 21-414 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 Children and Youth.

Int. No. 730

By Council Members Stevens, Riley and Nurse.

A Local Law to amend the administrative code of the city of New York, in relation to a report on community engagement by city 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 6-122 to read as follows:

§ 6-122 *Reporting on community engagement.* a. *Definitions.* *As used in this section, the term "covered contractor" means any business, individual, partnership, corporation, firm, or company that (i) has been awarded a contract with the city, and (ii) indicated during the procurement process that they would work or collaborate with community members or organizations when performing pursuant to the contract.*

b. *Reports.* 1. *No later than 90 days after the effective date of the local law that added this section, and quarterly thereafter, every covered contractor shall submit a report to the contracting agency containing information about the covered contractor's community engagement during the preceding quarter. Such report shall include, but need not be limited to:*

(a) *The proposed work or collaboration with community members or organizations specified in such covered contractor's contracts;*

(b) Whether such covered contractor has worked or collaborated with community members or organizations in the preceding quarter, including a description of such work or collaboration; and

(c) If such covered contractor has not worked or collaborated with community members or organizations, such covered contractor's plans for working or collaborating with community members or organizations.

2. No later than 180 days after the effective date of the local law that added this section, and annually thereafter, each contracting agency shall submit a report to the mayor and the speaker of the council on covered contractors' engagement with community members or organizations during the preceding year. Such report shall include, but need not be limited to, the following:

(a) Each covered contractor's proposed work or collaboration with community members or organizations specified in such covered contractor's contracts;

(b) Whether each such covered contractor has worked or collaborated with community members or organizations;

(c) If any covered contractor has not worked or collaborated with community members or organizations, each such covered contractor's plan for working or collaborating with community members or organizations; and

(d) What actions, if any, such contracting agency has taken to promote community engagement by covered contractors.

§ 2. This local law takes effect immediately.

Referred to the Committee on Contracts.

Int. No. 731

By Council Members Stevens, Riley, Nurse and Gutiérrez.

A Local Law in relation to establishing a task force to examine disparities in contracting

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.

Community-based vendor. The term "community-based vendor" means a vendor based in a city community that offers culturally-relevant services for which the city may contract.

Culturally-relevant services. The term "culturally-relevant services" means services that address specific cultural, linguistic or socioeconomic concerns within a city community. Such term shall include, but not be limited to, services that: (i) involve the community in defining and addressing needs; (ii) are responsive to the customs or beliefs of a community; and (iii) prioritize cultural competence.

Task force. The term "task force" means the contracts disparity task force established by this local law.

§ 2. Task force established. There is hereby established a contracts disparity task force.

§ 3. Duties. a. The task force shall review a random sample of awarded contracts from each city contracting agency in order to:

1. Determine whether there is statistical evidence of underutilization of community-based vendors in city contracting at both prime contract and subcontract levels;

2. Identify circumstances where city agencies could offer improved services by contracting with community-based vendors;

3. Make recommendations on legal and policy changes to improve contracting with community-based vendors and improve the provision of culturally-relevant services.

b. Such task force shall comprise five members:

1. The city chief procurement officer, or the designee thereof;

2. Two members appointed by the mayor, representing the human services and labor sectors, respectively; and

3. Two members appointed by the speaker of the council, representing the human services 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 until the task force is dissolved pursuant to subdivision j of this section. Any vacancies in the membership of the task force shall be filled in the same manner as the original appointment.
 - 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. In undertaking the review of city contracting required pursuant to subdivision a, the task force shall be provided with access to the text of all city contracts that it requests.
 - h. No more than one year after the date that the final member of the task force is appointed under subdivision b 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. A description of the challenges city agencies face in awarding contracts to community-based vendors, including, but not limited to, restrictions related to state procurement law;
 - 2. The existing landscape of vendors providing culturally-relevant services, and an analysis of whether such services could be expanded by contracting with community-based vendors; and
 - 3. Recommendations for legal and policy changes to improve contracting with community-based vendors and improve the provision of culturally-relevant services.
 - i. The report shall be posted on the website of the mayor's office of contract services as soon as practicable after it is submitted to the mayor and speaker of the council.
 - j. The task force shall dissolve 30 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 Contracts.

Int. No. 732

By Council Members Stevens, Riley, Nurse, Gutiérrez, Narcisse, De La Rosa, Louis and Farías.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the city chief procurement officer to conduct evaluations of non-profit programming

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 6-148 to read as follows:

§ 6-148 *Evaluation of non-profit programming. a. Definitions. For purposes of this section, the following terms have the following meanings:*

City chief procurement officer. The term "city chief procurement officer" means the person to whom the mayor has delegated authority to coordinate and oversee the procurement activity of mayoral agency staff, including the agency chief contracting officers and any offices that have oversight responsibility for procurement.

Non-profit evaluator. The term "non-profit evaluator" means a third-party entity hired by the city chief procurement officer to evaluate the performance of a non-profit organization's programs.

b. The city chief procurement officer shall require all non-profit organizations with contracts of one million dollars or more for the provision of services to undergo periodic program evaluations. Such evaluations shall be conducted by independent non-profit evaluators, the frequency of which shall be determined by the city chief procurement officer.

c. A non-profit evaluator's program evaluations shall, at a minimum, assess the non-profit organization's performance in achieving its goals and objectives, as well as its compliance with contract requirements. Such evaluations shall include comprehensive indicators of success, including participant and community feedback.

d. The city chief procurement officer shall establish procedures for enforcing the provisions of this local law, including procedures for notifying nonprofit organizations of deficiencies identified during program evaluations and providing opportunities for corrective action.

e. The city chief procurement officer shall compile and maintain a report of all program evaluations conducted pursuant to this local law. Such report shall include, at a minimum, the results of each evaluation, including any recommendations for improvement and any actions taken by the nonprofit organization to address deficiencies.

f. Beginning January 15 of the year following the enactment date of this local law, and each January 15 thereafter, the city chief procurement officer shall submit the report required by subdivision e to the mayor and speaker of the council, and make such report available to the public on the website of the city of New York.

§ 2. This local law takes effect immediately.

Referred to the Committee on Contracts.

Int. No. 733

By Council Members Stevens, Gennaro, Riley, Nurse and Gutiérrez.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the New York City Department of Education to report information on Career and Technical Education programs in New York City public 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 9 to read as follows:

Chapter 9. Career and Technical Education Reporting

§21-971 Reporting on career and technical education.

a. Definitions. As used in this chapter, the following terms have the following meanings:

Career and technical education. The term “career and technical education” or “CTE” means a curriculum designed to provide students with certain skills that will enable them to pursue a career in certain disciplines, including but not limited to agricultural education, business and marketing, family and consumer sciences, health occupations, technology and trade, or technical and industrial education.

Certified instructor. The term “certified instructor” means a teacher who has earned a teaching license in a specific career and technical education subject.

Student. The term “student” means any pupil under the age of twenty-one as of the September 1 of the academic period being reported, who does not have a high school diploma and who is enrolled in a school of the city school district of the city of New York, not including a pre-kindergarten student or a preschool child as preschool child is defined in section 4410 of the education law.

b. No later than April 30, 2024, and annually by April 30 thereafter, the department shall submit to the mayor and council and post conspicuously on the department's website, a report for the preceding academic year which shall include, but not be limited to the following:

1. The total number of high school-level CTE programs in schools of the city school district of the city of New York, including for each (i) the name of the program; (ii) the field, discipline or industry for which the program prepares students; (iii) an outline of the skills students develop in the program; (iv) the number of courses in the program; (v) the name and number of industry partners associated with the program; (vi) the high school at which the program is located; (vii) whether the high school is a CTE-designated high school; (viii) whether the CTE program has received approval through the New York state department of education's CTE approval process; (ix) the grade levels served by the program; (x) the number of students enrolled in the program;

and (xi) the number of students registered as being in attendance for the program, for each course component that requires attendance, irrespective of whether that attendance is in person or remote.

2. The number and percentage of students at each high school in a CTE program;
 3. The number and percentage of students in a CTE program who engaged in a related (i) un-paid internship; (ii) paid internship;
 4. The number and percentage of applicants who listed a CTE-designated high school as their first choice in the high school application process during the previous application year;
 5. The number and percentage of applicants who listed a CTE-designated high school as their second choice in the high school application process during the previous application year;
 6. The number and percentage of applicants who participated in the high school application process who enrolled in a CTE-designated high school;
 7. To the extent such information is available, the number and percentage of graduates from the academic period being reported who completed a CTE program, and having completed such program, obtained one or both of the following (i) industry certification; (ii) employment;
 8. The 4-year graduation rate for CTE-designated high schools;
 9. The 6-year graduation rate for CTE-designated high schools;
 10. The number of designated full-time and part-time certified instructors providing instruction at each high school; and for each CTE-designated high school, the ratio of full-time certified instructors to students at such school; and
 11. The number of staff in each school or program who received professional development or training administered by the department and relating to CTE as of the prior school year.
- c. The data required to be reported pursuant to paragraphs two through eleven of subdivision b of this section shall be disaggregated by (i) race or ethnicity; (ii) gender; (iii) special education status; (iv) English language learner status; and (v) community school district.
- d. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of student information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If a category contains between 1 and 5 students, or contains an amount that would allow the amount of another category that is 5 or less to be deduced, the number shall be replaced with a symbol. A category that contains zero shall be reported as 0, 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.

Int. No. 734

By Council Members Stevens, Restler, Won, Lee, Riley, Williams, Krishnan, Gennaro, Hanif, Nurse and Gutiérrez.

A Local Law to amend the administrative code of the city of New York, in relation to establishing prevailing wage requirements for city-contracted human service workers

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 6-130.1 to read as follows:

§ 6-130.1 Prevailing wage for city-contracted human service workers. a. Definitions. For purposes of this section, the following terms have the following meanings:

Comptroller. The term “comptroller” means the comptroller of the city.

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

Covered employer. The term “covered employer” means a provider of human services that has been awarded a human services contract by a contracting agency.

Employee. The term “employee” means any person who performs work on a full-time, part-time, temporary, or seasonal basis and includes employees, independent contractors, and contingent or contracted workers, including persons made available to work through the services of a temporary services, staffing or employment agency or similar entity.

Human services. The term “human services” has the meaning set forth in subdivision c of section 6-129.

Human services contract. The term “human services contract” means any written agreement between any entity and a contracting agency whereby a contracting agency is committed to expend or does expend funds and the principal purpose of such agreement is to provide human services.

Human service worker. The term “human service worker” means an employee of a covered employer.

Prevailing wage. 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 in accordance with the provisions of section 234 of the labor law or, for titles not specifically enumerated in or covered by that law, determined by the comptroller at the request of a contracting agency or a covered employer in accordance with the procedures 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.

b. Prevailing wage to human service providers required. 1. A covered employer must pay its human service workers that are engaged in performing the human services contract no less than the prevailing wage.

2. Prior to commencing any work under a human services contract, and annually thereafter, each covered employer shall provide to the comptroller and the contracting agency an annual certification executed under penalty of perjury that all human service workers subject to paragraph 1 of subdivision b of this section, who are employed by such covered employer, will be and/or have been paid no less than the prevailing wage. Such certification shall include a record of the wages and benefits paid to each human service worker. Such certification shall be certified by the chief executive or chief financial officer of the covered contractor, or the designee of any such person. A violation of any provision of the certification, or failure to provide such certification, shall constitute a violation of this section by the party committing the violation of such provision.

3. Each covered employer shall maintain original payroll records for each of its human service workers reflecting the days and hours worked, and the wages paid and benefits provided for such hours worked, and shall retain such records for at least six years after the human services are performed. Failure to maintain such records as required shall create a rebuttable presumption that the human service workers were not paid the wages and benefits required under this section. Upon the request of the comptroller, a covered employer shall provide a certified original payroll record. The comptroller may inspect such records to verify the certifications submitted pursuant to paragraph 2 of subdivision b of this section.

4. No later than the day on which any work begins under a human services contract subject to the requirements of this section, a covered employer shall post in a prominent and accessible place at every human services site and provide each human service worker subject to paragraph 1 of subdivision b of this section a copy of a written notice, prepared by the comptroller, detailing the wages, benefits, and other protections to which such human service workers are entitled under this section. Such notice shall also provide the name, address and telephone number of the comptroller and a statement advising such human service workers that if they have been paid less than the prevailing wage they may notify the comptroller and request an investigation. Such notice shall be provided in English, Spanish and other languages spoken by 10 percent or more of a covered employer’s human service workers. Such notice shall remain posted for the duration of the human services contract and shall be adjusted periodically to reflect the current prevailing wage for human service workers.

c. Implementation and reporting. 1. Every human services contract shall contain a provision obligating covered employers to comply with all applicable requirements of subdivision b of this section.

2. The comptroller shall promulgate implementing rules and regulations as appropriate and consistent with this section. Beginning one year after the enactment of the local law that added this section, and each year

thereafter, the comptroller shall submit a report to the mayor and the speaker of the council summarizing and assessing the implementation of this section during the preceding year.

d. *Application to existing human service contracts.* No later than 30 days after the effective date of the local law that added this section, the commissioner of each contracting agency shall provide notice of the provisions of this section to each covered employer. To the extent permitted under a contract between a contracting agency and a covered employer executed prior to the effective date of the local law that added this section, upon availability of wage schedules, the contracting agency shall commence to amend such existing contract to include the provisions of this section and add any necessary funding to permit compliance, and shall terminate such existing contract if the covered employer does not accept such amendment within 90 days of receiving notice of the provisions of this section. The contracting agency shall provide sufficient funding for human service providers to fulfill the additional requirements imposed under this section.

e. *Severability.* In the event that any requirement or provision of this section, or its application to any person or circumstance, should be held invalid or unenforceable by a court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other requirements or provisions of this section, or the application of the requirement or provision held unenforceable to any other person or circumstance.

f. *Competing laws.* This section shall be liberally construed in favor of its purposes. Nothing in this section shall be construed as prohibiting or conflicting with any other obligation or law, including any collective bargaining agreement, that mandates the provision of higher or superior wages or benefits to human service workers subject to the provisions of this section. No requirement or provision of this section shall be construed as applying to any person or circumstance where such coverage would be preempted by federal or state law. However, in such circumstances, only those specific applications or provisions of this section for which coverage would be preempted shall be construed as not applying.

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

Referred to the Committee on Contracts.

Int. No. 735

By Council Member Stevens, the Public Advocate (Mr. Williams) and Council Members Nurse, Riley, Gutiérrez and Narcisse.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of correction to report on sexual abuse and harassment of staff and ensure that staff have access to mental health treatment resources.

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 new sections 9-156.1 and 9-156.2 to read as follows:

§ 9-156.1 *Reporting on sexual abuse and sexual harassment of correctional staff.* a. *Definitions.* For purposes of this section, the following terms have the following meanings:

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

Correctional health services. The term “correctional health services” means any health care entity designated by the city of New York as the agency or agencies responsible for health services for incarcerated individuals in the care and custody of the department of correction. When the responsibility is contractually shared with an outside provider, this term also applies.

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

Facility investigation. The term “facility investigation” means an investigation conducted by the department within a facility of the department but does not include an investigation conducted by the investigation division.

Investigation division. The term “investigation division” means any unit of the department responsible for investigating allegations of misconduct by staff.

Sexual abuse of staff. The term “sexual abuse of staff” includes any of the following acts if the victim is staff and the perpetrator is an incarcerated individual or other staff, and if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse: (i) contact between the penis and the vulva or the penis and the anus, including penetration, however slight; (ii) contact between the mouth and the penis, vulva, or anus; (iii) penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and (iv) any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

Sexual harassment of staff. The term “sexual harassment of staff” includes any of the following acts if the victim is staff and the perpetrator is an incarcerated individual or other staff: (i) any unwelcome sexual advances or requests for sexual favors; and (ii) any verbal comments, gestures, or actions of a sexual nature, including but not limited to demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

Staff. The term “staff” means an individual, other than an incarcerated individual, who works directly for the department or correctional health services.

b. Incident report. No later than 1 year after the effective date of the local law that added this section and annually thereafter, the commissioner shall submit to the speaker of the council and the board of correction a report of all alleged incidents of sexual abuse of staff and sexual harassment of staff that occurred during the immediately preceding 12 months. All data in such report shall be reported in a machine-readable format. Such report shall include a table in which each row references an alleged incident of sexual abuse of staff or an alleged incident of sexual harassment of staff that occurred during the preceding 12 months, indicated by a unique identification number. Each such row shall include the following information, as well as any other information the commissioner deems appropriate, set forth in separate columns:

1. The unique identification number required under this subdivision;
2. Whether such incident involved sexual abuse of staff or sexual harassment of staff;
3. The specific type of sexual abuse of staff or sexual harassment of staff, as defined in subdivision a of this section, involved in such incident;
4. The date on which such incident occurred;
5. Whether the staff who was the alleged victim of such incident was working for the department or correctional health services at the time of such incident;
6. Whether the staff who was the alleged victim of such incident was civilian or uniformed staff at the time of such incident;
7. Whether such incident took place between the times of 7:00 a.m. and 3:00 p.m., 3:00 p.m. and 11:00 p.m., or 11:00 p.m. and 7:00 a.m.;
8. The gender identity of the staff who was the alleged victim of such incident;
9. The race of the staff who was the alleged victim of such incident;
10. The ethnic origin of the staff who was the alleged victim of such incident;
11. Whether the alleged perpetrator of such incident was an incarcerated individual or other staff;
12. If the alleged perpetrator of such incident was other staff, whether such perpetrator was working for the department or correctional health services at the time of such incident;
13. If the alleged perpetrator of such incident was other staff, whether such perpetrator was civilian or uniformed staff;
14. If the alleged perpetrator of such incident was staff, the number of any previous allegations against such perpetrator that were substantiated by the department;
15. If the alleged perpetrator of such incident was staff, the number of any previous allegations against such perpetrator that the department determined to be unsubstantiated;
16. If the alleged perpetrator was staff, the number of any previous allegations against such perpetrator for which investigations by the department are still pending at the time of submission of such report;
17. The gender identity of the alleged perpetrator of such incident;
18. The race of the alleged perpetrator of such incident;
19. The ethnic origin of the alleged perpetrator of such incident;
20. The facility of the department in which such incident occurred;
21. Whether such incident occurred in a service area or housing area of such facility;

22. *If such incident occurred in a housing area of such facility, the type of housing area;*
 23. *Whether the department's video camera surveillance recorded such incident;*
 24. *Whether the department obtained DNA or any other physical evidence in connection with such incident;*
 25. *Whether a rape kit was administered, declined, or not applicable in connection with such incident;*
 26. *If a rape kit was administered in connection with such incident, whether a sexual assault nurse examiner or sexual assault response team was present during such administration;*
 27. *If a rape kit was deemed not applicable in connection with such incident, whether such determination was due to a delay in reporting of such incident to the department, the type of sexual abuse of staff or sexual harassment of staff alleged to have occurred, or any other reason;*
 28. *The date on which such incident was reported to the department;*
 29. *Whether the department opened an investigation of such incident, and, if so, the date the department opened such investigation;*
 30. *Whether the department referred such incident to the department of investigation, and, if so, the date of such referral; and*
 31. *If the department referred the incident to the department of investigation, whether the department of investigation referred it back to the department to investigate.*
- c. *Report on investigations. No later than 1 year after the effective date of the local law that added this section and annually thereafter, the commissioner shall submit to the speaker of the council and the board of correction a report of investigations by the department of alleged incidents of sexual abuse of staff and sexual harassment of staff that occurred during the immediately preceding 12 months. All data in such report shall be reported in a machine-readable format. Such report shall include a table in which each row references an alleged incident of sexual abuse of staff or an alleged incident of sexual harassment of staff that occurred during the preceding 12 months for which the department opened an investigation, indicated by the unique identification number required under subdivision b of this section. Each such row shall include the following information, as well as any other information the commissioner deems appropriate, set forth in separate columns:*
1. *The unique identification number required under subdivision b of this section;*
 2. *The date the department opened an investigation of such incident;*
 3. *Whether such investigation is pending or has been closed at the time of submission of such report, including the date the department closed such investigation, if applicable;*
 4. *Whether such investigation is a facility investigation or an investigation conducted by the investigation division;*
 5. *Where such investigation was referred to the investigation division by the department facility in which such incident occurred, the reason for such referral;*
 6. *Whether such investigation was referred back from the investigation division to the department facility in which the incident occurred and the reason for any such referral;*
 7. *Whether the alleged perpetrator of such incident and the staff who was the alleged victim of such incident were separated from physical contact during the pendency of such investigation;*
 8. *Whether the department determined that the allegation of such incident was substantiated, unsubstantiated, or unfounded;*
 9. *For a substantiated allegation, whether such incident was referred for disciplinary action by the department, including whether the department declined to file disciplinary charges, or if disciplinary charges were filed, the outcome of the related disciplinary proceeding;*
 10. *For a substantiated allegation, if the perpetrator was staff, whether during the pendency of such investigation such perpetrator resigned, was suspended, was placed on modified duty, was placed on administrative leave, or was administered any other form of discipline by the department;*
 11. *For a substantiated allegation, if the perpetrator was staff and such incident was referred for disciplinary action by the department, whether such perpetrator resigned or retired in lieu of any charges or as part of a negotiated plea;*
 12. *Whether the staff who was the alleged victim of such incident was notified regarding the outcome of such investigation; and*
 13. *Whether such incident was referred to a district attorney's office, and if so, whether such district attorney's office decided to prosecute the alleged perpetrator and the status or outcome of any prosecution.*

d. *Review of reported information.* The commissioner shall review the information collected through the reports required under subdivisions b and c of this section in order to assess and improve the effectiveness of the department's prevention, detection, and response policies concerning sexual abuse of staff and sexual harassment of staff. No later than 1 year after the effective date of the local law that added this section and annually thereafter, the commissioner shall submit to the speaker of the council and the board of correction a report including the following information:

1. *The commissioner's findings through such review; and*
2. *Any updates to such policies for each facility of the department and for the department as a whole made by the commissioner in response to such review.*

e. *Website posting.* The department shall post the reports required under this section on its website and store such reports on the department's website for at least 10 years.

f. *Role of correctional health services.* Unless otherwise prohibited by law, correctional health services shall assist the department in collecting the information required to be reported under subdivisions b and c of this section.

g. *Retention of information.* The department shall ensure that all information collected pursuant to this section is securely retained. Unless otherwise required or prohibited by federal or state law, the department shall retain such information indefinitely after the date of initial collection of such information.

h. *Limitations.* The department shall report the information required under this section in accordance with applicable federal and state law but notwithstanding any other provision of local law. Before making information collected pursuant to this section available to the speaker of the council, to the board of correction, and publicly online, the department shall remove all personal information as defined in subdivision a of section 10-501 and any other information the disclosure of which would violate federal or state law.

§ 9-156.2 *Mental health treatment resources for correctional staff.* a. *Definitions.* For purposes of this section, the following terms have the following meanings:

Commissioner. The term "commissioner" means the commissioner of correction.

Sexual abuse of staff. The term "sexual abuse of staff" includes any of the following acts if the victim is staff and the perpetrator is an incarcerated individual or other staff, and if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse: (i) contact between the penis and the vulva or the penis and the anus, including penetration, however slight; (ii) contact between the mouth and the penis, vulva, or anus; (iii) penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and (iv) any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

Sexual harassment of staff. The term "sexual harassment of staff" includes any of the following acts if the victim is staff and the perpetrator is an incarcerated individual or other staff: (i) any unwelcome sexual advances or requests for sexual favors; and (ii) any verbal comments, gestures, or actions of a sexual nature, including but not limited to demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

Staff. The term "staff" means an individual, other than an incarcerated individual, who works directly for the department or correctional health services.

b. The commissioner shall ensure that staff have access to mental health treatment resources to reduce organizational trauma and stress. In ensuring such access, the commissioner shall follow any best practices relating to the provision of mental health treatment resources for staff established by the national institute of corrections. Such resources shall include but are not limited to confidential mental health counseling with a focus on addressing sexual abuse of staff and sexual harassment of staff.

c. The commissioner shall publicize the availability of such resources to staff, including but not limited through the department's website, by electronically communicating notices and advertisements concerning the availability of such resources to staff, and by physically posting such notices and advertisements in conspicuous locations in facilities of the department.

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

Referred to the Committee on Criminal Justice.

Res. No. 292

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

By Council Members Stevens, Riley, Nurse, Gutiérrez and Narcisse.

Whereas, Title IX of the Education Amendments Act is a Federal civil rights law that prohibits discrimination on the basis of sex in any educational institution receiving Federal financial assistance; and

Whereas, The New York City (“City”) Department of Education (DOE) does not have a universal dress code policy to protect students from unfair enforcement of discriminatory and gender-biased dress code standards in schools; and

Whereas, According to the DOE school discipline code, wearing clothing, headgear or other items that are considered unsafe or disruptive to the educational process is categorized as uncooperative or noncompliant behavior and can result in disciplinary actions such as student-teacher conferences, parent conferences or exclusion from extracurricular activities or communal lunchtime; and

Whereas, According to Girls for Gender Equity (GGE), school dress code standards target transgender and gender non-conforming (TGNC) youth of color who are disproportionately disciplined for dress code violations; and

Whereas, According to GGE, girls and TGNC students of color report being excluded from classrooms, which restricts learning opportunities and leads to cumulative penalties that have negative impacts on students’ academic trajectories; and

Whereas, Girls and TGNC students of color are punished for wearing clothing that is seen as a distraction to cisgender boys, such as tank tops or shorts, or clothing that does not adhere to a gender-binary standard, such as baggy pants or other clothing that is seen as too masculine; and

Whereas, A 2016 GGE research study revealed that while most student narratives about dress codes center the experiences of young people who face being hyper-sexualized, students also shared narratives of being discriminated against based on clothing that reflected their religious identity; and

Whereas, Ending punitive practices around dress codes must expand beyond clothing to include infractions related to hairstyles and accessories, religious dress or identifiers and other cultural markers; and

Whereas, A model school dress code policy would create a DOE-wide framework for protecting students from sexist and heteronormative dress codes, eliminating the enforcement of those standards that target girls and TGNC youth of color and honors student’s cultural, religious and gender expression; and

Whereas, Further a City-level school dress code policy allows for flexibility in the creation of school-level dress code policies and should be created through consultation with diverse communities within the DOE school system and engagement with youth who are impacted; and

Whereas, The elimination of gender-biased dress codes ensures that students are not subject to mistreatment or discrimination as a result of their clothing and creates school environments that are safer and more inclusive spaces for all young people; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York City Department of Education to create an inclusive school dress code policy that complies with Title IX of the Federal Education Amendments Act and accounts for diverse cultures, gender expressions and body diversity.

Referred to the Committee on Education.

Res. No. 294

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.6055A/A.6424, to prohibit certain food additives, specifically brominated vegetable oil, potassium bromate, propylparaben, Red Dye 3, and titanium dioxide, and would provide that in an action to enforce compliance, the recognition by the U.S. Food and Drug Administration of any of these substances as safe may not be alleged as a defense.

By Council Members Stevens, Gennaro, Riley, Nurse, Narcisse and Schulman.

Whereas, Brominated vegetable oil (BVO), which is created by adding bromine to a vegetable oil, is used as a food additive, particularly as a stabilizer to prevent flavoring oils in fruit-flavored beverages from separating and floating to the surface; and

Whereas, BVO can be found in citrus-flavored sodas, citrus-flavored sports drinks, energy drinks, fruit-flavored syrups, and baked goods; and

Whereas, On November 3, 2023, the United States (U.S.) Food and Drug Administration (FDA) published a proposed rule to revoke the authorization for the use of BVO as a food additive, because scientific evidence, as exemplified by a study published in July 2022 in the Journal of Food and Chemical Toxicology, indicates that oral exposure to BVO is associated with the accumulation of bromine at potentially harmful levels in the heart, liver, the thyroid, and fatty tissues; and

Whereas, Potassium bromate is a food additive used to oxidize dough quickly, efficiently, and economically to allow it to trap gasses and rise; and

Whereas, The FDA's current regulations permit 75 milligrams of potassium bromate per 1 kilogram of flour, and once baked, bread or baked goods may contain up to 20 parts per billion of potassium bromate; and

Whereas, The National Center for Biotechnology Information at the National Library of Medicine lists potassium bromate as an acute toxic and carcinogenic substance; and

Whereas, In May 1998, the New Jersey Department of Health and Senior Services categorized potassium bromate as a hazardous substance that may damage the kidneys, cause cancer, and with repeated exposure, adversely affect the nervous system, resulting in headaches, irritability, impaired cognition, and personality changes; and

Whereas, Propylparaben is a paraben type of preservatives utilized by the food, pharmaceutical, and personal-care product industries in the U.S.; and

Whereas, The FDA permits parabens, as a singular substance or in combination of multiple paraben agents, to be added to food or food packaging as antimicrobials to prevent food spoilage; and

Whereas, During 2005-2006, the U.S. Centers for Disease Control and Prevention measured presence of parabens in the urine of over 2,548 participants aged 6 years and older as part of the National Health and Nutrition Examination Survey and found methylparaben and propylparaben in the urine of most of the participants, signifying a widespread exposure to these substances in the U.S. population; and

Whereas, The National Center for Biotechnology Information at the National Library of Medicine lists propylparaben as an environmentally hazardous substance, as well as an eye, skin, and respiratory irritant, an allergenic agent, and a substance that may adversely affect reproductive function by lowering sperm count and viability; and

Whereas, According to the Food Scores, a database maintained by the Environmental Working Group, an environmental and consumer-safety advocacy organization, as of October 2022, 2,876 brand-name food products contained Red Dye 3, a food color additive, including Pez, Peeps, Betty Crocker's Fruit by the Foot, Dubble Bubble chewing gum, Entenmann's Little Bites, Hostess' Ding Dongs, Betty Crocker's Loaded Mashed Potatoes, Vigo Saffron Yellow Rice, and PediaSure Grow & Gain Kids' Ready-to-Drink strawberry shake; and

Whereas, The Center for Science in the Public Interest, along with 23 other organizations and prominent scientists, including Linda S. Birnbaum, a former head of both the National Institute of Environmental Health Sciences and the National Toxicology Program, and Philip J. Landrigan of Boston College, a pediatrician and an epidemiologist who directs both the Program for Global Public Health and the Common Good and the Global Observatory on Planetary Health, urged the FDA in an open petition on October 25, 2022 to formally remove

Red Dye 3 from the list of approved food color additives, because longitudinal animal feeding studies revealed that Red Dye 3 is a carcinogen that induces adenomas and carcinomas of the thyroid gland; and

Whereas, Titanium dioxide is used to protect food, beverages, dietary supplements, and pharmaceutical products from premature degradation through its opacity to visible and ultraviolet light; and

Whereas, The European Food Safety Authority cautioned in its March 25, 2021 Scientific Opinion that titanium dioxide, as a food additive, is a potential genotoxin, which may cause DNA and chromosomal damage, and consequently, concluded that it can no longer be considered safe as a food additive; and

Whereas, With the intent of addressing negative health effects of some of the common food additives, State Senator Brian Kavanagh introduced S.6055A in the New York State Senate, and Assembly Member Dr. Anna R. Kelles introduced companion bill A.6424 in the New York State Assembly, which would prohibit certain food additives, specifically brominated vegetable oil, potassium bromate, propylparaben, Red Dye 3, and titanium dioxide, and would provide that in an action to enforce compliance, the recognition by the U.S. Food and Drug Administration of any of these substances as safe may not be alleged as a defense; 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.6055A/A.6424, to prohibit certain food additives, specifically brominated vegetable oil, potassium bromate, propylparaben, Red Dye 3, and titanium dioxide, and would provide that in an action to enforce compliance, the recognition by the U.S. Food and Drug Administration of any of these substances as safe may not be alleged as a defense.

Referred to the Committee on Health.

L.U. No. 35

By Council Member Salamanca:

Application number C 240029 HAX (East Tremont Cluster NCP) 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 907 East 175th Street (Block 2958, Lot 120), 1900 Marmion Avenue (Block 2960, Lot 21), and 706 Fairmount Place (Block 2950, Lot 18), Borough of the Bronx, Community District 6, Council District 15.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

L.U. No. 36

By Council Member Salamanca:

Application number G 240046 XAX (East Tremont Cluster NCP) submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for approval of an Urban Development Action Area Project (UDAAP), and an exemption from real property taxes for property located at 706 Fairmount Place (Block 2950, Lot 18), 907 East 175th Street (Block 2958, Lot 120), and 1900 Marmion Avenue (Block 2960, Lot 21), Borough of the Bronx, Community District 6, Council District 15.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings, and Dispositions.

Preconsidered L.U. No. 37

By Council Member Salamanca:

Application number C 230126 ZMQ (30-11 12th Street Rezoning) submitted by 30-11 12th Street Realty, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9a by changing from an R4-1 District to an R6A District, changing from an R5B District to an R6A District, changing from an R6B District to an R6A District, and establishing within the proposed R6A District a C2-3 District, Borough of Queens, Community District 1, Council District 22.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

Preconsidered L.U. No. 38

By Council Member Salamanca:

Application number N 230127 ZRQ (30-11 12th Street Rezoning) submitted by 30-11 12th Street Realty, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Community District 1, Council District 22.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

Preconsidered L.U. No. 39

By Council Member Salamanca:

Application number C 230307 ZMQ (23-01 Steinway Street Rezoning) submitted by Efraim Realty, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9c by eliminating from within an existing R5D District a C2-3 District, changing from an R5D District to an R6A District, and establishing within a proposed R6A District a C2-4 District, Borough of Queens, Community District 1, Council District 22.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

Preconsidered L.U. No. 40

By Council Member Salamanca:

Application number N 230308 ZRQ (23-01 Steinway Street Rezoning) submitted by Efraim Realty, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Community District 1, Council District 22.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

Preconsidered L.U. No. 41

By Council Member Salamanca:

Application number C 230337 ZMK (341 10th Street Rezoning) submitted by Stellar 341, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16d by changing from an existing R6A District to an R7-3 District, changing from an R6B District to an R7-3 District, and establishing within the proposed R7-3 District a C2-4 District, Borough of Brooklyn, Community District 6, Council District 38.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

Preconsidered L.U. No. 42

By Council Member Salamanca:

Application number N 230338 ZRK (341 10th Street Rezoning) submitted by Stellar 341, 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 II, Chapter 3 (Residential Bulk Regulations in Residence Districts) and various other related Sections, and modifying APPENDIX F (Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas) for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 6, Council District 38.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

Preconsidered L.U. No. 43

By Council Member Salamanca:

Application number G 240045 XAK (341 10th Street Article XI) submitted by the New York City Department of Housing Preservation and Development, pursuant to Section 577 of the Private Housing Finance Law for approval of an exemption from real property taxes for property located at 341 10th Street (Block 1010, Lot 26), Borough of Brooklyn, Community District 6, Council District 38.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

Preconsidered L.U. No. 44

By Council Member Salamanca:

Application number C 230381 ZMK (396-400 Avenue X Rezoning) submitted by PG Realty Investments, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 28c by changing from an R4 District to an R7A District and establishing within the proposed R7A District a C2-4 District, Borough of Brooklyn, Community District 15, Council District 47.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

Preconsidered L.U. No. 45

By Council Member Salamanca:

Application number N 230382 ZRK (396-400 Avenue X Rezoning) submitted by PG Realty Investments, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing Area, Borough of Brooklyn, Community District 15, Council District 47.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 46

By Council Member Salamanca:

Application number C 230339 ZSK (341 10th Street Rezoning) application submitted by Stellar 341, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743(a)(2) of the Zoning Resolution to modify the height and setback requirements of Sections 23-664 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residence for seniors), and the rear yard regulations of Section 23-47 (Minimum Required Rear Yards) and Section 23-532 (Required rear yard equivalents), in connection with a proposed mixed-use development, within a large-scale general development, generally bounded by a line 100 feet northeasterly of 10th Street, a line 345 feet northwesterly of 5th Avenue, 9th Street, a line 95 feet northwesterly of 5th Avenue, 10th Street, and a line 88 feet southeasterly of 4th Avenue (Block 1010, Lot 26), within R7-3 and R7-3/C2-4 Districts, and partially within C4-4D and C4-3A Districts, Borough of Brooklyn, Community District 6, Council District 38.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 47

By Council Member Salamanca:

Application number C 230340 ZSK (341 10th Street Rezoning) submitted by Stellar 341, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-532 of the Zoning Resolution to allow the reduction of previously required accessory residential off-street parking spaces from 77 spaces to 39 spaces, and to allow the waiver of the required accessory residential off-street parking spaces, in connection with a proposed mixed-used development seeking bulk modifications, within a large-scale general development in a Transit Zone, generally bounded by a line 100 feet northeasterly of 10th Street, a line 345 feet northwesterly of 5th Avenue, 9th Street, a line 95 feet northwesterly of 5th Avenue, 10th Street, and a line 88 feet southeasterly of 4th Avenue (Block 1010, Lot 26), in R7-3 and R7-3/C2-4 Districts, and partially within C4-4D and C4-3A Districts, Borough of Brooklyn, Community District 6, Council District 38.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

NEW YORK CITY COUNCIL**A N N O U N C E M E N T S****Wednesday, 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, City 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

Tuesday March 26, 2024

[Subcommittee on Zoning & Franchises](#)

Kevin C. Riley, Chairperson

See Land Use Calendar

Council Chambers – City Hall.....11:00 a.m.

Thursday March 28, 2024Committee on Cultural Affairs, Libraries and
International Intergroup Relations

Carlina Rivera, Chairperson

Oversight - Where Are NYC's Artists-in-Residence?

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

Committee on Rules, Privileges and Elections

Keith Powers, Chairperson

Agenda to be announced

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

Subcommittee on Landmarks, Public Sitings and Dispositions

Kamillah Hanks, Chairperson

See Land Use Calendar

Committee Room – 250 Broadway, 16th Floor..... 11:00 a.m.

Committee on Land Use

Rafael Salamanca, Jr., Chairperson

All items reported out of the Subcommittees

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – City Hall.....1:00 p.m.

Tuesday, April 2, 2024Committee on Veterans

Robert F. Holden, Chairperson

Oversight - Cold War Veterans.**Res 10** - By Council Members Holden, Brooks-Powers, Gennaro, Farías and Ariola - **Resolution** recognizing July 27 annually as Korean War Veterans Armistice Day in the City of New York to honor the courage and sacrifice of those who served.**Res 157** - By Council Members Menin, Holden and Hanif - **Resolution** recognizing June 6 annually as D-Day Remembrance Day in the City of New York in honor of the courage and sacrifice of the Allied soldiers on the Normandy beaches in France.**Res 279** - By Council Members Holden and Paladino - **Resolution** calling on the United States Congress to pass, and the President to sign, legislation declaring April 26 annually as Korean War Veterans and Korean Defense Veterans Recognition Day to celebrate the bravery and sacrifice of those who served.

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

Thursday, April 4, 2024Committee on Aging

Crystal Hudson, Chairperson

Oversight - Interagency Coordination on Older Adult Issues.

Committee Room – City Hall.....1:00 p.m.

Tuesday, April 9, 2024

[Committee on Women and Gender Equity](#) jointly with the
[Committee on Civil & Human Rights](#) and the
[Committee on Governmental Operations,](#)
[State & Federal Legislation](#)

Farah N. Louis, Chairperson
 Nantasha Williams, Chairperson

Lincoln Restler, Chairperson

Oversight – Update on Sexual Harassment Best Practices/Policies in New York City.

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

Thursday, April 11, 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, City 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

rev. 03.05.24

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 several New Yorkers: eight-year-old Bayron Palomino Arroyo was tragically killed by a driver on March 13, 2024 while he was crossing the street with his ten-year-old brother in Council Member Moya's district; and two men were killed during an apartment fire in Council Member Zhuang's district. On behalf of the Council, the Speaker (Council Member Adams) offered her thoughts and condolences to the loved ones and families of the deceased and to all New Yorkers affected by loss.

The Speaker (Council Member Adams) acknowledged that Purim would be observed on the evening of March 21, 2024. She wished a *Chag Purim Sameach* to friends and neighbors of the Jewish faith in celebration of the holiday.

The Speaker (Council Member Adams) acknowledged that Holi, the Hindu Festival of Colors, would be observed on March 25, 2024. She invited all New Yorkers to join in a Council Chambers celebration of Holi taking place on the following Monday evening.

The Speaker (Council Member Adams) acknowledged that New Yorkers throughout the city would be celebrating Easter also known as Resurrection Sunday on March 31, 2024. She noted that the season symbolized renewal and rebirth and was a time to reflect and embark on new beginnings to all who celebrate. The Speaker (Council Member Adams) wished everyone who observed a Happy Easter.

* * *

Whereupon on motion of the Speaker (Council Member Adams), the Majority Leader and Acting President Pro Tempore (Council Member Powers) adjourned these proceedings to meet again for the Stated Meeting on Thursday, April 11, 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 19, 2024 on the New York City Council website at <https://council.nyc.gov>.

Editor's Local Law Note: Int. Nos. 25-A, 39-A, and 93-A, all adopted at the February 8, 2024 Stated Meeting, were returned unsigned by the Mayor on March 11, 2024. These items had become law on March 9, 2024 due to the lack of Mayoral action within the Charter-prescribed thirty day time period. These bills were assigned subsequently as Local Laws Nos. 44 to 46 of 2024, respectively,

