

THE COUNCIL

Minutes of the Proceedings for the

STATED MEETING

of

Wednesday, October 23, 2024, 1:04 p.m.

Council Members

Adrienne E. Adams, *The Speaker*

Amanda C. Farías, The Majority Leader
and Acting President Pro Tempore

Joseph C. Borelli, The Minority Leader

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

Absent: Council Members Vernikov.

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 Bottcher, Brannan, Moya, Paladino, Powers, and Salamanca who participated remotely).

INVOCATION

The Invocation was by delivered by Dr. David Watson, Calvary Chapel located at 30 Maple Parkway, Staten Island, N.Y. 10303.

Let us pray.

The Lord is my light and my salvation, of whom shall I fear.
The Lord is the stronghold of my life, of whom shall I fear.
Most high God and heavenly Father,
thank you for this day that you have given us.
Thank you for your presence in our lives.
Thank you for the city that we live in and that we love,
the home of the New York Liberty, the world champions.
We know you love it more than we ever could.
We ask your guidance for this body
and for its Speaker, Speaker Adams.
We ask for a wisdom that comes from you, O God,
as we reach out to you today for your help,
the tasks here, the situations here are beyond us.
We need you.

Please minister, Lord,
to each of the 51 Council Members and their staffs.
Heavenly Father, please be their primary physician when they're sick,
their wise counselor when they don't know what to do,
their financial adviser when they're trying to figure out
all these budgets and all the other things associated with it,
and their trusted friend.
May they cast all their care on you,
for you are their concern,
as they carry out their standard stewardship of the city,
may they see themselves as doing your work,
knowing that they will be rewarded by you.
When they get tired, please remind them
the words of the Scriptures that say
they who wait upon the Lord will renew their strength,
they shall mount up with wings like eagles;
they shall run and not be weary;
they shall walk and not faint.
Please bless them, please bless this body.
Indeed, Lord, please bless and heal our city in Jesus' name.
Amen.

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

ADOPTION OF MINUTES

Council Member Hudson moved that the Minutes of the Stated Meeting of October 10, 2024 be adopted as printed.

MESSAGES & PAPERS FROM THE MAYOR

M-75

Communication from the Mayor - Submitting the name of Ebone Carrington to the Council for its advice and consent regarding her appointment to the Board of Health, pursuant to Sections 31 and 553 of the City Charter.

October 11, 2024

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

Dear Speaker Adams:

Pursuant to Section 31 and 553 of the New York City Charter, I am pleased to present the name of Ebone Carrington to the City Council for advice and consent in anticipation of her appointment to the New York City Board of Health. If appointed, Ms. Carrington will serve for the remainder of a six-year term expiring on May 31, 2028

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

Sincerely,

Eric Adams
Mayor

EA: bgm

cc: Ebone Carrington, MPA
Anne Williams-Isom, Deputy Mayor for Health and Human Services
Dr. Ashwin Vasan, Commissioner, New York City Department of Health and Mental Hygiene
Connor Martinez, Director, Mayor's Office of City Legislative Affairs

Withdrawn by the Mayor.

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

M-76

Communication from the Kings County Democratic County Committee recommending the name of Frank R. Seddio to the Council regarding his appointment to the office of Commissioner of Elections of the Board of Elections pursuant to § 3-204 (4) of the New York State Election Law.

**STATE OF NEW YORK
STATE BOARD OF ELECTIONS**

ELECTION COMMISSIONER CERTIFICATION

To the Clerk of the Council of the City of New York:

I certify that:

At a meeting of the Democratic County Committee of the County of Kings, by the executive committee thereof, held on the 9th day of October 2024, via a Zoom Meeting video teleconference, under the provisions of the Election Law and the rules of the County Committee, a quorum being present, **Frank R. Seddio**, residing at **[address redacted]**, was recommended to succeed Rodney Pepe-Souvenir, pursuant to §3-204 (4) of the Election Law, by a majority of said committee as a suitable and qualified person for appointment to the office of Commissioner of Elections for the term which begins on January 1, 2025; and that said designee is a registered voter of the County of Kings and a duly enrolled member of the Democratic Party.

Dated at: Brooklyn, New York

October 9, 2024

Arleny Alvarado-McCala, Chair
Kings County Democratic County Co

Referred to the Committee on Rules, Privileges and Elections.

LAND USE CALL-UPS

M-77

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

Pursuant to Sections 11.20(b-d) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the actions of the City Planning Commission on Application Nos. C 240353 ZSM and C 240336 MMM (Port Authority Bus Terminal Replacement) shall be subject to Council review. These items are related to Application No. N 240354 ZRM.

Coupled on Call-Up Vote.

M-78

By Council Member Holden:

Pursuant to Rule 11.20(b) of the Council Rules and Section 19-160.2 of the New York City Administrative Code, the Council resolves that the action of the Department of Transportation approving a sidewalk café located at 5275 65th Place, Maspeth, NY 11378, Borough of Queens, Council District 30, Community District 5, related to Application No. D 2450141875 SWQ (La Catrina), shall be subject to review by the Council.

Coupled on Call-Up Vote.

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

Affirmative – Abreu, Ariola, Avilés, Ayala, 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, Williams, Won, 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 Acting President Pro Tempore (Council Member Farías) declared the aforementioned items **adopted** and referred these items to the Committee on Land Use and to the appropriate Land Use subcommittee.

REPORTS OF THE STANDING COMMITTEES**Report of the Committee of Child and Youth**

Report for Int. No. 87-A

Report of the Committee on Child and Youth in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring the administration for children's services and the department of probation to report on juvenile justice statistics.

The Committee on Child and Youth, to which the annexed proposed amended local law was referred on February 8, 2024 (Minutes, page 298), respectfully

REPORTS:**I. INTRODUCTION**

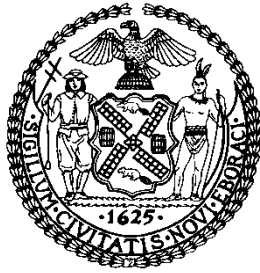
On Wednesday, October 23, 2024, the Committee on Children & Youth, chaired by Council Member Althea Stevens, held a vote on Introduction Number (Int. No.) 87-A, sponsored by Council Member Salamanca, in relation to requiring the administration for children's services and the department of probation to report on juvenile justice statistics. The Committee originally heard this legislation at a hearing on June 26, 2024, at which the Committee received testimony from representatives from the New York City (NYC) Administration for Children's Services (ACS), NYC Department of Probation (DOP), NYC Mayor's Office of Criminal Justice (MOCJ), justice-involved youth advocates, and justice-involved youth services providers. On October 23, 2024, the Committee on Children & Youth passed Int. 87-A by a vote of 5 in the affirmative, 0 in the negative and 0 abstentions.

II. LEGISLATIVE ANALYSIS***Int. No. 87-A***

This bill would expand existing reporting requirements for ACS, DOP, and MOCJ to create greater transparency in the juvenile justice system. The bill would expand existing requirements to include reporting on secure and specialized detention facilities, which were created following New York State's passage of Raise the Age legislation in 2017, which raised the age of criminal responsibility to 18 years of age. The bill also provides more specificity to reporting requirements related to placement and detention facilities, by adding that the data be disaggregated by facility.

Since being heard, this bill received technical edits, and the sections were rearranged into chronological order. This bill was also amended to require quarterly reporting as opposed to monthly, to give the agencies the time needed to collect the information.

(The following is the text of the Fiscal Impact Statement for Int. No. 87-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 INT. NO: 87-A

COMMITTEE: Children and Youth

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring the administration for children's services and the department of probation to report on juvenile justice statistics.

SPONSOR(S): Council Members Salamanca, Hudson, Gutiérrez, Ung and Narcisse.

SUMMARY OF LEGISLATION: Proposed Int. No. 87-A would require the Administration for Children's Services (ACS) and the Department of Probation to expand reporting on juvenile justice statistics in response to Raise the Age. The expansion of reporting would more closely adhere to legal classifications of the juvenile justice population and require reporting on various ages and cases where juveniles were minors at the time of arrest. In addition, the proposed legislation would require ACS to, by January 15, 2025, and no later than 90 days after the end of each quarter thereafter, submit a report about the demographics of juveniles in the juvenile justice system to the Speaker of the Council and post such report on ACS's website. This report must be accessible through the City's open data web portal.

EFFECTIVE DATE: Immediately except that sections three and four would take effect on January 1, 2025

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal Year 2026

FISCAL IMPACT STATEMENT:

	Effective FY25	FY Succeeding Effective FY26	Full Fiscal Impact FY26
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 ACS would utilize existing resources to fulfill the requirements.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Saiyemul Hamid, Financial Analyst

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

LEGISLATIVE HISTORY: Int. No. 87 was introduced to the Council on February 8, 2024, and was referred to the Committee on Children and Youth (the Committee). A joint hearing during which the legislation was heard was held by the Committee and the Committee on Criminal Justice on June 26, 2024, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Int. No. 87-A, will be considered by the Committee at a hearing on October 23, 2024. Upon majority affirmative vote by the Committee, Int. No. 87-A will be reported to the full Council for a vote on October 23, 2024.

DATE PREPARED: October 17, 2024.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 87-A:)

Int. No. 87-A

By Council Members Salamanca, Hudson, Gutiérrez, Ung, Narcisse, Louis and Mealy.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the administration for children's services and the department of probation to report on juvenile justice statistics

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 9 of the administrative code of the city of New York is amended by adding a new section 9-208 to read as follows:

§ 9-208 Youth probation report. *a. Definitions. As used in this section, the following terms have the following meanings:*

Adjust. The term "adjust" means the process described in section 308.1 of the family court act, or any successor statute.

Juvenile delinquent. The term "juvenile delinquent" has the same meaning as described in section 301.2 of the family court act, or any successor statute.

b. Within 60 days of June 30, 2025, and no later than 60 days after the end of each quarter thereafter, the department of probation shall submit to the speaker of the council and post on the department of probation's website a report on the number of cases in the previous quarter in the following categories:

1. Juvenile delinquents under 16 years of age at the time of arrest whose intake cases originated in family court;

2. Juvenile delinquents under 16 years of age at the time of arrest whose intake cases were transferred to family court from the youth part of criminal court;

3. Youth 16 and 17 years of age at the time of arrest whose intake cases originated in family court; and

4. Youth 16 and 17 years of age at the time of arrest whose cases were transferred from the youth part of criminal court to family court.

c. The data provided pursuant to subdivision b of this section shall be further disaggregated by the following factors:

1. *The number of youth screened for adjustment in family court, and further disaggregated by age at the time of arrest, gender, race, the most serious offense, and age at time of intake;*
2. *The number of individuals whose cases have been adjusted, and further disaggregated by age at time of arrest, gender, race, the most serious offense, and age at time of intake;*
3. *The average number of days from an individual's arrest to adjustment intake interview;*
4. *The reasons stated for not adjusting an individual, further disaggregated by, gender, race, the most serious offense, and age at the time of arrest;*
5. *The number of individuals who successfully complete adjustment and have their cases diverted;*
6. *The number of individuals who are referred from the department of probation to the law department for failure to follow conditions of adjustment;*
7. *The number of individuals receiving probation services;*
8. *The number of individuals detained, disaggregated by age at time of arrest, gender, race, the most serious offense, risk level score, and age at the time of risk assessment interview; and*
9. *The number and percent of dispositional recommendations for placement, disaggregated by age, gender, and race.*

§ 2. Section 9-306 of the administrative code of the city of New York, as amended by chapter 322 of the laws of 2021, is amended to read as follows:

§ 9-306 Annual reporting on bail and the criminal justice system. a. Within 90 days of the beginning of each reporting period, the office of criminal justice shall post on its website a report regarding bail and the criminal justice system for the preceding reporting period. The reporting period for paragraphs 1, 3, 14, [and] 15, 34, 35, 36, and 37 of this subdivision is quarterly, the reporting period for paragraphs 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 16 is semi-annually, and the reporting period for paragraphs 17 through 33 is annually. *The information required pursuant to paragraphs 34 through 37 of this subdivision must be stored permanently, accessible through the city's open data web portal, and provided in a format that permits automated processing.* For the purposes of this [subdivision,] section, any [incarcerated] individual incarcerated on multiple charges [shall be] is deemed to be incarcerated only on the most serious charge, a violent felony [shall be] is deemed to be more serious than a non-violent felony of the same class, any [incarcerated] individual incarcerated on multiple charges of the same severity [shall be] is deemed to be held on each charge, any [incarcerated] individual incarcerated on multiple bail amounts [shall be] is deemed to be held only on the highest bail amount, any incarcerated individual held on pending criminal charges who has a parole hold [shall be] is deemed to be held only on the parole hold, any incarcerated individual held on pending criminal charges who has any other hold [shall be] is deemed to be held only on the pending criminal charges, and any [incarcerated] individual incarcerated on multiple cases in which sentence has been imposed on at least one of such cases [shall be] is deemed to be sentenced. Such report shall contain the following information, for the preceding reporting period or for the most recent reporting period for which such information is available, to the extent such information is available:

1. The average daily population of incarcerated individuals in the custody of the department of correction[.];
2. The number of incarcerated individuals admitted to the custody of the department of correction during the reporting period who had been sentenced to a definite sentence, the number held on pending criminal charges[, and] the number in any other category[.];
3. Of the number of incarcerated individuals in the custody of the department of correction on the last Friday of each calendar month of the reporting period, the percentage who had been sentenced to a definite sentence, the percentage held on pending criminal charges[, and] the percentage in any other category[.];
4. Of the number of incarcerated individuals in the custody of the department of correction on the last Friday of each calendar month of the reporting period held on pending criminal charges, the percentage who were remanded without bail[.];
5. The number of incarcerated individuals in the custody of the department of correction who were sentenced to a definite sentence during the reporting period of the following length: (a) 1-15 days; (b) 16-30 days; (c) 31-90 days; (d) 91-180 days; or (e) more than 180 days[.];
6. Of the number of incarcerated individuals in the custody of the department of correction on the last Friday of each calendar month of the reporting period who were sentenced to a definite sentence, the percentage of incarcerated individuals whose sentences were of the following lengths: (a) 1-15 days; (b) 16-30 days; (c) 31-90 days; (d) 91-180 days; or (e) more than 180 days[.];

7. The number of incarcerated individuals admitted to the custody of the department of correction during the reporting period on pending criminal charges who were charged with offenses of the following severity: (a) class A felonies; (b) class B or C felonies; (c) class D or E felonies; (d) misdemeanors; or (e) non-criminal charges[.];

8. Of the number of incarcerated individuals in the custody of the department of correction on the last Friday of each calendar month of the reporting period held on pending criminal charges, the percentage charged with offenses of the following severity: (a) class A felonies; (b) class B or C felonies; (c) class D or E felonies; (d) misdemeanors; or (e) non-criminal charges[.];

9. The number of incarcerated individuals admitted to the custody of the department of correction during the reporting period on pending criminal charges who were charged with offenses of the following severity: (a) class A felonies disaggregated by offense; (b) violent felonies as defined in section 70.02 of the penal law; (c) non-violent felonies as defined in section 70.02 of the penal law; (d) misdemeanors; or (e) non-criminal charges[.];

10. Of the number of incarcerated individuals in the custody of the department of correction on the last Friday of each calendar month of the reporting period held on pending criminal charges, the percentage charged with offenses of the following severity: (a) class A felonies disaggregated by offense; (b) violent felonies as defined in section 70.02 of the penal law; (c) non-violent felonies as defined in section 70.02 of the penal law; (d) misdemeanors; or (e) non-criminal charges[.];

11. Of the number of incarcerated individuals in the custody of the department of correction on the last Friday of each calendar month of the reporting period held on pending criminal charges, the percentage charged with offenses of the following type, including the attempt to commit any of such [offense] *offenses* as defined in article 110 of the penal law:

(a) The following crimes as defined in the [New York state] penal law: (i) misdemeanor larceny as defined in sections 155.25, 140.35[,] and 165.40, (ii) misdemeanor drug possession as defined in section 220.03, (iii) misdemeanor assault as defined in sections 120.00, 120.14, 120.15, 121.11[,] and 265.01, (iv) misdemeanor harassment or violation of a court order as defined in sections 215.50 and 240.30, (v) misdemeanor theft of services as defined in section 165.15, (vi) misdemeanor trespass as defined in sections 140.10 and 140.15, (vii) misdemeanor criminal mischief or graffiti as defined in sections 145.00 and 145.60, (viii) misdemeanor sexual crimes as defined in sections 130.52, 130.55[,] and 135.60, (ix) misdemeanor resisting arrest or obstructing governmental administration as defined in sections 205.30 and 195.05, (x) misdemeanor marijuana possession as defined in sections 221.10 and 221.40, (xi) felony vehicular assault or vehicular manslaughter as defined in sections 120.03, 120.04, 120.04-a, 120.20, 120.25, 125.12, 125.13[,] and 125.14, (xii) felony assault as defined in sections 120.05, 120.06, 120.07, 120.08, 120.09, 120.10, 120.11, 120.12[,] and 120.13, (xiii) homicide offenses as defined in sections 125.10, 125.11, 125.15, 125.20, 125.21, 125.22, 125.25, 125.26[,] and 125.27, (xiv) felony sexual assault as defined in sections 130.25, 130.30, 130.35, 130.40, 130.45, 130.50, 130.53, 130.65, 130.65a, 130.66, 130.67, 130.70, 130.75, 130.80, 130.90, 130.91, 130.95[,] and 130.96, (xv) kidnapping as defined in sections 135.10, 135.20[,] and 135.25, (xvi) burglary as defined in sections 140.20, 140.25[,] and 140.30, (xvii) arson as defined in sections 150.05, 150.10, 150.15[,] and 150.20, (xviii) robbery, grand larceny[,] and stolen property offenses as defined in sections 155.30, 155.35, 155.40, 155.42, 160.05, 160.10, 160.15, 165.45, 165.50, 165.52[,] and 165.54, (xix) felony violation of a court order as defined in sections 215.51 and 215.52, (xx) felony drug possession or sale as defined in sections 220.06, 220.09, 220.16, 220.18, 220.21, 220.31, 220.34, 220.39, 220.41, 220.43[,] and 220.44, [(xxii)] *and* (xxi) firearm or weapons possession as defined in sections 265.01-A, 265.01-B, 265.02, 265.03, 265.04, 265.08, 265.09, 265.11, 265.12, 265.13, 265.14, 265.16, and 265.19[.];

(b) The following crimes as defined in the [New York state] vehicle and traffic law: (i) driving under the influence of alcohol as defined in section 1192, *and* (ii) driving with a suspended license as defined in section 511[.]; *and*

(c) The following categories of offense: (i) any violation or non-criminal offense, (ii) any misdemeanor not specifically enumerated in this paragraph, *and* (iii) any felony not specifically enumerated in this paragraph[.];

12. The number of incarcerated individuals admitted to the custody of the department of correction during the reporting period on pending criminal charges who were charged with offenses in the categories defined in subparagraphs [a, b, and c] (a), (b) *and* (c) of paragraph 11 of this subdivision[.];

13. The number of incarcerated individuals admitted to the custody of the department of correction during the reporting period on pending criminal charges who had bail fixed in the following amounts: (a) \$1; (b) \$2-\$500; (c) \$501-\$1000; (d) \$1001-\$2500; (e) \$2501-\$5000; (f) \$5001-\$10,000; (g) \$10,001-\$25,000; (h) \$25,001-\$50,000; (i) \$50,001-\$100,000; or (j) more than \$100,000[.];

14. Of the number of incarcerated individuals in the custody of the department of correction on the final Friday of each calendar month of the reporting period who were held on pending criminal charges, the percentage who had bail fixed in the following amounts: (a) \$1; (b) \$2-\$500; (c) \$501-\$1000; (d) \$1001-\$2500; (e) \$2501-\$5000; (f) \$5001-\$10,000; (g) \$10,001-\$25,000; (h) \$25,001-\$50,000; (i) \$50,001-\$100,000; or (j) more than \$100,000[.];

15. Of the number of incarcerated individuals in the custody of the department of correction on the final day of the reporting period who were held on pending criminal charges, the percentage who had been incarcerated for the following lengths of time: (a) 1-2 days; (b) 3-5 days; (c) 6-15 days; (d) 16-30 days; (e) 31-90 days; (f) 91-180 days; (g) 180-365 days; or (h) more than 365 days[.];

16. The information in paragraphs 1, 5, 7, 9, 13, 15, 30, 31, 32[,] and 33 of this subdivision disaggregated by the borough in which the incarcerated individual's case was pending[. This], *which* data shall be listed separately and shall also be compared to the following crime rates disaggregated by borough:

(a) The number of crimes reported per capita;

(b) The number of class A felonies and violent felonies as defined in section 70.02 of the penal law reported per capita;

(c) The number of arrests per capita for criminal offenses; and

(d) The number of arrests for class A felonies and violent felonies as defined in section 70.02 of the penal law per capita[.];

17. The number of cases in which bail was set at arraignment on a misdemeanor complaint[.];

18. Of all cases arraigned on a misdemeanor complaint, the percentage in which bail was set[.];

19. The number of cases in which bail was set at arraignment on a felony complaint[.];

20. Of all cases arraigned on a felony complaint, the percentage in which bail was set[.];

21. The number of cases in which bail was posted during any time in which the most serious pending count was a misdemeanor and the defendant failed to appear for at least one court appearance during the reporting period[.];

22. Of all cases in which bail was posted during any time in which the most serious pending count was a misdemeanor, the percentage in which the defendant failed to appear for at least one court appearance during the reporting period[.];

23. The number of cases in which bail was posted during any time in which the most serious pending count was a felony and the defendant failed to appear for at least one court appearance during the reporting period[.];

24. Of all cases in which bail was posted during any time in which the most serious pending count was a felony, the percentage in which the defendant failed to appear for at least one court appearance during the reporting period[.];

25. The number of cases in which the defendant was released without bail during any time in which the most serious pending count was a misdemeanor and the defendant failed to appear for at least one court appearance during the reporting period[.];

26. Of all cases in which the defendant was released without bail during any time in which the most serious pending count was a misdemeanor, the percentage in which the defendant failed to appear for at least one court appearance during the reporting period[.];

27. The number of cases in which the defendant was released without bail during any time in which the most serious pending count was a felony and the defendant failed to appear for at least one court appearance during the reporting period[.];

28. Of all cases in which the defendant was released without bail during any time in which the most serious pending count was a felony, the percentage in which the defendant failed to appear for at least one court appearance during the reporting period[.];

29. The number of defendants assigned supervised release at arraignment and the percentage of arraigned defendants who were assigned supervised release[.];

30. Of all criminal cases in which bail was fixed during the preceding reporting period, the percentage in which the defendant posted bail, in total and disaggregated by the following bail amounts: (a) \$1; (b) \$2-\$500;

(c) \$501-\$1000; (d) \$1001-\$2500; (e) \$2501-\$5000; (f) \$5001-\$10,000; (g) \$10,001-\$25,000; (h) \$25,001-\$50,000; (i) \$50,001-\$100,000; or (j) more than \$100,000[.];

31. Of all cases in which the defendant was held in the custody of the department of correction on pending criminal charges for any period of time and in which a disposition was reached during the reporting period, the percentage in which the disposition was as follows: (a) conviction for a class A felony disaggregated by offense; (b) conviction for a violent felony; (c) conviction for a non-violent felony; [(c)] (d) conviction for a misdemeanor; [(d)] (e) conviction for a non-criminal offense; [(e)] (f) charges dismissed or adjourned in contemplation of dismissal; or [(f)] (g) any other disposition[.];

32. Of all cases in which the defendant was held in the custody of the department of correction on pending criminal charges during the reporting period for any period of time, the percentage in which the status of the criminal case is as follows: (a) the charges are pending and the defendant was released by posting bail; (b) the charges are pending and the defendant was released by court order; (c) the charges are pending and the defendant was not released; (d) conviction for a violent felony; (e) conviction for a non-violent felony; (f) conviction for a misdemeanor; (g) conviction for a non-criminal offense; (h) charges dismissed or adjourned in contemplation of dismissal; or (i) any other disposition[.];

33. Of the number of incarcerated individuals in the custody of the department of correction on the last Friday of each calendar month who were held on pending criminal charges during the reporting period, the percentage in which the status of the criminal case on the final day of the reporting period is as follows: (a) the charges are pending and the defendant was released by posting bail; (b) the charges are pending and the defendant was released by court order; (c) the charges are pending and the defendant was not released; (d) conviction for a violent felony; (e) conviction for a non-violent felony; (f) conviction for a misdemeanor; (g) conviction for a non-criminal offense; (h) charges dismissed or adjourned in contemplation of dismissal; or (i) any other disposition[.];

34. *The number of violent felonies filed against individuals who are 16 or 17 years of age in criminal court, in total and disaggregated by age at time of charge, gender, race, county, and most serious offense;*

35. *The number of violent felonies removed to family court from criminal court, in total and disaggregated by age at time of charge, gender, race, county, and most serious offense;*

36. *The number of non-violent felonies filed against individuals who are 16 and 17 year of age in criminal court, in total and disaggregated by age at time of charge, gender, race, county, and most serious offense; and*

37. *The number of non-violent felonies removed to family court from criminal court, in total and disaggregated by age at time of charge, gender, race, county, and most serious offense.*

b. *Except as otherwise expressly provided in this section, no report required by subdivision a of this section shall contain personally identifiable information.*

§ 3. Section 21-905 of the administrative code of the city of New York, as added by local law number 44 for the year 2013, is amended to read as follows:

§ 21-905[.] *Demographic [Data.] data of the juvenile justice system. By January 15, 2025, and no later than 90 days after the end of each quarter thereafter, ACS shall submit a report about the demographics of juveniles in the juvenile justice system to the speaker of the council and post such report on ACS's website. All data contained in such report must be in a machine-readable format and include a comparison of the data in the current reporting period to the data in the 4 preceding reporting periods, to the extent such information is available. The report required by this section must be accessible through the city's open data web portal. Such report must include the following information:*

a. Admissions to [Detention Facilities] *detention facilities*. 1. [By September 30 of each year, ACS shall post a report on its website regarding the total] *The number of admissions [in] during the previous [fiscal year] quarter to the following facilities:*

[i.] *(a) secure and specialized secure detention facilities, disaggregated by facility; and*

[ii.] *(b) non-secure detention facilities.*

2. The data provided pursuant to paragraph [one] 1 of this subdivision [a of this section] shall be disaggregated by the following factors:

[i.] *(a) age;*

[ii.] *(b) gender;*

[iii.] *(c) race;*

[iv.] (d) zip code of residence[, except that for a number between one and five admissions from one zip code, the number shall be replaced with a symbol];

[v.] (e) for youth remanded to a detention facility by a court, the most serious charged offense on the court petition, complaint, or indictment at the time ACS assumed custody, *further disaggregated by the youth's age, gender, and race*; [and

vi.] (f) for youth brought to detention by police, [whether] the top arrest charge [was a misdemeanor or a felony] at the time ACS assumed custody, *further disaggregated by the youth's age, gender, and race*; and

(g) *whether such youth is in foster care*.

b. Demographic [Data for Detention Facilities] *data for detention facilities*. 1. [By September 30 of each year ACS shall post a report on its website regarding the] *The average daily population [in] during the previous [fiscal year] quarter* in the following facilities:

[i.] (a) *secure and specialized secure detention facilities, in total and disaggregated by facility*; and

[ii.] (b) *non-secure detention facilities in total*.

2. [By September 30 of each year ACS shall post a report on its website regarding the] *The number of youth admitted to a detention facility during the previous [fiscal year] quarter who spent time either in non-secure detention only, secure and specialized secure detention only, or both non-secure and secure detention, and disaggregated by the following factors*:

[i.] (a) *age*;

[ii.] (b) *gender*;

[iii.] (c) *race*;

[iv.] (d) zip code of residence[, except that for a number between one and five admissions from one zip code, the number shall be replaced with a symbol];

[v.] (e) for youth remanded to a detention facility by a court, the most serious charged offense on the court petition, complaint, or indictment at the time ACS assumed custody; [and]

[vi.] (f) for youth brought to detention by police, [whether] the top arrest charge [was a misdemeanor or a felony] at the time ACS assumed custody; and

(g) *whether such youth is in foster care*.

3. *During the prior quarter, the average and median bail amounts imposed by the criminal court on youth in ACS custody and the percentage of youth in ACS custody who were remanded by the criminal court to detention without the imposition of bail, disaggregated by juvenile and adolescent offenders*; and

4. *The number of adolescent offenders in the facility on the last day of the reporting period who are serving a sentence in specialized secure detention, further disaggregated by top charge at sentencing, age, gender, and race*.

c. Admissions to [Placement Facilities] *placement facilities*. 1. [By September 30 of each year, ACS shall post a report on its website regarding the total] *The number of placement admissions [in] during the previous [fiscal year] quarter* in the following facilities:

[i.] (a) *non-secure placement facilities, in total*; and

[ii.] (b) *limited-secure placement facilities, in total*.

2. The data provided pursuant to paragraph [one] 1 of this subdivision [c of this section] shall be disaggregated by the following factors:

[i.] (a) *age*;

[ii.] (b) *gender*;

[iii.] (c) *race*;

[iv.] (d) zip code of residence[, except that for a number between one and five admissions from one zip code, the number shall be replaced with a symbol];

[v.] (e) youth who were detained at a detention facility immediately prior to being ordered to a placement facility by a court pursuant to the family court act;

[vi.] (f) youth who were not detained at a detention facility immediately prior to being ordered to a placement facility by a court pursuant to the family court act;

[vii.] (g) youth who were transferred to an ACS placement facility from the custody of the New York state office of children and family services in accordance with subdivision [six] 6 of section [four hundred and four] 404 of the [New York state] social services law; [and

viii.] *(h)* for youth ordered to a placement facility by a court, the most serious offense adjudicated against such youth by the court; *and*

(i) whether such youth is in foster care.

d. Demographic [Data for Placement Facilities] *data for placement facilities*. 1. [By September 30 of each year, ACS shall post a report on its website regarding the] *The average daily population [in] during the previous [fiscal year] quarter* in the following facilities:

[i.] *(a)* non-secure placement facilities, *in total*; and

[ii.] *(b)* limited-secure placement facilities, *in total*.

2. [By September 30 of each year, ACS shall post a report on its website the] *The number of youth admitted to a placement facility during the previous [fiscal year] quarter who spent time either in non-secure placement only, limited secure placement only, or both non-secure and limited secure placement, disaggregated by the following factors:*

[i.] *(a)* age;

[ii.] *(b)* gender;

[iii.] *(c)* race;

[iv.] *(d)* zip code of residence[, except that for a number between one and five admissions from one zip code, the number shall be replaced with a symbol]; and

v.] *(e)* for youth remanded to a detention facility by a court, the most serious offense adjudicated against such youth by the court; *and*

(f) whether such youth is in foster care.

e. Data on [Transfers] *transfers*. 1. [By September 30 of each year, ACS shall post a report on its website regarding the total] *The number of youth who have been transferred during the previous [fiscal year] quarter* from:

[i.] *(a)* a non-secure detention facility to a secure detention facility;

[ii.] *(b)* a secure *and specialized secure* detention facility to a non-secure detention facility;

[iii.] *(c)* a non-secure placement facility to a limited secure placement facility;

[iv.] *(d)* a non-secure placement facility to a secure placement facility;

[v.] *(e)* a limited secure placement facility to a non-secure placement facility;

[vi.] *(f)* a limited secure placement facility to a secure placement facility;

[vii.] *(g)* a secure placement facility to a limited secure placement facility; and

[viii.] *(h)* a secure placement facility to a non-secure placement facility.

2. The data provided pursuant to paragraph [one] *1 of this subdivision* [e of this section] shall be disaggregated by the following factors:

[i.] *(a)* age;

[ii.] *(b)* gender; and

[iii.] *(c)* race.

[f. Interim Reports. 1. On or before September 30, 2013, ACS shall post a report on its website regarding the total population in non-secure placement facilities as of the last day of every month during the previous fiscal year.

2. No more than one year after ACS begins operating limited secure placement facilities, ACS shall post a report on its website regarding:

i. the total number of admissions to such facilities in the first nine months of their operation, disaggregated by the following factors:

(a) age;

(b) gender;

(c) race; and

(d) youth who were transferred to an ACS placement facility from the custody of the New York state office of children and family services in accordance with subdivision six of section four hundred and four of the New York state social services law;

ii. the total population in such facilities as of the last day of every month during the first nine months of their operation; and

iii. the number of youth admitted to such facilities during the first nine months of their operation who, during that period, spent time either in non-secure placement only, limited secure placement only, or both non-secure and limited secure placement, disaggregated by the following factors:

- (a) age;
- (b) gender;
- (c) race;
- (d) zip code of residence except that for a number between one and five admissions from one zip code, the number shall be replaced with a symbol; and
- (e) for youth ordered to a placement facility by a court, the most serious offense adjudicated against such youth by the court.]

f. Pre-sentence data. 1. The number of youth housed in non-secure, secure, and specialized secure juvenile detention facilities pre-sentencing, in total and disaggregated by the following factors, as defined in the New York state family court act and criminal procedure law:

- (a) juvenile delinquents, in total and disaggregated by secure detention facility or non-secure facility;*
- (b) juvenile offenders, in total and disaggregated by facility; and*
- (c) adolescent offenders, in total and disaggregated by facility.*

2. The data provided pursuant to paragraph 1 of this subdivision shall be disaggregated by the following factors:

- (a) age;*
- (b) gender;*
- (c) race;*
- (d) zip code of residence;*
- (e) the most serious charged offense on the court petition, complaint, or indictment, or top arrest charge at the time ACS assumed custody; and*
- (f) the average, median, minimum, and maximum length of detention, as well as the standard deviation for pre-sentencing or pre-disposition youth.*

g. 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 related to the privacy of information. If any category requested contains between 1 and 5 youth, the number shall be replaced with a symbol.

§ 4. Section 21-906 of the administrative code of the city of New York, as added by local law number 44 for the year 2013, is amended to read as follows:

§ 21-906[.] Incident [Reports] reports in juvenile justice facilities. a. Quarterly [Incident Reports] incident reports.

1. [Within sixty days after the end of each quarter of the fiscal year, ACS shall post a report on its website based on data from the previous quarter that shall contain the] *By January 15, 2025, and no later than 60 days after the end of each quarter thereafter, ACS shall submit a report related to incidents occurring in juvenile justice facilities to the speaker of the council and make such report available on ACS's website. All data contained in such report must be in a machine-readable format and include a comparison of the data in the current reporting period to the data in the 4 preceding reporting periods, to the extent such information is available. The information required pursuant to this section for each reporting period must be accessible through the city's open data web portal. Such report must include the number of the following incidents:*

- [i.] (a) use of physical restraint by staff on children;*
- [ii.] (b) physical injuries or impairment to children as a result of the use of physical restraint;*
- [iii.] (c) use of mechanical restraint by staff on children;*
- [iv.] (d) physical injuries or impairment to children as a result of the use of mechanical restraint;*
- [v.] (e) fights and altercations between children;*
- [vi.] (f) physical injuries or impairment to children as a result of fights with other children;*
- [vii.] (g) physical injuries or impairment to children resulting from any other means not previously mentioned, disaggregated by cause;*
- [viii.] (h) physical injury to staff, to the extent known;*
- (i) biased-based incidents as reported by a child; and*

[ix.] (j) the number of room confinements and the *average* length of stay for [each confinement] *such confinements in secure and specialized secure detention facilities.*

2. The data provided pursuant to paragraph [one] 1 of *this* subdivision [a of this section] shall be disaggregated by the following factors:

[i. each] (a) *secure and specialized secure detention [facility] facilities, in total and disaggregated by facility;*

[ii.] (b) *non-secure detention facilities, in total;*

[iii.] (c) *non-secure placement facilities, in total; and*

[iv.] (d) *limited secure placement facilities, in total.*

3. *For each room confinement in a secure or specialized secure facility reported pursuant to subparagraph (j) of paragraph 1 of this subdivision, such report must include the facility, duration, and reason for each such room confinement.*

b. Annual incident reports. 1. Within [sixty] 60 days after the end of each fiscal year, ACS shall post a report on its website containing the following data:

[i.] (a) the number of allegations made during the fiscal year that a child in a detention or placement facility was a neglected or abused child; and

[ii.] (b) the number of findings made during the fiscal year by the New York state office of children and family services substantiating allegations that a child in a detention or placement facility was a neglected or abused child, including findings that substantiated allegations made prior to the fiscal year.

2. The data provided pursuant to paragraph [one] 1 of *this* subdivision [b of this section] shall be disaggregated by the following factors:

[i. each] (a) *secure and specialized secure detention [facility] facilities, in total and further disaggregated by facility;*

[ii.] (b) *non-secure detention facilities, in total;*

[iii.] (c) *non-secure placement facilities, in total; and*

[iv.] (d) *limited secure placement facilities, in total.*

c. *Oleoresin capsicum spray. If, at any time, the city obtains a waiver pursuant to section 180-3.19 of title 9 of the New York codes, rules and regulations, or a successor regulation, permitting ACS or the department of correction to use oleoresin capsicum spray in a specialized secure detention facility, ACS shall post notice of such waiver on their website no later than 5 days following the receipt of such waiver. Beginning January 15, 2025, and 15 days after the end of each month ACS shall report on all incidents in which oleoresin capsicum spray was used in a juvenile facility, including the following information:*

1. *the date and time of such use;*

2. *the number of youths exposed to oleoresin capsicum spray;*

3. *the ages of all such youths who were exposed;*

4. *the number of each ACS or department of correction personnel involved in the incident;*

5. *the number of youth requiring medical attention after such incident; and*

6. *the facility where such incident occurred.*

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 related to the privacy of information. If any category requested contains between 1 and 5 youth, the number shall be replaced with a symbol.*

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

§ 21-922 *Juvenile justice facility staffing. a. Within 15 days of January 1, 2025, and no later than 90 days after the end of each quarter thereafter, ACS shall submit to the speaker of the council and post on ACS's website a report regarding the average number of staff members during the previous quarter deployed to secure and specialized secure detention facilities, in total and disaggregated by facility.*

b. *The data provided pursuant to subdivision a for specialized juvenile detention shall be further disaggregated by the average number of ACS staff, in total and disaggregated by job title.*

c. *No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law related to the privacy of information. If any category requested contains between 1 and 5 youth, the number shall be replaced with a symbol.*

§ 6. This local law takes effect immediately, except that sections three and four of this local law take effect on January 1, 2025.

ALTHEA V. STEVENS, *Chairperson*; LINDA LEE, JULIE MENIN, CHI A. OSSÉ, NANTASHA M. WILLIAMS; 5-0-0; *Absent*: Rita C. Joseph; Committee of Children and Youth, October 23, 2024. *Other Council Members Attending*: Council Member Sanchez.

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 Consumer and Worker Protection

Report for Int. No. 991-C

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

The Committee on Consumer and Worker Protection, to which the annexed proposed amended local law was referred on July 18, 2024 (Minutes, page 2754), respectfully

REPORTS:

I. INTRODUCTION

On October 23, 2024, the Committee on Consumer and Worker Protection, chaired by Council Member Julie Menin, held a vote on Introduction Number 991-C (Int. 991-C), in relation to licensing hotels. An earlier version of this bill was heard on October 9, 2024; at that hearing the Committee received testimony from the Department of Consumer and Worker Protection (DCWP), the hotel and hospitality industry, worker rights advocates, and other interested stakeholders. Int. 991-C was approved by the Committee by a vote of 6 in the affirmative and 0 in the negative.

II. BACKGROUND

a. New York City's Tourism Industry

New York City is a top destination for both domestic and international travelers, and the tourism industry is a vital component of its economy. The City's tourism industry has significantly recovered from the devastation of the COVID-19 pandemic and many key indicators suggest that the tourism industry is nearly back to pre-pandemic levels. In 2023, New York City welcomed 62.2 million visitors who spent an estimated \$48 billion, supporting thousands of local businesses and generating an estimated \$4.9 billion in tax revenue for the City in FY 2024—an

increase in spending and tax revenue from 2019.¹ The City's tourism sector employed nearly 254,000 workers last year, up from 2020 but still down 10.4 percent from 2019 levels.²

Just as the number of visitors and tourism jobs in the City have largely rebounded from the COVID-19 pandemic, the hotel sector has also come back from pandemic-induced retraction. At the end of 2019, prior to the pandemic, New York City had 705 hotels operating approximately 128,000 rooms.³ Analysts estimated that the COVID-19 pandemic would result in a permanent loss of 20 percent of the City's hotel rooms due to hotel closures.⁴ However, the industry has significantly recovered: as of December 2023, there were approximately 121,500 hotel rooms in active inventory, with plans to add over 10,000 additional rooms in the next three years.⁵ While this represents a slight decrease in inventory from pre-pandemic levels, in 2023 the New York City hotel market was the top market in the nation by occupancy rate at 81.6 percent, average daily room rate at \$301, and revenue per available room at \$246.⁶

b. Regulation of Businesses in the Tourism Industry

New York City has long regulated businesses in the tourism industry to promote the safety and well-being of the visitors that underpins a thriving tourism economy. In order to do business in New York City, sightseeing buses, horse-drawn cabs, horse-drawn cab drivers, sightseeing guides, pedicab businesses, and pedicab drivers must hold a DCWP license.⁷ Each of these licensure categories includes a variety of requirements intended to ensure safe operations, to promote transparent and consistent pricing, and to give consumers information needed to report violations. For example, sightseeing guides are required to wear a badge displaying their license number and the date of expiration of their license while working.⁸ Sightseeing buses and horsedrawn cabs are inspected at least once every four months and must display proof of inspection as well as the driver's license within the vehicles.⁹ In addition to safe brakes and lights, pedicabs must have rate signs clearly posted on both sides of the exterior of the pedicab so passengers can see the signs before entering the pedicab,¹⁰ as well as a rate sign attached to the rear of the bicycle seat;¹¹ have a timer with an inspection seal that is visible to all passengers during the ride; clearly display their business license and the driver's license and post the business name, telephone number, registration number, and DCWP complaint contact information within the pedicab;¹² and provide each passenger with an official Pedicab Information Card before they enter the pedicab.¹³

The Council began regulating hotels by local law with Local Law 99 of 2020, which requires hotels to provide consumers with timely information about hotel service disruptions.¹⁴ Pests, particularly bedbugs, have become fixtures in the minds of hotel guests, and for good reason. Academic research suggests that the presence of pests can have a significant effect on business opportunities for hotel owners, and suggests there is broad support for greater business transparency regarding bedbug-related issues.¹⁵ Construction noise and other events

¹ Office of the New York State Comptroller, "Tracking the Return: The Tourism Industry in New York City," May 2024, available at: <https://www.osc.ny.gov/files/reports/pdf/report-04-2025.pdf>

² *Id.*

³ New York City Department of City Planning, "NYC Hotel Market Analysis," 2020, available at:

<https://www.nyc.gov/assets/planning/download/pdf/planning-level/housing-economy/nyc-hotel-market-analysis.pdf>

⁴ Peter Grant, "As New York Reopens, Many of Its Hotel Rooms Look Closed for Good," *The Wall Street Journal*, June 16, 2020, available at: <https://www.wsj.com/articles/as-new-york-reopens-many-of-its-hotel-rooms-look-closed-for-good-11592308800>

⁵ New York City Tourism + Conventions, "Fact Sheet: New York City Tourism Generates \$74 Billion in Economic Impact for State and City Economy in 2023," December 18, 2023, available at: <https://www.business.nyc tourism.com/press-media/press-releases/year-end-tourism-numbers-announcement>

⁶ Office of the New York State Comptroller, "Tracking the Return: The Tourism Industry in New York City," May 2024, available at: <https://www.osc.ny.gov/files/reports/pdf/report-04-2025.pdf>

⁷ NYC Administrative Code § 20-243, 20-373, 20-250

⁸ NYC Administrative Code § 20-247

⁹ NYC Administrative Code § 20-378, 20-379

¹⁰ 6 RCNY § 2-425(b)

¹¹ NYC Administrative Code § 20-254(a)(15)

¹² NYC Administrative Code §§ 20-258(b), 262(b); 6 RCNY § 2-425(a)

¹³ NYC Administrative Code § 20-260(c)(3)

¹⁴ Local Law 99 of 2020, available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=4624866&GUID=FAC4E80A-6405-472B-98A6-4AD71D4ECA04>

¹⁵ See Carl Nathe, "Bed Bugs 'Bite' the Wallet of Hotel Owners", *Univ. of Ky.*, July 14, 2015, <http://uknow.uky.edu/campus-news/uk-research-bed-bugs-bite-wallet-hotel-owners> (cited in Matt Krupnick, "For Hotels, Bedbugs Are Bad Enough, and Social Media Adds to

can significantly disrupt guests' experiences, often with little meaningful opportunity for recourse, requiring customers to informally negotiate with hotels during their stay to mitigate the disruption or to monitor social media to determine in advance whether a disturbance will occur.¹⁶ The asymmetric information between guests and hoteliers regarding the presence of disturbances reduces consumer confidence, potentially dampening the demand for hotel services.

Pursuant to Local Law 99 of 2020, within 24 hours of becoming aware of a "service disruption" that could reasonably affect the guest's room or the guest's stay or use of a hotel service, the hotel must notify guests and third-party vendors. Such notification shall also be provided immediately before accepting or entering into any new reservation, booking, or agreement for the use or occupancy of a room or hotel service that could reasonably be affected by such service disruption.¹⁷ Although these notice provisions created new reporting duties on businesses and consequences for failures to comply with the law, their scope reflects the Council's deliberate balancing of interests in a manner designed to maximize consumer confidence and the health of the hotel industry.

In recent years, DCWP has received an increasing number of complaints about hotels that are unrelated to the service disruption notice requirement. According to data shared by the agency, the number of complaints about hotels received by DCWP more than doubled in the last four years, from 149 in 2019 to 315 in 2023.¹⁸

Many jurisdictions require hotels and motels to have a license to operate, allowing for greater health, safety and consumer protection enforcement. For example, Florida requires an annual license for hotels and motels with a fee of \$190 for a single rental unit and a fee of \$370 for 501 or more rooms, and all new licensees are required to pass a sanitation and safety inspection prior to opening.¹⁹ Wisconsin requires an annual license with a fee of \$205 for facilities with five-to-30 rooms and a fee of \$490 for those with 200 or more rooms.²⁰ Detroit, Michigan requires an annual license that costs \$345 for a hotel with one-to-50 rooms and \$1,035 per year for hotels with 501 or more rooms.²¹ And just up the river in Yonkers, hotels must renew their license annually for a fee of \$500.²²

c. Issues and Concerns Related to Hotels

Human Trafficking

Human trafficking is "a crime that involves compelling or coercing a person to provide labor or services, or to engage in commercial sex acts."²³ Exploitation of a minor for commercial sex is also human trafficking, regardless of whether any form of force, fraud, or coercion was used.²⁴ Hotels and motels can be especially attractive locations for all forms of human trafficking, with traffickers taking advantage of the privacy and anonymity accessible in these settings.²⁵ In a 2018 survey of trafficking survivors, 75 percent reported coming into contact with hotels at some point during their trafficking experience.²⁶

Irritation", *N.Y. Times*, Feb. 26, 2016, <https://www.nytimes.com/2016/03/01/business/for-hotels-bedbugs-are-bad-enough-and-social-media-adds-to-irritation.html>

¹⁶ Christopher Elliott, "The Customer's Recourse When a Hotel Is Undergoing Renovations," *Wash. Post*, 27, 2015, https://www.washingtonpost.com/lifestyle/travel/the-customers-recourse-when-a-hotel-is-undergoing-renovations/2015/08/27/206ae42a-2ca3-11e5-a250-42bd812efc09_story.html

¹⁷ NYC Administrative Code § 20-850-20-853

¹⁸ Data shared with Council by DCWP in July 2024

¹⁹ Florida Department of Business and Professional Regulation, Hotel-Motel Guide, available at: <https://www2.myfloridalicense.com/hotels-restaurants/licensing/hotels-and-restaurants-hotel-motel-guide/>

²⁰ Wis. Stat. § 97 - Food, Lodging and Recreation; Wis. Admin. Code § ATCP 72 - Hotels, Motels and Tourist Rooming Houses

²¹ City of Detroit, Lodging Business License Guide, available at: <https://detroitmi.gov/departments/buildings-safety-engineering-and-environmental-department/bseed-divisions/licensing-and-permits/business-license-guides/lodging>

²² Yonkers Code § 39 – Hotel Licensing

²³ U.S. Department of Justice, "What is Human Trafficking?," available at: <https://www.justice.gov/humantrafficking/what-is-human-trafficking>

²⁴ *Id.*

²⁵ U.S. Department of Homeland Security, "Human Trafficking and the Hospitality Industry," available at: <https://www.dhs.gov/blue-campaign/hospitalityindustry>

²⁶ Brittany Anthony, "On-Ramps, Intersections, and Exit Routes: A Roadmap for Systems and Industries to Prevent and Disrupt Human Trafficking," Polaris Project, July 2018, available at: <https://polarisproject.org/wp-content/uploads/2018/08/A-Roadmap-for-Systems-and-Industries-to-Prevent-and-Disrupt-Human-Trafficking-Hotels-and-Motels.pdf>

Recognizing the widespread use of hotels in human trafficking operations, the New York State Legislature amended the General Business Law in 2018 to require hotels and lodging facilities to post informational cards concerning services for human trafficking victims as well as the national human trafficking hotline telephone number in public restrooms, individual guest rooms, and near the public entrance or in another conspicuous location.²⁷ In 2022, the New York State Legislature amended the General Business Law to require lodging facilities to provide all staff who are likely to come into contact with guests with training on identifying and reporting human trafficking.²⁸

Crime and Safety

Over the last five years there have been over 14,000 criminal complaints to the New York City Police Department originating from hotels and motels.²⁹ The vast majority of those complaints were regarding crimes that would be considered felonies and misdemeanors:

Types of Criminal Complaints to the NYPD Originating from Hotels and Motels³⁰

Year	Felony	Misdemeanor	Violation	Total Complaints
2019	1,082	1,152	517	2,751
2020	1,055	1,210	620	2,885
2021	1,320	1,367	715	3,402
2022	1,337	1,148	487	2,972
2023	956	977	390	2,323

Since the pandemic, some hotels have changed operations in ways that may be harmful to guests and workers. Hospitality companies have reduced on-site staffing and increased the use of “contactless” services, potentially leaving facilities without staff to check guest identification, ensure they are able to access their rooms, and address problems as they occur.³¹ In one reported instance, guests arrived at a hotel in lower Manhattan after midnight to find that the room access code emailed to them did not work; the Miami-based support staff the guests contacted by telephone were unable to assist so the guests ended up spending the night in the hotel’s breakfast room, where the restroom also required a code that they did not have.³²

In recent years, a number of states and cities have enacted laws and regulations that require hotels to provide employees, particularly those working alone in guest rooms or other isolated areas, with panic buttons or emergency alert capabilities. Illinois,³³ New Jersey,³⁴ Washington,³⁵ Los Angeles,³⁶ and Oakland³⁷ are among the jurisdictions with panic button measures to protect hotel employees and guests from threatening behavior. These policies help protect workers from violence and other dangerous work situations by enabling employees to quickly summon assistance in the event of harassment, assault or other threatening situations.

²⁷ N.Y. Gen. Bus. Law § 206-F

²⁸ N.Y. Gen. Bus. Law § 205

²⁹ Council analysis of NYC OpenData, “NYPD Complaint Data Historic,” available at: https://data.cityofnewyork.us/Public-Safety/NYPD-Complaint-Data-Historic/qgea-i56i/about_data

³⁰ *Id.*

³¹ Nadja Sayej, “Hotels Will Never be the Same,” Vox, June 25, 2021, available at: <https://www.vox.com/the-goods/22543924/hotels-qrcodes-contactless-check-in-robots-chatbots-sanitation>

³² Seth Kugel, “Help! We Had to Sleep in the Hotel’s Breakfast Room. We Would Like a \$215 Refund,” *The New York Times*, July 18, 2024, available at: <https://www.nytimes.com/2024/07/18/travel/hotel-contactless-check-in-refund.html>

³³ 820 ILCS 325 Hotel and Casino Employee Safety Act

³⁴ PL 2019, CHAPTER 123 New Jersey’s Panic Device Law

³⁵ RCW 49.60.515 Preventing the sexual harassment and sexual assault of certain isolated workers

³⁶ Los Angeles Municipal Code Chapter XVIII Article 2 Hotel Worker Protection Ordinance

³⁷ Oakland Municipal Code 5.93.020 - Measures to protect hotel employees from threatening behavior

Cleanliness

Many hotels have changed their housekeeping policies post-COVID-19, potentially degrading the level of health and hygiene for guests and workers alike.³⁸ When a room has not been cleaned for many days, it is much more physically demanding and time-consuming for housekeeping staff to get the room ready for the next guest.³⁹ In addition, regular hotel staff entry into guest rooms required by daily cleaning serves to deter and ensure reporting of criminal activity, including human trafficking, in hotels. As a result, some major hotel chains are resuming daily housekeeping service as the tourism industry rebounds.⁴⁰

Subcontracting

Hotels have increasingly engaged staff through subcontractors, rather than directly employing their workers.⁴¹ Housekeeping is often one of the largest departments in a hotel and is also among the most frequently outsourced job classifications.⁴² Although outsourcing can give hotel operators increased flexibility, the International Labour Organization reports that subcontracting can lead workers to suffer from “precarious working arrangements, a lack of training and development and sometimes much poorer working conditions.”⁴³ Many studies have found that subcontracted workers are paid significantly less for doing the same job as workers who are directly employed.⁴⁴ Professor Thomas Kochan, George Maverick Bunker Professor of Management, Emeritus, at the MIT Sloan School of Management has stated that “contracting arrangements by their very nature pose increased risks of quality performance and communications to safety and perhaps emergency response malfunctions. When the higher turnover of lower wage contract workers is factored in, the risk is further increased, and the lack of experience and limited training are two of the strongest predictors of accidents and injuries.”⁴⁵

In addition to lower wages and poorer working conditions, subcontracted workers may be at higher risk of human trafficking and other safety risks. Research from the U.K. found an increased risk of human trafficking in hotels that used outsourced workers or temporary agencies.⁴⁶ David Weil, professor of social policy and economics at Brandeis University’s Heller School for Social Policy and Management, a visiting professor at the Harvard Kennedy School, and former head of the U.S. Department of Labor’s Wage and Hour Division testified at the October 9, 2024 hearing that “subcontracted workers may also be more exposed to health and safety risks, sexual harassment and other violations of basic rights.”⁴⁷

³⁸ Danielle Braff, “Say Goodbye to Daily Hotel Room Cleaning,” *The New York Times*, March 24, 2023, available at: <https://www.nytimes.com/2023/03/24/travel/hotels-end-daily-cleaning.html>

³⁹ *Id.*

⁴⁰ Bailey Schulz, “Some Hilton hotels to bring back daily housekeeping. See how other hotel policies compare,” *USA Today*, August 14, 2023, available at: <https://www.usatoday.com/story/travel/hotels/2023/08/14/hilton-hotels-daily-housekeeping-returns/70589138007/>

⁴¹ International Labour Organization, “Sectoral Studies on Decent Work in Global Supply Chains Comparative Analysis of Good Practices by Multinational Enterprises in Promoting Decent Work in Global Supply Chains,” International Labour Office (ILO), Sectoral Policies Department, 2015, available at: https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@ed_dialogue/@sector/documents/publication/wcms_467295.pdf

⁴² *Id.* at 81.

⁴³ *Id.* at 82.

⁴⁴ See Deborah Goldschmidt, and Johannes F. Schmieder, “The Rise of Domestic Outsourcing and the Evolution of the German Wage Structure,” *The Quarterly Journal of Economics*, vol. 132(3), 2017, pp. 1165–1217; Arindrajit Dube and Ethan Kaplan, “Does Outsourcing Reduce Wages in the Low-Wage Service Occupations? Evidence from Janitors and Guards,” *ILR Review*, vol. 63(2), 2010, pp. 287–306; Samuel Berlinski, “Wages and Contracting Out: Does the Law of One Price Hold?,” *British Journal of Industrial Relations*, vol. 46(1): 59–75, 2008.

⁴⁵ Thomas Kochan, Testimony before the Commonwealth of Massachusetts City of Cambridge License Commission, April 26, 2011, available at: <https://www.cambridgema.gov/-/media/Files/licensecommission/meetingminutes/minutes2011/4262011licensingcommission.PDF> p. 72

⁴⁶ Alex Balch and Glynn Rankin, “Facilitating Corporate Social Responsibility in the Field of Human Trafficking: The Hotel Sector in the UK,” European Commission, Directorate-General for Migration and Home Affairs, 2014, available at: <https://www.gla.gov.uk/media/1587/tackling-exploitation-and-forced-labour-in-the-uk-hotel-sector.pdf>

⁴⁷ Testimony of David Weil before the NYC Council Committee on Consumer and Worker Protection, October 9, 2024, available at: <https://legistar.council.nyc.gov/MeetingDetail.aspx?ID=1233291&GUID=B7793AD9-7690-4708-931B-FCE4A1B04D7A&Options=info&Search=>

III. LEGISLATIVE ANALYSIS

Int. 991-C would require hotel operators to obtain a license to operate a hotel in the City.

Section 1 of this bill would add a new subchapter 38 to chapter 2 of title 20 of the administrative code, which would include twelve new sections. Section 20-565 of this bill would add definitions for “airport hotel,” “continuous coverage,” “core employee,” “directly employ,” “employee,” “employer,” “front desk,” “guest room,” “hotel,” “hotel operator,” “hotel owner,” “human trafficking,” “large hotel,” “occupied guest room,” “overnight” “panic button,” “person,” “security guard,” “small hotel” and “transient.”

Section 20-565.1 of this bill would require all hotel operators to obtain a license, which would be valid for two years at a fee of \$350.

Section 20-565.2 of this bill would govern the issuance, denial, renewal, suspension or revocation of a hotel license by the commissioner. The license application would include providing information that would ensure a hotel is prepared to comply with this bill. Any hotel that meets the definition in the bill and certifies an ability to comply with the law could be licensed to operate as such with DCWP. Additionally, a hotel with a collective bargaining agreement that incorporates the requirements of this bill could use such agreement to satisfy their application requirements and extend their license term to the end of such agreement or for ten years, whichever is longer. A hotel license would be transferable to a successor hotel operator provided such successor hotel operator submits application materials prior to the expiration of the predecessor’s license. Prior to the revocation of a hotel license, the commissioner would be required to provide notice and an opportunity for the licensee to correct the relevant condition in thirty days. A commissioner would not be authorized to issue, deny, renew, suspend or revoke a license based on a violation of the City’s hotel service disruption law.

Section 20-565.3 of this bill would require the licensee to display their license in an area where other required notices are displayed, and it would authorize the commissioner to conduct inspections for potential violations of this subchapter.

Section 20-565.4 of this bill would require that hotel operators schedule at least one employee to provide continuous coverage of the front desk. An overnight security guard would satisfy this requirement. Every large hotel operator would be required to schedule at least one security guard to provide continuous coverage of the premises while any room in such hotel is being occupied. Hotel operators would be required to provide every guest room with clean towels, sheets and pillowcases prior to the occupancy by a new guest. Such items would be replaced daily upon request, and such rooms would be cleaned daily unless services are declined by the guest. Hotel operators would be prohibited from booking a room for less than 4 hours except at an airport hotel. Hotel operators would be prohibited from permitting human trafficking on its premises.

Section 20-565.5 of this bill would require direct employment for core employees, which would include employees whose job classification is related to housekeeping, front desk or front service, which would be subject to exclusions. Core employees would be required to undergo a human trafficking training in accordance with state law. Hotel owners would be prohibited from contracting to third parties for core employees except that hotel owners may retain a manager to manage operations. All prior agreements between a hotel and a contractor or a subcontractor would remain in effect for the duration of the agreement. Hotel owners of small hotels, which would include hotels with less than 100 rooms, would not have to directly employ their core employees.

Section 20-565.6 of this bill would require hotel operators to provide panic buttons to every core employee whose duties involve entering an occupied room. A panic button would be defined as a signaling system that a person may activate to alert security staff that they are in danger and provide their location.

Section 20-565.7 of this bill would prohibit any retaliatory action by a hotel employer against an employee who discloses or refuses to participate in any activity the employee believes is in violation of this subchapter. A person would be authorized to bring a civil action against a hotel employer for such retaliatory action.

Section 20-565.8 of this bill would establish a civil penalty scheme that would range from \$500 for the first offense to \$5,000 for the fourth and any subsequent offense. Violations of this subchapter would be returnable to the Office of Administrative Trials and Hearings (OATH).

Since introduction, Council staff met with numerous stakeholders including hotel associations, owners and operators; the staffing industry; hotel lenders and financiers; and the hospitality industry to gather feedback on the legislation.⁴⁸ Many small hotels claimed that the direct employment requirements in the bill would be too costly to implement and would disrupt their current business model. Hospitality industry representatives reported that the food and beverage workers at hotels are typically supervised by the managers of on-site restaurants rather than the hotel operators and that these workers are inappropriate for the direct employment requirement. In addition, hotels argued that certain specialty and seasonal jobs are not practical as direct employees such as: specialty cleaning employees and engineers; spa, gym and health club employees who, like food and beverage workers, may be employed by other businesses located within a hotel; laundry, valet and parking employees; and security guards who are licensed by New York State. Hotel lenders and financiers expressed concerns regarding the interaction between licensure and Local Law 99 of 2020, relaying that it would chill investment if hotel licenses could be revoked or not renewed because of violations of the requirements around hotel service disruptions. Since introduction, this bill has been amended to: reduce the number of employees who would be subject to the direct employment requirement, remove the recordkeeping requirement, reduce the front desk coverage requirement, remove the discretion afforded to the commissioner prior to issuing a license, add a cure period prior to license revocation, expand the license term and make other technical changes.

The Council continued to seek feedback from impacted stakeholders both during and after the October 9, 2024 hearing. Many small hotels in particular continued to express concerns about their viability should they be required to directly employ all core employees. Since the hearing, this bill has been amended to exclude small hotels from the direct employment requirement and remove the requirement to provide employees with information on hazardous chemicals. The exemption of small hotels from the direct employment requirement is consistent with other City laws in which smaller businesses or employers are excluded from requirements such as the Paid Safe and Sick Leave Law and some provisions of the Human Rights Law.⁴⁹

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

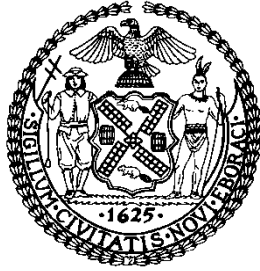
IV. CONCLUSION

The Committee looks forward to a vote on Int. 991-C.

(The following is the text of the Fiscal Impact Statement for Int. No. 991-C:)

⁴⁸ In addition to testimony received from the public at Consumer and Worker Protection Committee's October 9, 2024 hearing, in August, September and October 2024 Council staff met with representatives from groups including the American Hotel and Lodging Association, Hotel Association of New York, Asian American Hotel Owners Association, Minority Hotel Association, New York Staffing Association, JLL Hotels & Hospitality, and Homeless Services United.

⁴⁹ See NYC Administrative Code, Title 20 Chapter 8; NYC Administrative Code Title 8



**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 INT. NO: 991-C

COMMITTEE: Consumer and Worker Protection

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to licensing hotels.

SPONSOR(S): Council Members Menin, Hudson, De La Rosa, Abreu, Feliz, Won, Banks, Schulman, Krishnan, Lee, Gutiérrez, Moya, Brannan, Gennaro, Williams, Ung, Ossé, Zhuang, Joseph, Powers, Sanchez, Bottcher, Avilés, Restler, Dinowitz, Nurse, Mealy, Louis, Ayala, Rivera, Cabán, Hanif, Riley, Salaam, Brewer, Salamanca, Brooks-Powers, Narcisse, Fariás and Ariola (in conjunction with the Queens and Manhattan Borough Presidents).

SUMMARY OF LEGISLATION: Proposed Int. No. 991-C would require hotel operators to obtain a license in order to operate a hotel in the City. The application term would be two years, and there would be a license fee of \$350. The proposed legislation would require operators to schedule staff that would provide continuous coverage of their front desk, and require large hotels to schedule a security guard to provide continuous coverage on the hotel's premises while any room is occupied. All operators would be required to maintain the cleanliness of each guest room, which would include daily cleaning unless such service is declined by the guest. Additionally, the proposed legislation would require operators to directly employ their core employees, subject to enumerated exceptions. Small hotel operators, which would include hotels with less than 100 rooms, would be exempt from the direct employment requirement. Operators would be required to equip all core employees with panic buttons and provide core employees with human trafficking recognition training. Lastly, Proposed Int. No. 991-C would subject hotel operators who violate license conditions to civil penalties.

EFFECTIVE DATE: 180 days after becoming law

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal Year 2028

FISCAL IMPACT STATEMENT:

	Effective FY25	FY Succeeding Effective FY26	Full Fiscal Impact FY28
Revenues (+)	\$0	\$376,250	\$376,250
Expenditures (-)	\$0	\$950,000	\$1,300,000
Net	\$0	(\$573,750)	(\$923,750)

IMPACT ON REVENUES: It is estimated that there would be a revenue generation of approximately \$376,250 every two years as a result of the licensing fee requirement in Proposed Int. No. 991-C.

IMPACT ON EXPENDITURES: It is estimated that there would be an impact on expenditures for enacting this legislation. In Fiscal 2026 there would be expenditures of \$950,000, including: \$300,000 for one-time OTPS costs associated with IT consultants to develop the licensing business portal system and \$650,000 for the prorated PS cost of approximately 18 additional headcount to manage the licensure program. In Fiscal 2027 we expect the full-year PS cost to be \$1.3 million. The full fiscal impact of the legislation would occur in Fiscal 2028 when both the revenue and expenditures are fully realized.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Glenn Martelloni, Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was introduced to the Council on July 18, 2024, as Proposed Int. No. 991, and was referred to the Committee on Consumer and Worker Protection (the Committee). A hearing on the legislation was held by the Committee on October 9, 2024, and the legislation was laid over. The legislation was subsequently amended twice and the amended version, Proposed Int. No. 991-C, will be considered by the Committee at a hearing on October 23, 2024. Upon majority affirmative vote by the Committee, Int. No. 991-C will be reported to the full Council for a vote on October 23, 2024.

DATE PREPARED: October 22, 2024.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 991-C:)

Int. No. 991-C

By Council Members Menin, Hudson, De La Rosa, Abreu, Feliz, Won, Banks, Schulman, Krishnan, Lee, Gutiérrez, Moya, Brannan, Gennaro, Williams, Ung, Ossé, Zhuang, Joseph, Powers, Sanchez, Bottcher, Avilés, Restler, Dinowitz, Nurse, Mealy, Louis, Ayala, Rivera, Cabán, Hanif, Riley, Salaam, Brewer, Salamanca, Brooks-Powers, Narcisse, Farías and Ariola (in conjunction with the Queens and Manhattan Borough Presidents).

A Local Law to amend the administrative code of the city of New York, in relation to licensing hotels

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
HOTELS

§ 20-565 Definitions. As used in this subchapter, the following terms have the following meanings:

Airport hotel. The term “airport hotel” means a hotel within one mile of either LaGuardia airport or John F. Kennedy international airport.

Continuous coverage. The term “continuous coverage” means 24 hours a day on any day that the hotel is occupied by a guest.

Core employee. The term “core employee” means any employee whose job classification is related to housekeeping, front desk, or front service at a hotel. Such classifications include, but are not limited to, room attendants, house persons, and bell or door staff. Such classifications shall not include: laundry and valet employees; concierge, reservation agents and telephone operators; engineering and maintenance employees; specialty cleaning employees, including marble polishers, crystal lighting cleaners, aquarium cleaners, night cleaners and exterior window washing; parking employees; security employees; life guards; spa, gym and health club employees; minibar employees; audio-visual employees; and cooks, stewards, bartenders, servers, bussers, barbacks, room service attendants or other employees who primarily work in the food or beverage service operations of the hotel regardless of whether such employees are directly employed by the hotel operator or by another person.

Directly employ. The term “directly employ” or “direct employment” means a relationship between an employer and an employee in which there is no intermediary in such relationship.

Employee. The term “employee” means any person covered by the definition of “employee” set forth in subdivision 5 of section 651 of the labor law or by the definition of “employee” set forth in subsection (e) of section 203 of title 29 of the United States code and who is employed within the city. Notwithstanding any other provision of this section, the term “employee” does not include any person who is employed by (i) the United States government; (ii) the state of New York, including any office, department, independent agency, authority, institution, association, society or other body of the state, including the legislature and the judiciary; or (iii) the city or any local government, municipality or county or any entity governed by section 92 of the general municipal law or section 207 of the county law.

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

Front desk. The term “front desk” means on-site staff in a hotel that are available to assist guests who may check-in or reserve a guest room.

Guest room. The term “guest room” means a room, including an interconnected room or a suite, made available or used by a hotel for transient occupancy by guests, but does not include a room not available or used for transient occupancy, including but not limited to, a single room occupancy unit and a residential unit.

Hotel. The term “hotel” means a building, as defined in section 12-10 of the New York city zoning resolution, or part of such building, which is legally authorized to have guests occupy guest rooms.

Hotel operator. The term “hotel operator” or “operator” means any person who owns, leases, or manages a hotel and is in control of the day-to-day operations of such hotel, including employment of natural persons who work at such hotel, by virtue of their ownership, management agreement, lease, or other legal construct.

Hotel owner. The term “hotel owner” or “owner” means the owner or owners of the hotel.

Human trafficking. The term “human trafficking” shall mean an act or threat of an act that may constitute sex trafficking, as defined in section 230.34 of the penal law, child sex trafficking, as defined in section 230.34-a of the penal law, accomplice to sex trafficking, as defined in section 230.36 of the penal law, or labor trafficking, as defined in sections 135.35, 135.36, and 135.37 of the penal law.

Large hotel. The term “large hotel” means a hotel with more than 400 guest rooms.

Occupied guest room. The term “occupied guest room” means that a guest room has been reserved by a guest.

Overnight. The term “overnight” means the work shift containing the hours between 12:00 am and 2:00 am.

Panic button. The term “panic button” means a help or distress signaling system a natural person may activate in order to alert a security guard, or other appropriate on-site natural person who is available to provide immediate on-scene assistance that such person is in danger, and which provides such security guard, or other appropriate on-site natural person the location of such person.

Person. The term “person” shall have the same meaning as the term “person” in section 1-112, except that such term shall not include the city of New York, the state of New York, and the federal government or any other governmental entity, or any individual or entity that has an agreement with any such governmental entity to manage real property on behalf of such governmental entity.

Security guard. The term “security guard” means a natural person who is registered to work as a security guard under article 7-a of the general business law.

Small hotel. The term “small hotel” means a hotel with less than 100 guest rooms.

Transient. The term “transient” means use for less than 30 days.

§ 20-565.1 Hotel license issuance and renewal; application; fee. a. It shall be unlawful to operate a hotel without a license. Where no license has been obtained, there shall be a rebuttable presumption that an owner of a hotel is the operator of such hotel.

b. A license issued pursuant to this subchapter shall be valid for a term of two years. The fee for such license shall be \$350.

§ 20-565.2 Issuance, denial, renewal, suspension and revocation of license. a. A license to operate a hotel shall be granted in accordance with the provisions of this title.

b. To obtain or renew a hotel license, a hotel operator shall file an application in such form and detail as the commissioner shall prescribe, and shall furnish the commissioner with the following:

1. The name, address, contact phone number, and electronic mail address of such hotel operator;
2. Such information as the commissioner shall require to establish that the operator has adequate procedures and safeguards to ensure compliance with this subchapter, including compliance with the staffing requirements of subdivisions a and b of 20-565.4, the safety requirements of subdivision b of 20-565.5, the guest room cleanliness standards of subdivision c of 20-565.5, the direct employment provisions of 20-565.6, and the panic button provisions of 20-565.7. The provisions of this paragraph shall be satisfied by a collective bargaining agreement that expressly incorporates the requirements of this subchapter. Such satisfaction shall continue for the longer of the duration of the collective bargaining agreement or ten years from date of the application, provided that the hotel shall notify the commissioner if such agreement is modified to remove the incorporation of the requirements of this subchapter. Nothing in this subchapter shall be deemed to diminish the rights, privileges, or remedies of any employee under any collective bargaining agreement; and

3. Such other information as the commissioner may require.

c. A Hotel license shall not be assignable, except for transfers made in accordance with section 22-510, provided that such successor hotel operator notify the commissioner of the transfer, provide all the information required by paragraph 1 of subdivision b of section 20-565.2, and makes all required submissions to the department prior to the expiration of the predecessor’s license, provided further than nothing here shall excuse noncompliance with the provisions of this subchapter.

d. A licensee who has submitted the application forms and fees required to renew their license pursuant to this subchapter shall be permitted to operate a hotel until they receive a determination from the commissioner. Failure by the commissioner to make a determination prior to the expiration date of an applicant’s license shall not be cause to cease operation of a hotel.

e. Prior to any revocation, the commissioner shall first notify the licensee of an anticipated revocation in writing and afford the licensee thirty days from the date of such notification to correct the condition. The commissioner shall notify the licensee of such thirty-day period in writing. If the licensee proves to the satisfaction of the commissioner that the condition has been corrected within such thirty-day period, the commissioner shall not revoke such license. The commissioner shall permit such proof to be submitted to the commissioner electronically or in person. The licensee may seek review by the commissioner of the determination that the licensee has not submitted such proof within fifteen days of receiving written notification of such determination.

f. Neither the existence of service disruptions as defined in section 20-850 nor any remedied violations pursuant to section 20-851 shall constitute a basis for the commissioner to fail to approve, deny, suspend, revoke or fail to renew a license hereunder.

§ 20-565.3 *Display of license; inspections.* a. Each licensee shall conspicuously display a true copy of the license issued pursuant to this subchapter in publicly visible areas of the hotel where other legally required notices may be displayed.

b. In accordance with applicable law and rules, the commissioner may inspect a hotel for violations of this subchapter and rules promulgated thereunder.

§ 20-565.4 *Service requirements and prohibitions.* a. *Front desk staffing.* 1. Except as provided by paragraph 2 of this subdivision, a hotel operator must schedule at least one employee to provide continuous coverage of a front desk.

2. During an overnight shift, in lieu of such front desk staff, an operator of a hotel may schedule a security guard who is able to assist guests and has undergone human trafficking recognition training in accordance with this subchapter.

3. The staff required pursuant to paragraphs 1 and 2 of subdivision a of this section must be available to confirm the identity of guests checking in to such hotel.

b. *Security guards.* 1. Each hotel must maintain safe conditions for guests and hotel workers.

2. An operator of a large hotel must schedule at least one security guard to provide continuous coverage on the premises of such hotel while any guest room in such hotel is occupied.

c. *Guest room cleanliness.* 1. An operator of a hotel must maintain the cleanliness of guest rooms, sanitary facilities, and hotel common areas.

2. An operator of a hotel must provide every guest room with clean towels, sheets, and pillowcases prior to occupancy by a new guest.

3. Upon request by a guest, an operator of a hotel must replace the towels, sheets, and pillowcases of an occupied guest room.

4. An operator of a hotel must clean an occupied guest room and remove trash daily unless a guest affirmatively declines such cleaning and trash removal services. Hotels may not impose any fee or collect any charge for daily room cleaning nor offer any discount or incentive to forgo daily room cleaning.

d. *Prohibition against short duration bookings.* An operator of a hotel, other than an airport hotel, may not accept reservations for a guest room for a duration of less than 4 hours.

e. *Prohibition against facilitating human trafficking.* An operator of a hotel may not permit the premises of such hotel to be used for the purposes of human trafficking.

§ 20-565.5 *Direct employment.* a. *Direct employment required for core employees.* A hotel owner of a hotel other than a small hotel must directly employ all core employees, except as provided in this section.

b. A hotel operator must provide a human trafficking recognition training in accordance with section 205 of the general business law to core employees. A hotel operator must provide human trafficking recognition training to a new core employee within 60 days of employment.

c. Except for hotel owners of small hotels, contracting to any third parties for core employees, including staffing agencies or other contractors or subcontractors, is not permitted except that a hotel owner may retain a single hotel operator to manage all hotel operations involving core employees at a hotel on the hotel owner's behalf, which includes employment of core employees of the hotel by the hotel operator. Where a hotel owner retains a hotel operator in accordance with this subsection, a hotel owner need not be a direct employer of core employees. § 20-565.6 *Panic buttons.* A hotel operator must provide panic buttons to core employees, at no cost to any such employee, whose duties involve entering occupied guest rooms.

§ 20-565.7 *Retaliatory actions by hotels; prohibition.* a. A hotel operator shall not take any retaliatory action against an employee, including but not limited to a core employee, for taking any of the actions described in paragraphs 1 through 3 of this subdivision:

1. discloses, or threatens to disclose to a supervisor or to a public body any specific activity, policy, or practice of such hotel operator that the employee reasonably and in good faith believes is in violation of this chapter or that the employee reasonably and in good faith believes poses a substantial and specific danger to the public health or safety; or

2. provides information to, or testifies before, any public body conducting an investigation, hearing, or inquiry into any such activity, policy, or practice by such hotel operator; or

3. objects to, or refuses to participate in any such activity, policy, or practice provided that such hotel employee has a reasonable, good faith belief that such activity, policy or practice subjects such employee to unusually dangerous conditions which are not normally part of such employee's job.

b. Any person alleging a violation of the provisions of this section may bring a civil action, in accordance with applicable law, in any court of competent jurisdiction.

c. Such court may order compensatory, injunctive and declaratory relief, and reasonable attorney's fees and costs.

d. A civil action under this section shall be commenced within six months of the date the person knew or should have known of the alleged violation.

e. A person filing a civil action under this section shall simultaneously serve notice of such action and a copy of the complaint upon the department. Failure to so serve a notice shall not adversely affect any person's cause of action.

§ 20-565.8 Enforcement and penalties. a. A hotel operator who violates or causes another person to violate a provision of this subchapter or any rule promulgated pursuant to such subchapter, in addition to any other applicable penalties provided in this title, shall be subject to a civil penalty as follows:

1. for the first violation, a civil penalty of \$500;

2. for the second violation issued for the same offense within a period of two years of the date of the first violation, a civil penalty of \$1,000;

3. for the third violation issued for the same offense within a period of two years of the date of the first violation, a civil penalty of \$2,500; and

4. for the fourth and any subsequent violations issued for the same offense within a period of two years of the date of the first violation, a civil penalty of \$5,000.

b. A proceeding to recover any civil penalty pursuant to this section shall be commenced by the service of a summons or notice of violation by the department, which shall be returnable to the office of administrative trials and hearings or any other tribunal designated to conduct such proceedings.

§ 2. Subdivision a of section 20-565.5 of the administrative code of the city of New York, as added by section one of this local law, shall have no effect on an enforceable agreement between a hotel operator or a hotel owner, as such terms are defined in section 20-565 of such code, and a contractor executed prior to the effective date of this local law, provided such agreement terminates on a date certain.

§ 3. It shall be unlawful for a hotel owner or hotel operator, as defined in section 20-565 of the administrative code of the city of New York, as added by section one of this local law, to enter into an agreement that would violate subdivision a of section 20-565.4 of such code, as added by section one of this local law.

§ 4. This local law takes effect 180 days after it becomes law, except as provided below:

i. subdivision a of section 20-565.5 of the administrative code of the city of New York, as added by section one of this local law, takes effect in 180 days with regard to an agreement entered into on or after such effective date, provided, however, with regard to any agreement executed prior to such effective date that does not terminate on a date certain, such subdivision takes effect on December 1, 2026, and provided, further, that, with regard to any agreement executed prior to such effective date that terminates on a date certain, such subdivision takes effect 30 days after the date on which such agreement terminates or expires; and

ii. section three of this local law takes effect immediately and expires and is deemed repealed 180 days after such date.

JULIE MENIN, *Chairperson*; SHAUN ABREU, GALE A. BREWER, AMANDA C. FARIAS, SHEKAR KRISHNAN, CHI A. OSSE, JULIE WON; 6-0-0; *Absent*: Julie Won; Committee on Consumer and Worker Protection, October 23, 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. 733-A

Report of the Committee on Education in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring the New York city department of education to report information on career and technical education programs in New York city public schools.

The Committee on Education, to which the annexed proposed amended local law was referred on March 19, 2024 (Minutes, page 1480), respectfully

REPORTS:

I. INTRODUCTION

On October 22, 2024, the Committee on Education, chaired by Council Member Rita Joseph, will consider Proposed Introduction Number (Int. No.) 733-A, sponsored by Council Member Althea Stevens, related to requiring the New York city department of education to report information on career and technical education programs in New York city public schools; Proposed Int. No. 771-A, sponsored by Council Member Linda Lee, related to requiring distribution of information regarding interpretation and translation services; and Proposed Int. No. 797-A, sponsored by Council Member Althea Stevens, related to reporting on student clubs and organizations.

The Committee previously held a hearing on Int. No. 733, 771, and 797 on June 18, 2024. At that hearing, the Committee heard testimony from the New York City (NYC) Department of Education (DOE), non-profits, community-based organizations, advocates, and members of the public.

II. BILL ANALYSIS

Proposed Int. No. 733-A – 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

This bill would require the Department of Education (DOE) to report annually to the Council regarding information related to Career and Technical Education (CTE) programs, including: the number of CTE schools and programs available to students; the number and percentage of students enrolled in a CTE program; the number and percentage of students in a CTE program who engaged in a related internship; the number and percentage of students who applied to and enrolled in a CTE-designated high school; the number and percentage of students who, having completed a CTE program, subsequently completed a technical assessment, received a high school diploma, received industry credentials, enrolled in a 2- or 4-year college, or enrolled in a vocational program; the number of full-time and part-time certified CTE instructors; and, the number of professional development trainings administered by DOE relating to CTE instruction.

This bill contains a number of provisions previously enacted pursuant to Local Law 174 of 2016, which similarly required DOE to report annually to the Council regarding information related to CTE programs. Local Law 174 contained a sunset clause and was deemed repealed 5 years after it became law; this bill would require such reporting to continue and does not contain a sunset clause.

Since it was heard, reporting on the number of students who obtained industry certification and employment was removed from the bill and this bill was amended to include more specific reporting related to completion rates and post-graduation outcomes. This includes reporting on the number of students who completed a full sequence of courses for a CTE program, completed a technical assessment, passed all components of the

technical assessment, received a high school diploma, received industry credentials, and enrolled in a 2 or 4 year college or vocational program. This bill also received technical edits. If enacted, the bill would take effect immediately.

Proposed Int. No. 771-A – A Local Law to amend the administrative code of the city of New York, in relation to requiring distribution of information regarding interpretation and translation services

This bill would require DOE to provide parents with information about the interpretation and translation services it offers, including information on how to access such services and examples of how such services might be used. The required materials would be made available in English and in the 9 most common home languages of students enrolled in DOE schools.

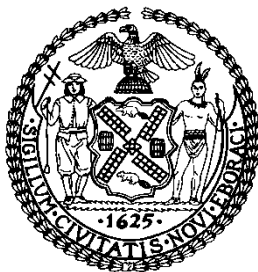
Since it was heard, this bill was amended to require distribution of information on translation services and distribution of the required materials in the 9 most common home languages of students enrolled in DOE schools. This bill also received technical edits. If enacted, the bill would take effect immediately.

Proposed Int. No. 797-A – A Local Law to amend the administrative code of the city of New York, in relation to reporting on student clubs and organizations

This bill would require DOE to report, on an annual basis, a list of all student clubs and organizations at each school. The report would also require DOE to report on the type of faculty advisor for each club or organization, for example, whether that advisor is a teacher or a para-professional. Finally, DOE would be required to report on whether each student club or organization has authorization to conduct its activities off school grounds.

Since it was heard, this bill received technical edits. If enacted, the bill would take effect immediately.

(The following is the text of the Fiscal Impact Statement for Int. No. 733-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 INT. NO: 733-A

COMMITTEE: Education

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to report information on career and technical education programs in New York City public schools.

SPONSOR(S): By Council Members Stevens, Gennaro, Riley, Nurse, Gutiérrez, Narcisse, De La Rosa, Louis, Fariás, Salaam, Joseph, Schulman, Restler, Cabán, Lee, Hudson and Hanif.

SUMMARY OF LEGISLATION: Proposed Int. No. 733-A would require the Department of Education (DOE) to report to the Council, beginning April 30, 2025, and by April 30 each year thereafter, information related to Career and Technical Education (CTE) programs, including: the number of CTE schools and programs available to students; the number and percentage of students enrolled in a CTE program; the number and percentage of students in a CTE program who engaged in a related internship; the number and percentage of students who applied to and enrolled in a CTE-designated high school; the number and percentage of students who, having completed a CTE program, subsequently completed a technical assessment, received a high school diploma, received industry credentials, enrolled in a 2- or 4-year college, or enrolled in a vocational program; the number of full-time and part-time certified CTE instructors; and the number of professional development trainings administered by the DOE relating to CTE instruction.

EFFECTIVE DATE: Immediately

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2026

FISCAL IMPACT STATEMENT:

	Effective FY25	FY Succeeding Effective FY26	Full Fiscal Impact FY26
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 requirements.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

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
Nicholas Connell, Committee Counsel, NYC Council Finance Division

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on March 19, 2024, as Proposed Int. No. 733 and referred to the Committee on Education (the Committee). The Committee heard the legislation at a hearing held on June 18, 2024, and the legislation was laid over. The legislation was subsequently amended, and the amended version, Proposed Int. No. 733-A, will be considered by the Committee on October 22, 2024. Upon majority affirmative vote by the Committee, Int. No. 733-A will be reported to the full Council for a vote on October 23, 2024.

DATE PREPARED: October 18, 2024.

(For text of Int. Nos. 771-A and 797-A and their Fiscal Impact Statements, please see the Report of the Committee on Education for Int. Nos. 771-A and 797-A, respectively, printed in these Minutes; for text of Int. No. 733-A, please see below)

Accordingly, this Committee recommends the adoption of Int. Nos. 733-A, 771-A, and 797-A.

(The following is the text of Int. No. 733-A:)

Int. No. 733-A

By Council Members Stevens, Gennaro, Riley, Nurse, Gutiérrez, Narcisse, De La Rosa, Louis, Farías, Salaam, Joseph, Schulman, Restler, Cabán, Lee, Hudson, Hanif, Ossé, Mealy and Paladino.

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 21 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.

Technical assessment. The term “technical assessment” has the same meaning as set forth in section 100.5 of title 8 of the New York codes, rules and regulations, regarding the elementary and secondary education school program, or a successor provision.

Vocational program. The term “vocational program” means an educational institution, other than a 2- or 4-year college, offering skilled training programs or certificates at the postsecondary level.

b. No later than April 30, 2025, and annually by April 30 thereafter, the chancellor shall submit to the mayor and the speaker of the council and post conspicuously on the department's website, a report for the preceding academic year which shall include, but need not be limited to, the following:

1. The 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 number of industry partners associated with the program; (vi) the school at which the program is located; (vii) whether the 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 annual attendance rate of students in the program;

2. For each school offering at least one CTE program, the number and percentage of age- or grade-eligible students enrolled in any such program;

3. Where such information is available, the number and percentage of students in a CTE program who engaged in a related (i) un-paid internship; and (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. For the cohort of students who entered ninth grade 4 years prior to the academic period being reported and the cohort of students who entered ninth grade 6 years prior to the academic period being reported, the number and percentage of students who (i) enrolled in a CTE program; (ii) completed the full sequence of courses for such program; (iii) completed a technical assessment; (iv) passed each individual component of the three-part technical assessment; (v) received a high school diploma; and (vi) received industry credentials;

8. For the cohort of students who entered ninth grade 6 years prior to the academic period being reported, the number and percentage of students who (i) enrolled in a 2- or 4-year college within 1 year of graduation; and (ii) enrolled in a vocational program within 1 year of graduation;

9. The number of designated full-time and part-time certified instructors providing instruction at each school with a CTE program; and for each CTE-designated high school, the ratio of full-time certified instructors to students at such school; and

10. 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 2 through 8 of subdivision b of this section shall be disaggregated by (i) race/ethnicity; (ii) gender; (iii) special education status; (iv) English language learner status; (v) eligibility for the free and reduced price lunch program; (vi) status as a student in temporary housing; (vii) status as a student in foster care; and (viii) 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.

RITA C. JOSEPH, Chairperson; ERIC DINOWIZ, JENNIFER GUTIÉRREZ, SHAHANA K. HANIF, KAMILLAH M. HANKS, SHEKAR KRISHNAN, LINDA LEE, FARAH N. LOUIS, MERCEDES NARCISSE, PIERINA A. SANCHEZ, LYNN C. SCHULMAN, ALTHEA V. STEVENS; 12-0-0; Absent: James F. Gennaro; Committee on Education, October 22, 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 Int. No. 771-A

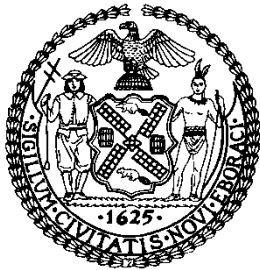
Report of the Committee on Education in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring distribution of information regarding interpretation and translation services.

The Committee on Education, to which the annexed proposed amended local law was referred on April 11, 2024 (Minutes, page 1651), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Education for Int. No. 733-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 771-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 INT. NO: 771-A

COMMITTEE: Education

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring the distribution of information regarding interpretation and translation services.

SPONSOR(S): By Council Members Lee, Ung, Krishnan, Joseph, Gennaro, Brewer, Won, Hudson, Zhuang, Louis, Schulman, Restler, Cabán, Narcisse and Hanif.

SUMMARY OF LEGISLATION: Proposed Int. No. 771-A (Int. 771-A) would require the Department of Education (DOE) to provide parents and schools with information about the interpretation and translation services DOE offers, including information on how to access such services and examples of how such services might be used, by February 15, 2025, and by September 15 in each academic year thereafter. Int. 771-A would require DOE to make the required materials available in English and in the 9 most common home languages of students enrolled in DOE schools.

EFFECTIVE DATE: Immediately

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2026

FISCAL IMPACT STATEMENT:

	Effective FY25	FY Succeeding Effective FY26	Full Fiscal Impact FY26
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 requirements.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

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
Nicholas Connell, Committee Counsel, NYC Council Finance Division

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on April 11, 2024, as Proposed Int. No. 771 and referred to the Committee on Education (the Committee). The Committee heard the legislation at a hearing held on June 18, 2024, and the legislation was laid over. The legislation was subsequently amended, and the amended version, Proposed Int. No. 771-A, will be considered by the Committee on October 22, 2024. Upon successful vote by the Committee, Int. No. 771-A will be reported to the full Council for a vote on October 23, 2024.

DATE PREPARED: October 18, 2024.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 771-A:)

Int. No. 771-A

By Council Members Lee, Ung, Krishnan, Joseph, Gennaro, Brewer, Won, Hudson, Zhuang, Louis, Schulman, Restler, Cabán, Narcisse, Hanif and Mealy.

A Local Law to amend the administrative code of the city of New York, in relation to requiring distribution of information regarding interpretation and translation services

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 36 to read as follows:

CHAPTER 36

DISTRIBUTION OF INFORMATION REGARDING INTERPRETATION AND TRANSLATION SERVICES

§ 21-1007 Distribution of information regarding interpretation and translation services. a. Definitions. As used in this chapter, the following terms have the following meanings:

Home language. The term “home language” means the language most frequently used in the student's home, as indicated by the response provided by the parent or person in parental relation on the home language questionnaire as that term is defined in section 154-2.2 of title 8 of the New York codes, rules and regulations, regarding services for English language learners, or a successor provision.

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

b. No later than February 1, 2025, and by September 15 in each academic year thereafter, the department shall distribute to each school, to be distributed to the parents of each student attending such school, the following information, in writing, in hard copy, or electronically if distribution of other similar documents occurs electronically, using plain and simple language:

- 1. The interpretation and translation services offered by the department to parents;*
- 2. Information on how to access such services;*
- 3. Examples of how such services may be used by parents, including, but not limited to, using such services to communicate with school staff and to obtain special education services for their student; and*
- 4. Any other information that the department determines could increase awareness and understanding of the availability and use of such services.*

c. The information required to be distributed pursuant to subdivision b of this section shall be made available in English, the 9 most common home languages of students enrolled in schools, and any additional languages as determined by the department.

§ 2. This local law takes effect immediately.

RITA C. JOSEPH, *Chairperson*; ERIC DINOWIZ, JENNIFER GUTIÉRREZ, SHAHANA K. HANIF, KAMILLAH M. HANKS, SHEKAR KRISHNAN, LINDA LEE, FARAH N. LOUIS, MERCEDES NARCISSE, PIERINA A. SANCHEZ, LYNN C. SCHULMAN, ALTHEA V. STEVENS; 12-0-0; *Absent*: James F. Gennaro; Committee on Education, October 22, 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 Int. No. 797-A

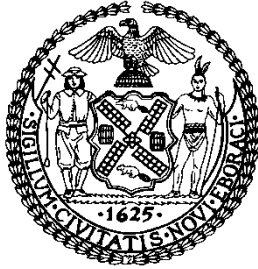
Report of the Committee on Education in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to reporting on student clubs and organizations.

The Committee on Education, to which the annexed proposed amended local law was referred on April 11, 2024 (Minutes, page 1715), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Education for Int. No. 733-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 797-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 INT. NO: 797-A

COMMITTEE: Education

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to reporting on student clubs and organizations.

SPONSOR(S): By Council Members Stevens, Narcisse, Banks, Louis, Joseph, Brooks-Powers, Restler, Hanif (by request of the Bronx Borough President).

SUMMARY OF LEGISLATION: Proposed Int. No. 797-A would require the Department of Education (DOE) to report, by March 31, 2025, and annually thereafter, a list of all student clubs and organizations at each school. This legislation would require DOE to report on the types of faculty advisor for each club or organization, for example, whether that advisor be a teacher or a para-professional. Finally, this legislation would require DOE to report if any student club or organization has authorization to conduct its activities off school grounds.

EFFECTIVE DATE: Immediately

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2026

FISCAL IMPACT STATEMENT:

	Effective FY25	FY Succeeding Effective FY26	Full Fiscal Impact FY26
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 requirements.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

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
Nicholas Connell, Committee Counsel, NYC Council Finance Division

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on April 11, 2024, as Int. No. 797 and referred to the Committee on Education (the Committee). The Committee heard the legislation at a hearing held on June 18, 2024, and the legislation was laid over. The legislation was subsequently amended, and the amended version, Proposed Int. No. 797-A, will be considered by the Committee on October 22, 2024. Upon majority affirmative vote by the Committee, Proposed Int. No. 797-A will be reported to the full Council for a vote on October 23, 2024.

DATE PREPARED: October 18, 2024.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 797-A:)

Int. No. 797-A

By Council Members Stevens, Narcisse, Banks, Louis, Joseph, Brooks-Powers, Restler, Hanif and Mealy (by request of the Bronx Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to reporting on student clubs and organizations

Be it enacted by the Council as follows:

Section 1. The administrative code of the city of New York is amended by adding a new chapter 37 to title 21-A to read as follows:

**CHAPTER 37
REPORTING ON STUDENT CLUBS AND ORGANIZATION**

§ 21-1008 Reporting on student clubs and organizations. No later than March 31, 2025, and annually thereafter, the chancellor shall submit to the speaker of the council and post on the department's website a report for the current academic year regarding the status of student clubs and organizations at each school. The report shall contain the following information for each school:

1. A list of all student clubs and organizations, as outlined in chancellor's regulation A-601, or successor regulations related to student clubs and organizations;
2. For each student club and organization identified in paragraph 1 of this section, the type of licensed department pedagogical employee serving as faculty advisor; and
3. For each student club and organization identified in paragraph 1 of this section, whether such student club or organization has authorization to conduct activities off school property.

§ 2. This local law takes effect immediately.

RITA C. JOSEPH, *Chairperson*; ERIC DINOWIZ, JENNIFER GUTIÉRREZ, SHAHANA K. HANIF, KAMILLAH M. HANKS, SHEKAR KRISHNAN, LINDA LEE, FARAH N. LOUIS, MERCEDES NARCISSE, PIERINA A. SANCHEZ, LYNN C. SCHULMAN, ALTHEA V. STEVENS; 12-0-0; *Absent*: James F. Gennaro; Committee on Education, October 22, 2024.

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

Report of the Committee on Finance

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

Report for Res. No. 622

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

The Committee on Finance, to which the annexed preconsidered resolution was referred on October 23, 2024, respectfully

REPORTS:

Introduction. The Council of the City of New York (the “Council”) annually adopts the City’s budget covering expenditures other than for capital projects (the “expense budget”) pursuant to Section 254 of the Charter. On June 30, 2024, the Council adopted the expense budget for fiscal year 2025 with various programs and initiatives (the “Fiscal 2025 Expense Budget”).

Analysis. In an effort to continue to make the budget process more transparent, the Council is providing a list setting forth new designations and/or changes in the designation of certain organizations receiving funding in accordance with the Fiscal 2025 Expense Budget (“Charts”).

This Resolution, dated October 23, 2024, approves the new designations and the changes in the designation of certain organizations receiving funding for certain initiatives in accordance with the Fiscal 2025 Expense Budget. All new designations and changes in designations are as described in the attached Charts and the Resolution text.

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

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

Description of Above-captioned Resolution. In the above-captioned Resolution, the Council would approve the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2025 Expense Budget. Such Resolution would take effect as of the date of adoption.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 622:)

Preconsidered Res. No. 622

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

By Council Member Brannan.

Whereas, On June 30, 2024, the Council of the City of New York (the “City Council”) adopted the expense budget for Fiscal Year 2025 with various programs and initiatives (the “Fiscal 2025 Expense Budget”); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2025 Expense Budget by approving the new designations and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; now, therefore, be it

Resolved, That the City Council approves the new designations of certain organizations receiving funding pursuant to the Crisis Management System Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Hate Crimes Prevention Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Initiative to Combat Sexual Assault in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Pride At Work Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Community Land Trust Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Financial Empowerment for NYC’s Renters Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Ending the Epidemic Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Trauma Recovery Centers Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Adult Literacy Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 9.

(For text of the Exhibit Charts, please refer to the attachments section of [the Res. No. 622 of 2024 file](https://council.nyc.gov) in the legislation section of the New York City Council website at <https://council.nyc.gov>)

AMANDA C. FARÍAS, *Acting Chairperson*; DIANA I. AYALA, FRANCISCO P. MOYA, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, GALE A. BREWER, KAMILLAH M. HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA A. SANCHEZ, ALTHEA V. STEVENS, NANTASHA M. WILLIAMS, DAVID M. CARR; 13-0-0; *Absent*: Council Members Justin L. Brannan, Keith Powers, Yusef Salaam and Julie Won; Committee on Finance, October 23, 2024.

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

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

Report for Res. No. 623

Report of the Committee on Finance in favor of approving a Resolution to determine a 0.9 percent increase of the current base proportion of any class of real property over the adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion for Fiscal 2025.

The Committee on Finance, to which the annexed preconsidered resolution was referred on October 23, 2024, respectfully

REPORTS:

Introduction. Section 1803-b(1)(b) of the Real Property Tax Law (RPTL) requires the New York City Council (Council) to certify the adjusted base proportion for each of the four real property classes in New York City to the New York City Commissioner of Finance and the New York State Commissioner of Taxation and Finance.

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

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

Section 1803-a(1)(c) of the RPTL imposes a limit on the share of the tax levy allocated to any class. Specifically, section 1803-a(1)(c) requires that the current base proportion of any class of real property not exceed the adjusted base proportion of the immediately preceding year by more than five percent. Where the prescribed formulas would yield such excess, the current base proportion of such class or classes shall be limited to such five percent increase, and the Council must alter the current base proportions of any or all of the remaining classes so that the sum of the current base proportions equals one.

However, Chapter 210 of the State Laws of 2024 codified an exception to section 1803-a(1)(c),¹ authorizing the Council to adjust this limit for Fiscal 2025, provided that the limit be no more than five percent, and provided that such determination be made prior to November 1, 2024.

For Fiscal 2025, the City Council is authorized to set a limit of 0.9 percent of the current base proportion of any class over the adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 623:)

Preconsidered Res. No. 623

Resolution to determine a 0.9 percent increase of the current base proportion of any class of real property over the adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion for Fiscal 2025.

By Council Member Brannan.

Whereas, The Real Property Tax Law (RPTL) sets forth provisions for allocating real property taxes among classes of real property; and

Whereas, Section 1803-b(1)(b) of the RPTL requires the New York City Council (Council) to certify the adjusted base proportion for each of the four real property classes in New York City to the New York City Commissioner of Finance and the New York State Commissioner of Taxation and Finance; and

Whereas, Pursuant to section 1803-a(5) of the RPTL, the adjusted base proportion for each such class shall be computed using the current base proportion, as calculated pursuant to section 1803-a(1)(b) of the RPTL; and

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

Whereas, Despite the default requirements of section 1803-a(1)(c) of the RPTL, pursuant to Chapter 210 of the State Laws of 2024, which codified section 1803-a(1)(mm), the Council is authorized to adjust the Class Share Cap by changing the percent increase of the current base proportion of any class over its adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion, provided that such percent increase shall be no more than five percent, and provided further that such determination must be made by November 1, 2024; and

Whereas, A limit of a 0.9 percent increase of the current base proportion of any class over the adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion for Fiscal 2025 is authorized under the RPTL; now, therefore, be it

Resolved, That the Council of the City of New York determines a 0.9 percent increase of the current base proportion of any class of real property over the adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion for Fiscal 2025.

AMANDA C. FARÍAS, *Acting Chairperson*; DIANA I. AYALA, FRANCISCO P. MOYA, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, GALE A. BREWER, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA A. SANCHEZ, ALTHEA V. STEVENS, NANTASHA M. WILLIAMS; 11-2-0; *Negative*: Kamillah M. Hanks and David M. Carr; *Absent*: Justin L. Brannan, Keith Powers, Yusef Salaam and Julie Won; Committee on Finance, October 23, 2024.

¹ Real Property Tax Law § 1803-a(1)(mm).

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

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

Report for Res. No. 624

Report of the Committee on Finance in favor of approving a Resolution to amend and restate the resolution computing and certifying base percentage, current percentage, and current base proportion of each class of real property for Fiscal 2025 to the State Board of Real Property Tax Services pursuant to Section 1803-a of the Real Property Tax Law.

The Committee on Finance, to which the annexed preconsidered resolution was referred on October 23,, 2024, respectfully

REPORTS:

Introduction. Section 1803-a of the Real Property Tax Law (RPTL) requires the New York City Council (Council) to certify a set of calculations prescribed by State law and regulations to determine the Class Shares for the upcoming fiscal year's levy. Class Shares refer to the proportion of the levy payable by each of the City's four classes of real property. The RPTL requires two certifications from the Council in order that Class Shares may be finalized. Passage of the above-captioned resolution would constitute the first certification by setting the Current Base Proportions (CBP). Certifying the CBPs sets the general baseline for the Class Shares by updating the final Class Shares from the previous year to reflect fluctuations in Market Values between the assessment roll for the base period, 1989, and the latest roll for which the State Board of Real Property Tax Services (SBRPTS) has established class equalization rates, 2023.

A separate, companion resolution would constitute the second required certification to set the Adjusted Base Proportions (ABP). The ABPs are like the CBPs, except that they include alterations to the proportions that comply with rules governing how the Class Shares respond to physical property changes like construction and demolition, and changes in tax class status.¹

The CBP and ABP Resolutions were originally adopted by the Council on June 30, 2024. However, since then, Section 1803-a of the Real Property Tax Law was amended by adding a new paragraph (mm) of subdivision 1 of such section, authorizing the City to amend the process used in the CBP resolution to compute the current base proportions. Pursuant to State law, the Council will vote on October 23, 2024 to amend this process, and concurrently, the Council will vote to amend and restate the CBP Resolution to reflect this updated process.

See Exhibit A for definitions of terms used in the analysis below.

Analysis. This year, changes in market values and the State's class equalization rates described above produce a prospective CBP balance that increases the proportion payable by Class 1 from last year, and decreases the proportions for Classes 2, 3, and 4. Refer to Column R of SBRPTS Form RP-6700 attached to the above-captioned resolution.

Pursuant to Section 1803-a(1)(c) of the Real Property Tax Law, if the increase in any class exceeds the State-mandated Class Shares Cap, the Council is directed to shift the excess (and only the excess) to any other class or classes so long as the shift does not cause the CBP of any other class to increase above the cap. The default

¹ The alterations to the CBPs required by the State are designed to separate the effects of physical changes from equalization changes made by local assessors.

cap is 5 percent, but with approval from the State, the Council may select a cap lower than 5 percent. When the Council adopted the Fiscal 2025 budget, it set tax rates subject to the default Class Shares Cap. The Governor subsequently signed legislation allowing the Council select a lower Class Shares Cap, and on October 23, 2024, the Council will consider a resolution to determine to amend the tax rates subject to a Class Shares Cap of 0.9 percent (Class Shares Cap Resolution).

Only Class 1 exceeds a 0.9 percent Class Shares Cap. Contingent on passage of the Class Shares Cap Resolution, this amended and restated CBP resolution would shift the excess proportion from Class 1 to Classes 3 and 4. The chart below outlines how shifting the excess Class 1 proportion alters the finalized CBPs.

Class	Percent Change Before Shifting Excess to Classes 3 & 4	Percent Change After Shifting Excess to Classes 3 & 4
1	+ 27.6	+ 0.9
2	- 2.1	- 0.5
3	- 12.5	+ 0.9
4	- 5.7	0.0

As mentioned before, the SBRPTS requires a second certification that establishes the finalized Class Shares, or ABP. The proportions derived in the ABP certification, if passed in a companion resolution, become the final proportions of the levy payable by each of the City's four tax classes in Fiscal 2025.

EXHIBIT A

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

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

"Current percentage" is similar to the base percentage, but applies to the most recent year for which the SBRPTS has established class equalization rates (in this case, the Calendar Year 2023 assessment roll).

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

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

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 624:)

Preconsidered Res. No. 624

Resolution to amend and restate the resolution computing and certifying base percentage, current percentage, and current base proportion of each class of real property for Fiscal 2025 to the State Board of Real Property Tax Services pursuant to Section 1803-a of the Real Property Tax Law.

By Council Member Brannan.

Whereas, On February 20, 2023, the State Board of Real Property Tax Services (SBRPTS) certified the final State equalization rate, class ratios, and class equalization rates for the City's 2023 assessment rolls; and

Whereas, Section 1803-a(1) of the Real Property Tax Law requires the Council to compute and certify to the SBRPTS, for each tax levy, the base percentage, the current percentage, and the current base proportion of each class of real property in the City subsequent to the date on which the SBRPTS files with the Clerk of the Council a certification setting forth the final state equalization rate, class ratios, and class equalization rates for the City's Fiscal 2025 assessment rolls, pursuant to Section 1212 of the Real Property Tax Law; and

Whereas, On June 30, 2024, the Council adopted a resolution computing and certifying the base percentage, current percentage, and current base proportion of each class of real property for Fiscal 2025 to the SBRPTS pursuant to Section 1803-a of the Real Property Tax Law (the "June 30th Resolution"); and

Whereas, The June 30th Resolution reflects a five percent limit on any increase in the current base proportion for any class of real property, as compared with the previous year's adjusted base proportion; and

Whereas, After the adoption of the June 30th Resolution, Section 1803-a of the Real Property Tax Law was amended by Chapter 210 of the State Laws of 2024, which codified Section 1803-a(1)(mm), to authorize the Council to adjust the limit on the percent increase of the current base proportion of any class over its adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion, provided that such limit shall be no more than five percent, and provided further that such determination must be made by November 1, 2024; and

Whereas, A limit of a 0.9 percent increase of the current base proportion of any class over the adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion for Fiscal 2025 is authorized under Section 1803-a(1)(mm) of the Real Property Tax Law;

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

Section 1. Computation and Certification of Base Percentages, Current Base Percentages and Current Base Proportions for Fiscal 2024. (a) The Council hereby computes and certifies the base percentage, the current percentage, and the current base proportion for the City's Fiscal 2025 assessment rolls as shown on SBRPTS Form RP-6700, attached hereto as Exhibit A and incorporated herein by reference (the "CBP Certificate").

(b) The Clerk of the Council is hereby authorized and directed to execute the CBP Certificate and to file it with the SBRPTS after the date on which the SBRPTS filed with the Clerk of the Council a certification setting forth the final state equalization rate, class ratios, and class equalization rates for the City's Fiscal 2025 assessment rolls, pursuant to Section 1212 of the Real Property Tax Law.

Section 2. Effective Date. This resolution takes effect on the same date as a resolution by the Council determining a 0.9 percent increase of the current base proportion of any class of real property over the adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion for Fiscal 2025 takes effect.

ATTACHMENT: Exhibit A - the CBP Certificate

(For text of Exhibit A Chart, known as the "CBP Certificate", please refer to the legislation section of the New York City Council website <https://council.nyc.gov> and search in the attachments section of [the Res. No. 624 of 2024 file](#))

AMANDA C. FARÍAS, *Acting Chairperson*; DIANA I. AYALA, FRANCISCO P. MOYA, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, GALE A. BREWER, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA A. SANCHEZ, ALTHEA V. STEVENS, NANTASHA M. WILLIAMS; 11-2-0; *Negative*: Kamillah M. Hanks and David M. Carr; *Absent*: Justin L. Brannan, Keith Powers, Yusef Salaam and Julie Won; Committee on Finance, October 23, 2024.

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

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

Report for Res. No. 625

Report of the Committee on Finance in favor of approving a Resolution to amend and restate the resolution computing and certifying adjusted base proportion of each class of real property for Fiscal 2025 to the State Board of Real Property Tax Services pursuant to Section 1803-a of the Real Property Tax Law.

The Committee on Finance, to which the annexed preconsidered resolution was referred on October 23, 2024, respectfully

REPORTS:

Introduction. The above-captioned resolution is intended to complete the two-step certification required by Section 1803-a of the Real Property Tax Law to establish the Class Shares for Fiscal 2025. Class Shares refer to the proportion of the levy payable by each of the City's four classes of real property.

Via separate resolution, the Council would certify the Current Base Proportions (CBP) for Fiscal 2025 (the "CBP Resolution"). The above-captioned resolution would adjust the CBPs based on updated data made available upon the release of the Final Assessment Roll by the New York City Department of Finance on May 24, 2024. The final set of proportions certified in the above-referenced resolution establishes the Adjusted Base Proportions (ABP), or final Class Shares.

Computing and certifying the CBPs sets the general baseline for the Class Shares by updating the Class Shares from the previous year to reflect fluctuations in Market Values between the assessment roll for the base period, 1989, and the latest roll for which SBRPTS has established class equalization rates, 2023. The above-captioned resolution would alter the certified CBPs to comply with State law and regulation governing the effect on Class Shares from physical property changes like construction and demolition, and changes in tax class status.¹ The result of these alterations to the CBPs is the ABPs, or final Class Shares.

CBP and ABP Resolutions for Fiscal 2025 were adopted by the Council on June 30, 2024. However, since then, Section 1803-a of the Real Property Tax Law was amended, authorizing the City to amend the process used to compute the current base proportions for Fiscal 2025. Pursuant to this amendment to State law, the Council will consider a resolution on October 23, 2024, to amend this process, and concurrently, the Council will consider a resolution to amend and restate the June 30, 2024, CBP Resolution to reflect this updated process.

Accordingly, the above-captioned resolution would amend and restate the June 30, 2024, ABP Resolution to reflect the changes in the proposed October 23, 2024, CBP Resolution.

¹ The alterations to the CBPs required by the SBRPTS are designed to separate the effects of physical changes from equalization changes made by local assessors.

Analysis. The calculations shown on the SBRPTS Form RP-6702, attached to the above-captioned resolution, modify the share for each class to reflect the impact of physical changes on proportions of the levy payable by each tax class. For Fiscal 2025, the total value of assessments in each tax class undergoes a slight fluctuation caused by physical changes to property, which alters the proportion of the levy payable by each class. The Fiscal 2025 ABPs decrease relative to the Fiscal 2025 CBPs for all classes except for Class 3. Table 1 below provides the breakdown of changes between the Fiscal 2025 CBPs and ABPs. Tables 2 and 3 provide the year-to-year changes in the ABPs and tax rates, respectfully.

Table 1

Comparison of Fiscal 2025 CBPs and ABPs			
Class	CBP	ABP	Change
1	14.5457	14.3073	- 0.2384
2	39.1820	39.1426	- 0.0394
3	7.5856	8.0082	+ 0.4226
4	38.6867	38.5419	- 0.1448
Total	100.0000	100.0000	

Table 2

Comparison of Class Shares for Fiscal 2024 and Fiscal 2025			
Class	Fiscal 2024	Fiscal 2025	Percent Change
1	14.4160	14.3073	- 0.8
2	39.3886	38.1426	- 0.6
3	7.5211	8.0082	+ 6.5
4	38.6743	38.5419	- 0.3
Total	100.0000	100.0000	

Table 3

Comparison of Tax Rates for Fiscal 2024 and Fiscal 2025 (Per \$100 Assessed Value)			
Class	Fiscal 2024	Fiscal 2025	Percent Change
1	\$20.085	\$20.085	0.0
2	12.502	12.500	0.0
3	12.094	11.181	- 7.5
4	10.592	10.762	+ 1.6

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 625:)

Preconsidered Res. No. 625

Resolution to amend and restate the resolution computing and certifying adjusted base proportion of each class of real property for Fiscal 2025 to the State Board of Real Property Tax Services pursuant to Section 1803-a of the Real Property Tax Law.

By Council Member Brannan.

Whereas, On May 24, 2024, pursuant to Section 1514 of the New York City Charter, the Commissioner of Finance delivered to the New York City Council (Council) the certified assessment rolls for all real property assessable for taxation in the City in each borough thereof for Fiscal 2025, a certified copy of which is in the Office of the Clerk of the City pursuant to Section 516 of the Real Property Tax Law (the "Fiscal 2025 Assessment Rolls"); and

Whereas, On June 30, 2024, the Council passed a resolution to compute and certify the current base proportion, the current percentage, and the base percentage of each class of real property in the City for Fiscal 2025 pursuant to Section 1803-a(1) of the Real Property Tax Law (the "Current Base Proportion Resolution"); and

Whereas, Section 1803-a(5) of the Real Property Tax Law requires the Council, subsequent to the filing of the final Fiscal 2025 Assessment Rolls, to adjust current base proportions to reflect additions to and removals from the Fiscal 2025 Assessment Rolls as described therein (each such current base proportion so adjusted to be known as an "Adjusted Base Proportion"); and

Whereas, Within five days upon determination of the Adjusted Base Proportions, Section 1803-a(6) of the Real Property Tax Law, requires the Council to certify the Adjusted Base Proportion for each class of real property applicable to the City, the assessed value of all property in each class of real property, the net change in assessed value for each class on the Fiscal 2025 Assessment Rolls resulting from the additions to or removals from the Fiscal 2025 Assessment Rolls as described above, and the net change in assessed value for each class on the Fiscal 2025 Assessment Rolls resulting from changes other than those referred to above; and

Whereas, After the June 30, 2024, passage of the Current Base Proportion Resolution, Section 1803-a of the Real Property Tax Law was amended by Chapter 210 of the State Laws of 2024 by adding a new paragraph

(mm) to subdivision 1 of such section, authorizing the Council to adjust the limit on the percent increase of the current base proportion of any class over its adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion, provided that such limit shall be no more than five percent, and provided further that such determination must be made by November 1, 2024; and

Whereas, A resolution to determine a 0.9 percent increase of the current base proportion of any class over the adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion for Fiscal 2025 is authorized under Section 1803-a(1)(mm) and pending in the Council (the “Class Share Cap Resolution”);

Whereas, A resolution to amend and restate the Current Base Proportion Resolution computing and certifying the base percentage, current percentage, and current base proportion of each class of real property for Fiscal 2025, based upon the determination set forth in the Class Share Cap Resolution, is pending in the Council;

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

Section 1. Computation and Certification of Adjusted Base Proportions and Related Information for Fiscal 2025. (a) The Council hereby computes and certifies the Adjusted Base Proportion for each class of real property applicable to the City, the assessed value of all property in each class of real property, the net change in assessed value for each class on the Fiscal 2025 Assessment Rolls resulting from the additions to or removals from the Fiscal 2024 Assessment Rolls as described in Section 1803-a(5) of the Real Property Tax Law, and the net change in assessed value for each class on the Fiscal 2025 Assessment Rolls resulting from changes other than those described in Section 1803-a(5) of the Real Property Tax Law, as shown on SBRPTS Form RP-6702, attached hereto as Exhibit A and incorporated herein by reference (the “ABP Certificate”).

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

Section 2. Effective Date. This resolution takes effect on the same date as a resolution by the Council determining a 0.9 percent increase of the current base proportion of any class of real property over the adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion for Fiscal 2025 takes effect.

ATTACHMENT: Exhibit A - the ABP Certificate

(For text of Exhibit A Chart, known as the “ABP Certificate”, please refer to the legislation section of the New York City Council website at <https://council.nyc.gov> and search in the attachments section of the Res. No. 625 of 2024 file)

AMANDA C. FARÍAS, *Acting Chairperson*; DIANA I. AYALA, FRANCISCO P. MOYA, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, GALE A. BREWER, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA A. SANCHEZ, ALTHEA V. STEVENS, NANTASHA M. WILLIAMS; 11-2-0; *Negative*: Kamillah M. Hanks and David M. Carr; *Absent*: Justin L. Brannan, Keith Powers, Yusef Salaam and Julie Won; Committee on Finance, October 23, 2024.

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

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

Report for Res. No. 626

REPORT OF THE COMMITTEE ON FINANCE IN FAVOR OF APPROVING A RESOLUTION AMENDING AND RESTATING THE RESOLUTION TO PROVIDE THE AMOUNTS NECESSARY FOR THE SUPPORT OF THE GOVERNMENT OF THE CITY OF NEW YORK AND THE COUNTIES THEREIN AND FOR THE PAYMENT OF INDEBTEDNESS THEREOF, FOR RESOLUTION AMENDING AND RESTATING THE RESOLUTION TO PROVIDE THE AMOUNTS NECESSARY FOR THE SUPPORT OF THE GOVERNMENT OF THE CITY OF NEW YORK AND THE COUNTIES THEREIN AND FOR THE PAYMENT OF INDEBTEDNESS THEREOF, FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2024 AND ENDING ON JUNE 30, 2025 BY THE LEVY OF TAXES ON THE REAL PROPERTY IN THE CITY OF NEW YORK, IN ACCORDANCE WITH THE PROVISIONS OF THE CONSTITUTION OF THE STATE OF NEW YORK, THE REAL PROPERTY TAX LAW AND THE CHARTER OF THE CITY OF NEW YORK.

The Committee on Finance, to which the annexed preconsidered resolution was referred on October 23, 2024, respectfully

REPORTS:

Introduction. On April 24, 2024, the Mayor submitted the executive budget for Fiscal 2025 to the Council pursuant to Section 249 of the Charter. On June 30, 2024, the Council adopted the budget for Fiscal 2025 pursuant to Section 254 of the Charter (the "Fiscal 2024 Budget"). Pursuant to Section 1516 of the Charter, the Council must fix the annual real property tax rates immediately upon such approval of the Fiscal 2025 Budget. On June 30, 2024, by resolution, the Council fixed the real property tax rates for Fiscal 2025 (the "Tax Fixing Resolution") and authorized the levy of real property taxes for Fiscal 2025.

After the final adoption of the City's Fiscal 2025 Budget, the Governor signed into law Chapter 210 of the Laws of New York of 2024 ("Chapter 210"). Chapter 210 adds a new paragraph (mm) to subdivision 1 of section 1803-a of the Real Property Tax Law, allowing the City of New York to alter the cap on the maximum allowable growth rate in the proportion of the overall levy assigned to any particular tax class ("Class Shares Cap"), so long as the growth does not exceed 5 percent. Pursuant to this amendment to State law, the Council will vote on October 24, 2024 to lower the Class Share Cap to 0.9 percent.

Subsequently, the Council will adopt resolutions amending and restating both the Current Base Proportions and Adjusted Base Proportions to reflect a 0.9 percent Class Shares Cap. Finally, it will then vote on the above-captioned resolution to amend and restate real property tax rates for Fiscal 2025 (the "Amended and Restated Tax Fixing Resolution"), and authorize the levy of real property taxes for Fiscal 2025.

Determining the Amount of the Real Property Tax Levy. In the Tax Fixing Resolution, the Council determines the amount of the real property tax levy for Fiscal 2025, pursuant to the provisions of Section 1516 of the Charter, in the following manner. First, the Council acknowledges the amount of the Fiscal 2025 Budget to be \$112,431,582,240 as set forth in the communication from the Mayor pursuant to Section 1515(a) of the Charter (the "Fiscal 2025 Budget Amount"). The Council then acknowledges the estimate of the probable amount of all non-property tax revenues to be \$78,267,582,240 as set forth in the communication from the Mayor pursuant to Section 1515(a) of the Charter (the "Fiscal 2025 Revenue Estimate"). (Attached hereto as Exhibit A is an itemization of the Fiscal 2025 Revenue Estimate, detailing all sources of revenues exclusive of real property taxes.) Finally, pursuant to Section 1516 of the Charter, the Council determines the net amount required to be raised by tax on real property to be \$34,164,000,000 by subtracting the amount of the Fiscal 2025 Revenue Estimate from the Fiscal 2025 Budget Amount.

In order to achieve a real property tax yield of \$34,164,000,000, the Council determines that that a real property tax levy of \$36,862,290,588 is required for Fiscal 2025. The levy amount accounts for the provision for uncollectible taxes and refunds, as well as the collection of prior year levies, equal in the aggregate to \$2,698,290,588. Such amount, levied at rates on the classes of real property as further described below will produce a balanced budget within generally accepted accounting principles for municipalities.

The Council also provides for the application of the real property tax levy (net of provision for uncollectible taxes and refunds and collection of levies from prior years) to (1) debt service not subject to the constitutional operating limit, (2) debt service subject to the constitutional operating limit and (3) the Fiscal 2025 Budget in excess of the amount of the Fiscal 2025 Revenue Estimate.

Authorizing and Fixing the Real Property Tax Rates. After having determined the amount of the real property tax levy, the Council authorizes and fixes the real property tax rates. On May 24, 2024, the Commissioner of the Department of Finance (the "Commissioner") delivered the certified assessment rolls for all real property assessable for taxation in the City in each borough thereof for Fiscal 2025 to the Council, pursuant to Section 1514 of the Charter (the "Fiscal 2025 Assessment Rolls"). On June 30, 2024 the Council adopted a resolution in which the Council computed and certified the current base proportion, the current percentage and the base percentage of each class of real property in the City for Fiscal 2025 (the "Current Base Proportion Resolution"), pursuant to Section 1803-a(1) of the Real Property Tax Law. On June 30, 2024, pursuant to Section 1803-a (5) of the Real Property Tax Law, the Council adopted a resolution in which the Council adjusted the current base proportions of each class of real property in the City for Fiscal 2025, to reflect the additions to, and full or partial removal from, the Fiscal 2025 Assessment Rolls (the "Adjusted Base Proportion Resolution").

The following sections describe the determinations the Council must make before it fixes the real property tax rates and the process by which the Council fixes the real property tax rates:

Assessed Valuation Calculations. In the Tax Fixing Resolution, the Council sets out the assessed valuation calculations of taxable real property in the City by class within each borough of the City. Next, the Council sets out the assessed valuation by class of real property for the purpose of taxation in each borough of the City.

Compliance with Constitutional Operating Limit Provisions. In the Tax Fixing Resolution, the Council also provides evidence of compliance with constitutional operating limit provisions. The Council determines that the amount to be levied by tax on real property for the Fiscal 2025 Budget does not exceed the limit imposed by Section 10, Article VIII of the Constitution of the State of New York, as amended, and Article 12-A of the Real Property Tax Law (the "Operating Limit Provisions"). The Operating Limit Provisions require that the City not levy taxes on real property in any fiscal year in excess of an amount equal to a combined total of two and one-half percent (2 ½%) of the average full valuation of taxable real property in the City, determined by taking the assessed valuations of taxable real property on the last completed assessment roll and the four preceding assessment rolls of the City and applying thereto the special equalization ratio which such assessed valuations of each such roll bear to the full valuations as fixed and determined by the State Office of Real Property Tax Services ("ORPTS"), minus (i) the amount to be raised by tax on real property in such year for the payment of the interest on and the redemption of certificates of other evidence of indebtedness described in the Constitution and (ii) the aggregate amount of business improvement district charges exclusive of debt service. (Attached hereto as Exhibit B is an itemization of net reductions of the amounts to be raised by the Fiscal 2025 tax levy as authorized by New York State law for purposes of the Operating Limit determination.)

Adjusted Base Proportions. The Tax Fixing Resolution sets forth the adjusted base proportions for Fiscal 2025, pursuant to the Adjusted Base Proportion Resolution, to be used in determining the Fiscal 2025 tax rates for the four classes of property.

Tax Rates on Adjusted Base Proportions. Finally, in the Tax Fixing Resolution, the Council authorizes and fixes, pursuant to Section 1516 of the Charter, the rates of tax for Fiscal 2025 by class upon each dollar of

assessed valuation of real property subject to taxation for all purposes of, and within, the City, as fixed in cents and thousandths of a cent per dollar of assessed valuation, as follows:

All One-, Two- and Three-Family Residential Real Property	0.20085
All Other Residential Real Property	0.12500
Utility Real Property	0.11181
All Other Real Property	0.10762

(Attached hereto as Exhibit C is a history of the tax rates by fiscal year).

Authorization of the Levy of Property Taxes for Fiscal 2025. The Council authorizes and directs the Commissioner, pursuant to Section 1517 of the Charter, to set down in the Fiscal 2025 Assessment Rolls, opposite to the several sums set down as the valuation of real property, the respective sums to be paid as a tax thereon and add and set down the aggregate valuations of real property in the boroughs of the City and send a certificate of such aggregate valuation in each such borough to the State Comptroller. The Tax Fixing Resolution then requires the City Clerk to procure the proper warrants, in the form attached thereto, such warrants to be signed by the Public Advocate and counter-signed by the City Clerk.

The Tax Fixing Resolution would take effect as of the date of adoption of the Fiscal 2025 Budget.

(For text of Exhibits A, B, and C, please refer to the attachment section to [the Res. No. 626 of 2024 file](#) of the New York City Council website at <https://council.nyc.gov>)

Accordingly, the Committee on Finance recommends adoption of the Tax Fixing Resolution.

(The following is the text of Res. No. 626;)

Res. No. 626

By Council Member Brannan.

RESOLUTION AMENDING AND RESTATING THE RESOLUTION TO PROVIDE THE AMOUNTS NECESSARY FOR THE SUPPORT OF THE GOVERNMENT OF THE CITY OF NEW YORK AND THE COUNTIES THEREIN AND FOR THE PAYMENT OF INDEBTEDNESS THEREOF, FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2024 AND ENDING ON JUNE 30, 2025 BY THE LEVY OF TAXES ON THE REAL PROPERTY IN THE CITY OF NEW YORK, IN ACCORDANCE WITH THE PROVISIONS OF THE CONSTITUTION OF THE STATE OF NEW YORK, THE REAL PROPERTY TAX LAW AND THE CHARTER OF THE CITY OF NEW YORK.

(For text of Res No. 626 of 2024, please refer to the search legislation section of the New York City Council website at <https://council.nyc.gov> for [the Res. No. 626 of 2024 file](#))

AMANDA C. FARÍAS, *Acting Chairperson*; DIANA I. AYALA, FRANCISCO P. MOYA, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, GALE A. BREWER, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA A. SANCHEZ, ALTHEA V. STEVENS, NANTASHA M. WILLIAMS; 11-2-0; *Negative*: Kamillah M. Hanks and David M. Carr; *Absent*: Justin L. Brannan, Keith Powers, Yusef Salaam and Julie Won; Committee on Finance, October 23, 2024.

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

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

Report for L.U. No. 182

Report of the Committee on Finance in favor of a Resolution approving Joseph Belsky House: Block 5423, Lots 6, 9 and 14, Brooklyn, Community District No. 14, Council District No. 40.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on October 23, 2024 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

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

THE COUNCIL OF THE CITY OF NEW YORK

October 23, 2024

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

FROM: Michael Twomey, Assistant Counsel, Finance Division
Nicholas Connell, Counsel, Finance Division

RE: Finance Committee Agenda of October 23, 2024 – Resolution approving tax exemptions for three Land Use items (Council Districts 40, 2, 9)

1. Joseph Belsky House

A new partial 40-year Article XI for preservation of one building in Council Member Joseph's district. The building contains 74 units – 5 studios, 63 one-bedrooms, and 6 two-bedrooms including a superintendent unit. The building originally had an Article XI granted in 1979 which expired in 2020, and HPD requests this Article XI to run retroactive to 2020 to fill the gap. As part of the resolution, the building will impose a 50% AMI cap, set 30% of units aside for homeless tenants, implement capital repairs and Aging-in-Place improvements, and install solar panels pending a successful feasibility analysis.

Summary:

- Borough – Brooklyn
- Block 5423, Lots 6, 9, 14
- Council District – 40
- Council Member – Joseph
- Council Member approval – Yes
- Number of buildings – 1
- Number of units – 74 residential
- Type of exemption – Article XI, partial, 40 years
- Population – Rental

- Sponsors – Adapt Community Network
- Purpose – preservation
- Cost to the city – \$1.59 million (net present value)
- Housing Code Violations
 - Class A – 9
 - Class B – 12
 - Class C – 10

Anticipated AMI Targets: 50% AMI for all units

2. Cathedral Parkway

A new partial 40-year Article XI exemption for seven buildings in Council Member Salaam's district. The buildings collectively contain 93 units – 3 studios, 46 one-bedrooms, 23 two-bedrooms, 19 three-bedrooms, and 2 superintendent units. As part of the exemption, the buildings will complete capital work under an identified physical needs assessment and implement HPD's Aging-in-Place upgrades.

Summary:

- Borough – Manhattan
- Block 1826, Lots 44, 46; Block 1828, Lots 60, 61; Block 1829, Lot 9; Block 1831, Lots 12, 116
- Council District – 9
- Council Member – Salaam
- Council Member approval – Yes
- Number of buildings – 7
- Number of units – 93 residential
- Type of exemption – Article XI, partial, 40 years
- Population – Rental
- Sponsors – Bronx Pro Group
- Purpose – preservation
- Cost to the city – \$5.51 million (net present value)
- Housing Code Violations
 - Class A – 0
 - Class B – 0
 - Class C – 1

Anticipated AMI Targets: 53 units at 50% AMI, 7 units at 60% AMI, 25 units at 80% AMI, 6 units at 100% AMI

3. 272 East 7th Street

A new full 40-year Article XI for preservation of one building in Council Member Rivera's district. The building contains 21 units – 18 studios and 3 two-bedrooms. As part of the resolution, the building will undergo substantial rehabilitation including roof replacement, wiring replacement, masonry, plumbing, and energy/water efficiency measures overseen by UHAB HDFC. After the construction period is complete, the building will convert to a co-op.

Summary:

- Borough – Manhattan
- Block 376, Lot 28
- Council District – 2
- Council Member – Rivera
- Council Member approval – Yes
- Number of buildings – 1
- Number of units – 21 residential
- Type of exemption – Article XI, full, 40 years
- Population – Homeownership

- Sponsors – UHAB HDFC
- Purpose – preservation
- Cost to the city – \$1.15 million (net present value)
- Housing Code Violations
 - Class A – 21
 - Class B – 31
 - Class C – 24

Anticipated AMI Targets: 50% AMI during the rental phase; anticipated AMI to be at or below 120% following rehabilitation and conversion to a co-op model.

(For text of the coupled resolutions for L.U. Nos. 183 and 184, please see the Report of the Committee on Finance for L.U. Nos. 183 and 184, respectively, printed in these Minutes; for the coupled resolution for L.U. No. 182, please see below:)

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

Preconsidered Res. No. 633

Resolution approving an exemption from real property taxes for property located at (Block 5423, Lots 6, 9, 14) Brooklyn, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 182).

By Council Members Brannan and Mealy.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated October 2, 2024 that the Council take the following action regarding a housing project located at (Block 5423, Lots 6, 9, 14) Brooklyn (“Exemption Area”):

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

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

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

RESOLVED:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Contract Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Contract Rent Differential Tax for the applicable tax year.
 - b. “Contract Rent Differential” shall mean the amount by which the total contract rents applicable to the Exemption Area for such tax year (as adjusted and established pursuant to Section 8 of the United States Housing Act of 1937, as amended) exceed the total contract rents which are authorized as of the date of execution of the Regulatory Agreement.
 - c. “Contract Rent Differential Tax” shall mean the sum of (i) \$170,960, plus (ii) twenty-five percent (25%) of the Contract Rent Differential; provided, however, that the total annual real property tax payment by the Owner shall not at any time exceed the lesser of (A) seventeen

percent (17%) of the contract rents in the applicable tax year, or (B) the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, if the Owner fails to provide the contract rents on or before the Contract Rent Deadline, Contract Rent Differential Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.

- d. “Effective Date” shall mean July 1, 2020.
 - e. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - f. “Exemption Area” shall mean the real property located in the Borough of Brooklyn, City and State of New York, identified as Block 5423, Lots 6, 9 and 14 on the Tax Map of the City of New York.
 - g. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - h. “HDFC” shall mean United Cerebral Palsy Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - i. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - j. “Owner” shall mean the HDFC.
 - k. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area on or after the date such Regulatory Agreement is executed.
- 2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 - 3. The Owner shall make real property tax payments as follows: (a) for the tax year commencing on July 1, 2020 and ending on June 30, 2021, in the sum of \$197,604; (2) for the tax year commencing on July 1, 2021 and ending on June 30, 2022, in the sum of \$206,802; (3) for the tax year commencing on July 1, 2022 and ending on June 30, 2023, in the sum of \$197,604; (4) for the tax year commencing on July 1, 2023 and ending on June 30, 2024, in the sum of \$197,604; and (5) for the tax year commencing on July 1, 2024 and during each year thereafter until the Expiration Date, in the sum of the Contract Rent Differential Tax.
 - 4. Notwithstanding any provision hereof to the contrary:
 - a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with

the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to the Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.

- b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that exists on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
5. In consideration of the Exemption, the owner of the Exemption Area shall (a) execute and record the Regulatory Agreement and (b) for so long as the Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities.

AMANDA C. FARÍAS, *Acting Chairperson*; DIANA I. AYALA, FRANCISCO P. MOYA, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, GALE A. BREWER, KAMILAH M. HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA A. SANCHEZ, ALTHEA V. STEVENS, NANTASHA M. WILLIAMS; DAVID M. CARR; 13-0-0; *Absent*: Council Members Justin L. Brannan, Keith Powers, Yusef Salaam and Julie Won; Committee on Finance, October 23, 2024.

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

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

Report for L.U. No. 183

Report of the Committee on Finance in favor of a Resolution approving 272 East 7th Street: Block 376, Lot 28, Manhattan, Community District No. 3, Council District No. 2.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on October 23, 2024 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Finance Memo, please see the Report of the Committee on Finance for L.U. No. 182 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 634

Resolution approving an exemption from real property taxes for property located at (Block 376, Lot 28) Manhattan, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 183).

By Council Members Brannan and Mealy.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated October 4, 2024 that the Council take the following action regarding a housing project located at (Block 376, Lot 28) Manhattan (“Exemption Area”):

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

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

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

RESOLVED:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Effective Date” shall mean June 26, 2024.
 - b. “Exemption Area” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 376, Lot 28 on the Tax Map of the City of New York.
 - c. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - d. “HDFC” shall mean UHAB Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - e. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - f. “New Exemption” shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
 - g. “Owner” shall mean the HDFC.

- h. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner that is executed on or after February 1, 2024 and that establishes certain controls upon the operation of the Exemption Area on and after the date such Regulatory Agreement is executed.
- 2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
- 3. Notwithstanding any provision hereof to the contrary:
 - a. The New Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the New Exemption shall prospectively terminate.
 - b. The New Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that exists on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any past owner to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
 - d. All previous resolutions, if any, providing an exemption from or abatement of real property taxation with respect to the Exemption Area are hereby revoked as of the Effective Date.
- 4. In consideration of the New Exemption, the owner of the Exemption Area shall (a) execute and record the Regulatory Agreement, and (b) for so long as the New Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities.

AMANDA C. FARÍAS, *Acting Chairperson*; DIANA I. AYALA, FRANCISCO P. MOYA, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, GALE A. BREWER, KAMILAH M. HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA A. SANCHEZ, ALTHEA V. STEVENS, NANTASHA M. WILLIAMS; DAVID M. CARR; 13-0-0; *Absent*: Council Members Justin L. Brannan, Keith Powers, Yusef Salaam and Julie Won; Committee on Finance, October 23, 2024.

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

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

Report for L.U. No. 184

Report of the Committee on Finance in favor of a Resolution approving Cathedral Parkway: Block 1826, Lots 44 and 46; Block 1828, Lots 60 and 61; Block 1829, Lot 9; Block 1831, Lots 12 and 116, Manhattan, Community District No. 10, Council District No. 9.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on October 23 2024 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Finance Memo, please see the Report of the Committee on Finance for L.U. No. 182 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 635

Resolution approving an exemption from real property taxes for property located at (Block 1826, Lots 44, 46; Block 1828, Lots 60, 61; Block 1829, Lot 9; Block 1831, Lots 12, 116) Manhattan, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 184).

By Council Members Brannan and Mealy.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated October 8, 2024 that the Council take the following action regarding a housing project located at (Block 1826, Lots 44, 46; Block 1828, Lots 60, 61; Block 1829, Lot 9; Block 1831, Lots 12, 116) Manhattan (“Exemption Area”):

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

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

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

RESOLVED:

1. For the purposes hereof, the following terms shall have the following meanings:

- a. “Company” shall mean CPMH 212 W 111 LLC, CPMH 216 W 111 LLC, CPMH 225 W 115 LLC, CPMH 235 W 115 LLC, CPMH 282 W 113 LLC, CPMH 267 W 113 LLC, and CPMH 280 W 113 LLC, or any other entities that acquire all or a portion of the beneficial interests in the Exemption Area with the prior written consent of HPD.

- b. "Effective Date" shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - c. "Exemption" shall mean the exemption from real property taxation provided hereunder.
 - d. "Exemption Area" shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 1826, Lots 44 and 46, Block 1828, Lots 60 and 61, Block 1829, Lot 9, and Block 1831, Lots 12 and 116 on the Tax Map of the City of New York.
 - e. "Expiration Date" shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. "Gross Rent" shall mean the gross potential rents from all residential, commercial, and community facility units on the Exemption Area without regard to whether such units are occupied or vacant, including, but not limited to, Section 8, rent supplements, rental assistance, or any other subsidy.
 - g. "Gross Rent Deadline" shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
 - h. "Gross Rent Tax" shall mean, with respect to any tax year, an amount equal to five percent (5.0%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
 - i. "HDFC" shall mean DreamYard Mid Harlem Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - j. "HPD" shall mean the Department of Housing Preservation and Development of the City of New York.
 - k. "J-51 Benefits" shall mean any tax benefits pursuant to Section 489 of the Real Property Tax Law which are in effect on the Effective Date.
 - l. "Owner" shall mean, collectively, the HDFC and the Company.
 - m. "Regulatory Agreement" shall mean the regulatory agreement between HPD and the Owner that is executed on or after September 1, 2024 establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.

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

AMANDA C. FARÍAS, *Acting Chairperson*; DIANA I. AYALA, FRANCISCO P. MOYA, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, GALE A. BREWER, KAMILAH M. HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA A. SANCHEZ, ALTHEA V. STEVENS, NANTASHA M. WILLIAMS; DAVID M. CARR; 13-0-0; *Absent*: Council Members Justin L. Brannan, Keith Powers, Yusef Salaam and Julie Won; Committee on Finance, October 23, 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 Rules, Privileges and Elections

Report for Res. No. 579

Report of the Committee on Rules, Privileges and Elections in favor of approving the appointment of Dr. Mohammad Khalid as a member of the New York City Civilian Complaint Review Board.

The Committee on Rules, Privileges and Elections, to which the annexed resolution was referred on September 26, 2024, respectfully

REPORTS:**Topic I: New York City Civilian Complaint Review Board (Candidate for appointment by the Council)****• Dr. Mohammad Khalid [Res. 579-2024]**

New York City Charter (“Charter”) § 440 establishes the New York City Civilian Complaint Review Board (“CCRB” or “the Board”) as an entity independent of the New York City Police Department (“NYPD”). Its purpose is to investigate complaints concerning misconduct by NYPD officers towards members of the public. The Board’s membership must reflect the City’s diverse population, and all members must be residents of the City.

The CCRB consists of a board of thirteen members of the public as well as a civilian staff to assist the CCRB exercising its powers and fulfilling its duties. The members are appointed as follows: five members, one from each borough are appointed by the City Council; five members are appointed by the Mayor; one member is appointed by the Public Advocate; three members having law enforcement experience are designated by the Police Commissioner and appointed by the Mayor; and one member is appointed jointly by the Mayor and the Speaker of the Council to serve as the chair.

No member may hold any other public office or employment. Only those members designated by the Police Commissioner may have law enforcement experience. Experience as an attorney in a prosecutorial agency is not deemed law enforcement experience for purposes of this definition.

All appointees to CCRB serve three-year terms. Vacancies on the CCRB resulting from removal, death, resignation, or otherwise, are filled in the same manner as the original appointment; the successor completes the former member’s un-expired term. Board members are prohibited from holding any other public office or public employment. All CCRB members are eligible for compensation for their work on a per-diem basis. The current per-diem rate is \$315.00.

The CCRB is authorized to “receive, investigate, hear, make findings and recommend action” upon civilian complaints of misconduct by members of the NYPD towards the public.

Complaints within the CCRB’s jurisdiction are those that allege excessive force, abuse of authority, discourtesy, or use of offensive language, including but not limited to slurs relating to race, ethnicity, religion, gender, sexual orientation or disability.

Subject to appropriations, the CCRB appoints such civilian staff as are necessary to exercise its powers. The CCRB employs an Executive Director to manage such civilian staff.

The CCRB has promulgated procedural rules pursuant to the City’s Administrative Procedural Act (“CAPA”). These rules regulate the way in which investigations are conducted¹, recommendations are made, and members of the public are informed of the status of their complaints. The rules also outline the establishment of panels consisting of at least three Board members (no panel may consist exclusively of Mayoral appointees,

Council appointees or Police Commissioner appointees); these panels may supervise the investigation of complaints and hear, make findings and recommend action with respect to such complaints. The CCRB, by majority vote of all its members, may compel the attendance of witnesses and require the production of such records and other materials as are necessary for the investigation of complaints.

The CCRB’s findings and recommendations with respect to a complaint, and the basis therefore, must be submitted to the Police Commissioner. In all such cases where a finding or recommendation has been submitted, the Police Commissioner is required to report to the CCRB on any action taken with respect to that complaint. In all cases where the Police Commissioner intends to impose a lesser penalty than recommended by the CCRB, the Police Commissioner must include an explanation of how the final disciplinary outcome was determined.

The law prohibits the CCRB from making any finding or recommendation solely on the basis of an unsworn complaint or statement. In addition, the law prohibits the CCRB from using prior complaints against a member of the NYPD that are unsubstantiated, unfounded or withdrawn as the basis for any finding or recommendation regarding a current complaint.

The CCRB has established a voluntary mediation program in which a complainant may choose to resolve his or her complaint through informal conciliation. Both the alleged victim and the subject officer must voluntarily agree to mediation. Mediation is offered as an alternative to investigation to resolve certain types of complaints, none of which can involve physical injury or damage to property. If the mediation is not successful, the alleged victim has the right to request that the case be fully investigated.

The CCRB is required to issue to the Mayor and to the City Council a semi-annual report describing its activities and summarizing its actions, and is also mandated to develop and administer an on-going program to educate the public about CCRB.

If appointed by the Council Dr. Mohammad Khalid, a resident of Staten Island, will serve for the remainder of a three-year term that expires on July 4, 2025. A copy of the candidate’s résumé is annexed to this report.

Topic II: New York City Planning Commission (Candidate for appointment by the Queens Borough President upon the advice and consent of the Council)

• **Oudeshram “Raj” Rampershad [M 71-2024]**

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

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

¹ The CCRB employs civilian investigators to investigate all complaints against members of the NYPD.

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

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

CPC is responsible for the following:

- CPC must engage in planning focused on the City’s orderly growth, improvement, and future development, which includes consideration of appropriate resources for housing, business, industry, recreation, and culture. [*Charter* §192(d)];
- CPC assists the Mayor and other officials in developing the ten-year capital strategy, the four-year capital program, as well as the annual *Statement of Needs*. [*Charter* §192(f)];
- CPC oversees and coordinates environmental reviews under the *City Environmental Quality Review* (“CEQR”), as mandated by state law (*Environmental Conservation Law* – Article 8). [*Charter* §192(e)]; and
- CPC must review, and either approve or deny, any City proposal involving the City’s request to make acquisitions for office space and any requests for existing buildings for office use. [*Charter* §195]

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

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

If appointed to the CPC by the Queens Borough President, Mr. Rampershad, a resident of Queens, will serve the remainder of a five-year term that began on July 1, 2023 and that expires on June 30, 2028. A copy of the candidate’s résumé as well as the related associated message is attached to this briefing paper.

(After interviewing the candidates and reviewing the submitted material, the Committee decided to approve the appointment of the nominees. For nominee OUDESHRAM “RAJ” RAMPERSHAD [M-71 of 2024], please see the Report of the Committee on Rules, Privileges and Elections for M-71 printed in these Minutes; for nominee DR. MOHAMMAD KHALID [Res. 579 of 2024], please see immediately below:]

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to Rule 10.60 of the Rules of the Council and Section 440 of the New York City Charter, the Committee on Rules, Privileges and Elections, hereby recommends the appointment by the Council of **Dr. Mohammad Khalid**, a resident of Staten Island, as a member of the New York City Civilian Complaint Review Board to serve the remainder of a three-year term that expires on July 4, 2025.

This matter was heard on October 9, 2024, and was approved on October 23rd by a vote of 6 in the affirmative, 1 in the negative, with 1 abstentions.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 579:)

Res. No. 579

RESOLUTION APPROVING THE APPOINTMENT BY THE COUNCIL OF DR. MOHAMMAD KHALID AS A MEMBER OF THE NEW YORK CITY CIVILIAN COMPLAINT REVIEW BOARD.

By Council Members Powers and Mealy.

RESOLVED, pursuant to Rule 10.60 of the Rules of the Council and Section 440 of the New York City Charter, the Council hereby approves the appointment of **Dr. Mohammad Khalid**, a resident of Staten Island, as a member of the New York Civilian Complaint Review Board to serve the remainder of a three-year term that expires on July 4, 2025.

AMANDA C. FARÍAS, *Acting Chairperson*; RAFAEL SALAMANCA, Jr., DIANA I. AYALA, SELVENA N. BROOKS-POWERS, THE MINORITY LEADER (COUNCIL MEMBER JOSEPH C. BORELLI), THE SPEAKER (COUNCIL MEMBER ADRIENNE E. ADAMS), 6-1-1; *Negative*: Crystal Hudson; *Abstain*: Pierina A. Sanchez; *Absent*: Keith Powers, Justin L. Brannan, and Gale A. Brewer; Committee on Rules, Privileges and Elections, October 23, 2024.

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

Report for M-71

Report of the Committee on Rules, Privileges and Elections in favor of approving a Communication from the Queens Borough President re the name of Oudeshram “Raj” Rampershad to the Council for its advice and consent regarding his reappointment to the City Planning Commission, pursuant to Sections 31 and 192 of the City Charter.

The Committee on Rules, Privileges and Elections, to which the annexed communication was referred on September 26, 2024 (Minutes, page 3152) and which same communication was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Briefing Paper, please see the Report of the Committee on Rules, Privileges and Elections for Res. No. 579 printed above in these Minutes)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to Sections 31 and 192 of the City Charter, the Committee on Rules, Privileges and Elections, hereby recommends approval of the appointment by the Queens Borough President of **Oudeshram “Raj” Rampershad** as a member of the City Planning Commission to serve the remainder of a five-year term that expires on June 30, 2028 (M. 71-2024).

This matter was heard on October 9, 2024. On October 23, 2024, the Committee voted to recommend the appointment by a vote of 8 in the affirmative, 0 in the negative, and with 0 abstentions.

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

Res. No. 636

RESOLUTION APPROVING THE APPOINTMENT BY THE QUEENS BOROUGH PRESIDENT OF OUDESHRAM “RAJ” RAMPERSHAD AS A MEMBER OF THE CITY PLANNING COMMISSIONER (M. 71-2024).

By Council Members Powers and Mealy.

RESOLVED, pursuant Sections 31 and 192 of the City Charter, the Council hereby approves the appointment by the Queens Borough President of **Oudeshram “Raj” Rampershad** as a member of the City Planning Commission to serve the remainder of a five-year term that expires on June 30, 2028 (M.71-2024).

AMANDA C. FARIÁS, *Acting Chairperson*; RAFAEL SALAMANCA, Jr., DIANA I. AYALA, SELVENA N. BROOKS-POWERS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, THE MINORITY LEADER (COUNCIL MEMBER JOSEPH C. BORELLI), THE SPEAKER (COUNCIL MEMBER ADRIENNE E. ADAMS), 8-0-0; Committee on Rules, Privileges and Elections, October 23, 2024.

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

Report of the Committee on Transportation and Infrastructure

Report for Int. No. 468-A

Report of the Committee on Transportation and Infrastructure 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 department of transportation posting information on traffic-control device and speed reducer requests on its website.

The Committee on Transportation and Infrastructure, to which the annexed proposed amended local law was referred on February 28, 2024 (Minutes, page 980), respectfully

REPORTS:

INTRODUCTION

On October 23, 2024, the Committee on Transportation and Infrastructure, chaired by Majority Whip Selvena N. Brooks-Powers, held a hearing to vote on Int. No. 468-A, sponsored by Council Member Nantasha Williams, in relation to the department of transportation posting information on traffic-control device and speed reducer requests on its website. A previous version of this bill was heard on June 25, 2024 at an oversight hearing

titled “Intersections, Sidewalks and Pedestrian Safety,” at which a number of other bills were also heard. Those that testified at this hearing included representatives from the New York City (NYC or City) Department of Transportation (DOT), representatives from transit advocates, street safety advocates, and others.

On October 23, 2024, the Committee on Transportation and Infrastructure passed Int. No. 468-A by a vote of eight in the affirmative, zero in the negative, with zero abstentions.

BACKGROUND

Department of Transportation

DOT’s goal is to provide for safe, efficient, and environmentally responsible movement of people and goods in NYC.¹ DOT works to improve traffic mobility throughout NYC; maintain the City’s infrastructure; encourage the use of mass transit and other modes of transportation other than private vehicles; and provide traffic safety educational programs.² With an annual operating budget of \$1.4 billion and a ten-year \$33 billion capital program, DOT manages 6,300 miles of streets and highways, over 12,000 miles of sidewalk, and approximately 800 bridges and tunnels.³ DOT’s staff also installs and maintains nearly one million street signs, 13,250 signalized intersections, over 315,000 street lights, over 350 million linear feet of markings, and 2,600 automated enforcement cameras.⁴

Street Safety and Vision Zero

Since 2014, NYC has instituted Vision Zero, a citywide initiative that seeks to improve the safety of its streets throughout every neighborhood and in every borough.⁵ First launched under former Mayor Bill de Blasio, the initiative includes: expanded enforcement against dangerous moving violations, such as speeding and failing to yield to pedestrians; new street designs and configurations; broad public outreach and communication; and legislation to increase penalties for dangerous drivers.⁶ Vision Zero rests on the belief that deaths and serious injuries in traffic incidents are not inevitable “accidents,” but preventable crashes that can be reduced through engineering, enforcement, and education.⁷ Traffic fatalities in NYC have fallen significantly since 1990, from 701 in 1990 to 381 in 2000 to an all-time low of 202 in 2018, with traffic deaths in NYC having fallen by a third when comparing 2018 with the year before Vision Zero began.⁸

Although the data through 2018 is encouraging, the citywide initiative has received a number of criticisms mainly due to the rapid increase in deaths occurring on City streets over the last several years. Notably, for a nearly two month period during the novel coronavirus (COVID-19) pandemic in 2020 there were zero pedestrian fatalities in NYC, largely attributed to the lack of congestion and lack of commuters in the City at that time.⁹ However, in January 2021, the *New York Times* indicated that the total number of traffic fatalities in 2020 made it the deadliest year on record since former Mayor de Blasio introduced Vision Zero, and the second straight year of increased road fatalities.¹⁰

In 2021, these trends continued, with 275 people killed due to traffic violence in the City, representing about a 33% increase from 2018.¹¹ There were a reported 93 hit-and-runs with critical injuries in 2021, twice as many

¹ NYC Department of Transportation (DOT), *About DOT*, available at <https://www1.nyc.gov/html/dot/html/about/about.shtml>

² *Id.*

³ *Id.*

⁴ *Id.*

⁵ NYC, *Vision Zero*, available at <https://www1.nyc.gov/content/visionzero/pages/>

⁶ *Id.*

⁷ *Id.*

⁸ NYC DOT & NYPD, *Vision Zero Accomplishments 2018*, at 4, available at <https://www.nyc.gov/html/dot/downloads/pdf/vz-accomplishments-core-outputs-2018.pdf>

⁹ Jake Offenhartz, *Vision Zero Sputter as NYC Traffic Deaths Reach Highest Level of De Blasio Era*, Gothamist, October 23, 2020, available at <https://gothamist.com/news/vision-zero-sputters-nyc-traffic-deaths-reach-highest-level-de-blasio-era>

¹⁰ Christina Goldbaum, *Why Emptier Streets Meant an Especially Deadly Year for Traffic Deaths*, New York Times January 1, 2021, available at <https://www.nytimes.com/2021/01/01/nyregion/nyc-traffic-deaths.html>

¹¹ NYC, *Vision Zero View*, available at <https://vzv.nyc/>

as there had been in 2018.¹² Furthermore, the share of pedestrian fatalities caused by drivers of SUVs during Mayor de Blasio's second term, which concluded in 2021, was up 42% compared to his first term.¹³

In 2022, the number of traffic fatalities in the City was 263.¹⁴ DOT Commissioner Ydanis Rodriguez announced that in 2022 the City experienced an overall decline of about 6% in traffic fatalities from 2021, and the first decline in annual fatalities since 2019.¹⁵ 2022 was one of the years with the fewest annual pedestrian deaths recorded in New York City,¹⁶ however, 2022 also marked the deadliest year since 2014 for child fatalities, with 16 children killed in traffic collisions.¹⁷

Last year, in 2023, there were 265 traffic fatalities, an increase of two people when compared to the year prior.¹⁸ Additionally, 2023 saw a record number of cyclist fatalities in the Vision Zero era.¹⁹

During the first half of 2024, traffic crashes killed 127 people, which is the highest number of people killed in the first six months of any year since Vision Zero was implemented in 2014, putting it on pace to be the deadliest year for traffic violence since Vision Zero was implemented if the trend continues.²⁰ Some advocates note that lack of safety infrastructure could be one major reason for this increase.²¹ When pedestrians were killed at an intersection, 92% of those intersections had no daylighting measures at all, and 100% of those intersections lacked physical daylighting to stop drivers from parking all the way to the crosswalk.²² 83% of cyclists were killed on streets without protected bicycle infrastructure and 66% were killed on streets without any bicycle infrastructure at all.²³ In addition, there were 51 motorist fatalities in the first six months of 2024, which is 21% more than the average year.²⁴

Street Infrastructure

DOT is responsible for thousands of miles of streets and roadways, and conducts regular inspections to assess pavement conditions.²⁵ Furthermore, DOT is responsible for the implementation of street improvement projects, which add to the safety and accessibility of streets, including:

- Street Construction, which includes pothole repair, milling and repaving, and full reconstruction of streets;²⁶
- Capital Street Projects, which often include full reconstruction of the sewer pipes, the roadbed and sidewalks;²⁷

¹² Transportation Alternatives, *Last year was the deadliest under Vision Zero. Here's how Mayor Adams can save lives in 2022*, January 26, 2022, available at <https://www.transalt.org/writing/last-year-was-the-deadliest-under-vision-zero-heres-how-mayor-adams-can-save-lives-in-2022>

¹³ *Id.*

¹⁴ NYC, *Vision Zero View*, available at: <https://vzv.nyc/>

¹⁵ NYC DOT, Press Release, *Vision Zero: NYC Traffic Fatalities Dropped in 2022 For First Time in Three Years, Pedestrian Deaths Near Record Lows*, January 6, 2023, available at <https://www.nyc.gov/html/dot/html/pr2023/vision-zero-fatalities-dropped-2022.shtml>

¹⁶ *Id.*

¹⁷ Ben Brachfield, *2022 was deadliest year for children on city streets in Vision Zero era: report*, AMNY, January 23, 2023, available at <https://www.amny.com/transit/record-children-killed-traffic-collisions-2022-nyc-streets/>

¹⁸ NYC, *Vision Zero View*, available at <https://vzv.nyc/>

¹⁹ Transportation Alternatives, *New York City Experiences Deadliest First Quarter in Vision Zero History, New Data from Transportation Alternatives and Families for Safe Streets Shows*, April 25, 2024, available at <https://transalt.org/press-releases/new-york-city-experiences-deadliest-first-quarter-in-vision-zero-history-new-data-from-transportation-alternatives-and-families-for-safe-streets-shows#:~:text=This%20data%20comes%20after%202023,the%20onset%20of%20Vision%20Zero>

²⁰ Transportation Alternatives, *New York City Experiences Deadliest First Six Months in Vision Zero History, New Analysis from Transportation Alternatives and Families for Safe Streets Shows*, July 23, 2024, available at <https://transalt.org/press-releases/new-york-city-experiences-deadliest-first-six-months-in-vision-zero-history-new-analysis-from-transportation-alternatives-and-families-for-safe-streets-shows>

²¹ *Id.*

²² *Id.*

²³ *Id.*

²⁴ *Id.*

²⁵ NYC DOT, *Infrastructure-Street and Roadway Construction*, available at <https://www.nyc.gov/html/dot/html/infrastructure/construction.shtml>

²⁶ NYC DOT, *Infrastructure*, available at <https://www.nyc.gov/html/dot/html/infrastructure/infrastructure.shtml>

²⁷ *Id.*

- Resiliency projects, which includes addressing threats from storm surge and extreme heat;²⁸
- Sidewalk repair and maintenance, which is used to ensure sidewalks are safe for pedestrians and helps prevent injuries caused by defective sidewalks;²⁹
- Traffic Signals and Street Signs, which are used to ensure less congestion and more safety for all road users;³⁰ and
- Street Lights, which provide lighting for road users.³¹

In order to increase safety on City streets, DOT implements various measures to reduce opportunities for illegal speeding and aggressive driving.³² DOT largely does this through employing:

- Enhanced Crossings, which are marked high-visibility crosswalks on calm streets with low vehicle volumes and frequent pedestrian crossings, which improve mobility and accessibility for pedestrians;³³
- Neighborhood Slow Zones, which is a community-based program that reduces the speed limit from 25 mph to 20 mph and adds safety measures within a select area to change driver behavior;³⁴
- Pedestrian Ramps, which provide access on and off streets and sidewalks for pedestrians;³⁵
- Medians, which generally are installed as raised or a barrier made of concrete or with vegetation, and look to either: separate different lines, traffic directions or roadways within a street or extend through an intersection to prevent turns and through-movements to and from the intersecting street, depending on type;³⁶
- The Pedestrian Safety Action Plan, which is a borough-based plan to establish Priority Corridors, Intersections, and Areas, and outlines a comprehensive pedestrian safety plan for each borough guided by Vision Zero;³⁷
- Safe Routes to Transit, which is a part of PlanNYC, in which DOT is working to improve pedestrian access and calm motor vehicle movement around subway entrances and bus stops;³⁸
- Safe Streets for Seniors, which is an initiative for older New Yorkers where DOT engineers evaluate pedestrian conditions and make safety improvements in targeted neighborhoods from a senior's perspective;³⁹
- School Safety, which is an initiative where DOT's School Safety Unit implements Vision Zero by developing street safety improvement projects near city schools;⁴⁰ and
- The Turn Calming Program, which is a citywide effort to reduce left and right turn speeds and enforce safe turning behavior.⁴¹

The City Council also works to meet these goals and improve street safety. In 2022 and 2023, the Council passed legislation which required DOT: to designate certain senior pedestrians zones in the City;⁴² to accelerate the schedule in which it conducts the study of traffic crashes involving a pedestrian fatality or serious injury, and implement more sharing of studies and plans;⁴³ and to implement new daylighting measures throughout the City.⁴⁴

²⁸ *Id.*

²⁹ *Id.*

³⁰ *Id.*

³¹ *Id.*

³² NYC DOT, *Pedestrians*, available at <https://www.nyc.gov/html/dot/html/pedestrians/pedestrians.shtml>

³³ *Id.*

³⁴ *Id.*

³⁵ *Id.*

³⁶ NYC DOT, NYC Street Design, *Sidewalks and Raised Medians*, available at <https://www.nycstreetdesign.info/geometry/sidewalks-raised-medians>

³⁷ NYC DOT, *Pedestrians*, available at: <https://www.nyc.gov/html/dot/html/pedestrians/pedestrians.shtml>

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² Local Law 63 of 2023

⁴³ Local Law 65 of 2022

⁴⁴ Local Law 66 of 2023

CONCLUSION

Today, the Committee voted on Int. No. 468-A, in relation to the department of transportation posting information on traffic-control device and speed reducer requests on its website.

LEGISLATIVE ANALYSIS***Analysis of Int. No 468-A***

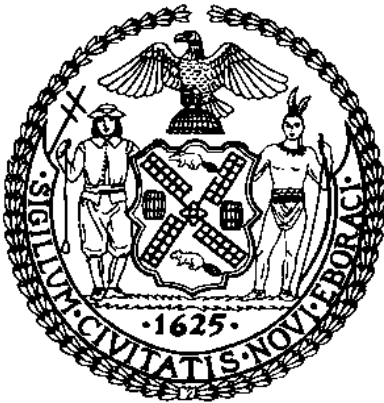
Int. 468-A, sponsored by Council Member Williams, would require the Department of Transportation (DOT), by January 1, 2027, to post certain information regarding the status of traffic-control device and speed reducer requests on its website, thus making the information accessible to the public. The required website would include, but need not be limited to, the following information: case number, subject of the request, status, resolution, reason for the denial of traffic-control device, and if approved, the timeline for completion of the traffic-control device request. The commissioner would also be required to provide a data dictionary that provides definition of any term used to describe a traffic-control device or speed reducer. The information required by the law would also have to be updated as soon as practicable following an update or changes to a request for a traffic-control device or speed reducer.

This local law takes effect immediately.

UPDATE

On October 23, 2024, the Committee on Transportation and Infrastructure passed Int. No. 468-A by a vote of eight in the affirmative, zero in the negative, with zero abstentions.

(The following is the text of the Fiscal Impact Statement for Int. No. 468-A:)



THE COUNCIL OF THE CITY OF NEW YORK

FINANCE DIVISION

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT: 468-A

COMMITTEE: Transportation and Infrastructure

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the department of transportation posting information on traffic control device and speed reducer requests. on its website.

SPONSORS: Council Members Williams, Yeger, Won, Salaam, Hanif, Stevens, Abreu, Menin, Lee, Hanks, Ossé, Zhuang, Marte, Nurse, Brannan, Cabán, Avilés, Krishnan, Holden, Dinowitz, Riley, Ung, De La Rosa, Farías, Louis, Hudson, Banks, Narcisse, Gennaro, Restler, Joseph, Gutiérrez, Schulman, Powers, Sanchez, Bottcher, Brewer, Salamanca, Mealy, Ayala, Brooks-Powers, Vernikov, Ariola, Paladino, Borelli and Carr.

SUMMARY OF LEGISLATION: Proposed Int. No. 468-A would require the Department of Transportation (DOT) to post certain information regarding the status of traffic-control device and speed reducer requests on its website, thus making the information accessible to the public, by no later than January 1, 2027. DOT would be required to include, but would not be limited to, posting the following information: case number, general topic, issue, status, resolution, reason for approval or denial of traffic control device, and if approved, the timeline for completion of the traffic control device request.

EFFECTIVE DATE: Immediately

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2027

FISCAL IMPACT STATEMENT:

	Effective FY25	FY Succeeding Effective FY26	Full Fiscal Impact FY27
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 as a result of this legislation.

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation, as DOT would utilize existing resources.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division
New York City Department of Transportation

ESTIMATE PREPARED BY: Adrian M. Drepaul, Senior Financial Analyst

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

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on February 28, 2024, as Int. No. 468 and referred to the Committee on Transportation and Infrastructure (the Committee). A hearing was held by the Committee on June 25, 2024, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Int. No. 468-A, will be considered by the Committee at a hearing on October

23, 2024. Upon majority affirmative vote by the Committee, Int. No. 468-A will be submitted to the full Council for a vote on October 23, 2024.

DATE PREPARED: October 18, 2024.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 468-A:)

Int. No. 468-A

By Council Members Williams, Yeger, Won, Salaam, Hanif, Stevens, Abreu, Menin, Lee, Hanks, Ossé, Zhuang, Marte, Nurse, Brannan, Cabán, Avilés, Krishnan, Holden, Dinowitz, Riley, Ung, De La Rosa, Fariás, Louis, Hudson, Banks, Narcisse, Gennaro, Restler, Joseph, Gutiérrez, Schulman, Powers, Sanchez, Bottcher, Brewer, Salamanca, Mealy, Ayala, Brooks-Powers, Vernikov, Ariola, Paladino, Borelli and Carr.

A Local Law to amend the administrative code of the city of New York, in relation to the department of transportation posting information on traffic-control device and speed reducer requests on its website

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 19-185.1 to read as follows:

§ 19-185.1 Publication of traffic-control device and speed reducer requests.

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

All-way stop control intersection. The term “all-way stop control intersection” means an intersection where each roadway approaching such intersection has a stop sign.

Case number. The term “case number” means a unique series of numbers or letters that is used to identify a request for a speed reducer or traffic-control device.

Speed cushion. The term “speed cushion” means any raised area in the roadway pavement surface extending transversely across the travel way that: (i) is composed of asphalt or another paving material; (ii) is installed and designed for the purpose of slowing vehicular traffic; and (iii) has cutouts for wheels to allow a large vehicle to pass such raised area without reducing the speed of such vehicle.

Speed hump. The term “speed hump” means any raised area in the roadway pavement surface extending transversely across the travel way that: (i) is composed of asphalt or another paving material; and (ii) is installed and designed for the purpose of slowing vehicular traffic, provided such term does not include a speed cushion.

Speed reducer. The term “speed reducer” means a speed cushion or a speed hump.

Traffic-control device. The term “traffic-control device” means an all-way stop control intersection or a traffic-control signal.

Traffic-control signal. The term “traffic-control signal” has the same meaning as set forth in section 154 of the vehicle and traffic law.

b. No later than January 1, 2027, the commissioner shall make available on a website of the department information regarding requests for traffic-control devices and speed reducers. Such information shall be searchable by case number and by address of the location where such traffic-control device or speed reducer is requested to be installed.

c. The information required in subdivision b shall include, but need not be limited to, for each request for a traffic-control device or speed reducer:

- 1. Case number;*
- 2. Subject of the request, including whether the request is for a speed reducer or a traffic-control device;*
- 3. Status, including whether the request is open or has been resolved;*
- 4. For a request that has been resolved, whether a traffic-control device or speed reducer has been installed or is planned to be installed in response to such request;*

5. *For a request that has been approved, the date that such traffic-control device or speed reducer was installed, or the time period during which such traffic-control device or speed reducer is anticipated to be installed; and*

6. *For a request that has been denied, the reason for denial.*

d. *The commissioner shall also provide on such website a data dictionary that defines any term used to describe a traffic-control device or speed reducer, and a summary of the steps that are required to install a traffic-control device or speed reducer.*

e. *The commissioner shall update the information provided pursuant to subdivisions b and c as soon as practicable following any update or change to a request for a traffic-control device or speed reducer.*

§ 2. This local law takes effect immediately.

SELVENA N. BROOKS-POWERS, *Chairperson*; CARLINA RIVERA, FARAH N. LOUIS, CARMEN N. De La ROSA, AMANDA C. FARIAS, MERCEDES NARCISSE, CHRIS BANKS, JOANN ARIOLA; 8-0-0; *Absent*: Julie Won; Committee on Transportation and Infrastructure, October 23, 2024. *Other Council Members Attending*: Council Members Hudson, Ossé, Sanchez, Williams and Ayala.

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

GENERAL ORDERS CALENDAR

Report for L.U. No. 149 & Res. No. 637

Report of the Committee on Land Use in favor of approving, as modified, Application number C 230206 ZMM (135th Street Rezoning) submitted by Crosscap Holdings, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 5c, changing from an M1-1 District to an R7-2 District, establishing within the proposed R7-2 District a C2-4 District, and establishing a Special Manhattanville Mixed Use District (MMU), Borough of Manhattan, Community District 9, Council District 7.

The Committee on Land Use, to which the annexed Land Use item was referred on September 12, 2024 (Minutes, page 3138) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on October 10, 2024 (Minutes, page 3346), respectfully

REPORTS:

A. SUBJECT

MANHATTAN CB-9 – FOUR APPLICATIONS RELATED TO 135TH STREET REZONING

C 230206 ZMM (L.U. No. 149)

City Planning Commission decision approving an application submitted by Crosscap Holdings, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 5c:

1. changing from an M1-1 District to an R7-2 District property bounded by a line 365 feet northeasterly of West 135th Street, 12th Avenue, West 135th Street, and the westerly boundary of line of a Railroad Right of Way;
2. establishing within the proposed R7-2 District a C2-4 District bounded by a line 365 feet northeasterly of West 135th Street, 12th Avenue, West 135th Street, and the westerly boundary of line of a Railroad Right of Way; and
3. establishing a Special Manhattanville Mixed Use District (MMU) bounded by a line 365 feet northeasterly of West 135th Street, 12th Avenue, West 135th Street, and a westerly boundary of line of the Railroad Right of Way

as shown on a diagram (for illustrative purposes only) dated April 1, 2024, and subject to the conditions of CEQR Declaration E-761.

N 230207 ZRM (L.U. No. 150)

City Planning Commission decision approving an application submitted by Crosscap Holdings, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City

of New York, modifying special permit provisions of Article X, Chapter 4 (Special Manhattanville Mixed Use District) and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

C 230208 ZSM (L.U. No. 151)

City Planning Commission decision approving an application submitted by Crosscap Holdings, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681(a)(i) of the Zoning Resolution to allow a portion of the railroad or transit right-of-way or yard which will be completely covered over by a permanent platform to be included in the lot area for a proposed 7-story mixed use building, on property located at 701 West 135th Street (Block 2101, Lot 58), in an R7-2/C2-4 District, within a Special Manhattanville Mixed Use District (MMU).

C 230209 ZSM (L.U. No. 152)

City Planning Commission decision approving an application submitted by Crosscap Holdings, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 104-60 of the Zoning Resolution to modify the rear yard regulations of Section 23-52 (Special Provisions for Shallow Interior Lots) and the lot coverage requirements of Section 23-153 (For Quality Housing buildings), in connection with a proposed 7-story mixed use building, on property located at 701 West 135th Street (Block 2101, Lot 58), in an R7-2/C2-4 District, within a Special Manhattanville Mixed Use District (MMU).

B. INTENT

To approve the amendment to rezone the project area from an M1-1 district to an R7-2 district with a C2-4 overlay and expand the Special Manhattanville Mixed Use District; amend the zoning text to map the project areas as a Mandatory Inclusionary Housing area (MIH) and extend Manhattanville Special District; grant an approval of the special permit to allow development over a portion of the railroad right-of-way; and modify the rear yard and lot coverage requirements to facilitate the development of a seven-story mixed-used development with 60 residential units, including a Mandatory Inclusionary Housing requirement, at 701 West 135th Street (Block 2101, Lot 58) in the West Harlem neighborhood of Manhattan, Community District 9.

C. PUBLIC HEARING

L.U. Nos. 149 and 150

DATE: September 17, 2024

Witnesses in Favor: Four

Witnesses Against: Six

L.U. Nos. 151 and 152

DATE: September 24, 2024

Witnesses in Favor: None

Witnesses Against: Four

D. SUBCOMMITTEE RECOMMENDATION**DATE:** October 8, 2024

The Subcommittee recommends that the Land Use Committee approve with modifications the decision of the City Planning Commission on L.U. No. 150 and approve the decisions of the City Planning Commission on L.U. Nos. 149, 151, and 152.

In Favor:

Riley
Abreu
Hanks
Schulman
Salaam
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** October 9, 2024

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Moya
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, Riley and Mealy offered the following resolution:

Res. No. 637

Resolution approving the decision of the City Planning Commission on ULURP No. C 230206 ZMM, a Zoning Map amendment (L.U. No. 149).

By Council Members Salamanca, Riley and Mealy.

WHEREAS, Crosscap Holdings, 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. 5c, by changing from an M1-1 District to an R7-2 District, establishing within the proposed R7-2 District a C2-4 District, and establishing a Special Manhattanville Mixed Use District (MMU), which in conjunction with the related actions would facilitate the development of a seven-story mixed-use development with 60 residential units, including a Mandatory Inclusionary Housing requirement, at 701 West 135th Street (Block 2101, Lot 58) in the West Harlem neighborhood of Manhattan Community District 9 (ULURP No. C 230206 ZMM) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on September 6, 2024 its decision dated August 21, 2024 (the "Decision") on the Application;

WHEREAS, the Application is related to applications N 230207 ZRM (L.U. No. 150), a zoning text amendment to map the project area as "Other Area" within the Special Manhattanville Mixed Use District, to modify special permit provisions of Section 104-60 of the Zoning Resolution to enable modifications of applicable bulk regulations, except floor area ratio, for developments within or over a railroad right-of-way, and to modify Appendix F of the Zoning Resolution to designate a Mandatory Inclusionary Housing area; C 230208 ZSM (L.U. No. 151), a zoning special permit pursuant to Section 74-61 of the Zoning Resolution to allow development over a portion of the railroad right-of-way; and C 230209 ZSM (L.U. No. 152), a zoning special permit pursuant to Section 104-60 of the Zoning Resolution to modify the rear yard and lot coverage requirements;

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 September 17, 2024 and on September 24, 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 March 29th, 2024 (CEQR No. 23DCP140M), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-761) (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-761) 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 230206 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. 5c:

1. changing from an M1-1 District to an R7-2 District property bounded by a line 365 feet northeasterly of West 135th Street, 12th Avenue, West 135th Street, and the westerly boundary of line of a Railroad Right of Way;
2. establishing within the proposed R7-2 District a C2-4 District bounded by a line 365 feet northeasterly of West 135th Street, 12th Avenue, West 135th Street, and the westerly boundary of line of a Railroad Right of Way; and
3. establishing a Special Manhattanville Mixed Use District (MMU) bounded by a line 365 feet northeasterly of West 135th Street, 12th Avenue, West 135th Street, and a westerly boundary of line of the Railroad Right of Way;

as shown on a diagram (for illustrative purposes only) dated April 1, 2024, and subject to the conditions of CEQR Declaration E-761, Borough of Manhattan, Community District 9.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI, 10-0-0; *Absent*: Kamillah M. Hanks; Committee on Land Use, October 9, 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. 150 & Res. No. 638

Report of the Committee on Land Use in favor of approving, as modified, Application number N 230207 ZRM (135th Street Rezoning) submitted by Crosscap Holdings, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying special permit provisions of Article X, Chapter 4 (Special Manhattanville Mixed Use District) and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Manhattan, Community District 9, Council District 7.

The Committee on Land Use, to which the annexed Land Use item was referred on September 12, 2024 (Minutes, page 3138) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on October 10, 2024 (Minutes, page 3349), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 149 & Res. No. 637 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, Riley and Mealy offered the following resolution:

Res. No. 638

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 230207 ZRM, for an amendment of the text of the Zoning Resolution (L.U. No. 150).

By Council Members Salamanca, Riley and Mealy.

WHEREAS, Crosscap Holdings, 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 special permit provisions of Article X, Chapter 4 (Special Manhattanville Mixed Use District) and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, which in conjunction with the related actions would facilitate the development of a seven-story mixed-use development with 60 residential units, including a Mandatory Inclusionary Housing requirement, at 701 West 135th Street (Block 2101, Lot 58) in the West Harlem neighborhood of Manhattan, Community District 9 (ULURP No. N 230207 ZRM), (the "Application");

WHEREAS, the City Planning Commission filed with the Council on September 6, 2024 its decision dated August 21, 2024 (the "Decision") on the Application;

WHEREAS, the Application is related to applications C 230206 ZMM (L.U. No. 149), a zoning map amendment to change an M1-1 district to an R7-2 district with a C2-4 overlay and expand the Special Manhattanville Mixed Use District; C 230208 ZSM (L.U. No. 151), a zoning special permit pursuant to Section 74-61 of the Zoning Resolution to allow development over a portion of the railroad right-of-way; and C 230209 ZSM (L.U. No. 152), a zoning special permit pursuant to Section 104-60 of the Zoning Resolution to modify the rear yard and lot coverage requirements;

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 September 17, 2024 and September 24, 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 March 29th, 2024 (CEQR No. 23DCP140M), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-761) (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-761) and Negative Declaration.

Pursuant to Sections 197d 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 230207 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 double-underlined is new, added by the City Council;

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

* * *

ARTICLE X SPECIAL PURPOSE DISTRICTS

Chapter 4 Special Manhattanville Mixed Use District

* * *

104-30 SPECIAL HEIGHT AND SETBACK REQUIREMENTS

* * *

The City Planning Commission may modify, by special permit, the special height and setback requirements of this Section pursuant to Section 104-60 (MODIFICATION OF ~~SPECIAL~~ BULK REQUIREMENTS AND TRANSFER OF FLOOR AREA BY SPECIAL PERMIT).

* * *

104-50 PERMITTED TRANSFER OF FLOOR AREA

* * *

Floor area may be transferred as follows:

* * *

- (c) by special permit, in accordance with the provisions of Section 104-60 (MODIFICATION OF ~~SPECIAL~~ BULK REQUIREMENTS AND TRANSFER OF FLOOR AREA BY SPECIAL PERMIT), where the proposed development or enlargement on the receiving site requires modification of the bulk regulations of Section 104-30 (SPECIAL HEIGHT AND SETBACK REQUIREMENTS).

* * *

104-60 MODIFICATION OF ~~SPECIAL~~ BULK REQUIREMENTS AND TRANSFER OF FLOOR AREA BY SPECIAL PERMIT

The City Planning Commission may, by special permit:

- (a) modify the special height and setback requirements of Section 104-30 (SPECIAL HEIGHT AND SETBACK REQUIREMENTS), inclusive, provided the Commission finds that such modifications are necessary to:

* * *

- (b) permit the transfer of #floor area# from any granting site to a receiving site for a #development# that requires modification of the special height and setback requirements of Section 104-30, inclusive, provided the Commission finds:

* * *

- (c) modify the applicable #bulk# requirements for any #development# or #enlargement# that is subject to the provisions of Section 74-681 (Development within or over a railroad or transit right-of-way or yard), except #floor area ratio# provisions, provided that such #bulk# modifications will:

(1) not unduly obstruct access to light and air to surrounding #streets# and properties; and

(2) be compatible with the essential character of the surrounding area.

The Commission may prescribe additional conditions and safeguards to minimize adverse effects of the #development# or #enlargement# on the character of the surrounding area.

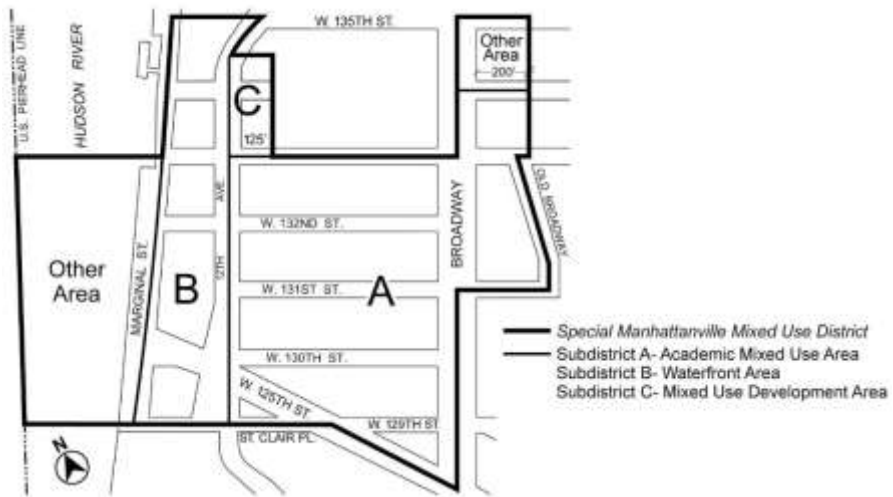
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Appendix A

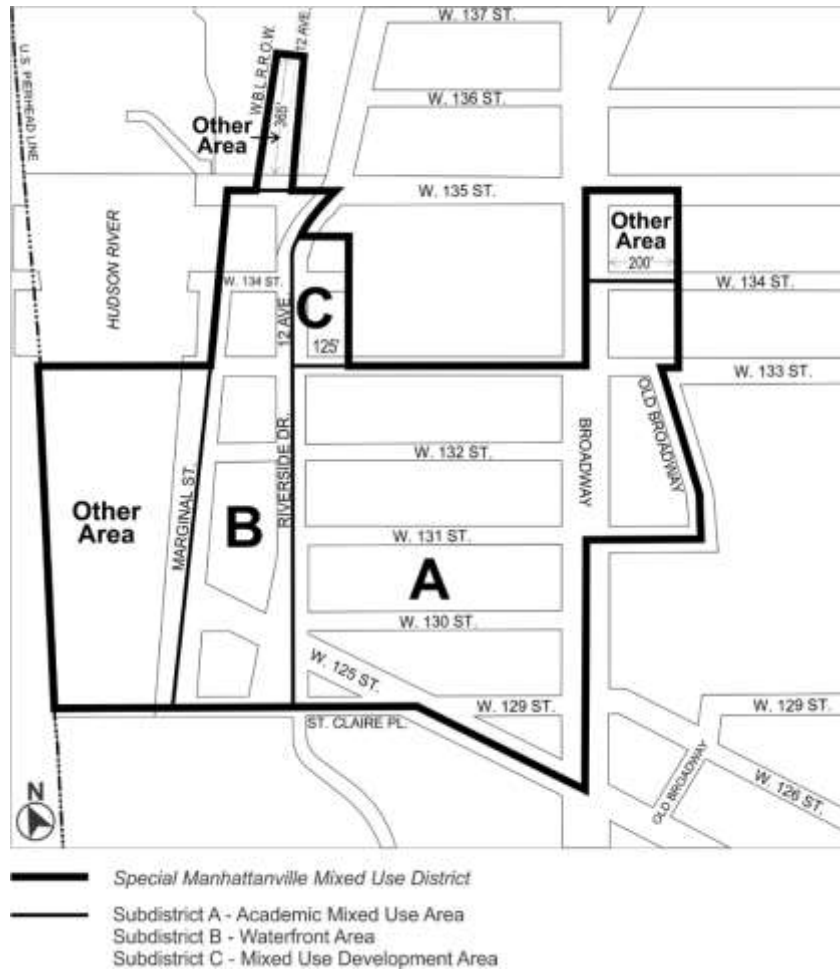
Special Manhattanville Mixed Use District Plan

Map 1 - Special Manhattanville Mixed Use District and Subdistricts

[EXISTING MAP]



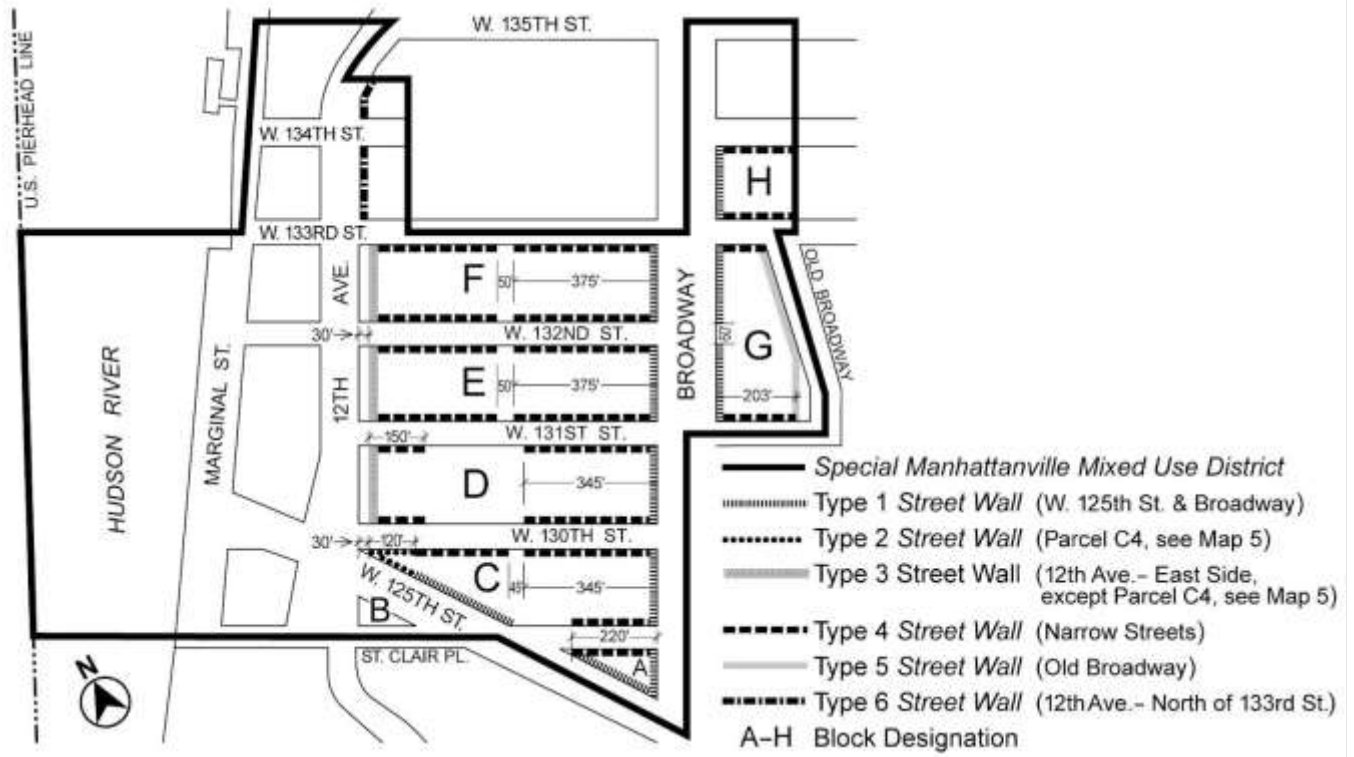
[PROPOSED MAP]



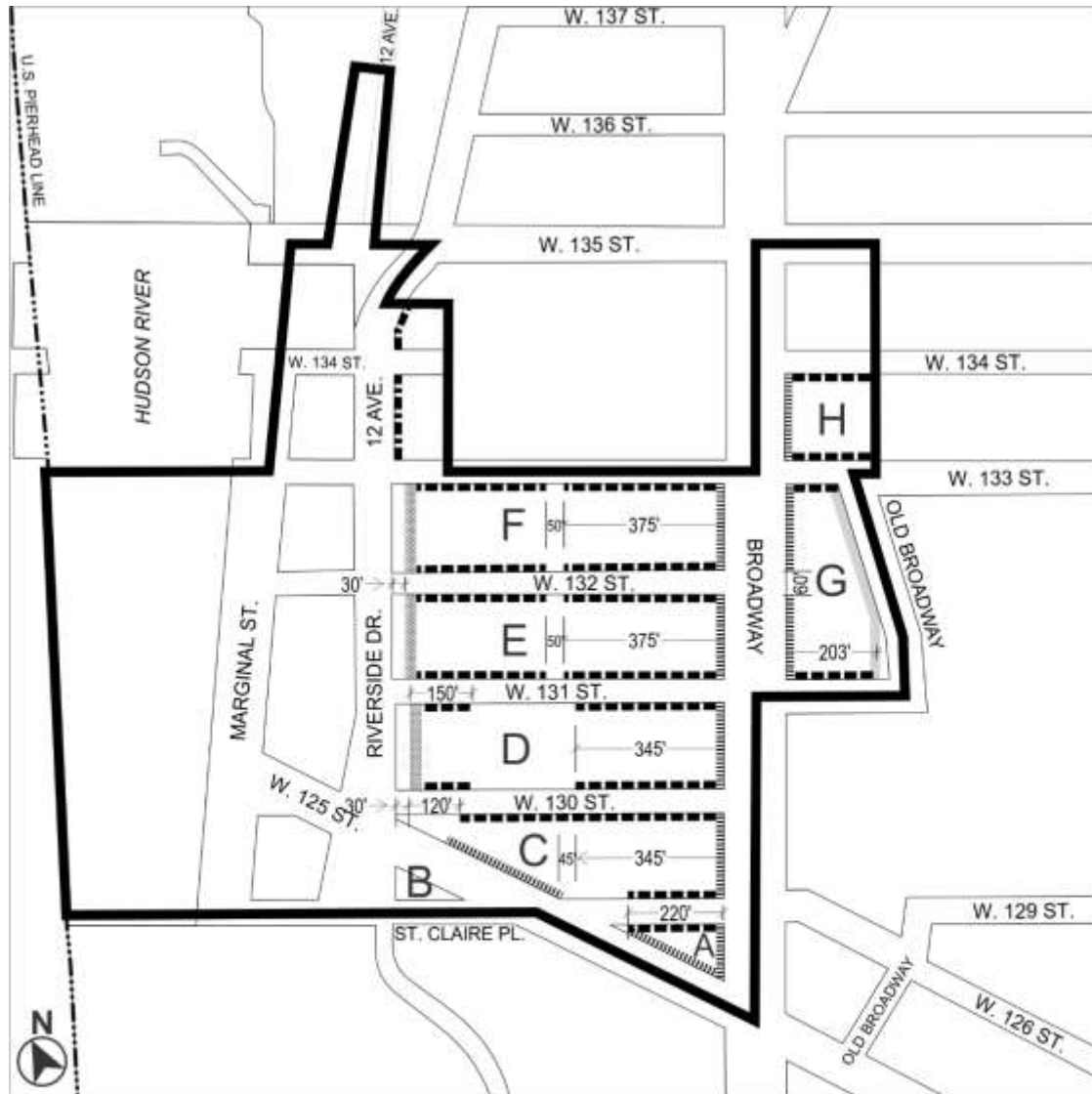
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Map 4 - Street Wall Types and Locations

[EXISTING MAP]

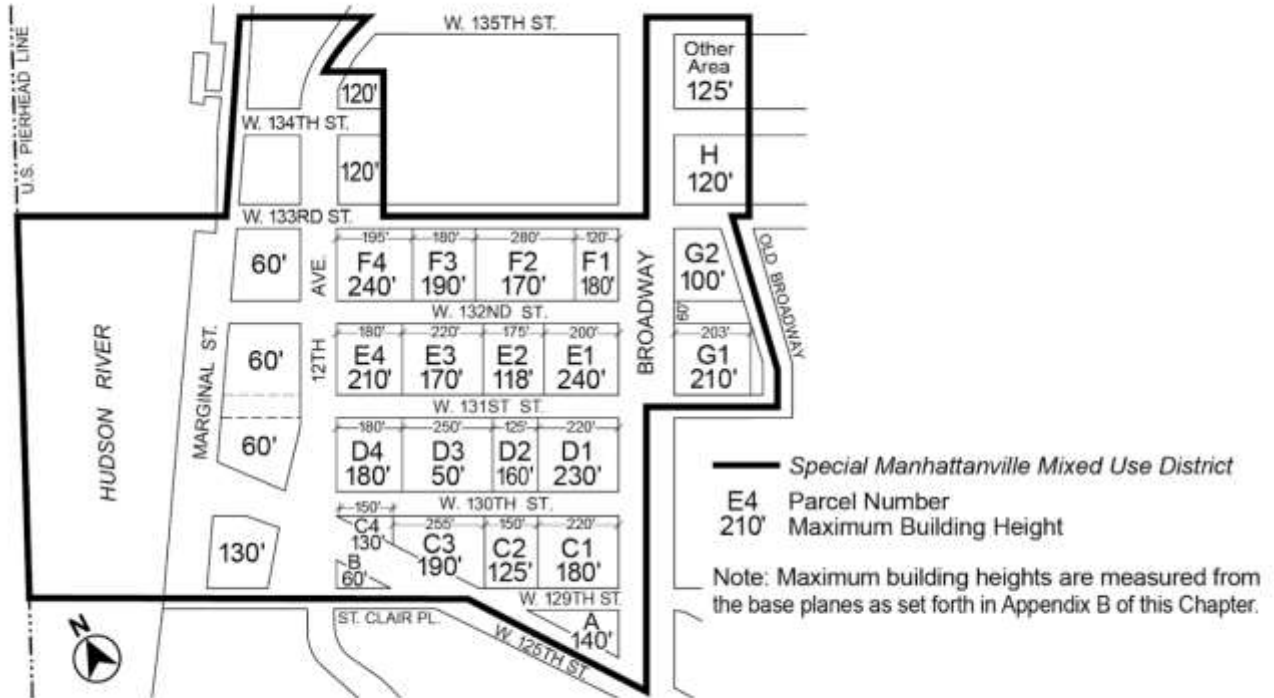


[PROPOSED MAP]



- Special Manhattanville Mixed Use District*
- Type 1 Street Wall (W. 125th St. & Broadway)
- Type 2 Street Wall (Parcel C4, see Map 5)
- Type 3 Street Wall (12th Ave.- East Side, except Parcel C4, see Map 5)
- Type 4 Street Wall (Narrow Streets)
- Type 5 Street Wall (Old Broadway)
- Type 6 Street Wall (12th Ave.- North of 133rd St.)
- A-H Block Designation

[EXISTING MAP]



[PROPOSED MAP]



Special Manhattanville Mixed Use District

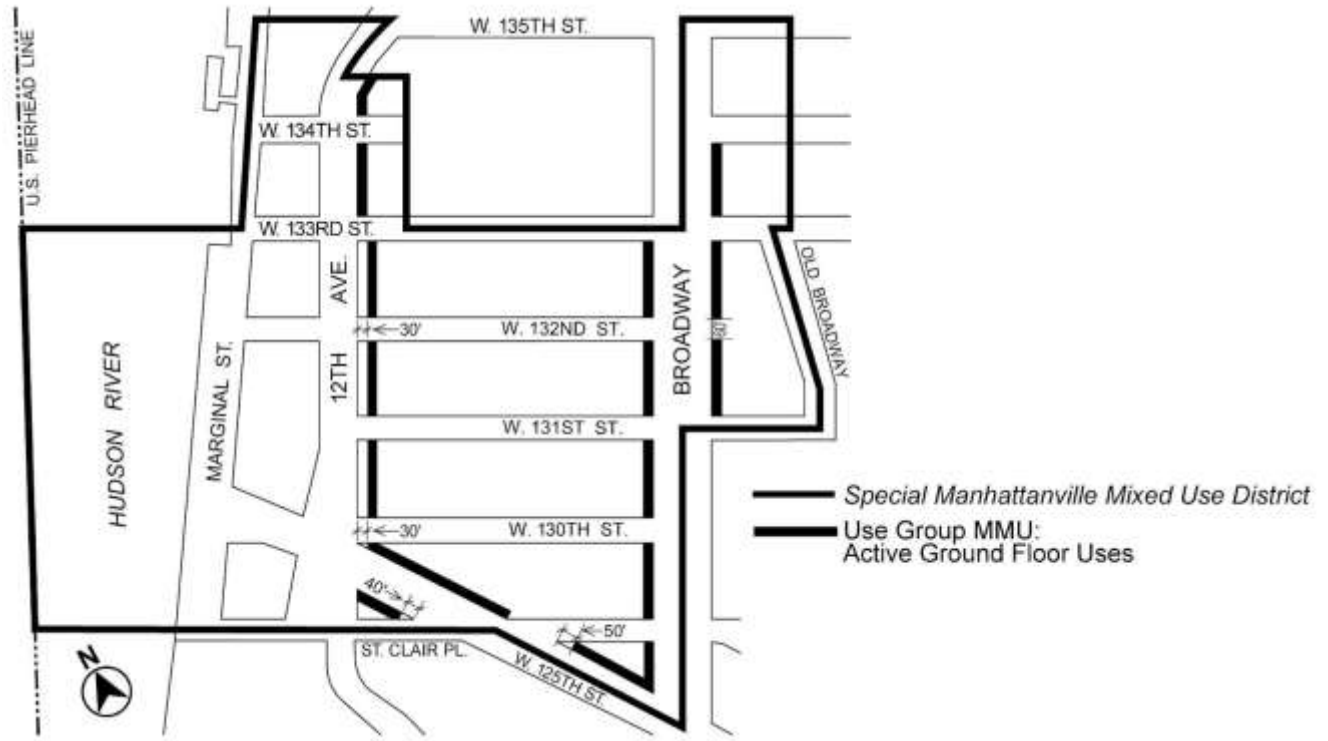
E4
210'

Parcel Number
Maximum Building Height

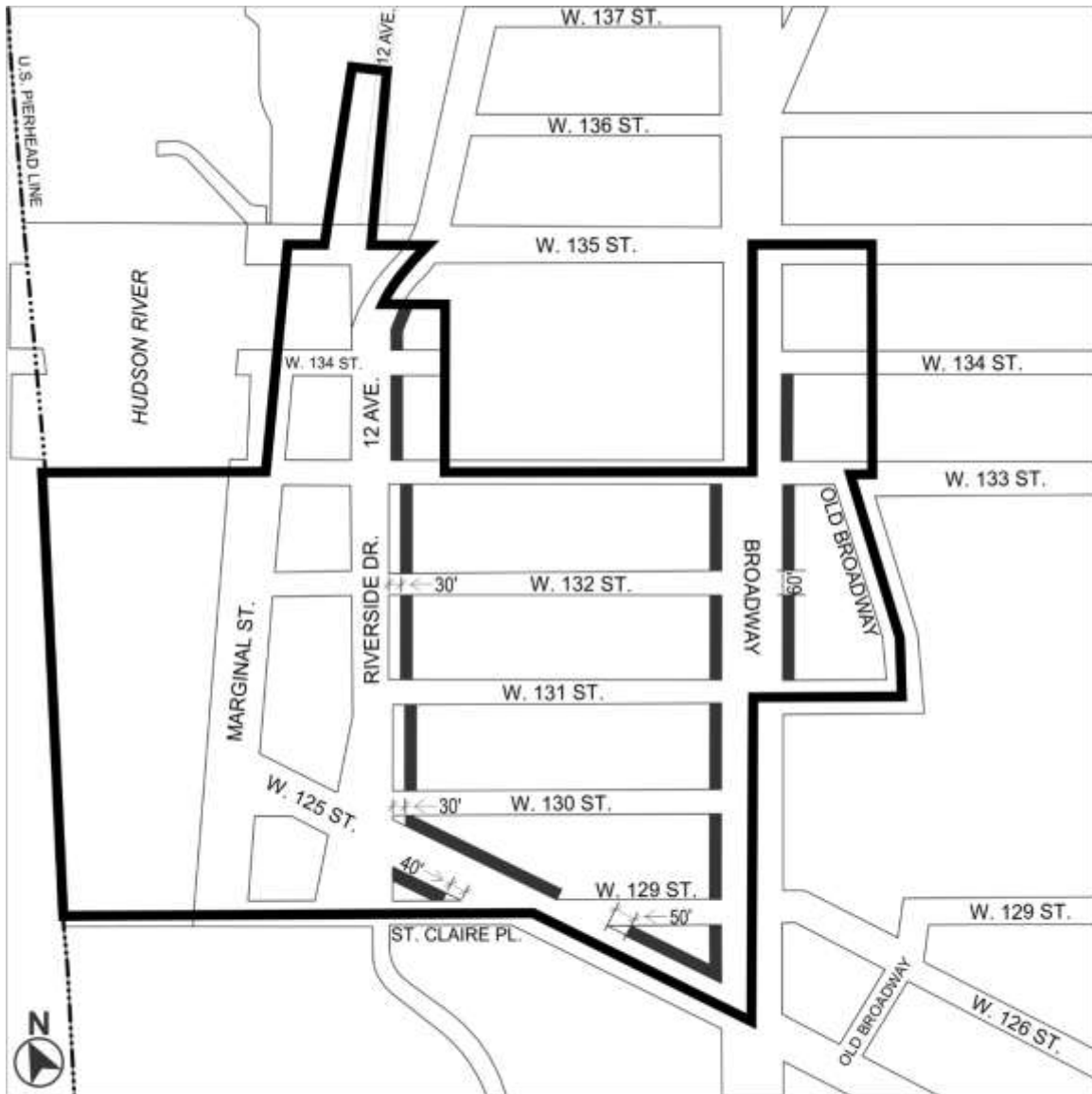
Note: Maximum building heights are measured from the base planes as set forth in Appendix B of this Chapter.

Map 6 - Ground Floor Use and Frontage

[EXISTING MAP]



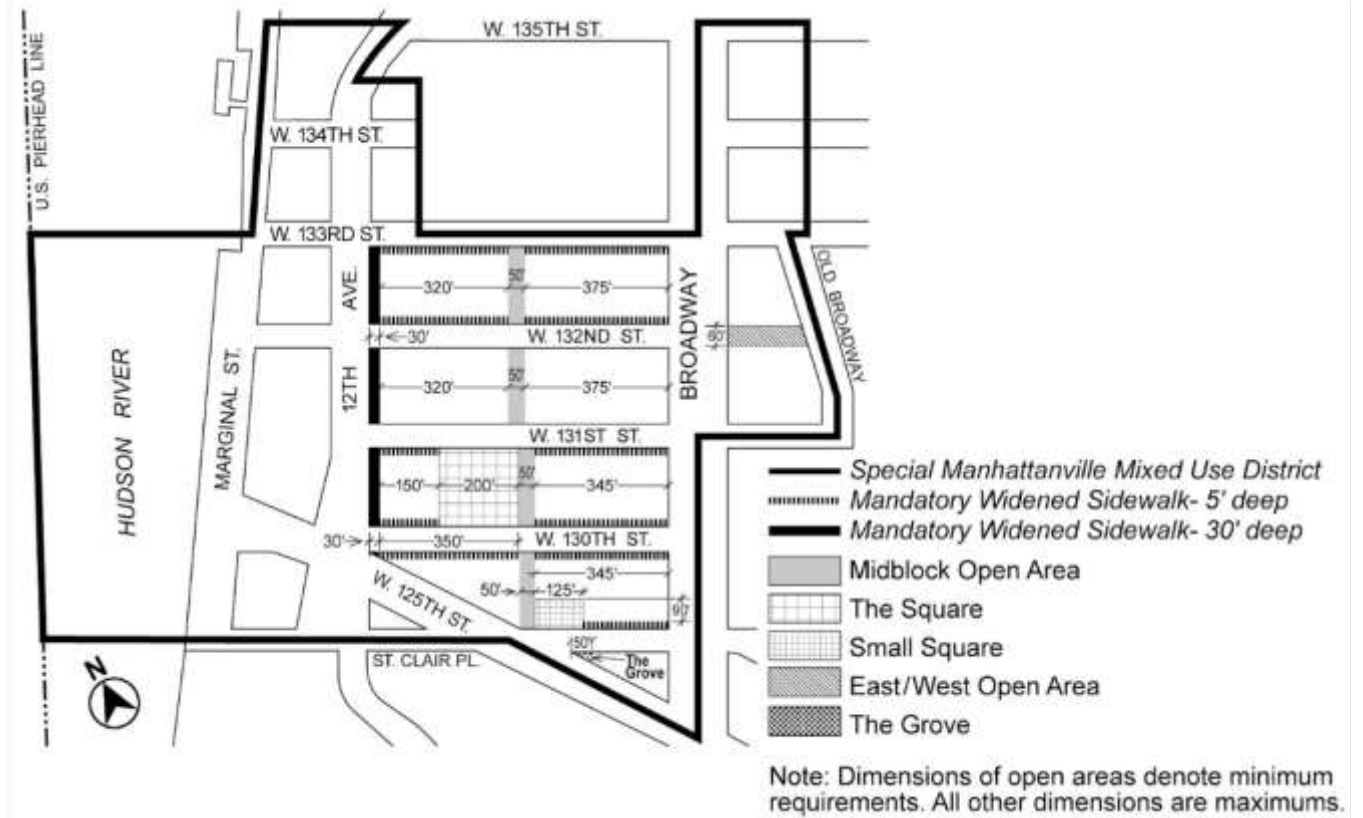
[PROPOSED MAP]



- Special Manhattanville Mixed Use District*
- Use Group MMU:
Active Ground Floor Uses*

Map 7 – Mandatory Open Areas

[EXISTING MAP]



The map illustrates the Special Manhattanville Mixed Use District, bounded by the Hudson River to the west and north, and by a thick black line to the south and east. Key streets include W. 137 St., W. 136 St., W. 135 St., W. 134 St., W. 133 St., W. 129 St., W. 126 St., W. 125 St., W. 130 St., W. 131 St., W. 132 St., Marginal St., Riverside Dr., 12 Ave., Broadway, Old Broadway, and St. Claire Pl. The map also shows the Hudson River, the U.S. Pierhead Line, and a north arrow. Various open areas are marked with different patterns and dimensions, such as 320', 375', 150', 200', 345', 120', 50', 125', 150', and 30'. A legend at the bottom defines the symbols used for different types of open areas and sidewalks.

Legend:

- Special Manhattanville Mixed Use District
- Mandatory Widened Sidewalk- 5' Deep
- Mandatory Widened Sidewalk- 30' Deep
- Midblock Open Area
- The Square
- Small Square
- East/West Open Area
- The Grove

Note: Dimensions of open areas denote minimum requirements. All other dimensions are maximums.

* * *

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

* * *

* * *

1. 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 ~~and Option 2~~

Portion of Community District 9, Manhattan

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI, 10-0-0; *Absent*: Kamillah M. Hanks; Committee on Land Use, October 9, 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. 151 & Res. No. 639

Report of the Committee on Land Use in favor of approving, as modified, Application number C 230208 ZSM (135th Street Rezoning) submitted by Crosscap Holdings, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681(a)(1) of the Zoning Resolution to allow a portion of the railroad or transit right-of-way or yard which will be completely covered over by a permanent platform to be included in the lot area for a proposed 7-story mixed use building, on property located at 701 West 135th Street (Block 2101, Lot 58), in an R7-2/C2-4 District, within a Special Manhattanville Mixed Use District (MMU), Borough of Manhattan, Community District 9, Council District 7.

The Committee on Land Use, to which the annexed Land Use item was referred on September 12, 2024 (Minutes, page 3138) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on October 10, 2024 (Minutes, page 3349), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 149 & Res. No. 637 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, Riley and Mealy offered the following resolution:

Res. No. 639

Resolution approving the decision of the City Planning Commission on ULURP No. C 230208 ZSM, for the grant of a special permit (L.U. No. 151).

By Council Members Salamanca, Riley and Mealy.

WHEREAS, Crosscap Holdings, LLC, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681(a)(i) of the Zoning Resolution to allow a portion of the railroad or transit right-of-way or yard which will be completely covered over by a permanent platform to be included in the lot area for a proposed 7-story mixed-use building, on property located at 701 West 135th Street (Block 2101, Lot 58), in an R7-2/C2-4 District, within a Special Manhattanville Mixed Use District (MMU), in the West Harlem neighborhood of Manhattan, Community District 9 (ULURP No. C 230208 ZSM) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on September 6, 2024, its decision dated August 21, 2024 (the “Decision”) on the Application;

WHEREAS, the Application is related to applications C 230206 ZMM (L.U. No. 149), a zoning map amendment to change an M1-1 district to an R7-2 district with a C2-4 overlay and expand the Special Manhattanville Mixed Use District; N 230207 ZRM (L.U. No. 150), a zoning text amendment to map the project area as “Other Area” within the Special Manhattanville Mixed Use District, to modify special permit provisions of Section 104-60 of the Zoning Resolution to enable modifications of applicable bulk regulations, except floor area ratio, for developments within or over a railroad right-of-way, and to modify Appendix F of the Zoning Resolution to designate a Mandatory Inclusionary Housing area; and C 230209 ZSM (L.U. No. 152), a zoning special permit pursuant to Section 104-60 of the Zoning Resolution to modify the rear yard and lot coverage requirements;

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

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-61 of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 17, 2024 and September 24, 2024;

WHEREAS, the Council has considered the land use and environmental 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 March 29th, 2024 (CEQR No. 23DCP140M), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-761) (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-761) 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 230208 ZSM, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

1. The property that is the subject of this application (C 230208 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by SWA Architecture, filed with this application and incorporated in this resolution:

<u>Drawing No.</u>	<u>Title</u>	<u>Last Revised Date</u>
03	Zoning Site Plan	03/11/2024
04	Zoning Analysis and Diagrams	03/11/2024
05	Zoning Waiver Plan	03/11/2024
08	Illustrative Zoning Sections	03/11/2024
09	Illustrative Zoning Sections	03/11/2024

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
4. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.

5. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure or breach of any of the conditions as stated above, may constitute grounds for the City Planning Commission or City Council, as applicable, to disapprove any application for modification, renewal or extension of the special permit hereby granted or of the attached restrictive declaration.
6. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

RAFAEL SALAMANCA, Jr., Chairperson; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI, 10-0-0; *Absent:* Kamillah M. Hanks; Committee on Land Use, October 9, 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. 152 & Res. No. 640

Report of the Committee on Land Use in favor of approving, as modified, Application number C 230209 ZSM (135th Street Rezoning) submitted by Crosscap Holdings, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 104-60 of the Zoning Resolution to modify the rear yard regulations of Section 23-52 (Special Provisions for Shallow Interior Lots) and the lot coverage requirements of Section 23-153 (For Quality Housing buildings), in connection with a proposed 7-story mixed use building, on property located at 701 West 135th Street (Block 2101, Lot 58), in an R7-2/C2-4 District, within a Special Manhattanville Mixed Use District (MMU), Borough of Manhattan, Community District 9, Council District 7.

The Committee on Land Use, to which the annexed Land Use item was referred on September 12, 2024 (Minutes, page 3139) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on October 10, 2024 (Minutes, page 3350), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 149 & Res. No. 637 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, Riley and Mealy offered the following resolution:

Res. No. 640

Resolution approving the decision of the City Planning Commission on ULURP No. C 230209 ZSM, for the grant of a special permit (L.U. No. 152).

By Council Members Salamanca, Riley and Mealy.

WHEREAS, Crosscap Holdings, LLC, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 104-60 of the Zoning Resolution to modify the rear yard regulations of Section 23-52 (Special Provisions for Shallow Interior Lots) and the lot coverage requirements of Section 23-153 (For Quality Housing buildings), in connection with a proposed 7-story mixed-use building, on property located at 701 West 135th Street (Block 2101, Lot 58), in an R7-2/C2-4 District, within a Special Manhattanville Mixed Use District (MMU), Borough of Manhattan, Community District 9 (ULURP No. C 230209 ZSM) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on September 6, 2024, its decision dated August 21, 2024 (the “Decision”) on the Application;

WHEREAS, the Application is related to applications C 230206 ZMM (L.U. No. 149), a zoning map amendment to change an M1-1 district to an R7-2 district with a C2-4 overlay and expand the Special Manhattanville Mixed Use District; N 230207 ZRM (L.U. No. 150), a zoning text amendment to map the project area as “Other Area” within the Special Manhattanville Mixed Use District, to modify special permit provisions of Section 104-60 of the Zoning Resolution to enable modifications of applicable bulk regulations, except floor area ratio, for developments within or over a railroad right-of-way, and to modify Appendix F of the Zoning Resolution to designate a Mandatory Inclusionary Housing area; and C 230208 ZSM (L.U. No. 151), a zoning special permit pursuant to Section 74-61 of the Zoning Resolution to allow development over a portion of the railroad right-of-way;

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

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 104-60 of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 17, 2024 and September 24, 2024;

WHEREAS, the Council has considered the land use and environmental 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 March 29th, 2024 (CEQR No. 23DCP140M), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-761) (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-761) 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 230209 ZSM,

incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

1. The property that is the subject of this application (C 230209 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by SWA Architecture, filed with this application and incorporated in this resolution:

<u>Drawing No.</u>	<u>Title</u>	<u>Last Revised Date</u>
03	Zoning Site Plan	03/11/2024
04	Zoning Analysis and Diagrams	03/11/2024
05	Zoning Waiver Plan	03/11/2024
08	Illustrative Zoning Sections	03/11/2024
09	Illustrative Zoning Sections	03/11/2024

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
4. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.
5. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure or breach of any of the conditions as stated above, may constitute grounds for the City Planning Commission or City Council, as applicable, to disapprove any application for modification, renewal or extension of the special permit hereby granted or of the attached restrictive declaration.
6. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

RAFAEL SALAMANCA, Jr., Chairperson; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI, 10-0-0; *Absent*: Kamillah M. Hanks; Committee on Land Use, October 9, 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)

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| (1) M-71 &
Res. No. 636 - | Communication from the Queens Borough President - Submitting the name of Oudeshram “Raj” Rampershad to the Council for its advice and consent regarding his reappointment to the City Planning Commission, pursuant to Sections 31 and 192 of the City Charter. |
| (2) Int. No. 87-A - | Administration for Children’s Services and the Department of Probation to report on juvenile justice statistics. |
| (3) Int. No. 468-A - | Dept. of Transportation posting information on traffic-control device and speed reducer requests on its website. |
| (4) Int. No. 733-A - | Dept. of Education to report information on career and technical education programs in New York City public schools. |
| (5) Int. No. 771-A - | Distribution of information regarding interpretation and translation services. |
| (6) Int. No. 797-A - | Student clubs and organizations. |
| (7) Int. No. 991-C - | Licensing hotels. |
| (8) Res. No. 579 - | THE APPOINTMENT BY THE COUNCIL OF DR. MOHAMMAD KHALID AS A MEMBER OF THE NEW YORK CITY CIVILIAN COMPLAINT REVIEW BOARD. |
| (9) Preconsidered
Res. No. 622 - | New designation and changes in the designation of certain organizations to receive funding in the Expense Budget (Transparency Resolution) . |
| (10) Preconsidered
Res. No. 623 - | Percent increase of the current base proportion of any class of real property over the adjusted base proportion of the immediately preceding year. |

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| (11) Preconsidered
Res. No. 624 - | Amend and restate the resolution computing and certifying base percentage, current percentage, and current base proportion of each class of real property for Fiscal 2025 (Class Shares, CBP; Amendment and Restatement) . |
| (12) Preconsidered
Res. No. 625 - | Amend and restate the resolution computing and certifying adjusted base proportion of each class of real property for Fiscal (Class Shares, ABP; Amendment and Restatement) . |
| (13) Preconsidered
Res. No. 626 - | RESOLUTION AMENDING AND RESTATING THE RESOLUTION TO PROVIDE THE AMOUNTS NECESSARY FOR THE SUPPORT OF THE GOVERNMENT OF THE CITY OF NEW YORK AND THE COUNTIES (Tax-Fixing Resolution, Amendment and Restatement; October 23, 2024) . |
| (14) L.U. No. 149 &
Res. No. 637 - | App. C 230206 ZMM (135th Street Rezoning) , Borough of Manhattan, Community District 9, Council District 7. |
| (15) L.U. No. 150 &
Res. No. 638 - | App. N 230207 ZRM (135th Street Rezoning) , Borough of Manhattan, Community District 9, Council District 7. |
| (16) L.U. No. 151 &
Res. No. 639 - | App. C 230208 ZSM (135th Street Rezoning) , Borough of Manhattan, Community District 9, Council District 7. |
| (17) L.U. No. 152 &
Res. No. 640 - | App. C 230209 ZSM (135th Street Rezoning) , Borough of Manhattan, Community District 9, Council District 7. |
| (18) Preconsidered
L.U. No. 182 &
Res. No. 633 - | Joseph Belsky House, Brooklyn, Community District No. 14, Council District No. 40. |
| (19) Preconsidered
L.U. No. 183 &
Res. No. 634 - | 272 East 7th Street: Block 376, Lot 28, Manhattan, Community District No. 3, Council District No. 2. |

(20) **Preconsidered**
L.U. No. 184 &
Res. No. 635 -

Cathedral Parkway, Manhattan,
 Community District No. 10, Council
 District No. 9.

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, Williams, Won, 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. 991-C**:

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, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Powers, Restler, Riley, Rivera, Salaam, Salamanca, Sanchez, Schulman, Stevens, Ung, Williams, Won, Zhuang, the Majority Leader (Council Member Farías) and the Speaker (Council Member Adams) - **45**.

Negative – Carr, Marmorato, Paladino and the Minority Leader (Council Member Borelli) – **4**

Abstention – Yeger – **1**.

The following was the vote recorded for **Res. No. 579**:

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

Negative – Hudson and Sanchez – **2**.

The following was the vote recorded for **Preconsidered Res. No. 623**:

Affirmative – Abreu, Avilés, Ayala, Banks, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Feliz, Gennaro, Gutiérrez, Hanif, Hudson, Joseph, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Powers, Restler, Riley, Rivera, Salaam, Salamanca, Sanchez, Schulman, Stevens, Ung, Williams, Won, the Majority Leader (Council Member Farías) and the Speaker (Council Member Adams) - **40**.

Negative – Ariola, Carr, Hanks, Holden, Marmorato, Mealy, Paladino, Yeger, Zhuang, and the Minority Leader (Council Member Borelli) – **10**.

The following was the vote recorded for **Preconsidered Res. Nos. 624, 625, and 626**:

Affirmative– Abreu, Avilés, Ayala, Banks, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Feliz, Gennaro, Gutiérrez, Hanif, Hudson, Joseph, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Powers, Restler, Riley, Rivera, Salaam, Salamanca, Sanchez, Schulman, Stevens, Ung, Williams, Won, the Majority Leader (Council Member Farías) and the Speaker (Council Member Adams) - **41**.

Negative – Ariola, Carr, Hanks, Holden, Marmorato, Paladino, Yeger, Zhuang, and the Minority Leader (Council Member Borelli) – **9**.

*The following Introductions were sent to the Mayor for his consideration and approval:
Int. Nos. 87-A, 468-A, 733-A, 771-A, 797-A, and 991-C.*

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. 193

Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations in favor of approving a Resolution designating October as Youth Empowerment Month annually in the City of New York to recognize, appreciate, and celebrate the successes of young people and their contributions to school and community life.

The Committee on Cultural Affairs, Libraries and International Intergroup Relations, to which the annexed resolution was referred on February 28, 2024 (Minutes, page 989), respectfully

REPORTS:

On Wednesday, October 23, 2024, the Committee on Cultural Affairs, Libraries and International Intergroup Relations, chaired by Council Member Carlina Rivera, held a hearing and vote on Resolution Number (Res. No.) 193, sponsored by Council Member Nantasha Williams, which would designate October as Youth Empowerment Month annually in the City of New York to recognize, appreciate, and celebrate the successes of young people and their contributions to school and community life; on Res. No. 508, also sponsored by Council Member Williams, which would designate October 10 annually as Casey Benjamin Day in the City of New York and celebrate the genius of his music and his unique contributions to a variety of music genres; on Res. No. 518, sponsored by Council Member Selvena Brooks-Powers, which would declare October as Jamaican Heritage Month in New York City; and on Res. No. 629, sponsored by Council Members Crystal Hudson and Tiffany Cabán, which would celebrate the New York Liberty's winning of the 2024 Women's National Basketball Association championship and declare October 20 as New York Liberty Day annually in the City of New York.

The Committee on Cultural Affairs, Libraries and International Intergroup Relations passed all four resolutions by a vote of nine in the affirmative, zero in the negative, and zero abstentions.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 193:)

Res. No. 193

Resolution designating October as Youth Empowerment Month annually in the City of New York to recognize, appreciate, and celebrate the successes of young people and their contributions to school and community life.

By Council Members Williams, Riley, Stevens, Salaam, Hanif, Ossé, Hudson, Bottcher, Avilés, Krishnan, Cabán, Marte, Menin, Banks, Restler, Ung, Hanks, Won, Marmorato, Brooks-Powers, Farías, Louis and Mealy.

Whereas, New York City (NYC) youths and young adults up to 25 years of age have an important and constructive role to play in NYC communities; and

Whereas, According to the U.S. Department of Health and Human Services' *Key Substance Use and Mental Health Indicators in the United States: Results from the 2020 National Survey on Drug Use and Health*, herein called *National Survey*, about 17 percent of young people aged 12 to 25 said that they had felt depressed for at

least one period of two weeks or longer during the past year and had also had issues with their sleeping, eating, energy, concentration, or feelings of self-worth; and

Whereas, According to the *National Survey*, the percentage of young people aged 12 to 25 experiencing depression has been on a steady rise since 2013; and

Whereas, According to the Mayo Clinic, social media can provide teens with support and a social network, which might help them avoid depression, but excessive use of social media can also increase anxiety and depression and expose them to bullying and peer pressure; and

Whereas, Looking for ways to reach out to young people to support them in resolving their day-to-day issues and, in the long run, in increasing their self-esteem is a necessary and valuable role for school and community leaders to play; and

Whereas, Many agencies and community leaders focus their efforts on young people who have been marginalized—including those living in underserved communities, those living in immigrant and low-income households, those caught in the epidemic of gun violence, and those struggling with personal issues—and rightly so; and

Whereas, According to Linette Townsley, Youth Services Committee Chair of Community Board 12 in Queens, NYC needs to pay attention to its young people who are excelling in school and giving back to the community, to recognize them and let them know that they are appreciated, and to guide them as they plan for their futures; and

Whereas, Many prominent organizations, NYC agencies, and community leaders have joined with Community Board 12 to plan, provide resources, or host activities for the first commemoration of Youth Empowerment Month in October, 2023, including the National Association for the Advancement of Colored People (NAACP), National Action Network, National Urban League, NYC Department of Youth and Community Development (DYCD), local pastors, and more; and

Whereas, Although the idea for Youth Empowerment Month was born in Queens, sponsors for this first Youth Empowerment Month have reached out to and brought in youth and supportive community leaders and organizations from every NYC borough; and

Whereas, Pastor Tina Booker, who founded Radikal4kidz, a youth outreach organization, praised the idea of a month devoted to young people and called for their involvement in choosing the kinds of events to be held during Youth Empowerment Month in years to come; and

Whereas, Events for Youth Empowerment Month can include college fairs, art installations, days of community service, documentary movie screenings, lectures and discussions on current issues, music and dance performances, block parties, resources such as those from the U.S. Small Business Administration for youth entrepreneurs that young people might not even be aware of, and more; and

Whereas, Every NYC community can and should find a local community leader to create its own Youth Empowerment Month agenda and find its own ways to celebrate its young people; and

Whereas, It is fitting that NYC take some time to focus its resources and energy on its young people, who hold the future of the City in their hands and who, when coming together, can inspire each other to continue doing great things; now, therefore, be it

Resolved, That the Council of the City of New York designates October as Youth Empowerment Month annually in the City of New York to recognize, appreciate, and celebrate the successes of young people and their contributions to school and community life.

CARLINA RIVERA, *Chairperson*; FARAH N. LOUIS, SHAHANA K. HANIF, KAMILLAH M. HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, SANDRA UNG, NANTASHA M. WILLIAMS, DAVID M. CARR; 9-0-0; Committee on Cultural Affairs, Libraries, and International Intergroup Relations, October 23, 2024. *Other Council Members Attending: Council Member Brooks-Powers.*

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

Adopted unanimously by the Council by voice-vote.

Report for voice-vote item Res. No. 508

Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations in favor of approving a Resolution designating October 10 annually as Casey Benjamin Day in the City of New York and celebrating the genius of his music and his unique contributions to a variety of music genres.

The Committee on Cultural Affairs, Libraries and International Intergroup Relations, to which the annexed resolution was referred on July 18, 2024 (Minutes, page 2775), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations for Res. No. 193 printed above in this voice-vote Resolutions calendar section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 508:)

Res. No. 508

Resolution designating October 10 annually as Casey Benjamin Day in the City of New York and celebrating the genius of his music and his unique contributions to a variety of music genres.

By Council Members Williams, Riley, Farías, Louis and Mealy.

Whereas, Casey Bryon Benjamin was born on October 10, 1978, in Brooklyn to Gentle Benjamin, a television producer from Grenada, and Julieta McAlmon Benjamin, a nursing assistant from Panama; and

Whereas, Benjamin then moved to South Jamaica, Queens, where he grew up surrounded by Caribbean and Latin culture and musical influences, including the Jamaica Funk Crew; and

Whereas, Having become interested in jazz at the young age of four, Benjamin began playing the saxophone at the age of eight and was performing by the age of 12; and

Whereas, Benjamin graduated from Manhattan's prestigious Fiorello H. LaGuardia High School of Music & Art and Performing Arts in 1996 and went on to study music at the New School's School of Jazz and Contemporary Music, where he met Robert Glasper, who would become an important part of his music career; and

Whereas, Beginning their formal collaboration in 2004, Benjamin became a founding member of the Robert Glasper Experiment, led by keyboardist Glasper and later described by *The New York Times* critic Nate Chinen in 2012 as "specializ[ing] in deep, immersive grooves, nourished as much by hip-hop and R&B as any known species of jazz"; and

Whereas, Nominated for five GRAMMY Awards during his career, Benjamin won a GRAMMY in 2012 with the Robert Glasper Experiment for best R&B album for *Black Radio*, which featured Erykah Badu, Lupe Fiasco, and Yasiin Bey (Mos Def); and

Whereas, In 2015, Benjamin won another GRAMMY Award for best traditional R&B performance for the Robert Glasper Experiment's cover of Stevie Wonder's "Jesus Children"; and

Whereas, Benjamin was known for his vibrant stage presence and his swirl of braided hair, often streaked with color, gathered on top of his head; and

Whereas Benjamin's "energy exuded freedom" before he even played a note, according to bass player and composer Derrick Hodge, who collaborated with him in the Robert Glasper Experiment and in Stefon Harris's band Blackout; and

Whereas, Benjamin also collaborated, recorded, and toured with a long list of well-known jazz, Hip Hop, and R&B solo artists and groups, including Betty Carter, Drake, Nas, Kendrick Lamar, A Tribe Called Quest, Common, Wyclef Jean, Solange, Mary J. Blige, John Legend, Lady Gaga, and Beyoncé; and

Whereas, As an associate music producer working alongside rapper and producer Q-Tip, Benjamin lent his talents to *Ali*, a musical about the life of Muhammad Ali; and

Whereas, Although Benjamin was an acclaimed alto, tenor, and soprano saxophonist, *The New York Times* noted that “he never let himself be limited, by genre, style or even instrument” and that “he created a rainbow of sounds using not only reeds and woodwinds but also a vocal synthesizer manipulated with a keytar (a keyboard instrument worn with a strap around the neck), along with other synthesizers and effects pedals”; and

Whereas, In a 2018 interview on the *HighBreedMusic* website, Benjamin described his own style as “creat[ing] this lane for myself...this sort of thing that, you know, only I can do” and noted that “99 percent of my career, I have been hired to be myself...[people say] just let him do what he does; and

Whereas, In that same interview, Benjamin described the key to success as “find[ing] something that...nobody else does and, when you find it, do it every single time”; and

Whereas, On March 30, 2024, Benjamin died of a pulmonary thromboembolism at the age of 45, prior to the release of his new solo album; and

Whereas, According to his obituary in *DownBeat*, a jazz and blues music magazine, Benjamin “possessed a fluid, round sound on the alto saxophone and a unique sense of phrasing” and was described as “most recognizable by the layers of electronic effects” and for his distinctive “use of vocoder-processed vocals, often manipulated through the keytar he played onstage”; and

Whereas, His longtime collaborator Glasper told *Rolling Stone* magazine that Benjamin was the “epitome of what it means to be unique and one of a kind” and “the true meaning of a genius at his craft”; and

Whereas, In a recent tribute at a concert by Fall Out Boy frontman Patrick Stump, one of his collaborators, Stump said of Benjamin that “to be in his presence is to understand that music is supposed to be joy [and that] we are supposed to share this together”; now, therefore, be it

Resolved, That the Council of the City of New York designates October 10 annually as Casey Benjamin Day in the City of New York and celebrates the genius of his music and his unique contributions to a variety of music genres.

CARLINA RIVERA, *Chairperson*; FARAH N. LOUIS, SHAHANA K. HANIF, KAMILLAH M. HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, SANDRA UNG, NANTASHA M. WILLIAMS, DAVID M. CARR; 9-0-0; Committee on Cultural Affairs, Libraries, and International Intergroup Relations, October 23, 2024. *Other Council Members Attending: Council Member Brooks-Powers.*

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

Adopted unanimously by the Council by voice-vote.

Report for voice-vote item Res. No. 518

Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations in favor of approving a Resolution declaring October as Jamaican Heritage Month in New York City.

The Committee on Cultural Affairs, Libraries and International Intergroup Relations, to which the annexed resolution was referred on Cultural Affairs, Libraries and International Intergroup Relations on August 15, 2024 (Minutes, page 2970), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations for Res. No. 193 printed above in this voice-vote Resolutions calendar section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 518:)

Res. No. 518

Resolution declaring October as Jamaican Heritage Month in New York City.

By Council Members Brooks-Powers, Cabán, Hanif, Gutiérrez, Riley, Williams, Narcisse, Farías, Ossé, Louis and Mealy.

Whereas, Jamaicans are the third-largest foreign-born group in New York City, according to the Census American Community Survey 2020; and

Whereas, Jamaican Immigrants have made neighborhoods like Crown Heights and East Flatbush in Brooklyn; Eastchester and Wakefield in the Bronx; the Laurelton-Rosedale area in Queens and many other areas of the city their home; and

Whereas, Jamaican immigrants have contributed greatly to the economic development in New York City and the U.S. as notably hard workers, business owners and entrepreneurs; and

Whereas, For example, according to a 2010 American Community Survey and the U.S. Census Bureau, Jamaicans are among the three immigrant populations to own the greatest number of businesses in the U.S. from 2002 to 2008, contributing \$348 billion to the U.S. economy from 2002 to 2007; and

Whereas, New York City had the largest number of black-owned Jamaican businesses during this period and these businesses contributed about \$12.8 billion to New York City economy; and

Whereas, Many Jamaican Americans have contributed significantly to the arts, music, culture, and politics in New York City and the U.S; and now, therefore, be it

RESOLVED, That the Council of the City of New York declares October as Jamaican Heritage Month in New York City.

CARLINA RIVERA, *Chairperson*; FARAH N. LOUIS, SHAHANA K. HANIF, KAMILLAH M. HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, SANDRA UNG, NANTASHA M. WILLIAMS, DAVID M. CARR; 9-0-0; Committee on Cultural Affairs, Libraries, and International Intergroup Relations, October 23, 2024. *Other Council Members Attending: Council Member Brooks-Powers.*

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

Adopted unanimously by the Council by voice-vote.

At this point, the Speaker (Council Member Adams) announced that the following item had been **preconsidered** by the Committee on Cultural Affairs, Libraries and International Intergroup Relations and had been favorably reported for adoption.

Report for voice-vote item Res. No. 629

Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations in favor of approving a Resolution celebrating the New York Liberty's winning of the 2024 Women's National Basketball Association championship and declaring October 20 as New York Liberty Day annually in the City of New York.

The Committee on Cultural Affairs, Libraries and International Intergroup Relations, to which the annexed preconsidered resolution was referred on October 23, 2024, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations for Res. No. 193 printed above in this voice-vote Resolutions calendar section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Preconsidered Res. No. 629:)

Preconsidered Res. No. 629

Resolution celebrating the New York Liberty's winning of the 2024 Women's National Basketball Association championship and declaring October 20 as New York Liberty Day annually in the City of New York.

By Council Members Hudson, Cabán, Ossé, Louis, Mealy and Restler.

Whereas, The New York Liberty won its first Women's National Basketball Association (WNBA) championship on October 20, 2024, at Brooklyn's Barclays Center by a score of 67-62 in overtime over the Minnesota Lynx, the only team to have beaten the Liberty multiple times in regular season play, taking three of four games; and

Whereas, In front of a sellout crowd of over 18,000, the Liberty won the title in five games, after five previous unsuccessful trips to the WNBA finals; and

Whereas, The Lynx had won four WNBA titles out of six previous trips to the finals; and

Whereas, Liberty center Jonquel Jones was named the MVP (most valuable player), averaging 17.8 points and 7.6 rebounds per game during the finals series; and

Whereas, High scorers in game 5 for the Liberty were Jones, who scored 17 points, followed by Breanna Stewart and Nyara Sabally, who each scored 13 points; and

Whereas, Stewart sent game 5 into overtime by making two free throws to tie it up with five seconds left in the fourth quarter; and

Whereas, Liberty players Sabrina Ionescu in the fourth quarter and rookie Leonie Fiebich in overtime both had critical three-pointers on the way to their game 5 win; and

Whereas, Ionescu notably also made a three-pointer that won game 3 of the championship series for the Liberty with one second left on the clock, putting the Liberty ahead two games to one in the series; and

Whereas, Reporting on game 5, ESPN noted that Sabally "turned the game on its head" when she was put in, providing "energy a stat sheet can't record" and noted that the "other spark plug came in the form of Kayla Thornton, a tough, imposing figure," who "took it upon herself to curb Minnesota superstar Napheesa Collier with her close checking and elite footwork"; and

Whereas, The championship five-game series was hotly contested, with three of the first four games being decided by three points or fewer; and

Whereas, The valiant contributions of Betnijah Laney-Hamilton, an important member of the squad since 2021 and coming off a July knee surgery, which has limited her playing time, were crucial to the Liberty's win in game 2; and

Whereas, This year, the Liberty tied its own record of 32 wins during the regular season; and

Whereas, The Liberty's defeat of the Las Vegas Aces in the semi-finals this year was especially rewarding after the Liberty's loss to the Aces for the championship last year; and

Whereas, Liberty coach Australian Sandy Brondello, who previously coached the Phoenix Mercury to a WNBA championship in 2014, commented, "I'm really proud of our team, how resilient we were, how we stuck together, how we continued to trust each other"; and

Whereas, Many Liberty players have received accolades prior to this championship, including Paris Olympics gold medalists Stewart and Ionescu, Paris Olympian Sabally (playing for Germany), and five-time All Star and WNBA champion Courtney Vandersloot; and

Whereas, The committed teamwork and perseverance of the entire squad of Liberty players has been on display throughout the 2024 regular season as well as in post-season play right through game 5 of the finals; and

Whereas, The Liberty, which was one of the WNBA's original franchises and moved to Brooklyn in 2020, has brilliantly reignited the ardor of New York City (NYC) fans of women's basketball, thanks to Liberty players' talent, skill, passion, and dedication and thanks to their mascot Ellie the Elephant, who has a fervent following of her own; and

Whereas, The Liberty's WNBA win brings NYC its first professional basketball championship since the New York Nets won the American Basketball Association title in 1976; now, therefore, be it

Resolved, That the Council of the City of New York celebrates the New York Liberty's winning of the 2024 Women's National Basketball Association Championship and declares October 20 as New York Liberty Day annually in the City of New York.

CARLINA RIVERA, *Chairperson*; FARAH N. LOUIS, SHAHANA K. HANIF, KAMILLAH M. HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, SANDRA UNG, NANTASHA M. WILLIAMS, DAVID M. CARR; 9-0-0; Committee on Cultural Affairs, Libraries, and International Intergroup Relations, October 23, 2024. *Other Council Members Attending: Council Member Brooks-Powers.*

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

Adopted unanimously by the Council by voice-vote.

INTRODUCTION AND READING OF BILLS

Int. No. 1088

By The Speaker (Council Member Adams) and Council Members Restler, Farías, Williams, Gennaro, Hanif and Brooks-Powers.

A Local Law in relation to establishing a charter revision commission to draft a new or revised city charter

Be it enacted by the Council as follows:

Section 1. There is hereby established a commission to draft a new or revised charter for the city of New York.

§ 2. Composition of the commission. a. The commission shall consist of up to 17 members to be appointed as follows:

1. nine members appointed by the speaker of the city council;
2. one member appointed by the mayor;
3. one member appointed by each borough president;
4. one member appointed by the public advocate; and
5. one member appointed by the comptroller.

b. The speaker of the city council shall appoint from among the membership a chairperson.

c. All appointments to the commission shall be made within 60 days of the effective date of this local law, after which time any unused appointment authority granted by subdivision a of this section is forfeited. Any vacancy in the membership of the commission occurring after such date shall be filled in the same manner as the original appointment. A vacancy in the commission shall not impair the right of the remaining members to exercise all the powers of the commission, and any number of commissioners greater than half the number of appointments made within 60 days of the effective date of this local law shall constitute a quorum.

d. No member of the commission may be removed except for cause by the appointing authority that appointed such member.

e. No commission member may be a registered lobbyist as that term is defined in subdivision (a) of section 3-211 of the administrative code of the city of New York. Any person other than such a lobbyist who has business dealings with the city, as that term is defined in subdivision 18 of section 3-702 of the administrative code of the city of New York, may serve as a commission member only after approval by the conflicts of interest board and only subject to such restrictions or limitations on their duties and responsibilities for the commission as the conflicts of interest board may require.

f. No person is disqualified to serve as a commission member by reason of holding any other public office or employment, nor shall they forfeit any such office or employment by reason of their appointment hereunder, notwithstanding the provisions of any law.

g. Commission members shall receive no compensation for their services, but shall be reimbursed for the actual and necessary expenses incurred by them in the performance of their duties.

h. The terms of office of the commission members expire on the day of the election at which the proposed new or revised charter prepared by the commission is submitted to the qualified electors of the city, or on the day of the second general election following the date of the effective date of this local law if no such questions have been submitted by that time.

§ 3. Commission mandate and powers. a. The commission shall review the entire charter and prepare a draft of a proposed new or revised charter.

b. The commission shall conduct not less than one public hearing in each of the five boroughs of the city and shall conduct an extensive outreach campaign that solicits ideas and recommendations from a wide variety of civic and community leaders, and which encourages the public to participate in such hearings. The

commission shall maintain a website that includes its public hearing agendas and transcripts, as well as webcasts of its public hearings.

c. The commission shall have power to conduct private hearings, take testimony, subpoena witnesses, and require the production of books, papers, and records.

d. The city shall make appropriations for the support of the commission and the commission may accept any services, facilities, or funds and use or expend the same for its purposes. In addition, the city shall have the power, on the request of the commission, to appropriate to such commission such sum or sums as shall be necessary to defray its expenses.

e. The commission shall appoint and may at pleasure remove such employees and consultants as it shall require and fix their compensation.

f. No commission employee or consultant may be a registered lobbyist as that term is defined in subdivision (a) of section 3-211 of the administrative code of the city of New York. Any person other than such a lobbyist who is a person doing business with the city, as that term is defined in subdivision 18 of section 3-702.18 of the administrative code of the city of New York, may serve as a commission employee or consultant only after approval by the conflicts of interest board and only subject to such restrictions or limitations on their duties and responsibilities for the commission as the conflicts of interest board may require.

g. No person is disqualified to serve as a commission employee or consultant by reason of holding any other public office or employment, nor shall they forfeit any such office or employment by reason of their appointment hereunder, notwithstanding the provisions of any law.

h. The commission shall be considered an agency for the purposes of article 6 of the public officers law.

§ 4. Submission of recommendation for voter approval. a. The commission may require that its proposed charter be submitted in two or more parts so arranged that corresponding parts of the existing charter shall remain in effect if one or more of such parts are not adopted, or may in lieu of a new charter submit a revision of the existing charter in one or more amendments and may also submit alternative charters or amendments or alternative provisions to supersede designated portions of a proposed charter or amendment if adopted.

b. The commission may submit its proposed new or revised charter to the electors of the city at a general or special election, and shall complete and file in the office of the city clerk its proposed new or revised charter in time for submission to the electors not later than the second general election after the date of the effective date of this local law.

§ 5. Severability. If any provision of this local law, or any amendments thereto, shall be held invalid or ineffective in whole or in part, or inapplicable to any person or situation, such holding shall not affect, impair or invalidate any portion of or the remainder of this local law, and all other provisions thereof shall nevertheless be separately and fully effective and the application of any such provision to other persons or situation shall not be affected.

§ 6. Effective date. This local law takes effect November 6, 2024; provided, however, that if this local law is enacted after such date it shall take effect immediately.

Referred to the Committee on Governmental Operations, State & Federal Legislation,

Int. No. 1089

By Council Members Abreu, Cabán, Hanif, Louis, Ossé, Nurse and Krishnan.

A Local Law to amend the administrative code of the city of New York, in relation to allowing sick time to be used for the care for certain animals

Be it enacted by the Council as follows:

Section 1. Section 20-912 of the administrative code of the city of New York is amended by adding a new of “covered animal” in alphabetical order to read as follows:

Covered animal. The term “covered animal” means an employee’s animal that is a service animal or is an animal kept primarily for companionship in compliance with all applicable laws.

§ 2. Paragraph 1 of subdivision a of section 20-914 of the administrative code of the city of New York, as amended by local law number 97 for the year 2020, is amended to read as follows:

1. An employee shall be entitled to use sick time for absence from work due to:

(a) such employee's mental or physical illness, injury or health condition or need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition or need for preventive medical care; [or]

(b) care of a family member who needs medical diagnosis, care or treatment of a mental or physical illness, injury or health condition or who needs preventive medical care; [or]

(c) closure of such employee's place of business by order of a public official due to a public health emergency or such employee's need to care for a child whose school or childcare provider has been closed by order of a public official due to a public health emergency[.] ; or

(d) *care of a covered animal that needs medical diagnosis, care or treatment of a physical illness, injury or health condition or that needs preventive medical care.*

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

Referred to the Committee on Consumer and Worker Protection.

Int. No. 1090

By Council Members Brannan and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to authorizing an increase in the amount to be expended annually in 9 business improvement districts

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 25-422.1 of the administrative code of the city of New York, as amended by local law number 235 for the year 2017, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 [of chapter four of this title], that it is in the public interest to authorize an increase in the amount to be expended annually in the Times Square business improvement district beginning on July 1, [2017] 2025, and the council having determined further that the tax and debt limits prescribed in section 25-412 [of chapter four of this title] will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [fourteen million three hundred forty-seven thousand two hundred ninety-three dollars (\$14,347,293)] *\$17,200,000*.

§ 2. Subdivision a of section 25-423.1 of the administrative code of the city of New York, as amended by local law number 209 for the year 2019, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 [of chapter four of this title], that it is in the public interest to authorize an increase in the amount to be expended annually in the 34th Street business improvement district beginning on July 1, [2019] 2024, and the council having determined further that the tax and debt limits prescribed in section 25-412 [of chapter four of this title] will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [thirteen million dollars (\$13,000,000)] *\$14,300,000*.

§ 3. Subdivision a of section 25-453 of the administrative code of the city of New York, as amended by local law number 3 for the year 2013, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 [of chapter four of this title], that it is in the public interest to authorize an increase in the amount to be expended annually in the North Flatbush Avenue business improvement district beginning on July 1, [2012] 2025, and the council having determined further that the tax and debt limits prescribed in section 25-412 [of chapter four of this title] will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [two hundred thousand dollars (\$200,000)] *\$350,000*.

§ 4. Subdivision a of section 25-463.1 of the administrative code of the city of New York, as amended by local law number 89 for the year 2021, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 [of chapter four of this title], that it is in the public interest to authorize an increase in the amount to be expended annually in the Madison/23rd/Flatiron/Chelsea business improvement district beginning on July 1, [2021] 2025, and the council having determined further that the tax and debt limits prescribed in section 25-412 [of chapter four of this title] will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [six million dollars (\$6,000,000)] \$9,000,000.

§ 5. Subdivision a of section 25-474.1 of the administrative code of the city of New York, as amended by local law number 135 for the year 2016, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b [of section 25-410 of chapter four of this title], that it is in the public interest to authorize an increase in the amount to be expended annually in the Bayside Village business improvement district beginning on July 1, [2016] 2025, and the council having determined further that the tax and debt limits prescribed in section 25-412 [of chapter four of this title] will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [two hundred thirty thousand dollars (\$230,000)] \$430,000.

§ 6. Subdivision a of section 25-478.1 of the administrative code of the city of New York, as added by local law number 29 for the year 2016, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 [of chapter four of this title], that it is in the public interest to authorize an increase in the amount to be expended annually in the Fulton Street business improvement district beginning on July 1, [2015] 2025, and the council having determined further that the tax and debt limits prescribed in section 25-412 [of chapter four of this title] will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [five hundred thousand dollars (\$500,000)] \$800,000.

§ 7. Subdivision a of section 25-479.2 of the administrative code of the city of New York, as added by local law number 36 for the year 2019, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 [of chapter four of this title], that it is in the public interest to authorize an increase in the amount to be expended annually in the Hudson Square business improvement district beginning on July 1, [2019] 2025, and the council having determined further that the tax and debt limits prescribed in section 25-412 [of chapter four of this title] will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [three million nine hundred thousand dollars (\$3,900,000)] \$5,850,000.

§ 8. Subdivision a of section 25-481.1 of the administrative code of the city of New York, as amended by local law number 235 for the year 2017, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 [of chapter four of this title], that it is in the public interest to authorize an increase in the amount to be expended annually in the Atlantic Avenue business improvement district beginning on July 1, [2016] 2025, and the council having determined further that the tax and debt limits prescribed in section 25-412 [of chapter four of this title] will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [three hundred ninety thousand dollars (\$390,000)] \$637,000.

§ 9. Subdivision a of section 25-482.1 of the administrative code of the city of New York, as added by local law number 235 for the year 2017, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 [of chapter four of this title], that it is in the public interest to authorize an increase in the amount to be expended annually in the SoHo business improvement district beginning on July 1, [2017] 2025, and the council having determined further that the tax and debt limits prescribed in section 25-412 [of chapter four of this title] will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [nine hundred thousand dollars (\$900,000)] \$1,757,934.

§ 10. This local law takes effect July 1, 2025, except that section two of this local law takes effect immediately and is retroactive to and deemed to have been in effect as of July 1, 2024.

Referred to the Committee on Finance.

Res. No. 621

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.321/A.531, in relation to authorizing certain persons confined in institutions operated by the New York State Department of Corrections and Community Supervision to apply for a sentence reduction.

By Council Members Brannan, Hanif, Louis and Williams.

Whereas, New York State has a long history of imposing lengthy prison sentences, including those required by mandatory minimums, that many believe do not always align with the interests of justice; and

Whereas, According to the New York State Department of Corrections and Community Supervision's ("DOCCS") public data, New York continues to incarcerate thousands of individuals serving sentences of a decade or more, with a disproportionate number being Black and Latinx; and

Whereas, Statistics from DOCCS show that in 2022, Black individuals comprised 15% of the state's population but accounted for 39% of arrests, 45% of felony arrests, and 51% of those sentenced to prison; and

Whereas, Racial disparities are evident not only in the total number of people serving lengthy prison sentences but also in the imposition of such sentences; and

Whereas, According to the Sentencing Project, many of these individuals were sentenced under mandatory minimum laws, including two- and three-strike provisions, which prevent judges from exercising discretion and considering individual circumstances during sentencing; and

Whereas, A 2021 report by The Sentencing Project, titled "The Color of Justice, Racial and Ethnic Disparity in State Prisons" found that New York has one of the highest racial disparities in imprisonment in the United States. The report indicates Black people were sentenced to prison at 7.9 times the rate of whites, and Latinx people at 3 times the rate of whites; and

Whereas, The disproportionate imposition of harsh and lengthy sentences on people of color has caused significant harm to individuals, families, and communities; and

Whereas, Currently, New York Criminal Procedure Law 440 only provides judicial reviews focused on specific populations such as military veterans, those sentenced under habitual offender laws, and domestic violence survivors, respectively; and

Whereas, S.321/A.531 sponsored by State Senator Julia Salazar and Assemblymember Latrice Walker seeks to provide incarcerated individuals, who have been sentenced to a decade or more, with the opportunity to apply for a "second look" at their sentences; and

Whereas, Incarcerated individuals will be able to present post-sentencing information, including evidence of rehabilitation and mitigation factors to a judge, empowering judges to use their independent discretion to reduce sentences in the interest of justice, even in cases where mandatory minimums would otherwise apply; and

Whereas, S.321/A.531 aims to address the disproportionate harm caused by overly harsh sentencing laws, ensuring fairer outcomes for individuals who have been incarcerated for long periods; 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.321/A.531, in relation to authorizing certain persons confined in institutions operated by the New York State Department of Corrections and Community Supervision to apply for a sentence reduction.

Referred to the Committee on Criminal Justice.

Preconsidered Res. No. 622

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

By Council Member Brannan.

Whereas, On June 30, 2024, the Council of the City of New York (the “City Council”) adopted the expense budget for Fiscal Year 2025 with various programs and initiatives (the “Fiscal 2025 Expense Budget”); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2025 Expense Budget by approving the new designations and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; now, therefore, be it

Resolved, That the City Council approves the new designations of certain organizations receiving funding pursuant to the Crisis Management System Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Hate Crimes Prevention Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Initiative to Combat Sexual Assault in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Pride At Work Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Community Land Trust Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Financial Empowerment for NYC’s Renters Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Ending the Epidemic Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Trauma Recovery Centers Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Adult Literacy Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 9.

Adopted by the Council (preconsidered and approved by the Committee on Finance; for text of the Exhibit Charts, please refer to the attachments section of [the Res. No. 622 of 2024 file](#) in the legislation section of the New York City Council website at <https://council.nyc.gov>).

Preconsidered Res. No. 623

Resolution to determine a 0.9 percent increase of the current base proportion of any class of real property over the adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion for Fiscal 2025.

By Council Member Brannan.

Whereas, The Real Property Tax Law (RPTL) sets forth provisions for allocating real property taxes among classes of real property; and

Whereas, Section 1803-b(1)(b) of the RPTL requires the New York City Council (Council) to certify the adjusted base proportion for each of the four real property classes in New York City to the New York City Commissioner of Finance and the New York State Commissioner of Taxation and Finance; and

Whereas, Pursuant to section 1803-a(5) of the RPTL, the adjusted base proportion for each such class shall be computed using the current base proportion, as calculated pursuant to section 1803-a(1)(b) of the RPTL; and

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

Whereas, Despite the default requirements of section 1803-a(1)(c) of the RPTL, pursuant to Chapter 210 of the State Laws of 2024, which codified section 1803-a(1)(mm), the Council is authorized to adjust the Class Share Cap by changing the percent increase of the current base proportion of any class over its adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion, provided that such percent increase shall be no more than five percent, and provided further that such determination must be made by November 1, 2024; and

Whereas, A limit of a 0.9 percent increase of the current base proportion of any class over the adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion for Fiscal 2025 is authorized under the RPTL; now, therefore, be it

Resolved, That the Council of the City of New York determines a 0.9 percent increase of the current base proportion of any class of real property over the adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion for Fiscal 2025.

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

Preconsidered Res. No. 624

Resolution to amend and restate the resolution computing and certifying base percentage, current percentage, and current base proportion of each class of real property for Fiscal 2025 to the State Board of Real Property Tax Services pursuant to Section 1803-a of the Real Property Tax Law.

By Council Member Brannan.

Whereas, On February 20, 2023, the State Board of Real Property Tax Services (SBRPTS) certified the final State equalization rate, class ratios, and class equalization rates for the City's 2023 assessment rolls; and

Whereas, Section 1803-a(1) of the Real Property Tax Law requires the Council to compute and certify to the SBRPTS, for each tax levy, the base percentage, the current percentage, and the current base proportion of each class of real property in the City subsequent to the date on which the SBRPTS files with the Clerk of the Council a certification setting forth the final state equalization rate, class ratios, and class equalization rates for the City's Fiscal 2025 assessment rolls, pursuant to Section 1212 of the Real Property Tax Law; and

Whereas, On June 30, 2024, the Council adopted a resolution computing and certifying the base percentage, current percentage, and current base proportion of each class of real property for Fiscal 2025 to the SBRPTS pursuant to Section 1803-a of the Real Property Tax Law (the “June 30th Resolution”); and

Whereas, The June 30th Resolution reflects a five percent limit on any increase in the current base proportion for any class of real property, as compared with the previous year’s adjusted base proportion; and

Whereas, After the adoption of the June 30th Resolution, Section 1803-a of the Real Property Tax Law was amended by Chapter 210 of the State Laws of 2024, which codified Section 1803-a(1)(mm), to authorize the Council to adjust the limit on the percent increase of the current base proportion of any class over its adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion, provided that such limit shall be no more than five percent, and provided further that such determination must be made by November 1, 2024; and

Whereas, A limit of a 0.9 percent increase of the current base proportion of any class over the adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion for Fiscal 2025 is authorized under Section 1803-a(1)(mm) of the Real Property Tax Law;

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

Section 1. Computation and Certification of Base Percentages, Current Base Percentages and Current Base Proportions for Fiscal 2024. (a) The Council hereby computes and certifies the base percentage, the current percentage, and the current base percentage for the City’s Fiscal 2025 assessment rolls as shown on SBRPTS Form RP-6700, attached hereto as Exhibit A and incorporated herein by reference (the “CBP Certificate”).

(b) The Clerk of the Council is hereby authorized and directed to execute the CBP Certificate and to file it with the SBRPTS after the date on which the SBRPTS filed with the Clerk of the Council a certification setting forth the final state equalization rate, class ratios, and class equalization rates for the City’s Fiscal 2025 assessment rolls, pursuant to Section 1212 of the Real Property Tax Law.

Section 2. Effective Date. This resolution takes effect on the same date as a resolution by the Council determining a 0.9 percent increase of the current base proportion of any class of real property over the adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion for Fiscal 2025 takes effect.

ATTACHMENT: Exhibit A - the CBP Certificate

(For text of Exhibit A Chart, known as the “CBP Certificate”, please refer to the legislation section of the New York City Council website <https://council.nyc.gov> and search in the attachments section of [the Res. No. 624 of 2024 file](#))

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

Preconsidered Res. No. 625

Resolution to amend and restate the resolution computing and certifying adjusted base proportion of each class of real property for Fiscal 2025 to the State Board of Real Property Tax Services pursuant to Section 1803-a of the Real Property Tax Law.

By Council Member Brannan.

Whereas, On May 24, 2024, pursuant to Section 1514 of the New York City Charter, the Commissioner of Finance delivered to the New York City Council (Council) the certified assessment rolls for all real property assessable for taxation in the City in each borough thereof for Fiscal 2025, a certified copy of which is in the Office of the Clerk of the City pursuant to Section 516 of the Real Property Tax Law (the "Fiscal 2025 Assessment Rolls"); and

Whereas, On June 30, 2024, the Council passed a resolution to compute and certify the current base proportion, the current percentage, and the base percentage of each class of real property in the City for Fiscal 2025 pursuant to Section 1803-a(1) of the Real Property Tax Law (the "Current Base Proportion Resolution"); and

Whereas, Section 1803-a(5) of the Real Property Tax Law requires the Council, subsequent to the filing of the final Fiscal 2025 Assessment Rolls, to adjust current base proportions to reflect additions to and removals from the Fiscal 2025 Assessment Rolls as described therein (each such current base proportion so adjusted to be known as an "Adjusted Base Proportion"); and

Whereas, Within five days upon determination of the Adjusted Base Proportions, Section 1803-a(6) of the Real Property Tax Law, requires the Council to certify the Adjusted Base Proportion for each class of real property applicable to the City, the assessed value of all property in each class of real property, the net change in assessed value for each class on the Fiscal 2025 Assessment Rolls resulting from the additions to or removals from the Fiscal 2025 Assessment Rolls as described above, and the net change in assessed value for each class on the Fiscal 2025 Assessment Rolls resulting from changes other than those referred to above; and

Whereas, After the June 30, 2024, passage of the Current Base Proportion Resolution, Section 1803-a of the Real Property Tax Law was amended by Chapter 210 of the State Laws of 2024 by adding a new paragraph (mm) to subdivision 1 of such section, authorizing the Council to adjust the limit on the percent increase of the current base proportion of any class over its adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion, provided that such limit shall be no more than five percent, and provided further that such determination must be made by November 1, 2024; and

Whereas, A resolution to determine a 0.9 percent increase of the current base proportion of any class over the adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion for Fiscal 2025 is authorized under Section 1803-a(1)(mm) and pending in the Council (the "Class Share Cap Resolution");

Whereas, A resolution to amend and restate the Current Base Proportion Resolution computing and certifying the base percentage, current percentage, and current base proportion of each class of real property for Fiscal 2025, based upon the determination set forth in the Class Share Cap Resolution, is pending in the Council;

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

Section 1. Computation and Certification of Adjusted Base Proportions and Related Information for Fiscal 2025. (a) The Council hereby computes and certifies the Adjusted Base Proportion for each class of real property applicable to the City, the assessed value of all property in each class of real property, the net change in assessed value for each class on the Fiscal 2025 Assessment Rolls resulting from the additions to or removals

from the Fiscal 2024 Assessment Rolls as described in Section 1803-a(5) of the Real Property Tax Law, and the net change in assessed value for each class on the Fiscal 2025 Assessment Rolls resulting from changes other than those described in Section 1803-a(5) of the Real Property Tax Law, as shown on SBRPTS Form RP-6702, attached hereto as Exhibit A and incorporated herein by reference (the "ABP Certificate").

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

Section 2. Effective Date. This resolution takes effect on the same date as a resolution by the Council determining a 0.9 percent increase of the current base proportion of any class of real property over the adjusted base proportion of the immediately preceding year for purposes of determining the current base proportion for Fiscal 2025 takes effect.

ATTACHMENT: Exhibit A - the ABP Certificate

(For text of Exhibit A Chart, known as the "ABP Certificate", please refer to the legislation section of the New York City Council website at <https://council.nyc.gov> and search in the attachments section of [the Res. No. 625 of 2024 file](#))

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

Preconsidered Res. No. 626

By Council Member Brannan.

RESOLUTION AMENDING AND RESTATING THE RESOLUTION TO PROVIDE THE AMOUNTS NECESSARY FOR THE SUPPORT OF THE GOVERNMENT OF THE CITY OF NEW YORK AND THE COUNTIES THEREIN AND FOR THE PAYMENT OF INDEBTEDNESS THEREOF, FOR RESOLUTION AMENDING AND RESTATING THE RESOLUTION TO PROVIDE THE AMOUNTS NECESSARY FOR THE SUPPORT OF THE GOVERNMENT OF THE CITY OF NEW YORK AND THE COUNTIES THEREIN AND FOR THE PAYMENT OF INDEBTEDNESS THEREOF, FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2024 AND ENDING ON JUNE 30, 2025 BY THE LEVY OF TAXES ON THE REAL PROPERTY IN THE CITY OF NEW YORK, IN ACCORDANCE WITH THE PROVISIONS OF THE CONSTITUTION OF THE STATE OF NEW YORK, THE REAL PROPERTY TAX LAW AND THE CHARTER OF THE CITY OF NEW YORK.

(For text of Res No. 626 of 2024, please refer to the search legislation section of the New York City Council website at <https://council.nyc.gov> for [the Res. No. 626 of 2024 file](#))

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

Res. No. 627

Resolution concerning the increase in the annual expenditure for 9 business improvement districts and the setting of the date, time, and place for the hearing of the proposed local law that would increase the annual expenditure for such districts.

By Council Member Brannan.

WHEREAS, Pursuant to Chapter 4 of Title 25 of the Administrative Code of the City of New York or the predecessor of such Chapter (the "BID Law"), the City established the Times Square, 34th Street, North Flatbush Avenue, Madison/23rd/Flatiron/Chelsea, Bayside Village, Fulton Street, Hudson Square, Atlantic Avenue, and SoHo Business Improvement Districts in the City of New York; and

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

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

WHEREAS, One of the 9 Business Improvement Districts wishes to increase the amount to be expanded annually retroactive to July 1, 2024, as follows: the 34th Street Business Improvement District, \$14,300,000; and

WHEREAS, Eight of the 9 Business Improvement Districts wish to increase the amount to be expended annually beginning on July 1, 2025, as follows: Times Square Business Improvement District, \$17,200,000; North Flatbush Avenue Business Improvement District, \$350,000; Madison/23rd/Flatiron/Chelsea Business Improvement District, \$9,000,000; Bayside Village Business Improvement District, \$430,000; Fulton Street Business Improvement District, \$800,000; Hudson Square Business Improvement District, \$5,850,000; Atlantic Avenue Business Improvement District, \$637,000; and the SoHo Business Improvement District, \$1,757,934; and

WHEREAS, Pursuant to Section 25-410(b) of the BID Law, the City Council is required to give notice of the public hearing by publication of a notice in at least 1 newspaper having general circulation in the districts specifying the time when and the place where the hearing will be held and stating the proposed amount to be expended annually; now, therefore, be it

RESOLVED, That the Council of the City of New York, pursuant to Section 25-410(b) of the BID Law, hereby directs that:

(i) December 19, 2024, is the date and the City Council Committee Room, 2nd Floor, City Hall, is the place and 10:30 AM is the time for a public hearing (the "Public Hearing") to hear all persons interested in the legislation that would increase the amount to be expended annually in nine Business Improvement Districts; and

(ii) On behalf of the City Council and pursuant to Section 25-410(b) of the BID Law, the District Management Associations of the Times Square, 34th Street, North Flatbush Avenue, Madison/23rd/Flatiron/Chelsea, Bayside Village, Fulton Street, Hudson Square, Atlantic Avenue, and SoHo Business Improvement Districts are hereby authorized to publish in a newspaper of general circulation in each district, not less than 10 days prior to the Public Hearing, a notice stating the time and place of the Public Hearing and setting forth the proposed increase in the amount to be expended annually in each of the 9 Business Improvement Districts.

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

Int. No. 1091

By Council Members Brewer, Hanif, Louis, Restler, Riley and Williams.

A Local Law to amend the administrative code of the city of New York, in relation to identifying and explaining the use of tree pits located on streets and in landscaped parks on the tree map

Be it enacted by the Council as follows:

Section 1. Section 18-157 of the administrative code of the city of New York is amended by adding a new subdivision d to read as follows:

d. 1. The commissioner shall identify each tree pit located on streets and each tree pit located in landscaped parks. The commissioner may undertake such identification during its tree inspections conducted pursuant to subdivision a of this section.

2. On the map published pursuant to paragraph 5 of subdivision c of this section, the commissioner shall display each tree pit located on streets and in landscaped parks. Such map shall indicate whether each tree pit contains a tree, and if a tree pit does not contain a tree such map shall indicate the reason for the absence of a tree in such pit. The commissioner shall accomplish such display no later than 3 years after the effective date of the local law that added this subdivision and thereafter shall update the display no later than November 1 of each year based on the commissioner's findings during the identification undertaken pursuant to paragraph 1 of this subdivision.

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

Referred to the Committee on Parks and Recreation.

Res. No. 628

Resolution calling on the New York State Governor to sign A.9205A/S.8596A, which has already passed the New York State Legislature, to expand eligibility for New York State Veterans Tuition Awards to all Veterans residing in New York State, regardless of active combat service

By Council Members Holden and Louis.

Whereas, New York State (NYS) Assembly bill A.9205A, introduced on February 16, 2024, by State Assembly Member Marianne Buttenschon, would expand eligibility for New York State Veterans Tuition Awards (VTA) to all Veterans residing in New York State, regardless of whether they have served in active combat; and

Whereas, Companion NYS Senate bill S.8596A, introduced on February 20, 2024, by State Senator Jessica Scarcella-Spanton, representing Senate District 23 covering parts of Staten Island and Brooklyn, would call for the same expansion of eligibility; and

Whereas, A.9205A/S.8596A were passed unanimously in the NYS Legislature in June, 2024; and

Whereas, According to the memorandum in support of A.9205A/S.8596A, all Veterans residing in NYS “are deserving of an opportunity” to access NYS higher education through the tuition benefits already provided by NYS; and

Whereas, The memorandum also states that, because the current VTA program is limited to Veterans who served in active combat, it is “alienating countless” servicemembers who did not serve in active combat roles, but nonetheless served their country with pride; and

Whereas, The memorandum further states that this legislation would both end this inequity and “deliver much needed access for New York’s veterans to fulfill their educational ambitions”; and

Whereas, The VTA program covers the cost of tuition for the equivalent of eight full-time semesters at a tuition rate not to exceed the tuition at the State University of New York; and

Whereas, The VTA program is available to be used by NYS residents working toward an undergraduate or graduate degree or studying in an approved vocational training program full time or part time in NYS; and

Whereas, This legislation would take effect immediately upon signing by the NYS Governor Kathy Hochul; and

Whereas, NYS is one of only 20 states that provide tuition assistance to their resident Veterans; and

Whereas, Of the over 675,000 Veterans residing in NYS, many of the more than 135,000 of them residing in New York City, including both Veterans who served in active combat and Veterans who did not, could benefit from this legislation; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Governor to sign A.9205A/S.8596A, which has already passed the New York State Legislature, to expand eligibility for New York State Veterans Tuition Awards to all Veterans residing in New York State, regardless of active combat service.

Referred to the Committee on Veterans.

Int. No. 1092

By Council Members Hudson, Hanif, Louis, Restler, Williams and Schulman.

A Local Law to amend the administrative code of the city of New York, in relation to educating older adults about elder fraud, end of life preparation, and financial literacy

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 21-215 to read as follows:

§ 21-215 Elder fraud prevention. *a. Definitions. For purposes of this chapter, the following terms have the following meanings:*

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

Homebound older adult. The term “homebound older adult” means an older adult who resides at home and who receives department services, including home-delivered meals.

Internet scam. The term “internet scam” means an individual or business’ use of an electronic device, digital tool, email program, or application software to trick individuals into revealing sensitive information, such as passwords, bank account numbers, bank routing numbers, personal documents, and identifying information via the internet.

Older adult. The term “older adult” has the same meaning as in section 21-210.

Older adult center. The term “older adult center” has the same meaning as in section 21-210.

Phishing scam. The term “phishing scam” means an individual or business’ illegal use of an electronic device, digital tool, email program, or application software to trick individuals into revealing sensitive information, such as passwords, bank account numbers, bank routing numbers, personal documents, and identifying information.

Phone scam. The term “phone scam” means an individual or business’ illegal use of a mobile telephone, cellular device, voice calling application, internet telephone calling feature, or landline telephone to trick individuals into revealing sensitive information, such as passwords, bank account numbers, bank routing numbers, personal documents, and identifying information.

b. Printed materials. The department, in consultation with the department of information technology and telecommunications, shall develop and publish a pamphlet to educate older adults about how to prevent, detect, and report common internet scams, phone scams, and phishing scams. Such pamphlet shall be printed in the designated citywide languages, and incorporate accessibility features including the use of large print, legible fonts, clear and accessible language, instructive graphics, and braille. Such pamphlet shall include:

1. A checklist of the core elements of common internet scams, phone scams, and phishing scams;
2. The legal rights of older adults related to internet scams, phone scams, and phishing scams;
3. Contact information for legal resources and legal services organizations that can assist in advising individuals who have fallen victim to internet scams, phone scams, and phishing scams; and
4. Contact information for and the website of the department or other relevant agencies or organizations that an older adult may contact to obtain additional information regarding internet scams, phone scams, and phishing scams.

c. *Digital materials.* The department shall create a digital version of such pamphlet, including an audible version of the pamphlet.

d. *Distribution of materials.* 1. The commissioner shall require older adult centers to distribute the pamphlet created pursuant to subdivision b to older adults residing within or entering such centers. The commissioner shall also ensure that such pamphlet is distributed to homebound older adults. Such pamphlet shall be updated and distributed on a quarterly basis or whenever there is new information available about emerging internet scams, phone scams, or phishing scams.

2. The department shall post, and update as necessary, the digital pamphlet created pursuant to subdivision c on the department's website and make it available in the designated citywide languages.

e. *Signage.* The commissioner shall require every older adult center to post signage in prominent common areas within every older adult center. Such signage shall include contact information for and the website of the department or other relevant agencies or organizations that an older adult may contact to obtain additional information regarding internet scams, phone scams, and phishing scams.

f. *Guidance.* The department shall provide quarterly guidance to all older adult centers regarding emerging internet scams, phone scams, and phishing scams that older adults may encounter.

§ 2. Chapter 2 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-216 to read as follows:

§ 21-216 *Financial literacy and end of life preparation education.* a. *Definitions.* For purposes of this chapter, the following terms have the following meanings:

Designated citywide languages. The term "designated citywide languages" has the same meaning as in section 23-2101.

End of life preparation. The term "end of life preparation" means information regarding legal or financial considerations relevant to end of life, including will preparation and power-of-attorney designations.

Financial literacy. The term "financial literacy" means information regarding financial planning and stewardship, including information about budgeting, investing, and saving.

Older adult. The term "older adult" has the same meaning as in section 21-210.

Older adult center. The term "older adult center" has the same meaning as in section 21-210.

b. *Printed materials.* The department, in consultation with the department of information technology and telecommunications, shall develop and publish a pamphlet to educate older adults about financial literacy and end of life preparation. Such pamphlet shall be printed in the designated citywide languages, and incorporate accessibility features including the use of large print, legible fonts, clear and accessible language, instructive graphics, and braille. Such pamphlet shall include:

1. A checklist of important financial literacy steps;
2. Contact information for financial planning services organizations that can assist in advising individuals about financial planning;
2. The legal rights of older adults related to end of life preparation;
3. Contact information for legal resources and legal services organizations that can assist in advising individuals in end of life preparation; and
4. Contact information for and the website of the department or other relevant agencies or organizations that an older adult may contact to obtain additional information regarding financial literacy and end of life preparation.

c. *Distribution of materials.* 1. The commissioner shall require older adult centers to distribute the pamphlet created pursuant to subdivision b to older adults residing within or entering such centers. The commissioner shall also ensure that such pamphlet is distributed to homebound older adults. Such pamphlet shall be updated and distributed on a quarterly basis, or whenever there is new information available.

2. The department shall post, and update as necessary, such pamphlet on the department's website and make it available in the designated citywide languages.

§ 3. This local law takes effect immediately.

Referred to the Committee on Aging.

Preconsidered Res. No. 629

Resolution celebrating the New York Liberty's winning of the 2024 Women's National Basketball Association championship and declaring October 20 as New York Liberty Day annually in the City of New York.

By Council Members Hudson, Cabán, Ossé, Louis, Mealy and Restler.

Whereas, The New York Liberty won its first Women's National Basketball Association (WNBA) championship on October 20, 2024, at Brooklyn's Barclays Center by a score of 67-62 in overtime over the Minnesota Lynx, the only team to have beaten the Liberty multiple times in regular season play, taking three of four games; and

Whereas, In front of a sellout crowd of over 18,000, the Liberty won the title in five games, after five previous unsuccessful trips to the WNBA finals; and

Whereas, The Lynx had won four WNBA titles out of six previous trips to the finals; and

Whereas, Liberty center Jonquel Jones was named the MVP (most valuable player), averaging 17.8 points and 7.6 rebounds per game during the finals series; and

Whereas, High scorers in game 5 for the Liberty were Jones, who scored 17 points, followed by Breanna Stewart and Nyara Sabally, who each scored 13 points; and

Whereas, Stewart sent game 5 into overtime by making two free throws to tie it up with five seconds left in the fourth quarter; and

Whereas, Liberty players Sabrina Ionescu in the fourth quarter and rookie Leonie Fiebich in overtime both had critical three-pointers on the way to their game 5 win; and

Whereas, Ionescu notably also made a three-pointer that won game 3 of the championship series for the Liberty with one second left on the clock, putting the Liberty ahead two games to one in the series; and

Whereas, Reporting on game 5, ESPN noted that Sabally "turned the game on its head" when she was put in, providing "energy a stat sheet can't record" and noted that the "other spark plug came in the form of Kayla Thornton, a tough, imposing figure," who "took it upon herself to curb Minnesota superstar Napheesa Collier with her close checking and elite footwork"; and

Whereas, The championship five-game series was hotly contested, with three of the first four games being decided by three points or fewer; and

Whereas, The valiant contributions of Betnijah Laney-Hamilton, an important member of the squad since 2021 and coming off a July knee surgery, which has limited her playing time, were crucial to the Liberty's win in game 2; and

Whereas, This year, the Liberty tied its own record of 32 wins during the regular season; and

Whereas, The Liberty's defeat of the Las Vegas Aces in the semi-finals this year was especially rewarding after the Liberty's loss to the Aces for the championship last year; and

Whereas, Liberty coach Australian Sandy Brondello, who previously coached the Phoenix Mercury to a WNBA championship in 2014, commented, "I'm really proud of our team, how resilient we were, how we stuck together, how we continued to trust each other"; and

Whereas, Many Liberty players have received accolades prior to this championship, including Paris Olympics gold medalists Stewart and Ionescu, Paris Olympian Sabally (playing for Germany), and five-time All Star and WNBA champion Courtney Vandersloot; and

Whereas, The committed teamwork and perseverance of the entire squad of Liberty players has been on display throughout the 2024 regular season as well as in post-season play right through game 5 of the finals; and

Whereas, The Liberty, which was one of the WNBA's original franchises and moved to Brooklyn in 2020, has brilliantly reignited the ardor of New York City (NYC) fans of women's basketball, thanks to Liberty players' talent, skill, passion, and dedication and thanks to their mascot Ellie the Elephant, who has a fervent following of her own; and

Whereas, The Liberty's WNBA win brings NYC its first professional basketball championship since the New York Nets won the American Basketball Association title in 1976; now, therefore, be it

Resolved, That the Council of the City of New York celebrates the New York Liberty's winning of the 2024 Women's National Basketball Association Championship and declares October 20 as New York Liberty Day annually in the City of New York.

Adopted by the Council by voice-vote (preconsidered and approved by the Committee on Cultural Affairs, Libraries and International Intergroup Relations).

Int. No. 1093

By Council Members Lee and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to increasing the percentage of disability set aside units in affordable housing projects

Be it enacted by the Council as follows:

Section 1. The title of chapter 28 of title 26 of the administrative code of the city of New York, as added by local law number 19 for the year 2020, is amended to read as follows:

CHAPTER 28
SET ASIDES IN HOUSING DEVELOPMENT PROJECTS [FOR HOMELESS INDIVIDUALS AND FAMILIES]

§ 2. Section 26-2802 of the administrative code of the city of New York, as added by local law number 19 for the year 2020, is amended to read as follows:

§ 26-2802 Set asides. The department shall require that any developer who receives city financial assistance for a housing development project sets aside [for homeless individuals and families at least 15 percent] *the following percentages* of the number of dwelling units offered for rent in such housing development project that are subject to a regulatory agreement requiring that occupancy of such units be restricted based on the income of occupants in such housing development project[.]:

1. *At least 15 percent for homeless individuals and families;*
2. *At least 10 percent for individuals with mobility issues; and*
3. *At least 5 percent for individuals with vision or hearing impairments.*

§ 3. Subdivision a of section 26-2803 of the administrative code of the city of New York, as added by local law number 19 for the year 2020, is amended to read as follows:

a. For each housing development project that received city financial assistance in the preceding fiscal year, (i) the number of dwelling units offered for rent that are subject to a regulatory agreement requiring that occupancy of such units be restricted based on the income of the occupants, (ii) the number of such units set aside for homeless individuals and families, [and] (iii) *the number of such units set aside for individuals with mobility issues*, (iv) *the number of such units set aside for individuals with vision or hearing impairments*, and (v) *whether such housing development project is a supportive housing project*; and

§ 4. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 1094

By Council Member Louis.

A Local Law to amend the administrative code of the city of New York, in relation to culturally competent training on recognizing the signs of female genital mutilation

Be it enacted by the Council as follows:

Section 1. Section 3-180 of the administrative code of the city of New York, as added by local law number 38 for the year 2019 and amended by local law number 109 for the year 2021, is amended by adding a new definition of “female genital mutilation and cutting” and a new definition of “relevant agencies” in alphabetical order to read as follows:

Female genital mutilation and cutting. The term “female genital mutilation and cutting” means partially or totally removing clitoral or labial tissue or altering the structure or function of clitoral or labial tissue for non-medical purposes, including, but not limited to, circumcision, clitorectomy, clitoroplasty, clitoral reduction, clitoral revision, clitoral recession, excision or infibulation of the whole or any part of the labia majora or labia minora or clitoris. Such term does not include a procedure immediately necessary to preserve the health of the person on whom it is performed in the course of medical treatment or for gender affirming treatment as requested by the person on whom it is performed when either procedure (i) is performed by a person licensed in the place of its performance as a medical practitioner; or (ii) is performed on a person in labor or who has just given birth and is performed for medical purposes connected with that labor or birth by a person licensed in the place it is performed as a medical practitioner, midwife or person in training to become such a practitioner or midwife.

Relevant agencies. The term “relevant agencies” means the department of education, the department of health, the police department, the administration for children’s services, the mayor’s office to end domestic and gender-based violence, and service providers who work with families and contract with such agencies.

§ 2. Subchapter 8 of chapter 1 of title 3 of the administrative code of the city of New York, as renumbered by section one of this local law, is amended by adding a new section 3-185 to read as follows:

§ 3-185 Training on recognizing the signs of female genital mutilation and cutting. Relevant agencies shall conduct culturally competent training for all staff on recognizing the signs of female genital mutilation and cutting. Such training shall include information on resources for individuals who have undergone physical or psychological trauma.

§ 3. This local law takes effect immediately.

Referred to the Committee on Women and Gender Equity.

Int. No. 1095

By Council Members Louis, Banks, Restler and Williams.

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 civilian complaint review board to conduct an investigation of any injury or death caused by police action

Be it enacted by the Council as follows:

Section 1. Subdivision (c) of section 440 of the New York city charter is amended by adding a new paragraph 8 to read as follows:

8. The board shall investigate all incidents involving an injury or death to any civilian during the course of any police action.

§ 2. Chapter 1 of title 14 of the administrative code of the city of New York is amended by adding a new section 14-198 to read as follows:

§ 14-198 Notice to the civilian complaint review board of an injury or death to a civilian. The department shall notify the civilian complaint review board within 24 hours of an injury or death to any civilian during the course of any police action.

§ 3. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Int. No. 1096

By Council Members Marte, Holden, Yeger, Paladino, Marmorato and Vernikov.

A Local Law to amend the administrative code of the city of New York, in relation to protecting the vested health insurance coverage and contributions of retired employees of the city of New York

Be it enacted by the Council as follows:

Section 1. Declaration of legislative findings and intent. The Council hereby finds and declares as follows:

It is the policy of the City of New York and of this Council to preserve traditional Medicare and the choice of a Medicare supplemental plan and not diminish health care benefits. The Council states that it is critical to protect the vested health insurance coverage and the contributions of city retirees against any diminishment in order to ensure full access to health care and to minimize the need for emergency room and Medicaid expenditures. The Council also recognizes that city retirees earned and paid for their benefits and were made promises during their employment, including in Summary Program Descriptions, of what benefits they would be provided during their retirement. The Council further finds that eligibility for retiree health coverage is provided pursuant to the terms of section 12-126 of the administrative code of the city of New York and Summary Program Descriptions.

This local law recognizes that the protections of vested retiree health coverage provided in section 12-126 of the administrative code of the city of New York have repeatedly come under attack by different city administrations, leaving city retirees who earned and paid for these benefits to turn to the Council every time for protection.

The Council recognizes that city retirees loyally served the City with the promise of specific health care benefits in retirement. It also recognizes that a material change in those health care benefits may prevent city retirees from seeking medical care because of financial hardship.

Further, the Council finds that:

Many public employers have offered their retirees choices of health insurance plans to supplement their Medicare policies;

These offered choices are made in accordance with the Summary Plan Descriptions that public employers provide their employees and retirees;

Under federal law, a Summary Plan Description governs the health insurance, health care benefits, and levels of these benefits that employees and retirees receive, and these employees and retirees should be able to rely on this information;

Some of these plans for retirees serve as Medicare supplemental plans, also known as “Medigap” policies, in that they pay for 20 percent of the cost of a medical appointment or service after Medicare pays for its statutorily required 80 percent. A retiree is then able to see any health care provider throughout the United States (including its possessions and territories), as long as the provider accepts Medicare. More than 95 percent of health care providers throughout the United States accept Medicare. These Medicare supplemental plans or Medigap policies entrust medical decisions to the physician or other health care provider of employees and retirees;

However, many public employers have implemented or have proposed implementing new modalities of health insurance for employees and retirees. These proposals include the imposition of Health Maintenance Organizations (HMOs) for employees and Medicare Advantage Plans (MAPs) for retirees;

These plans have been found to reduce health care consumers' access to necessary medical care due to protracted pre-authorization procedures and frequently have forced them to stop using their long-time health care providers, if the providers did not choose to become part of these plans;

Accordingly, these health care consumers are at increased risk of delaying their care or increasingly relying on urgent care, emergency room use, Medicaid, or all of these. This puts their health at increased risk and results in costlier care.

§ 2. Section 12-126 of the administrative code of the city of New York is amended by adding a new subdivision e to read as follows:

e. (1) The city shall not diminish the health insurance coverage provided to city retirees and their dependents or the contributions the city makes for such health insurance coverage below the level of such benefits or contributions made on behalf of such city retirees and their dependents by the city as of December 31, 2021.

(2) For the purposes of this subdivision, the term "diminish" means to cause any change in health care offered that could potentially make it harder for city retirees residing anywhere in the United States, including its territories and possessions, to access their health care than before such change was made. These changes include, but are not limited to, increasing the cost of such health care, subjecting city retirees to Medicare Advantage Plans or any managed care plan or any form of privatization of the public health benefit Medicare, requiring them to use health care providers only from pre-designated panels or networks, or requiring them to wait for pre-authorization for medical procedures that are recommended by their health care providers.

§ 3. This local law takes effect immediately and is retroactive to and deemed to have been in effect as of December 31, 2021.

Referred to the Committee on Civil Service and Labor.

Int. No. 1097

By Council Members Marte and Riley.

A Local Law to amend the administrative code of the city of New York, in relation to requiring certain retail stores to accept flexible benefit cards

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 15 to read as follows:

**SUBCHAPTER 15
FLEXIBLE BENEFITS CARDS**

§ 20-699.12 *Definitions. As used in this subchapter, the following terms have the following meanings:*

Covered store. The term "covered store" means a retail store that primarily sells food for off-site consumption or a retail store that includes a pharmacy.

Eligible item. The term "eligible item" means a product that may be purchased with a flexible benefit card, as determined by the issuer of the flexible benefit card.

Flexible benefits card. The term "flexible benefits card" means a card provided by a health insurance provider to an insured member that may be used to purchase items covered by the health insurance provider's policy.

§ 20-699.13 *Acceptance of flexible benefits cards. Every covered store that accepts credit or debit card payment shall accept flexible benefits cards as a form of payment for eligible items.*

§ 20-699.14 *Enforcement. Any person that violates the provisions of this subchapter or any rules promulgated pursuant thereto is liable for a civil penalty of \$250 for a first violation and \$500 for any subsequent violation within 18 months of a previous violation, except that the commissioner shall issue a warning instead of a notice of violation for any violation that occurs within 1 year after the effective date of the local law that added this section. For purposes of assessing penalties in accordance with this section, all violations committed by the same covered store on the same day count as 1 violation.*

§ 20-699.15 Education and outreach. The commissioner shall provide outreach and education to covered stores to inform them of the requirement to accept flexible benefits cards pursuant to section 20-699.13.

§ 2. This local law takes effect 270 days after it becomes law, except that the commissioner of consumer and worker protection 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 Consumer and Worker Protection.

Int. No. 1098

By Council Member Powers.

A Local Law to amend the administrative code of the city of New York, in relation to increasing the amount to be expended annually in the Madison Avenue business improvement district and amending the district plan of such district to change the method of assessment upon which the district charge is based

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 25-447.2 of the administrative code of the city of New York, as amended by local law number 235 for the year 2017, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 [of chapter four of this title], that it is in the public interest to authorize an increase in the amount to be expended annually in the Madison Avenue business improvement district beginning on July 1, [2016] 2025, and the council having determined further that the tax and debt limits prescribed in section 25-412 [of chapter four of this title] will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [two million one hundred thousand dollars (\$2,100,000)] \$2,520,000.

§ 2. Chapter 5 of title 25 of the administrative code of the city of New York is amended by adding a new section 25-447.3 to read as follows:

§ 25-447.3 Madison Avenue business improvement district; amendment to the district plan. a. The city council having determined, pursuant to subdivision b of section 25-410 [of chapter four of this title], that it is in the public interest to authorize a change in the method of assessment upon which the district charge in the Madison Avenue business improvement district is based, and the council having determined further that the tax and debt limitations prescribed in section 25-412 [of chapter four of this title] will not be exceeded by such change, there is hereby authorized in such district such change as is set forth in the amended district plan required to be filed with the city clerk pursuant to subdivision b of this section.

b. Immediately upon adoption of the local law that added this section, the council shall file with the city clerk the amended district plan containing the change in the method of assessment authorized by subdivision a of this section.

§ 3. This local law takes effect July 1, 2025.

Referred to the Committee on Finance.

Int. No. 1099

By Council Members Powers, De La Rosa, Gutiérrez, Hanif and Williams.

A Local Law to amend the administrative code of the city of New York, in relation to requiring reporting on the impact of algorithmic tools on city employees and changes in employment responsibilities due to algorithmic tools

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 3-119.5 of the administrative code of the city of New York, as added by local law number 35 for the year 2022, is amended to read as follows:

c. Each agency shall provide the following information about each algorithmic tool reported pursuant to subdivision b of this section:

1. The name or commercial name, and a brief description of such algorithmic tool;
2. The purpose for which the agency is using such an algorithmic tool;
3. The type of data collected or analyzed by the algorithmic tool and the source of such data;
4. A description of how the information received from such algorithmic tool is used;
5. Whether a vendor or contractor was involved in the development or ongoing use of the algorithmic tool, a description of such involvement, and the name of such vendor or contractor when feasible; [and]
6. The month and year in which such algorithmic tool began to be used, if known; *and*
7. *The number of city employees, disaggregated by agency and title, whose employment status was impacted by the use of such tool, including but not limited to:*
 - (a) *The number of funded agency positions eliminated due to the use of such tool;*
 - (b) *The number of funded agency positions for which there was a partial displacement, such as a reduction in hours of non-overtime work, due to the use of such tool;*
 - (c) *The number of salaries reduced due to changes in responsibility due to the use of such tool;*
 - (d) *The number of salaries increased due to changes in responsibility due to the use of such tool; and*
 - (e) *The number of city employees who were required to undertake any new trainings due to the use of such tool and a description of such trainings.*

§ 2. This local law takes effect immediately

Referred to the Committee on Technology.

Res. No. 630

Resolution concerning an increase in the amount to be expended annually in the Madison Avenue Business Improvement District, an amendment to the District Plan of such district that provides for a change in the method of assessment upon which the district charge is based, and setting the date, time, and place for the public hearing of the proposed local law that would authorize an increase in the amount to be expended annually and a change in the method of assessment upon which the district charge in the Madison Avenue Improvement District is based.

By Council Member Powers.

WHEREAS, Pursuant to chapter 4 of title 25 of the Administrative Code of the City of New York (the "BID Law"), the City established the Madison Avenue Business Improvement District in the City of New York; and

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

WHEREAS, The Madison Avenue Business Improvement District wishes to increase the amount to be expended annually to \$2,520,000 beginning on July 1, 2025; and

WHEREAS, The Madison Avenue Business Improvement District wishes to amend the District Plan of such district in order to provide for a change in the method of assessment upon which the district charge is based; and

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

WHEREAS, Pursuant to Section 25-410(b) of the BID Law, the City Council is required to give notice of the public hearing by publication of a notice in at least 1 newspaper having general circulation in the district specifying the time when and the place where the hearing will be held and stating both the proposed increase in the amount to be expended annually and the proposed change in the method of assessment upon which the district charge in the Madison Avenue Business Improvement District is based; now, therefore, be it

RESOLVED, That the Council of the City of New York, pursuant to Section 25-410(b) of the BID Law, hereby directs that:

(i) December 19, 2024, is the date and the City Council Committee Meeting Room, 2nd floor, City Hall, is the place and 10:30 AM is the time for a public hearing (the "Public Hearing") to hear all persons interested in the legislation that would authorize an increase in the amount to be expended annually and a change in the method of assessment upon which the district charge in the Madison Avenue Business Improvement District is based; and

(ii) On behalf of the City Council and pursuant to Section 25-410(b) of the BID Law, the District Management Association of the Madison Avenue Business Improvement District is hereby authorized to publish in a newspaper of general circulation in the district, not less than 10 days prior to the Public Hearing, a notice stating the time and place of the Public Hearing and stating the proposed increase in the amount to be expended annually and the proposed change in the method of assessment upon which the district charge in the Madison Avenue Business Improvement District is based.

Referred to the Committee on Finance.

Int. No. 1100

By Council Members Rivera, Stevens, Hudson, Brewer, Nurse, Sanchez, Narcisse, Restler and Williams.

A Local Law to amend the administrative code of the city of New York, in relation to supportive housing eligibility for justice involved persons

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 21-153 to read as follows:

§ 21-153 Supportive housing eligibility for justice involved persons. a. Definitions. For purposes of this section, the following terms have the following meanings:

Justice system involvement. The term "justice system involvement" means when an individual is involuntarily confined by the city, state, or federal government, including, but not limited to, within a jail, prison, outposted therapeutic facility, and mental health court involved residential stay programs.

Supportive housing. The term "supportive housing" means affordable permanent housing with support services for residents.

b. The commissioner shall require that any supportive housing administered and wholly funded by the city includes, but need not be limited to, eligibility for the following populations:

1. Single adults or adult families where the head of household has a severe mental illness, substance use disorder, or both, is homeless or at risk of homelessness, and has had justice system involvement in the last 12 months; and

2. Families with children where the head of household has a severe mental illness, substance use disorder, or both, is homeless or at risk of homelessness, and has had justice system involvement in the last 12 months.

§ 2. This local law takes effect in 60 days.

Referred to the Committee on General Welfare.

Int. No. 1101

By Council Members Salaam, Hudson, Louis, Williams and Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to disseminate information and provide officer training on requisites for filing reports and criminal complaints of identity theft and related crimes

Be it enacted by the Council as follows:

Section 1. Title 14 of the administrative code of the city of New York is amended by adding a new section 14-198 to read as follows:

§ 14-198. *Identity theft public information and officer training. a. No later than March 30, 2025, the department shall publish information relating to the process of reporting alleged identity theft to the department and filing criminal complaints of alleged identity theft and related crimes. The department shall also identify, track, and publish information regarding patterns of criminal conduct that constitute emerging trends in identity theft related crimes. Such information shall be posted on the department's website, prominently displayed for public access, publicized using department social media accounts, and shall include, but need not be limited to, the following:*

1. Information on identity theft, including the types of conduct that constitute identity theft, how personal information is stolen and used, and guidance for the public on how to protect their personal information and avoid being a target of identity theft;

2. Information relating to reporting alleged incidents of identity theft to the department and filing criminal complaints of alleged identity theft, including but not limited to, information on requisite elements of such crimes, and department processes for receiving such reports and investigating such complaints; and

3. Information related to documentation needed to report alleged incidents of identity theft to the department and file criminal complaints alleging identity theft, including instructions for members of the public on what financial documents or other supporting information is needed to report alleged incidents of identity theft and file related criminal complaints and how to obtain such documentation.

b. No later than March 31, 2025, all uniformed members of the department, shall receive training on receiving reports of alleged identity theft and criminal complaints of alleged identity theft, and working with other members of the department, as well as non-departmental law enforcement entities, to investigate such complaints as warranted. Such training shall include but need not be limited to, instruction on: (i) the types of illegal conduct that warrant reporting and constitute identity theft; (ii) the types of proof that are available and necessary to report alleged identity theft to the department and support filing a criminal complaint alleging identity theft; (iii) how to receive and process identity theft reports and criminal complaints in accordance with department policies; and (iv) internal processes for identifying and reporting patterns of emerging criminal conduct or fraudulent schemes. All new recruits joining the department after March 31, 2025, shall receive training as required by this section as part of their academy training.

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Res. No. 631

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.321/A.531, in relation to requiring certain justices and judges to visit the correctional facility with the highest population in the county in which such justice or judge was elected or appointed

By Council Members Williams, Stevens, Riley, Louis and Restler.

Whereas, The City of New York is committed to fostering a fair and equitable judicial system that recognizes the importance of understanding the environments in which justice is administered; and

Whereas, The State of New York is home to a diverse population, with correctional facilities that reflect the complex social, economic, and racial issues facing our communities; and

Whereas, Visiting correctional facilities allows judges to observe firsthand the conditions of incarceration, fostering a deeper understanding of the environment in which incarcerated individuals live; and

Whereas, Such visits enable judges to assess the adequacy of resources and services available to inmates, including mental health support, educational opportunities, and rehabilitation programs; and

Whereas, Regular visitation helps judges identify potential issues within the correctional system, such as overcrowding, inadequate medical care, or unsafe living conditions, which can inform judicial decision-making; and

Whereas, These visitation experiences can empower judges to advocate for necessary changes within the correctional system, promoting policies that prioritize rehabilitation and successful reintegration into society; and

Whereas, S.5087/A.2539 sponsored State Senator Cordell Cleare and Assemblymember Khaleel Anderson mandate justices of the supreme court, county court, and court of claims, regularly sitting in a criminal term or in a term with both criminal and civil jurisdiction, must visit the correctional facility with the highest population in their county within two years of their appointment or election; and

Whereas, These visits are to be conducted every two years after the initial visit, ensuring continuous oversight of the conditions of the correctional facility with the highest population; and

Whereas, The conditions of these facilities are to be reported within six months of a visit to the Clerk of the Court of Appeals to improve the judicial understanding of the impact of incarceration; and

Whereas, Firsthand experience in correctional facilities promotes transparency and accountability in the criminal justice system, ensuring that judges are aware of the realities faced by incarcerated individuals; 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.321/A.531, in relation to requiring certain justices and judges to visit the correctional facility with the highest population in the county in which such justice or judge was elected or appointed.

Referred to the Committee on Criminal Justice.

Res. No. 632

Resolution calling on the New York State Legislature to pass, and the Governor to sign, A.2344, in relation to establishing the crime of criminally negligent use of real property

By Council Members Williams, Stevens and Louis

Whereas, The safety and well-being of New York City residents is of paramount importance, and it is essential to establish legal measures that hold property owners accountable for their obligations to ensure the lawful use of their properties; and

Whereas, Criminally negligent use of real property can facilitate a range of unlawful activities such as: unsanctioned gambling, combat sports, or events where alcohol is sold and served with proper licenses or permits, jeopardizing the safety of individuals and communities; and

Whereas, Property owners and lessors have a legal and ethical obligation to ensure that their properties are used lawfully and safely; and

Whereas, The failure to address the unlawful use or occupancy of these properties can increase crime rates, reduce quality of life for residents and contribute to neighborhood decline; and

Whereas, Criminally negligent use of real property can lead to dangerous situations, including overcrowding, inadequate fire safety measures, and violent confrontations; and

Whereas, A.2344 sponsored by State Assemblymember Cyde Vanel establishes the crime of criminally negligent use of real property as a class A misdemeanor under new §240.80 of the New York Penal Code; and

Whereas, the crime of criminally negligent use of real property occurs when an owner or lessor of real property leases or gives possession of such property and permits the use of such property for unsanctioned gambling, combative sports or entertainment events, including but not limited to events serving and charging for the consumption of alcohol; and

Whereas, "Permits" is defined to encompass knowledge of unlawful use or occupancy, including awareness of the lessee or occupant's prior convictions related to such use within one year, and

Whereas, Establishing criminal liability for negligent property management will incentivize owners and lessors to take proactive measures to monitor and control the use of their properties; 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.2344, in relation to establishing the crime of criminally negligent use of real property.

Referred to the Committee on Public Safety.

Preconsidered L.U. No. 182

By Council Member Brannan:

Joseph Belsky House: Block 5423, Lots 6, 9 and 14, Brooklyn, Community District No. 14, Council District No. 40.

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

Preconsidered L.U. No. 183

By Council Member Brannan:

272 East 7th Street: Block 376, Lot 28, Manhattan, Community District No. 3, Council District No. 2.

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

Preconsidered L.U. No. 184

By Council Member Brannan:

Cathedral Parkway: Block 1826, Lots 44 and 46; Block 1828, Lots 60 and 61; Block 1829, Lot 9; Block 1831, Lots 12 and 116, Manhattan, Community District No. 10, Council District No. 9.

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

L.U. No. 185

By Council Member Salamanca:

Application number N 240354 ZRM (Port Authority Bus Terminal Replacement) submitted by The Port Authority of New York and New Jersey, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article VII, Chapter 4 (Special Permits by the City Planning Commission), Borough of Manhattan, Community District 4, Council District 3.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 186

By Council Member Salamanca:

Application number C 240336 MMM (Port Authority Bus Terminal Mapping Actions) submitted by The Port Authority of New York and New Jersey pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et-seq.* of the New York City Administrative Code for an amendment to the City Map involving the elimination, discontinuance, and closing of a portion of West 41st Street between Eighth Avenue and Ninth Avenue, a portion of West 40th Street between Tenth Avenue and Eleventh Avenue; and the elimination, discontinuance, and closing of various volumes from West 41st Street, West 42nd Street, Ninth Avenue, West 40th Street, Tenth Avenue, West 39th Street and Eleventh Avenue, including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 30275 dated May 21, 2024 and signed by the Borough President, Borough of Manhattan, Community District 4, Council District 3.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 187

By Council Member Salamanca:

Application number C 240353 ZSM (Port Authority Bus Terminal Replacement) submitted by The Port Authority of New York and New Jersey pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-631 of the Zoning Resolution, to permit the construction of a bus station with 10 or more berths for buses on a site of any size; to permit within demapped air space above a street the development of a building or portion thereof which is part of such bus station; to allow the distribution of floor area on the development site without regard to zoning district boundaries; to modify the height and setback requirements of Section 81-26 (Height and Setback Regulations – Daylight Compensation); and to modify the Mandatory District Plan Elements of Section 81-45 (Pedestrian Circulation Space), Section 81-47 (Major Building Entrances) and Section 37-50 (REQUIREMENTS FOR PEDESTRIAN CIRCULATION SPACE), in connection with a proposed development on property generally bounded by West 40th Street, 10th Avenue, West 41st Street, 9th Avenue, West 42nd Street, 8th Avenue, West 40th Street, 9th Avenue, West 39th Street, and 11th Avenue, (Block 711, Lot 1, Block 737, Lots 1, 17 & 22, Block 1032, Lot 29, Block 1050, Lots 13 & 32, and demapped portions of West 39th Street, West 40th Street, West 41st Street, West 42nd Street, 9th Avenue and 10th Avenue), partially within C6-7, C1-7A, C6-3, R8A/C2-5, C2-8, and C6-4 Districts, partially within Special Midtown District and Special Hudson Yards District, Borough of Manhattan, Community District 4, Council District 3.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 188

By Council Member Salamanca:

Application number D 2450141875 SWQ (La Catrina) pursuant to Section 19-160.2 of the Administrative Code of the City of New York, for a revocable consent to establish, maintain, and operate a sidewalk café located at 5275 65th Place, Maspeth, NY 11378, Borough of Queens, Community District 5, Council District 30.

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****Monday, October 28, 2024**Committee on Civil Service and Labor

Carmen De La Rosa, Chairperson

Int 910 - By Council Members De La Rosa, Won, Cabán, Stevens, Menin, Hanif, Brooks-Powers, Hanks, Ossé, Williams, Banks, Marte, Farías, Avilés, Restler, Narcisse, Nurse, Hudson, Salaam, Schulman, Krishnan, Moya, Powers, Ung, Holden, Sanchez, Brewer, Ayala, Abreu and Gennaro - **A Local Law** to amend the administrative code of the city of New York, in relation to the establishment of community hiring and compensation standards for city assisted housing development projects.

Res 522 - By Council Members Menin, Williams, Brannan, Brewer, Krishnan and Schulman - **Resolution** calling on the New York State Legislature to pass and the Governor to sign A.10225/S.9376, also known as *The Good Jobs Guarantee Act*, which would establish certain workforce training programs and increase employment opportunities for New Yorkers.

Council Chambers – City Hall.....1:00 p.m.

Committee on Environmental Protection,Resiliency and Waterfronts

James F. Gennaro, Chairperson

Oversight - DEP's Efforts to Maintain the Filtration Avoidance Determination.

Int 33 - By Council Members Gennaro, Louis, Yeger, Restler, Stevens, Gutiérrez, Hudson, Hanif, Sanchez, Avilés and Brewer - **A Local Law** to amend the administrative code of the city of New York, in relation to notification of discolored water or reduction of water pressure.

Int 225 - By Council Members Holden, Williams, Gennaro, Hudson, Restler, Ariola, Paladino and Vernikov - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of environmental protection to post information online regarding scheduled and requested infrastructure services.

Int 816 - By Council Members Gennaro, Nurse, Brannan, Louis, Restler, Farías and Yeger - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of environmental protection to notify owners of property when the city of New York requests a base rental payment from the New York city water board.

Int 900 - By Council Members Powers, Bottcher, Nurse, Krishnan, Abreu, Gennaro, Brannan, Ung, Gutiérrez, Brewer, Hanif, De La Rosa and Menin - **A Local Law** to amend the administrative code of the city of New York, in relation to installing drinking fountains in public spaces.

Int 1067 - By Council Members Williams, Brooks-Powers and Louis - **A Local Law** to amend the administrative code of the city of New York, in relation to an assistance program for homeowners experiencing groundwater flooding in southeast Queens, and to repeal such amendments upon the expiration thereof.

Res 83 - By Council Members Gennaro, Ung and Yeger - **Resolution** calling on the New York City Water Board to notify all council members and community boards at least 30 days before a public hearing concerning an annual water rate adjustment.

Committee Room – City Hall.....1:00 p.m.

★Note Topic AdditionCommittee on Technology

Jennifer Gutiérrez, Chairperson

Oversight - The Use of Automated Decision Systems and Artificial Intelligence by New York City Agencies.

Int 199 - By Council Members Gutiérrez, Hanif, Hudson and Restler (by request of the Queens Borough President) - **A Local Law** to amend the New York city charter and the administrative code of the city of New York, in relation to establishing an office of algorithmic data integrity.

Int 926 - By Council Members Menin, Gutiérrez, Brewer, Williams, Hanif, Salaam, Farías, Ariola, the Public Advocate (Mr. Williams), Joseph, Zhuang, Ung, Brannan and Cabán (by request of the Manhattan Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the creation of appropriate and responsible use practices for artificial intelligence tools used by city agencies.

Int 1024 - By Council Members Gutiérrez, Menin, Restler, Hanif and Brewer - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring a centralized list of artificial intelligence tools approved to be used by agencies.

★**Int 1099** - By Council Members Powers, De La Rosa and Gutiérrez - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring reporting on the impact of algorithmic tools on city employees and changes in employment responsibilities due to algorithmic tools.

Committee Room – 250 Broadway, 16th Floor..... 1:00 p.m.

Tuesday, October 29, 2024

Committee on Governmental Operations, State & Federal Legislation

Lincoln Restler, Chairperson

Oversight - DCAS Leasing Practices.

Committee Room – 250 Broadway, 14th Floor..... 10:00 a.m.

Committee on Hospitals jointly with the Committee on Health

Mercedes Narcisse, Chairperson

Lynn C. Schulman, Chairperson

Oversight - Examining the Effects of Hospital Closures on Community Needs.

Res 339 - By Council Members Rivera, Cabán, Avilés, Schulman, Banks, Ayala and Louis - **Resolution** calling on the New York State Legislature to Pass, and the Governor to Sign, S.2085/A.1633, the Local Input in Community Healthcare Act.

Council Chambers – City Hall.....1:00 p.m.

Committee on Veterans jointly with the Committee on Mental Health, Disabilities and Addiction

Robert F. Holden, Chairperson

Linda Lee, Chairperson

Oversight - Supporting the Families of Veterans with PTSD

Committee Room – City Hall.....1:00 p.m.

Wednesday, October 30, 2024

Committee on Aging jointly with the Committee on Public Safety

Crystal Hudson, Chairperson

Yusef Salaam, Chairperson

Oversight - Elder Fraud

Int 1092 - By Council Member Hudson - **A Local Law** to amend the administrative code of the city of New York, in relation to educating older adults about elder fraud, end of life preparation, and financial literacy.

Int 1101 - By Council Members Salaam and Hudson - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the police department to disseminate information and provide officer training on requisites for filing reports and criminal complaints of identity theft and related crimes.

Res 561 - By Council Members Hudson, Narcisse, Joseph, Cabán and Williams - **Resolution** calling upon the New York State Legislature to introduce and pass, and the Governor to sign, legislation to create a statewide public guardianship system to address current inequities and deficits and safeguard vulnerable New Yorkers in need of protective arrangements.

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

Committee on Small Business jointly with the Committee on Cultural Affairs, Libraries and International Intergroup Relations

Oswald Feliz, Chairperson

Carlina Rivera, Chairperson

Oversight - Public Space Activation and Small Business Revitalization in Naturally Occurring Cultural Districts.

Committee Room – 250 Broadway, 14th Floor..... 10:00 a.m.

[Committee on Education](#)
[Committee on Children and Youth](#)

Rita Joseph, Chairperson
 Althea V. Stevens, Chairperson

Oversight - Summer Rising.

Int 700 - By the Public Advocate (Mr. Williams) and Council Members Gennaro, Hanif, Gutiérrez, Louis, Restler and Schulman - **A Local Law** to amend the administrative code of the city of New York, in relation to developing a college admissions counseling program.

Int 729 - By Council Members Stevens, Riley, Nurse, Narcisse, De La Rosa, Louis, Williams and Schulman - **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.

Int 794 - By Council Members Stevens, Banks, Louis, Salaam, Brewer and Brooks-Powers - **A Local Law** to amend the New York city charter, in relation to the composition of the youth board.

Committee Room – 250 Broadway, 16th Floor..... 10:00 a.m.

[Committee on Rules, Privileges and Elections](#)

Keith Powers, Chairperson

Preconsidered Res ____ - Resolution approving the designation by the Council of Michael Espiritu, a resident of Manhattan, for appointment by the Mayor to the Health & Hospitals Corporation.

Preconsidered Res ____ - Resolution approving the designation by the Council of Vanessa Rodriguez, a resident of the Bronx, for appointment by the Mayor to the Health & Hospitals Corporation.

Committee Room – City Hall.....1:00 p.m.

[Subcommittee on Zoning & Franchises](#)

Kevin C. Riley, Chairperson

See Land Use Calendar

Committee Room – 250 Broadway, 14th Floor..... 1:00 p.m.

Thursday, October 31, 2024

[Committee on Civil Service and Labor](#) jointly with the
[Committee on Higher Education](#)

Carmen De La Rosa, Chairperson
 Eric Dinowitz, Chairperson

Oversight - Pathways into New York City's Civil Service.

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

[Committee on Criminal Justice](#)

Sandy Nurse, Chairperson

Oversight - Preventing and Addressing Sexual Assault and Harassment in City Jails

Int 830 - By Council Members Louis, Nurse, Riley and Restler - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the commissioner of correction to develop a comprehensive training program for investigation of sexual crimes.

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

[Committee on Land Use](#)

Rafael Salamanca, Jr., Chairperson

All items reported out of the Subcommittees

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – 250 Broadway, 16th Floor.....11:00 a.m.

[Committee on Public Housing](#)

Chris Banks, Chairperson

Oversight - NYCHA's HUD Agreement and Ongoing Federal Monitorship.

Council Chambers – City Hall.....1:00 p.m.

Friday, November 1, 2024

[Committee on Fire and Emergency Management](#) jointly with the
[Committee on Oversight and Investigations](#) and the
[Committee on Hospitals](#)

Joann Ariola, Chairperson
 Gale A. Brewer, Chairperson
 Mercedes Narcisse, Chairperson

Oversight - Ambulance Response Times.

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

[Committee on Economic Development](#)

Amanda Farías, Chairperson

Oversight - Citywide Access to Fresh Produce.

Int 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.

Committee Room – City Hall.....10:30 a.m.

Tuesday, November 12, 2024

[Committee on Housing and Buildings](#)

Pierina Ana Sanchez, Chairperson

Oversight - Tenant Harassment and Safety.

Int 621 - By Council Members Nurse, Abreu, Sanchez, Ossé, De La Rosa, Krishnan, Gutiérrez, Stevens, Won, Louis, Hanif, Ayala, Marte, Salaam, Rivera, Brewer, Cabán, Avilés, Restler and Hudson (in conjunction with the Brooklyn Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to expanding the definition of tenant harassment to include unlawful evictions and expanding the certificate of no harassment program to include unlawful evictions.

Int 622 - By Council Members Nurse, Abreu, Sanchez, Ossé, De La Rosa, Krishnan, Gutiérrez, Stevens, Won, Louis, Hanif, Ayala, Marte, Salaam, Rivera, Cabán, Avilés and Restler (in conjunction with the Brooklyn Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to injunctive relief for lawful occupants of rental units.

Int 623 - By Council Members Nurse, Abreu, Sanchez, Ossé, De La Rosa, Krishnan, Gutiérrez, Stevens, Won, Louis, Hanif, Ayala, Bottcher, Marte, Salaam, Rivera, Cabán, Avilés, Restler and Hudson (in conjunction with the Brooklyn Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to increasing penalties for unlawful evictions.

Int 993 - By Council Members Nurse, Hanif, Brewer and Sanchez - **A Local Law** to amend the administrative code of the city of New York, in relation to creating lock change procedures in response to illegal lockouts

Int 994 - By Council Members Restler, Nurse, Joseph, Hudson, Ossé, Krishnan, Avilés, Cabán, Abreu, Hanif, Stevens, Williams, Hanks, Marte, Salaam, Won, Louis and Gutiérrez (by request of the Brooklyn Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring that tenant-occupied dwellings be provided with cooled and dehumidified air.

Int 1037 - By Council Members Nurse, Restler and Cabán - **A Local Law** to amend the administrative code of the city of New York, in relation to posting certain information in multiple dwellings containing rent stabilized units.

Res 119 - By Council Members Hudson, Cabán, Hanif, Farías, De La Rosa, Schulman and Avilés - **Resolution** calling on the New York State Legislature to pass, and the Governor to sign, legislation denying property owners from filing eviction proceedings for tenants who reside in buildings with substantial pending housing maintenance code violations.

Res 246 - By Council Members Nurse, Abreu, Sanchez, Ossé, De La Rosa, Krishnan, Gutiérrez, Stevens, Louis, Hanif, Ayala, Bottcher, Marte, Salaam, Rivera, Cabán, Avilés, Hudson and Won - **Resolution** calling on the New York State Legislature to pass, and the Governor to sign, legislation requiring unlawful eviction cases to be heard within five days.

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

Wednesday, November 13, 2024

Stated Council Meeting

Council Chambers – City Hall.....Agenda – 1:30 p.m.

The following comments below 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 death of construction worker Paulo Couto in Council Member Cabán's district in Queens. Mr. Couto, 54, was injured and killed on October 7, 2024 due to a workplace accident. The Speaker (Council Member Adams) reiterated that all workers deserved to be safe on the job. On behalf of the Council, she offered her thoughts and condolences to his family and his loved ones.

The Speaker (Council Member Adams) acknowledged that a 72-year-old man lost his life in a fire where three fire fighters were also injured. The fire took place in Council Member Brewer's Upper West Side district in Manhattan on October 12, 2024. The Speaker (Council Member Adams) also noted that a lithium ion battery had sparked a deadly fire in Council Member Vernikov's district in Brooklyn. This fire took the life of a 69-year-old grandfather and injured three others. On behalf of the Council, the Speaker (Council Member Adams) offered her thoughts and condolences to the family and friends of these victims. She noted that while much progress on fire safety had been achieved through the passage of laws curbing threats from dangerous lithium ion batteries, there was still continued work to be done.

The Speaker (Council Member Adams) noted that the Council's Subcommittee on Zoning and Franchises had held a 14.5-hour public hearing on October 22, 2024 where the public testified in regard to the City of Yes Zoning for Housing Opportunity Proposal. She praised Council Member and Zoning subcommittee chair Riley for his leadership during the marathon hearing. She also recognized the remaining members of the Zoning subcommittee as well as her colleagues who had been present during the proceedings. She thanked all of the New Yorkers who testified in person or on Zoom and also thanked those who stayed up late to watch this hearing.

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Whereupon on motion of the Speaker (Council Member Adams), the Majority Leader and Acting President Pro Tempore (Council Member Fariás) adjourned these proceedings to meet again for the Stated Meeting of Wednesday, November 13, 2024.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor's Local Law Note: Int. Nos. 6-A, 89-A, 242-A, 279-A, 471-A, 746-A, 833-A, 898, and 906, all adopted at the September 12, 2024 Stated Meeting, were **returned unsigned** by the Mayor on October 15, 2024. These items had become law on October 12, 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. 89 to 97 of 2024, respectively.

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 October 23, 2024 on the New York City Council website at <https://council.nyc.gov>.