

## THE COUNCIL

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*Minutes of the Proceedings for the*

### STATED MEETING

*of*

Thursday, September 29, 2022, 2:03 p.m.

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

#### Council Members

Adrienne E. Adams, *Speaker*

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

Absent: Council Member Rivera.

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

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

*There were 50 Council Members marked present for this Stated Meeting held in the Council Chambers at City Hall, New York, N.Y. (Council Members Gennaro, Joseph, Moya, and Won participated remotely).*

### INVOCATION

The Invocation was delivered by Pastor Mullery Jean-Pierre, Senior Pastor, Beraca Baptist Church, located at 9602 Flatlands Avenue, Brooklyn, N.Y. 11236.

To Speaker Adrienne Adams,  
to New York City Council Members,  
I bring greetings to from Baraka Baptist Church,  
located in Canarsie section of Brooklyn, New York.  
Special thanks to my Councilwoman  
Mercedes Narcisse in the 46th district.

A Baptist minister missionary  
named Arthur Ward once said,  
"Flatter me, and I may not believe you.  
Criticize me, and I may not like you.  
Ignore me, and I may not forgive you.  
But encouraged me, I will not forget you".  
Today I will not forget  
this body of New York City Council  
because you have encouraged me.  
As a Haitian pastor  
of one of the largest Haitian churches in New York City.  
You've encouraged me in three ways.  
I am encouraged because  
there are four Haitian American Council Members in this Chamber:  
[Councilman] Chi Ossé, Councilwoman Rita Joseph,  
Councilwoman Farah Louis, and  
my very own Councilwoman, Mercedes Narcisse.  
I am encouraged.  
The second reason I'm encouraged  
is that the Haitian American Council Members  
were all appointed to chair positions.  
That is very encouraging.  
And the third reason I am encouraged is because this body,  
the Council Members, on August 11, the day after my birthday,  
passed the historic Maternal Health package.  
This is amazing.  
And I am so proud of you.  
I thank God for you.  
I'm more encouraged because this bill that was passed  
helps the Haitian women in New York City  
specifically and more so because they have  
the highest rate of maternal morbidity  
than any other race and any other woman.  
I am grateful.  
So I want to encourage you as you've encouraged me,

because they say, hurting people hurt people.  
 But I say encouraged people encourages people.  
 And I want to encourage you  
 with *Hebrews chapter 10, verse 24, and 25*:  
 "And let us consider how we may spur on one another,  
 towards love and good deeds, not giving up together,  
 meeting together, as some have in the habit of doing  
 but encouraging one another, and all the more  
 as you see the day approaching."  
 And then the prayer of Moses says,  
 "May the favor of Our Lord our God rests on us,  
 establish the works of our hands for us.  
 Yes, establish the work of our hands."  
 Father God, bless this meeting,  
 bless the Council Members,  
 continue to strengthen them  
 that they may do your work.  
 We ask this in Jesus name.  
 Amen.

Council Member Narcisse spread the Invocation in full upon the record.

During the Communication from the Speaker segment of this Stated Meeting, the Speaker (Council Member Adams) acknowledged the deaths of two New Yorkers who had recently lost their lives while on the job during the course of their employment: Pape Koule and Ronald Ortiz. Mr. Koule, 46, was killed on September 12, 2022 while working on a 14-story project at a Greenpoint construction site in Brooklyn. On behalf of the Council, the Speaker (Council Member Adams) offered her condolences to his family. Mr. Ortiz, 30, was a construction and electrician who was shot and killed during a lunch break in East New York, Brooklyn. On behalf of the Council (Council Member Adams) offered condolences to his family, friends, and community.

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#### **ADOPTION OF MINUTES**

On behalf of Council Member Sanchez, the Majority Leader (Council Member Powers) moved that the Minutes of the Stated Meeting of September 6, 2022 be adopted as printed.

**MESSAGES & PAPERS FROM THE MAYOR**

M-93

**Communication from the Mayor - Submitting the Mayor's Management Report, Fiscal Year 2022, pursuant to Section 12 of the New York City Charter.**

(For text of the [Fiscal 2022 MMR](https://www1.nyc.gov/site/operations/performance/mmr.page), please refer to the Mayor's Office of Operations page on the City of New York website at <https://www1.nyc.gov/site/operations/performance/mmr.page>)

Received, Ordered, Printed and Filed.

**REPORTS OF THE STANDING COMMITTEES****Report of the Committee on Finance**

Report for Res. No. 306-A

**Report of the Committee on Finance in favor of a Resolution approving, as amended, a Resolution concerning the increase in the annual expenditure for the Fifth Avenue Association, 125th Street, Columbus/Amsterdam, DUMBO, and Court-Livingston-Schermerhorn Business Improvement Districts and the setting of the date, time and place for the hearing of the local law increasing the annual expenditure for such districts.**

The Committee on Finance, to which the annexed resolution was referred on September 14, 2022, (Minutes, page 2137) respectfully

**REPORTS:**

Proposed Resolution No. 306-A sets a date, time, and place for a public hearing to consider a local law that would increase the annual expenditures of five (5) Business Improvement Districts (“BIDs”) as of July 1, 2022. The resolution sets October 12, 2022 at 10:00 am in the City Council Committee Room, 2nd floor, City Hall, Manhattan as the date, time, and place for the hearing.

These increases, which have been requested by the BIDs and approved by the respective District Management Associations, would result in a higher assessment on all properties currently subject to the BIDs’ assessments as a result of the increase in the assessment rate.

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

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

The following BIDs have requested increases to their budgets, as indicated below:

BID Name	Year Established	Year of Previous Increase	Current Authorized Assessment Cap	Proposed Authorized Assessment Cap	\$ Increase Request		Projected Years for Increase Phase-In	CM District(s)	Increase Justification
	Years	Previous Increase Amount			% Increase	Annualized % Increase	Phase-In Schedule	Supporting Councilmember	
125th Street BID	1993	2019	\$1,240,462	\$1,687,028	\$446,566		1 (retroactive)	9	Assessment increase will be used to double the BID's sanitation service hours and personnel; add new marketing staff to expand digital marketing, content management, and fundraising; and provide cost-of-living increases to security personnel. 125 <sup>th</sup> Street has seen an increase in quality-of-life challenges over the last few years, and new development projects are expected to open soon and bring additional activity and residential tenants to the corridor.
	29	\$234,669			36%	0.91 %	1 x \$446,566 (FY23)	Kristin Richardson Jordan	
Columbus Amsterdam BID	1987	2015	\$350,000	\$650,000	\$300,000		3	7	Assessment increase will be used to sustain the BID's weekly Open Streets program; expand and redevelop marketing initiatives and holiday lighting; provide cost-of-living increases to sanitation personnel; and increase beautification & horticulture programs. Columbus Amsterdam BID is also planning for executive transition and increasing staff capacity, requiring an increase to the assessment.
	35	\$90,000			85.71%	1.32 %	1 x \$100,000 (FY24) 1 x \$100,000 (FY25) 1 x \$100,000 (FY26)	Shaun Abreu	
Court-Livingston-Schermerhorn BID	2008	2020	\$1,400,000	\$1,800,000	\$400,000		3	33	Assessment increase will allow the BID to maintain current service levels despite rising contract costs for sanitation, public safety, and landscaping services; introduce outdoor, public events for the first time; and maintain competitive staff salaries and benefits. The BID has been operating on a very tight budget for several years, and the assessment will allow the organization to build up the recommended reserve fund.
	14	\$493,000			28.57%	1.59 %	1 x \$160,000 (FY24) 1 x \$80,000 (FY25) 1 x \$160,000 (FY26)	Lincoln Restler	
DUMBO BID	2006	2018	\$1,250,000	\$2,500,000	\$1,250,000		3	33	Assessment increase will be used to expand sanitation services; cover increased maintenance costs anticipated for furnishings, plantings, and lighting in the newly reconstructed Pearl Street Triangle and Archway plaza; sustain the BID's Open Streets program; and introduce holiday lighting to the neighborhood for the first time. DUMBO has grown significantly in the past few years, including several mixed-use and commercial developments under construction that will bring additional residents and foot traffic to the district.
	16	\$500,000 (w/ expansion)			100%	3.13 %	1 x \$500,000 (FY24) 1 x \$250,000 (FY25) 1 x \$500,000 (FY26)	Lincoln Restler	
Fifth Avenue Association BID	1993	2020	\$6,414,000	\$8,054,663	\$1,640,663		1 (retroactive)	4	Assessment increase will fund the design costs for a transformative streetscape redesign of the Fifth Avenue retail corridor. The vision project will include traffic analysis, land use, utility investigations, landscape, and architectural services. In the longer term, the additional funding will allow the BID to maintain the new public spaces and streetscape elements, plus provide public programming to activate Fifth Avenue. If the redesign is not implemented, the assessment increase will be used for alternative streetscape improvements, including additional trees, plantings, and street furniture.
	29	\$3,207,000			25.58%	0.70 %	1 x \$1,640,663 (FY23)	Keith Powers	

*Accordingly, this Committee recommends its adoption, as amended.*

**(The following is the text of Res. No. 306-A:)**

Res. No. 306-A

**Resolution concerning the increase in the annual expenditure for the Fifth Avenue Association, 125th Street, Columbus/Amsterdam, DUMBO, and Court-Livingston-Schermerhorn Business Improvement Districts and the setting of the date, time and place for the hearing of the local law increasing the annual expenditure for such districts.**

By Council Members Brannan, Louis and Restler.

**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 Fifth Avenue Association, 125th Street, Columbus/Amsterdam, DUMBO, and Court-Livingston-Schermerhorn 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**, The five (5) Business Improvement Districts wish to increase the amount to be expended annually beginning on July 1, 2022 as follows: Fifth Avenue Association, \$8,054,663; 125th Street, \$1,687,028; Columbus/Amsterdam, \$650,000; DUMBO, \$2,500,000; and Court-Livingston- Schermerhorn, \$1,800,000; 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 one 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 October 12, 2022 is the date and the City Council Committee Room, 2nd Floor, City Hall is the place and 10:00 a.m. is the time for a public hearing (the "Public Hearing") to hear all persons interested in the legislation, which would increase the amount to be expended annually in the five (5) Business Improvement Districts; and be it further

**Resolved**, That on behalf of the City Council and pursuant to Section 25-410(b) of the BID Law, the District Management Associations of the Fifth Avenue Association, 125th Street, Columbus/Amsterdam, DUMBO, and Court-Livingston-Schermerhorn Business Improvement Districts are hereby authorized to publish in a newspaper of general circulation in each district, not less than ten (10) days prior to the Public Hearing, a notice stating the time and place of the Public Hearing and setting forth the proposed increase in the amount to be expended annually in each of the five (5) Business Improvement Districts.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, ARI KAGAN, CHI A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, DAVID M. CARR; 16-0-0; *Medical*: Julie Won; Committee on Finance, September 29, 2022.

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

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. 327

**Report of the Committee on Finance in favor of approving 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 September 29, 2022, respectfully

**REPORTS:**

Introduction. The Council of the City of New York (the “Council”) annually adopts the City’s budget covering expenditures other than for capital projects (the “expense budget”) pursuant to Section 254 of the Charter. On June 19, 2019, the Council adopted the expense budget for fiscal year 2020 with various programs and initiatives (the “Fiscal 2020 Expense Budget”). On June 30, 2020, the Council adopted the expense budget for fiscal year 2021 with various programs and initiatives (the “Fiscal 2021 Expense Budget”). On June 30, 2021, the Council adopted the expense budget for fiscal year 2022 with various programs and initiatives (the “Fiscal 2022 Expense Budget”). On June 13, 2022, the Council adopted the expense budget for fiscal year 2023 with various programs and initiatives (the “Fiscal 2023 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 2023, Fiscal 2022, Fiscal 2021 and Fiscal 2022 Expense Budgets, and amendments to the description for the Description/Scope of Services of certain organizations receiving funding in accordance with the Fiscal 2023 and Fiscal 2022 Expense Budgets.

This Resolution, dated September 29, 2022, approves the new designation and the changes in the designation of certain organizations receiving local, youth, anti-poverty, aging, boroughwide needs and Speaker’s initiative to address citywide needs and community safety and victims’ services discretionary funding and funding for certain initiatives in accordance with the Fiscal 2023 Expense Budget, approves the changes in designation of certain organizations receiving funding for boroughwide needs, local and youth discretionary funding and certain initiatives in accordance with the Fiscal 2022 Expense Budget, approves the changes in designation of certain organizations receiving local, youth, aging, anti-poverty and boroughwide needs discretionary funding and funding for certain initiatives in accordance with the Fiscal 2021 Expense Budget, approves the changes in designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2020 Expense Budget, and amends the description for the Description/Scope of Services of certain organizations receiving local, aging and youth discretionary funding and certain initiatives in accordance with the Fiscal 2023 Expense Budget, and local discretionary funding in accordance with the Fiscal 2021 Expense Budget.

This Resolution sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2023 Expense Budget, as described in Chart 1; sets forth the new designation and the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2023 Expense Budget, as described in Chart 2; sets forth the new designation and the changes in the designation of certain organizations receiving anti-poverty discretionary funding in accordance with the Fiscal 2023 Expense Budget, as described in Chart 3; sets forth the new designation and the changes in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2023 Expense Budget, as described in Chart 4; sets forth the new designation and the changes in the designation of certain organizations receiving boroughwide needs initiative discretionary funding in accordance with the Fiscal 2023 Expense Budget, as described in Chart 5; sets forth the new designation and the changes in the designation of certain organizations receiving Speaker’s initiative to address citywide needs discretionary funding in accordance with the Fiscal 2023 Expense Budget, as described in Chart 6; sets forth the new designation and the changes in designation of certain organizations receiving community safety and victims



services initiative discretionary funding in accordance with the Fiscal 2023 Expense Budget, as described in Chart 7; and sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to certain initiatives pursuant to the Fiscal 2023 Expense Budget, as described in Charts 8-43; sets forth the changes in the designation of a certain organization receiving local discretionary funding pursuant to the Fiscal 2022 Expense Budget, as described in Chart 44; sets forth the changes in the designation of certain organizations receiving funding pursuant to certain initiatives pursuant to the Fiscal 2022 Expense Budget, as described in Chart 45-49; sets forth the changes in the designation of certain organizations receiving local discretionary funding pursuant to the fiscal 2021 Expense Budget, as described in Chart 50; sets forth the changes in the designation of certain organizations receiving youth discretionary funding pursuant to the Fiscal 2021 Expense Budget, as described in Chart 51; sets forth the changes in the designation of certain organizations receiving funding pursuant to a certain initiative pursuant to the fiscal 2021 Expense Budget, as described in Chart 52; sets forth the changes in the designation of certain organizations receiving local discretionary funding pursuant to the fiscal 2021 Expense Budget, as described in Chart 53; amends the description for the Description/Scope of Services of certain organizations receiving local, youth and aging discretionary funding and funding pursuant to a certain initiative in accordance with the Fiscal 2023 Expense Budget, as described in Chart 54; amends the description for the Description/Scope of Services of certain organizations receiving local and amends the description for the Description/Scope of Services of certain organizations receiving local discretionary funding in accordance with the Fiscal 2021 Expense Budget, as described in Chart 55.

Specifically, Chart 1 sets forth the new designations and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2023 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 2 sets forth the changes in the designation of certain organizations receiving youth discretionary funding pursuant to the Fiscal 2023 Expense Budget.

Chart 3 sets forth the changes in the designation of certain organizations receiving funding pursuant to the anti-poverty discretionary funding in accordance with the Fiscal 2023 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 4 sets forth the change in the designation of a certain organization receiving aging discretionary funding pursuant to the Fiscal 2023 Expense Budget.

Chart 5 sets forth the changes in the designation of certain organizations receiving Boroughwide Needs Initiative funding pursuant to the Fiscal 2023 Expense Budget.

Chart 6 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to Speaker's Initiative to Address Citywide Needs in accordance with the Fiscal 2023 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 7 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to Community Safety and Victim's Services Initiative in accordance with the Fiscal 2023 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 8 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2023 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 9 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2023 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 10 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2023 Expense Budget. Some of these designations will be effectuated upon a budget modification.

Chart 11 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2023 Expense Budget. Some of these designations will be effectuated upon a budget modification.

Chart 12 sets forth the new designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2023 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 13 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2023 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 14 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2023 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 15 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Support Our Seniors Initiative in accordance with the Fiscal 2023 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 16 sets forth the new designation of certain organization receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2023 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 17 sets forth the new designation of certain organizations receiving funding pursuant to the Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2023 Expense Budget. Some of these designations will be effectuated upon a budget modification.

Chart 18 sets forth the changes in the designations of certain organizations receiving funding pursuant to Court-Involved Youth Mental Health Initiative in accordance with the Fiscal 2023 Expense Budget.

Chart 19 sets forth the changes in the designation of certain organizations receiving funding pursuant to the Community Development Initiative in accordance with the Fiscal 2023 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 20 sets forth the new designation of a certain organization receiving funding pursuant to the Care Workers for Our Future Initiative in accordance with the Fiscal 2023 Expense Budget. This change will be effectuated upon a budget modification.

Chart 21 sets forth the new designation of certain organizations receiving funding pursuant to the Domestic Worker and Employer Empowerment Initiative in accordance with the Fiscal 2023 Expense Budget. These changes will be effectuated upon a budget modification.

Chart 22 sets forth the new designation of certain organizations receiving funding pursuant to the Pride at Work Initiative in accordance with the Fiscal 2023 Expense Budget. These changes will be effectuated upon a budget modification.

Chart 23 sets forth the new designation of certain organizations receiving funding pursuant to the Support for Immigrant Women Workers Initiative in accordance with the Fiscal 2023 Expense Budget. These changes will be effectuated upon a budget modification.

Chart 24 sets forth the changes in the designation of certain organizations receiving funding pursuant to the Worker Cooperative Business Development Initiative in accordance with the Fiscal 2023 Expense Budget.

Chart 25 sets forth the new designation of certain organizations receiving funding pursuant to the Low Wage Worker Support Initiative in accordance with the Fiscal 2023 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 26 sets forth the new designation of certain organizations receiving funding pursuant to the Abortion Access Fund Initiative in accordance with the Fiscal 2023 Expense Budget. These changes will be effectuated upon a budget modification.

Chart 27 sets forth the new designation of a certain organization receiving funding pursuant to the Trauma Recovery Centers Initiative in accordance with the Fiscal 2023 Expense Budget.

Chart 28 sets forth the new designation of certain organizations receiving funding pursuant to the Afterschool Enrichment Initiative in accordance with the Fiscal 2023 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 29 sets forth the new designation of a certain organization receiving funding pursuant to the Key to the City Initiative in accordance with the Fiscal 2023 Expense Budget.

Chart 30 sets forth the new designation of a certain organization receiving funding pursuant to the Trans Equity Programs Initiative in accordance with the Fiscal 2023 Expense Budget.

Chart 31 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Young Women's Leadership Development Initiative in accordance with the Fiscal 2023 Expense Budget.

Chart 32 sets forth the new designation of a certain organization receiving funding pursuant to the LGBTQ Senior Services in Every Borough Initiative in accordance with the Fiscal 2023 Expense Budget.

Chart 33 sets forth the new designation of a certain organization receiving funding pursuant to the Senior Centers, Programs, and Enhancements Initiative in accordance with the Fiscal 2023 Expense Budget.

Chart 34 sets forth the change of the designation of a certain organization receiving funding pursuant to the Home Loan Program Initiative in accordance with the Fiscal 2023 Expense Budget. This change will be effectuated upon a budget modification.

Chart 35 sets forth the change of the designation of a certain organizations receiving funding pursuant to the Stabilizing NYC Initiative in accordance with the Fiscal 2023 Expense Budget. This change will be effectuated upon a budget modification.

Chart 36 sets forth the change designation of a certain organization receiving funding pursuant to the Foreclosure Prevention Programs Initiative in accordance with the Fiscal 2023 Expense Budget. This change will be effectuated upon a budget modification.

Chart 37 sets forth the change in the designation of a certain organization receiving funding pursuant to the Naturally Occurring Retirement Communities (NORCs) Initiative in accordance with the Fiscal 2023 Expense Budget.

Chart 38 sets forth the new designations of certain organizations receiving funding pursuant to the Legal Services for the Working Poor Initiative in accordance with the Fiscal 2023 Expense Budget. These changes will be effectuated upon a budget modification.

Chart 39 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Community Land Trust Initiative in accordance with the Fiscal 2023 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 40 sets forth the new designation of a certain organization receiving funding pursuant to the Discharge Planning Initiative in accordance with the Fiscal 2023 Expense Budget. This change will be effectuated upon a budget modification.

Chart 41 sets forth the new designation of a certain organization receiving funding pursuant to the CUNY Citizenship NOW! Program Initiative in accordance with the Fiscal 2023 Expense Budget.

Chart 42 sets forth the new designation of certain organizations receiving funding pursuant to Hate Crimes Prevention Initiative in accordance with the Fiscal 2023 Expense Budget. These changes will be effectuated upon a budget modification.

Chart 43 sets forth the changes in the designation of certain organizations receiving funding pursuant to the Adult Literacy Initiative in accordance with the Fiscal 2023 Expense Budget.

Chart 44 sets forth the changes in the designation of certain organizations receiving Local initiatives funding in accordance with the Fiscal 2022 Expense Budget.

Chart 45 sets forth the change in designation of a certain organization receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 46 sets forth the changes in the designation of certain organizations receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 47 sets forth the changes in the designation of certain organizations receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 48 sets forth the change in the designation of a certain organization receiving funding pursuant to the Pandemic Support for Human Service Providers Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 49 sets forth the change in the designation of a certain organization receiving funding pursuant to the LGBT Community Services Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 50 sets forth the changes in the designation of a certain organization receiving Local Initiatives funding in accordance with the Fiscal 2021 Expense Budget.

Chart 51 sets forth the changes in the designations of a certain organization receiving Youth discretionary funding in accordance with the Fiscal 2021 Expense Budget.

Chart 52 sets forth the changes in the designations of certain organizations receiving Cultural After-School Adventure (CASA) Initiative funding in accordance with the Fiscal 2021 Expenses Budget.

Chart 53 sets forth the change in the designation of a certain organization receiving Local Initiatives funding in accordance with the Fiscal 2020 Expense Budget.

Chart 54 amends the description for the Description/Scope of Services of certain organizations receiving local, youth, aging and anti-poverty discretionary funding and funding pursuant to the Speaker's, Low Wage Worker Support and Key to the City Initiatives pursuant to the Fiscal 2023 Expense Budget.

Chart 55 amends the description for the Description/Scope of Services of certain organizations receiving local discretionary funding pursuant to the Fiscal 2021 Expense Budget.

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

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

Description of Above-captioned Resolution. In the above-captioned Resolution, the Council would approve the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2023, Fiscal 2022, Fiscal 2021 and Fiscal 2020 Expense Budgets. Such Resolution would take effect as of the date of adoption.

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 327:)**

Preconsidered Res. No. 327

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

By Council Member Brannan.

**Whereas**, On June 13, 2022, the Council of the City of New York (the "City Council") adopted the expense budget for Fiscal Year 2023 with various programs and initiatives (the "Fiscal 2023 Expense Budget"); and

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

**Whereas**, On June 30, 2020 the Council adopted the expense budget for Fiscal Year 2021 with various programs and initiatives (the "Fiscal 2021 Expense Budget"); and

**Whereas**, On June 19, 2019 the Council adopted the expense budget for Fiscal Year 2020 with various programs and initiatives (the "Fiscal 2020 Expense Budget"); and

**Whereas**, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2023, Fiscal 2022, Fiscal 2021, and Fiscal 2020 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local, youth, aging, and anti-poverty discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

**Whereas**, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2023 and Fiscal 2021 Expense Budgets by approving new Description/Scope of Services for certain organizations receiving local, youth and anti-poverty discretionary funding and certain organization receiving funding pursuant to certain initiatives; now, therefore, be it

**Resolved,** That the City Council approves the new designations and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2023 Expense Budget, as set forth in Chart 1; and be it further

**Resolved,** That the City Council approves the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 2; and be it further

**Resolved,** That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the anti-poverty discretionary funding in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 3; and be it further

**Resolved,** That the City Council approves the change in the designation of a certain organization receiving aging discretionary funding in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 4; and be it further

**Resolved,** That the City Council approves the changes in designation of certain organizations receiving funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 5; and be it further

**Resolved,** That the City Council approves the new designations and the changes in the designation of certain organizations receiving funding pursuant to the Speaker's Initiative to Address Citywide Needs Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 6; and be it further

**Resolved,** That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Community Safety and Victim Services Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 7; and be it further

**Resolved,** That the City Council approves the new designations and the changes in designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 8; and be it further

**Resolved,** That the City Council approves the new designation and the changes in designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 9; and be it further

**Resolved,** That the City Council approves the new designations and the changes in designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 10; and be it further

**Resolved,** That the City Council approves the new designations and the changes in designation of certain organizations receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 11; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 12; and be it further

**Resolved,** That the City Council approves the new designations and the changes in designation of certain organizations receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 13; and be it further

**Resolved,** That the City Council approves the new designation and the changes in designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 14; and be it further

**Resolved,** That the City Council approves the new designation and the changes in designation of certain organizations receiving funding pursuant to the Support Our Seniors Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 15; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to Food Pantries Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 16; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Domestic Violence and Empowerment (DoVe) Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 17; and be it further

**Resolved,** That the City Council approves the changes in designation of a certain organization receiving funding pursuant to the Court Involved Youth Mental Health Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 18; and be it further

**Resolved,** That the City Council approves the changes in designation of certain organizations receiving funding pursuant to the Community Development Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 19; and be it further

**Resolved,** That the City Council approves the new designation of a certain organization receiving funding pursuant to the Care Workers for Our Future Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 20; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Domestic Worker and Employer Empowerment Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 21; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Pride at Work Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 22; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Support for Immigrant Women Workers in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 23; and be it further

**Resolved,** That the City Council approves the changes of designation of certain organizations receiving funding pursuant to the Worker Cooperative Business Development Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 24; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Low Wage Worker Support Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 25; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Abortion Access Fund Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 26; and be it further

**Resolved,** That the City Council approves the new designation of a certain organization receiving funding pursuant to Trauma Recovery Centers Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 27; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the After School Enrichment Initiative to Combat Sexual Assault in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 28; and be it further

**Resolved,** That the City Council approves the new designation of a certain organization receiving funding pursuant to the Key to the City Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 29; and be it further

**Resolved,** That the City Council approves the new designation of a certain organization receiving funding pursuant to the Trans Equity Programs Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 30; and be it further

**Resolved,** That the City Council approves the new designation and the change of designation of certain organizations receiving funding pursuant to the Young Women's Leadership Development Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 31; and be it further

**Resolved,** That the City Council approves the new designation of a certain organization receiving funding pursuant to the LGBTQ Senior Services in Every Borough Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 32; and be it further

**Resolved,** That the City Council approves the new designation of a certain organization receiving funding pursuant to the Senior Centers, Programs and Enhancements Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 33; and be it further

**Resolved,** That the City Council approves the change in designation of a certain organization receiving funding pursuant to the Home Loan Program Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 34; and be it further

**Resolved,** That the City Council approves the change in designation of a certain organization receiving funding pursuant to the Stabilizing NYC Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 35; and be it further

**Resolved,** That the City Council approves the change in designation of a certain organization receiving funding pursuant to the Foreclosure Prevention Programs Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 36; and be it further

**Resolved,** That the City Council approves the change in designation of a certain organization receiving funding pursuant to the Naturally Recurring Retirement Communities (NORCs) Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 37; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Legal Services for the Working Poor Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 38; and be it further

**Resolved,** That the City Council approves the new designation and changes in designation of certain organizations receiving funding pursuant to the Community Land Trust Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 39; and be it further

**Resolved,** That the City Council approves the new designation of a certain organization receiving funding pursuant to the Discharge Planning Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 40; and be it further

**Resolved,** That the City Council approves the new designation of a certain organization receiving funding pursuant to the CUNY Citizenship NOW Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 41; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Hate Crimes Prevention Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 42; and be it further

**Resolved,** That the City Council approves the change in designation of certain organizations receiving funding pursuant to the Adult Literacy Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 43; and be it further

**Resolved,** That the City Council approves the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2022 Expense Budget, as set forth in Chart 44 and be it further

**Resolved,** That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 45; and be it further

**Resolved,** That the City Council approves the changes in designation of certain organizations receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 46; and be it further

**Resolved,** That the City Council approves the changes in designation of certain organizations receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 47; and be it further

**Resolved,** That the City Council approves the change in designation of a certain organization receiving funding pursuant to the Pandemic Support for Human Services Providers Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 48; and be it further

**Resolved,** That the City Council approves the change in designation of a certain organization receiving funding pursuant to the LGBT Community Services Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 49; and be it further

**Resolved,** That the City Council approves the new designations and the changes in designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2021 Expense Budget, as set forth in Chart 50; and be it further

**Resolved,** That the City Council approves the change in designation of a certain organization receiving youth discretionary funding in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 51; and be it further

**Resolved,** That the City Council approves the changes in designation of certain organizations receiving funding pursuant to the Cultural After School Adventure (CASA) in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 52; and be it further



**Resolved**, That the City Council approves the change in designation of a certain organization receiving local discretionary funding in accordance with the Fiscal 2020 Expense Budget, as set forth in Chart 53; and be it further

**Resolved**, That the City Council amends the Purpose of Funds for certain organizations receiving local, youth, aging and anti-poverty discretionary funding and funding pursuant to the Speaker's, Low Wage Worker Support and Key to the City Initiatives in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 54; and be it further

**Resolved**, That the City Council amends the Purpose of Funds for a certain organization receiving local discretionary funding in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 55.

**(For text of the Exhibit Charts, please refer to the attachments section of [the Res. No. 327 of 2022 file](#) in the legislation section of the New York City Council website at <https://council.nyc.gov>)**

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, ARI KAGAN, CHI A. OSSÉ, MARJORIE VELÁZQUEZ; 14-1-1; *Negative*: David M. Carr; *Abstain*: Pierina Ana Sanchez; *Medical*: Julie Won; Committee on Finance, September 29, 2022.

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

**Report of the Committee on Land Use**

Report for L.U. No. 92

**Report of the Committee on Land Use in favor of approving Application number C 220356 HAX (2017 Grand Concourse) submitted by the Department of Housing Preservation and Development (HPD), pursuant to Article 16 of the General Municipal Law of New York State for the designation of an Urban Development Action Area and an Urban Development Action Area Project, and pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD, for property located at 2017 Grand Concourse (Block 2808, Lot 90), Borough of the Bronx, Community District 5, Council District 14.**

The Committee on Land Use, to which the annexed Land Use item was referred on August 11, 2022 (Minutes, page 2029) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:****SUBJECT****BRONX CB-5 – TWO APPLICATIONS RELATED TO 2017 GRAND CONCOURSE****C 220356 HAX (L.U. No. 92)**

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

1. pursuant to Article 16 of the General Municipal Law of New York State for:
  - a. the designation of property located at 2017 Grand Concourse (Block 2808, Lot 90) as an Urban Development Action Area; and
  - b. an Urban Development Action Area Project for such area; and
2. pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate the development of a new nine-story affordable housing building containing approximately 33 affordable housing units.

**C 220357 PQX (L.U. No. 93)**

City Planning Commission decision approving an application submitted by the Department of Housing Preservation and Development (HPD), pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 2017 Grand Concourse (Block 2808, Lot 90), to facilitate the development of a new nine-story affordable housing building containing approximately 33 affordable housing units.

**INTENT**

To approve the urban development action area designation, project approval, disposition of city-owned property, and a real property tax exemption pursuant to Article XI of the Private Housing Finance Law; and approve an acquisition of property to facilitate the development of a new residential building with 33 affordable dwelling units on a site located at 2017 Grand Concourse (Block 2808, Lot 90) in the Mount Hope neighborhood of The Bronx, Community District 5.

**PUBLIC HEARING**

**DATE:** September 20, 2022

**Witnesses in Favor:** Three

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** September 20, 2022

The Subcommittee recommends that the Land Use Committee approve the decisions of the City Planning Commission on L.U. Nos. 92 and 93.

**In Favor:**

Louis  
Feliz  
De La Rosa  
Marte  
Nurse  
Ung

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** September 28, 2022

The Committee recommends that the Council approve the attached resolutions.

**In Favor:**

Salamanca  
Moya  
Rivera  
Louis  
Riley  
Brooks-Powers  
Bottcher  
Kagan

**Against:**

None

**Abstain:**

None

Krishnan  
Mealy  
Sanchez  
Borelli

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

Res. No. 333

**Resolution approving the application submitted by the New York City Department of Housing Preservation and Development (“HPD”) and the decision of the City Planning Commission, ULURP No. C 220356 HAX, approving the designation of an Urban Development Action Area, an Urban Development Action Area Project, the disposition of city-owned property located at 2017 Grand Concourse (Block 2808, Lot 90), Borough of the Bronx, Community District 5, to a developer selected by HPD, and an exemption from real property taxation for such property (L.U. No. 92; C 220356 HAX).**

By Council Members Salamanca and Louis.

**WHEREAS**, the City Planning Commission filed with the Council on August 10, 2022 its decision dated August 10, 2022 (the “Decision”), on the application submitted by the New York City Department of Housing Preservation and Development (“HPD”) regarding city-owned property located at 2017 Grand Concourse (Block 2808, Lot 90) (the “Disposition Area”), approving:

- a) pursuant to Article 16 of the General Municipal Law of New York State the designation of the Disposition Area as an Urban Development Action Area;
- b) pursuant to Article 16 of the General Municipal Law of New York State an Urban Development Action Area Project for the Disposition Area (the “Project”); and
- c) pursuant to Section 197-c of the New York City Charter the disposition of the Disposition Area to a developer to be selected by the New York City Department of Housing Preservation and Development;

which in conjunction with the related action would facilitate the development of a new residential building with 33 affordable dwelling units on a site located at 2017 Grand Concourse (Block 2808, Lot 90) in the Mount Hope neighborhood of The Bronx, Community District 5 (ULURP No. C 220356 HAX) (the “Application”);

**WHEREAS**, the Application is related to application C 220357 PQX (L.U. No. 93), an acquisition of City-owned property;

**WHEREAS**, the request made by HPD is related to a previously approved City Council Resolution No. 120 (L.U. No. 39) dated February 9, 1994 and Resolution No. 527 (L.U. No. 182) dated September 12, 2018 (the “Original Resolutions”);

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

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

**WHEREAS**, by letter dated August 22, 2022 and submitted to the Council on August 22, 2022, HPD submitted its requests (the “HPD Requests”) respecting the Application including the submission of the project summary for the Project (the “Project Summary”);

**WHEREAS**, upon due notice, the Council held a public hearing on the Application and Decision and the HPD Requests on September 20, 2022;

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

**WHEREAS**, the Council has considered the relevant environmental issues, including the Negative Declaration issued November 4<sup>th</sup>, 2021 (CEQR No. 21HPD049X) (the “Negative Declaration”).

**RESOLVED:**

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

Pursuant to Section 197-d of the New York City Charter, based on the environmental determination and the consideration described in the report C 220356 HAX and incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission and the HPD Requests.

Pursuant to Article 16 of the General Municipal Law of the New York State, based on the environmental determination, and the consideration described in the report C 220356 HAX and incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission and the HPD Requests.

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

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

The Council approves the Project as an urban development action area project pursuant to Section 694 of the General Municipal Law.

The Project shall be developed in a manner consistent with the Project Summary that HPD has submitted to the Council on August 22, 2022 a copy of which is attached hereto.

Pursuant to Section 577 of Article XI of the Private Housing Finance Law, the Council approves an exemption of the Exemption Area from real property taxes as follows:

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

- (1) “Company” shall mean BP Grand Concourse, LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
- (2) “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.
- (3) “Exemption” shall mean the exemption from real property taxation provided hereunder.

- (4) “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 2808, Lot 90 on the Tax Map of the City of New York.
  - (5) “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.
  - (6) “HDFC” shall mean Dreamyard Grand Concourse Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
  - (7) “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
  - (8) “Owner” shall mean, collectively, the HDFC and the Company.
  - (9) “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner that is executed on or after August 1, 2022 and that establishes certain controls upon the operation of the Exemption Area during the term of the Exemption.
- b. 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.
- c. Notwithstanding any provision hereof to the contrary:
- (1) 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.
  - (2) 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 and/or a building on the Exemption Area that has a new permanent certificate of occupancy or a temporary certificate of occupancy for all of the residential areas on or before five years from the Effective Date.
  - (3) 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.
- d. 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, 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.

**ATTACHMENT:**

**PROJECT SUMMARY**

- |  |  |               |                         |
|--|--|---------------|-------------------------|
| <b>1. PROGRAM:</b>                         | NEIGHBORHOOD CONSTRUCTION PROGRAM  |               |                         |
| <b>2. PROJECT:</b>                         | 2017 Grand Concourse   |               |                         |
| <b>3. LOCATION:</b>                        |  |               |                         |
| <b>a. BOROUGH:</b>                         | Bronx  |               |                         |
| <b>b. COMMUNITY DISTRICT:</b>              | 5  |               |                         |
| <b>c. COUNCIL DISTRICT:</b>                | 14   |               |                         |
| <b>d. DISPOSITION AREA:</b>                | <u>BLOCK</u>   | <u>LOT(S)</u> | <u>ADDRESS(ES)</u>      |
|  | 2808   | 90            | 2017 Grand<br>Concourse |
| <b>4. BASIS OF DISPOSITION PRICE:</b>      | Nominal. Sponsor will pay one dollar per lot and deliver an enforcement note and mortgage for the remainder of the appraised value ("Land Debt"). For a period of at least thirty (30) years following completion of construction, the Land Debt or City's capital subsidy may be repayable out of resale or refinancing profits. The remaining balance, if any, may be forgiven at the end of the term. |               |                         |
| <b>5. TYPE OF PROJECT:</b>                 | New Construction   |               |                         |
| <b>6. APPROXIMATE NUMBER OF BUILDINGS:</b> | 1  |               |                         |
| <b>7. APPROXIMATE NUMBER OF UNITS:</b>     | 34 dwelling units (including a super's unit)   |               |                         |
| <b>8. HOUSING TYPE:</b>                    | Rental   |               |                         |
| <b>9. ESTIMATE OF INITIAL RENTS</b>        | Rents will be affordable to families with incomes between 30% and 80% of area median income (AMI). Formerly homeless tenants referred by DHS and other City agencies will pay up to 30% of their income as rent. All units will be subject to rent stabilization.  |               |                         |

- |                                       |  |
|---------------------------------------|--|
| <b>10. INCOME TARGETS</b>             | Up to 80% of AMI   |
| <b>11. PROPOSED FACILITIES:</b>       | None   |
| <b>12. PROPOSED CODES/ORDINANCES:</b> | None   |
| <b>13. ENVIRONMENTAL STATUS:</b>      | Negative Declaration   |
| <b>14. PROPOSED TIME SCHEDULE:</b>    | Approximately 24 months from closing to completion of construction |

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHEER, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 12-0-0; *Absent*: Kamillah Hanks; Committee on Land Use, September 28, 2022.

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

Report for L.U. No. 93

**Report of the Committee on Land Use in favor of approving Application number C 220357 PQX (2017 Grand Concourse) submitted by the Department of Housing Preservation and Development (HPD), pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 2017 Grand Concourse (Block 2808, Lot 90), to facilitate the development of a new nine-story affordable housing building containing approximately 33 affordable housing units, Borough of the Bronx, Community District 5, Council District 14.**

The Committee on Land Use, to which the annexed Land Use item was referred on August 11, 2022 (Minutes, page 2030) and which same Land Use item was coupled with the resolution shown below, respectfully

#### REPORTS:

**(For text of report, please see the Report of the Committee on Land Use for L.U. No. 92 printed above in these Minutes)**

*Accordingly, this Committee recommends its adoption.*

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

Res. No. 334

**Resolution approving the decision of the City Planning Commission on ULURP Application No. C 220357 PQX, for the acquisition of property located at 2017 Grand Concourse (Block 2808, Lot 90), to facilitate the development of a new nine-story affordable housing building containing approximately 33 affordable housing units, Borough of the Bronx, Community District 5 (L.U. No. 93; C 220357 PQX).**



By Council Members Salamanca and Louis.

**WHEREAS**, the New York City Department of Housing Preservation and Development (HPD), filed an application pursuant to Section 197-c of the New York City Charter for the acquisition of property located at 2017 Grand Concourse (Block 2808, Lot 90), which in conjunction with the related action would facilitate the development of a new residential building with 33 affordable dwelling units on a site located at 2017 Grand Concourse (Block 2808, Lot 90) in the Mount Hope neighborhood of The Bronx, Community District 5 (ULURP No. C 220357 PQX), (the "Application");

**WHEREAS**, the City Planning Commission filed with the Council on August 10, 2022, its decision dated August 10, 2022 (the "Decision") on the Application;

**WHEREAS**, the Application is related to application C 220356 HAX (L.U. No. 92), an urban development action area designation (UDAA), project approval (UDAAP) and disposition of City-owned property;

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on September 20, 2022;

**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 November 4<sup>th</sup>, 2021 (CEQR No. 21HPD049X) (the "Negative Declaration").

**RESOLVED:**

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

Pursuant to Section 197-d of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 220357 PQX, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 12-0-0; *Absent*: Kamillah Hanks; Committee on Land Use, September 28, 2022.

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

## **Report of the Committee on Small Business**

Report for Int. No. 116-A

### **Report of the Committee on Small Business 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 creating a one-stop shop small business portal.**

The Committee on Small Business, to which the annexed proposed amended local law was referred on March 24, 2022 (Minutes, page 463), respectfully

#### **REPORTS:**

#### **I. INTRODUCTION**

On September 29, 2022, the Committee on Small Business, chaired by Council Member Julie Menin, will hold a vote on the following bills: (1) Proposed Int. No. 116-A, by Council Member Menin, in relation to creating a one-stop shop small business portal; and (2) Proposed Int. No. 383-A, by Council Member Brewer, in relation to the registration requirements and the datasets for ground floor or second floor commercial premises. These bills were previously heard on June 9, 2022.

#### **II. LEGISLATIVE ANALYSIS**

##### **Proposed Int. 116-A**

This bill would require the Department of Small Business Services, in coordination with the Department of Information, Technology and Telecommunications, to establish an online portal that includes all city licenses, permits and related information needed to establish or operate a small business of any kind in New York City. It would allow for the submission (and tracking once submitted) of all such licenses and permits, and will allow (or include a link to a site that allows) business owners to settle or pay outstanding fines from notices of violation. The portal will be available in at least 10 languages in addition to English. The Commissioner of Small Business would be required to review the effectiveness of the portal in facilitating assistance with respect to the establishment and operation of small businesses in New York City every three years, and this review would be required to include a survey of small businesses. The Mayor and Speaker of the Council would be required to be notified annually of any updates to the portal.

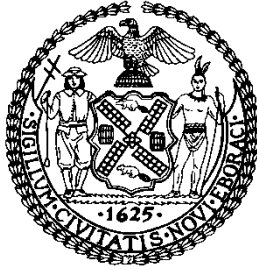
This bill would take effect on November 1, 2023.

##### **Proposed Int. 383-A**

This bill would amend the “ground floor and second floor commercial premises registry” law found in title 11 of the Administrative Code. It would require that filers currently required to file also file supplemental registration statements by August 15 (for the period from January 1 through June 30), and February 15 (for the period from July 1 through December 31) each year, rather than a single filing on June 30 under current law and rules. Supplemental registration statements would be required for any filing property that is vacant at the end of a given reporting period. The bill would also require the Department of Finance to release data from this supplemental registration statement within 60 days of the reporting deadline, compared with six months under current law.

The updated filing requirements contained in this bill would take effect on April 1, 2023. Technical edits to the ground floor and second floor commercial premises registry law would take effect immediately.

(The following is the text of the Fiscal Impact Statement for Int. No. 116-A:)



**THE COUNCIL OF THE CITY OF NEW YORK**  
**FINANCE DIVISION**  
 TANISHA EDWARDS, Chief Financial Officer and Deputy  
 Chief of Staff to the Speaker

**FISCAL IMPACT STATEMENT**

**PROPOSED INTRO NO. 116-A**

**COMMITTEE:** Small Business

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to creating a one-stop shop small business portal.

**SPONSORS:** Council Members Menin, Hanif, Williams, Joseph, Brewer, Ung, De La Rosa, Riley, Yeger, Cabán, Abreu, Narcisse, Holden, Velázquez, Gennaro, Farías, Hudson, Schulman, Barron, Krishnan, Feliz, Brooks-Power, Hanks, Stevens, Moya, Powers, Won, Ossé, Dinowitz, Brannan, Avilés, Ayala, Sanchez, Marte, Rivera, Bottcher, Borelli, Ariola, Vernikov and Paladino.

**SUMMARY OF LEGISLATION:** This bill would require the Department of Small Business Services to create an online portal that includes all permit and license applications, as well as related applicable information, needed to open and operate a small business of any kind in New York City. The portal, which would be required to be available in English as well as the six languages most commonly spoken by New Yorkers with limited English proficiency, would also allow business owners to track the status of their permit and license application(s), and allow (or include a link that allows) business owners to settle or pay outstanding balances on notices of violation. The bill would also require periodic reporting and consideration of how to improve the portal.

**EFFECTIVE DATE:** This bill would take effect on November 1, 2023, provided that the commissioner of Small Business Services, in consultation with the commissioners of Consumer and Worker Protection, Buildings, Health and Mental Hygiene, Sanitation, and Environmental Protection, the Fire commissioner, and the head of any other agency that oversees requirements with respect to small businesses, as determined by such commissioner of Small Business Services, shall review the information, processes and procedures as necessary to create such portal, and perform a review to ensure that such portal includes all city applications and related information, including applications for permits and licenses, needed to open and operate a small business in the city, in compliance with this local law before such date.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2025.

**FISCAL IMPACT STATEMENT:**

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

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

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

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

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

**ESTIMATE PREPARED BY:** Glenn Martelloni, Financial Analyst

**ESTIMATE REVIEWED BY:** Aliya Ali, Unit Head  
Eisha Wright, Deputy Director  
Jonathan Rosenberg, Managing Deputy Director  
Kathleen Ahn, Counsel

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council as Intro. No. 116 on March 3<sup>rd</sup>, 2022, and was referred to the Committee on Small Business Services (Committee). The Committee heard the legislation on June 9th, 2022, and the legislation was laid over. The legislation was subsequently amended, and the amended legislation, Proposed Intro. 116-A, will be considered by the Committee on September 29<sup>th</sup>, 2022. Upon a successful vote by the Committee, Proposed Int. 116-A will be submitted to the full Council for a vote on September 29<sup>th</sup>, 2022.

**DATE PREPARED:** September, 27<sup>th</sup>, 2022.

**(For text of Int. No. 383-A and its Fiscal Impact Statement, please see the Report of the Committee on Small Business for Int. No. 383-A, printed below in these Minutes; for text of Int. No. 116-A, please see immediately below)**

*Accordingly, this Committee recommends the adoption of Int. Nos. 116-A and 383-A.*

**(The following is the text of Int. No. 116-A:)**

Int. No. 116-A

By Council Members Menin, Hanif, Williams, Joseph, Brewer, Ung, De La Rosa, Riley, Yeger, Cabán, Abreu, Narcisse, Holden, Velázquez, Gennaro, Farías, Hudson, Schulman, Barron, Krishnan, Feliz, Brooks-Power, Hanks, Stevens, Moya, Powers, Won, Ossé, Dinowitz, Brannan, Avilés, Ayala, Sanchez, Marte, Rivera, Bottcher, Louis, Borelli, Ariola, Vernikov and Paladino.

**A Local Law to amend the administrative code of the city of New York, in relation to creating a one-stop shop small business portal**

*Be it enacted by the Council as follows:*

Section 1. Paragraph 3 of subdivision a of section 22-1002 of the administrative code of the city of New York, as amended by local law number 155 for the year 2019, is amended to read as follows:

3. (a) *An online portal, created in coordination with the commissioner of information technology and telecommunications, to assist with procedures and requirements to establish and operate a small business in the city. Such portal shall have a mobile-friendly responsive design and shall facilitate the processes and procedures for establishing and operating a small business in the city.*

(b) *The portal required by this paragraph shall be accessible from the department's website in English and in each of the designated citywide languages as defined in section 23-1101. The portal shall make available all*

*city applications and related information, including applications for permits and licenses, needed to open and operate a small business in the city, and provide for the submission of such applications directly from the portal. The portal shall enable a person to check the status of an application, including for a permit or license issued by the city, that was submitted by such person or is associated with such person's small business. The portal shall also allow a person to settle or pay outstanding balances on notices of violation, or include a prominent link to a website that provides such capability.*

*(c) No later than February 1, 2025, and by no later than February 1 of each year thereafter, the commissioner shall submit to the mayor and the speaker of the council a report on any updates to the portal implemented during the preceding calendar year. Such report shall also include the number of questions or complaints the department received about the portal during the preceding calendar year, and the average time taken to respond to such questions or complaints; and*

4. Such other tools and resources as the commissioner may deem appropriate.

§ 2. Subdivision b of section 22-1002 of the administrative code of the city of New York, as amended by local law number 155 for the year 2019, is amended to read as follows:

b. Within 30 days after the effective date of a change to a law or rule referenced in the guide *or portal* described in [paragraph 2 of] subdivision a of this section, the agency having primary jurisdiction over such law or rule shall inform the department of such change.

1. Within 30 days of being informed of such change, the department shall update the guide accordingly.

2. *No later than January 1, 2025, and no later than January 1 of every third year thereafter, the commissioner, in coordination with the commissioner of information technology and communications, shall review the effectiveness of the portal in facilitating assistance with respect to the establishment and operation of small businesses in the city, and implement any updates or modifications to the portal deemed necessary and appropriate. Such review shall include a survey of small businesses.*

§ 3. This local law takes effect November 1, 2023, provided that the commissioner of small business services, in consultation with the commissioners of consumer and worker protection, buildings, health and mental hygiene, sanitation, and environmental protection, the fire commissioner, and the head of any other agency that oversees requirements with respect to small businesses, as determined by such commissioner of small business services, shall review the information, processes and procedures as necessary to create such portal, and perform a review to ensure that such portal includes all city applications and related information, including applications for permits and licenses, needed to open and operate a small business in the city, in compliance with this local law before such date.

JULIE MENIN, *Chairperson*; SELVENA N. BROOKS-POWERS, TIFFANY CABÁN, SHEKAR KRISHNAN, SANDRA UNG, MARJORIE VELÁZQUEZ; 6-0-0; *Absent*: Darlene Mealy; Committee on Small Business, September 29, 2022. *Other Council Members Attending*: Council Member Brewer.

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

Report for Int. No. 383-A

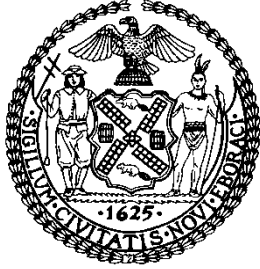
**Report of the Committee on Small Business in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the registration requirements and the datasets for ground floor or second floor commercial premises.**

The Committee on Small Business, to which the annexed proposed amended local law was referred on May 19, 2022 (Minutes, page 1079), respectfully

**REPORTS:**

(For text of report, please see the Report of the Committee on Small Business for Int. No. 116-A printed above in these Minutes)

*The following is the text of the Fiscal Impact Statement for Int. No. 383-A:*



**THE COUNCIL OF THE CITY OF NEW YORK**  
**FINANCE DIVISION**  
 TANISHA EDWARDS, Chief Financial Officer and  
 Deputy Chief of Staff to the Speaker

**FISCAL IMPACT STATEMENT**

**PROPOSED INTRO NO. 383-A**  
**COMMITTEE: Small Business**

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to the registration requirements and the datasets for ground floor or second floor commercial premises.

**SPONSORS:** Council Members Brewer, Louis, Menin and Restler.

**SUMMARY OF LEGISLATION:** In 2019, the Council passed Local Law 157 at the request of then Manhattan Borough President, Gale Brewer. The law created a citywide commercial premises registry. The registry was established to provide the public with a clearer picture on the state of storefronts throughout the city. It includes vital information to assess the proliferation of commercial vacancies– including whether ground floor commercial properties are currently vacant, owner or commercial tenant occupied, the last known rental rate for such properties and other data points. The City retrieves this data from commercial landlords on an annual basis and makes the data public by way of the open data portal. In addition to the annual data submission, the deadline for which is June 1<sup>st</sup> each year, this bill would set two additional dates by which a commercial landlord must notify the City if a space has become vacant or its lease will expire before the next annual submission deadline. By August 15<sup>th</sup> of each year, landlords would report any spaces that became vacant by June 30<sup>th</sup> and again by February 15<sup>th</sup> for any spaces that became vacant by December 31<sup>st</sup> of the prior year. After each submission date, the City would have 60 days to update the vacancy data provided to the public.

**EFFECTIVE DATE:** This bill would take effect immediately, except that vacancy data would begin going public at this more frequent rate by April 1, 2023.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2024.

**FISCAL IMPACT STATEMENT:**

	Effective FY23	FY Succeeding Effective FY24	Full Fiscal Impact FY24
<b>Revenues (-)</b>	\$0	\$0	\$0
<b>Expenditures (+)</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

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

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

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

**SOURCES OF INFORMATION:** New York City Council Finance Division

**ESTIMATE PREPARED BY:** Glenn Martelloni, Financial Analyst

**ESTIMATE REVIEWED BY:** Aliya Ali, Unit Head  
Eisha Wright, Deputy Director  
Jonathan Rosenberg, Managing Deputy Director  
Kathleen Ahn, Counsel

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council as Intro. No. 383 on May 19, 2022, and was referred to the Committee on Small Business Services (Committee). The Committee heard the legislation on June 9, 2022, and the legislation was laid over. The legislation was subsequently amended, and the amended legislation, Proposed Intro. 383-A, will be considered by the Committee on September 29<sup>th</sup>, 2022. Upon a successful vote by the Committee, Proposed Int. 383-A will be submitted to the full Council for a vote on September 29<sup>th</sup>, 2022.

**DATE PREPARED:** September, 27<sup>th</sup>, 2022.

*Accordingly, this Committee recommends its adoption, as amended.*

**(The following is the text of Int. No. 383-A:)**

Int. No. 383-A

By Council Members Brewer, Louis, Menin, Restler, Hanif, Krishnan, Avilés and Gennaro.

**A Local Law to amend the administrative code of the city of New York, in relation to the registration requirements and the datasets for ground floor or second floor commercial premises**

*Be it enacted by the Council as follows*

Section 1. Chapter 30 of title 11 of the administrative code of the city of New York is renumbered as chapter 31 of title 11 of such code, section 11-3001 of such code is renumbered as section 11-3101 of such code, and the heading of chapter 30 of title 11 of such code, as added by local law number 157 for the year 2019, is amended to read as follows:

CHAPTER [30] 31  
GROUND FLOOR AND SECOND FLOOR COMMERCIAL PREMISES REGISTRY

§ 2. Subdivision a of section 11-3101 of the administrative code of the city of New York, section 11-3101 as renumbered by section one of this local law, subdivision a as added by local law number 157 for the year 2019, is amended by adding new definitions of “following calendar year” and “vacancy information” in alphabetical order to read as follows:

*Following calendar year. The term “following calendar year” means the calendar year that follows the calendar year in which the registration statement prescribed by this chapter is required.*

*Vacancy information. The term “vacancy information” means: (i) a statement that the premises was vacant on either June 30 or December 31 of the current calendar year; and, (ii) the expiration date of the most recent lease for such premises, if any, whose start date preceded the reported vacancy date.*

§ 3. The introductory paragraph of subdivision b of section 11-3101 of the administrative code of the city of New York, section 11-3101 as renumbered by section one of this local law and subdivision b as added by local law number 157 for the year 2019, is amended to read as follows:

b. Owner's obligation to register. No later than one year after the effective date of the local law adding this section, and in each year thereafter [according to a schedule that shall be established by rule of the department of finance], every owner of a ground floor or second floor commercial premises, other than a ground floor or second floor commercial premises in real property classified as class one pursuant to section 1802 of the real property tax law, shall submit, in an electronic manner, to the department of finance a registration statement. Such registration statement shall include the following information:

§ 4. The introductory paragraph of subdivision c of section 11-3101 of the administrative code of the city of New York, section 11-3101 as renumbered by section one of this local law and subdivision c as added by local law number 157 for the year 2019, is amended to read as follows:

c. Class one property owner's obligation to register. No later than one year after the effective date of the local law adding this section, and in each year thereafter [according to a schedule that shall be established by rule of the department of finance], every owner of a ground floor or second floor commercial premises in a designated class one property that has not been leased to a tenant for any time period during the twelve months preceding the January 1st of the current calendar year, shall submit, in an electronic manner, to the department of finance a registration statement. Such registration statement shall include the following information:

§ 5. Subdivisions d and f of section 11-3101 of the administrative code of the city of New York, section 11-3101 as renumbered by section one of this local law, subdivision d as added by local law number 157 for the year 2019, and subdivision f as amended by local law number 80 for the year 2021, are amended to read as follows:

d. Supplemental registration. Every owner of a ground floor or second floor commercial premises who is required to file a registration statement pursuant to subdivision b of this section shall also submit a supplemental registration statement if [the premises becomes vacant at any time during the period from January 1 through June 30 of the current calendar year or the ownership of the premises has changed during that period] such premises was vacant as of June 30 or December 31 of the current calendar year. The supplemental registration statement required to report a vacancy as of June 30 shall be due on or before August 15 of the current calendar year, and the supplemental registration statement required to report a vacancy as of December 31 shall be due on or before February 15 of the following calendar year. Such supplemental registration statement shall *contain vacancy information and* be filed [on forms and according to a schedule] *in an electronic form and manner* prescribed by the department of finance.

f. The department of finance shall require the registration statements [and supplemental registration] required to be filed pursuant to subdivisions b[,] *and c* [and d] of this section to be filed with the *real property income and expense statement* required to be submitted to such department pursuant to section 11-208.1. *An owner who is not required to file a real property income and expense statement shall file the registration statement required pursuant to subdivision b or c of this section no later than the date a real property income and expense statement is required to be submitted to such department pursuant to section 11-208.1.*

§ 6. Paragraph 1 of subdivision h of section 11-3101 of the administrative code of the city of New York, section 11-3101 as renumbered by section one of this local law and paragraph 1 as added by local law number 157 for the year 2019, is amended to read as follows:

1. Establish [a] public online searchable [dataset]*datasets. (a) [Such dataset] One of such datasets* shall be based upon registrations, *including supplemental registration statements,* filed during the previous year, and shall include [a list of street addresses, including block and lot number, and zip code,] for each ground floor and second floor commercial premises [indicating whether or not such commercial premises was reported as being vacant as of December 31 of the previous calendar year, or as of June 30 of the current calendar year if a supplemental registration statement has been filed for such premises.]:

(1) *The street address, block and lot number, and zip code;*

(2) *Whether such commercial premises was reported as being vacant as of the preceding June 30 or December 31, whichever is most recent; and*

(3) *The expiration date of the lease, as reported in the supplemental registration statement, to the extent applicable; and*



*(b) Notwithstanding the opening paragraph of this subdivision, the department shall also establish, in a manner determined by such department, a dataset based upon the vacancy information contained in the supplemental registration statements required by subdivision d of this section and update such dataset within 60 days of each August 15 and February 15.*

§ 7. This local law takes effect immediately, except that sections five and six of this local law take effect on April 1, 2023.

JULIE MENIN, *Chairperson*; SELVENA N. BROOKS-POWERS, TIFFANY CABÁN, SHEKAR KRISHNAN, SANDRA UNG, MARJORIE VELÁZQUEZ; 6-0-0; *Absent*: Darlene Mealy; Committee on Small Business, September 29, 2022. *Other Council Members Attending: Council Member Brewer.*

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

### **Report of the Committee on Technology**

Report for Int. No. 206-A

**Report of the Committee on Technology 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 commissioner of information technology and telecommunications to report on wait times for the 311 customer service center to connect callers to an interpreter.**

The Committee on Technology, to which the annexed proposed amended local law was referred on April 14, 2022 (Minutes, page 625), respectfully

#### **REPORTS:**

##### **I. INTRODUCTION**

On September 29, 2022, the New York City Council (“Council”) Committee on Technology, chaired by Council Member Jennifer Gutiérrez, held a hearing to consider the following bills: Int. No. 206-A (Ung), in relation to requiring the Commissioner of Information Technology and Telecommunications to report on wait times for the 311 Customer Service Center (“311”) to connect callers to an interpreter; Int. No. 240-A (Gutiérrez), in relation to the Department of Information Technology and Telecommunications updating 311 complaint types and reporting on such updates; and Int. No. 296-A (Ung), in relation to the identification of languages spoken by callers to 311. More information on Int. No. 206-A, Int. No. 240-A, and Int. No. 296-A and materials from the previous hearing, held on June 30, 2022 on the original versions of the proposed legislation, may be accessed [here](#).

## II. BACKGROUND

### A. 311 Overview

311 is a citywide customer service program that provides New York City (“City”) residents, businesses, and visitors with access to non-emergency government services and information.<sup>1</sup> The Department of Information Technology & Telecommunications (“DoITT”) manages 311’s operations and technology.<sup>2</sup> 311 is available 24 hours per day, seven days per week, and 365 days per year, and can be accessed through multiple channels, including via telephone, text message, the web, mobile application, and social media.<sup>3</sup>

In Fiscal Year 2021 (“FY21”), 311 received more than 21.7 million calls, up from 21.5 million in Fiscal Year 2020 (“FY20”).<sup>4</sup> Online site visits increased from 10.5 million in FY20 to 13.4 million in FY21.<sup>5</sup> When a customer contacts 311, the contact generally results in either a “service request” (when the customer is seeking to have a City agency take an action) or an “informational request” (when the customer has a question regarding a City service). In total, 311 processed 3.4 million service requests in FY21, up from 2.9 million in FY20.<sup>6</sup>

Figure No. 1 shows 311 usage data, including the number of requests through calls, mobile app contacts, texting contacts, and online site visits; the number of completed service requests; and the number of knowledge articles accessed.<sup>7</sup>

Usage Data (000)	FY17	FY18	FY19	FY20	FY21
311 calls	20,540	20,618	19,541	21,515	21,715
311 Spanish language calls	698	733	714	897	648
311 calls in languages other than English or Spanish	71	65	60	81	112
311 mobile app contacts	1,365	1,829	2,234	2,201	2,227
311-NYC (text) contacts	144	254	253	424	356
311 Online site visits	17,246	19,345	20,185	10,553	13,415
Completed service requests	2,895	3,074	3,254	2,913	3,461
Knowledge articles accessed	22,538	24,667	24,026	12,194	25,371

**Figure No. 1:** This figure is a table with data on performance indicators for 311, separated across five fiscal years from Fiscal Year 2017 to Fiscal Year 2021.

<sup>1</sup> See NYC311, <https://portal.311.nyc.gov> (last accessed June 23, 2022).

<sup>2</sup> See NYC Department of Information Technology and Telecommunications, *Who We Are*, <https://www1.nyc.gov/site/doitt/about/who-we-are.page> (last accessed June 23, 2022).

<sup>3</sup> See City of New York, *Preliminary Mayor’s Management Report*, at 123 (February 2022), available at <https://www1.nyc.gov/assets/operations/downloads/pdf/mmr2021/311.pdf>.

<sup>4</sup> See *id.* at 125.

<sup>5</sup> See *id.*

<sup>6</sup> See *id.*

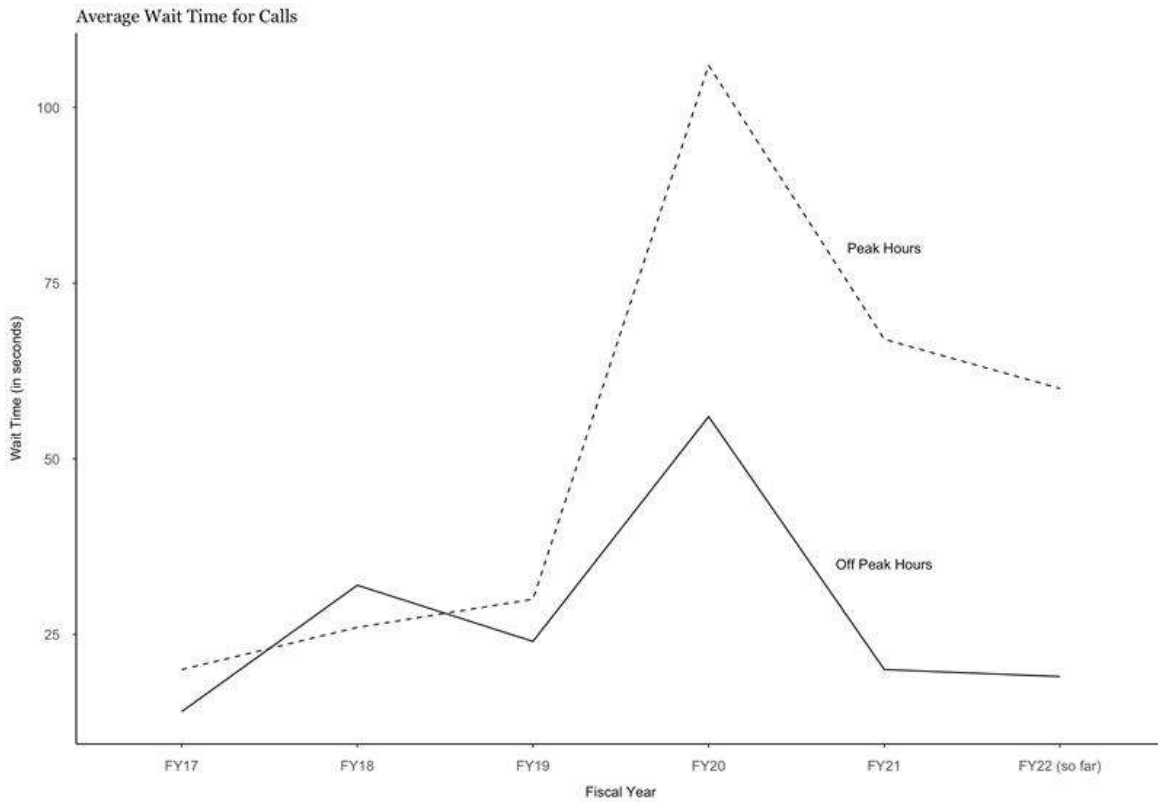
<sup>7</sup> The Council’s data team did an analysis of 311 operations using OpenData information on 311 services, available at <https://council.nyc.gov/data/311-services/>; as well as an analysis of a report published as part of the Mayor’s Management Report published in 2021 and 2022, available at <https://www1.nyc.gov/assets/operations/downloads/pdf/mmr2021/311.pdf>; <https://dmmr.nyc.gov/city-services/basic-services-for-all-new-yorkers/311>.

Performance Indicators (in seconds)	FY17	FY18	FY19	FY20	FY21	FY22 (as of April 2022)
Average wait time (tier 1 calls) Peak hours (11am-3pm, M-F)	20	26	30	106	67	60
Average wait time (tier 1 calls) Off-peak hours	14	32	24	56	20	19

Figure No. 2 shows a table that displays the average wait time per fiscal year for 311 calls during peak and off-peak hours.<sup>8</sup>

*Figure No. 2. This table shows the average wait time per fiscal year for 311 calls during peak and off-peak hours.*

As displayed by the line graphs in Figure No. 3, the average wait time for calls peaked in FY20, which 311 noted was due to the onset of the COVID-19 pandemic, the 2020 general election, Tropical Storm Isaias, and student transport.<sup>9</sup>



*Figure No. 3: This figure is a graph showing the average wait times for calls to 311 during peak and off-peak hours, separated across five fiscal years from Fiscal Year 2017 to FY20.*

**B. 311 Technology Upgrades**

One of the most recent upgrades to 311 has come through the deployment and completion of a \$24 million City contract awarded to International Business Machines Corporation (“IBM”) that went live in mid-2019, through which IBM’s Watson (a question-answering computer system) revamped 311’s customer relationship

<sup>8</sup> *Id.*  
<sup>9</sup> *Id.*

management platform (“CRM”) to support multiple communications channels through its abilities as a computing system with machine-learning capability.<sup>10</sup> Furthermore, on February 11, 2021, DoITT received an approval in the amount of \$45,500,652 for hardware, software, and professional services necessary to complete the first phase of the 311 Telecommunication System Modernization.<sup>11</sup> Additionally, during a preliminary budget hearing held on March 10, 2021, then-DoITT Commissioner Jessica Tisch testified that 311 had made several improvements over the past year, including: enabling photo and video attachments for more types of service requests; adding additional service request types available via the mobile app; and emailing alerts for all service requests regardless of whether the customer has signed up for an account.<sup>12</sup> Then-Commissioner Tisch also mentioned that planned improvements, including improved location selection and accuracy, were to begin in April 2021.<sup>13</sup> In June 2022, the newly consolidated City Office of Technology and Innovation released a report entitled “Service Request Location Accuracy Assessment,” pursuant to Local Law 66 of 2021, in which it detailed that work has been initiated and is ongoing to improve location-related technology for 311 in three key areas: going beyond the limited address types, so that users can submit more precise location data via their mobile device’s location services or by manually pin dropping a point on a map; expanding location types, to allow users to submit service requests relating to locations not easily identified via street address (such as parking lots, tunnels, bridges, and highways); and standardizing location information across applications, so that agencies upgrade their applications to accept and appropriately leverage the new location information.<sup>14</sup>

### C. 311 User Experience

Reviews for the 311 mobile application in both Google Play and the Apple Inc. App Store have highlighted problems that impact a user’s ability to submit service requests to 311 and to use the app’s functions.<sup>15</sup> Users complained about lacking the ability to attach photos and videos to 311 requests, as well as GPS location accuracy and map accuracy.<sup>16</sup> Additional issues included having to click through too many pages to submit a service request, as well as being redirected out of the mobile app to a mobile website, or being redirected to a phone number due to lack of app support for a service request.<sup>17</sup>

### D. 311 and Language Access

#### i. Overview of 311 Language Access Services

In 2017, to improve access to City government information and services, the Council passed Local Law 30

<sup>10</sup> Testimony before the Committees on Governmental Operations and Technology, New York City Council, (Jan. 17, 2019), at 7, available at <https://legistar.council.nyc.gov/MeetingDetail.aspx?ID=668221&GUID=0F82BE58-10B4-4F58-98A1-28215D28C10F&Options=info&Search> (citing DoITT Request for Systems Integration Services for 311 Customer Service Management System Replacement and Re-Architecture Project, April 28, 2015, now available at <http://reinvertalbany.org/wp-content/uploads/2015/05/NYC-311-CSMS-Replacement-and-Re-Arch-Project-RFS-FINAL-4-28-15.pdf>); Matthew Flamm, *City’s 311 Hotline is Getting Some Help of Its Own*, CRAIN’S N.Y. BUS., April 30, 2015, available at <https://www.crainsnewyork.com/article/20150430/TECHNOLOGY/150429832/city-s-311-hotline-is-getting-some-help-of-its-own>; Task Order Number 1426-001A, NYC 311 CSMS Replacement and Re-Architecture for Department of Information Technology and Telecommunications, available at [https://www.scribd.com/document/342938208/NTP-and-NYC-311-IBM-Task-Order-1426-001A-signed-Redacted-v2?secret\\_password=RtVgjUFEdELXT1pukn65](https://www.scribd.com/document/342938208/NTP-and-NYC-311-IBM-Task-Order-1426-001A-signed-Redacted-v2?secret_password=RtVgjUFEdELXT1pukn65); Matthew Flamm, *IBM’s Watson will soon answer your 311 calls*, CRAIN’S N.Y. BUS. Jan. 11, 2017, available at <https://www.crainsnewyork.com/article/20170112/TECHNOLOGY/170119941/ibm-s-watson-will-soon-answer-your-311-calls-as-part-of-a-24-million-upgrade-to-the-system>).

<sup>11</sup> See City of New York Office of Management and Budget, Record 116683 Certificate 70092 Project DP-1, on file with Committee on Technology staff.

<sup>12</sup> Testimony of DOITT Commissioner Jessica Tisch, before the Committees on Land Use and Technology, THE NEW YORK CITY COUNCIL, March 10, 2021, available at <https://legistar.council.nyc.gov/MeetingDetail.aspx?ID=846442&GUID=5EFAFC84-31CD-4429-9DD5-6459FA872F49&Options=info&Search=>.

<sup>13</sup> *Id.*

<sup>14</sup> NYC OTI, *Service Request Location Accuracy Assessment*, June 2022, available at

<https://www1.nyc.gov/assets/oti/downloads/pdf/reports/311-location-accuracy-assessment-2022.pdf>.

<sup>15</sup> *NYC 311 Ratings and Reviews*, APPLE APP STORE, last accessed Oct 25, 2021, available at <https://apps.apple.com/us/app/nyc-311/id324897619#see-all/reviews>; *NYC 311*, GOOGLE PLAY, last accessed Oct 25, 2021, available at

[https://play.google.com/store/apps/details?id=gov.nyc.doitt.ThreeOneOne&hl=en\\_US&gl=US&showAllReviews=true](https://play.google.com/store/apps/details?id=gov.nyc.doitt.ThreeOneOne&hl=en_US&gl=US&showAllReviews=true).

<sup>16</sup> *Id.*

<sup>17</sup> *Id.*

of 2017, which requires covered agencies to provide language access services in each of the designated citywide languages.<sup>18</sup> For the purpose of this Local Law, the term “designated citywide languages” means the top 10 non-English languages spoken by limited-English proficient (“LEP”) New Yorkers based on United States Census data and data collected by the City’s Department of Education.<sup>19</sup> Currently, these languages are Spanish, Chinese (Mandarin and Cantonese), Russian, Bengali, Haitian Creole, Korean, Arabic, French, Urdu, and Polish.<sup>20</sup>

Pursuant to Local Law 30, members of the public can submit language access complaints and requests through 311.<sup>21</sup> Language access complaints refer to instances in which an individual stated that they did not receive access to information services because of a language barrier; requested additional language services regarding, for example, a need for interpretation at a facility or relating to an agency service; or expressed a need for material translated into additional languages.<sup>22</sup> The Mayor’s Office of Immigrant Affairs and the Mayor’s Office of Operations annually report the number of such complaints received by each agency and how such complaints were resolved.<sup>23</sup>

Local Law 30 also required every covered agency to develop and implement an agency-specific language access plan to describe how language access services will be provided.<sup>24</sup> These plans must be updated at least every three years and published on the agency’s website.<sup>25</sup> According to its most recent language access plan, updated in June 2021, 311 offers telephonic interpretation and translation services in more than 170 languages.<sup>26</sup> Translation is also provided in more than 100 languages on 311’s website.<sup>27</sup>

Of the 23.7 million calls made to 311 in calendar year 2020, nearly 800,000 (or roughly 3.4%) of the calls required interpretation services.<sup>28</sup> When a call requires translation services, the city utilizes “Language Line,” an interpretation service provided for the City by contract. Language Line interpreters were utilized on 354,000 of those calls and conducted interpretation in 99 different languages.<sup>29</sup> Over 242,000 (or 68%) of those Language Line calls were conducted in Spanish.<sup>30</sup>

311 operators who speak Spanish handled 446,000 calls in Spanish without the use of an interpreter.<sup>31</sup>

The top 10 languages or dialects in which callers required assistance were Spanish, Mandarin, Russian, Cantonese, Korean, Haitian Creole, Bengali, Polish, Arabic, and French.<sup>32</sup> According to 311, “[t]hese languages represented approximately 99% of the telephonic interpretation service minutes provided by Language Line in 2020.”<sup>33</sup>

## ii. *Persistent Issues with Accessing Interpreters*

When callers dial 311, they are informed about the availability of interpretation services through a pickup recording, which transfers them to a telephonic interpreter if they choose.<sup>34</sup> However, the initial pre-recorded message is only available in six non-English languages (Spanish, Mandarin, Russian, Cantonese, Korean, and Haitian Creole), not all 10 of the designated citywide languages.<sup>35</sup> Callers who need interpretation in a different

<sup>18</sup> See Local Law 30 of 2017, available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=2735477&GUID=D0A0ECA1-4D71-47EB-B44D-5919777ED818&Options=Advanced&Search>.

<sup>19</sup> See N.Y.C. Admin. Code § 23-1101.

<sup>20</sup> See Local Law 30 Report for Calendar Year 2021, at 4 (June 30, 2022), available at <https://www1.nyc.gov/assets/immigrants/downloads/pdf/CY2021-local-law-30-report.pdf>.

<sup>21</sup> See N.Y.C. Admin. Code § 23-301(b).

<sup>22</sup> See *id.*

<sup>23</sup> See Charter § 15(c)(5)(iv); Local Law 30 Report for Calendar Year 2020, at iii (June 30, 2021), available at [https://a860-gpp.nyc.gov/concern/parent/1544br19b/file\\_sets/hh63sz27r](https://a860-gpp.nyc.gov/concern/parent/1544br19b/file_sets/hh63sz27r).

<sup>24</sup> N.Y.C. Admin. Code § 23-1102(b).

<sup>25</sup> N.Y.C. Admin. Code § 23-1102(d).

<sup>26</sup> Local Law 30 Report for Calendar Year 2021, at 628 (June 30, 2022), available at <https://www1.nyc.gov/assets/immigrants/downloads/pdf/CY2021-local-law-30-report.pdf>.

<sup>27</sup> *Id.* at 639.

<sup>28</sup> *Id.* at 641.

<sup>29</sup> *Id.*

<sup>30</sup> *Id.*

<sup>31</sup> *Id.*

<sup>32</sup> *Id.*

<sup>33</sup> *Id.*

<sup>34</sup> See *id.* at 638.

<sup>35</sup> See *id.*

language (other than the six just mentioned) must wait until the recordings have finished and request an interpreter from the operator.<sup>36</sup> According to 311's Language Access Plan, call center operators are trained on how to interact with a caller who does not speak English, and how to handle a call when they are unable to readily identify a caller's language.<sup>37</sup> When operators are unable to identify a caller's language, they will connect with Language Line and request to speak with someone who is skilled in language identification.<sup>38</sup>

Unfortunately, callers who require interpretation services have faced unique barriers to accessing government services and information through 311.<sup>39</sup> For instance, callers often experience long wait times in order to be connected with an interpreter.<sup>40</sup> In addition, because initial instructions are generally provided in English, some callers may not be aware that they are waiting to be connected to an interpreter, and may hang up before an interpreter is able to join.<sup>41</sup> When callers are finally connected with an interpreter, some find that the interpreter does not speak the right language. As one advocate told THE CITY, "[a] caller may say that they request Fujianese or Cantonese, and they end up with a Korean or Japanese interpreter on the other line."<sup>42</sup>

At a Council Committee on Governmental Operations hearing in October 2018, advocates, including the Chinese American Planning Council, Asian American Federation, New York Immigration Coalition, and India Home, testified that they were aware of multiple incidents in which LEP New Yorkers were unable to lodge a 311 complaint because they could not access the appropriate interpreter for the language that they spoke.<sup>43</sup> India Home returned to a joint hearing of the Committees on Governmental Operations and Technology in January 2019 to testify about this issue again.<sup>44</sup> During the January 2019 hearing, 311 Executive Director Joe Morrisroe promised to make solving the issues raised by advocates a priority.<sup>45</sup>

### iii. Multi-Language Customer Satisfaction Surveys

Last year, the Council enacted Local Law 26 of 2021, which requires 311 to conduct annual customer satisfaction surveys and offer each survey in the 10 designated citywide languages.<sup>46</sup> The bill also requires DOITT to submit an annual report to the Speaker containing the results of such surveys, disaggregated by the language in which the survey was conducted.<sup>47</sup>

The first such annual report, released on July 1, 2021, indicated that two call center survey campaigns were conducted from April through June 2021 for customers who contacted 311 in the previous six months, for a total of 29,831 surveys offered to New Yorkers.<sup>48</sup> The 2022 version of the report, covering 2021 final results, indicated that five call center survey campaigns were conducted from April through December 2021 for customers who contacted 311 in the previous six months, for a total of 52,941 surveys offered to New Yorkers.<sup>49</sup> Of these 52,941 surveys offered, 50,089 (approximately 94.61%) were offered to English speakers; 2,266 (approximately 4.28%) were offered to Spanish speakers; 295 (approximately 0.56%) were offered to Mandarin speakers; 142 were

<sup>36</sup> *Id.*

<sup>37</sup> *Id.* at 645.

<sup>38</sup> *Id.*

<sup>39</sup> See Gabriel Sandoval, *311 Tone deaf on language options for non-native English speakers*, THE CITY (Dec. 16, 2019), <https://thecity.nyc/2019/12/311-tone-deaf-on-language-options-for-non-english-speakers.html>.

<sup>40</sup> *Id.*

<sup>41</sup> *Id.*

<sup>42</sup> *Id.*

<sup>43</sup> Testimony before the Committee on Governmental Operations, New York City Council, (Oct. 25, 2018), available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3698345&GUID=D53B67F7-5F3F-47C5-B753-EC74797E5072&Options=&Search>.

<sup>44</sup> Testimony before the Committees on Governmental Operations and Technology, New York City Council, (Jan. 17, 2019), available at <https://legistar.council.nyc.gov/MeetingDetail.aspx?ID=668221&GUID=0F82BE58-10B4-4F58-98A1-28215D28C10F&Options=info&Search>.

<sup>45</sup> *Id.* at 35-39 (exchange with Speaker Johnson).

<sup>46</sup> Local Law 26 of 2021, available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3923896&GUID=86783671-B200-46DF-9F5F-72811EE3737E&Options=Advanced&Search>.

<sup>47</sup> *Id.*

<sup>48</sup> See NYC311, *Customer Satisfaction Surveys in Designated Citywide Languages*, at 3 (July 1, 2021), <https://www1.nyc.gov/assets/oti/downloads/pdf/reports/311-customer-satisfaction-by-language-2021.pdf>.

<sup>49</sup> See NYC311, *Customer Satisfaction Surveys in Designated Citywide Languages*, at 4 (2022), <https://www1.nyc.gov/assets/oti/downloads/pdf/reports/311-customer-satisfaction-by-language-2022.pdf>.

offered to Russian speakers (approximately 0.27%); 96 were offered to Cantonese speakers (approximately 0.18%); and the remaining 53 were offered to speakers of other designated citywide languages (approximately 0.1), except for Urdu, which had 0 offers sent.<sup>50</sup> Of the 52,941 New Yorkers who were offered surveys, only 4,229 (approximately 7.99%) responded.<sup>51</sup> 3,849 (approximately 91.01%) of the responses were received from English speakers, 272 (approximately 6.43%) were received from Spanish speakers, 58 (approximately 1.37%) were received from Mandarin speakers, 24 were received from Russian speakers (approximately 0.57%), 12 were received from Cantonese speakers (approximately 0.28%), 11 were received from Korean speakers (approximately 0.26%), 2 were received from Arabic speakers (approximately 0.05%), 1 was received from a Haitian Creole speaker (approximately 0.02%), and no responses were received from speakers of Polish, Bengali, or French.<sup>52</sup> With such low levels of participation, it is hard to assess how satisfied LEP New Yorkers are with 311, as compared to their English-speaking neighbors.

### **III. LEGISLATIVE ANALYSIS**

#### **Int. No. 206-A**

This bill would require the Commissioner of Information Technology and Telecommunications to make publicly available a dataset on the wait times experienced by individuals who request an interpreter during their calls to 311. The dataset would include information for calls made on or after January 1, 2023, and would also indicate the date and time of the calls and the language requested by the caller for interpretation services.

This bill would take effect immediately.

#### **Int. No. 240-A**

This bill would require that, within 30 days of the effective date of a local law that an agency head determines would allow an individual to request a service from the agency, the agency head notify the Commissioner of Information Technology and Telecommunications and 311 of the possible need to update or add a new 311 service request or complaint type. This bill would further require 311 to submit an annual report on newly added or updated 311 service request or complaint types. 311 would also be required to make publicly available a dataset on the submission of correspondence by the public requesting the addition of, or an update to, 311 service request or complaint types. The dataset would be required to be updated semi-annually.

This bill would take effect 60 days after becoming law.

#### **Int. No. 296-A**

This bill would require the implementation of a protocol for identifying the languages spoken by callers to 311. The bill would also require 311 to annually update the protocol based on a review of all calls for which interpretation services were requested, the wait time exceeded 300 seconds, and 311 determined there was a failure of the protocol. This bill would further require 311 to submit to the Mayor and the Speaker of the Council an annual report on the protocol and updates or changes to the protocol.

This bill would take effect 120 days after becoming law.

#### **Update**

On Thursday, September 29, 2022, the Committee adopted Int. No. 206-A, Int. No. 240-A, and Int. No. 296-A by a vote of three in the affirmative, zero in the negative, and zero abstentions.

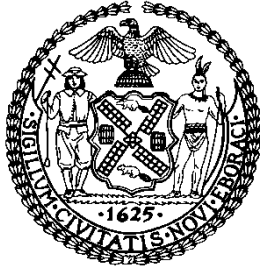
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<sup>50</sup> *Id.*

<sup>51</sup> *Id.*

<sup>52</sup> *Id.*

(The following is the text of the Fiscal Impact Statement for Int. No. 206-A:)



**THE COUNCIL OF THE CITY OF NEW YORK**  
**FINANCE DIVISION**  
 TANISHA S. EDWARDS. ESQ., CHIEF FINANCIAL  
 OFFICER & DEPUTY CHIEF OF STAFF TO THE SPEAKER

**FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO: 206-A**

**COMMITTEE: Technology**

**TITLE:** A Local Law in relation to amend the administrative code of the city of New York, in relation to requiring the Commissioner of Information Technology and Telecommunications to report on wait times for the 311 customer service center to connect callers to an interpreter.

**SPONSOR(S):** Council Members Ung, Joseph, Cabán, Stevens, Hanif, Brewer, Dinowitz, Won, Marte, Abreu, Williams, Avilés, De La Rosa, Powers, Hudson, Lee, Louis, Menin, Sanchez, Riley, Nurse, Velázquez.

**SUMMARY OF LEGISLATION:** Proposed Intro. No. 206-A would require the Department of Information Technology and Telecommunications (DoITT) to make publicly available a dataset on the wait times experienced by individuals who request an interpreter during their calls to the New York City 311 Customer Service Center. The dataset would include information for calls made on or after January 1, 2023, and would also indicate the date and time of the calls and the language requested by the caller for interpretation services.

**EFFECTIVE DATE:** This local law would take effect immediately.

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

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY23</b>	<b>FY Succeeding Effective FY24</b>	<b>Full Fiscal Impact FY24</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

**IMPACT ON REVENUES:** It is estimated that this bill would have no impact on revenues.

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

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

**SOURCE OF INFORMATION:** New York City Council Finance Division

**ESTIMATE PREPARED BY:** Florentine Kabore, Finance Analyst



**ESTIMATE REVIEWED BY:** Crilhien Francisco, Unit Head  
Jonathan Rosenberg, Managing Deputy Director  
Kathleen Ahn, Counsel to the Finance Division

**LEGISLATIVE HISTORY:** This legislation was introduced by the Council on April 14, 2022 as Int. No. 206 and was referred to the Committee on Technology (Committee). At a hearing by the Committee, joint with the Committee on Governmental Operations and the Committee on Public Housing on June 30, 2022, the bill was heard and laid over. The bill was subsequently amended, and the amended version, Proposed Int. No. 206-A, will be heard by the committee on September 29, 2022. Upon successful vote by the Committee on September 29, 2022, the bill will be submitted to the full Council for a vote on September 29, 2022.

**DATE PREPARED:** September 21, 2022.

(For text of Int. Nos. 240-A and 296-A and their Fiscal Impact Statements, please see the Report of the Committee on Technology for Int. Nos. 240-A and 296-A, respectively, printed in these Minutes; for text of Int. No. 206-A, please see below)

*Accordingly, this Committee recommends the adoption of Int. Nos. 206-A, 240-A, and 296-A.*

(The following is the text of Int. No. 206-A:)

Int. No. 206-A

By Council Members Ung, Joseph, Cabán, Stevens, Hanif, Brewer, Dinowitz, Won, Marte, Abreu, Williams, Avilés, De La Rosa, Powers, Hudson, Lee, Louis, Menin, Sanchez, Riley, Nurse, Velázquez, Narcisse and Gennaro.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the commissioner of information technology and telecommunications to report on wait times for the 311 customer service center to connect callers to an interpreter**

*Be it enacted by the Council as follows:*

Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-308 to read as follows:

§ 23-308 *Data on wait times for interpreters. a. Definitions. As used in this section, the term “wait time” means the time, in number of seconds, from when an individual who calls the 311 customer service center requests an interpreter to when such individual is connected to an interpreter.*

*b. Beginning February 15, 2023, and updated no less than once each month thereafter, the commissioner of information technology and telecommunications shall make publicly available a dataset on the wait times experienced by individuals who request an interpreter during their calls to the 311 customer service center.*

*c. Such dataset shall be available on the city’s website, and shall include, but need not be limited to, the following information for each such call made on or after January 1, 2023:*

- 1. The date and time of the call;*
- 2. The language requested for interpretation services; and*
- 3. The wait time during the call.*

§ 2. This local law takes effect immediately.

JENNIFER GUTIÉRREZ, *Chairperson*; SHAUN ABREU, ROBERT F. HOLDEN; 3-0-0; *Absent*: Vickie Paladino; *Medical*: Julie Won; Committee on Technology, September 29, 2022.

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

Report for Int. No. 240-A

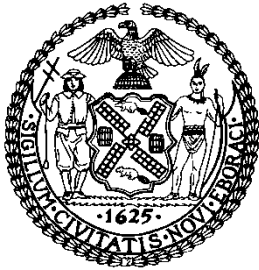
**Report of the Committee on Technology in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the department of information technology and telecommunications updating 311 complaint types and reporting on such updates.**

The Committee on Technology, to which the annexed proposed amended local law was referred on April 28, 2022 (Minutes, page 781), respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Technology for Int. No. 206-A printed in these Minutes)**

*The following is the text of the Fiscal Impact Statement for Int. No. 240-A:*



**THE COUNCIL OF THE CITY OF NEW YORK**  
**FINANCE DIVISION**  
 TANISHA S. EDWARDS, ESQ., CHIEF FINANCIAL OFFICER  
 & DEPUTY CHIEF OF STAFF TO THE SPEAKER

**FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO: 240-A**

**COMMITTEE: Technology**

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to the Department of Information Technology and Telecommunications updating 311 complaint types and reporting on such updates.

**SPONSOR(S):** Council Members Gutiérrez, Joseph, Brooks-Powers, Stevens, Yeger, Menin, Williams, Schulman, Riley, Narcisse, Barron, Ossé, Ayala, Restler, Cabán, Abreu, Richardson Jordan, Nurse, Louis, Avilés, De La Rosa, Won, Hudson, Hanif, Sanchez, Ariola.

**SUMMARY OF LEGISLATION:** Proposed Intro. No. 240-A would require the Department of Information Technology and Telecommunications (DoITT) to update the complaint types on the 311 customer service center website and mobile device platforms and notify 311 customer service center call takers of such complaint type, by the effective date of a local law that involves a request for service. This bill would also require DoITT to semiannually report to the Mayor and the Speaker of the Council on the updating of 311 complaint types.

**EFFECTIVE DATE:** This local law would take effect 60 days after it becomes law.

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

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY23</b>	<b>FY Succeeding Effective FY24</b>	<b>Full Fiscal Impact FY24</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

**IMPACT ON REVENUES:** It is estimated that this bill would have no impact on revenues.

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

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

**SOURCE OF INFORMATION:** New York City Council Finance Division

**ESTIMATE PREPARED BY:** Florentine Kabore, Finance Analyst

**ESTIMATE REVIEWED BY:** Crielhien Francisco, Unit Head  
Jonathan Rosenberg, Managing Deputy Director  
Kathleen Ahn, Counsel to the Finance Division

**LEGISLATIVE HISTORY:** This legislation was introduced by the Council on April 28, 2022 as Int. No. 240 and was referred to the Committee on Technology (Committee). At a hearing by the Committee, joint with the Committee on Governmental Operations and the Committee on Public Housing on June 30, 2022, the bill was heard and laid over. Upon successful vote by the Committee on September 29, 2022, the bill will be submitted to the full Council for a vote on September 29, 2022.

**DATE PREPARED:** September 21, 2022.

*Accordingly, this Committee recommends its adoption, as amended.*

**(The following is the text of Int. No. 240-A:)**

Int. No. 240-A

By Council Members Gutiérrez, Joseph, Brooks-Powers, Stevens, Yeger, Menin, Williams, Schulman, Riley, Narcisse, Barron, Ossé, Ayala, Restler, Cabán, Abreu, Richardson Jordan, Nurse, Louis, Avilés, De La Rosa, Won, Hudson, Hanif, Sanchez, Dinowitz, Gennaro and Ariola.

**A Local Law to amend the administrative code of the city of New York, in relation to the department of information technology and telecommunications updating 311 complaint types and reporting on such updates**

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-309 to read as follows:

§ 23-309 *Updating 311 request for service or complaint types.* a. *Within 30 days of the effective date of a local law that the commissioner or head of any agency or office determines would provide an individual with the opportunity to make a new request for service from such agency or office, such commissioner or head shall notify the commissioner of information technology and telecommunications and the 311 customer service center of the potential need to add a request for service or complaint type to, or update a request for service or complaint type on, the 311 customer service center, website and mobile device platforms.*

b. *No later than February 1, 2024, and every February 1 thereafter, the director of the 311 customer service center shall report to the mayor and speaker of the council all requests for service or complaint types that were added to or updated on the 311 customer service center, website and mobile device platforms during the previous year in accordance with this section. Such report shall be posted on the website of the 311 customer service center and shall include (i) the date when each such request for service or complaint type was added to or updated on the 311 customer service center, website and mobile device platforms and (ii) an explanation of any obstacles experienced by the 311 customer service center or relevant agency in adding such request for service or complaint types to, or updating such request for service or complaint types on, the 311 customer service center, website and mobile device platforms.*

c. *Beginning February 1, 2024, the director of the 311 customer service center shall make publicly available a dataset on the submission of correspondence by the public requesting the addition of, or an update to, a request for service or complaint type. Such dataset shall be available on the city's website, updated semiannually, and include, but need not be limited to, the following information for each such submission made on or after August 1, 2023:*

1. *The date and time of the submission;*
2. *The subject of the correspondence;*
3. *The office or agency to which such submission was communicated for response; and*
4. *Whether such request was implemented.*

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

JENNIFER GUTIÉRREZ, *Chairperson*; SHAUN ABREU, ROBERT F. HOLDEN; 3-0-0; *Absent*: Vickie Paladino; *Medical*: Julie Won; Committee on Technology, September 29, 2022.

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

Report for Int. No. 296-A

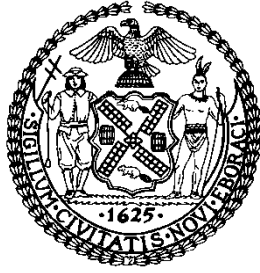
**Report of the Committee on Technology in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the identification of languages spoken by callers to the 311 customer service center.**

The Committee on Technology to which the annexed proposed amended local law was referred on April 28, 2022 (Minutes, page 838), respectfully

#### REPORTS:

**(For text of report, please see the Report of the Committee on Technology for Int. No. 206-A printed in these Minutes)**

*The following is the text of the Fiscal Impact Statement for Int. No. 296-A:*



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

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

**FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO:** 296-A

**COMMITTEE:** Technology

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to the identification of languages spoken by callers to the 311 customer service center.

**SPONSOR(S):** Council Members Ung, Hanif, Brewer, Stevens, Velázquez, Williams, Yeger, Farías, Restler, Abreu, Krishnan, Nurse, Louis, Avilés, De La Rosa, Won, Cabán, Lee, Hudson, Menin, Sanchez, and Riley.

**SUMMARY OF LEGISLATION:** Proposed Intro. No. 296-A would require the implementation of a protocol for identifying the languages spoken by callers to 311. The bill would also require the 311 Customer Service Center (Center) to annually update the protocol based on a review of all calls for which interpretation services were requested, the wait time exceeded 300 seconds, and the Center determined there was a failure of the protocol. Additionally, the bill would require the 311 Customer Service Center to submit to the Mayor and the Speaker of the Council an annual report on the protocol and updates or changes to the protocol no later than July 1, 2023, and by July 1 of each succeeding year.

**EFFECTIVE DATE:** This local law would take effect 120 days after it becomes law.

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

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY23</b>	<b>FY Succeeding Effective FY24</b>	<b>Full Fiscal Impact FY24</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

**IMPACT ON REVENUES:** It is estimated that this bill would have no impact on revenues.

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

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

**SOURCE OF INFORMATION:** New York City Council Finance Division

**ESTIMATE PREPARED BY:** Florentine Kabore, Finance Analyst

**ESTIMATE REVIEWED BY:** Crilhien Francisco, Unit Head  
Jonathan Rosenberg, Managing Deputy Director  
Kathleen Ahn, Counsel to the Finance Division

**LEGISLATIVE HISTORY:** This legislation was introduced by the Council on April 28, 2022 as Int. No. 296 and was referred to the Committee on Technology (Committee). At a hearing by the Committee, joint with the Committee on Governmental Operations and the Committee on Public Housing on June 30, 2022, the bill was heard and laid over. The bill was subsequently amended, and the amended version, Proposed Int. No. 296-A, will be heard by the committee on September 29, 2022. Upon successful vote by the Committee on September 29, 2022, the bill will be submitted to the full Council for a vote on September 29, 2022.

**DATE PREPARED:** September 21, 2022.

*Accordingly, this Committee recommends its adoption, as amended.*

**(The following is the text of Int. No. 296-A:)**

Int. No. 296-A

By Council Members Ung, Hanif, Brewer, Stevens, Velázquez, Williams, Yeger, Farías, Restler, Abreu, Krishnan, Nurse, Louis, Avilés, De La Rosa, Won, Cabán, Lee, Hudson, Menin, Sanchez, Riley, Narcisse and Gennaro.

**A Local Law to amend the administrative code of the city of New York, in relation to the identification of languages spoken by callers to the 311 customer service center**

*Be it enacted by the Council as follows:*

Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-310 to read as follows:

§ 23-310 *Identification of spoken language. a. The 311 customer service center shall implement a protocol for identifying the language spoken by a caller to the 311 customer service center, and shall consider including in such protocol the use of processes that do not require a caller to make a verbal request for interpretation services. The 311 customer service center shall post on its website a description of such protocol within seven days after it is implemented.*

*b. 1. If during a call to the 311 customer service center a caller makes a request for interpretation services and the wait time, as defined in subdivision a of section 23-308, experienced by such caller is 300 seconds or longer, the 311 customer service center shall review such call to determine whether the wait time was due to a failure of such protocol.*

*2. No later than July 1, 2023, and every July 1 thereafter, the 311 customer service center shall update such protocol based on a review of all calls for which the 311 customer service center determined that there was such a failure of such protocol. The 311 customer service center shall update the description of such protocol on its website within seven days after any update to such protocol.*

*c. By July 1, 2023, and every July 1 thereafter, the 311 customer service center shall submit to the mayor and speaker of the council a report on such protocol that includes a description of the implementation of such protocol; any updates or changes to such protocol since the previous report, if applicable; and any plans to update such protocol in the future.*

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

JENNIFER GUTIÉRREZ, *Chairperson*; SHAUN ABREU, ROBERT F. HOLDEN; 3-0-0; *Absent*: Vickie Paladino; *Medical*: Julie Won; Committee on Technology, September 29, 2022.

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

**GENERAL ORDERS CALENDAR**

Report for L.U. No. 89 & Res. No. 335

**Report of the Committee on Land Use in favor of approving, as modified, Application number C 210394 ZMQ (231-06 Northern Boulevard Commercial Overlay) submitted by Kenfa Madison LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 11a, establishing within an existing R1-2 District a C2-2 District, Borough of Queens, Community District 11, Council District 19.**

The Committee on Land Use, to which the annexed Land Use item was referred on August 11, 2022 (Minutes, page 2028) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on September 14, 2022 (Minutes, page 2072), respectfully

**REPORTS:****SUBJECT****QUEENS CB - 11****C 210394 ZMQ**

City Planning Commission decision approving an application submitted by Kenfa Madison, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 11a, establishing within an existing R1-2 District a C2-2 District bounded by Northern Boulevard, 234th Street, a northwesterly boundary line of a Park (Alley Park) and its northeasterly prolongation, a northeasterly boundary line of a Park (Alley Park), a northwesterly boundary line of a Park (Alley Park), and the northwesterly prolongation of a former Park boundary line, as shown on a diagram (for illustrative purposes only) dated March 14, 2022.

**INTENT**

To approve the amendment to establish a C2-2 commercial overlay on an existing R1-2 zoning district to facilitate the two-story horizontal enlargement of an existing one-story restaurant at 231-06 Northern Boulevard (Block 8164, Lots 15, 22, 30, 43, 122, 130 and 230) in the Douglaston neighborhood of Queens, Community District 11.

**PUBLIC HEARING****DATE:** July 28, 2022**Witnesses in Favor:** Three**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION****DATE:** September 7, 2022

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

<b>In Favor:</b>	<b>Against:</b>	<b>Abstain:</b>
Riley	None	None
Moya		
Louis		
Abreu		
Bottcher		
Hanks		
Schulman		
Carr		

**COMMITTEE ACTION****DATE:** September 13, 2022

The Committee recommends that the Council approve the attached resolution.

<b>In Favor:</b>	<b>Against:</b>	<b>Abstain:</b>
Salamanca	None	None
Rivera		
Riley		
Brooks-Powers		
Bottcher		
Hanks		
Kagan		
Krishnan		
Mealy		
Borelli		

**FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION**

The City Planning Commission filed a letter dated \_\_\_\_\_, 2022, with the Council on \_\_\_\_\_, 2022, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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



## Res. No. 335

**Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 210394 ZMQ, a Zoning Map amendment (Preconsidered L.U. No. 89).**

By Council Members Salamanca and Riley.

**WHEREAS**, Kenfa Madison, 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. 11a, establishing within an existing R1-2 District a C2-2 District, in the Douglaston neighborhood of Queens, Community District 11 (ULURP No. C 210394 ZMQ) (the "Application");

**WHEREAS**, the City Planning Commission filed with the Council on July 27, 2022 its decision dated July 13, 2022 (the "Decision") on the Application;

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on July 28, 2022;

**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 14<sup>th</sup>, 2022 (CEQR No. 22DCP102Q), which includes an (E) designation to avoid the potential for significant adverse impacts related to air quality and hazardous materials (E-663) (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-663) 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 210394 ZMQ incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission with the following modifications:

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

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

**IN THE MATTER OF** an application submitted by Kenfa Madison LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 11a, establishing within an existing R1-2 District a C2-2 District bounded by Northern Boulevard, ~~234<sup>th</sup>~~ 233<sup>rd</sup> Street, ~~a northwesterly boundary line of a Park (Alley Park) and its northeasterly prolongation, a northeasterly boundary line of a Park (Alley Park),~~ a northwesterly boundary line of a Park (Alley Park), and the northwesterly prolongation of a former Park boundary line,

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, JOSEPH C. BORELLI; 10-0-0; *Absent*: Francisco P. Moya and Farah N. Louis; *Maternity*: Pierina Ana Sanchez; Committee on Land Use, September 13, 2022. *Other Council Members Attending*: Council Member Cabán.

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

Report for L.U. No. 90 & Res. No. 335

**Report of the Committee on Land Use in favor of approving, as modified, Application number C 220196 ZMQ (Halletts North) submitted by Astoria Owners LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 9a, changing from an M1-1 District to an R7-3 District; and establishing within the proposed R7-3 District a C2-4 District; Borough of Queens, Community District 1, Council District 22.**

The Committee on Land Use, to which the annexed Land Use item was referred on August 11, 2022 (Minutes, page 2029) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on September 14, 2022 (Minutes, page 2074), respectfully

#### **REPORTS:**

#### **SUBJECT**

#### **QUEENS CB-1 – FIVE APPLICATIONS RELATED TO HALLETTS NORTH**

#### **C 220196 ZMQ (Pre. L.U. No. 90)**

City Planning Commission decision approving an application submitted by Astoria Owners, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9a:

1. changing from an M1-1 District to an R7-3 District property bounded by the northwesterly streetline of the former 3rd Street, the U.S. Pierhead and Bulkhead Line, a line 280 feet southeasterly of former 3rd Street, and 26th Avenue; and
2. establishing within the proposed R7-3 District a C2-4 District bounded by the northwesterly streetline of the former 3rd Street, the U.S. Pierhead and Bulkhead Line, a line 280 feet southeasterly of former 3rd Street, and 26th Avenue;

as shown on a diagram (for illustrative purposes only) dated March 28, 2022 and subject to the conditions of CEQR Declaration E-671.

**N 220197 ZRQ (Pre. L.U. No. 91)**

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

**C 220198 ZSQ (L.U. No. 94)**

City Planning Commission decision approving an application submitted by Astoria Owners, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to the Section 62-837(a) of the Zoning Resolution to modify the height and setback, the maximum residential tower size and the maximum width of walls facing the shoreline requirements of Section 62-34 (Height and Setback Regulations on Waterfront Blocks), in connection with a proposed mixed use development, within a general large-scale development, on property generally bounded by the westerly streetline of the former 3rd Street, the U.S. Pierhead and Bulkhead Line, a line 330 feet southeasterly of the westerly streetline of the former 3rd Street, a line 228.5 feet northeasterly of 26th Avenue, a line 179 feet southeasterly of the westerly streetline of the former 3rd Street, and 26th Avenue (Block 911, Lots 1, and the demapped portion of 3rd Street, in an R7-3/C2-4 District, Borough of Queens, Community District 1, as shown on a diagram (for illustrative purposes only) dated March 28, 2022 and subject to the conditions of CEQR Declaration E-671.

**C 220206 MMQ (L.U. No. 95)**

City Planning Commission decision approving an application submitted by Astoria Owners, LLC, pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving:

- the elimination of 3<sup>rd</sup> Street within the area bounded by 8<sup>th</sup> Street, 26<sup>th</sup> Avenue, 2<sup>nd</sup> Street and the U.S Pierhead and Bulkhead line;
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in Community District 1, Borough of Queens, in accordance with Map No. 5037 dated March 14, 2022 and signed by the Borough President.

**INTENT**

To approve the amendment to rezone the project area from M1-1 zoning district to a R7-3/C2-4 zoning district; amend zoning text to establish the project area as a Mandatory Inclusionary Housing (MIH) area; grant an approval of the waterfront special permit to modify bulk requirements; and approve a City Map change to demap a segment of Third Street north of 26<sup>th</sup> Avenue to facilitate the proposed Halletts North mixed-use development and waterfront public access area (WPAA) at 3-15 26<sup>th</sup> Avenue (Block 911, Lots 1 and 49) in the Astoria neighborhood of Queens, Community District 1.

**PUBLIC HEARING*****Mandatory Items – Pre. L.U. Nos. 90 and 91*****DATE:** July 28, 2022**Witnesses in Favor:** Eleven**Witnesses Against:** None***Discretionary Items – L.U. Nos. 94 and 95*****DATE:** September 7, 2022**Witnesses in Favor:** None**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** September 7, 2022

The Subcommittee recommends that the Land Use Committee approve the decisions of the City Planning Commission on Pre. L.U. No. 90 and L.U. No. 95; and approve with modifications of the City Planning Commission on Pre. L.U. No. 91 and L.U. No. 94.

**In Favor:**

Riley  
Moya  
Louis  
Abreu  
Bottcher  
Hanks  
Schulman  
Carr

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION****DATE:** September 13, 2022

The Committee recommends that the Council approve the attached resolutions.

**In Favor:**

Salamanca  
Rivera  
Riley  
Brooks-Powers  
Bottcher  
Hanks  
Kagan  
Krishnan

**Against:**

None

**Abstain:**

None

Mealy  
Borelli

**FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION**

The City Planning Commission filed a letter dated \_\_\_\_\_, 2022, with the Council on \_\_\_\_\_, 2022, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 336

**Resolution approving the decision of the City Planning Commission on ULURP No. C 220196 ZMQ, a Zoning Map amendment (Preconsidered L.U. No. 90).**

By Council Members Salamanca and Riley.

**WHEREAS**, Astoria Owners, 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. 9a, changing from an M1-1 District to an R7-3 District and establishing within the proposed R7-3 District a C2-4 District, which in conjunction with the related actions would facilitate the proposed Halletts North mixed-use development and waterfront public access area (WPAA) at 3-15 26<sup>th</sup> Avenue (Block 911, Lots 1 and 49) in the Astoria neighborhood of Queens, Community District 1 (ULURP No. C 220196 ZMQ) (the "Application");

**WHEREAS** the City Planning Commission filed with the Council on July 26, 2022 its decision dated July 25, 2022 (the "Decision") on the Application;

**WHEREAS**, the Application is related to applications N 220197 ZRQ (Pre. L.U. No. 91), a zoning text amendment to Appendix F to establish a Mandatory Inclusionary Housing (MIH) area coterminous with the project area; C 220198 ZSQ (L.U. No. 94), a waterfront special permit to modify bulk requirements; C 220206 MMQ (L.U. No. 95), a city map change to demap a segment of Third Street north of 26<sup>th</sup> Avenue; and N 220353 ZAQ (L.U. No. 96), a waterfront authorization to modify requirements pertaining to the location and minimum dimension of elements within the (WPAA);

**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 July 28, 2022;

**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 Positive Declaration issued February 19<sup>th</sup>, 2021 (CEQR No. 21DCP138Q) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on July 14, 2022, in which potential significant adverse impacts related to hazardous materials, air quality, and noise would be avoided through the placement of (E) designations (E-671) on Projected Development Sites 1 and 2 (Block 911, Lots 1 and 49, respectively). The FEIS determined that the proposed actions could have significant adverse impacts with respect to community facilities (elementary schools and early childhood programs), open space, transportation (transit, traffic,

pedestrians, and noise), noise, and construction (transportation and noise); and the identified significant adverse impacts and proposed mitigation measures are summarized in Chapter 18, "Mitigation" of the FEIS, and are included in the Restrictive Declaration. The technical Memorandum issued on July 22, 2022 concludes that the application as modified would not result in any significant adverse impacts that were not already identified in the FEIS issued on July 14, 2022 (the "Technical Memorandum").

**RESOLVED:**

Having considered the FEIS and Technical Memorandum with respect to the Decision and Application, the Council finds that:

1. The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
2. The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the actions that are set forth in this report; and
3. Consistent with social, economic, and other essential considerations from among the reasonable alternatives thereto, the action, with the modifications set forth and analyzed in the Technical Memorandum dated July 22, 2022, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
4. The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating, as conditions to the approval, pursuant to the restrictive declaration attached as Exhibit A to City Planning Commission report for C 220198 ZSQ, those project components related to environment and mitigation measures that were identified as practicable.

The Decision, together with the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

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 220196 ZMQ, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 9a:

1. changing from an M1-1 District to an R7-3 District property bounded by the northwesterly streetline of the former 3rd Street, the U.S. Pierhead and Bulkhead Line, a line 280 feet southeasterly of former 3rd Street, and 26th Avenue; and
2. establishing within the proposed R7-3 District a C2-4 District bounded by the northwesterly streetline of the former 3rd Street, the U.S. Pierhead and Bulkhead Line, a line 280 feet southeasterly of former 3rd Street, and 26th Avenue;

as shown on a diagram (for illustrative purposes only) dated March 28, 2022 and subject to the conditions of CEQR Declaration E-671, Borough of Queens, Community District 1.

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, JOSEPH C. BORELLI; 10-0-0; *Absent*: Francisco P. Moya and Farah N. Louis; *Maternity*: Pierina Ana Sanchez; Committee on Land Use, September 13, 2022. *Other Council Members Attending*: Council Member Cabán.

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

Report for L.U. No. 91 & Res. No. 337

**Report of the Committee on Land Use in favor of approving, as modified, Application number N 220197 ZRQ (Halletts North) submitted by Astoria Owners LLC pursuant to Section 201 of the New York City Charter for an amendment to the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Community District 1, Council District 22.**

The Committee on Land Use, to which the annexed Land Use item was referred on August 11, 2022 (Minutes, page 2029) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on September 14, 2022 (Minutes, page 2077), respectfully

#### REPORTS:

**(For text of report, please see the Report of the Committee on Land Use for L.U. No. 90 & Res. No. 336 printed in the General Orders Calendar section of these Minutes)**

*Accordingly, this Committee recommends its adoption, as modified.*

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

Res. No. 337

**Resolution approving with modifications the decision of the City Planning Commission on Application No. N 220197 ZRQ, for an amendment of the text of the Zoning Resolution (Preconsidered L.U. No. 91).**

By Council Members Salamanca and Riley.

**WHEREAS**, Astoria Owners, LLC, filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, which in conjunction with the related actions would facilitate the proposed Halletts North mixed-use development and waterfront public access area (WPAA) at 3-15 26<sup>th</sup> Avenue (Block 911, Lots 1 and 49) in the Astoria neighborhood of Queens, Community District 1 (ULURP No. N 220197 ZRQ) (the “Application”);

**WHEREAS**, the City Planning Commission filed with the Council on July 26, 2022 its decision dated July 25, 2022 (the “Decision”), on the Application;

**WHEREAS**, the Application is related to applications C 220196 ZMQ (Pre. L.U. No. 90), a zoning

map amendment to rezone an M1-1 zoning district to a R7-3/C2-4 zoning district; C 220198 ZSQ (L.U. No. 94), a waterfront special permit to modify bulk requirements; C 220206 MMQ (L.U. No. 95), a city map change to demap a segment of Third Street north of 26<sup>th</sup> Avenue; and N 220353 ZAQ (L.U. No. 96), a waterfront authorization to modify requirements pertaining to the location and minimum dimension of elements within the WPAA);

**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 July 28, 2022;

**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 Positive Declaration issued February 19<sup>th</sup>, 2021 (CEQR No. 21DCP138Q) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on July 14, 2022, in which potential significant adverse impacts related to hazardous materials, air quality, and noise would be avoided through the placement of (E) designations (E-671) on Projected Development Sites 1 and 2 (Block 911, Lots 1 and 49, respectively). The FEIS determined that the proposed actions could have significant adverse impacts with respect to community facilities (elementary schools and early childhood programs), open space, transportation (transit, traffic, pedestrians, and noise), noise, and construction (transportation and noise); and the identified significant adverse impacts and proposed mitigation measures are summarized in Chapter 18, "Mitigation" of the FEIS, and are included in the Restrictive Declaration. The technical Memorandum dated July 22, 2022 concludes that the application as modified would not result in any significant adverse impacts that were not already identified in the FEIS issued on July 14, 2022 (the "Technical Memorandum").

**RESOLVED:**

Having considered the FEIS and Technical Memorandum with respect to the Decision and Application, the Council finds that:

1. The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
2. The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the actions that are set forth in this report; and
3. Consistent with social, economic, and other essential considerations from among the reasonable alternatives thereto, the action, with the modifications set forth and analyzed in the Technical Memorandum dated July 22, 2022, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
4. The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating, as conditions to the approval, pursuant to the restrictive declaration attached as Exhibit A to City Planning Commission report for C 220198 ZSQ, those project components related to environment and mitigation measures that were identified as practicable.

The Decision, together with the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).



Pursuant to Sections 197-d and 201 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 220197 ZRQ, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission with the following modifications:

Matter underlined is new, to be added;

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

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

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

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

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

\* \* \*

## **APPENDIX F**

### **Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

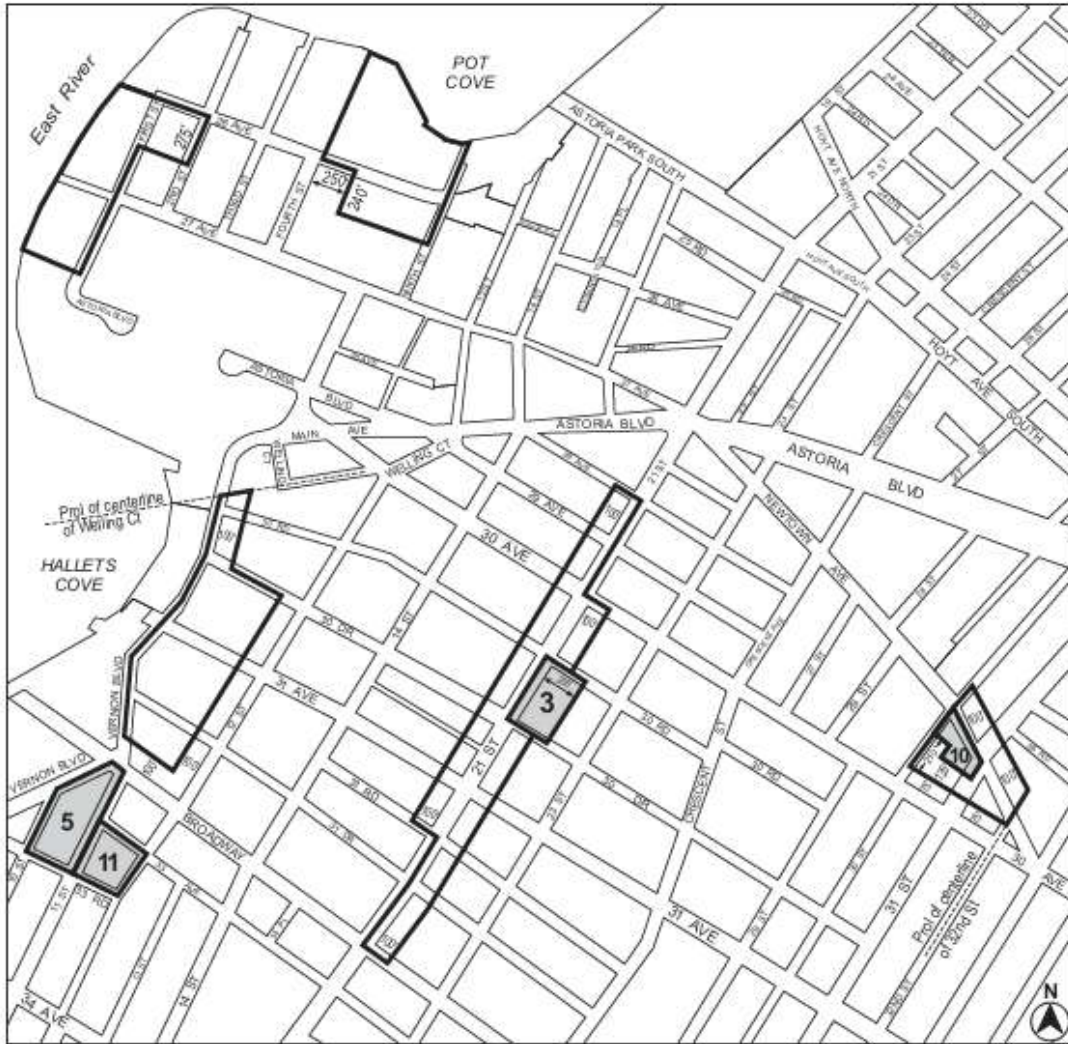
\* \* \*



## **QUEENS**

### **Queens Community District 1**

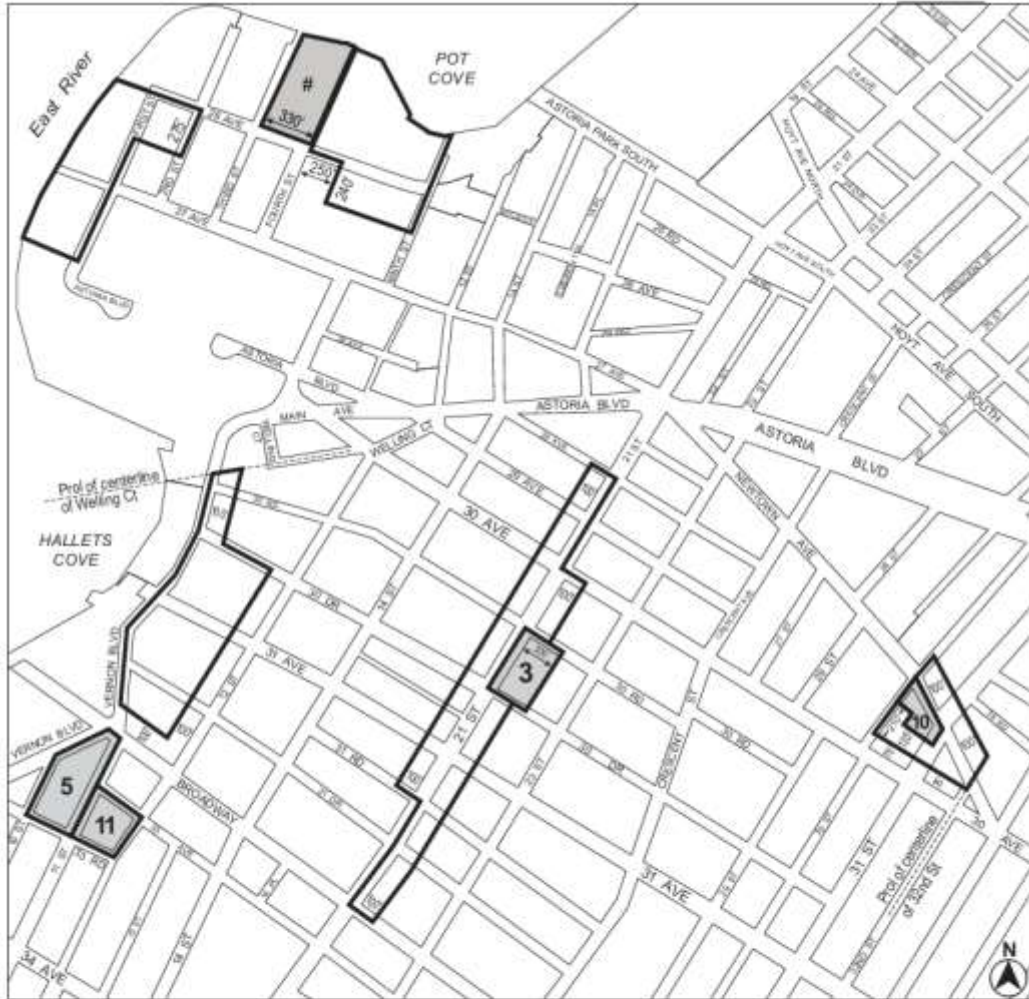
Map 1 - [date of adoption]

[EXISTING MAP]



-  Inclusionary Housing designated area
-  Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*
  - Area 3 – 10/31/18 MIH Program Option 1 and Option 2
  - Area 5 – 10/17/19 MIH Program Option 1
  - Area 10 – 6/17/21 MIH Program Option 1
  - Area 11 – 10/21/21 MIH Program Option 1

[PROPOSED MAP]



- Inclusionary Housing designated area
- Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*
  - Area 3 – 10/31/18 MIH Program Option 1 and Option 2
  - Area 5 – 10/17/19 MIH Program Option 1
  - Area 10 – 6/17/21 MIH Program Option 1
  - Area 11 – 10/21/21 MIH Program Option 1
  - Area # - [date of adoption] MIH Program Option 1 and Deep Affordability Option

Portion of Community District 1, Queens

\* \* \*

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, JOSEPH C. BORELLI; 10-0-0; *Absent*: Francisco P. Moya and Farah N. Louis; *Maternity*: Pierina Ana Sanchez; Committee on Land Use, September 13, 2022. *Other Council Members Attending*: Council Member Cabán.

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

Report for L.U. No. 94 & Res. No. 338

**Report of the Committee on Land Use in favor of approving, as modified, Application number C 220198 ZSQ (Halletts North) submitted by Astoria Owners, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to the Section 62-837(a) of the Zoning Resolution to modify the height and setback, the maximum residential tower size and the maximum width of walls facing the shoreline requirements of Section 62-34 (Height and Setback Regulations on Waterfront Blocks), in connection with a proposed mixed use development, within a general large-scale development, on property generally bounded by the westerly streetline of the former 3rd Street, the U.S. Pierhead and Bulkhead Line, a line 330 feet southeasterly of the westerly streetline of the former 3rd Street, a line 228.5 feet northeasterly of 26th Avenue, a line 179 feet southeasterly of the westerly streetline of the former 3rd Street, and 26th Avenue (Block 911, Lots 1, and the demapped portion of 3rd Street), in an R7-3/C2-4 District, Borough of Queens, Community District 1, Council District 22.**

The Committee on Land Use, to which the annexed Land Use item was referred on August 11, 2022 (Minutes, page 2030) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on September 14, 2022 (Minutes, page 2077), respectfully

#### **REPORTS:**

**(For text of report, please see the Report of the Committee on Land Use for L.U. No. 90 & Res. No. 336 printed above in the General Orders Calendar section of these Minutes)**

*Accordingly, this Committee recommends its adoption, as modified.*

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

Res. No. 338

**Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 220198 ZSQ, for the grant of a special permit (L.U. No. 94).**

By Council Members Salamanca and Riley.

**WHEREAS**, Astoria Owners, 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 62-837(a) of the Zoning Resolution to modify the height and setback, the maximum residential tower size and the maximum width of walls facing the shoreline requirements of Section 62-34 (Height and Setback Regulations on Waterfront Blocks), in connection with a proposed mixed use development, within a general large-scale development, on property generally bounded by the westerly streetline of the former 3rd Street, the U.S. Pierhead and Bulkhead Line, a line 330 feet

southeasterly of the westerly streetline of the former 3rd Street, a line 228.5 feet northeasterly of 26th Avenue, a line 179 feet southeasterly of the westerly streetline of the former 3rd Street, and 26th Avenue (Block 911, Lots 1, and the demapped portion of 3rd Street, in an R7-3/C2-4 District, which in conjunction with the related actions would facilitate the proposed Halletts North mixed-use development and waterfront public access area (WPAA) at 3-15 26<sup>th</sup> Avenue (Block 911, Lots 1 and 49) in the Astoria neighborhood of Queens, Community District 1 (ULURP No. C 220198 ZSQ) (the “Application”);

**WHEREAS**, the City Planning Commission filed with the Council on July 26, 2022, its decision dated July 25, 2022 (the “Decision”) on the Application;

**WHEREAS**, the Application is related to applications C 220196 ZMQ (Pre. L.U. No. 90), a zoning map amendment to rezone an M1-1 zoning district to a R7-3/C2-4 zoning district; N 220197 ZRQ (Pre. L.U. No. 91), a zoning text amendment to establish a Mandatory Inclusionary Housing (MIH) area; C 220206 MMQ (L.U. No. 95), a city map change to demap a segment of Third Street north of 26<sup>th</sup> Avenue; and N 220353 ZAQ (L.U. No. 96), a waterfront authorization to modify requirements pertaining to the location and minimum dimension of elements within the WPAA;

**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 62-837(a) 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 7, 2022;

**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 Positive Declaration issued February 19<sup>th</sup>, 2021 (CEQR No. 21DCP138Q) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on July 14, 2022, in which potential significant adverse impacts related to hazardous materials, air quality, and noise would be avoided through the placement of (E) designations (E-671) on Projected Development Sites 1 and 2 (Block 911, Lots 1 and 49, respectively). The FEIS determined that the proposed actions could have significant adverse impacts with respect to community facilities (elementary schools and early childhood programs), open space, transportation (transit, traffic, pedestrians, and noise), noise, and construction (transportation and noise); and the identified significant adverse impacts and proposed mitigation measures are summarized in Chapter 18, “Mitigation” of the FEIS, and are included in the Restrictive Declaration. The technical Memorandum dated July 22, 2022 concludes that the application as modified would not result in any significant adverse impacts that were not already identified in the FEIS issued on July 14, 2022 (the “Technical Memorandum”).

**RESOLVED:**

Having considered the FEIS and Technical Memorandum with respect to the Decision and Application, the Council finds that:

1. The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
2. The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the actions that are set forth in this report; and

3. Consistent with social, economic and other essential considerations from among the reasonable alternatives thereto, the action, with the modifications set forth and analyzed in the Technical Memorandum dated July 22, 2022, is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
4. The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating, as conditions to the approval, pursuant to the restrictive declaration attached as Exhibit A to this City Planning Commission report, those project components related to environment and mitigation measures that were identified as practicable.

The Decision, together with the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

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 220198 ZSQ, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission, with the following modifications.

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

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

1. The property that is the subject of this application (C 220198 ZSQ) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following approved plans, prepared by Studio V Architecture and Ken Smith Workshop, filed with this application and incorporated in this Resolution:

<u>Dwg No.</u>	<u>Title</u>	<u>Last Date Revised</u>
Z-010.00	Zoning Analysis Table	<del>07/25/2022</del> <u>[09/13/2022]</u>
Z-011.00	Base Plane and Floor Area	<del>07/25/2022</del> <u>[09/13/2022]</u>
Z-100.00	Zoning Lot Site Plan	<del>07/25/2022</del> <u>[09/13/2022]</u>
Z-200.00	Waiver Plan	<del>07/25/2022</del> <u>[09/13/2022]</u>
Z-202.00	Waiver Sections	07/25/2022
Z-203.00	Waiver Sections	07/25/2022
Z-204.00	Waiver Sections	07/25/2022
Z-205.00	Waiver Sections	07/25/2022
Z-206.00	Waiver Sections	07/25/2022
Z-207.00	Height and Setback Waivers	07/25/2022
Z-208.00	Height and Setback Waivers	07/25/2022
L-100.00	Waterfront Access Area Plan/Zoning Lot Plan	<del>07/25/2022</del> <u>[09/13/2022]</u>
L-110.00	WPAA Zoning Compliance Chart 1/2	<del>07/25/2022</del> <u>[09/13/2022]</u>
L-111.00	WPAA Zoning Compliance Chart 2/2	<del>07/25/2022</del> <u>[09/13/2022]</u>

L-200.00	Dimension Plan	<del>07/25/2022</del> <u>[09/13/2022]</u>
L-210.00	Materials Plan	<del>07/25/2022</del> <u>[09/13/2022]</u>
L-220.00	Grading Plan	<del>07/25/2022</del> <u>[09/13/2022]</u>
L-230.00	Planting Plan	<del>07/25/2022</del> <u>[09/13/2022]</u>
L-231.00	Plant Images	03/24/2022
L-240.00	Seating and Furnishings Plan	<del>07/25/2022</del> <u>[09/13/2022]</u>
L-250.00	Exercise Equipment Plan	<del>07/25/2022</del> <u>[09/13/2022]</u>
L-300.00	Sections 1	<del>07/25/2022</del> <u>[09/13/2022]</u>
L-301.00	Sections 2	<del>07/25/2022</del> <u>[09/13/2022]</u>
L-302.00	Sections 3	<del>07/25/2022</del> <u>[09/13/2022]</u>
L-400.00	Landscape Details	07/25/2022
L-401.00	Furnishing Details	07/25/2022
L-402.00	Furnishing Details	07/25/2022
LT-100	Lighting Plan	<del>07/25/2022</del> <u>[09/13/2022]</u>
LT-101	Lighting Photometric Plan	<del>07/25/2022</del> <u>[09/13/2022]</u>
LT-102	Lighting Cutsheets	07/25/2022

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. Development pursuant to this resolution shall be allowed only after (a) the restrictive declaration attached hereto as Exhibit A to this report, with such administrative changes as are acceptable to Counsel to the Department of City Planning, has been executed and recorded in the Office of the Register, Queens County; and (b) the WPAA Maintenance Agreement associated with such declaration and attached as Exhibit F thereto shall have been executed. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.
5. In the event the property that is the subject of the application is developed as, sold as, or converted to condominium units, a homeowners' association, or cooperative ownership, a copy of this report and resolution and any subsequent modifications shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners' or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.
6. 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, sub-lessee or occupant.

7. 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 and the restrictive declaration 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 as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted or of the restrictive declaration.
8. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city or such employees or agents failure to act in accordance with the provisions of this special permit.

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, JOSEPH C. BORELLI; 10-0-0; *Absent*: Francisco P. Moya and Farah N. Louis; *Maternity*: Pierina Ana Sanchez; Committee on Land Use, September 13, 2022. *Other Council Members Attending*: Council Member Cabán.

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

#### Report for L.U. No. 95 & Res. No. 339

**Report of the Committee on Land Use in favor of approving, as modified, Application number C 220206 MMQ (Halletts North) submitted by Astoria Owners, LLC, pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving: the elimination of 3rd Street within the area bounded by 8th Street, 26th Avenue, 2nd Street and the U.S Pierhead and Bulkhead line; the adjustment of grades and block dimensions necessitated thereby; and authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 5037 dated March 14, 2022 and signed by the Borough President, Borough of Queens, Community District 1, Council District 22.**

The Committee on Land Use, to which the annexed Land Use item was referred on August 11, 2022 (Minutes, page 2030) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on September 14, 2022 (Minutes, page 2078), respectfully

#### **REPORTS:**

**(For text of report, please see the Report of the Committee on Land Use for L.U. No. 90 & Res. No. 336 printed above in the General Orders Calendar section of these Minutes)**

*Accordingly, this Committee recommends its adoption, as modified.*



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

Res. No. 339

**Resolution approving the decision of the City Planning Commission on ULURP No. C 220206 MMQ, an amendment to the City Map (L.U. No. 95).**

By Council Members Salamanca and Riley.

**WHEREAS**, Astoria Owners, LLC, filed an application pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving:

- the elimination of 3<sup>rd</sup> Street within the area bounded by 8<sup>th</sup> Street, 26<sup>th</sup> Avenue, 2<sup>nd</sup> Street and the U.S Pierhead and Bulkhead line;
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 5037 dated March 14, 2022 and signed by the Borough President, which in conjunction with the related actions would facilitate the proposed Halletts North residential development and waterfront public access area at 3-15 26<sup>th</sup> Avenue (Block 911, Lot 1 and 49) in the Astoria neighborhood of Queens, Community District 1 (ULURP No. C 220206 MMQ) (the "Application");

**WHEREAS**, the City Planning Commission filed with the Council on July 26, 2022 its decision dated July 25, 2022 (the "Decision"), on the Application;

**WHEREAS**, the Application is related to applications C 220196 ZMQ (Pre. L.U. No. 90), a zoning map amendment to change from an M1-1 zoning district to an R7-3/C2-4 zoning district; N 220197 ZRQ (Pre. L.U. No. 91), a zoning text amendment to Appendix F to establish a Mandatory Inclusionary Housing (MIH) area coterminous with the project area; C 220198 ZSQ (L.U. No. 94), a waterfront special permit to waive height, setback, tower size, and maximum width of walls facing the shoreline regulations for the proposed development pursuant to ZR 62-837(a); and N 220353 ZAQ (L.U. No. 96), a waterfront authorization to modify requirements of the waterfront public access area pursuant to ZR 62-822(a);

**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 7, 2022;

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

**WHEREAS**, the Council has considered the relevant environmental issues, including the Positive Declaration issued February 19<sup>th</sup>, 2021 (CEQR No. 21DCP138Q) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on July 14, 2022, in which potential significant adverse impacts related to hazardous materials, air quality, and noise would be avoided through the placement of (E) designations (E-671) on Projected Development Sites 1 and 2 (Block 911, Lots 1 and 49, respectively). The FEIS determined that the proposed actions could have significant adverse impacts with respect to community facilities (elementary schools and early childhood programs), open space, transportation (transit, traffic, pedestrians, and noise), noise, and construction (transportation and noise); and the identified significant adverse impacts and proposed mitigation measures are summarized in Chapter 18, "Mitigation" of the FEIS, and are included in the Restrictive Declaration. The technical Memorandum dated July 22, 2022 concludes that the

application as modified would not result in any significant adverse impacts that were not already identified in the FEIS issued on July 14, 2022 (the “Technical Memorandum”).

**RESOLVED:**

Having considered the FEIS and Technical Memorandum with respect to the Decision and Application, the Council finds that:

1. The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
2. Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action with the modifications set forth and analyzed in the Technical memorandum dated July 22, 2022 is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
3. The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating, as conditions to the approval, pursuant to the restrictive declaration attached as Exhibit A to City Planning Commission report for C 220198 ZSQ, those project components related to environment and mitigation measures that were identified as practicable.

The Decision, together with the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 199 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 220206 MMQ, incorporated by reference herein, and the record before the Council, the Council approves the Decision for an amendment to the City Map involving:

- the elimination of 3<sup>rd</sup> Street within the area bounded by 8<sup>th</sup> Street, 26<sup>th</sup> Avenue, 2<sup>nd</sup> Street and the U.S Pierhead and Bulkhead line;
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 5037 dated March 24, 2022 and signed by the Borough President, is approved.

All such approvals being subject to the following conditions:

- a. The subject amendment to the City Map shall take effect on the day following the day on which certified counterparts of Map No. C 220206 MMQ dated March 14, 2022 are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter.

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, JOSEPH C. BORELLI; 10-0-0; *Absent*: Francisco P. Moya and Farah N. Louis; *Maternity*: Pierina Ana Sanchez; Committee on Land Use, September 13, 2022. *Other Council Members Attending*: Council Member Cabán.

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

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

- |                                     |   |
|-------------------------------------|---|
| (1) <b>Int 116-A -</b>              | Creating a one-stop shop small business portal.   |
| (2) <b>Int 206-A -</b>              | Commissioner of Information Technology and Telecommunications to report on wait times for the 311 customer service center to connect callers to an interpreter.                 |
| (3) <b>Int 240-A -</b>              | Department of Information Technology and Telecommunications updating 311 complaint types and reporting on such updates.   |
| (4) <b>Int 296-A -</b>              | Identification of languages spoken by callers to the 311 customer service center.   |
| (5) <b>Int 383-A -</b>              | Registration requirements and the datasets for ground floor or second floor commercial premises.  |
| (6) <b>Res 306-A -</b>              | Increase in the annual expenditure for the Fifth Avenue Association, 125th Street, Columbus/Amsterdam, DUMBO, and Court-Livingston-Schermerhorn Business Improvement Districts. |
| (7) <b>Preconsidered Res 327 -</b>  | New designation and changes in the designation of certain organizations to receive funding in the Expense Budget ( <b>Transparency Resolution</b> ).                            |
| (8) <b>L.U. 89 &amp; Res 335 –</b>  | <b>App. C 210394 ZMQ (231-06 Northern Boulevard Commercial Overlay)</b> Borough of Queens, Community District 11, Council District 19.  |
| (9) <b>L.U. 90 &amp; Res 336 –</b>  | <b>App. C 220196 ZMQ (Halletts North)</b> Borough of Queens, Community District 1, Council District 22.   |
| (10) <b>L.U. 91 &amp; Res 337 –</b> | <b>App. N 220197 ZRQ (Halletts North)</b> Borough of Queens, Community District 1, Council District 22.   |

- (11) L.U. 92 & Res 333 – **App. C 220356 HAX (2017 Grand Concourse)** Borough of the Bronx, Community District 5, Council District 14.
- (12) L.U. 93 & Res 334 – **App. C 220357 PQX (2017 Grand Concourse)** Borough of the Bronx, Community District 5, Council District 14.
- (13) L.U. 94 & Res 338 – **App. C 220198 ZSQ (Halletts North)** Borough of Queens, Community District 1, Council District 22.
- (14) L.U. 95 & Res 339 – **App. C 220206 MMQ (Halletts North)** Borough President, Borough of Queens, Community District 1, Council District 22.

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

**Affirmative** – Abreu, Ariola, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Vernikov, Williams, Won, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **50**.

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

The following was the vote recorded for **Int. No. 383-A**:

**Affirmative** – Abreu, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Restler, Richardson Jordan, Riley, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Williams, Won, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **43**.

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

The following was the vote recorded for **Res. No. 306-A**:

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

**Negative** – Yeger – **1**.

The following was the vote recorded for **Res. No. 327**:

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

**Negative** – Ariola, Carr, Holden, Paladino, Sanchez, Vernikov, and the Minority Leader (Council Member Borelli) - **7**.

**Abstention** – Yeger – **1**.

The following was the vote recorded for **L.U. No. 90 & Res. No. 336; L.U. No. 91 & Res. No. 337; L.U. No. 94 & Res. No. 338; and L.U. No. 95 & Res. No. 339**:

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

**Negative** – Barron – **1**.

*The following Introductions were sent to the Mayor for his consideration and approval:  
Int. Nos. 116-A, 206-A, 240-A, 296-A, and 383-A.*

## INTRODUCTION AND READING OF BILLS

Int. No. 701

By Council Members Abreu and Hanif.

### **A Local Law in relation to reporting on employment turnover of city employees during the COVID-19 emergency, and providing for the repeal of such requirement upon the expiration thereof**

*Be it enacted by the Council as follows:*

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

Agency. The term “agency” has the same meaning ascribed to such term in section 1150 of the New York city charter and shall include the offices of the borough presidents, the comptroller and the public advocate.

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

COVID-19 local state of emergency. The term “COVID-19 local state of emergency” means the local state of emergency declared by the mayor in executive order number 98 issued on March 12, 2020, or any executive order renewing or extending such emergency.

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

§ 2. a. No later than 4 years after the COVID-19 local state of emergency has expired, the department shall submit a report to the mayor and the speaker of the council regarding employment turnover of city employees during the COVID-19 local state of emergency.

b. The report required by subdivision a of this section shall include the following information:

1. The total number of active city employees employed by each agency 3 years before the COVID-19 local state of emergency was declared;
2. The total number of active city employees employed by each agency 2 years before the COVID-19 local state of emergency was declared;
3. The total number of active city employees employed by each agency 1 year before the COVID-19 local state of emergency was declared;
4. The total number of active city employees employed by each agency on the date the COVID-19 local state of emergency was declared;
5. The total number of city employees in each EEO-4 job group at each agency whose employment was involuntarily terminated during the 3 years before the COVID-19 local state of emergency was declared;
6. The total number of city employees at each agency whose employment was involuntarily terminated during the 3 years before the COVID-19 local state of emergency was declared, disaggregated by the reason for termination;
7. The total number of city employees in each EEO-4 job group at each agency whose employment was voluntarily terminated by the employee during the 3 years before the COVID-19 local state of emergency was declared;
8. The total number of city employees at each agency whose employment was voluntarily terminated by the employee during the 3 years before the COVID-19 local state of emergency was declared, disaggregated by the reason for termination, if such information is available;
9. The total number of city employees who were transferred to another agency during the 3 years before the COVID-19 local state of emergency was declared;
10. The total number of active city employees employed by each agency during the pendency of the COVID-19 local state of emergency;
11. The total number of city employees in each EEO-4 job group at each agency whose employment was involuntarily terminated during the pendency of the COVID-19 local state of emergency;
12. The total number of city employees at each agency whose employment was involuntarily terminated during the pendency of the COVID-19 local state of emergency, disaggregated by the reason for termination;
13. The total number of city employees in each EEO-4 job group at each agency whose employment was voluntarily terminated by the employee during the pendency of the COVID-19 local state of emergency;

14. The total number of city employees at each agency whose employment was voluntarily terminated by the employee during the pendency of the COVID-19 local state of emergency, disaggregated by the reason for termination, if such information is available;

15. The total number of city employees who were transferred to another agency during the pendency of the COVID-19 local state of emergency;

16. The total number of active city employees employed by each agency on the date the COVID-19 local state of emergency expired;

17. The total number of active city employees employed by each agency 1 year after the COVID-19 local state of emergency expired;

18. The total number of active city employees employed by each agency 2 years after the COVID-19 local state of emergency expired;

19. The total number of active city employees employed by each agency 3 years after the COVID-19 local state of emergency expired;

20. The total number of city employees in each EEO-4 job group at each agency whose employment was involuntarily terminated during the 3 years after the COVID-19 local state of emergency expired;

21. The total number of city employees at each agency whose employment was involuntarily terminated during the 3 years after the COVID-19 local state of emergency expired, disaggregated by the reason for termination;

22. The total number of city employees in each EEO-4 job group at each agency whose employment was voluntarily terminated by the employee during the 3 years after the COVID-19 local state of emergency expired;

23. The total number of city employees at each agency whose employment was voluntarily terminated by the employee during the 3 years after the COVID-19 local state of emergency expired, disaggregated by the reason for termination, if such information is available; and

24. The total number of city employees who were transferred to another agency during the 3 years after the COVID-19 local state of emergency expired.

§ 3. The department shall include in the report required by section two of this local law recommendations for policies that could be implemented by agencies to retain city employees.

§ 4. All agencies shall cooperate with the department as may be necessary and proper to ensure compliance with this local law. The department may request from any agency, including the office of payroll administration and financial information services agency, information it deems necessary to enable it to properly carry out its function.

§ 5. The report required by section two of this local law shall not include any personally identifiable information.

§ 6. This local law takes effect immediately and expires and is deemed repealed upon submission of the report required by section two of this local law.

Referred to the Committee on Governmental Operations.

Int. No. 702

By Council Members Abreu, Williams, Brannan, Riley, Hanif, Restler, Hudson and Joseph.

**A Local Law to amend the administrative code of the city of New York, in relation to prohibiting discrimination on the basis of having a tattoo**

*Be it enacted by the Council as follows:*

Section 1. Section 8-101 of the administrative code of the city of New York, as amended by local law number 58 for the year 2020, is amended to read as follows:

§ 8-101 Policy.

In the city of New York, with its great cosmopolitan population, there is no greater danger to the health, morals, safety and welfare of the city and its inhabitants than the existence of groups prejudiced against one

another and antagonistic to each other because of their actual or perceived differences, including those based on race, color, creed, age, national origin, immigration or citizenship status, gender, sexual orientation, disability, marital status, partnership status, caregiver status, sexual and reproductive health decisions, uniformed service, any lawful source of income, *whether a person has a tattoo*, status as a victim of domestic violence or status as a victim of sex offenses or stalking, whether children are, may be or would be residing with a person or conviction or arrest record. The council hereby finds and declares that prejudice, intolerance, bigotry, and discrimination, bias-related violence or harassment and disorder occasioned thereby threaten the rights and proper privileges of its inhabitants and menace the institutions and foundation of a free democratic state. The council further finds and declares that gender-based harassment threatens the terms, conditions and privileges of employment. A city agency is hereby created with power to eliminate and prevent discrimination from playing any role in actions relating to employment, public accommodations, and housing and other real estate, and to take other actions against prejudice, intolerance, bigotry, discrimination, sexual harassment and bias-related violence or harassment as herein provided; and the commission established hereunder is hereby given general jurisdiction and power for such purposes.

§ 2. Section 8-107 of the administrative code of the city of New York is amended to add the definitions of bona fide occupational qualification and tattoo in alphabetical order to read as follows:

*Bona fide occupational qualification. The term “bona fide occupational qualification” means those vocational qualifications that are reasonably necessary to carrying out a particular job function in the normal operation of a business or apprentice training program.*

*Tattoo. The term “tattoo” means any mark on the body of a person made with indelible ink or pigments injected beneath the outer layer of the skin.*

§ 3. Paragraphs (a), (b), (c) and (d) of subdivision 1 of section 8-107 of the administrative code of the city of New York, as amended by local law number 58 for the year 2020, are amended to read as follows:

(a) For an employer or an employee or agent thereof, because of the actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, caregiver status, sexual and reproductive health decisions, sexual orientation, uniformed service, *tattoo* or immigration or citizenship status of any person:

- (1) To represent that any employment or position is not available when in fact it is available;
- (2) To refuse to hire or employ or to bar or to discharge from employment such person; or
- (3) To discriminate against such person in compensation or in terms, conditions or privileges of employment.

(b) For an employment agency or an employee or agent thereof to discriminate against any person because of such person’s actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, caregiver status, sexual and reproductive health decisions, sexual orientation, uniformed service, *tattoo* or immigration or citizenship status in receiving, classifying, disposing or otherwise acting upon applications for its services, including by representing to such person that any employment or position is not available when in fact it is available, or in referring an applicant or applicants for its services to an employer or employers.

(c) For a labor organization or an employee or agent thereof, because of the actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, caregiver status, sexual and reproductive health decisions, sexual orientation, uniformed service, *tattoo* or immigration or citizenship status of any person, to exclude or to expel from its membership such person, to represent that membership is not available when it is in fact available, or to discriminate in any way against any of its members or against any employer or any person employed by an employer.

(d) For any employer, labor organization or employment agency or an employee or agent thereof to declare, print or circulate or cause to be declared, printed or circulated any statement, advertisement or publication, or to use any form of application for employment or to make any inquiry in connection with prospective employment, which expresses, directly or indirectly, any limitation, specification or discrimination as to age, race, creed, color, national origin, gender, disability, marital status, partnership status, caregiver status, sexual and reproductive health decisions, sexual orientation, uniformed service, *tattoo* or immigration or citizenship status, or any intent to make any such limitation, specification or discrimination.

§ 4. Subdivision 1 of section 8-107 of the administrative code of the city of New York is amended by adding new paragraphs (g) and (h) to read as follows:



*(g) Applicability; tattoo. The provisions of this subdivision with respect to tattoos shall not (i) apply where the commission grants an exception based on considerations of public policy or (ii) be interpreted or applied to create any requirement, power or duty in conflict with any federal or state law.*

*(h) Bona fide occupational qualification. Notwithstanding any other provision of this subdivision, with respect to tattoos, if a covered entity requests an employee with a tattoo cover such tattoo during the course of employment, the covered entity shall have the burden of proving (i) the absence of a tattoo is in fact a bona fide occupational qualification, and (ii) there exists no less discriminatory means of satisfying the occupational qualification.*

§ 5. Paragraphs (b), (c) and (d) of subdivision 2 of section 8-107 of the administrative code of the city of New York, as amended by local law number 58 for the year 2020, are amended to read as follows:

(b) To deny to or withhold from any person because of such person's actual or perceived race, creed, color, national origin, gender, age, disability, marital status, partnership status, sexual and reproductive health decisions, sexual orientation, uniformed service, *tattoo*, immigration or citizenship status or status as a victim of domestic violence or as a victim of sex offenses or stalking the right to be admitted to or participate in a guidance program, an apprentice training program, on-the-job training program, or other occupational training or retraining program, or to represent that such program is not available when in fact it is available.

(c) To discriminate against any person in such person's pursuit of such program or to discriminate against such a person in the terms, conditions or privileges of such program because of actual or perceived race, creed, color, national origin, gender, age, disability, marital status, partnership status, sexual and reproductive health decisions, sexual orientation, uniformed service, *tattoo*, immigration or citizenship status or status as a victim of domestic violence or as a victim of sex offenses or stalking.

(d) To declare, print or circulate or cause to be declared, printed or circulated any statement, advertisement or publication, or to use any form of application for such program or to make any inquiry in connection with such program which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin, gender, age, disability, marital status, partnership status, sexual and reproductive health decisions, sexual orientation, uniformed service, *tattoo*, immigration or citizenship status or status as a victim of domestic violence or as a victim of sex offenses or stalking, or any intent to make any such limitation, specification or discrimination.

§ 6. Subdivision 2 of section 8-107 of the administrative code of the city of New York is amended by adding new paragraphs (g) and (h) to read as follows:

*(g) Applicability; tattoo. The provisions of this subdivision, with respect to tattoos, shall not (i) apply where the commission grants an exception based on considerations of public policy or (ii) be interpreted or applied to create any requirement, power or duty in conflict with any federal or state law.*

*(h) Bona fide occupational qualification. Notwithstanding any other provision of this subdivision, with respect to tattoos, if a covered entity requests an apprentice with a tattoo in an apprentice training program cover such tattoo during the course of such program, such entity shall have the burden of proving (i) the absence of a tattoo is in fact a bona fide occupational qualification, and (ii) there exists no less discriminatory means of satisfying the occupational qualification.*

§ 7. Paragraph (a) of subdivision 3 of section 8-107 of the administrative code of the city of New York, as amended by local law number 63 for the year 2018, is amended to read as follows:

(a) It shall be an unlawful discriminatory practice for an employer or an employee or agent thereof to impose upon a person as a condition of obtaining or retaining employment any terms or conditions, compliance with which would require such person to violate, or forego a practice of, such person's creed or religion, including but not limited to the observance of any particular day or days or any portion thereof as a sabbath or holy day or the observance of any religious custom or usage, *including, but not limited to, a tattoo*, and the employer shall make reasonable accommodation to the religious needs of such person. Without in any way limiting the foregoing, no person shall be required to remain at such person's place of employment during any day or days or portion thereof that, as a requirement of such person's religion, such person observes as a sabbath or other holy day, including a reasonable time prior and subsequent thereto for travel between such person's place of employment and such person's home, provided, however, that any such absence from work shall, wherever practicable in the judgment of the employer, be made up by an equivalent amount of time at some other mutually convenient time.

§ 8. Subparagraphs 1 and 2 of paragraph a of subdivision 4 of section 8-107 of the administrative code of the city of New York, as amended by local law number 58 for the year 2020, are amended to read as follows:

1. Because of any person's actual or perceived race, creed, color, national origin, age, gender, disability, marital status, partnership status, sexual orientation, uniformed service, *tattoo* or immigration or citizenship status, directly or indirectly:

(a) To refuse, withhold from or deny to such person the full and equal enjoyment, on equal terms and conditions, of any of the accommodations, advantages, services, facilities or privileges of the place or provider of public accommodation; or

(b) To represent to any person that any accommodation, advantage, facility or privilege of any such place or provider of public accommodation is not available when in fact it is available; or

2. Directly or indirectly to make any declaration, publish, circulate, issue, display, post or mail any written or printed communication, notice or advertisement, to the effect that:

(a) Full and equal enjoyment, on equal terms and conditions, of any of the accommodations, advantages, facilities and privileges of any such place or provider of public accommodation shall be refused, withheld from or denied to any person on account of race, creed, color, national origin, age, gender, disability, marital status, partnership status, sexual orientation, uniformed service, *tattoo* or immigration or citizenship status; or

(b) The patronage or custom of any person is unwelcome, objectionable, not acceptable, undesired or unsolicited because of such person's actual or perceived race, creed, color, national origin, age, gender, disability, marital status, partnership status, sexual orientation, uniformed service, *tattoo* or immigration or citizenship status.

§ 9. Subparagraphs (1) and (2) of paragraph (a) of subdivision 5 of section 8-107 of the administrative code of the city of New York, as amended by local law number 58 for the year 2020, are amended to read as follows:

(1) Because of the actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, uniformed service, marital status, partnership status, *tattoo* or immigration or citizenship status of any person or group of persons, or because of any lawful source of income of such person or persons, or because children are, may be or would be residing with such person or persons:

(a) To refuse to sell, rent, lease, approve the sale, rental or lease or otherwise deny to or withhold from any such person or group of persons such a housing accommodation or an interest therein;

(b) To discriminate against any such person or persons in the terms, conditions or privileges of the sale, rental or lease of any such housing accommodation or an interest therein or in the furnishing of facilities or services in connection therewith; or

(c) To represent to such person or persons that any housing accommodation or an interest therein is not available for inspection, sale, rental or lease when in fact it is available to such person.

(2) To declare, print or circulate or cause to be declared, printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of such a housing accommodation or an interest therein or to make any record or inquiry in conjunction with the prospective purchase, rental or lease of such a housing accommodation or an interest therein which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin, gender, age, disability, sexual orientation, uniformed service, marital status, partnership status, *tattoo* or immigration or citizenship status, or any lawful source of income, or whether children are, may be, or would be residing with a person, or any intent to make such limitation, specification or discrimination.

§ 10. Subparagraphs (1) and (2) of paragraph (b) of subdivision 5 of section 8-107 of the administrative code of the city of New York, as amended by local law number 58 for the year 2020, amended to read as follows:

(1) Because of the actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, uniformed service, marital status, partnership status, *tattoo*, or immigration or citizenship status of any person or group of persons, or because children are, may be or would be residing with any person or persons:

(A) To refuse to sell, rent, lease, approve the sale, rental or lease or otherwise deny to or withhold from any such person or group of persons land or commercial space or an interest therein;

(B) To discriminate against any such person or persons in the terms, conditions or privileges of the sale, rental or lease of any such land or commercial space or an interest therein or in the furnishing of facilities or services in connection therewith; or

(C) To represent to any person or persons that any land or commercial space or an interest therein is not available for inspection, sale, rental or lease when in fact it is available.

(2) To declare, print or circulate or cause to be declared, printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of such land or commercial space or an interest therein or to make any record or inquiry in connection with the prospective purchase, rental or lease of such land or commercial space or an interest therein which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin, gender, age, disability, sexual orientation, uniformed service, marital status, partnership status, *tattoo*, or immigration or citizenship status, or whether children are, may be or would be residing with such person, or any intent to make any such limitation, specification or discrimination.

§ 11. Subparagraphs (1), (2) and (3) of paragraph (c) of subdivision 5 of section 8-107 of the administrative code of the city of New York, as amended by local law number 58 for the year 2020, are amended to read as follows:

(1) To refuse to sell, rent or lease any housing accommodation, land or commercial space or an interest therein to any person or group of persons or to refuse to negotiate for the sale, rental or lease, of any housing accommodation, land or commercial space or an interest therein to any person or group of persons because of the actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, uniformed service, marital status, partnership status, *tattoo*, or immigration or citizenship status of such person or persons, or because of any lawful source of income of such person or persons, or because children are, may be or would be residing with such person or persons, or to represent that any housing accommodation, land or commercial space or an interest therein is not available for inspection, sale, rental or lease when in fact it is so available, or otherwise to deny or withhold any housing accommodation, land or commercial space or an interest therein or any facilities of any housing accommodation, land or commercial space or an interest therein from any person or group of persons because of the actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, uniformed service, marital status, partnership status, *tattoo*, or immigration or citizenship status of such person or persons, or because of any lawful source of income of such person or persons, or because children are, may be or would be residing with such person or persons.

(2) To declare, print or circulate or cause to be declared, printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of any housing accommodation, land or commercial space or an interest therein or to make any record or inquiry in connection with the prospective purchase, rental or lease of any housing accommodation, land or commercial space or an interest therein which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin, gender, age, disability, sexual orientation, uniformed service, marital status, partnership status, *tattoo*, or immigration or citizenship status, or any lawful source of income, or to whether children are, may be or would be residing with a person, or any intent to make such limitation, specification or discrimination.

(3) To induce or attempt to induce any person to sell or rent any housing accommodation, land or commercial space or an interest therein by representations, explicit or implicit, regarding the entry or prospective entry into the neighborhood or area of a person or persons of any race, creed, color, gender, age, disability, sexual orientation, uniformed service, marital status, partnership status, national origin, *tattoo*, immigration or citizenship status, or a person or persons with any lawful source of income, or a person or persons with whom children are, may be or would be residing.

§ 12. Subparagraphs (1) and (2) of paragraph (d) of subdivision 5 of section 8-107 of the administrative code of the city of New York, as amended by local law number 58 for the year 2020, amended to read as follows:

(1) It shall be an unlawful discriminatory practice for any person, bank, trust company, private banker, savings bank, industrial bank, savings and loan association, credit union, investment company, mortgage company, insurance company, or other financial institution or lender, doing business in the city, including unincorporated entities and entities incorporated in any jurisdiction, or any officer, agent or employee thereof to whom application is made for a loan, mortgage or other form of financial assistance for the purchase, acquisition, construction, rehabilitation, repair or maintenance of any housing accommodation, land or commercial space or an interest therein:

(A) To discriminate against such applicant in the granting, withholding, extending or renewing, or in the fixing of rates, terms or conditions of any such financial assistance or in the appraisal of any housing accommodation, land or commercial space or an interest therein:

(i) Because of the actual or perceived race, creed, color, national origin, gender, disability, sexual orientation, age, marital status, uniformed service, partnership status, *tattoo*, or immigration or citizenship status of such

applicant, any member, stockholder, director, officer or employee of such applicant, or the occupants or tenants or prospective occupants or tenants of such housing accommodation, land or commercial space; or

(ii) Because children are, may be or would be residing with such applicant or other person.

(B) To use any form of application for a loan, mortgage, or other form of financial assistance, or to make any record or inquiry in connection with applications for such financial assistance, or in connection with the appraisal of any housing accommodation, land or commercial space or an interest therein, which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin, gender, disability, sexual orientation, uniformed service, age, marital status, partnership status, *tattoo*, or immigration or citizenship status, or whether children are, may be, or would be residing with a person.

(2) It shall be an unlawful discriminatory practice for any person, bank, trust company, private banker, savings bank, industrial bank, savings and loan association, credit union, investment company, mortgage company, insurance company, or other financial institution or lender, doing business in the city, including unincorporated entities and entities incorporated in any jurisdiction, or any officer, agent or employee thereof to represent to any person that any type or term of loan, mortgage or other form of financial assistance for the purchase, acquisition, construction, rehabilitation, repair or maintenance of such housing accommodation, land or commercial space or an interest therein is not available when in fact it is available:

(A) Because of the actual or perceived race, creed, color, national origin, gender, disability, sexual orientation, uniformed service, age, marital status, partnership status, *tattoo*, or immigration or citizenship status of such person, any member, stockholder, director, officer or employee of such person, or the occupants or tenants or prospective occupants or tenants of such housing accommodation, land or commercial space; or

(B) Because children are, may be or would be residing with a person.

§ 13. Paragraph (e) of subdivision 5 of section 8-107 of the administrative code of the city of New York, as amended by local law number 58 for the year 2020, is amended to read as follows:

(e) Real estate services. It shall be an unlawful discriminatory practice, because of the actual or perceived race, creed, color, national origin, gender, disability, sexual orientation, uniformed service, age, marital status, partnership status, *tattoo*, or immigration or citizenship status of any person or because children are, may be or would be residing with such person:

§ 14. Paragraph (f) of subdivision 5 of section 8-107 of the administrative code of the city of New York, as amended by local law number 58 for the year 2020, is amended to read as follows:

(f) Real estate related transactions. It shall be an unlawful discriminatory practice for any person whose business includes the appraisal of housing accommodations, land or commercial space or interest therein or an employee or agent thereof to discriminate in making available or in the terms or conditions of such appraisal on the basis of the actual or perceived race, creed, color, national origin, gender, disability, sexual orientation, uniformed service, age, marital status, partnership status, *tattoo*, or immigration or citizenship status of any person or because children are, may be or would be residing with such person.

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

*(m-1) Applicability; discrimination against persons with a tattoo. The provisions of this subdivision, with respect to a tattoo, shall not (i) apply where the commission grants an exception based on considerations of public policy or (ii) be interpreted or applied to create any requirement, power or duty in conflict with any federal or state law.*

§ 16. This local law takes effect 180 days after it becomes law, except that the chairperson of the New York city commission on human rights 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 Civil Service and Labor.

## Int. No. 703

By Council Members Abreu, Avilés, Restler, Hudson and Ung.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring information on the timeliness of city-funded rental payments**

*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 21-145.3 to read as follows:

*§ 21-145.3 Rental assistance payments report. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

*Rental assistance payments. The term “rental assistance payments” means payments made by the department to landlords on behalf of tenants pursuant to programs administered by the department.*

*Scheduled payment date. The term “scheduled payment date” means the date the department has informed tenants that rental assistance payments will be sent by the department to landlords on behalf of such tenants.*

*b. The department shall submit to the speaker of the council and post on its website quarterly reports on the timeliness of rental assistance payments. The first such report shall be due 30 days following the end of the calendar quarter covering October 1, 2023 to December 31, 2023, and all subsequent reports shall be due 30 days following the last day of each succeeding calendar quarter. Such reports shall include, but not be limited to, the following information:*

*1. The total number of rental assistance payments sent disaggregated by month and rental assistance program;*

*2. The number of rental assistance payments sent after the scheduled payment date, disaggregated by the reasons such payments were late; and*

*3. A description of the actions the department will take to ensure rental assistance payments are consistently made on or before the scheduled payment date.*

*§ 2. This local law takes effect immediately.*

Referred to the Committee on General Welfare.

## Int. No. 704

By Council Members Abreu, Avilés, Restler, Hudson, Ung and Joseph.

**A Local Law to amend the administrative code of the city of New York, in relation to the receipt of rental assistance payments**

*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 21-145.3 to read as follows:

*§ 21-145.3 Rental assistance payments. a. Definitions. For the purposes of this section, the term “rental assistance payments” means payments made by the department to landlords on behalf of tenants pursuant to programs administered by the department.*

*b. The department shall provide landlords the option to accept rental assistance payments via an electronic transfer into a bank account.*

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

Referred to the Committee on General Welfare.

## Int. No. 705

By Council Members Abreu, Restler and Joseph (by request of the Manhattan Borough President).

**A Local Law to amend the administrative code of the city of New York, in relation to the rights and responsibilities of tenants and owners regarding the lawful collection of rents**

*Be it enacted by the Council as follows:*

Section 1. Paragraph 1 of subdivision b of section 26-1102 of the administrative code of New York, as added by local law number 45 of 2014, is amended to read as follows:

(1) owners' responsibilities with respect to eviction, heat and hot water, pest management, repairs and maintenance, tenant organizations, rent-regulated leases, rental assistance for elderly or disabled tenants, the limitation on the collection of rents if the owner violates the dwelling's certificate of occupancy, and housing discrimination;

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

Referred to the Committee on Housing and Buildings.

## Int. No. 706

By Council Members Abreu, Bottcher, De La Rosa, Nurse, Lee, Hanif, Brewer, Restler, Hudson, Avilés and Joseph.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the office of community mental health to create an online services portal and guide**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new subchapter 9 to read as follows:

**SUBCHAPTER 9**  
**OFFICE OF COMMUNITY MENTAL HEALTH AND MENTAL HEALTH COUNCIL**

*§ 3-190 Definitions. For purposes of this subchapter, the following terms have the following meanings:*

*Director. The term “director” means the director of the office of community mental health.*

*Mental health council. The term “mental health council” means the council to advise the office on issues relating to mental health and mental health care and facilitate coordination and cooperation among city agencies.*

*Office. The term “office” means the office of community mental health.*

*§ 3-191 Online services portal and guide. a. Definitions. For purposes of this section, the following terms have the following meanings:*

*Designated citywide languages. The term “designated citywide languages” has the same meaning ascribed to such term in subdivision a of section 23-1101.*

*LGBTQI+. The term “LGBTQI+” means lesbian, gay, bisexual, transgender, queer, questioning, intersex, gender non-conforming or non-binary.*

*Relevant agencies. The term “relevant agencies” means the department of education, department of health and mental hygiene, the department of social services, the department of youth and community development, the office of data analytics, the mayor’s office for persons with disabilities, the mayor’s office of criminal justice, any successor of an agency specified in this definition, and any other agency that the office deems relevant.*

*Relevant organization. The term “relevant organization” means an organization that provides services, which include, but are not limited to, crisis, housing, inpatient care, legal, outpatient care and substance misuse services to an individual with a mental health need or to persons caring for such an individual.*

*b. Online portal. 1. The office, in consultation with the relevant agencies and the relevant organizations, shall create and maintain on its website a publicly accessible portal of mental health services provided by all relevant agencies and relevant organizations in the city. Such online portal shall organize such services by population category, which shall include, but not be limited to, caregivers, English language learners, justice-involved individuals, LGBTQI+, seniors, the general population, veterans and youth. Each such population category shall be disaggregated into service subcategories, including, but not limited to, crisis, housing, inpatient care, legal, outpatient care and substance misuse services. Information about such services shall include, but not be limited to, the following:*

*(a) The name, address, contact information and website of the relevant agency or the relevant organization providing such service;*

*(b) The languages in which such agency or such organization provides such service;*

*(c) Whether such agency or such organization provides such service in person or remotely;*

*(d) Whether such agency or such organization provides such service via peers;*

*(e) Whether such service is accessible to persons with disabilities;*

*(f) The eligibility requirements of such service, if any, including, but not limited to, citizenship status or health insurance; and*

*(g) Any additional information that the office deems relevant.*

*2. The office, in consultation with the mayor’s office of information privacy or a successor of such office, shall ensure the online portal as required by paragraph 1 of this subdivision is secure to protect the privacy of individuals who access and utilize such portal.*

*3. The office, to coordinate the provision of mental health resources in the city, shall post a link to the portal required by paragraph 1 of this subdivision on the website of each relevant agency or relevant organization that lists mental health resources.*

*c. Guide. The office, in consultation with the relevant agencies and the relevant organizations, shall create and publish on its website a culturally appropriate guide written in plain English of the services listed on the portal as required by paragraph 1 of subdivision b of this section, organized by population category and service subcategory. The office, in consultation with the relevant agencies, shall translate such guide in the designated citywide languages and distribute it to individuals with mental health needs, persons caring for such individuals, the relevant agencies and the relevant organizations. The office shall publish on its website, and in any hard copy of such guide, information about how such agencies or organizations may notify the office about any changes in such services.*

*d. Outreach. The office, in consultation with the relevant agencies and the relevant organizations, shall conduct culturally appropriate outreach on the online portal as required by paragraph 1 of subdivision b of this section and the written guide as required by subdivision c of this section in the designated citywide languages.*

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

Referred to the Committee on Mental Health, Disabilities and Addiction.

Int. No. 707

By Council Members Avilés, Restler, Cabán, Gutiérrez, Hanif, Gennaro, Nurse, Hudson, Ung and Joseph (by request of the Brooklyn Borough President).

**A Local Law to amend the administrative code of the city of New York, in relation to air quality monitoring at designated “heavy use” thoroughfares**

*Be it enacted by the Council as follows:*

Section 1. Subchapter 6 of chapter 1 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-154.1 to read as follows:

§ 24-154.1 *Heavy use thoroughfares.* (a) *Definitions.* For purposes of this subdivision the following terms shall have the following meanings:

(1) *“Heavy use thoroughfare.”* The term *“heavy use thoroughfare”* means any highway, roadway or other traffic corridor that has traffic volume greater than the fiftieth percentile of the average New York city roadway corridors or has traffic in excess of 100,000 vehicles on an annual basis. Designation of heavy use thoroughfares shall be based upon verifiable use and traffic volume data obtained from transportation planning agencies including, but not limited to, the New York metropolitan transportation council, the department of transportation and the New York state department of transportation.

(2) *“Recreational area.”* The term *“recreational area”* means any park, playground, ball field and school playground that abuts a heavy use thoroughfare.

(3) *“Regulated air contaminant.”* The term *“regulated air contaminant”* means oxides of nitrogen, volatile organic compounds, sulfur dioxide, particulate matter, carbon monoxide, carbon dioxide, polycyclic aromatic hydrocarbons or any other air contaminant for which a national ambient air quality standard has been promulgated, or any air contaminant that is regulated under section 112 of the clean air act of 1963, as amended.

(4) *“At risk populations.”* The term *“at risk populations”* means persons 16 years of age or younger, persons who are pregnant, persons 60 years of age or older, and persons with weakened immune systems.

(b) No later than December 30, 2022, the department shall designate heavy use thoroughfares in every borough.

(c) No later than December 30, 2023, the department shall install street level air monitors at a minimum at two major intersections on every designated heavy use thoroughfare and at every recreational area.

(d) No later than December 30, 2024, and annually thereafter, the department shall issue a report to the mayor and to the speaker of the council containing the results of the air quality monitoring of designated heavy use thoroughfares. Such report shall also be posted on the department’s website.

(e) The department along with the department of transportation and the department of education shall collaboratively identify, develop and implement mitigation measures that significantly reduce or eliminate short-term and long term exposure risks where the results of the air quality monitoring on heavy use thoroughfares:

(1) Indicate that levels of any regulated air contaminant constitute a violation of an existing standard for that regulated air contaminant; or

(2) Indicate that levels of any regulated air contaminant contribute to an actual or potential danger to public health or the environment, based upon the most recent research available, including by presenting a health risk to at-risk populations.

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

Referred to the Committee on Environmental Protection.

Int. No. 708

By Council Members Avilés, Cabán, Restler, Gutiérrez, Louis, Hanif, Gennaro, Hudson and Joseph (by request of the Brooklyn Borough President).

**A Local Law to amend the administrative code of the city of New York, in relation to redesigning the truck route network to improve safety and reduce traffic congestion and emissions**

*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 19-192.1 to read as follows:

§ 19-192.1 *Redesigning Truck Routes.* a. *Definitions.* For the purposes of this section, the following terms have the following meanings:



*Daylighting.* The term “daylighting” means street design elements, including the removal of parking, for enhancing the visibility of cross traffic and pedestrians for motorists within 25 feet of an intersection and the imposition of turn restrictions.

*Large generator of truck traffic building.* The term “large generator of truck traffic building” means a commercial building that is over 500,000 gross square feet in size.

*b. Redesign.* The department shall redesign the city truck route network to improve safety, increase visibility, reduce traffic congestion and emissions, and reduce vehicle miles traveled. In redesigning such network, the department shall consult with the department of city planning, the department of buildings, the economic development corporation, small business services, the department of citywide administrative services, affected residents, representatives from businesses, owners of large generator of truck traffic buildings, representatives from environmental and climate justice organizations, representatives from street safety organizations, industrial business zone administrators, and the trucking, logistics and last-mile delivery industries. In addition, the department shall seek input from relevant state and federal agencies, including, but not limited to, the port authority of New York and New Jersey.

*d. Daylighting.* In connection with the redesign, the department shall implement daylighting at each intersection adjacent to the truck route network to improve sight lines and turning radii.

*c. Initial report.* No later than November 1, 2023, the department shall publish on its website, and submit to the speaker of the council and the mayor, a report describing the proposed redesigned truck route network and explaining the reasons for the proposed route adjustments. The report shall include consideration of existing city and regional logistics and distribution center networks, as well as recent trends in freight, logistics, and deliveries. Additionally, the report shall include recommendations for improving logistics related to truck routes, including but not limited to changes to truck route signage and cost estimates for truck route signage replacement on all truck routes, changes to the New York city zoning resolution, changes to the New York city building code, improvements to and investments in logistics centers such as marine transfer stations, proposals for delivery consolidation and distribution, proposals to reduce vehicle miles travelled and congestion, street safety design changes, improved truck specifications and design, vehicle procurement policies, and state and federal agency coordination.

*d. Public comment.* Upon issuing the report, the department shall provide no fewer than 30 days for public review and comment on the proposed routes and recommendations.

*e. Final report.* After considering all public input, but no later than 90 days following the end of the public comment period, the department shall publish on its website, and submit to the speaker of the council and the mayor, a revised report describing the final redesigned truck route network and recommendation implementation timeline.

*f. Implementation.* No later than June 1, 2024, the department shall implement the redesigned truck route network, including the daylighting of every intersection adjacent to the truck route network.

*g. Signage.* No later than July 1, 2024, the department shall review all truck route signage and replace signage along such redesigned truck route network where deemed necessary for improved visibility.

§ 2. This local law takes effect immediately.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 709

By Council Members Borelli, Gennaro, Krishnan, Farías and Ariola.

**A Local Law to amend the administrative code of the city of New York, in relation to conducting beach water quality monitoring on a daily basis**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-126 to read as follows:

§ 17-126 Beach water quality monitoring. a. Definitions. As used in this section, the following terms have the following meanings:

*Bathing.* The term “bathing” means recreational activities where any part of the human body may come in direct contact with water to the point of complete body submergence. Bathing includes but is not limited to, swimming, diving and wading.

*Bathing Beach.* The term “bathing beach” means any waterfront area of the city where bathing is permitted.

*Operational season.* The term “operational season” means the period when bathing beaches are open to the public.

b. The department shall test water quality levels of all bathing beaches within its jurisdiction on a daily basis during the operational season.

§ 2. This local law takes effect immediately.

Referred to the Committee on Health.

#### Int. No. 710

By Council Members Borelli, Louis, Gennaro, Krishnan, Farías and Ariola.

### **A Local Law to amend the administrative code of the city of New York, in relation to posting water quality monitoring test results at beaches**

*Be it enacted by the Council as follows:*

Section 1. Paragraphs 2 and 3 of subdivision c of section 18-131 of the administrative code of the city of New York, as added by local law number 29 for the year 2005, are amended to read as follows:

2. The availability of information regarding bathing beaches from the department of health and mental hygiene, which shall include, but not be limited to, the following:

(i) water quality monitoring test results including detected contaminants and respective levels;

(ii) a description of the types of contaminants tested for and the threshold level needed to be reached to require bathing beach closure;

[(i)] (iii) a statement of the availability of information posted pursuant to paragraph three of this subdivision on the department of health and mental hygiene’s official website and provided to the 311 citizen service center;

[(ii)] (iv) if a particular bathing beach is under advisory or closed, the reason for such advisory or closure;

[(iii)] (v) an explanation of how to file a beach-related illness complaint;

[(iv)] (vi) any other information the commissioner of health and mental hygiene shall deem appropriate or as required by law, rule or regulation.

3. The commissioner of health and mental hygiene shall make the information in subparagraphs [ii through iv] i, ii and iv through vi of paragraph two of this subdivision available on its official website and to the 311 citizen service center. In addition, the commissioner of health and mental hygiene shall make available on its official website and to the 311 citizen service center the information set forth in subparagraphs i through vi of this paragraph, and shall make the information in subparagraphs i, ii and iv of this paragraph available within twenty-four hours of receiving the results of any test performed, or by the end of the business day following receipt of the results of any test performed, whichever is later.

§ 2. This local law takes effect immediately.

Referred to the Committee on Parks and Recreation.

## Int. No. 711

By Council Members Borelli and Hanks.

**A Local Law to amend the administrative code of the city of New York, in relation to Staten Island ferry service**

*Be it enacted by the Council as follows:*

Section 1. Section 19-305 of the administrative code of the city of New York is amended by adding a new subdivision c to read as follows:

*c. In the event of any such disruption in the schedule of service set forth in subdivision a of this section that lasts longer than twenty-four hours, the department shall provide a free alternative transportation service until ferry service is restored. Such alternative service shall operate, at a minimum, according to the schedule of regular service as set forth in subdivision a of this section.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Transportation and Infrastructure.

## Int. No. 712

By Council Members Bottcher, Brewer, Restler, Hudson, Ung and Joseph.

**A Local Law to amend the administrative code of the city of New York, in relation to reporting on evasion of photo-violation monitoring systems by motor vehicles with unreadable license plates**

*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 19-198.1 to read as follows:

§ 19-198.1 *Photo-violation monitoring, unreadable license plates. a. Definitions. For purposes of this section, the following terms have the following meanings:*

*Camera violation. The term “camera violation” means a violation for which a notice of liability is authorized to be issued after being recorded by a photo violation-monitoring system pursuant to section 1111-a of the vehicle and traffic law, section 1180-b of the vehicle and traffic law or section 19-210.*

*Unreadable license plate. The term “unreadable license plate” means a license plate that a photo-violation monitoring system does not read because (i) a camera malfunctioned, (ii) such license plate’s number is concealed or obscured from such camera or (iii) such license plate produces a distorted recorded or photographic image on such camera.*

*b. Reporting. Beginning no later than 60 days after the effective date of this section, and monthly thereafter, the commissioner, in consultation with the police department and the department of finance, shall conspicuously post a report on camera violations by motor vehicles with unreadable license plates on the department’s website. By January 31 of each year, the commissioner shall submit the monthly reports for the previous calendar year as a single report to the mayor and the speaker of the council. Such reports shall include, but need not be limited to, a list of each camera violation involving an unreadable license plate during the reporting period, with each separate row of such list referencing a unique such violation and providing the following information about each such violation set forth in separate columns:*

- 1. The time and date that such violation occurred;*
- 2. The intersection where such violation occurred;*
- 3. The borough where such violation occurred;*
- 4. Whether such violation involved a red light camera or a school speed camera;*
- 5. Whether such license plate was unreadable because such camera malfunctioned; and*

6. *Whether such license plate was unreadable because such license plate was concealed or obscured from such camera or produced a distorted recorded or photographic image on such camera, including, but not limited to, because such license plate was a paper license plate, had bent edges or had an artificial or synthetic material or substance applied to it.*

c. *Data dictionary. The report required pursuant to subdivision b of this section shall include a data dictionary.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Transportation and Infrastructure.

Preconsidered Res. No. 327

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

By Council Member Brannan.

**Whereas**, On June 13, 2022, the Council of the City of New York (the “City Council”) adopted the expense budget for Fiscal Year 2023 with various programs and initiatives (the “Fiscal 2023 Expense Budget”); and

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

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

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

**Whereas**, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2023, Fiscal 2022, Fiscal 2021, and Fiscal 2020 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local, youth, aging, and anti-poverty discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

**Whereas**, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2023 and Fiscal 2021 Expense Budgets by approving new Description/Scope of Services for certain organizations receiving local, youth and anti-poverty discretionary funding and certain organization receiving funding pursuant to certain initiatives; now, therefore, be it

**Resolved**, That the City Council approves the new designations and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2023 Expense Budget, as set forth in Chart 1; and be it further

**Resolved**, That the City Council approves the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 2; and be it further

**Resolved**, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the anti-poverty discretionary funding in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 3; and be it further

**Resolved**, That the City Council approves the change in the designation of a certain organization receiving aging discretionary funding in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 4; and be it further

**Resolved**, That the City Council approves the changes in designation of certain organizations receiving funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 5; and be it further

**Resolved,** That the City Council approves the new designations and the changes in the designation of certain organizations receiving funding pursuant to the Speaker's Initiative to Address Citywide Needs Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 6; and be it further

**Resolved,** That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Community Safety and Victim Services Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 7; and be it further

**Resolved,** That the City Council approves the new designations and the changes in designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 8; and be it further

**Resolved,** That the City Council approves the new designation and the changes in designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 9; and be it further

**Resolved,** That the City Council approves the new designations and the changes in designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 10; and be it further

**Resolved,** That the City Council approves the new designations and the changes in designation of certain organizations receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 11; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 12; and be it further

**Resolved,** That the City Council approves the new designations and the changes in designation of certain organizations receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 13; and be it further

**Resolved,** That the City Council approves the new designation and the changes in designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 14; and be it further

**Resolved,** That the City Council approves the new designation and the changes in designation of certain organizations receiving funding pursuant to the Support Our Seniors Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 15; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to Food Pantries Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 16; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Domestic Violence and Empowerment (DoVe) Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 17; and be it further

**Resolved,** That the City Council approves the changes in designation of a certain organization receiving funding pursuant to the Court Involved Youth Mental Health Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 18; and be it further

**Resolved,** That the City Council approves the changes in designation of certain organizations receiving funding pursuant to the Community Development Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 19; and be it further

**Resolved,** That the City Council approves the new designation of a certain organization receiving funding pursuant to the Care Workers for Our Future Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 20; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Domestic Worker and Employer Empowerment Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 21; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Pride at Work Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 22; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Support for Immigrant Women Workers in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 23; and be it further

**Resolved,** That the City Council approves the changes of designation of certain organizations receiving funding pursuant to the Worker Cooperative Business Development Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 24; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Low Wage Worker Support Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 25; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Abortion Access Fund Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 26; and be it further

**Resolved,** That the City Council approves the new designation of a certain organization receiving funding pursuant to Trauma Recovery Centers Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 27; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the After School Enrichment Initiative to Combat Sexual Assault in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 28; and be it further

**Resolved,** That the City Council approves the new designation of a certain organization receiving funding pursuant to the Key to the City Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 29; and be it further

**Resolved,** That the City Council approves the new designation of a certain organization receiving funding pursuant to the Trans Equity Programs Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 30; and be it further

**Resolved,** That the City Council approves the new designation and the change of designation of certain organizations receiving funding pursuant to the Young Women's Leadership Development Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 31; and be it further

**Resolved,** That the City Council approves the new designation of a certain organization receiving funding pursuant to the LGBTQ Senior Services in Every Borough Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 32; and be it further

**Resolved,** That the City Council approves the new designation of a certain organization receiving funding pursuant to the Senior Centers, Programs and Enhancements Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 33; and be it further

**Resolved,** That the City Council approves the change in designation of a certain organization receiving funding pursuant to the Home Loan Program Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 34; and be it further

**Resolved,** That the City Council approves the change in designation of a certain organization receiving funding pursuant to the Stabilizing NYC Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 35; and be it further

**Resolved,** That the City Council approves the change in designation of a certain organization receiving funding pursuant to the Foreclosure Prevention Programs Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 36; and be it further

**Resolved,** That the City Council approves the change in designation of a certain organization receiving funding pursuant to the Naturally Recurring Retirement Communities (NORCs) Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 37; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Legal Services for the Working Poor Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 38; and be it further

**Resolved,** That the City Council approves the new designation and changes in designation of certain organizations receiving funding pursuant to the Community Land Trust Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 39; and be it further

**Resolved,** That the City Council approves the new designation of a certain organization receiving funding pursuant to the Discharge Planning Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 40; and be it further

**Resolved,** That the City Council approves the new designation of a certain organization receiving funding pursuant to the CUNY Citizenship NOW Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 41; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Hate Crimes Prevention Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 42; and be it further

**Resolved,** That the City Council approves the change in designation of certain organizations receiving funding pursuant to the Adult Literacy Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 43; and be it further

**Resolved,** That the City Council approves the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2022 Expense Budget, as set forth in Chart 44 and be it further

**Resolved,** That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 45; and be it further

**Resolved,** That the City Council approves the changes in designation of certain organizations receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 46; and be it further

**Resolved,** That the City Council approves the changes in designation of certain organizations receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 47; and be it further

**Resolved,** That the City Council approves the change in designation of a certain organization receiving funding pursuant to the Pandemic Support for Human Services Providers Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 48; and be it further

**Resolved,** That the City Council approves the change in designation of a certain organization receiving funding pursuant to the LGBT Community Services Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 49; and be it further

**Resolved,** That the City Council approves the new designations and the changes in designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2021 Expense Budget, as set forth in Chart 50; and be it further

**Resolved,** That the City Council approves the change in designation of a certain organization receiving youth discretionary funding in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 51; and be it further

**Resolved,** That the City Council approves the changes in designation of certain organizations receiving funding pursuant to the Cultural After School Adventure (CASA) in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 52; and be it further

**Resolved,** That the City Council approves the change in designation of a certain organization receiving local discretionary funding in accordance with the Fiscal 2020 Expense Budget, as set forth in Chart 53; and be it further

**Resolved,** That the City Council amends the Purpose of Funds for certain organizations receiving local, youth, aging and anti-poverty discretionary funding and funding pursuant to the Speaker's, Low Wage Worker Support and Key to the City Initiatives in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 54; and be it further

**Resolved,** That the City Council amends the Purpose of Funds for a certain organization receiving local discretionary funding in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 55.

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. 327 of 2022 file](#) in the legislation section of the New York City Council website at <https://council.nyc.gov>).

## Int. No. 713

By Council Members Brewer and Louis.

**A Local Law to amend the administrative code of the city of New York, in relation to creating the offense of fostering the sale of stolen goods**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 10 of the administrative code of the city of New York is amended by adding a new section 10-184 to read as follows:

§ 10-184 *Fostering the sale of stolen goods. a. Definitions. As used in this section, the term “stolen goods” means property unlawfully obtained by larceny, as defined in article 155 of the penal law, in any degree.*

*b. A person is guilty of fostering the sale of stolen goods when:*

*1. Such person hosts, advertises, or otherwise assists the sale of stolen goods, including on an internet website; and*

*2. Such person knew or should have known that such goods were stolen and any lack of knowledge in that respect was the result of a substantial and unjustifiable risk that such person’s actions would result in the sale of stolen goods.*

*c. Fostering the sale of stolen goods is a class A misdemeanor.*

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

Referred to the Committee on Public Safety.

## Int. No. 714

By Council Members Brewer, Hanif, Sanchez, Nurse, Louis, Restler, Hudson, Joseph and Avilés.

**A Local Law to amend the administrative code of the city of New York, in relation to creating a land bank**

*Be it enacted by the Council as follows:*

Section 1. Title 25 of the administrative code of the city of New York is amended by adding a new chapter 9 to read as follows:

*CHAPTER 9*

*NEW YORK CITY LAND CORPORATION*

*§ 25-901 Definitions.*

*§ 25-902 Land corporation established; purpose.*

*§ 25-903 Members.*

*§ 25-904 Incorporators; board of directors.*

*§ 25-905 Disposition of real property.*

*§ 25-906 Review by urban development corporation; incorporation; adoption of initial bylaws.*

*§ 25-907 Appendix A; Initial Certificate of Incorporation of New York City Land Corporation.*

*§ 25-908 Appendix B; Initial Bylaws of the New York City Land Corporation.*

*§ 25-901 Definitions. For the purposes of this chapter, the following terms have the following meanings:*

*Affordable housing unit. The term “affordable housing unit” means a dwelling unit that (i) is or will be permanently restricted by a restrictive covenant, possibility of reverter or other similar deed restriction or by*



*an agreement made with or approved and enforceable by the land corporation, to occupancy by households whose incomes at the time of initial occupancy do not exceed a certain amount, provided that such amount does not exceed 80 percent of the area median income, and (ii) contains floor area equal to or greater than the average non-affordable unit floor area for the zoning lot containing the dwelling unit.*

*Area median income. The term “area median income” means the New York city metropolitan area median income, adjusted for family size, as determined by the United States department of housing and urban development.*

*Average non-affordable unit floor area. The term “average non-affordable unit floor area” means the number obtained for a particular zoning lot by dividing the total floor area contained within dwelling units, other than affordable housing units, by the total number of dwelling units, other than affordable housing units.*

*Director. The term “director” has the same meaning as in section 102(a)(6) of the not-for-profit corporation law. For the purposes of this chapter, “director” refers to directors of the land corporation.*

*Dwelling unit. The term “dwelling unit” has the same meaning as in paragraph 13 of subdivision a of section 27-2004.*

*Floor area. The term “floor area” has the same meaning as in section 12-10 of the New York city zoning resolution.*

*Household. The term “household” means, prior to initial occupancy of an affordable housing unit, all of the persons intending to occupy the affordable housing unit at initial occupancy. After initial occupancy of an affordable housing unit, household means all of the persons occupying the affordable housing unit.*

*Incorporator. The term “incorporator” means the person identified in subdivision a of section 25-904.*

*Initial occupancy. The term “initial occupancy” means the first date upon which a particular household lawfully occupies a particular affordable housing unit.*

*Land corporation. The term “land corporation” means the New York city land corporation established under this chapter.*

*Member. The term “member” has the same meaning as in section 102(a)(9) of the not-for-profit corporation law. For the purposes of this chapter, the term “member” refers to members of the land corporation.*

*Real property. The term “real property” has the same meaning as in section 1602(f) of the not-for-profit corporation law.*

*Zoning lot. The term “zoning lot” has the same meaning as in section 12-10 of the New York city zoning resolution.*

*§ 25-902 Land corporation established; purpose. a. There is hereby created a “New York City land corporation,” which shall be a charitable not-for-profit corporation and, upon approval of this chapter by the urban development corporation under subdivision (g) of section 1603 of the not-for-profit corporation law, a land bank under article 16 of the not-for-profit corporation law.*

*b. The purpose of the land corporation shall be to fulfill the purposes of, and perform the functions of, a land bank organized under article 16 of the not-for-profit corporation law; to efficiently acquire, warehouse and transfer real property to expedite the development, rehabilitation and preservation of affordable housing; and to encourage property uses that best serve the interests of the community but which are not sufficiently provided for by the free market, including industrial, manufacturing and maritime activities; fresh food stores; public and open spaces; and wildlife conservation areas.*

*§ 25-903 Members. The mayor and the speaker of the council shall be the members of the land corporation.*

*§ 25-904 Incorporators; board of directors. a. The following persons shall serve as the incorporators of the land corporation and shall serve as the initial directors until new directors are appointed under subdivision b of this section:*

- 1. The president and chief executive officer of the New York city economic development corporation;*
- 2. The commissioner of housing preservation and development;*
- 3. The chair of the city planning commission; and*
- 4. Two designees of the speaker of the council.*

*b. No later than three months after the filing of the certificate of incorporation of the land corporation under subdivision b of section 25-906, the mayor shall appoint a number of directors equal to one-half the total number of directors, rounded up to the nearest whole number, and the speaker of the council shall appoint a number of directors equal to one-half the total number of directors, rounded down to the nearest whole number.*

*c. A person may not serve or continue serving as a director unless such person (i) has appropriate experience in real estate, finance, property management, community planning and development, organized community-based activities or other relevant field of endeavor; and (ii) is a resident of the city throughout his or her service on the board of directors.*

*d. Unless otherwise provided in the bylaws of the land corporation, the total number of directors, other than initial directors, shall be 11.*

*§ 25-905 Disposition of real property. a. Except as otherwise provided in subdivision b of this section, the land corporation may only convey, lease as lessor or otherwise dispose of real property for one or more of the following:*

- 1. Uses that would result in the creation or preservation of affordable housing units;*
- 2. If the property to be disposed of is located in an industrial business zone established under section 22-626, uses related to industrial, manufacturing or maritime activities;*
- 3. If the property to be disposed of is located within a FRESH food store designated area, as described in section 63-02 of the New York city zoning resolution, use as a FRESH food store, as defined by section 63-01 of the New York city zoning resolution;*

- 4. Use as a public space or place; or*
- 5. Use as a wildlife conservation area.*

*b. The land corporation may convey, lease as lessor or otherwise dispose of property for a use other than a use described in subdivision a of this section only if:*

*1. No less than 180 days and no more than one year before the disposition, the land corporation holds a public hearing, solicits public comments with respect to the disposition and considers the results of such public hearing and comments;*

*2. No more than 90 days after the public hearing described in paragraph 1 of this subdivision, the land corporation finds that the disposition will best serve the interests of the community and prepares and makes publicly available online a report, signed by at least two-thirds of the directors, setting forth all information supporting the finding including:*

- (a) All benefits that the disposition will provide for the community;*
- (b) All negative impacts that the disposition will have on the community;*
- (c) A description of each public comment received and how the comment has been or will be addressed; and*
- (d) How the disposition will better serve the community than the disposition for a use described in subdivision a;*

*3. No more than 60 days and no less than 30 days after publication of the report described in paragraph 2 of this subdivision, the land corporation holds a public hearing with respect to the report, solicits public comment and considers the results of the public hearing and comments;*

*4. No more than 20 days after the public hearing described in paragraph 3 of this subdivision, at least two-thirds of the directors vote to approve the disposition; and*

*5. No more than seven days after the disposition, the land corporation prepares and makes publicly available online the following information, in addition to the information required by subdivision (b) of section 1609 of the not-for-profit corporation law:*

- (a) The address of the property disposed of;*
- (b) The name, address and telephone number of the person to whom the property was conveyed, leased or otherwise disposed of; and*
- (c) The proposed use of the property.*

*c. When conveying, leasing as lessor or otherwise disposing of real property for a use that would result in the creation or preservation of affordable housing units, the land corporation shall prioritize disposition to a community land trust, as defined by section 12773(b) of title 42 of the United States code, a community housing development organization, as defined by section 12704(6) of title 42 of the United States code, or a nonprofit organization, as defined by section 12704(5) of title 42 of the United States code, and shall prioritize disposition for a proposed use that will maximize the number of affordable housing units at the zoning lot containing the property and the affordability of such units.*

*d. When conveying, leasing as lessor or otherwise disposing of real property, the land corporation shall prioritize disposition for a proposed use that will maximize the creation of prevailing wage jobs pursuant to the bylaws of the land corporation.*

§ 25-906 *Review by urban development corporation; incorporation; adoption of initial bylaws.* a. No later than 30 days after the effective date of the local law that added this chapter, the mayor shall amend the certificate of incorporation for the land corporation, as set forth in section 25-907, to include the names and addresses of the initial directors identified in subdivision a of section 25-904 and shall prepare and forward the following information to the urban development corporation for review and approval under subdivision (g) of section 1603 of the not-for-profit corporation law:

1. A copy of the local law that added this chapter, amended as provided in this subdivision; and
2. All other materials and information required by the urban development corporation.

b. No later than 30 days after approval of this chapter by the urban development corporation under subdivision (g) of section 1603 of the not-for-profit corporation law, the incorporators shall execute the certificate of incorporation for the land corporation, as provided in section 25-907 and amended under subdivision a of this section, and file the amended certificate with the department of state in accordance with article 1 of the not-for-profit corporation law.

c. No later than 30 days after filing the amended certificate under subdivision b of this section, the directors shall adopt the bylaws provided in section 25-908 as the initial bylaws for the land corporation.

§ 25-907 Appendix A; Initial Certificate of Incorporation of New York City Land Corporation.

**CERTIFICATE OF INCORPORATION  
OF  
NEW YORK CITY LAND CORPORATION**  
(Under section 402 of the Not-for-Profit Corporation Law)

1. *Name.* The name of the corporation is **NEW YORK CITY LAND CORPORATION** (hereafter referred to as the Corporation).

2. *Type of Corporation.* The Corporation is a “corporation” as defined in subparagraph (5) of paragraph (a) of Section 102 of the Not-for-Profit Corporation Law and is a charitable corporation under Section 201 of said law. The Corporation is also a “land bank” pursuant to Section 1602 of the Not-for-Profit Corporation Law.

3. *Purposes.* The Corporation is formed for the following purposes and to achieve the following lawful public or quasi-public objectives:

a. To perform the functions and fulfill the purposes of a land bank as described in Article 16 of the Not-for-Profit Corporation Law;

b. To efficiently acquire and transfer properties to expedite the development, rehabilitation and preservation of affordable housing and to encourage property uses that best serve the interests of the community but which are not sufficiently provided for by the free market, which uses include industrial, manufacturing, and maritime activities; fresh food stores; public and open spaces; and wildlife conservation areas;

c. To conduct regular inventories of vacant properties and provide the public with efficient access to a listing of these inventories;

d. To aggregate and responsibly hold properties for future productive use;

e. To eliminate blight by the removal of barriers to returning vacant properties to productive use;

f. To effectively market and strategically convey, lease as lessor or otherwise dispose of properties of the Corporation; and

*g. Notwithstanding any other provision of this Certificate, the Corporation is organized exclusively for charitable, educational, and nonprofit purposes, and not for pecuniary or financial gain, as specified in Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future tax code.*

*4. Powers. In furtherance of the purposes and objectives set forth in Article 3, the Corporation shall have all of the powers now or hereafter set forth in Sections 202 and 1607 of the Not-for-Profit Corporation Law and any other applicable law except as limited herein.*

*5. Office. The office of the Corporation is to be located in the County of New York, State of New York.*

*6. Registered Agent. The Secretary of the State of New York is hereby designated the agent of the Corporation upon whom process against it may be served. The Secretary of State shall mail a copy of any process against the Corporation served upon the Secretary of State as agent of the Corporation to the Mayor of the City of New York at City Hall, New York City, New York 10007.*

*7. The corporation is formed to engage in an activity or for a purpose requiring consent or approval of a state official, department, board, agency or other body. Such consent or approval is attached.*

*8. Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code. The following language relates to the corporation's tax exempt status and is not a statement of purposes and powers. Consequently, this language does not expand or alter the corporation's purposes or powers set forth in paragraphs THIRD or FOURTH.*

*§ 25-908 Appendix B; Initial Bylaws of the New York City Land Corporation. The initial bylaws of the land corporation shall read as follows:*

**BYLAWS  
OF  
NEW YORK CITY LAND CORPORATION**

*1. Members. a. The members of the New York City Land Corporation (hereafter referred to as the Corporation) shall be the Mayor of the City of New York (Mayor) and the Speaker of the Council of the City of New York (Speaker), pursuant to Section 25-903 of the Administrative Code of the City of New York.*

*b. Annual meeting. The first annual meeting of the members shall, pursuant to Subdivision b of Section 25-904 of the Administrative Code of the City of New York, be held within three months of the date on which the Corporation's Certificate of Incorporation (hereafter referred to as the Certificate) is filed with the Department of State. Annual meetings shall be held each year thereafter on the anniversary date of such filing except that if such anniversary date falls on a Saturday, Sunday, or holiday, the annual meeting shall be held on the first business day occurring thereafter.*

*2. Directors. a. The powers of the Corporation shall be exercised by a board of directors.*

*b. Number of directors. The Corporation shall have five (5) initial directors and thereafter shall have eleven (11) directors.*

*c. Appointment. The directors, other than the initial directors, shall be appointed by the Mayor and the Speaker pursuant to Subdivision b of Section 25-904 of the Administrative Code of the City of New York. Two of the directors appointed by the Mayor and two of the directors appointed by the Speaker shall be employees, members or directors of entities that are (i) not-for-profit corporations, advocacy organizations, civic*

associations, community-based organizations or other similar entities and (ii) working in the field of housing, planning or community development.

*d. Term. Each director shall serve a term of two years.*

*3. Amendments to Certificate of Incorporation or Bylaws; Selling Substantially All Assets. The board of directors may amend the Certificate and these Bylaws without the approval of the members, except that approval of all of the members shall be required for any proposed amendment to Article 1, 2, 3 or 4 of these Bylaws. In the event that the Corporation undertakes to sell or otherwise dispose of substantially all of its assets, such action must be approved by the members in accordance with Section 510 of the Not-for-Profit Corporation Law.*

*4. Encouraging the creation of prevailing wage jobs. a. Except as provided in Subdivision e of this Article, the Corporation may only convey, lease as lessor or otherwise dispose of real property for use as a prevailing wage property.*

*b. For the purposes of this Article, the term “prevailing wage property” means real property where, pursuant to a restrictive covenant, possibility of reverter or other similar deed restriction for the property or an agreement made with or approved and enforceable by the Corporation, all natural persons performing work of any kind, other than construction work, at the property for a covered owner or occupant of the property, including work of any kind, other than construction work, performed at the property pursuant to an agreement made between such covered owner or occupant and a third party, are paid no less than the prevailing wage.*

*c. (i) For the purposes of this Article, a “covered owner or occupant” means an owner or occupant of real property, other than real property in which more than seventy-five percent (75%) of the floor area is comprised of affordable housing units, as such terms are defined by Section 25-901 of the Administrative Code of the City of New York; provided, however, that such affordable housing units may be permanently affordable to households whose incomes at the time of initial occupancy do not exceed one hundred twenty-five percent (125%) of the area median income, as such terms are defined by Section 25-901 of the Administrative Code of the City of New York.*

*(ii) Notwithstanding Paragraph i of this Subdivision, the term “covered owner or occupant” shall not include an owner or occupant that:*

*(A) Has annual gross revenues of less than five million dollars (\$5,000,000.00) when such revenues are aggregated with the revenues of each parent entity of such owner or occupant, each subsidiary entity of such owner or occupant and each entity owned or controlled by a parent entity of such owner or occupant;*

*(B) Is a not-for-profit corporation, as defined by Paragraph 10 of Subdivision a of Section 102 of the Not-For-Profit Corporation Law;*

*(C) Is using the property primarily for industrial, manufacturing or maritime activities; or*

*(D) Is using the property primarily to operate a FRESH food store, as defined by Section 63-01 of the New York City Zoning Resolution.*

*d. For the purposes of this Article, the term “prevailing wage” means the rate of wage and supplemental benefits paid in the locality to workers in the same trade or occupation and annually determined by the Comptroller of the City of New York in accordance with the provisions of section 234 of the Labor Law. As provided under section 231 of the Labor Law, the obligation of an employer to pay prevailing supplements may be discharged by furnishing any equivalent combinations of fringe benefits or by making equivalent or differential payments under rules and regulations established by the Comptroller.*

*e. The Corporation may convey, lease as lessor or otherwise dispose of real property for a use other than use as a prevailing wage property only where the Corporation complies with Subdivision b of Section 25-905 of*

*the Administrative Code of the City of New York; provided further that, in the report required by Paragraph 2 of Subdivision b of Section 25-905 of such code, the Corporation shall specify the reason that disposition of the property for use as a prevailing wage property is impracticable or undesirable.*

*5. Strategic Plan. The Corporation shall develop a strategic plan to address the purposes for which it has been formed and shall update such plan from time to time as needed. The Corporation shall provide a copy of such plan, and any updates thereto, to each member.*

*6. Nondiscrimination and Affirmative Action Policy. The Corporation shall have a nondiscrimination and affirmative action policy which shall read as follows:*

**“NEW YORK CITY LAND CORPORATION  
NONDISCRIMINATION AND AFFIRMATIVE ACTION POLICY**

*The New York City Land Corporation (NYCLC) shall not discriminate against any person upon the basis of race, color, religion, national origin, sex, disability, sexual orientation, gender identity, age, familial status, marital status, partnership status, lawful occupation, lawful source of income, military status, alienage or citizenship status, or on the grounds that a person is a victim of domestic violence, dating violence, or stalking. This policy also prohibits retaliation.*

*NYCLC shall also ensure that any transferee or purchaser of any property from NYCLC, and any successor in interest thereto, abides by this policy in the sale, lease or rental, or in the use or occupancy of the property or improvements erected or to be erected thereon or any part thereof.”*

§ 2. This local law takes effect immediately. This local law expires 1 year after enactment unless the urban development corporation approves this local law under subdivision (g) of section 1603 of the not-for-profit corporation law within 1 year after enactment.

Referred to the Committee on Housing and Buildings.

Int. No. 715

By Council Members Brewer, Gutiérrez, Restler and Joseph.

**A Local Law to amend the administrative code of the city of New York, in relation to expanding the information provided on the open space coordination platform**

*Be it enacted by the Council as follows:*

Section 1. Section 23-804 of the administrative code of the city of New York, as added by local law number 7 for the year 2021, is amended to read as follows:

§ 23-804 Open space coordination platform. a. Definitions. For purposes of this section, the following terms have the following meanings:

Art and cultural institutions. The term “art and cultural institutions” means not-for-profit art and cultural groups, organizations, venues or institutions within the city of New York.

[Office. The term “office” means the mayor’s office of citywide event coordination and management established pursuant to executive order number 105, dated September 17, 2007, or another office or agency designated by the mayor.]

Department. The term “department” means the department of transportation or another agency or office designated by the mayor,

Open space. The term “open space” means a roadway space, park space, or another public outdoor location, including but not limited to a pedestrian plaza, *playground*, *open street* or public parking lot[, that is made available by the office for use by art and cultural institutions for outdoor performances or as a rehearsal space].

b. Website for coordinating the use of open space [for art and cultural programming]. The [office] *department* shall, in consultation with any other relevant agency or office, including but not limited to the department of cultural affairs, the department of parks and recreation, *the mayor's office of citywide event coordination and management* and the department of information technology and telecommunications, create a website that:

1. Provides information about open space, *including open hours for each open space, any rules that apply to the use of each open space, and any cost associated with any use of an open space;*

2. Facilitates the use of open space by art and cultural institutions, *vendors, community boards, business improvement districts and the general public;*

3. Allows users to search for open space, by location and on a map; [and]

4. *Provides information on permits or licenses needed for the use of open spaces for various purposes and provides links to the application for each such permit or license; and*

[4] 5. Allows users to search for information about outdoor programs offered by art and cultural institutions [that are coordinated by the office]. Such website may also provide information about other events hosted by art and cultural institutions and outdoor events held on private property, to the extent such information is provided to the [office] *mayor's office of citywide event coordination and management or another agency or office* for inclusion on such website.

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

Referred to the Committee on Transportation and Infrastructure.

Int. No. 716

By Council Members De La Rosa, Louis, Restler, Hudson and Avilés.

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

*Be it enacted by the Council as follows:*

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

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

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

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

*Chapter 9: School Diversity Monitor*

§ 8-901 *Definitions. As used in this chapter, the following terms have the following meanings:*

*Chancellor. The term "chancellor" means the chancellor of the city school district of the city of New York.*

*Commission. The term "commission" means the city commission on human rights.*

*Department. The term "department" means the New York city department of education.*

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

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

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

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

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

- 1. Identify how school diversity data held by the department can be analyzed to best support the department's school integration efforts;*
- 2. Develop appropriate professional development training for department teachers in culturally responsive pedagogical practices;*
- 3. Secure additional federal and state funding to train and supports teachers and staff in culturally responsive instruction;*
- 4. Ensure that individual education programs are translated for all students, parents or guardians requesting such translation; and*
- 5. Monitor racial and socio-economic segregation in schools and make recommendations to alleviate disparate impact discrimination.*

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

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

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

*§ 2. This local law takes effect immediately.*

Referred to the Committee on Civil and Human Rights.

Int. No. 717

By Council Members De La Rosa, Louis, Hanif, Brewer, Restler, Hudson and Joseph.

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

*Be it enacted by the Council as follows:*

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

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

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

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

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

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

*§ 2. This local law takes effect immediately.*

Referred to the Committee on Civil Service and Labor.



## Int. No. 718

By Council Members De La Rosa, Hanif, Gennaro, Brewer, Restler, Hudson and Joseph.

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

*Be it enacted by the Council as follows:*

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

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

**Exceptions:**

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

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

**1213.1.1 Interior space.** Where an interior room is provided for the storage of refuse, [and] recyclables and organic wastes, such room shall be completely enclosed by construction that has a fire-resistance rating of not less than 2 hours, with self-closing opening protectives having a fire protection rating of not less than 1<sup>1</sup>/<sub>2</sub> hours.

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

**1213.1.2 Exterior space.** Where space is provided on the exterior of a building for the storage of refuse, [and] recyclables and organic wastes, such refuse, [and] recyclables and organic wastes storage space shall include a minimum of 4 square feet (0.372 m<sup>2</sup>) in addition to the space per dwelling unit required by Section 1213.1, shall be clearly identified on the construction documents, and shall not be located in the public right-of-way.

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

Referred to the Committee on Housing and Buildings.

## Int. No. 719

By Council Members De La Rosa, Louis, Restler, Hudson and Joseph.

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

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of the New York city charter is amended by adding a new section 20-o to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

Referred to the Committee on Women and Gender Equity.

## Int. No. 720

By Council Members Farías, Salamanca and Brewer.

**A Local Law to amend the administrative code of the city of New York, in relation to waste collection from nursing homes**

*Be it enacted by the Council as follows:*

Section 1. Title 16 of the administrative code of the city of New York is amended by adding a new section 16-114.2 as follows:

§ 16-114.2 *Solid waste collection from nursing homes.* The department shall provide collection service for solid waste generated by occupants of all nursing homes located in the city in accordance with regulations promulgated by the commissioner. The commissioner may not charge any nursing home a fee for waste collection service. For purposes of this section, “nursing home” has the meaning ascribed to such term in section 2801 of the public health law.

§ 2. This local law takes effect 180 days after it becomes law, except that the commissioner may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 721

By Council Members Gutiérrez, Avilés, Hanif and Restler (by request of the Brooklyn Borough President).

**A Local Law to amend the administrative code of the city of New York, in relation to a truck route GPS study**

*Be it enacted by the Council as follows:*

Section 1. Section 19-178.1 of the administrative code of the city of New York, as added by local law number 57 for the year 2015, is amended to read as follows:

§ 19-178.1 *Truck route compliance study.* The department shall conduct a study of compliance with the rules of the city of New York by truck drivers related to truck routes. Such study shall also include locations where large numbers of truck drivers routinely operate off designated truck routes, which may include areas identified by council members and community boards. *Such study shall also include information on the feasibility of integrating the truck route map into an interactive, web-based application that can be used with global positioning systems technology.* Based on the study, the department shall institute measures designed to increase truck route compliance based on best practices for roadway design and operations, including but not limited to, converting two-way streets to one-way streets, posting of signs regarding the permissible use of certain routes by trucks, as appropriate, and education and outreach to the trucking industry. The department shall post on the department’s website and submit to the speaker of the council such study, including the locations of such measures, no later than January 1, [2017] 2023.

§ 2. This local law takes effect immediately.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 722

By Council Members Holden and Ariola.

**A Local Law in relation to requiring the fire department to report on safety measures to mitigate fire risk associated with powered mobility devices**

*Be it enacted by the Council as follows:*

Section 1. a. Definition. The term “powered mobility devices” means motorized bicycles, motorized scooters and other personal mobility devices powered by a lithium-ion or other storage battery. The term does not include

motor vehicles or motorcycles or other mobility devices that must be registered with the New York State Department of Motor Vehicles.

b. No later than January 30, 2023, and within 30 days after the beginning of the subsequent calendar year, the fire department shall submit to the council a report relating to safety measures to mitigate fire risks posed by powered mobility devices. Such report shall include but need not be limited to:

1. Information on all fires that occurred during the prior calendar year in which powered mobility devices were determined by the fire department to be the cause of such fire, including the geographic location and building occupancy type where each such fire occurred, and whether circumstances at each such location indicated compliance with relevant fire code provisions;

2. An overview of the fire risks posed by powered mobility devices and any known design or use limitations that mitigate such risks;

3. A review of existing New York City Fire Code provisions governing the storage and charging of powered mobility devices, and an evaluation of additional local measures, regulatory or otherwise, that could further mitigate fire risks posed by powered mobility devices;

4. An examination of regulatory approaches taken in other jurisdictions or proposed action on the state or federal level for mitigating fire risk posed by powered mobility devices; and

5. A summary of all relevant activities taken by the fire department to decrease the occurrence of fires caused by powered mobility devices, including a summary of all related inspections or enforcement actions, and other fire prevention activities.

§ 2. This local law takes effect immediately.

Referred to the Committee on Fire and Emergency Management.

Int. No. 723

By Council Member Holden.

**A Local Law to amend the administrative code of the city of New York, in relation to the installation of surveillance cameras to identify illegal placement of household refuse in public litter baskets**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-120.3 to read as follows:

§ 16-120.3 *Surveillance cameras.* a. No later than December 15, 2023, the department shall install, or cause to be installed, surveillance cameras at the locations identified pursuant to subdivision b of this section. Such surveillance cameras shall be installed so that they are able to view and record any person depositing household refuse in a public litter basket. The quality of video surveillance shall be sufficient to allow identification of persons recorded. The recordings made by such surveillance cameras shall be preserved for at least 60 days.

b. The department, in consultation with council members, community boards and local residents in each community district, shall install, or cause to be installed, such surveillance cameras where violations of paragraph (1) of subdivision e of section 16-120 are most prevalent.

c. The department shall ensure that the recordings made by such surveillance cameras are made available for at least 60 days to other government agencies acting in furtherance of a civil or administrative law enforcement purpose.

d. The department shall post signage at the locations identified pursuant to subdivision b of this section to notify the public of the use of such surveillance cameras so that the public has sufficient warning that surveillance is in operation.

e. No later than September 15, 2023, the department shall promulgate rules governing, at a minimum:

1. The type of surveillance cameras to be installed pursuant to subdivision a of this section;

2. The maintenance and upkeep of such cameras;

3. The use of such cameras' recordings;

4. The quality of such cameras' recordings; and

5. *The signage that the department is required to post pursuant to subdivision d of this section.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management.

Res. No. 328

**Resolution calling upon New York State Legislature to pass, and the Governor to sign, S7475B/ A7770C, which would increase oversight of the immigration bond industry and curb abusive practices.**

By Council Members Hudson, Hanif, Louis, Brewer, Restler and Joseph.

**Whereas**, There were more than 21,000 immigrants booked into Immigration and Custom Enforcement (ICE) detention as of June 2022, according to data by Syracuse University; and

**Whereas**, Immigrant New Yorkers are detained in approximately 76 different detention facilities in New York State; and

**Whereas**, Some immigrant detainees are bond eligible and can be charged between \$1,500 and \$10,000 for a bond, according to *Documented*; and

**Whereas**, According to *Documented*, the median bond is \$7,500 in New York City; and

**Whereas**, Many bond companies require immigrant detainees to pay fees greater than \$400 to wear an ankle monitor in exchange for a bond; and

**Whereas**, According to Human Rights First report, the average wait time in New York State immigration courts is at least 2 years; and

**Whereas**, As a result, detained immigrants sometimes end up paying thousands of dollars for ankle monitor fees alone; and

**Whereas**, For example, a Virginia-based for-profit bond company, Libre by Nexus, reportedly charged one immigrant detainee \$420 a month for an ankle monitor over the course of three years as the detainee waited for his case to proceed; and

**Whereas**, In 2021, New York Attorney General Letitia James, along with U.S. Consumer Financial Protection Bureau and the attorneys general of Massachusetts and Virginia, sued Libre by Nexus in federal court, for alleged deceptive and abusive practices; and

**Whereas**, S7475B, introduced by State Senator Jamaal Bailey, and companion bill, A7770C, introduced by State Assembly Member Harvey Epstein, would impose restrictions on immigration bail businesses and prohibit immigration bond businesses from requiring electronic monitoring as a condition of an immigration bail; and

**Whereas**, S7475B/A7770C would also establish a cap on immigration bond premiums; and, therefore, be it

**RESOLVED**, That the Council of the City of New York calls upon New York State Legislature to pass, and the Governor to sign, S7475B/ A7770C, which would increase oversight of the immigration bond industry and curb abusive practices.

Referred to the Committee on Immigration.

Res. No. 329

**Resolution calling on the New York State Legislature to pass and the Governor to sign S9247/A10447, which would prohibit fake electronic communication service accounts and use of such information by law enforcement and other government entities.**

By Council Members Hudson, Avilés, Hanif and Joseph.

**Whereas**, S9247/A10447 sponsored by Senator Cordell Cleare and Assembly Member Zohran K. Mamdani, respectively, prohibit the creation of fake electronic communication service accounts and prohibits the collection and use of account information by law enforcement and other governmental entities; and

**Whereas**, According to the police accountability group *Lucy Parsons Labs*, law enforcement uses undercover techniques to monitor and manipulate social media users to mine location and content data from Twitter, Facebook, Instagram, Snapchat, TikTok, etc., by setting up fake accounts to assemble dossiers on persons of interest; and

**Whereas**, Tool sites such as Geofeedia, Statigram, Instamap, Echosec, Voyager Labs, etc, help law enforcement agencies to analyze photo trends or collect photos on individuals in targeted areas; and

**Whereas**, The aforementioned Voyager Labs software can reportedly enable law enforcement clients to collect and analyze user data from companies like Facebook and use fake accounts to access otherwise inaccessible and private user information; and

**Whereas**, Reports indicate Geofeedia can be used to geolocate users and conduct a radius and polygram search of an area for social media content as according to the American Civil Liberties Union (ACLU) was used to track the accounts of Black Lives Matter protesters for law enforcement clients as a crackdown on political dissent; and

**Whereas**, In addition to these tools relying on individuals' public social media posts, law enforcement agencies can purportedly use catfishing, creating fake accounts, to get non-public social media data, even though such accounts are not permitted on Facebook, Twitter, Instagram, Snapchat, TikTok, etc.; and

**Whereas**, According to a nationwide 2014 Lexis Nexis survey, 70 percent of detectives using undercover online operations are self-taught, 52 percent of departments polled have no formal process for using social media in investigations, and 40 percent of law enforcement officers used social media monitoring just to keep tabs on "special events"; and

**Whereas**, The New York City Police Department (NYPD) has formalized social media protocols for its own social media presence and the social media presence of officers outside their work in NYPD Patrol Guide procedure 203-28; and

**Whereas**, Although NYPD Operations Order 34, is entitled, "Use of Social Networks for Investigative Purposes" beyond requiring supervisory approval to create an online alias, the policy does not contain guidance on the normative factors to consider in either creating such an alias or in using mined data for any purpose and would appear that the discretion of supervisory officers is guiding these decisions; and

**Whereas**, Civil liberties advocates warn that users should be concerned about the ways in which their data is being retained and interpreted by law enforcement as the NYPD's social media surveillance gang operations allegedly collect and sift through social media content from teens and pre-teens over years, and use the information against them in court; and

**Whereas**, According to the ACLU, such social media monitoring methods are unfairly targeting the general public and not those who have already committed a crime and should not give law enforcement a "blank check" to create undercover accounts and collect information on law abiding people; and

**Whereas**, Deceptive, malicious, and abusive tactics undertaken by law enforcement under the guise of fake social media profiles are being used to trick the public into waiving their rights by accepting friend and follow requests from officers must cease; 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 S9247/A10447, which would prohibit fake electronic communication service accounts and use of such information by law enforcement and other government entities

Referred to the Committee on Public Safety.

Int. No. 724

By Council Members Kagan, Farías, Brannan, Menin, Cabán, Williams, Brewer, Nurse, Krishnan and Paladino.

**A Local Law to amend the administrative code of the city of New York, in relation to reporting on New York city housing authority complaints and requests for service**

*Be it enacted by the Council as follows:*

Section 1. Subdivision b of section 23-307 of the administrative code of the city of New York, as added by local law number 127 for the year 2021, is amended to read as follows:

b. 1. *No later than 30 days after the end of each fiscal quarter, the [The] 311 customer service center shall [publish annually] submit to the speaker of the council and post on its website, in a searchable and machine-readable format, a report on all complaints or requests for service relating to such authority received during the immediately preceding quarter. Such quarterly report shall include but not be limited to the following information:*

- (a) A unique identifier for each complaint or request for service relating to such authority;*
- (b) The category and a brief description of each complaint or request for service;*
- (c) The status of each complaint or request for service, and if the status is closed, a brief description of how it was resolved or why it was unable to be resolved;*
- (d) The date each complaint or request for service was received;*
- (e) The date each complaint or request for service was closed;*
- (f) The location information for each complaint or request for service;*
- (g) The total number and percentage of complaints and requests for service relating to such authority received during the immediately preceding quarter that are open;*
- (h) The total number and percentage of complaints and requests for service relating to such authority received during the immediately preceding quarter that are closed; and*
- (i) The average resolution time for complaints and requests for service relating to such authority received during the immediately preceding quarter.*

2. *The quarterly reports required by paragraph 1 of this subdivision shall include a data dictionary.*

3. *No report required by paragraph 1 of this subdivision shall contain personally identifiable information.*

§ 2. *This local law takes effect immediately.*

Referred to the Committee on Public Housing.

Int. No. 725

By Council Members Lee, Hanif, Brewer, Hudson, Ung, Avilés and Joseph.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to create a website for schools to list surplus school supplies to be claimed for use by other schools**

*Be it enacted by the Council as follows:*

Section 1. Title 21-A of the administrative code of the city of New York is amended by adding a new chapter 29 to read as follows:

*Chapter 29. Surplus School Supplies*

*§ 21-1000 Surplus School Supplies. The department shall create and maintain a website where schools may list surplus school supplies for the purpose of allowing such surplus supplies to be claimed for use by other schools. Such website shall not be available to the public.*

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

Referred to the Committee on Education.

## Int. No. 726

By Council Members Louis, Bottcher, Hanif, Hudson and Joseph.

**A Local Law to amend the New York city charter, in relation to expanding reporting by the mayor's office of community mental health on services provided**

*Be it enacted by the Council as follows:*

Section 1. Section 20-m of chapter 1 of the New York city charter, as added by local law number 155 for the year 2021, is renumbered section 20-o.

§ 2. Subdivision (g) of section 20-m of the New York city charter, as added by local law number 155 for the year 2021, is amended to read as follows:

g. Reporting. *1.* No later than January 31 of each year, the office of community mental health shall submit to the mayor and speaker of the council, and post to such office's website, a report identifying critical gaps in mental health care that are preventing New Yorkers with mental health needs from accessing and staying connected to care. To identify such gaps, such office may review existing data and research, conduct research as needed, and interview agency staff, community partners, mental health providers and other relevant experts.

*2.* The office of community mental health shall publish on its website, on a monthly basis, reports on the services provided by each of its administered programs, including a report for NYC Well and 988, separately. Such monthly reports shall include the following:

- (a) The number of individuals who interacted with the program;*
- (b) Any available demographic information for individuals served;*
- (c) Where the individuals served reside including but not limited to council district and zip code;*
- (d) Language services provided, if any;*
- (e) The category of services provided;*
- (f) For in person services, the location of the service provider;*
- (g) Any costs associated with services provided;*
- (h) The percentage of interactions in which a follow up was initiated by the office;*
- (i) The average number of days between initial interaction and follow up initiated by the office; and*
- (j) The average length of time of the interaction between the office and individual served.*

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

Referred to the Committee on Mental Health, Disabilities and Addiction.

## Res. No. 330

**Resolution calling on the New York State Legislature to pass and the Governor to sign, A.302/S.844, requiring at least a ratio of one clinical, non-student mental health staff member per one thousand students on all SUNY and CUNY campuses.**

By Council Members Louis, Hanif, Brewer, Restler, Hudson and Joseph.

**Whereas**, The Centers for Disease Control and Prevention defines mental health as the emotional, social and psychological well-being of an individual; and

**Whereas**, According to the World Health Organization, depression, anxiety and psychological distress are common and serious medical conditions that negatively affect how people feel, the way they think and how they act; and

**Whereas**, Depression, anxiety and distress can decrease a person's ability to function at school, at work and at home, according to the Encyclopedia of Psychology; and

**Whereas**, According to the National Alliance on Mental Illness, about 21 million U.S. adults—8 percent of the population—had at least one major depressive episode in 2020; and



**Whereas**, Mental health issues, especially depression and anxiety, are a leading health cause of college failure and dropout; and

**Whereas**, Depression and anxiety can impair students' engagement and academic performance and contribute to substance abuse that further impedes academic progress; and

**Whereas**, Based on the 2018 Healthy CUNY (City University of New York) survey of CUNY community colleges and 4-year college students, it is estimated that 40,329 undergraduates report symptoms of depression, 47,662 report symptoms of anxiety disorders and 40,818 report symptoms associated with moderate or severe psychological distress; and

**Whereas**, According to the Hope Center for College, Community and Justice, students with household incomes lower than \$30,000 a year and females report higher levels of, and are at higher risk for, developing depression, anxiety or psychological distress; and

**Whereas**, To assist students to get help for depression, anxiety disorders, psychological distress, and other mental health conditions, CUNY and the State University of New York (SUNY) offer a variety of campus services and referrals to community services; and

**Whereas**, As the COVID-19 global pandemic persists, CUNY and SUNY students continue to grapple with prevailing uncertainty, fear, anxiety, trauma and depression; and

**Whereas**, According to SUNY, most mental health disorders have their peak onset during young adulthood and by the age 25 years, 75 percent of those who have a mental health disorder have had their first onset; and

**Whereas**, According to a study by the Healthy Minds Network, during the COVID-19 crisis, over 40 percent of CUNY students said they felt depressed or anxious and half said they needed more mental health care; and

**Whereas**, According to the International Accreditation of Counseling Services (IACS), the minimum recommended staffing ratios should be in the range of one professional mental health staff member (excluding trainees) to every 1,000 to 1,500 students, depending on services offered and other campus mental health needs; and

**Whereas**, The ratio was originally established through the combination of empirical analysis and judgment of experienced counseling center directors who were leading experts in their field, according to IACS; and

**Whereas**, The reported staffing ratios in CUNY campuses are in excess of one mental health clinician to over 2,000 students, according to Gotham Gazette; and

**Whereas**, Moreover, students enrolled on CUNY campuses pay a fee for mental health services, adding to the barriers to access; and

**Whereas**, Untreated or undiagnosed mental health conditions have a significant impact on college students, as 64 percent of students who leave college do so for mental health-related reasons and suicide is the second leading cause of death for college students, according to the American Foundation for Suicide Prevention; and

**Whereas**, Many students who experience mental health challenges rely on school counselors, teachers and other staff for support according to the University of Michigan School of Social Work; and

**Whereas**, According to CUNY Rising Alliance, more resources are needed so all students can seek help to reduce the burden of mental health problems; and

**Whereas**, A.302/S.844 sponsored by Assemblymember Richard Gottfried and Senator Andrew Gounardes, would require a minimum ratio of one clinical, non-student mental health staff member per one thousand students on all CUNY and SUNY campuses; and

**Whereas**, Under A.302/S.844, each CUNY and SUNY campus will be required to establish a board of experts and advisors within two years to study and make updates to the clinician-to-student ratio; and

**Whereas**, According to Young Invincibles, increasing mental health counselors and making them more accessible will help those who struggle by ensuring adequate resources; and

**Whereas**, We must take action now to expand the mental health services that these students require to ensure that our schools are safe spaces for young people to get the support they need and to ensure that CUNY and SUNY campuses are required to staff an adequate number of licensed, mental health professionals to meet the specific needs of the unique student populations; 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.302/S.844, requiring at least a ratio of one clinical, non-student mental health staff member per one thousand students on all SUNY and CUNY campuses.

Referred to the Committee on Mental Health, Disabilities and Addiction.

Res. No. 331

**Resolution recognizing Lunar New Year as an annual school holiday and as an official holiday in the City of New York.**

By Council Members Marte, Hudson, Hanif, Gennaro, Ung and Joseph.

**Whereas**, Lunar New Year begins on the second new moon after the winter solstice, or typically on a date from late January through mid-February, and concludes 15 days later on the next full moon; and

**Whereas**, Lunar New Year, with its origins more than 4,000 years ago in China, is one of the most important annual celebrations in many East and Southeast Asian cultures that use a lunisolar calendar; and

**Whereas**, Although Asian cultures call this celebration by their own names, such as Spring Festival in China, the inclusive term Lunar New Year is now used to encompass festivals and festivities across many Asian cultures, including Chinese, Korean, Vietnamese, Mongolian, Taiwanese, Tibetan, Malaysian, and more; and

**Whereas**, Lunar New Year is now celebrated worldwide in many countries, wherever communities with populations of Asian heritage exist; and

**Whereas**, a growing number of Asian Americans and new Asian immigrants has increased awareness of Lunar New Year in the United States (U.S.); and

**Whereas**, According to figures from the U.S. Census Bureau, as reported by the New York City (NYC) Department of City Planning in “2020 Census: Results for New York City,” almost 1.4 million residents identifying solely as Asian live in NYC and make up more than 15 percent of NYC’s population; and

**Whereas**, According to U.S. Census figures, the Asian population in Queens grew by 29 percent and in Brooklyn by 43 percent between 2010 to 2020; and

**Whereas**, Although different Asian cultures celebrate in their own ways, Lunar New Year festivities usually include traditional foods; cultural performances; parades, street fairs, and fireworks displays; and the giving of gifts or money in red envelopes to wish others good fortune, health, and prosperity; and

**Whereas**, Many Asian Americans travel to spend Lunar New Year with immediate and extended family, often participating in rituals to honor their ancestors, and contribute to what is the world’s largest annual movement of humans at more than one billion, according to National Geographic; and

**Whereas**, Asian-American communities in NYC often host Lunar New Year events that attract New Yorkers of all racial, ethnic, and religious backgrounds from many communities to enjoy the festivities in Chinatown in Manhattan, in Flushing in Queens, and in other neighborhoods, thus benefitting small businesses in those communities; and

**Whereas**, The increase in anti-Asian hate crimes in the U.S. has caused concerned citizens and government officials to look for ways to fight against anti-Asian bigotry and to support our Asian-American communities; and

**Whereas**, Federal legislation (H.R. 6525) was introduced in January 2022 in the U.S. House of Representatives by Representative Grace Meng (D-NY-6), along with 49 cosponsors, to establish Lunar New Year Day as a Federal holiday; and

**Whereas**, In June 2015, Mayor Bill de Blasio designated Lunar New Year a public school holiday, celebrated for the first time in 2016, and the NYC Department of Education (DOE) has observed the Lunar New Year school holiday since then; and

**Whereas**, The NYC DOE did not, however, designate the Lunar New Year holiday in the 2022-2023 school calendar because Lunar New Year falls on Sunday, January 22, 2023, and the DOE did not designate the following Monday (January 23, 2023) as a school holiday; and

**Whereas**, The designation of a holiday here in NYC honors the vital role that our Asian-American communities play in our City and their positive impacts on our City’s culture and economy; now, therefore, be it

**Resolved**, That the Council of the City of New York recognizes Lunar New Year as an annual school holiday and as an official holiday in the City of New York.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Int. No. 727

By Council Members Menin, Farías, Louis, Brewer, Restler, Hudson, Ung, Abreu, Krishnan, Joseph, Avilés and Richardson Jordan.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the mayor’s office on ending domestic and gender-based violence to operate family justice centers 24 hours a day, seven days a week, and to conduct a public campaign to inform the community of this change**

*Be it enacted by the Council as follows:*

Section 1. Section 3-180 of the administrative code of the city of New York is amended by adding, in appropriate alphabetical order, a definition of “director” to read as follows:

*Director. The term “director” means the director of the office to end domestic and gender-based violence.*

§ 2. Subchapter 8 of chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-185 to read as follows:

*§ 3-185 Family justice center operations. The director shall mandate that family justice centers operate 24 hours a day seven days a week.*

§ 3. The director of the office to end domestic and gender-based violence shall conduct a public awareness campaign to inform the public of the change in operations schedule required by this local law. Such campaign shall include creating culturally appropriate written materials, including, but not limited to, pamphlets, posters and flyers, in the designated citywide language as defined in section 23-1101 of the administrative code of the city of New York.

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

Referred to the Committee on Women and Gender Equity.

Int. No. 728

By Council Members Powers, Cabán, Rivera, Hanif, Brewer, Restler, Hudson, Ung and Joseph.

**A Local Law to amend the administrative code of the city of New York, in relation to housing decisions for transgender, gender nonconforming and intersex individuals**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 9 of the administrative code of the city of New York is amended by adding a new section 9-163 to read as follows:

*§ 9-163 Housing requests related to gender identity. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

*Gender identity. The term “gender identity” means a person’s sense of their own gender which may be the same as or different from their sex assigned at birth*

*Gender nonconforming. The term “gender nonconforming” means a person whose behavior or appearance does not conform to the traditional expectations of their gender, which includes a person who is transgender.*

*Intersex.* The term “intersex” refers to a person whose physical sex characteristics do not conform to a binary construction of sex as either male or female.

*Transgender.* The term “transgender” refers to a person whose gender identity does not conform to the sex assigned at birth.

b. Subject to section 115 of title 28 of the code of federal regulations, the department shall assess all incarcerated individuals during an intake screening and upon transfer to another facility for their risk of being sexually abused by other incarcerated individuals or sexually abusive toward other incarcerated individuals. The department shall consider, at minimum, the following criteria to assess incarcerated individuals for risk of sexual victimization:

1. Whether the incarcerated individual has a mental, physical or developmental disability;
2. The age of the incarcerated individual;
3. The physical build of the incarcerated individual;
4. Whether the incarcerated individual has previously been incarcerated;
5. Whether the incarcerated individual’s criminal history is exclusively nonviolent;
6. Whether the incarcerated individual has prior convictions for sex offenses against an adult or child;
7. Whether the incarcerated individual is or is perceived to be gay, lesbian, bisexual, transgender, intersex or gender nonconforming;
8. Whether the incarcerated individual has previously experienced sexual victimization;
9. The incarcerated individual’s own perception of vulnerability; and
10. Whether the incarcerated individual is detained solely for civil immigration purposes.

c. Subject to section 115 of title 28 of the code of federal regulations, the department shall establish a process for transgender, intersex and gender nonconforming individuals to self-identify as such during intake and to use such self-identification to make housing and programming assignments on an individualized basis. In determining such housing and programming assignments, the department shall consider whether a placement would ensure the incarcerated individual’s health and safety and whether the placement would present management or security problems. The department shall not prevent incarcerated individuals from identifying as transgender, intersex or gender nonconforming solely because of classification as a different gender while previously incarcerated or because of the absence of documents indicating medical transition.

d. Subject to section 115 of title 28 of the code of federal regulations, the department shall establish a process for allowing transgender, intersex and gender nonconforming individuals who have requested entrance into a type of housing facility due to identifying as transgender, intersex or gender nonconforming to appeal denials of such requests. The department shall maintain formal written procedures consistent with this policy and with the following provisions:

1. The department shall provide written notice to such individuals that such a determination may be appealed and shall describe the appeals process in plain and simple language. The department shall ensure that such written notice is available in English and the designated citywide languages as defined in section 23-1101.

2. The department shall create an appellate review board consisting of the commissioner of correction or their designee, the deputy commissioner responsible for determining housing classifications or their designee, and the vice president of correctional health services or their designee to review the initial decision. The appellate review board shall not include individuals who made the initial housing determinations.

3. The department shall immediately forward all appeals to the board of correction. The board of correction shall issue a written opinion within 24 hours of receipt of an appeal.

4. The appellate review board shall issue a determination within 48 hours of receipt of any appeal and shall consider the written opinion of the board of correction in making its determination.

5. Within 24 hours of making its determination, the appellate review board shall provide the incarcerated individual with a written copy of the determination specifying the facts and reasons underlying such determination. Whenever the appellate review board’s decision differs from the written opinion of the board of correction, the appellate review board shall explain why it did not follow the recommendation of the board of correction.

6. The department shall provide all written materials regarding the appeals process in English and the designated citywide languages as defined in section 23-1101 and shall ensure that incarcerated individuals are given any verbal assistance necessary to meaningfully understand such procedures.

§ 2. Section 626 of the New York city charter, as amended by local law number 133 for the year 2019, is amended by adding a new subsection i to read as follows:

*i. The board shall issue opinions to the department regarding appeals of housing requests related to gender identity.*

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

Referred to the Committee on Criminal Justice.

Int. No. 729

By the Public Advocate (Mr. Williams) (by request of the Queens Borough President).

**A Local Law to amend the administrative code of the city of New York, in relation to mandating a yearly report on the automated meter reading program**

*Be it enacted by the Council as follows:*

Section 1. Section 24-334 of the administrative code of the city of New York is amended by adding a new subdivision d to read as follows:

*d. Reporting. No later than January 15, 2023, and every January 15 thereafter, the department shall submit an annual report on the automated meter reading program to the mayor and the speaker of the council and post such report on the department's website. Such report shall identify locations that have not been metered and locations that have experienced a spike in meter reading charges.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 730

By the Public Advocate (Mr. Williams) and Council Members Brewer and Joseph (by request of the Queens Borough President).

**A Local Law to amend the administrative code of the city of New York, in relation to increasing penalties for failure to comply with backflow prevention requirements**

*Be it enacted by the Council as follows:*

Section 1. Section 24-343.1 of the administrative code of the city of New York, subdivisions a, b and c as added by local law number 76 for the year 2009, and subdivision d as added by local law number 58 for the year 2019, is amended to read as follows:

§ 24-343.1 Backflow prevention [device reporting].

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

[(1) "Backflow" shall mean] *Backflow. The term "backflow" means* a flow condition, induced by a differential in pressure, that causes the flow of water or other liquids [and/]or gases into the distribution of pipes of a city water main, private water main, or to an internal water main from any source other than its intended source.

[(2) "Backsiphonage" shall mean] *Backsiphonage. The term "backsiphonage" means* the backflow of contaminated or polluted water, or water of questionable quality from a plumbing fixture or other source, into a city water main, private water main[,] or to an internal water main due to a temporary negative or sub-atmospheric pressure within the public water supply system.

[(3) "Backflow prevention device" shall mean] *Backflow prevention device. The term "backflow prevention device" means an approved air gap, reduced pressure zone device or double check valve assembly used to contain potential contamination within a facility.*

[(4) "Cross connection" shall mean] *Cross connection. The term "cross connection" means a physical connection or arrangement between two separate piping systems where one system contains potable water and the other contains steam, gas, a chemical[,] or water of questionable safety, and there may be a flow from one system to the other.*

[(5) "Hazardous facility" shall mean] *Hazardous facility. The term "hazardous facility" means a facility in which substances may be present that may endanger the health of other water users if introduced into the public water system, including but not limited to, laboratories, sewage treatment plants, chemical plants, hospitals and mortuaries.*

b. *Backflow prevention devices required. 1. When the department or the owner or operator of a building or structure has determined that there is a cross connection and no backflow prevention device, or a defective or unapproved device, such that there is a possibility of backflow or backsiphonage from such building or structure into a city water main, private water main, or to an internal water main, the owner or operator of such building or structure shall be under a duty to correct such potential or actual backflow or backsiphonage and provide the proper documentation to certify to the department that a backflow prevention device has been installed and where appropriate, that a backflow prevention device has been replaced.*

2. *Where removal of a cross-connection or installation or replacement of a backflow prevention device has been performed as part of a project for which a licensed professional engineer or registered architect has submitted plans that have been approved by the department, such licensed professional engineer or registered architect shall inspect and submit to the department a certification that the cross-connection has been removed or a backflow prevention device installed or replaced in conformity with plans approved by the department or the department of buildings.*

[c.] 3. *The department shall send out a mailing to or shall otherwise notify owners or operators of facilities identified by the department as potentially requiring backflow prevention devices informing them of the potential need for such a device and of the process for installation of backflow prevention devices under the auspices of the cross connection control program. The materials contained in such mailing shall be [translated into such languages provided for in section 8-1002 of this code] made available in each of the designated citywide languages as defined in section 23-1101.*

*4. Any owner or operator of a building or structure who fails to install a backflow prevention device as required by this section shall be subject to such fines, penalties and other enforcement measures as may be imposed pursuant to section 24-346.*

c. *Testing of backflow prevention devices. 1. Each backflow prevention device installed pursuant to this section shall be tested annually and the owner or operator of such building or structure shall provide an annual test report to the department in accordance with department rules.*

*2. Any owner or operator of a building or structure who fails to provide an annual test report in accordance with department rules shall be subject to such fines, penalties and other enforcement measures as may be imposed pursuant to section 24-346.*

d. *Reporting on backflow prevention.* On or before February 15, 2020, and on or before every February 15 thereafter, the department shall submit a report to the mayor and the speaker of the council setting forth the following information:

1. The number of all facilities that the department estimates requires the installation of one or more backflow prevention devices;

2. The number of such facilities that the department has determined to be hazardous facilities;

3. The number of all facilities in which backflow prevention devices were installed in the preceding calendar year;

4. The number of hazardous facilities in which backflow prevention devices were installed in the preceding calendar year;

5. The number of annual backflow prevention device test reports filed with the department in the preceding calendar year;

6. The number of violations issued in the preceding calendar year for failure to install a backflow prevention device; and

7. The number of violations issued in the preceding calendar year for failure to file an annual backflow prevention device test report with the department.

§ 2. Section 24-346 of the administrative code of the city of New York, subdivision b, as amended by local law number 95 for the year 2016, and subdivision c, as amended by local law 55 for the year 2013, are amended to read as follows:

b. Any person who violates or fails to comply with any of the provisions of this chapter and chapter four of this title or any order, rule or regulation issued by the board or commissioner or with the conditions of any permit issued by the commissioner within the city of New York shall be liable for a civil penalty of not less than [fifty nor more than one thousand dollars] *\$50 nor more than \$1,000* for each violation, except that the civil penalty for violating section 24-303.1 shall be not less than [two thousand five hundred dollars nor more than twenty-five thousand dollars and] *\$2,500 nor more than \$25,000*, the civil penalty for the removal of a manhole cover in violation of section 24-304 shall be not less than [two thousand five hundred dollars nor more than ten thousand dollars] *\$2,500 nor more than \$10,000*, *the civil penalty for the failure to install a backflow prevention device in violation of subdivision b of section 24-343.1 shall be not less than \$1,000 nor more than \$10,000, and the civil penalty for the failure to provide an annual test report in violation of subdivision c of section 24-343.1 shall be not less than \$700 nor more than \$10,000.* In the case of a continuing violation each day's continuance shall be a separate and distinct offense. The environmental control board shall have the power to impose such civil penalties. A proceeding to impose such penalties shall be commenced by the service of a notice of violation returnable to such board. Such board, after a hearing as provided by the rules and regulations of the board, shall have the power to enforce its final decisions and orders imposing such civil penalties as if they were money judgments pursuant to subdivision d of section [one thousand forty-nine-a] *1049-a* of the New York city charter. A civil penalty imposed by the board may also be collected in an action brought in the name of the city in any court of competent jurisdiction. The board, in its discretion, may, within the limits set forth in this subdivision, establish a schedule of civil penalties indicating the minimum and maximum penalty for each separate offense.

c. In addition to the civil penalties set forth in subdivision b of this section and except as otherwise specifically provided, any person who knowingly violates or fails to comply with any provision of this chapter and chapter four of this title or any order, rule or regulation issued by the commissioner or board or with the conditions of any permit issued by the commissioner shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than [two hundred fifty nor more than one thousand dollars] *\$250 nor more than \$1,000*, or by imprisonment not exceeding [thirty] *30* days, or both for each violation, except that the punishment for the removal of a manhole cover in violation of section 24-304 shall be a fine of not less than [five hundred dollars nor more than ten thousand dollars] *\$500 nor more than \$10,000*, or imprisonment not exceeding [thirty] *30* days, or both for each violation [.] *, the punishment for the failure to install a backflow prevention device in violation of subdivision b of section 24-343.1 shall be a fine of not less than \$2,000 nor more than \$10,000, or imprisonment not exceeding 30 days, or both for each violation, and the punishment for the failure to provide an annual test report in violation of subdivision c of section 24-343.1 shall be a fine of not less than \$1,400 nor more than \$10,000, or imprisonment not exceeding 30 days, or both for each violation.* In the case of a continuing violation each day's continuance shall be a separate and distinct offense.

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

Referred to the Committee on Environmental Protection.

Int. No. 731

By the Public Advocate (Mr. Williams) and Council Member Louis (by request of the Queens Borough President).

**A Local Law to amend the administrative code of the city of New York, in relation to establishing a water rate task force.**

*Be it enacted by the Council as follows:*

Section 1. Subchapter 4 of chapter 3 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-369.1 to read as follows:

*§24-369.1 Water rate task force. a. There shall be a water rate task force to review concerns affecting water rates, water rate equity and other ratepayer issues such as water and sewer infrastructure construction and maintenance costs. The water rate task force may offer recommendations for water rate improvements and conservation measures, including how to address water leaks and unauthorized or unrestricted water use to protect public health and the environment. The water rate task force shall also prepare a biennial report on water rate equity which first report shall be delivered by June 1, 2024 to the speaker of the council and the mayor, and posted online on the website of the department of environmental protection.*

*b. No member of the water rate task force shall be an employee of the city or a member of the water board.*

*c. The members of the water rate task force shall include: Two representatives appointed by the speaker of the council from environmental groups including at least one representative from an environmental group who is also a rate payer, and one from a civic organization who is a rate payer and one representative who is a planner and a member of a community based organization. Eight representatives appointed by the mayor including 5 water rate payers, one from each borough including a rate payer property still being billed based upon frontage, one senior citizen property owner ratepayer, one large quantity water user and one representative of a social justice organization who shall serve as chair of such task force.*

*d. The water rate task force shall hold its first meeting no later than 20 days after the last member has been appointed and may conduct such informal hearings and meetings at any place or places designated within the city for obtaining necessary information or other data to assist it in the performance of its duties, as it deems necessary.*

*e. Information developed for distribution by the water rate task force on equity among water rate payers and ways to reduce water use shall be made available in the designated citywide languages, as defined in section 23-1101, and any other languages as the department of environmental protection determines to be necessary and appropriate.*

§2. This local law shall take effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 732

By the Public Advocate (Mr. Williams) and Council Members Krishnan, Louis, Hanif, Restler and Hudson.

**A Local Law to amend the administrative code of the city of New York, in relation to the department of finance conducting education and outreach regarding deed and foreclosure prevention assistance fraud**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 11 of the administrative code of the city of New York is amended by adding a new section 11-145 to read as follows:

*§ 11-145 Education and outreach regarding deed and foreclosure prevention assistance fraud. The department of finance, in conjunction with the department of housing preservation and development and the department of consumer and worker protection, shall conduct outreach to property owners regarding deed and foreclosure prevention assistance fraud. The outreach shall include, but not be limited to, posting deed and foreclosure prevention assistance fraud resource information on the department of finance's website and on the websites of any other agency as determined by the mayor, as well as dissemination of deed and foreclosure prevention assistance fraud resource materials through existing programs and events. Such resource information and materials shall include, at a minimum, information on actions a person can take if the person suspects that a fraudulent document recording has occurred, including but not limited to, information about whom to contact for assistance, to file a complaint or to report an alleged criminal violation, and referral resources for legal assistance.*



§ 2. This local law takes effect immediately.

Referred to the Committee on Finance.

Int. No. 733

By the Public Advocate (Mr. Williams) and Council Member Brewer (by request of the Bronx, Brooklyn, Queens and Manhattan Borough Presidents).

**A Local Law to amend the New York city charter, in relation to the expansion of the Franchise and Concession Review Committee**

*Be it enacted by the Council as follows:*

Section 1. Section 373 of the New York city charter, as added by a vote of the electors on November 7, 1989, is amended to read as follows:

§ 373. Franchise and concession review committee. a. A franchise and concession review committee is hereby established. The committee shall consist of the following officials or their designees: the mayor, who shall serve as chair; the director of the office of management and budget; the corporation counsel; the comptroller; *the public advocate*; and one additional appointee of the mayor. Whenever the committee reviews a proposed franchise or concession or the procedures for granting a particular concession, the borough president of the borough in which such franchise or concession is located or his or her designee shall also serve as a member of the committee. If such a franchise, concession or procedure relates to more than one borough, the borough presidents of such boroughs shall designate one of such borough presidents or another individual to serve as a member of the committee for the purpose of considering such matter.

b. The mayor shall designate a public officer or employee to act as the clerk of the committee who shall be responsible for maintaining the records and minutes of the committee and performing such other duties as may be required.

c. The committee shall act by the affirmative vote of at least [four] *five* members except that the affirmative vote of at least [five] *six* members shall be required to approve a franchise agreement.

d. The committee shall:

(1) adopt rules establishing procedures for granting concessions through public bidding or by other means designed to ensure a competitive and fair process;

(2) review and approve the granting of concessions that are proposed to be granted pursuant to procedures that differ from the procedures established by the rules of the committee; provided, however, that the committee need not review awards of concessions that are not subject to renewal and have a term of less than thirty days;

(3) determine whether each franchise agreement proposed by a city agency is consistent with the request for proposal or other solicitation pursuant to which such agreement was negotiated and require appropriate modifications to any such agreements to correct any significant inconsistencies; and

(4) review and approve the selection of franchisees pursuant to subdivision f of section three hundred sixty-three.

§ 2. This local law shall take effect immediately after it is submitted for the approval of the qualified electors of the city at the next general election held after its enactment and approved by a majority of such electors voting thereon.

Referred to the Committee on Governmental Operations.

## Int. No. 734

By the Public Advocate (Mr. Williams) and Council Member Hanif (by request of the Queens Borough President).

**A Local Law in relation to establishing a pilot program to provide bleeding control training and kits**

*Be it enacted by the Council as follows:*

Section 1. a. The department of health and mental hygiene, in consultation with any other appropriate agency, shall establish a pilot program to provide bleeding control training to residents of the city of New York, with a particular emphasis on providing such training to students, those who work with children, clergy and parishioners.

b. On or before the first anniversary of the effective date of this local law, the department of health and mental hygiene shall post online and provide to the speaker of the council a written report containing information regarding the pilot program established pursuant to this local law, including interest in and attendance at the trainings provided pursuant to such pilot program, the cost of such pilot program, recommendations with respect to expanding or making such pilot program permanent, an analysis of the impact and effectiveness of such pilot program, and any other recommendations regarding such pilot program.

§ 2. This local law takes effect 30 days after it becomes law and shall expire and be deemed repealed upon receipt of the report due pursuant to subdivision b of section one of this local law.

Referred to the Committee on Health.

## Int. No. 735

By the Public Advocate (Mr. Williams) and Council Members Louis, Gennaro, Brewer and Restler (by request of the Queens Borough President).

**A Local Law to amend the administrative code of the city of New York, in relation to imposing civil penalties on contractors who perform work after the expiration of a permit**

*Be it enacted by the Council as follows:*

Section 1. Section 28-213.2 of the administrative code of the city of New York, as added by local law number 33 for the year 2007, is amended to read as follows:

§ 28-213.2 [Waiver. Such penalty and the permit fee shall be payable by] *Liability. a. No permit issued. Where work has been performed and a permit has never been issued for such work, the owner of the building on which the unpermitted work was performed shall be liable for such penalty and permit fee. A waiver or reduction of such penalty shall be available to a subsequent bona fide purchaser of the premises pursuant to department rules.*

*b. Expired permit. Where work has been performed after the date on which a duly issued permit has expired, the contractor who performed the unpermitted work shall be liable for such penalty, the fee to reinstate the permit and any inspection fee imposed pursuant to section 28-213.7.*

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

Referred to the Committee on Housing and Buildings.

## Int. No. 736

By the Public Advocate (Mr. Williams) and Council Members Hanif and Restler (by request of the Queens Borough President).

**A Local Law to amend the administrative code of the city of New York, in relation to requiring a study and mitigation of the impacts of methane gas emissions on city trees**

*Be it enacted by the Council as follows:*

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

*§ 18-159 Study of fugitive methane gas impacts on the urban forest. a. The department, in conjunction with the department of environmental protection, shall create or review and adopt maps showing fugitive methane gas emissions from gas mains in the city.*

*b. Where maps of the canopy of trees under the jurisdiction of the commissioner, when overlaid upon the maps described in subdivision a, indicate, in the discretion of the department and the department of environmental protection, that trees under the jurisdiction of the commissioner may be impacted by fugitive methane gas emissions, the department shall confirm, by means of a field survey, whether such trees have been damaged by such emissions.*

*c. Where field surveys confirm damage to trees under the jurisdiction of the commissioner from fugitive methane gas emissions, the department shall document such damage, take appropriate steps to notify the responsible utility and mandate mitigation or seek reimbursement as may be appropriate.*

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

Referred to the Committee on Parks and Recreation.

## Int. No. 737

By the Public Advocate (Mr. Williams) and Council Members Krishnan, Louis, Restler and Hudson.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the New York city police department to issue public reports on the department's use of body-worn cameras**

*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 14-193 to read as follows:

*§ 14-193 Body-worn camera reporting. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

*Body-worn camera. The term "body-worn camera" means a video recording device that can be attached or affixed to a person's body, apparel or clothing.*

*Law enforcement activity. The term "law enforcement activity" means any of the following activities when conducted by an officer: (i) Noncustodial questioning of individuals suspected of criminal activity; (ii) Pedestrian stops where an officer has an individualized, reasonable suspicion that the person stopped has committed, is committing, or is about to commit a crime and where a reasonable person would not feel free to end the encounter at will; (iii) Frisks; (iv) Searches of persons or property, including vehicles; (v) Roadblock or checkpoint stops, including checkpoints related to enforcement of article 31 of the vehicle and traffic law, but not including planned security checks of vehicles at sensitive locations or street closures for public events or emergencies; (vi) Home searches; (vii) Investigatory questioning of victims of or witnesses to crimes; (viii) Arrests; (ix) Issuance of a summons; and (x) Issuance of desk appearance tickets.*

*Noncustodial questioning.* The term "noncustodial questioning" means the questioning of an individual during an investigation where such individual has not been detained and is free to end the encounter at will.

*Officer.* The term "officer" means a sworn police officer of the department.

*Qualified incident.* The term "qualified incident" means any law enforcement activity in which circumstances exist that, in accordance with department policy, an officer would be required to record such incident with a body-worn camera absent an otherwise established recording exemption.

b. By January 31, 2023, and no later than 30 days after the end of each quarter thereafter, the department shall submit to the speaker of the council, and make publicly available on the department's website, a report related to the department's use of body-worn cameras. All data shall be submitted in a machine readable format. Such report shall include but not be limited to:

1. the total number of officers equipped with body-worn cameras and the percentage of officers equipped with body-worn cameras, disaggregated by borough and police precinct;
2. the percentage of total law enforcement activities in which video was recorded by an officer's body-worn camera, disaggregated by category of law enforcement activity as defined in subdivision a of this section;
3. the percentage of total use of force incidents, required to be reported pursuant to section 14-158 of the administrative code, in which video was recorded by an officer's body-worn camera, disaggregated by use of force category; and
4. the percentage of total police-civilian encounters that resulted in a complaint being investigated by the department's internal affairs bureau in which video was recorded by an officer's body-worn camera; disaggregated by category of officer alleged misconduct.

c. By January 31, 2024, and no later than 30 days after the end of each calendar year, the department shall submit to the speaker and make publicly available on the department's website, in a machine readable format, data pertaining to each qualified incident that occurred during the prior calendar year, including the following information for each such qualified incident:

1. the date and time of the qualified incident;
  2. the location of the qualified incident, including latitude and longitude if possible, but in all cases at least as specific as the nearest intersection;
  3. the law enforcement activity that triggered the qualified incident;
  4. whether an officer at the scene of the qualified incident was equipped with a body-worn camera;
  5. whether images were recorded by an officer's body-worn camera and if not, the reason for failure to record;
  6. whether the body-worn camera failed to record audio or the audio recorded was unintelligible;
  7. whether the visual clarity of the recording from a body-worn camera was fully or partially compromised as a result of, but not limited to, an obstructed view or insufficient lighting;
  8. whether an officer informed the individual subject to the law enforcement activity that they were being recorded by body-worn camera;
  9. whether an officer disengaged the recording function of a body-worn camera prior to the culmination of such qualified incident or as otherwise required by department policy;
  10. whether an individual requested access to the recording pursuant to the state freedom of information law;
  11. whether a use of force incident, required to be reported pursuant to section 14-158 of the administrative code, occurred during the qualified incident, and if so, what use of force category was involved;
  12. whether images recorded by an officer's body-worn camera were used as part of an investigation by the civilian complaint review board or the department's internal affairs bureau;
  13. the race of the individual subject to the law enforcement activity that triggered the qualified incident;
  14. the gender of the individual subject to the law enforcement activity that triggered the qualified incident;
- and
15. the age of the individual subject to the law enforcement activity that triggered the qualified incident.

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

Referred to the Committee on Public Safety.

## Int. No. 738

By the Public Advocate (Mr. Williams) and Council Member Brewer (by request of the Queens Borough President).

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of transportation to consider placement of traffic enforcement agents in developing an interagency roadway safety plan**

*Be it enacted by the Council as follows:*

Section 1. Section 19-184 of the administrative code of the city of New York, as amended by local law number 105 for the year 2013, is amended to read as follows:

§ 19-184 Interagency roadway safety plan. a. The department shall develop an interagency plan to improve roadway safety, which shall be designed to, among other things, reduce the [incidents] *incidence* of traffic violations, crashes, injuries and fatalities.

b. Such plan shall identify key agencies and groups that the department shall meet with at least monthly to work on improving roadway safety and shall include, but not be limited to:

[i.] 1. Proposed programs and initiatives to reduce traffic violations and to encourage traffic calming and safety measures;

[ii.] 2. Suggestions for behavioral modification to reduce crashes in the city, such as education and strategic traffic enforcement, *including placement of traffic enforcement agents in certain areas*;

[iii.] 3. A plan to increase collaboration between the department and the police department on roadway safety; and

[iv.] 4. A schedule for implementing the proposals contained in such plan.

c. The department shall issue such plan to the mayor and council [ninety] 90 days after the date on which the local law that added this section takes effect. Such report shall include, but not be limited to, the strategies for improving roadway safety, whether any strategies were implemented, and the status of such implementation.

d. Such plan shall be updated every five years and the first such updated plan shall be presented to the mayor and council no later than May 31, 2016, and on or before the same date every five years thereafter. Such updated plan shall include, but not be limited to, actions that have been taken to implement the prior plans submitted pursuant to this section, and the reasons that any actions that had been recommended by such prior plans [but not implemented] were not taken.

§ 2. This local law takes effect immediately.

Referred to the Committee on Transportation and Infrastructure.

## Int. No. 739

By Council Members Rivera, Louis, Hanif, Brewer, Restler and Hudson.

**A Local Law to amend the administrative code of the city of New York, in relation to information regarding alternatives to incarceration**

*Be it enacted by the Council as follows:*

Section 1. Chapter 3 of title 9 of the administrative code of the city of New York is amended by adding a new section 9-310 to read as follows:

§ 9-310 *Alternatives to incarceration information in courts.* a. *The office shall make reasonable efforts to work with the office of court administration to promote the availability of complete and accurate information regarding alternatives to incarceration. Such efforts shall include promoting the display of information regarding alternatives to incarceration in locations in courthouses where such information would assist*

*individuals in requesting alternatives to incarceration. The office shall provide the following information for each alternative to incarceration:*

- 1. Eligibility requirements;*
- 2. Contact information; and*
- 3. The number of beds currently available.*

*b. The office shall regularly provide updated information regarding alternatives to incarceration to district attorneys in the city of New York and public defender organizations funded by the city.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Int. No. 740

By Council Member Salamanca.

**A Local Law in relation to establishing a task force to examine reckless driving by tow truck operators**

*Be it enacted by the Council as follows:*

Section 1. Task force to examine reckless driving by tow truck operators. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Reckless driving. The term “reckless driving” has the same meaning as is ascribed to such term in section 1212 of the vehicle and traffic law.

Tow truck. The term “tow truck” means a vehicle that is equipped with a crane, winch, tow bar, push plate or other device designed to pull or push a vehicle or to raise a vehicle or the front or rear end thereof.

Vehicle. The term “vehicle” means a motor vehicle as defined in section 125 of the vehicle and traffic law, a tractor as defined in section 151-a of the vehicle and traffic law or a trailer as defined in section 156 of the vehicle and traffic law.

b. There shall be a task force to examine reckless driving by tow truck operators consisting of the commissioner of consumer and worker protection, the commissioner of transportation and the police commissioner, or the designee of each such commissioner; one member to be appointed by the mayor; and one member to be appointed by the speaker of the council. The commissioner of consumer and worker protection shall serve as chairperson of the task force.

c. Each member of the task force shall serve without compensation. All members shall be appointed within 60 days after the effective date of this local law.

d. No appointed member of the task force shall be removed except for cause by the appointing authority. In the event of a vacancy on the task force during the term of an appointed member, a successor shall be selected in the same manner as the original appointment to serve the balance of the unexpired term.

e. Each member of the task force may designate a representative who shall be counted as a member for the purpose of determining the existence of a quorum and who may vote on behalf of such member, provided that such representative is an officer or employee from the same agency as the designating member. The designation of a representative shall be made by a written notice of the member delivered to the chairperson of the task force prior to the designee participating in any meeting of the task force, but such designation may be rescinded or revised by the member at any time.

f. The mayor may designate one or more agencies to provide staffing and other administrative support to the task force.

g. The task force shall meet at least quarterly and shall submit a report of its recommendations to the mayor and the speaker of the council no later than 12 months after the final member of the task force is appointed. Such report shall include recommendations to address reckless driving and speeding by tow truck operators, including proposed changes to laws, agency rules, agency enforcement practices and traffic safety strategies.

h. The task force shall dissolve upon submission of the report required pursuant to subdivision g of this section.

§ 2. This local law takes effect immediately.

Referred to the Committee on Consumer and Worker Protection.

Int. No. 741

By Council Members Salamanca, Hudson and Joseph.

**A Local Law to amend the administrative code of the city of New York, in relation to radiator inspections in homeless shelters**

*Be it enacted by the Council as follows:*

Section 1. Chapter 3 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-329 to read as follows:

§ 21-329 Radiator inspections. a. Definitions. For the purposes of this section, the term “shelter” means temporary emergency housing provided to homeless adults, adult families, and families with children by the department or a provider under contract or similar agreement with the department.

b. During any inspection conducted or overseen by the department related to health, safety, or the physical conditions of a shelter, or part thereof, the department shall also inspect any radiators within such shelter.

§ 2. This local law takes effect immediately.

Referred to the Committee on General Welfare.

Int. No. 742

By Council Members Salamanca and Louis.

**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. 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, 2023, and no later than 15 days after the end of each month thereafter, ACS shall submit a report related to demographic data of the juvenile justice system to the speaker of the council and post such report permanently on ACS’s website. All data contained in such report must be in a machine-readable format and include a comparison of the current reporting period to the prior four reporting periods, when 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 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] The total number of admissions [in] during the previous [fiscal year] month to the following facilities:

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

- ii.] (b) non-secure detention facilities, *in total and disaggregated by facility*;
- (c) *specialized secure detention facilities, in total and disaggregated by facility*; and
- (d) *specialized juvenile detention facilities, in total and disaggregated by facility*.

2. The data provided pursuant to paragraph one 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] *is* 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*;

(g) *whether such youth have any prior contact with ACS, including foster care cases*; and

(h) *whether such youth have any prior contact with the department of probation*.

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] *month* in the following facilities:

- [i.] (a) secure detention facilities, *in total and disaggregated by facility*; [and
- ii.] (b) non-secure detention facilities[.], *in total and disaggregated by facility*;
- (c) *specialized secure detention facilities, in total and disaggregated by facility*; and
- (d) *specialized juvenile detention facilities, in total and disaggregated by facility*;

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] *month* who spent time either in non-secure detention only, secure detention only, [or] *specialized secure detention only*, both non-secure and secure detention, *both non-secure and specialized secure detention, or both secure and specialized secure detention, in total 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] *is* 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[.];

(g) *whether such youth have any prior contact with ACS, including foster care cases*; and

(h) *whether such youth have any prior contact with the department of probation*;

3. *During the prior month, 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 imposing bail, disaggregated by juvenile offenders, adolescent offenders and individuals who are 17 years old remanded to detention before October 1, 2019; and*

4. *The total 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] *The* total number of *placement* admissions [in] *during* the previous [fiscal year] *month* in the following facilities:

- [i.] (a) non-secure placement facilities, *in total and disaggregated by facility*; and
- [ii.] (b) limited-secure placement facilities, *in total and disaggregated by facility*.



2. The data provided pursuant to paragraph one 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] *is* 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;

(i) *whether such youth have any prior contact with ACS, including foster care cases; and*

(j) *whether such youth have any prior contact with the department of probation.*

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] month* in the following facilities:

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

[ii.] (b) limited-secure placement facilities[.], *in total and disaggregated by facility*;

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] month 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] *is* 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[.];

(f) *whether such youth have any prior contact with ACS, including foster care cases; and*

(g) *whether such youth have any prior contact with the department of probation.*

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

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

[ii.] (b) a 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;

(i) *a specialized secure detention facility to a secure detention facility; and*

(j) *a specialized secure detention facility to a non-secure detention facility.*

2. The data provided pursuant to paragraph one 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, specialized secure and specialized 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 facility;*

*(b) juvenile offenders, in total and disaggregated by facility;*

*(c) adolescent offenders, in total and disaggregated by facility;*

*(d) youth transferred from the custody of the department of correction on October 1, 2018; and*

*(e) individuals who were 17 years old remanded to detention on or after October 1, 2018 and before October 1, 2019.*

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, except that for a number between one and five admissions from one zip code, the number is replaced with a symbol;*

*(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.*

§ 2. 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, 2023, and no later than 15 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 store it permanently on ACS's website. All data contained in such report must be in a machine-readable format and include a comparison of the current reporting period to the prior four reporting periods, when 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*;
- (h) *serious physical injury to staff*;
- [viii.] (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*;
- (k) *alarm system activity*; and
- (l) *deployment of a dedicated unit of ACS personnel trained to respond to violent incidents, or a department of correction crisis response team.*

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 detention [facility] facilities, in total and disaggregated by facility*;
- [ii.] (b) *non-secure detention facilities, in total and disaggregated by facility*;
- [iii.] (c) *non-secure placement facilities, in total and disaggregated by facility*; [and
- iv.] (d) *limited secure placement facilities[.], in total and disaggregated by facility*;
- (e) *specialized secure detention facilities, in total and disaggregated by facility*;
- (f) *specialized juvenile detention facilities, in total and disaggregated by facility*;
- (g) *whether the child involved in the incident was an adolescent offender, juvenile offender, juvenile delinquent, youth transferred from the custody of the department of correction on October 1, 2018, or an individual who was 17 years old and was remanded to detention between October 1, 2018 and before October 1, 2019; and*
- (h) *where applicable, whether the staff involved in the incident were employees of ACS, the department of correction or both.*

3. For each incident 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. For each incident reported pursuant to subparagraph (k) of paragraph 1 of this subdivision, such report must include the facility and reason for each such alarm system activation.

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 detention [facility] facilities, in total and further disaggregated by facility*;
- [ii.] (b) *non-secure detention facilities, in total and further disaggregated by facility*;
- [iii.] (c) *non-secure placement facilities, in total and further disaggregated by facility*; [and
- iv.] (d) *limited secure placement facilities[.], in total and further disaggregated by facility*;
- (e) *specialized secure detention facilities, in total and further disaggregated by facility*; and
- (f) *specialized juvenile detention facilities, in total and further disaggregated by facility.*

*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 or specialized juvenile detention facility, ACS shall post public notice of such waiver on their website no later than five days following the receipt of such waiver. Beginning January 15, 2023, 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.*

§ 3. 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, 2023, and no later than 15 days after the end of each month thereafter, ACS shall submit a report to the speaker of the council and post such report on its website regarding the average number of staff members during the previous month deployed to the following facilities:*

- 1. Secure detention, in total and disaggregated by facility;*
- 2. Specialized secure detention, in total and disaggregated by facility; and*
- 3. Specialized juvenile detention, 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 department of correction staff and ACS staff, in total and disaggregated by tour and job title.*

§ 4. 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 15 days of January 15, 2023, and no later than 15 days after the end of each month thereafter, the department of probation shall submit to the speaker of the council and post on its website a report on the number of cases in the previous month in the following categories:*

- 1. Juvenile delinquents under 16 years of age whose cases originated in family court;*
- 2. Juvenile delinquents under 16 years of age whose cases were transferred to family court from the youth part of criminal court;*
- 3. Youth 16 and 17 years of age whose cases originated in family court; and*
- 4. Youth 16 and 17 year of age 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 total number of youth screened for adjustment in family court, and further disaggregated by age, gender, race, the most serious offense and age at time of interview;*
- 2. The total number of individuals whose cases have been adjusted, and further disaggregated by age, gender, race, the most serious offense and age at time of interview;*
- 3. The average number of days elapsed from an individual’s arrest to adjustment interview;*
- 4. The reasons stated for not adjusting an individual, further disaggregated by age, 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, gender, race, the most serious offense, risk level score and age at the time of risk assessment interview; and*
9. *The percent of dispositional recommendations for placement, disaggregated by age, gender and race.*

§ 5. 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 must be stored permanently, must be accessible through the city's open data web portal and must be 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 bge] *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, age at the time of the charge, 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, age at the time of the charge, county and most serious offense;*

36. *The total 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, age at the time of the charge, 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, age at the time of the charge, 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.*

§ 6. This local law takes effect immediately, except that sections one and two of this local law take effect on January 1, 2023.

Referred to the Committee on General Welfare.

Int. No. 743

By Council Members Salamanca and Joseph.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring certain city employees to identify themselves during encounters with the public**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 10 of the administrative code of the city of New York is amended by adding a new section 10-174.1 to read as follows:

§ 10-174.1 *Identification of city employees. a. Definitions. As used in this section, the term “covered employee” means an employee of the city who is authorized to issue summonses or notices of violation on behalf of the city.*

*b. Whenever a covered employee questions a person in the covered employee’s official capacity as a city employee, such covered employee shall offer, to any person requesting identifying information:*

*1. A pre-printed business card;*

*2. A hand-written card, if such covered employee does not have an adequate number of pre-printed business cards in such employee’s possession, which shall at a minimum identify the name, agency and supervisor of such covered employee; or*



3. To provide such information verbally to such person and allow such person sufficient time to record such information when such covered employee does not have an adequate number of pre-printed business cards or hand-written cards in such employee's possession.

c. Any business card used by a covered employee to comply with this section shall be pre-printed and include, at a minimum:

1. The name, agency and supervisor of such covered employee; and

2. A phone number for the 311 customer service center and an indication that such phone number may be used to submit comments about the encounter between such covered employee and such person.

d. Each agency that employs covered employees shall develop a plan to ensure that covered employees have an adequate number of business cards and that such cards be replenished within 30 business days after such cards become unavailable.

e. A covered employee shall not be required to comply with this section where:

1. Such covered employee is engaged in an approved undercover activity or operation; or

2. Exigent circumstances require immediate action by such employee.

f. Nothing in this section or in the implementation thereof shall be construed to:

1. Restrict or limit any activity or proceeding regulated by the criminal procedure law or any other state law; or

2. Create a private right of action on the part of any persons or entity against the city of New York, any agency or any official or employee thereof.

§ 2. Severability. If any portion of this local law is, for any reason, declared unconstitutional or invalid, in whole or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this local law, which remaining portions shall continue in full force and effect.

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

Referred to the Committee on Governmental Operations.

Int. No. 744

By Council Members Salamanca and Brewer.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring reporting on the police department's 2020 community ambassador initiative**

*Be it enacted by the Council as follows:*

Section 1. Subdivision a of section 14-150 of the administrative code of the city of New York is amended by adding a new paragraph 9 to read as follows:

9. A report on the department's community ambassador initiative, announced in June of 2020, including: (i) the criteria used to select community ambassadors; (ii) the number of community ambassadors hired; (iii) the annual budget for the initiative; (iv) the compensation paid to community ambassadors; (v) a description of the duties and responsibilities of community ambassadors; and (vi) a summary of the projects undertaken by each community ambassador, disaggregated by patrol precinct. The department shall also post the name and contact information of each community ambassador on its website.

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

## Int. No. 745

By Council Members Salamanca, Louis and Brewer.

**A Local Law to amend the administrative code of the city of New York, in relation to creating borough-based traffic request response teams**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-159.6 to read as follows:

§ 19-159.6 *Traffic request response teams. a. Definitions. For purposes of this section, the term “traffic request” means a request submitted to the department relating to the review of vehicular traffic or a traffic calming device, as defined in section 19-193, or an alteration to a street, as defined in section 1-112, or a sidewalk, as defined in section 19-101.*

*b. The commissioner shall assign department staff to each borough tasked with responding to traffic requests in such borough, provided that the staffing level of each borough’s traffic request response staff shall be proportionate to the volume of traffic requests in such borough. Traffic request response staff shall respond to traffic requests within three months of submission to the extent practicable.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Transportation and Infrastructure.

## Int. No. 746

By Council Members Salamanca and Louis

**A Local Law to amend the administrative code of the city of New York, in relation to restricting the parking of mobile homes and trailers near schools and parks**

*Be it enacted by the Council as follows:*

Section 1. Subchapter 2 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-170.3 to read as follows:

§ 19-170.3 *Restricted parking for mobile homes and trailers near schools and parks. a. Definitions. As used in this section, the following terms have the following meanings:*

*Mobile home. The term “mobile home” has the same meaning as set forth in section 122-c of the vehicle and traffic law or any successor provision.*

*Trailer. The term “trailer” has the same meaning as set forth in section 156 of the vehicle and traffic law or any successor provision.*

*b. No person shall park a mobile home or trailer within 1000 feet of a school or a park on a street that abuts a school or park.*

*c. Any mobile home or trailer parked in violation of subdivision b of this section shall be subject to impoundment by the department, the police department or any other authorized agency. The commissioner and the police commissioner shall promulgate rules for the impoundment of mobile homes or trailers.*

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

Referred to the Committee on Transportation and Infrastructure.

## Int. No. 747

By Council Members Salamanca, Powers, Brewer, Restler, Hudson and Joseph.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of social services to create a domestic violence shelter designated for men**

*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 21-142.6 to read as follows:

*§ 21-142.6 Domestic violence shelter for men. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

*Domestic violence. The term “domestic violence” means acts or threats of violence, not including acts of self-defense, committed by a family or household member against another family or household member.*

*Domestic violence services. The term “domestic violence services” means the coordination of appropriate services to clients who have experienced domestic violence, including but not limited to counseling, legal services, and access to employment, housing, childcare, and other resources, where such coordination is provided primarily by a social worker.*

*Domestic violence shelter. The term “domestic violence shelter” means a facility operated by the department or by a provider under contract or similar agreement with the department to provide shelter for victims of domestic violence.*

*b. No later than January 1, 2023, the department shall create a domestic violence shelter exclusively for individuals who identify as men. The department shall ensure that domestic violence services are available and provided to all clients who identify as men and wish to access such services.*

*c. The department shall share information regarding the availability of such domestic violence shelter created pursuant to subdivision b on the department’s website, social media accounts and in person outreach.*

*d. No later than one year after the effective date of the local law that added this section, the department shall post on its website and provide the speaker of the council a report containing information regarding the shelter established pursuant to this local law, including, but not limited to the following:*

- 1. The total cost of such shelter;*
- 2. The number of individuals who accessed the shelter created pursuant to subdivision b of this section;*
- 3. An analysis of the impact and effectiveness of such shelter; and*
- 4. Any other information the department deems relevant.*

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

Referred to the Committee on General Welfare.

## Res. No. 332

**Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation that would require NYCHA to conduct annual evaluations of agency property employees.**

By Council Members Salamanca and Brewer.

**Whereas**, The New York City Housing Authority (NYCHA) is the nation’s largest public housing authority and provides housing to over 400,000 New Yorkers; and

**Whereas**, NYCHA has struggled for years to modernize its management and to hold its property managers accountable for decisions affecting the properties where they work; and

**Whereas**, NYCHA’s failure to detect and remediate lead paint in thousands of apartments and its noncompliance with federal requirements to inspect for hazardous lead reflects a failure of management, resulting in elevated blood lead levels in 820 children under the age of six; and

**Whereas**, NYCHA's failure to maintain and repair boilers, and its failure to accurately track and complete work orders for heat and hot water outages, has resulted in the failure of NYCHA to provide adequate heat and hot water to hundreds of thousands of residents during the 2017-2018 heating season; and

**Whereas**, NYCHA's failure to remediate and abate mold in apartments has resulted in recurring mold conditions at NYCHA apartments and health problems for residents; and

**Whereas**, NYCHA failed to provide necessary repairs at Throggs Neck Houses and concurrently failed to appropriately respond to complaints from residents and staff about the sex scandal at Throggs Neck Houses; and

**Whereas**, NYCHA employees, including property managers, assistant managers, superintendents, and caretakers are responsible for the overall operation of 326 developments at NYCHA; and

**Whereas**, Legislation requiring an annual evaluation would allow NYCHA to ensure that performance standards are being met; and

**Whereas**, NYCHA has stated that it needs to set performance standards and metrics for all of its staff; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, legislation that would require NYCHA to conduct annual evaluations of agency property employees.

Referred to the Committee on Public Housing.

Int. No. 748

Council Members Williams, Won, Restler and Joseph (by request of the Brooklyn Borough President).

**A Local Law to amend the administrative code of the city of New York, in relation to establishing dynamic parking zones**

*Be it enacted by the Council as follows:*

Section 1. Subdivision f of section 19-167 of the administrative code of the city of New York, as added by local law number 171 for the year 2021, is amended to read as follows:

f. Notification of changes involving parking meters. 1. New parking meter installation. Prior to the installation of new parking meters covering at least four contiguous blockfaces, the department shall forward notice of such installation to the affected council member(s) and community board(s) by electronic mail.

(a) Within 10 business days after receipt of such notice: (i) the affected council member(s) may submit recommendations, comments or both regarding such notice to the department; and (ii) the affected community board(s) may submit recommendations or comments regarding such notice, or request a presentation regarding such installation, which where practicable shall be made to such community board(s) within 30 days of such request.

(b) Any recommendations or comments received by the department pursuant to this subdivision shall be reviewed prior to the installation of such new parking meters.

2. Existing parking meter alterations. Prior to making changes to parking meter rates or replacing a parking meter with a different type of parking meter, the department shall provide at least 30 days written notice of such changes by regular first-class mail and electronic mail to the community board and council member in whose district the affected parking meters are or will be located and shall post such written notice on the department's website, *provided that this paragraph shall not apply to a dynamic parking zone implemented by the department pursuant to section 19-167.1*. Such notice shall at a minimum provide the following information:

(a) Parking rates. The notice shall include the proposed new rate, the location(s) of the meters affected by such rate change and the earliest date such new rate will go into effect.

(b) Change in meter type. The notice shall include the location(s) where meters will be converted and the earliest date on which such converted meters will go into operation.

§ 2. Subchapter 2 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-167.1 to read as follows:

*§ 19-167.1 Dynamic parking program. a. Definitions. For purposes of this section, the following terms have the following meanings:*

*Dynamic parking rate. The term “dynamic parking rate” means the real-time adjustment of on-street parking pricing dependent on demand and supply.*

*Dynamic parking zone. The term “dynamic parking zone” means an area of contiguous blocks designated by the department for inclusion in the dynamic parking program.*

*b. Program. The department shall establish a dynamic parking program including determining by rule when and how dynamic parking rates shall be applied in dynamic parking zones pursuant to subdivisions c and d of this section, and provided that real-time adjustments to a dynamic parking rate may be made no more than once an hour.*

*c. Dynamic parking zones. The department shall designate at least one dynamic parking zone in each borough where a dynamic parking rate will apply. The locations and boundaries of the dynamic parking zones shall be determined by the department based on factors including but not limited to existing traffic congestion, rates of illegal parking citations issued, and the amount of commercial activity in such area.*

*d. Dynamic parking rates. Within each dynamic parking zone, the department shall establish a dynamic parking rate fee structure with a minimum and maximum hourly fee. The department may change the minimum and maximum hourly fees for a dynamic parking zone only after providing at least seven days written notice to the community board(s) and council member(s) in whose district(s) the zone will be located and posting such written notice on the department’s website.*

*e. Notice. Upon the establishment of a dynamic parking zone pursuant to subdivision c of this section, the department shall provide at least 30 days’ written notice of the proposed zone by regular first-class mail and electronic mail to the community board(s) and council member(s) in whose district(s) the zone will be located and shall post such written notice on the department’s website. Such notice shall at a minimum provide a description of the boundaries of the proposed dynamic parking zone, the proposed new dynamic parking rates, and the earliest date such new rates will go into effect.*

*f. Exceptions. This section shall not apply to a vehicle bearing a permit issued pursuant to paragraph 15 of subdivision a of section 2903 of the charter or section 1203-h of the vehicle and traffic law.*

*g. Reporting. Not later than July 1, 2024, and by July 1 biannually thereafter, the commissioner shall post publicly on the department’s website and submit to the mayor and the speaker of the council a report on the dynamic parking program established by this section, including but not limited to:*

- 1. A description of each dynamic parking zone including the dynamic parking rates in such zone;*
- 2. Whether the amount of available parking in each zone increased during the dynamic parking program;*
- 3. The rate of citations issued for parking violations in each zone and the rate of such citations issued prior to the dynamic parking program;*
- 4. Any other localized benefits such as vehicle emissions reductions experienced during the dynamic parking program;*
- 5. Any technological or logistical constraints impacting the dynamic parking program in each dynamic parking zone and any action that may be taken to lessen such constraints; and*
- 6. Whether additional zones should be added.*

*§ 3. This local law takes effect 1 year after it becomes law.*

Referred to the Committee on Transportation and Infrastructure.

## Preconsidered L.U. No. 113

By Council Member Salamanca:

**Application No. C 220405 HAK (Gateway Site 26A and Phase 5) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Article 16 of the General Municipal Law of New York State for the designation of an Urban Development Action Area and an Urban Development Action Area Project, and pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD, for property located at Erskine Street (Block 4586, p/o Lot 1), Borough of Brooklyn, Community District 5, Council District 42.**

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions (preconsidered but laid over by the Subcommittee on Landmarks, Public Sitings and Dispositions).

## Preconsidered L.U. No. 114

By Council Member Salamanca:

**Application Number C 220406 HUK (Gateway Site 26A and Phase 5) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Section 505 of Article 15 of the New York State General Municipal Law (Urban Renewal) and Section 197-c of the New York City Charter, for the fourth amendment to the Fresh Creek Urban Renewal Plan, Borough of Brooklyn, Community District 5, Council District 42.**

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions (preconsidered but laid over by the Subcommittee on Landmarks, Public Sitings and Dispositions).

## Preconsidered L.U. No. 115

By Council Member Salamanca:

**Application number C 220133 ZMQ (78-46 Metropolitan Avenue Rezoning) submitted by Robert Thomas, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 13d, changing from an R5 District to an R5D and establishing within the proposed R5D District a C2-3 District, Borough of Queens, Community District 5, Council District 30.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises (preconsidered but laid over by the Subcommittee on Zoning and Franchises).

## Preconsidered L.U. No. 116

By Council Member Salamanca:

**Application number C 220414 ZMQ (79-18 164<sup>th</sup> Street Rezoning) submitted by Mikhail Kantius, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 14c, eliminating from within an existing R4 District a C1-3 District, eliminating from within an existing R5D District a C1-3 District, establishing within an existing R4 District a C2-3 District and establishing within an existing R5D District a C2-3 District, Borough of Queens, Community District 8, Council District 24.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises (preconsidered but laid over by the Subcommittee on Zoning and Franchises).

## Preconsidered L.U. No. 117

By Council Member Salamanca:

**Application number C 220169 ZMQ (40-25 Crescent Street Rezoning) submitted by Crescent Street Associates, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9b, changing from an M1-2/R5B District to an M1-2/R6A District and changing from an M1-2/R5D District to an M1-2/R6A District, Borough of Queens, Community District 1, Council Districts 26.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises (preconsidered but laid over by the Subcommittee on Zoning and Franchises).

## Preconsidered L.U. No. 118

By Council Member Salamanca:

**Application number N 220170 ZRQ (40-25 Crescent Street Rezoning) submitted by Crescent Street Associates, LLC, pursuant to Section 201 of the New York City Charter for an amendment to the Zoning Resolution of the City of New York, modifying provisions of Article XI, Chapter 7 (Special Long Island City Mixed Use District) and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Community District 1, Council Districts 26.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises (preconsidered but laid over by the Subcommittee on Zoning and Franchises).

## L.U. No. 119

By Council Member Salamanca:

**Application number C 220380 HAX (Morrisania Open Door) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Article 16 of the General Municipal Law of New York State for the designation of an Urban Development Action Area and an Urban Development Action Area Project, and pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD, for property located at 1312-1314 Chisholm Street (Block 2972, Lots 15 and 16), Borough of the Bronx, Community District 3, Council District 16.**

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

## L.U. No. 120

By Council Member Salamanca:

**Application number G 220020 XAX (Morrisania Open Door Article XI) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Section 577 of Article XI of the Private Housing Finance Law, for approval of an exemption from real property taxation for property located at 1312-1314 Chisholm Street (Block 2972, Lots 15 and 16), Borough of the Bronx, Community Districts 3, Council Districts 16.**

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings & Dispositions.

## L.U. No. 121

By Council Member Salamanca:

**Application number C 220381 HAX (Morris Heights NCP) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Article 16 of the General Municipal Law of New York State for the designation of an Urban Development Action Area and an Urban Development Action Area Project, and pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD, for property located at 30 West 182nd Street (Block 3195, Lot 21) and 1647 Popham Avenue (Block 2877, Lot 278), Borough of the Bronx, Community District 5, Council Districts 14 and 16.**

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings & Dispositions.



## L.U. No. 122

By Council Member Salamanca:

**Application number G 220019 XAX (Morris Heights NCP Article XI) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Section 577 of Article XI of the Private Housing Finance Law, for approval of an exemption from real property taxation for property located at Block 2762, Lot 89, Block 2877, Lot 278, Block 3195, Lot 21, and Block 3225, Lot 77, Borough of the Bronx, Community Districts 2, 5, and 7, Council Districts 14, 16, and 17.**

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings & Dispositions.

## L.U. No. 123

By Council Member Salamanca:

**Application number G 220022 NUX (Morrisania Claremont Village Open Door) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Article 16 of the General Municipal Law for the approval of an urban development action area project and real property tax exemption for properties located at 3341 Third Avenue (Block 2370, Lot 143), 1325 Chisholm Street (Block 2971, Lot 35), 1319A Chisholm Street (Block 2971, Lot 38), 1319 Chisholm Street (Block 2971, Lot 39), 1234 East 223rd Street (Block 4897, Lot 63), 1316 Findlay Avenue (Block 2782, Lot 13), 294 East 164th Street (Block 2423, Lot 33), Borough of the Bronx, Community District 3, 4, and 12, Council Districts 12 and 16.**

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings & Dispositions.

## L.U. No. 124

By Council Member Salamanca:

**Application number G 220021 XAX (Morrisania Claremont Village Open Door Article XI) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Section 577 of Article XI of the Private Housing Finance Law, for approval of an exemption from real property taxation for property located at Block 2370, Lot 143, Block 2782, Lot 13, Block 2971, Lots 35, 38, and 39, Block 4897, Lot 63, Borough of the Bronx, Community Districts 3, 4, and 12, Council Districts 12 and 16.**

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings & Dispositions.

NEW YORK CITY COUNCIL

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

**Friday, September 30, 2022**

Committee on Governmental Operations Sandra Ung, Chairperson

**Oversight** - Ranked Choice Voting Implementation and Ballot Design  
**Int 696** - By Council Members Ung, Louis, Restler, Hudson, Joseph, Nurse, Williams, Bottcher, Hanif, Stevens, Velázquez, Cabán, Avilés, Farías, Gutiérrez, De La Rosa and Ayala - **A Local Law** to amend the New York city charter, in relation to the design of the ballot and content of ballot instructions for ranked choice elections.  
Council Chambers – City Hall.....10:00 a.m.

Committee on Public Safety Kamillah Hanks, Chairperson  
Oversight - Community Problem-Solving Courts  
Committee Room – City Hall.....10:00 a.m.

Committee on Immigration Shahana K. Hanif, Chairperson  
**Oversight** - Resources and Services for Newly Arrived Asylum Seekers.  
Council Chambers – City Hall.....1:00 p.m.

**Monday, October 3, 2022**

Committee on Housing and Buildings jointly with the Pierina Ana Sanchez, Chairperson  
Committee on Aging Crystal Hudson, Chairperson

**Oversight** - Increasing Affordable Housing for Older New Yorkers and Improving Accessibility in the City’s Housing Stock.  
**Int 141** - By Council Members Ayala, Won, Farías and Schulman - **A Local Law** to amend the New York city building code, in relation to power-operated and power-assisted doors.  
**Int 322** - By Council Members Brannan, Farías, Louis, Stevens, Ung, Avilés, Abreu, Hudson, Richardson Jordan and Sanchez - **A Local Law** to amend the administrative code of the city of New York, in relation to the installation of protective devices for seniors and persons with a disability who reside in multiple dwellings, and the provision of a tax abatement for certain related installations.  
**Int 584** - By the Public Advocate (Mr. Williams) and Council Members Cabán, Louis, Marte, Joseph, Nurse, Gutiérrez, Hudson and Sanchez - **A Local Law** to amend the administrative code of the city of New York, in relation to evictions of disabled tenants.  
**Int 676** - By Council Members Hudson, Lee, Schulman, Richardson Jordan, Louis, Sanchez, Velázquez, Barron, Stevens and Avilés - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring a percentage of dwelling units receiving city financial assistance to be universal design units.  
**Res 236** - By Council Members Cabán, Hudson, Hanif, Brewer, Louis, Ung, Gutiérrez, Richardson Jordan, Restler, Riley, Won, Velázquez, Barron and Sanchez - **Resolution** calling upon the New York State Legislature to pass, and the Governor to sign, S.5102/A.1475, which would allow municipalities and localities that have a senior citizen rent increase exemption program to establish an automatic enrollment program for eligible seniors to be automatically enrolled or automatically re-enrolled in the program.  
Council Chambers – City Hall.....1:00 p.m.

Committee on Resiliency and Waterfronts jointly with the Ari Kagan, Chairperson  
Committee on Parks and Recreation Shekar Krishnan, Chairperson  
**Oversight** - Resiliency of the City’s Beaches and Waterfronts.  
Committee Room – City Hall.....1:00 p.m.

**Thursday, October 6, 2022**

[Subcommittee on Landmarks, Public Sitings and Dispositions](#) Farah N. Louis, Chairperson  
**See Land Use Calendar**  
 Committee Room – City Hall.....10:00 a.m.

[Subcommittee on Zoning & Franchises](#) Kevin C. Riley, Chairperson  
**See Land Use Calendar**  
 Committee Room – City Hall.....11:00 a.m.

[Committee on Land Use](#) Rafael Salamanca, Jr., Chairperson  
**All items reported out of the Subcommittees**  
**AND SUCH OTHER BUSINESS AS MAY BE NECESSARY**  
 Committee Room – City Hall.....12:00 p.m.

**Wednesday, October 12, 2022**

[Stated Council Meeting](#)  
**Council Chambers – City Hall.....Agenda – 1:30 p.m**

The following comments were among the remarks made by the Speaker (Council Member Adams) during the Communication from the Speaker segment of this meeting:

The Speaker (Council Member Adams) acknowledged and addressed the issues related to the thousands of people who were arriving in New York City, including those sent by other states, in order to seek asylum from their home countries. She emphasized that these individuals were human beings with many fleeing desperate economic conditions and political violence. She urged that these individuals be met with the compassion, care and decency that they had been deprived of. In dealing with these matters, she acknowledged that the focus on those seeking asylum had highlighted the deficiencies in the city’s current processes which needed to be addressed. The Speaker (Council Member Adams) noted that it was necessary to coordinate services across the various agencies which must then be made available for all New Yorkers facing significant challenges. She emphasized that the city would need the support and assistance of its state and federal partners to humanely care for the arriving migrants. The Speaker (Council Member Adams) noted that the Council would use its oversight capacity and related powers to meet the needs of those seeking asylum in a comprehensive manner.

The Speaker (Council Member Adams) acknowledged the recent celebration of *Rosh Hashanah*, by Jewish communities here in New York City and around the world. She wished everyone a happy and sweet year filled with peace, prosperity, and good health. The Speaker (Council Member Adams) also acknowledged the upcoming beginning of the holiest Jewish day of the year *Yom Kippur*. She wished an easy and meaningful fast to all New Yorkers who were observing. The Speaker (Council Member Adams) also wished a Happy *Sukkot*, *chag sukkot sameach*, to those celebrating later in October.

The Speaker (Council Member Adams) acknowledged the celebration of several cultural holidays in the upcoming weeks including: Nigeria Independence Day on October 1<sup>st</sup>, Iraq Independence Day on October 3<sup>rd</sup>, Uganda Independence Day on October 9<sup>th</sup>, Cuba Independence Day on October 10<sup>th</sup>, and Indigenous People’s Day on October 10<sup>th</sup>. She noted that October marks the start of Filipino American Heritage Month, German American Heritage Month, Italian American Heritage and Culture Month, and Polish American Month. She

noted that the city's beautiful diversity was something to cherish and appreciate and she joined all New Yorkers in celebration of the city's various cultures.

The Speaker (Council Member Adams) acknowledged that October was also a time to highlight attention on the many afflictions which impact millions of people across the country: October marks AIDS Awareness Month, Breast Cancer Awareness Month, Down Syndrome Awareness Month, Dyslexia Awareness Month, and World Autism Month. She recognized the efforts of all New Yorkers who continued to support those impacted by these diseases.

The Speaker (Council Member Adams) acknowledged that October is National Domestic Violence Awareness Month when domestic violence and its devastating consequences are highlighted and when survivors are recognized and their voices are uplifted. The Speaker (Council Member Adams) noted that there was much work to do to end gender-based violence and that this Council had prioritized responses and services to help reduce this violence and to help the survivors.

Whereupon on motion of the Speaker (Council Member Adams), the Majority Leader and Acting President Pro Tempore (Council Member Powers) adjourned these proceedings to meet again for the Stated Meeting of Wednesday, October 12, 2022.

MICHAEL M. McSWEENEY, City Clerk  
Clerk of the Council