

THE COUNCIL

Minutes of the Proceedings for the
STATED MEETING
of
Thursday, March 2, 2023, 2:30 p.m.

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

Council Members

Adrienne E. Adams, *The Speaker*

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

Absent: Council Members Brooks-Powers and Richardson Jordan.
Maternity Leave: Council Member Rivera.

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

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

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

INVOCATION

The Invocation was delivered by Geshe Thupten Kungken of the Drepung Loseling Institute located at 164 Washington Avenue, Brooklyn N.Y. 11205.

Good afternoon, everybody.
 Thank you for the invite.
 I am a Tibetan monk from Tibet.
 My parents are from Tibet.
 I was born in India -- North India, Shimla.
 Then I entered the monastery in South India
 called Drepung Loseling monastery.
 [I stayed there] for 35 years
 for study and meditation.
 Then the monastery sent me to New York
 at Tibet House as the resident teacher.
 Now I am the resident teacher
 in Tibet House in New York City.
 I have toured most places in North American states.

Today, I would like to do chanting,
 that is very popular with Mahayana Buddhism tradition,
 it is chanting called Heart Sutra - Heart Sutra.
 With the Heart Sutra chanting,
 the sound is called multi-phonic sound...
 Is it okay that I can start now?

Chanting is the meaning,
 Heart Sutra is essence of the wisdom.
 These days, all over the world,
 we need to be aware of happiness – genuine happiness.
 It comes from our own wisdom.
 That is why I will pray of the wisdom
 that grows in every sentient beings
 all over the universe, this world,
 and New York City, thank you.

[A number of minutes of chanting takes place]

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

During the Communication from the Speaker segment of this Stated Meeting, the Speaker (Council Member Adams) asked for a moment to remember the lives of several New Yorkers who had died during the previous weeks. She noted that a number of these individuals had been killed in traffic incidents within the districts of Council Members Borelli, Brooks-Powers, Joseph, Stevens, and Won while others had died by gun violence in various parts of the city. The Speaker (Council Member Adams) reiterated that all New Yorkers deserved to be safe in their communities and that the trauma created by these incidents needed to be addressed. She noted that the Council would be focused on advancing equitable investments and policies which would result in safer streets and safer neighborhoods.

* * *

ADOPTION OF MINUTES

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

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

Preconsidered M-125

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

March 02, 2023

TO: Honorable Adrienne E. Adams
Speaker

Honorable Justin Brannan
Chairperson, Finance Committee

FROM: Marcello Testa
Deputy Director

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

**Precon. (M-125 & Res 516)
The Operating Budget of the Council of The City of New York**

**Precon. (M-126 & Res 517)
Schedule Detailing the Lump-Sum OTPS Unit of Appropriation
of the Operating Budget of the Council of the City of New York**

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

(For text of the entire Operating Budget and Schedule Detailing the Lump-Sum OTPS Unit of Appropriation, please refer to the City Council website at <https://council.nyc.gov/> for the Operating Budget attachment to [the M-125 of 2023 file](#)).

Referred to the Committee on Finance.

Preconsidered M-126

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

(For text of the entire Operating Budget and Schedule Detailing the Lump-Sum OTPS Unit of Appropriation, please refer to the City Council website at <https://council.nyc.gov/> for the Operating Budget attachment to [the M-126 of 2023 file](#))

Referred to the Committee on Finance.

M-127

Communication from the Office of Management & Budget - Withdrawal of M-122-2023 (MN-2) regarding the transfer of City funds between various agencies in Fiscal Year 2023 to implement changes to the City's expense budget, pursuant to Section 107(b) of the New York City Charter.

March 1, 2023

TO THE CITY COUNCIL

Dear Council Members:

MN-2, which was previously submitted to the City Council on February 1, 2023, is hereby withdrawn.

Thank you for your attention to this matter.

Sincerely,

Jacques Jiha, Ph.D.
Director

Received, Ordered, Printed and Filed.

Preconsidered M-128

Communication from the Office of Management & Budget - Appropriation of new City revenues in Fiscal Year 2023, pursuant to Section 107(e) of the New York City Charter (MN-3).

February 1, 2023

TO THE CITY COUNCIL

Dear Council Members:

In accordance with Section 107(e) of the New York City Charter, I seek your approval to appropriate new City revenues in fiscal year 2023 in the amount of \$1.69 billion.

This modification (MN-3) implements revenue budget changes reflected in the City's January Financial Plan. The \$1.69 billion of new revenues will be used to increase the Budget Stabilization Account by \$1.46 billion to prepay fiscal year 2024 debt service in fiscal year 2023. In addition, an adjustment to the General Reserve will be implemented to maintain the funding in the City's General Reserve.

Your approval of modification MN-3 is respectfully requested.

Sincerely,

Jacques Jiha, Ph.D.
Director

(For text of the report and the accompanying resolution, please see the Report of the Committee on Finance for M-128 & Res. No. 518 printed in the Reports of the Standing Committees section of these Minutes)

Referred to the Committee on Finance.

M-129

Communication from the Office of Management & Budget - Transfer City funds between various agencies in Fiscal Year 2023 to implement changes to the City's expense budget, pursuant to Section 107(b) of the New York City Charter (MN-4).

March 1, 2023

TO THE CITY COUNCIL

Dear Council Members:

In accordance with Section 107(b) of the New York City Charter, I request your approval to transfer City funds between various agencies in fiscal year 2023 to implement changes in the City's expense budget.

This modification (MN-4) will implement expense budget changes which were reflected in the City's January Financial Plan. In addition, as requested by the City Council, this modification reflects the funding for the reallocation of City Council initiatives that were included in the FY 2023 Adopted Budget and partial restoration of vacancy reductions offset by an adjustment in the Fire Department's budget.

Appendix A details State, Federal and other funds impacted by these changes.

Sincerely,

Jacques Jiha, Ph.D.
Director

(For text of the report and the accompanying resolution, please see the Report of the Committee on Finance for M-129 & Res. No. 519 printed in the Reports of the Standing Committees section of these Minutes)

Referred to the Committee on Finance.

REPORTS OF THE STANDING COMMITTEES

Report of the Committee on Finance

Report for Int. No. 524-A

Report of the Committee on Finance 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 interest rate applicable to real property with an assessed value of two hundred fifty thousand dollars or less for which the owner of such property has entered into an agreement with the department of finance for the payment in installments of real property taxes, assessments or other charges, and to repeal subdivision (c) of section 11-312 and subdivision (e) of section 11-313 of the administrative code of the city of New York, relating to written recommendations by the banking commission of a proposed interest rate to be charged for the nonpayment of water rents and sewer rents.

The Committee on Finance, to which the annexed proposed amended local law was referred on June 16, 2022 (Minutes, page 1508), respectfully

REPORTS:

I. Introduction

On February 2, 2023, the Committee on Finance (“Committee”) chaired by Council Member Justin Brannan, will hold a vote on Intro No. 524-A, sponsored by Council Members Carr, Brannan, Yeger, Farias, Hanif, Louis, Riley, Holden, Velazquez, Ariola, and Borelli, a local law to amend the administrative code of the city of New York, in relation to interest rates applicable to installment agreements for the payment of property tax arrears, and to repeal subdivision c of section 11-312 and subdivision e of subdivision 313, relating to the interest rates recommended by the banking commission for the nonpayment of water and sewer rents.

This legislation is an amended version of legislation that was first heard August 3, 2022. The original version was amended to include outreach and reporting requirements that were not included in the original bill. The amended version also makes several changes that effectively limits the eligibility of the new interest rate to primary resident homeowners with combined income no greater than \$200,000. A prior version of this legislation, Int. No. 1262 of 2018, was heard by this Committee in 2018.

II. Bill Analysis

Section 1 of Int. No. 524-A would direct the Banking Commission (“Commission”) to include in their annual recommendations for interest rates to be charged for nonpayment of property tax, a new rate for real property with an assessed value of \$250,000 or less that is subject to an executed installment agreement that is not in default and meets the eligibility qualifications under this legislation. This recommended rate must be at least equal to the most recently determined federal short-term rate in accordance with federal law, rounded to the nearest half percent, while continuing to propose a rate at least equal to the prevailing prime rate for such properties that are not subject to an executed installment agreement or are in default of such an agreement. The Council would then be authorized to adopt a rate applicable to those properties.

Section 2 of Int. No. 524-A would define eligibility qualifications for the new interest rate recommended by the Commission. Property owners shall be automatically eligible for the interest rate if the property has an assessed value of \$250,000 or less and subject to an installment agreement with the Department of Finance (“Department”) under section 11-322.1 of the administrative code, or the owners have entered into an installment agreement under section 11-322 of the administrative code and receive a tax exemption under the enhanced STAR or the SCHE/DHE programs. Such a property owner who does not receive those exemptions may apply

for the rate if the property has an assessed value of \$250,000 or less, is the owner's primary resident home, has served as the primary residence uninterrupted for at least one year prior to the application, and the property owner or owners has or have a combined income of \$200,000 or less. The section also stipulates Department criteria and procedures for the applications to receive the new interest rate, defines necessary terms, and establishes outreach and reporting requirements on the Department for the new interest rate.

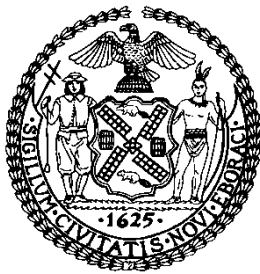
Section 3 of Int. No. 524-A would repeal subdivision c of section 11-312 of the administrative code of the city of New York, which requires the Banking Commission to submit a recommendation to the Council, and authorizes the Council to adopt an interest rate for the nonpayment of water charges.

Section 4 of Int. No. 524-A would repeal subdivision e of section 11-313 of the administrative code of the city of New York, which requires the Banking Commission to submit a recommendation to the Council, and authorizes the Council to adopt, an interest rate for the nonpayment of sewer charges.

Section 5 of Int. No. 524-A would require the Department to annually report to the Mayor and the Speaker on the number of property tax repayment installment agreements that were entered into in the preceding calendar year.

Section 6 of Int. No. 524-A would provide that the local law take effect immediately.

(The following is the text of the Fiscal Impact Statement for Int. No. 524-A:)



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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. 524-A

COMMITTEE: Finance

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the interest rate applicable to real property with an assessed value of two hundred fifty thousand dollars or less for which the owner of such property has entered into an agreement with the department of finance for the payment in installments of real property taxes, assessments or other charges, and to repeal subdivision (c) of section 11-312 and subdivision (e) of section 11-313 of the administrative code of the city of New York, relating to written recommendations by the banking commission of a proposed interest rate to be charged for the nonpayment of water rents and sewer rents.

SPONSOR(S): Council Members Carr, Brannan, Yeger, Farías, Hanif, Louis, Riley, Holden, Velázquez, Ariola and Borelli.

SUMMARY OF LEGISLATION: Intro 524-A would authorize the City Council to adopt a lower interest rate to be charged on delinquent property taxes for eligible properties with assessed values of less than \$250,000 when the owners enroll in, and remain current with, a payment plan agreement with the City's Department of Finance (DOF). This reduced rate would only available to primary resident homeowners with incomes no more than \$200,000. Homeowners who currently receive the senior citizen homeowner exemption, the disabled

homeowner exemption, or the Enhanced Star credit would automatically qualify for the lower rate; all other eligible homeowners would be required to submit an application demonstrating their eligibility. According to the Department of Finance, roughly 82 percent of New York City homeowners would be eligible for the lower rate if they became delinquent on their property taxes. The lower rates would be determined annually by City Council resolution, after receiving recommendations from the City's Banking Commission.

Intro 524-A would also require an expanded set of administrative tasks for DOF including the circulation of promotional materials to market the reduced interest rate program, and outreach to delinquent taxpayers. Additionally, the bill would require DOF to notify applicants of approval / denial of applications, and to present the Mayor and City Council Speaker with an annual report summarizing the breakdown of approvals / denials, along with a set of other performance metrics measuring the effectiveness of the reduced rate program.

EFFECTIVE DATE: This local law would take effect immediately, but the new interest rates would begin in Fiscal 2024.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024

FISCAL IMPACT STATEMENT:

	Effective FY23	FY Succeeding Effective FY24	Full Fiscal Impact FY24
Revenues	\$0	\$0	\$0
Expenditures	(\$77,500)	(\$77,500)	(\$77,500)
Net	(\$77,500)	(\$77,500)	(\$77,500)

IMPACT ON REVENUES: It is estimated that passing Intro 524-A would have no revenue impact. While a lower interest rate would reduce the amount of interest charged and eventually collected, the legislation itself only authorize the Council to adopt a new interest rate for the late payment of property taxes, but does not actually set the rate. The lower interest rate would be set by Council resolution at a later date.

IMPACT ON EXPENDITURES: According to DOF's monthly delinquency report, roughly 155,000 potentially eligible properties have unpaid balances as of January 31 and will receive a DOF notification in the mail regarding the reduced interest rate program. Mailing the notifications would cost about \$0.50 apiece, for a total cost of \$77,500.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

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

ESTIMATE PREPARED BY: Andrew Wilber, Principal Economist

ESTIMATE REVIEWED BY: Emre Edev, Assistant Director

LEGISLATIVE HISTORY: This bill was introduced by the Council as Intro 524 on June 16, 2022 and was referred to the Committee on Finance (Committee). On August 3, 2022, the Committee held a hearing and the bill was laid over. The bill was subsequently amended, and the Committee will vote on the new version, Intro 524-A, on March 2, 2023. Upon successful vote by the Committee, Intro 524-A will go to the full Council for a vote on March 2, 2023.

DATE PREPARED: February 17, 2023.

Accordingly, the Committee recommends its adoption, as amended.

(The following is the text of Int. No. 524-A:)

Int. No. 524-A

By Council Members Carr, Brannan, Yeger, Farías, Louis, Riley, Holden, Velázquez, Gennaro, Ariola, Borelli, Kagan and Paladino.

A Local Law to amend the administrative code of the city of New York, in relation to the interest rate applicable to real property with an assessed value of two hundred fifty thousand dollars or less for which the owner of such property has entered into an agreement with the department of finance for the payment in installments of real property taxes, assessments or other charges, and to repeal subdivision (c) of section 11-312 and subdivision (e) of section 11-313 of the administrative code of the city of New York, relating to written recommendations by the banking commission of a proposed interest rate to be charged for the nonpayment of water rents and sewer rents

Be it enacted by the Council as follows:

Section 1. Subdivision (e) of section 11-224.1 of the administrative code of the city of New York, as amended by local law number 24 for the year 2021, is amended to read as follows:

(e) Council adopted rates. By May thirteenth of each year, the banking commission shall send a written recommendation to the council of a proposed interest rate to be charged for nonpayment of taxes on real property. The commission shall consider the prevailing interest rates charged for commercial loans extended to prime borrowers by commercial banks operating in the city and:

(i) for real property with an assessed value of two hundred fifty thousand dollars or less, shall propose a rate at least equal to such prevailing prime rate, *except as provided in paragraph (ii) of this subdivision;*

(ii) *for real property with an assessed value of two hundred fifty thousand dollars or less for which an owner, as defined in subdivision (h) of this section, of such real property: (A) has entered into an agreement pursuant to section 11-322 or 11-322.1 of chapter 3 of this title for the payment in installments of real property taxes, assessments or other charges that are made a lien subject to the provisions of such chapter other than water rents, sewer rents or sewer surcharges, and such installment agreement is not in default; and (B) has complied with the requirements described in subdivision (h) of this section, the commission shall consider the most recent federal short-term rate, as determined by the United States secretary of the treasury in accordance with subsection (d) of section 1247 of the internal revenue code, for use in connection with section 6621 of the internal revenue code, and shall propose a rate at least equal to such federal short-term rate rounded to the nearest half percent;*

(iii) for real property with an assessed value of over two hundred fifty thousand dollars but no greater than four hundred fifty thousand dollars, shall propose a rate of at least four percent per annum greater than such prevailing prime rate;

[(iii)] (iv) for real property with an assessed value of over four hundred fifty thousand dollars, shall propose a rate of at least six percent per annum greater than such prevailing prime rate.

The council may by resolution adopt interest rates to be applicable to the aforementioned properties and may specify in such resolution the date that such rates will take effect.

§ 2. Section 11-224.1 of the administrative code of the city of New York is amended by adding new subdivisions (h) and (h-1) to read as follows:

(h) *Requirements relating to charging the interest rate described in paragraph (ii) of subdivision (e) of this section for nonpayment of taxes on real property.*

(i) *Qualification for such interest rate for certain real property without an application. Real property with an assessed value of two hundred fifty thousand dollars or less shall qualify, for any fiscal year, for the interest rate described in paragraph (ii) of subdivision (e) of this section where an owner of such real property satisfies the following criteria:*

(A) *such owner has entered into an agreement with the department of finance pursuant to section 11-322.1 of chapter 3 of this title for the payment in installments of real property taxes, assessments or other charges that are made a lien subject to the provisions of such chapter other than water rents, sewer rents or sewer surcharges;*
or

(B) such owner has entered into an agreement with the department of finance pursuant to section 11-322 of chapter 3 of this title for the payment in installments of real property taxes, assessments or other charges that are made a lien subject to the provisions of such chapter other than water rents, sewer rents or sewer surcharges, and, for such fiscal year, such owner receives:

(1) an enhanced real property tax exemption pursuant to subdivision 4 of section 425 of the real property tax law or an enhanced school tax relief credit pursuant to subsection (eee) of section 606 of the tax law, provided that the income eligibility for such enhanced real property tax exemption or such enhanced school tax relief credit is no greater than two hundred thousand dollars; or

(2) a real property tax exemption pursuant to section 459-c or section 467 of the real property tax law, provided that the income eligibility for either such real property tax exemption is no greater than two hundred thousand dollars.

(ii) Qualification for such interest rate for certain real property where an application is required. Real property with an assessed value of two hundred fifty thousand dollars or less where: (A) an owner of such property has entered into an agreement with the department of finance pursuant to section 11-322 of chapter 3 of this title for the payment in installments of real property taxes, assessments or other charges that are made a lien subject to the provisions of such chapter other than water rents, sewer rents or sewer surcharges; (B) such real property has served as the primary residence of such owner for an uninterrupted period of not less than one year immediately preceding the date of the application submitted pursuant to paragraph (iii) of this subdivision; and (C) the combined income of all the owners of such real property is no greater than two hundred thousand dollars for the income tax year immediately preceding the date of the application required pursuant to paragraph (iii) of this subdivision shall qualify for the interest rate described in paragraph (ii) of subdivision (e) of this section.

(iii) Application. An owner of real property with an assessed value of two hundred fifty thousand dollars or less for which such owner has entered into an agreement pursuant to section 11-322 of chapter 3 of this title for the payment in installments of real property taxes, assessments or other charges that are made a lien subject to the provisions of such chapter other than water rents, sewer rents or sewer surcharges, other than any such owner who qualifies for the interest rate described in paragraph (ii) of subdivision (e) of this section pursuant to subparagraph (B) of paragraph (i) of this subdivision, may file an application to demonstrate that such real property satisfies subparagraphs (B) and (C) of paragraph (ii) of this subdivision.

(A) Such application shall be in a form and manner as determined by the department of finance and shall be made available, in downloadable format, on such department's website.

(B) The burden shall be on the owner to establish that:

1. such real property has served as the primary residence of such owner for an uninterrupted period of not less than one year immediately preceding the date the application required by this subdivision is filed;

2. the combined income of all the owners of such real property is no greater than two hundred thousand dollars for the income tax year immediately preceding such date; and

3. any other requirement relating to qualification for the interest rate described in paragraph (ii) of subdivision (e) of this section is satisfied.

(C) The department of finance may require that an owner submit proof that the real property has served as the primary residence of such owner for an uninterrupted period of not less than one year immediately preceding the date an application is filed pursuant to this paragraph. Such proof may include but is not limited to a valid driver's license, the most recent federal or state income tax return, or proof of registration to vote.

(D) Approval and denial of application. If the commissioner of finance determines that a real property for which an owner filed an application qualifies for the interest rate described in paragraph (ii) of subdivision (e) of this section, the commissioner shall approve the application submitted by such owner and notify the owner of such approval. If the commissioner of finance determines that a real property for which an owner filed such application does not qualify for such interest rate, the commissioner shall send to such owner a notice of denial. Such notice of denial may be sent by mail or by electronic means and shall include a reason for a denial. The department of finance shall provide an opportunity for an owner whose application was denied to demonstrate that the real property for which such application was filed served as the primary residence of such owner for an uninterrupted period of not less than one year immediately preceding the date the application was filed, or that the combined income of all the owners of such real property is no greater than two hundred thousand dollars for the income tax year immediately preceding such date. A denial of an application, the failure to send any such

notice of denial or the failure of any owner to receive such notice shall not affect such denial, and shall not prevent the levy, collection and enforcement of taxes, including the accrual of any interest and the imposition of penalties on such real property.

(iv) For any real property that qualifies for the interest rate described in paragraph (ii) of subdivision (e) of this section, such interest rate shall be imposed on any taxes due and payable upon:

(A) approval of the application of an owner of such property for an agreement with the department of finance pursuant to section 11-322 or 11-322.1 of chapter 3 of this title for the payment in installments of real property taxes, assessments or other charges that are made a lien subject to the provisions of such chapter other than water rents, sewer rents or sewer surcharges, provided that such real property qualifies for such interest rate pursuant to subparagraph (A) or (B) of paragraph (i) of this subdivision; or

(B) approval of the application required by paragraph (iii) of this subdivision.

(v) For purposes of paragraph (ii) of subdivision (e), this subdivision, and subdivision (h-1), the following terms have the following meanings:

Dwelling unit. The term "dwelling unit" means a unit in a condominium used primarily for residential purposes.

Income. The term "income" means the federal adjusted gross income for income tax purposes as reported on an owner's federal income tax return for the applicable income tax year, subject to subsequent amendments or revisions; provided that if no such return was filed for the applicable income tax year, "income" means the federal adjusted gross income that would have been so reported if such a return had been filed.

Income tax year. The term "income tax year" means the most recent calendar year or fiscal year for which an owner filed a federal or state income tax return.

Owner. The term "owner" means an owner of real property or other eligible person, as defined in subdivision (i) of section 40-03 of title 19 of the rules of the city of New York.

Real property. The term "real property" means property classified as class one pursuant to section 1802 of the real property tax law or a dwelling unit in a condominium.

(vi) The commissioner of finance may promulgate rules necessary to effectuate the purposes of this subdivision, including but not limited to, creating a process for an owner to demonstrate continued qualification for the interest rate described in paragraph (ii) of subdivision (e) of this section.

(h-1) Outreach and reporting on interest rate. (i) The commissioner of finance shall make efforts to conduct outreach necessary to ensure that an owner of real property, for which taxes have been due for at least six months, who is eligible for, or has entered into, an agreement pursuant to section 11-322 of chapter 3 of this title for the payment in installments of real property taxes, assessments or other charges that are made a lien subject to the provisions of such chapter other than water rents, sewer rents or sewer surcharges is informed that such owner may be eligible for the interest rate described in paragraph (ii) of subdivision (e) of this section. Such outreach shall include, but not be limited to, providing information about such interest rate in application forms for such installment agreement, sending an annual notice to owners that have entered into such an agreement informing them of such interest rate, prominently posting information about such interest rate on the website of the department of finance, and developing an informational flyer for distribution at all business centers of the department of finance. Such annual notice may be included as part of a notice that the department of finance provides to owners of real property, including, but not limited to, a statement of account required pursuant to section 11-129, or a notice required pursuant to section 11-245.8.

(ii) No later than January 31, 2024, and no later than every January 31 thereafter, the department of finance shall submit a report to the mayor and to the speaker of the council on real property with an assessed value of two hundred fifty thousand dollars or less for which: (A) the owner of such real property has entered into an agreement pursuant to section 11-322 or section 11-322.1 of chapter 3 of this title for the payment in installments of real property taxes, assessments or other charges that are made a lien subject to the provisions of such chapter other than water rents, sewer rents, or sewer surcharges; and (B) such unpaid taxes, assessments or other charges were subject to the interest rate described in paragraph (ii) of subdivision (e) during the preceding calendar year, including, but not limited to, the following data, disaggregated by borough:

(A) the number of such agreements executed during the preceding calendar year;

(B) the number of such agreements that were in effect on July 1 of the preceding calendar year;

(C) the number of applications for such agreements that were received during the preceding calendar year, and the number of such applications that were not approved;

- (D) the average amount of property taxes and charges subject to such agreements;
 (E) the amount collected pursuant to such agreements;
 (F) the number of such agreements that are current or are delinquent;
 (G) the number of such agreements that entered into default;
 (H) the number of agreements that qualified for the interest rate described in paragraph (ii) of subdivision (e) of this section that were terminated during the preceding calendar year; and
 (I) the number of such agreements that were renewed.

§ 3. Subdivision c of section 11-312 of the administrative code of the city of New York is REPEALED.

§ 4. Subdivision e of section 11-313 of the administrative code of the city of New York is REPEALED.

§ 5. Section 11-322 of the administrative code of the city of New York is amended by adding a new subdivision c to read as follows

c. No later than January 31, 2024, and no later than every January 31 thereafter, the department shall submit a report to the mayor and to the speaker of the council on real property with an assessed value of two hundred fifty thousand dollars or less for which: (A) the owner of such real property has entered into an agreement pursuant to this section for the payment in installments of real property taxes, assessments or other charges that are made a lien subject to the provisions of chapter 3 of this title other than water rents, sewer rents, or sewer surcharges; and (B) such unpaid taxes are subject to the interest rate described in paragraph (i) of subdivision (e) of this section for the preceding calendar year, including, but not limited to the following data:

- 1. the number of such agreements executed during the preceding calendar year;*
- 2. the number of such agreements that were in effect on December 31 of the preceding calendar year;*
- 3. the number of applications for such agreements that were received during the preceding calendar year, and the number of such applications that were not approved;*
- 4. the average amount of property taxes and charges subject to such agreements; and*
- 5. the number of such agreements that entered into default and the number of defaults that were cured.*

§ 6. This local law takes effect immediately.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, DAVID M. CARR; ARI KAGAN; 15-0-0; *Absent*: Selvena N. Brooks-Powers; *Medical*: Julie Won; Committee on Finance, March 2, 2023.

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

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

Report for Res. No. 508

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

The Committee on Finance, to which the annexed preconsidered resolution was referred on March 2, 2023, respectfully

REPORTS:

Introduction. The Council of the City of New York (the “Council”) annually adopts the City’s budget covering expenditures other than for capital projects (the “expense budget”) pursuant to Section 254 of the Charter. On

June 30, 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, and Fiscal 2021 Expense Budgets (“Chart”).

This Resolution, dated March 2, 2023, approves the new designation and the changes in the designation of certain organizations receiving local, aging, youth, anti-poverty, community safety and victims’ services, and Speaker’s initiative to address citywide needs discretionary funding and funding for certain initiatives in accordance with the Fiscal 2023 Expense Budget; approves the changes in designation of certain organizations receiving local discretionary funding and funding for certain initiatives in accordance with the Fiscal 2022 Expense Budget; approves the changes in designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2021 Expense Budget and amends the description for the Description/Scope of Services of certain organizations receiving youth, local, and Speaker’s initiative discretionary funding in accordance with the Fiscal 2023 Expense Budget. All new designations and changes in designations are as described in the attached Charts and the Resolution text.

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

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

It should also be noted that changes to funding for organizations in the attached Charts with a triple asterisk (***) are corrections to designations listed in Schedule C and/or a subsequent Transparency Resolution.

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, and Fiscal 2021 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. 508:)

Preconsidered Res. No. 508

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, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2023, Fiscal 2022, and Fiscal 2021 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local, aging, youth, 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 Expense Budget by approving new Description/Scope of Services for certain organizations receiving local, youth, and Speaker’s initiative discretionary funding; now, therefore, be it

Resolved, That the City Council approves the new designations and 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 change in the designation of certain organizations receiving aging 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 youth 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 changes in the designation of certain organizations receiving funding pursuant to the Anti-Poverty Initiative 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 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 5; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Speaker’s Initiative to Address Citywide Needs 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 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, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the new designations and changes in the 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 8; and be it further

Resolved, That the City Council approves the changes in the 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 9; and be it further

Resolved, That the City Council approves the change in the 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 10; and be it further

Resolved, That the City Council approves the change in the 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 11; and be it further

Resolved, That the City Council approves the changes in the 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 12; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Language Services Worker Co-operatives 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 changes in the designation of certain organizations receiving funding pursuant to the Crisis Management System 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 changes in the designation of certain organizations receiving funding pursuant to the Family Advocacy and Guardianship Support 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 changes in the designation of certain organizations receiving funding pursuant to the Hate Crime Prevention 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 changes in the designation of certain organizations receiving funding pursuant to the Initiative for Immigrant Survivors of Domestic Violence 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 the designation of certain organizations receiving funding pursuant to the Initiative to Combat Sexual Assault 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 the designation of certain organizations receiving funding pursuant to the Innovative Criminal Justice Programs 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 changes in the designation of certain organizations receiving funding pursuant to the Prevent Sexual Assault (PSA) Initiative for Young Adults 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 changes in the designation of certain organizations receiving funding pursuant to the Support for Victims of Human Trafficking 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 changes in the designation of certain organizations receiving funding pursuant to the Supports for Persons Involved in the Sex Trade 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 change in the designation of a certain organization receiving funding pursuant to the Community Interpreter Bank Initiative 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 new designations of certain organizations receiving funding pursuant to the Welcome NYC 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 changes in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 25; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 26; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 27; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 28; and be it further

Resolved, That the City Council amends the Purpose of Funds for certain organizations receiving funding in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 29.

(For text of the Exhibit Charts, please refer to the attachments section of [the Res. No. 508 of 2023 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, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, DAVID M.

CARR; ARI KAGAN; 15-0-0; *Absent:* Selvena N. Brooks-Powers; *Medical:* Julie Won; Committee on Finance, March 2, 2023.

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

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

Report for M-125

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

The Committee on Finance, to which the annexed preconsidered Council communication was referred on March 2, 2023 and which same Council communication was coupled with the resolution shown below, respectfully

REPORTS:

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

March 02, 2023

TO: Honorable Adrienne E. Adams
Speaker

Honorable Justin Brannan
Chairperson, Finance Committee

FROM: Marcello Testa
Deputy Director

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

Precon. (M-125 & Res. 516)
The Operating Budget of the Council of The City of New York

Precon. (M-126 & Res. 517)
Schedule Detailing the Lump-Sum OTPS Unit of Appropriation of the Operating Budget of the Council of the City of New York

INITIATION: Pursuant to section 243 of the New York City Charter, the Council is authorized to present, for inclusion in the executive budget without amendment by the Mayor, its operating budget. This document presents a summary description of the structure and presentation of the Council's budget, and sets forth the

proposed Council budget for consideration and approval by the Finance Committee and the Council. Also included is a resolution for the approval of a lump-sum OTPS unit of appropriation.

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

Res. No. 516

RESOLUTION APPROVING THE FISCAL YEAR 2024 OPERATING BUDGET OF THE COUNCIL OF THE CITY OF NEW YORK

By Council Member Brannan.

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

ATTACHMENT: Summary

Summary:

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

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

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

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

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

Finance

- ❖ Finance

Land Use

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

General Counsel

- ❖ Rules, Privileges & Elections
- ❖ Standards & Ethics

Governmental Affairs

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

Human Services

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

Infrastructure

- ❖ Economic Development
- ❖ Environmental Protection
- ❖ Housing & Buildings
- ❖ Parks & Recreation
- ❖ Public Housing
- ❖ Sanitation & Solid Waste Management
- ❖ Technology

Drafting

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

(For text of the entire Operating Budget and Schedule Detailing the Lump-Sum OTPS Unit of Appropriation, please refer to the City Council website at <https://council.nyc.gov> for the Operating Budget attachment to [the M-125 of 2023 file](#)).

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, DAVID M. CARR; ARI KAGAN; 15-0-0; *Absent*: Selvena N. Brooks-Powers; *Medical*: Julie Won; Committee on Finance, March 2, 2023.

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

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

Report for M-126

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

The Committee on Finance, to which the annexed preconsidered Council communication was referred on March 2, 2023 and which same Council communication was coupled with the resolution shown below, respectfully

REPORTS:

(For the entire text of the Operating Budget Report, please refer to the City Council website at <https://council.nyc.gov/> for the Operating Budget attachment to [the Res. No. 516 of 2023 file](#); please also refer to Res No. 517 printed below)

Accordingly, this Committee recommends its adoption.

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

Res. No. 517

RESOLUTION APPROVING FOR FISCAL YEAR 2024 THE SCHEDULE DETAILING THE LUMP SUM OTHER THAN PERSONAL SERVICES UNIT OF APPROPRIATION OF THE OPERATING BUDGET OF THE COUNCIL OF THE CITY OF NEW YORK.

By Council Member Brannan.

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

COUNCIL BUDGET

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

*Set forth for informational purposes only in accordance with Charter Section 100 (c)

*See page 9, City Council Fiscal Year 2024 OTPS Detail

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, DAVID M. CARR; ARI KAGAN; 15-0-0; *Absent*: Selvena N. Brooks-Powers; *Medical*: Julie Won; Committee on Finance, March 2, 2023.

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

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

Report for M-128

Report of the Committee on Finance in favor of approving a Communication from the Office of Management & Budget regarding an Appropriation of new City revenues in Fiscal Year 2023, pursuant to Section 107(e) of the New York City Charter (MN-3).

The Committee on Finance, to which the annexed preconsidered communication was referred on March 2, 2023 and which same communication was coupled with the resolution shown below, respectfully

REPORTS:

Introduction. At the meeting of the Committee on Finance of the City Council on March 2, 2023, the Council considered a communication from the Office of Management and Budget of the Mayor, dated February 1, 2023, of a proposed request to modify, pursuant to Section 107(e) of the Charter of the City of New York, the Fiscal 2023 Expense Budget Plan, and the revenue estimate related thereto prepared by the Mayor as of February 1, 2023.

Analysis. The Council annually adopts the City's budget covering expenditures pursuant to Section 254 of the Charter. On June 13, 2022, the Council adopted the expense budget for fiscal year 2023 (the "Fiscal 2023 Expense Budget"). On December 14, 2022, the administration submitted MN-1, modifying the Fiscal 2023 Expense Budget. On February 1, 2023, the Mayor submitted to the Council MN-2, modifying the Fiscal 2023 Expense Budget. On March 1, 2023, the administration withdrew such MN-2, and submitted MN-4, modifying the Fiscal 2023 Expense Budget. On February 1, 2023, the Mayor submitted to the Council a revenue estimate MN-3, related to the Fiscal 2023 Expense Budget.

Circumstances have changed since the Council last adopted the Fiscal 2023 Expense Budget.

Section 107(e) provides one mechanism for the Mayor and the Council to amend the Expense Budget and related revenue estimate to reflect changes in circumstances that occur after adoption of a budget. Section 107(e) permits the modification of the budget in order to create new units of appropriation, to appropriate new revenues from any source other than categorical federal, state and private funding, or to use previously unappropriated funds received from any source.

Discussion of Above-captioned Resolution. The above-captioned resolution would authorize the modifications to the Fiscal 2023 Expense Budget and related revenue estimate requested in the communication.

The Revenue Modification (MN-3) recognizes \$1.69 billion in new revenues, including \$1.25 billion in tax revenue and \$433.79 million in miscellaneous revenue. This represents an increase in City funds of approximately 2.3 percent.

The majority of the tax revenue increase, \$775 million, comes from business taxes with \$633 million in general corporation and \$142 million in unincorporated. Additional tax revenues include \$530 million in the sales tax and \$121 million in the hotel tax. This increase is offset by a \$173 million reduction in the real estate transfer taxes (\$139 million decrease in real property transfer and \$34 million decrease in mortgage recording).

The miscellaneous revenues increase of \$433.79 million includes \$197.61 million in fines and forfeitures; \$15.97 million in water sewage charges; \$14.15 million in licenses, franchises, etc.; \$4.5 million in rental income; and \$9.02 million in other miscellaneous revenues. Offsetting these increases is a \$97.9 million reduction in revenues from charges for services.

MN-3 appropriates the new revenues into two areas: \$1.46 billion to the Budget Stabilization Account, which is used to prepay Fiscal 2024 expenses, and \$225 million to the Fiscal 2023 General Reserve. This General Reserve appropriation backfills the drawdown of that account in prior Expense Modifications to bring it back to \$1.55 billion, the same amount it was at Adoption.

The resolution would also direct the City Clerk to forward a certified copy thereof to the Mayor and the Comptroller so that the Mayor, the Comptroller and the City Clerk may certify the Fiscal 2023 Expense Budget as amended thereby as the budget for the remainder of the fiscal year. The above-captioned resolution would take effect as of the date adopted.

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

TO: Honorable Adrienne E. Adams
Speaker

Honorable Justin Brannan
Chair, Finance Committee

FROM: Tanisha S. Edwards, Esq.,
Chief Financial Officer and Deputy Chief of Staff to the Speaker
Richard Lee, Director, Finance Division
Jonathan Rosenberg, Managing Director
Raymond Majewski, Deputy Director/Chief Economist, Finance Division
Emre Edev, Assistant Director
Paul Sturm, Supervising Economist, Finance Division
Nashia Roman, Economist, Finance Division
Kathleen Ahn, Counsel
Michael Twomey, Assistant Counsel

DATE: March 2, 2023

SUBJECT: A Budget Modification (MN-3) for Fiscal 2023 that will appropriate \$1.69 billion in new revenues.

INITIATION: By letter dated February 1, 2023, the Director of the Office of Management and Budget submitted to the Council, pursuant to section 107(e) of the New York City Charter, a request to appropriate \$1.69 billion in new revenues.

BACKGROUND: This modification (MN-3) seeks to recognize \$1.69 billion in new revenues, implementing changes reflected since the November 2022 Financial Plan. These funds will add \$1.46 billion to the Budget Stabilization Account to prepay debt service for Fiscal 2024 expenses. In addition, an adjustment of \$225 million to the General Reserve will be implemented to maintain funding in the City's General Reserve.

FISCAL IMPACT: This modification represents a net increase in the Fiscal 2023 budget of \$1.69 billion.

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

Res. No. 518

RESOLUTION APPROVING A MODIFICATION (MN-3) PURSUANT TO SECTION 107(e) OF THE CHARTER OF THE CITY OF NEW YORK.

By Council Member Brannan.

Whereas, At a meeting of the Committee on Finance of the City Council of the City of New York (the "City Council") on March 2, 2023, the Committee on Finance considered a communication, dated February 1, 2023, from the Office of Management and Budget of the Mayor of the City of New York (the "Mayor"), of a proposed request to recognize a net increase in revenue pursuant to Section 107(e) of the Charter of the City of New York (the "Charter"), attached hereto as Exhibit A (the "Request to Appropriate"); and

Whereas, Section 107(e) of the Charter requires the City Council and the Mayor to follow the procedures and required approvals pursuant to Sections 254, 255, and 256 of the Charter, without regard to the dates specified therein, in the case of the proposed appropriation of any new revenues and the creation of new units of appropriation; and

Whereas, Section 107(e) of the Charter requires that any request by the Mayor respecting an amendment of the budget that involves an increase in the budget shall be accompanied by a statement of the source of current revenues or other identifiable and currently available funds required for the payment of such additional amounts, attached hereto as Exhibit B (together with the Request to Appropriate, the "Revenue Modification");

NOW, THEREFORE, The Council of the City of New York hereby resolves as follows:

1. Approval of Modification. The City Council hereby approves the Revenue Modification pursuant to Section 107(e) of the Charter.

2. Further Actions. The City Council directs the City Clerk to forward a certified copy of this resolution to the Mayor and the Comptroller as soon as practicable so that the Mayor, the Comptroller and the City Clerk may certify the Fiscal 2023 Expense Budget as amended by this resolution as the budget for the remainder of the fiscal year.

3. Effective Date. This resolution shall take effect as of the date hereof.

For text of the MN-3 numbers including Exhibit A and Exhibit B, please see the New York City Council website at <https://council.nyc.gov/> for the respective attachments section of [the M-128 & Res. No. 518 of 2023 files](#))

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, DAVID M. CARR; ARI KAGAN; 15-0-0; *Absent*: Selvena N. Brooks-Powers; *Medical*: Julie Won; Committee on Finance, March 2, 2023.

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

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

Report for L.U. No. 174

Report of the Committee on Finance in favor of a Resolution approving The Renaissance, Block 1600, Lot 1002, Manhattan, Community District No. 10, Council District No. 9.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on March 2, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

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

March 2, 2023

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

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

RE: Finance Committee Agenda of March 2, 2023 – Resolution approving a tax exemption for one Land Use item (Council District 9)

Item #1: The Renaissance

The Renaissance is a cooperative consisting of one building located in Central Harlem, Manhattan. The project is only the residential condominium unit, which includes 241 units. The property is located at the corner of 116th Street and Malcolm X Boulevard (AKA Lenox Avenue). It is adjacent to the IRT subway line, 2 and 3 trains. It is surrounded by various retail establishments and places of worship. It is also approximately six blocks from Central Park. Renaissance HDFC acquired the site from the previous owner, NYC Partnership Housing Development Fund Company, Inc, in October 2001. The property began construction in 1999 under HPD's ANCHOR Program (Alliance for Neighborhood Commerce Home Ownership Revitalization).

Renaissance HDFC is proposing to refinance two existing HDC loans with CPC and finance rehabilitation work. The proposed rehab work will include an electrical upgrade, windows/lintels, heat baseboards in the apartments

and roof and exterior work. There is a current 421-a tax exemption that fully expires in 2026. Therefore, the HDFC is requesting a full Article XI tax exemption to help leverage the debt of the refinancing and make necessary repairs and improvements to the building. This Article XI will also help support project cash flow with the expiring 421-a exemption and will allow maintenance to remain affordable for existing and future shareholders. The project will enter into a 40-year Regulatory Agreement at closing.

Summary:

- Borough – Manhattan
- Block 1600, Lot 1002
- Council District – 9
- Council Member – Richardson Jordan
- Council Member approval – Yes
- Number of buildings – 1
- Number of units – 241 (includes 1 superintendent unit)
- Type of exemption – Article XI, full, 40 year
- Population – HDFC homeownership
- Sponsors – Renaissance Housing Development Fund Company, Inc.
- Purpose – preservation
- Cost to the city – \$22.7 million (present value)
- Housing Code Violations
 - Class A – 18
 - Class B – 22
 - Class C – 6

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

Res. No. 519

Resolution approving an exemption from real property taxes for property located at (Block 1600, Lot 1002) Manhattan, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 174).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated February 16, 2023 that the Council take the following action regarding a housing project located at (Block 1600, Lot 1002) Manhattan (“Exemption Area”):

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

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

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

RESOLVED:

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

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Effective Date” shall mean the date that HPD and the Owner enter into the Regulatory Agreement.
 - b. “Exemption Area” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 1600, Lot 1002 on the Tax Map of the City of New York.
 - c. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - d. “HDFC” shall mean Renaissance Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - e. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - f. “New Exemption” shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
 - g. “Owner” shall mean the HDFC.
 - h. “Prior Exemption” shall mean the existing tax exemption for a portion of the Exemption Area pursuant to Section 421-a(1-15) of the Real Property Tax Law.
 - i. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner that is executed on or after October 1, 2022 and that establishes certain controls upon the operation of the Exemption Area during the term of the New Exemption, and provides, *inter alia*, for the termination of the Prior Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
3. Notwithstanding any provision hereof to the contrary:
 - a. The New Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior

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

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

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, DAVID M. CARR; ARI KAGAN; 15-0-0; *Absent*: Selvena N. Brooks-Powers; *Medical*: Julie Won; Committee on Finance, March 2, 2023.

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

Report of the Committee on Fire and Emergency Management

Report for Int. No. 656-A

Report of the Committee on Fire and Emergency Management 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 fire department to develop an informational campaign to educate the public on fire risks posed by powered mobility devices.

The Committee on Fire and Emergency Management, to which the annexed proposed amended local law was referred on September 14, 2022 (Minutes, page 2138), respectfully

REPORTS:

I. INTRODUCTION

On March 2, 2023, the Committee on Fire and Emergency Management, chaired by Council Member Joann Ariola, will vote on a package of bills related to fire safety of electric bikes and scooters, including: (i) Proposed Introduction Number 656-A (“Prop. Int. No. 656-A”), in relation to requiring the fire department to develop an

informational campaign to educate the public on fire risks posed by powered mobility devices; (ii) Proposed Introduction Number 663-A (“Prop. Int. No. 663-A”), in relation to the sale, lease, and rental of powered bicycles, powered mobility devices and storage batteries; (iii) Proposed Introduction Number 722-A (“Prop. Int. No. 722-A”), in relation to requiring the fire department to report on safety measures to mitigate fire risk associated with powered mobility devices; (iv) Proposed Introduction Number 749-A (“Prop. Int. No. 749-A”) in relation to providing food delivery workers with information on safety measures that mitigate the fire risks posed by powered mobility devices; and (v) Proposed Introduction Number 752-A (“Prop. Int. No. 752-A”), in relation to prohibiting the sale of lithium-ion batteries assembled or reconditioned using cells removed from used batteries. The Committee heard prior versions of these bills on November 14, 2022; and received testimony from representatives of the New York City Fire Department (“FDNY”), organizations representing delivery workers, restaurants, real estate and third-party delivery services, technical experts, and other interested members of the public.

II. BACKGROUND

New York City Fire Department’s Bureau of Fire Prevention

The FDNY’s Bureau of Fire Prevention (“BFP”) is responsible for ensuring compliance with local fire and life safety regulations, including provisions contained within the City’s Fire and Building Codes. In doing so, the BFP ensures fire protection and public safety in both residential and commercial occupancies through direct inspections, code enforcement and educational outreach. These inspections can relate to ensuring proper ventilation in commercial kitchens, functioning sprinkler systems, unobstructed means of egress, and compliance with mandated occupancy limits. The BFP supports the Department’s Bureau of Operations through the exchange of essential information on locations, buildings and special events. The Department’s safety education unit, within the BFP, provides programs to educate the public about safeguarding one’s home, property, business, and family, friends and neighbors from fire and other hazards.¹ While fire prevention activities continue to emphasize the role of inspection and enforcement, they also include a more proactive fire safety education program for the City.²

New York’s Legalization of E-Bikes

In 2020, through the adoption of the New York State budget, the State legalized electric bicycles (“e-bikes”) and electric scooters (“e-scooters”) while also giving localities the ability to regulate their use.³ Three classes of e-bikes were created: Class 1 is pedal-assisted with no throttle; Class 2 is throttle-assisted with a maximum speed of 20 mph; and Class 3 is throttle-powered with a maximum speed of 25 mph. E-scooters were capped at 15 mph, and riders under 18 years of age are required to wear a helmet. Helmets are also required for riders of Class 3 e-bikes.⁴

Pursuant to the State’s legalization of electric bicycles and scooters, in 2020, the Council passed Local Laws 72 and 73 of 2020, which legalized such devices throughout the City.⁵ The legislation removed restrictions on three classes of electric bicycles with top speeds under 25 miles per hour and electric scooters with top speeds under 20 miles per hour

¹ Strategic Plan 2015-2017, FDNY; available at: <https://www1.nyc.gov/assets/fdny/downloads/pdf/about/fdny-strategic-plan-2015-2017.pdf>.

² Id.

³ E-Bikes, E-Scooters legalized in New York budget Bill at <https://www.silive.com/news/2020/04/e-bikes-e-scooters-legalized-in-new-york-budget-bill.html>

⁴ Id.

⁵ Local Law 72 of 2020 at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3763645&GUID=1B9B8689-094C-46D1-8F0C-8BB71C99E149&Options=ID|Text|&Search=1250>

Local Law 73 of 2020 at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3763646&GUID=5EEC4A3E-AF9D-4532-9E0E-2DE4333476F7&Options=ID|Text|&Search=1264>

III. RECENT INCIDENTS INVOLVING LITHIUM-ION RELATED FIRES

Lithium-Ion Battery Fires

Lithium-Ion battery fires can be extremely dangerous because they are self-sustaining and are difficult to contain and extinguish.⁶ The construction of these batteries contain a pressurized electrolyte fluid that makes them very dangerous in a range of circumstances. Circumstances that may compromise the battery's integrity and cause the battery to explode or ignite include but are not limited to: (i) impact damage to the battery; (ii) a manufacturing flaw; (iii) aging and deterioration of the battery components; (iv) extreme temperatures; and (v) overcharging.⁷ Additionally, overcharging lithium-ion may produce an exothermic decomposition of the battery cell, which leads to potential rupturing and creating a highly dangerous thermal explosion called thermal runaway.⁸

Recent E-Bike Related Fires in New York City

Over the past few years the City has experienced a rapid increase in lithium-ion battery related fires, largely associated with e-bikes and e-scooters. It has been reported that four times a week on average, an e-bike or e-scooter battery causes a fire in the City.⁹ Below is FDNY data on fires caused in recent years by lithium-ion batteries in e-bikes and e-scooters.

Year	Investigations	Injuries	Deaths	Structural	Non-Structural
2019	30	13	0	23	7
2020	44	23	0	37	7
2021	104	79	4	77	27
2022	220	147	6	162	58
2023*	22	36	1	14	8

*As of February 13, 2023.¹⁰

One such incident occurred on September 17, 2022, in which an e-scooter's battery caused a residential fire in Queens that resulted in the death of an 8-year-old girl.¹¹ Another happened on October 20, 2022, in which a fire

⁶ <https://batteryuniversity.com/article/lithium-ion-safety-concerns>

⁷ Id.

⁸ Id.

⁹ NPR – Fires from Exploding E-Bike Batteries Multiply in NYC – Sometimes Fatally at <https://www.npr.org/2022/10/30/1130239008/fires-from-exploding-e-bike-batteries-multiply-in-nyc-sometimes-fatally>

¹⁰ Data provided by FDNY to staff for the Committee on Fire and Emergency Management.

¹¹ Fire Blamed on Electric Scooter Battery Kills 8-Year-Old Girl in New York City at <https://www.nytimes.com/2022/11/05/nyregion/manhattan-high-rise-fire.html>.

engulfed an e-bike shop in Queens, destroying all of its merchandise, including nearly 60 e-bikes.¹² On November 5, 2022, a fire in a residential building at 429 East 52nd Street was caused by an e-bike's lithium-ion battery and injured at least 38 people.¹³ The fire started in a 20th floor apartment where the resident was believed to have been conducting unauthorized repairs to e-bikes.¹⁴ The intense fire caused the FDNY to conduct high-rise emergency extraction of residents and resulted in hospitalization of numerous individuals including five in serious condition and two in critical condition.¹⁵

IV. RELEVANT FIRE CODE REGULATIONS

Recent updates to the New York City Fire Code (“Fire Code”) established safety regulations related to the charging of powered mobility devices, including motorized bicycles and scooters that are powered by lithium-ion or other storage batteries. First, section FC 202 was amended to define powered mobility devices as “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 Vehicle.”¹⁶ Further, section FC 309, which was previously limited to ventilation requirements for battery-charging areas, was expanded to incorporate fire safety provisions for charging and storage of battery-powered industrial trucks, equipment and mobility devices.¹⁷ These provisions included: (i) adoption of Underwriters Laboratory (UL) standards for charging equipment;¹⁸ (ii) requiring battery inspection prior to charging or re-charging if the battery has been dropped, involved in a collision or otherwise subjected to a potential mechanism of damage;¹⁹ and (iii) establishing requirements for battery charging²⁰, and storage areas for such powered devices.²¹ The Fire Code regulations for indoor battery charging areas include: (i) requiring adequate natural or mechanical ventilation in accordance with the Mechanical Code to prevent accumulation of flammable or other gases; (ii) requiring adequate electrical supply and sufficient number of electrical receptacles (outlets) to permit equipment or battery packs to be directly connecting to an electric receptacle while charging, prohibiting the use of extension cords or power strips, and establishing clearance requirements between devices or battery packs during charging operations; (iii) prohibiting such areas from including storage of combustible materials, combustible waste or hazardous materials; (iv) requiring such areas be separated by a fire barrier with a minimum 1-hour fire-resistance from areas where repairs or servicing of batteries or powered devices occurs; (v) requiring such areas be equipped with portable fire extinguishers; and (vi) where 6 or more devices are charged in a single indoor location, charging rooms must be fully enclosed by fire barriers, be equipped with automatic sprinklers, and be temperature controlled to prevent overheating.²² Indoor areas used for storage of powered devices, but where charging or repairs do not occur, must comply with above-mentioned regulations pertaining to combustible waste, fire extinguishers, and required fire barriers separating the area from where charging or repairs occurs.²³

Finally, the above-mentioned provisions exempts storage and charging, in a Group R-3 occupancy (one- and two-family homes) or in a dwelling unit in a Group R-2 occupancy, of not more than five powered mobility devices using a storage battery, provided that such devices are for personal use; and charging of a single powered mobility device by and in the presence of its owner or user.²⁴

¹² Massive Blaze at NYC Bike shop Possibly Sparked by E-Bikes:FDNY at <https://nypost.com/2022/10/22/nyc-bike-shop-blaze-possibly-sparked-by-e-bikes-fdny/>

¹³ At Least 38 Injured In High-Rise Fire in Manhattan, New York Times at <https://www.nytimes.com/2022/11/05/nyregion/manhattan-high-rise-fire.html>

¹⁴ Id.

¹⁵ Id.

¹⁶ FC 202

¹⁷ FC 309.3

¹⁸ FC 309.3.1

¹⁹ FC 309.3.2

²⁰ FC 309.3.3

²¹ FC 309.3.4

²² FC 309.3.3

²³ FC 309.3.4

²⁴ FC 309.3

V. RELEVANT SAFETY STANDARDS

To mitigate the fire risks posed by lithium-ion batteries, and electrical bicycles and scooters, safety standards have been developed with the aim of minimizing the occurrence of battery malfunctions that can result in fires. Such standards, some of which are established by Underwriter Labs (“UL”), were developed by technical experts in consultation with industry representatives²⁵ and can be utilized for product certification testing by any nationally recognized testing laboratories. Relevant standards include: UL 2849, the Standard for Electrical Systems for e-bikes;²⁶ UL 2272, the Standard for Electrical Systems for Personal E-Mobility Devices;²⁷ and UL 2271, the Standard for Safety of Light Electric Vehicle Batteries.²⁸

UL standard 2849 evaluates the electrical system of an e-bike, to ensure compatibility of various components of the device, including the “electrical drive train system, battery system, charger system combination, interconnecting wiring and e-bike power inlet.”²⁹ UL standard 2272 similarly evaluates the electrical systems of other electric powered mobility devices, such as e-scooters.³⁰ These standards go beyond a standard that applies only to a battery because they consider the complete electrical system, including other points of potential failure and risk. Complete electrical system evaluations, such as those required by UL 2849 and UL 2272, aim to provide additional safeguards against device or battery malfunctions by testing component compatibility within a device’s electrical system.

On December 20, 2022, the U.S. Consumer Product Safety Commission’s (“CPSC”), sent a letter to over 2,000 manufacturers and importers of electric mobility devices, urging that products be designed, manufactured and certified for compliance with standards established by UL 2272 and UL 2849.³¹ The letter further suggested the possibility of enforcement action against manufacturers and importers who fail to demonstrate compliance with those standards, stating that any product that fails to meet the applicable certification safety level presents an “unreasonable risk of fire and risk of serious injury or death.”^{32 33}

VI. ANALYSIS OF PROP. INT. NO. 656-A

This legislation would require FDNY, in consultation with the Department of Consumer and Worker Protection (“DCWP”), to develop an informational campaign to educate the public on the fire risks posed by powered mobility devices and safety measures that mitigate such risks. The required campaign would include, but not be limited to, the use of print, online and social media advertisements, public service announcements, and public forums. The bill would take effect immediately after enactment.

Since introduction, the bill has been amended to change the methods and medium of public outreach to be utilized by FDNY in conducting requisite informational campaigns.

VII. ANALYSIS OF PROP. INT. NO. 663-A

This legislation would prohibit the sale, lease, and rental of powered bicycles, powered mobility devices, such as e-scooters, and storage batteries used to power such devices, which do not meet established safety standards. Specifically, in order to be sold in New York City, such equipment would need to be certified by an accredited testing laboratory for compliance with UL 2849, UL 2272, and UL 2271, respectively. To ease

²⁵

²⁶See UL Solutions, “Micromobility How to Guide,” available at: https://collateral-library-production.s3.amazonaws.com/uploads/asset_file/attachment/46596/Micromobility_How_to_Guide.pdf.

²⁷ Id.

²⁸ See American National Standards Institute, UL 2271; available at: <https://webstore.ansi.org/standards/ul/ul2271ed2018>.

²⁹ See UL Solutions, “Micromobility How to Guide,” available at: https://collateral-library-production.s3.amazonaws.com/uploads/asset_file/attachment/46596/Micromobility_How_to_Guide.pdf.

³⁰ Id.

³¹ U.S. Consumer Product Safety Commission, “Safety Information Concerning Micromobility Devices,” available at: <https://www.cpsc.gov/s3fs-public/Important%20Safety%20Information%20Concerning%20Micromobility%20Devices.pdf>

³² Id.

³³ Consumer Reports, “Electric bike makers must comply with safety standards,” December 20, 2022; available at: <https://www.consumerreports.org/health/electric-bikes/electric-bike-makers-must-comply-with-safety-standards-a1315380151/>.

enforcement by DCWP, product packaging or other documentation, must demonstration certification under applicable standards and list relevant testing agency. A person who violates the local law would be subject to a civil penalty, including a warning for first offenses, and escalating penalties for subsequent violations. The bill would take effect 180 days after enactment.

Since introduction the bill has been amended as follows. The legislation has been expanded to require that devices meet relevant standards for electrical system of powered bicycles and powered mobility devices. Additionally, the specific relevant UL testing standards listed above were added. Changes were made to provide increased flexibility in meeting labeling requirements to demonstrate product certification.

VIII. ANALYSIS OF PROP. INT. NO. 722-A

This legislation would require FDNY to report on safety measures to mitigate fire risk associated with powered mobility devices. Specifically, the Department would be required to report on: (a) each fire, occurring the prior calendar year, where powered mobility devices were determined to be the suspected cause; (b) a review of existing Fire Code provisions, and an evaluation of additional local regulatory measures, that could mitigate fire risks posed by powered mobility devices; and (c) a summary of all activities taken by the fire department to decrease the occurrence of fires caused by powered mobility devices. The Department would be required to submit such reports annually to City Council for a five-year period. The bill would take effect immediately after enactment.

Since introduction the bill has been amended as follows. The duration of reporting was extended from two years to five years. Additionally, reporting components were removed that would have required the FDNY to provide a review of relevant fire risks and examination of approaches utilized by other jurisdictions to mitigate such risks.

IX. ANALYSIS OF PROP. INT. NO. 749-A

This bill would require that DCWP, in consultation with FDNY, to identify and establish materials that provide guidance on safe use and storage of powered mobility devices. Additionally, food service establishments, third-party food delivery services and third-party courier services would be required to distribute such materials to food delivery workers. The bill would take effect 180 days after enactment.

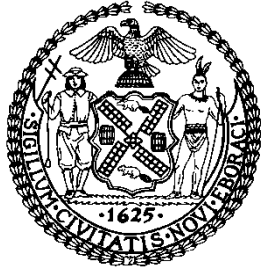
Since introduction, the bill has been amended to ensure language accurately reflects the scope of commercial establishments and workers subject to the requirements of the local law.

X. ANALYSIS OF PROP. INT. NO. 752-A

This bill would prohibit the sale of lithium-ion batteries that uses cells removed from used storage batteries; and make it unlawful to assemble or recondition a lithium-ion battery using cells removed from used storage batteries. A person who violates the local law would be subject to a civil penalty, established by FDNY rulemaking. The bill would also prohibit the assembly of such batteries. The bill would take effect immediately after enactment. Additionally, FDNY would be required to conduct outreach to stores that repair powered mobility devices regarding the conduct prohibited by the local law.

Since introduction the legislation has been amended by placing provisions pertaining to the sale prohibition within the New York City Fire Code. A requirement that the FDNY engage in outreach to affected stores was added.

(The following is the text of the Fiscal Impact Statement for Int. No. 656-A:)



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

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT. NO. 656-A

COMMITTEE: Fire and Emergency Management

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring the fire department to develop an informational campaign to educate the public on fire risks posed by powered mobility devices.

Sponsors: Council Members Brewer, Avilés, Gutiérrez, Feliz, Louis, Hanif, Hudson, Joseph, Ung, Sanchez, Nurse, Won, Powers, Bottcher, Brannan, Velazquez, Narcisse, Holden, Farias, Caban, Kagan, Paladino, and Ariola.

SUMMARY OF LEGISLATION: This bill would require the Fire Department, in consultation with the Department of Consumer and Worker Protection, to develop an informational campaign to educate the public on the fire risks posed by powered mobility devices and safety measures that mitigate such risks. The required campaign would include, but not be limited to, the use of print, and television advertisements as well as public forums.

EFFECTIVE DATE: This law takes effect immediately.

FISCAL YEAR (FY) IN WHICH FULL FISCAL IMPACT ANTICIPATED: FY24

FISCAL IMPACT STATEMENT:

	Effective FY23	Succeeding FY24	Full Fiscal Impact FY24
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Tanveer Singh, Legislative Financial Analyst

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

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on September 14, 2022, as Intro. No. 656 and referred to the Committee on Fire and Emergency Management (the Committee). The legislation was considered by the Committee at a hearing held on November 14, 2022, and was subsequently amended. The amended version, Proposed Intro. No. 656-A will be considered by the Committee on March 2, 2023. Upon successful vote by the Committee, Proposed Intro. No. 656-A will be submitted to the full Council for a vote on March 2, 2023.

DATE PREPARED: 2/10/2023.

(For text of Int. No. 663-A, 722-A, 749-A 752-A and their Fiscal Impact Statements, please see the Reports of the Committee on Fire and Emergency Management for Int. Nos. 663-A, 722-A, 749-A, and 752-A, respectively, printed in these Minutes; for text of Int. No. 656-A, please see below)

Accordingly, this Committee recommends the adoption of Int. Nos. 656-A, 663-A, 722-A, 749-A, and 752-A.

(The following is the text of Int. No. 656-A:)

Int. No. 656-A

By Council Members Brewer, Avilés, Gutiérrez, Feliz, Louis, Hanif, Hudson, Joseph, Ung, Sanchez, Nurse, Won, Powers, Bottcher, Brannan, Velázquez, Narcisse, Holden, Farías, Cabán, Abreu, Rivera, Gennaro, Ariola, Kagan and Paladino.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the fire department to develop an informational campaign to educate the public on fire risks posed by powered mobility devices

Be it enacted by the Council as follows:

Section 1. Title 15 of the administrative code of the city of New York is amended to add a new section 15-147 to read as follows:

§ 15-147 Powered mobility device education and outreach. a. Definitions. For purposes of this section, the term “powered mobility device” means: (i) a bicycle with electric assist as defined in section 102-c of the vehicle and traffic law or any successor provision; (ii) an electric scooter as defined in section 114-e of the vehicle and traffic law or any successor provision; (iii) a motorized scooter as defined in section 19-176.2; or (iv) any other personal mobility device powered by a lithium-ion or other storage battery. The term does not include wheelchairs or other mobility devices designed for use by persons with disabilities, or any vehicle that is capable of being registered with the New York state department of motor vehicles.

b. The department, in consultation with the department of consumer and worker protection, shall develop an informational campaign to educate the public on the fire risks posed by powered mobility devices and safety measures that mitigate such risks. Such campaign shall address both commercial and personal use of powered mobility devices and include, but not be limited to, guidance on: (i) purchasing mobility devices and battery equipment that meet established fire safety standards; (ii) maintenance and care information for powered mobility devices and lithium-ion batteries; and (iii) storage and charging precautions for powered mobility devices and lithium-ion batteries. Such campaign shall include, but not be limited to, the use of print, online and social media advertisements, public service announcements, and public forums.

§ 2. This local law takes effect immediately.

JOANN ARIOLA, *Chairperson*; ROBERT F. HOLDEN, KEVIN C. REILLY, JAMES F. GENNARO, OSWALD FELIZ, CARMEN N. De La ROSA, LYNN C. SCHULMAN, DAVID M. CARR; 8-0-0; *Absent*: Kalman Yeger; Committee on Fire and Emergency, March 2, 2023. *Other Council Members Attending*: 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. 663-A

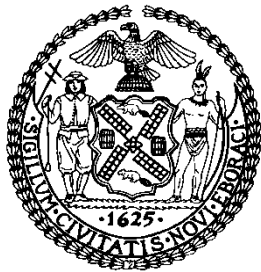
Report of the Committee on Fire and Emergency Management in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the sale, lease, and rental of powered bicycles, powered mobility devices and storage batteries.

The Committee on Fire and Emergency Management, to which the annexed proposed amended local law was referred on September 14, 2022 (Minutes, page 2151), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Fire and Emergency Management for Int. No. 656-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 663-A:



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

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT. NO. 663-A

COMMITTEE: Fire and Emergency Management

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the sale, lease and rental of powered bicycles, powered mobility devices and storage batteries for powered mobility devices.

Sponsors: Council Members Feliz, Brewer, Abreu, Ariola, Salamanca, Williams, Joseph, Menin, Riley, Ung, Holden, Stevens, Velazquez, Farias, Powers, Yeger, Gennaro, Brannan, Bottcher, Narcisse, Dinowitz,, Hanks, Moya, Schulman, Vernikov, Carr, Ayala, Kagan, Paladino, and Borelli.

SUMMARY OF LEGISLATION: This bill would prohibit the sale, lease, or rental of powered mobility devices, such as e-bikes and electric scooters and storage batteries for mobility devices such as electric bicycles or scooters, that fail to meet recognized safety standards. The first violation of this law would be met with a warning, but subsequent violation would carry civil penalties of up to \$1,000 for each subsequent violation per violating device.

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

FISCAL YEAR (FY) IN WHICH FULL FISCAL IMPACT ANTICIPATED: FY25

FISCAL IMPACT STATEMENT:

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

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS:

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Tanveer Singh, Legislative Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on September 14, 2022, as Intro. No. 663 and referred to the Committee on Fire and Emergency Management (the Committee). The legislation was considered by the Committee at a hearing held on November 14, 2022, and was subsequently amended. The amended version, Proposed Intro. No. 663-A will be considered by the Committee on March 2, 2023. Upon successful vote by the Committee, Proposed Intro. No. 663-A will be submitted to the full Council for a vote on March 2, 2023.

DATE PREPARED: 2/10/2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 663-A:)

Int. No. 663-A

By Council Members Feliz, Brewer, Abreu, Ariola, Salamanca, Williams, Joseph, Menin, Riley, Ung, Holden, Stevens, Velázquez, Farías, Powers, Yeger, Gennaro, Brannan, Bottcher, Narcisse, Dinowitz, Hanks, Ayala, Moya, Schulman, Barron, Rivera, Kagan, Paladino, Borelli, Vernikov and Carr.

A Local Law to amend the administrative code of the city of New York, in relation to the sale, lease, and rental of powered bicycles, powered mobility devices and storage batteries

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 2 to read as follows:

**SUBCHAPTER 2
POWERED MOBILITY DEVICES**

§ 20-609 Definitions. For purposes of this subchapter, the following terms have the following meanings:

Powered bicycle. The term “powered bicycle” means a bicycle with electric assist as defined in section 102-c of the vehicle and traffic law.

Powered mobility device. The term “powered mobility device” means an electric scooter as defined in section 114-e of the vehicle and traffic law or successor provision or other personal mobility device powered by a lithium-ion or other storage battery. The term does not include powered bicycles, wheelchairs or other mobility devices designed for use by persons with disabilities, or any vehicle that is capable of being registered with the New York State Department of Motor Vehicles.

Stock keeping unit. The term “stock keeping unit” means each group of items offered for sale of the same brand name, quantity of contents, retail price and variety.

§ 20-610 Sale, lease, and rental of powered bicycles, powered mobility devices, and storage batteries for such devices. a. No person shall distribute, sell, lease, rent or offer for sale, lease or rental a powered bicycle unless:

1. The electrical system for such bicycle has been certified by an accredited testing laboratory for compliance with Underwriters Laboratories (UL) standard 2849, or such other safety standard as the department has established by rule in consultation with the fire department; and

2. Such certification or the logo, wordmark, or name of such accredited testing laboratory is displayed: (i) on packaging or documentation provided at the time of sale for such powered bicycle; or (ii) directly on such powered bicycle or the battery of such bicycle.

b. No person shall distribute, sell, lease, rent, or offer for sale, lease, or rental, a powered mobility device unless:

1. The electrical system for such powered mobility device has been certified by an accredited testing laboratory for compliance with Underwriters Laboratories (UL) standard 2272, or such other safety standard as the department has established by rule in consultation with the fire department; and

2. Such certification or the logo, wordmark, or name of such accredited testing laboratory is displayed: (i) on packaging or documentation provided at the time of sale for such powered mobility device; or (ii) directly on such powered mobility device or the battery of such device.

c. No person shall distribute, sell, lease, rent or offer for sale, lease or rental a storage battery for a powered bicycle or powered mobility device unless:

1. Such storage battery has been certified by an accredited testing laboratory for compliance with Underwriters Laboratories (UL) standard 2271, or such other safety standard as the department has established by rule in consultation with the fire department; and

2. Such certification, or the logo, wordmark, or name of such accredited testing laboratory is displayed: (i) on packaging or documentation provided at the time of sale for such storage battery; or (ii) directly on such storage battery.

d. No powered bicycle or powered mobility device, or storage battery for a powered bicycle or powered mobility device, shall be required to display the certification or the logo, wordmark, or name of an accredited testing laboratory as required by subdivision a, b, or c of this section if such powered bicycle, powered mobility device, or storage battery: (i) is being sold or leased second-hand, or is being rented; and (ii) does not include packaging, or does not include printed documentation, at the time of distribution, sale, lease, rental or offer for sale, lease or rental, as applicable.

e. A person who violates subdivision a, b, or c of this section, or any rule promulgated thereunder, is liable for a civil penalty as follows:

1. For the first violation, a civil penalty of zero dollars; and

2. For each subsequent violation issued for the same offense on a different day within two years of the date of a first violation, a civil penalty of not more than one thousand dollars.

f. Each failure to comply with subdivision a, b, or c of this section with respect to any one stock keeping unit constitutes a separate violation.

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

JOANN ARIOLA, *Chairperson*; ROBERT F. HOLDEN, KEVIN C. REILLY, JAMES F. GENNARO, OSWALD FELIZ, CARMEN N. De La ROSA, LYNN C. SCHULMAN, DAVID M. CARR; 8-0-0; *Absent*: Kalman Yeger; Committee on Fire and Emergency, March 2, 2023. *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. 722-A

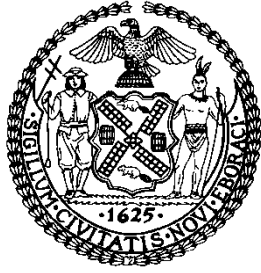
Report of the Committee on Fire and Emergency Management in favor of approving and adopting, as amended, a Local Law in relation to requiring the fire department to report on safety measures to mitigate fire risk associated with powered mobility devices.

The Committee on Fire and Emergency Management, to which the annexed proposed amended local law was referred on September 29, 2022 (Minutes, page 2303), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Fire and Emergency Management for Int. No. 656-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 722-A:



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

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT. NO. 722-A

COMMITTEE: Fire and Emergency Management

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring the fire department to report on safety measures to mitigate fire risk associated with powered mobility devices.

Sponsors: Council Members Holden, Feliz, Powers, Hudson, Ariola, Paladino, Bottcher, Brannan, Velazquez, Narcisse, Aviles, Menin, Farias, Paladino, Kagan, and Vernikov.

SUMMARY OF LEGISLATION: This bill would require the Fire Department to report on safety measures to mitigate fire risk associated with powered mobility devices and submit five reports—one per year beginning January 30, 2024—relating to fire risks and powered mobility devices, such as e-bikes and electric scooters. The reports would be required to include data on fires during the previous year caused by these devices, recommendations for changes to changes to the Administrative Code or other local provisions to further decrease fire risk, and a summary of actions taken by the Fire Department to decrease this fire risk, such as enforcement of existing requirements and public education.

EFFECTIVE DATE: This bill would take effect immediately.

FISCAL YEAR (FY) IN WHICH FULL FISCAL IMPACT ANTICIPATED: FY24

FISCAL IMPACT STATEMENT:

	Effective FY23	Succeeding FY24	Full Fiscal Impact FY24
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Tanveer Singh, Legislative Financial Analyst

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

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on September 29, 2022, as Intro. No. 722 and referred to the Committee on Fire and Emergency Management (the Committee). The legislation was considered by the Committee at a hearing held on November 14, 2022, and was subsequently amended. The amended version, Proposed Intro. No. 722-A will be considered by the Committee on March 2, 2023. Upon successful vote by the Committee, Proposed Intro. No. 722-A will be submitted to the full Council for a vote on March 2, 2023.

DATE PREPARED: 2/10/2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 722-A:)

Int. No. 722-A

By Council Members Holden, Feliz, Powers, Hudson, Bottcher, Brannan, Velázquez, Narcisse, Avilés, Menin, Farías, Abreu, Rivera, Gennaro, Ariola, Paladino, Kagan and Vernikov.

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. Definitions. For purposes of this section, the term “powered mobility devices” means: (i) a bicycle with electric assist as defined in section 102-c of the vehicle and traffic law or any successor provision; (ii) an electric scooter as defined in section 114-e of the vehicle and traffic law or any successor provision; (iii) a motorized scooter as defined in section 19-176.2; or (iv) any other personal mobility device powered by a lithium-ion or other storage battery. The term does not include wheelchairs or other mobility devices designed for use by persons with disabilities, or any vehicle that is capable of being registered with the New York state department of motor vehicles.

b. No later than January 30, 2024, and within 30 days after the beginning of each of the four following calendar years, the fire department shall submit to the speaker of 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 and administrative code provisions, provided that such information can be ascertained;

2. A review of existing New York City Fire Code and Administrative Code provisions governing the purchase, use, 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; and

3. A summary of 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.

JOANN ARIOLA, *Chairperson*; ROBERT F. HOLDEN, KEVIN C. REILLY, JAMES F. GENNARO, OSWALD FELIZ, CARMEN N. De La ROSA, LYNN C. SCHULMAN, DAVID M. CARR; 8-0-0; *Absent*: Kalman Yeger; Committee on Fire and Emergency, March 2, 2023. *Other Council Members Attending*: 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. 749-A

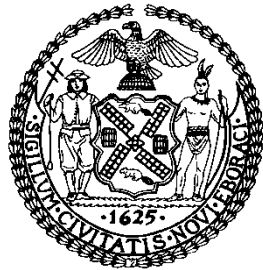
Report of the Committee on Fire and Emergency Management in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to providing food delivery workers with information on safety measures that mitigate the fire risks posed by powered mobility devices.

The Committee on Fire and Emergency Management, to which the annexed proposed amended local law was referred on October 12, 2022 (Minutes, page 2453), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Fire and Emergency Management for Int. No. 656-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 749-A:



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT. NO. 749-A

COMMITTEE: Fire and Emergency Management

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to providing food delivery workers with information on safety measures that mitigate the fire risks posed by powered mobility devices.

Sponsors: Council Members Avilés, Restler, Joseph, Farías, Hanif, Abreu, Powers, Hudson, Bottcher, Brannan, Velazquez, Narcisse, Gutierrez, Holden, Menin, Caban, Won, Nurse and Kagan.

SUMMARY OF LEGISLATION: This bill would require that the Department of Consumer and Worker Protection, in consultation with the Fire Department, establish materials that provide guidance on safe use and storage of powered mobility devices and requires food service establishments, third-party delivery apps, such as Seamless and UberEats, to distribute such materials to food delivery workers. These materials would include guidance on how to identify safe e-bikes and other electric mobility devices, as well as best practices for maintenance, storage, and charging.

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

FISCAL YEAR (FY) IN WHICH FULL FISCAL IMPACT ANTICIPATED: FY24

FISCAL IMPACT STATEMENT:

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

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Tanveer Singh, Legislative Financial Analyst

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

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on October 12, 2022, as Intro. 749 and referred to the Committee on Fire and Emergency Management (the Committee). The legislation was considered by the Committee at a hearing held on November 14, 2022, and was subsequently amended. The amended version, Proposed Intro. No. 749-A will be considered by the Committee on March 2, 2023. Upon successful vote by the Committee, Proposed Intro. No. 749-A will be submitted to the full Council for a vote on March 2, 2023.

DATE PREPARED: 2/10/2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 749-A:)

Int. No. 749-A

By Council Members Avilés, Restler, Joseph, Farías, Hanif, Abreu, Powers, Hudson, Bottcher, Brannan, Velázquez, Narcisse, Gutiérrez, Holden, Menin, Cabán, Won, Nurse, Rivera, Gennaro and Kagan.

A Local Law to amend the administrative code of the city of New York, in relation to providing food delivery workers with information on safety measures that mitigate the fire risks posed by powered mobility devices

Be it enacted by the Council as follows:

Section 1. Section 10-157 of the administrative code of the city of New York is amended by adding a new subdivision l to read as follows:

l. A business using a bicycle for commercial purposes shall provide to its bicycle operators the materials identified by the department of consumer and worker protection pursuant to subdivision a of section 20-1525. Unless such business has already provided such materials pursuant to subdivision b of section 20-1525, such business shall provide such materials to its bicycle operators no later than sixty days after such department publishes such materials pursuant to subdivision a of section 20-1525. Such materials shall be provided in English, the designated citywide languages as defined in section 23-1101, and any additional languages in which such materials have been published by the department of consumer and worker protection.

§ 2. Subchapter 2 of chapter 15 of title 20 of the administrative code of the city of New York is amended by adding a new section 20-1525 to read as follows:

§ 20-1525 Fire safety materials. a. The department, in consultation with the fire department, shall identify materials developed pursuant to section 15-147, regarding the fire risks posed by powered mobility devices and safety measures that mitigate such risks, for dissemination to food delivery workers. The department shall publish such materials on the city's website.

b. A third-party food delivery service or third-party courier service shall provide the materials identified by the department pursuant to subdivision a of this section to a food delivery worker hired, retained, or engaged by any such service. A third-party food delivery service or third-party courier service shall provide such materials by email and as a link within a text message sent to a food delivery worker no later than sixty days after the department publishes such materials pursuant to subdivision a of this section. Such materials shall be provided in English, the designated citywide languages as defined in section 23-1101, and any additional languages as determined by the commissioner, provided that the department has published the materials in such additional languages.

§ 3. This local law takes effect 180 days after a local law amending the administrative code of the city of New York, relating to requiring the fire department to develop an informational campaign to educate the public on fire risks posed by powered mobility devices, as proposed in introduction number 656-A for the year 2023, takes effect.

JOANN ARIOLA, *Chairperson*; ROBERT F. HOLDEN, KEVIN C. REILLY, JAMES F. GENNARO, OSWALD FELIZ, CARMEN N. De La ROSA, LYNN C. SCHULMAN, DAVID M. CARR; 8-0-0; *Absent*: Kalman Yeger; Committee on Fire and Emergency, March 2, 2023. *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. 752-A

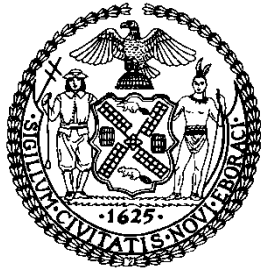
Report of the Committee on Fire and Emergency Management in favor of approving and adopting, as amended, a Local Law to amend the New York city fire code, in relation to prohibiting the sale of lithium-ion batteries assembled or reconditioned using cells removed from used batteries.

The Committee on Fire and Emergency Management, to which the annexed proposed amended local law was referred on October 12, 2022 (Minutes, page 2454), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Fire and Emergency Management for Int. No. 656-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 752-A:



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

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT. NO. 752-A

COMMITTEE: Fire and Emergency Management

TITLE: A Local Law to amend the administrative code of the city of New York and the New York City fire code, in relation to prohibiting the sale of lithium-ion batteries assembled or reconditioned using cells removed from used batteries.

Sponsors: Council Members Brewer, Mealy, Williams, Powers, Brannan, Yeger, Ariola, Bottcher, Velazquez, Narcisse, Ung, Menin, Holden, and Paladino.

SUMMARY OF LEGISLATION: This bill would prohibit (i) the assembly or reconditioning of a lithium-ion battery using cells removed from used storage batteries; and (ii) the sale of a lithium-ion battery that uses cells removed from used storage batteries. A person who violated the proposed local law would be subject to a civil penalty. The Fire Department would be required to engage in an outreach campaign to stores that repair powered mobility devices to inform such stores of the conduct prohibited by this law.

EFFECTIVE DATE: This bill would take effect immediately.

FISCAL YEAR (FY) IN WHICH FULL FISCAL IMPACT ANTICIPATED: FY24

FISCAL IMPACT STATEMENT:

	Effective FY23	Succeeding FY24	Full Fiscal Impact FY24
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Tanveer Singh, Legislative Financial Analyst

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

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on October 12, 2022, as Intro. No. 752 and referred to the Committee on Fire and Emergency Management (the Committee). The legislation was considered by the Committee at a hearing held on November 14, 2022, and was subsequently amended. The amended version, Proposed Intro. No. 752-A will be considered by the Committee on March 2, 2023. Upon successful vote by the Committee, Proposed Intro. No. 752-A will be submitted to the full Council for a vote on March 2, 2023.

DATE PREPARED: 2/10/2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 752-A:)

Int. No. 752-A

By Council Members Brewer, Mealy, Williams, Powers, Brannan, Yeger, Bottcher, Velázquez, Narcisse, Ung, Menin, Holden, Abreu, Rivera, Gennaro, Ariola and Paladino.

A Local Law to amend the New York city fire code, in relation to prohibiting the sale of lithium-ion batteries assembled or reconditioned using cells removed from used batteries

Be it enacted by the Council as follows:

Section 1. Section FC 309 of the New York city fire code is amended by adding a new section 309.3.5 to read as follows:

309.3.5 Second-use batteries. It shall be unlawful to:

1. assemble or recondition a lithium-ion battery using cells removed from used storage batteries; or

2. *sell or offer for sale a lithium-ion battery that uses cells removed from used storage batteries.*

§ 2. The fire department shall engage in an outreach campaign to stores that repair powered mobility devices, as such term is defined in section 1 of a local law for the year 2023, relating to requiring the fire department to report on safety measures to mitigate fire risk associated with powered mobility devices, as proposed in introduction number 722-A, to inform such stores of the conduct prohibited by FC 309.3.5. Information about this outreach campaign shall be included in the first report required by such local law.

§ 3. This local law takes effect on the same date as a local law for the year 2023, relating to requiring the fire department to report on safety measures to mitigate fire risk associated with powered mobility devices, as proposed in introduction number 722-A, takes effect.

JOANN ARIOLA, *Chairperson*; ROBERT F. HOLDEN, KEVIN C. REILLY, JAMES F. GENNARO, OSWALD FELIZ, CARMEN N. De La ROSA, LYNN C. SCHULMAN, DAVID M. CARR; 8-0-0; *Absent*: Kalman Yeger; Committee on Fire and Emergency, March 2, 2023. *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 General Welfare

Report for Int. No. 436-A

Report of the Committee on General Welfare 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 juvenile justice advisory board, and to repeal section 619 of chapter 24-b of the New York city charter in relation thereto.

The Committee on General Welfare, to which the annexed proposed amended local law was referred on May 19, 2022 (Minutes, page 1136), respectfully

REPORTS:

I. Introduction

On March 2, 2023, the Committee on General Welfare, chaired by Deputy Speaker Diana Ayala, will consider Proposed Int. No. 436-A, sponsored by Council Member Stevens, and Proposed Int. No. 522-A, sponsored by Council Member Bottcher. The Committee previously held a hearing on Proposed Int. No. 436-A on October 13, 2022. At that hearing, the Committee heard testimony from the New York City Administration for Children's Services, community-based organizations, service providers, and members of the public. The Committee previously held a hearing on Proposed Int. No. 522-A on September 13, 2022. At that hearing, the Committee heard testimony from the New York City Department of Social Services, impacted individuals who have formerly experienced or are currently experiencing homelessness, community-based organizations, service providers, and members of the public.

II. Bill Analysis

Proposed Int. No. 436-A

This bill would create a juvenile justice advisory board to advise the Mayor and the Council on issues relating to juvenile justice. The advisory board would include advocates who specialize in defending juveniles in family or Supreme Court and individuals who were formerly in a juvenile detention facility. The advisory board would meet at least quarterly. The bill would also require the advisory board to submit an annual report on the activities of the board over the preceding twelve months, its review and recommendations, and any challenges faced in providing feedback. Reporting pursuant to this bill would be required no later than one year after all required appointments are made, and annually thereafter.

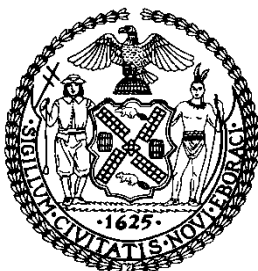
Since being heard, this bill was amended to expand the size of the board to 20 members. The board would consist of 13 public members, with the addition of one individual who represents an organization that advocates for improvements in education, one individual who specializes in the provision of pediatric mental health services, one individual who specializes in housing adolescents, and two individuals who provide community-based youth development services, one of whom focuses on justice-involved youth and six individuals or family members of individuals, who were incarcerated, detained, or placed in a juvenile justice facility before their nineteenth birthday. These six individuals would each be appointed by the Borough Presidents and the Public Advocate.

Proposed Int. No. 522-A

This bill would require mental health professionals to be available in each families with children shelter to provide on-site or telehealth mental health services. The Department of Homeless Services (DHS) would be required to maintain a pro-rated ratio of at least one full-time mental health professional for up to every 50 families with children. This bill would also require DHS to annually report to the Mayor and the Speaker on the provision of mental health professionals in families with children shelters.

Since introduction, this bill was amended to allow mental health services to be provided via telehealth, and to include an implementation schedule. This bill would require DHS to ensure that mental health professionals are available in the 30 largest families with children shelters to provide on-site mental health services no later than July 31, 2024. DHS would be required to ensure that mental health professionals are available in all families with children shelters no later than July 31, 2025.

(The following is the text of the Fiscal Impact Statement for Int. No. 436-A:)



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

PROPOSED INTRO. NO: 436-A

COMMITTEE: General Welfare

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to creating a juvenile justice advisory board, and to repeal section 619 of chapter 24-b of the New York city charter in relation thereto.

SPONSOR(S): By Council Members Stevens, Williams, Riley, Louis, Nurse, Restler, Bottcher, Sanchez, Menin, Abreu, Farías and Narcisse.

SUMMARY OF LEGISLATION: This bill would create a juvenile justice advisory board consisting of twenty members, to advise and provide recommendations to the Mayor, the Council, and the Administration for Children’s Services on issues related to juvenile justice. This bill would require the board to annually report to the Mayor and the Speaker a description of its activities, the results of its review and recommendations, and any challenges faced in providing oversight and feedback.

EFFECTIVE DATE: This local law takes effect immediately.

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

FISCAL IMPACT STATEMENT:

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

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Austrid Chan, Financial Analyst, NYC Council Finance Division

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

LEGISLATIVE HISTORY: This legislation was introduced by the Council on May 19, 2022 as Int. No. 436 and was referred to the Committee on General Welfare (Committee). At a hearing held by the Committee on October 13, 2022, the bill was heard and laid over. The bill was subsequently amended, and the amended version, Proposed Int. No. 436-A, will be heard by the Committee on March 2, 2023. Upon a successful vote by the Committee, the bill will be submitted to the full Council for a vote on March 2, 2023.

DATE PREPARED: February 28, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 436-A:)

Int. No. 436-A

By Council Members Stevens, Williams, Riley, Louis, Nurse, Restler, Bottcher, Sanchez, Menin, Abreu, Farías, Narcisse, Rivera and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to creating a juvenile justice advisory board, and to repeal section 619 of chapter 24-b of the New York city charter in relation thereto

Be it enacted by the Council as follows:

Section 1. 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 advisory board. a. There is hereby established a juvenile justice advisory board to advise and provide recommendations to the mayor, the council, and ACS on issues related to juvenile justice, including, but not limited to:*

1. Risk factors associated with criminal behavior among youth and interventions to prevent such behavior;
2. The availability of community-based services directed at youth, including justice-involved youth, and their families that effectively prevent youth involvement in criminal behavior and aid in the re-entry and transition from juvenile detention or another court-ordered placement facility to the community. Such services include educational and mental health services, including services that address trauma, family support, and vocation;

3. The availability and efficacy of academic and vocational programming for youth in detention or another court-ordered placement in connection with a juvenile delinquency proceeding;

4. Challenges faced by youth upon discharge from detention or another court-ordered placement in connection with a juvenile delinquency proceeding; and

5. The particular challenges faced by justice-involved youth in foster care.

b. The board shall consist of 20 members, as follows:

1. The speaker of the council or their designee;

2. The commissioner of ACS or their designee;

3. The commissioner of probation or their designee;

4. The commissioner of youth and community development or their designee;

5. The chancellor of the department of education or their designee;

6. The director of the mayor's office of criminal justice or their designee;

7. The commissioner of health and mental hygiene or their designee; and

8. 13 public members, including:

(a) The following mayoral appointees:

(1) 1 attorney who specializes in defending youth in family court;

(2) 1 attorney who specializes in defending youth in New York state supreme court;

(3) 1 individual representing an organization that advocates for improvements in education;

(4) 1 mental health professional who specializes in the provision of pediatric mental health services;

(5) 1 individual who specializes in issues of housing adolescents; and

(6) 2 individuals who provide community-based youth development services, 1 of whom focuses on justice-involved youth; and

(b) 6 individuals, or family members of individuals, who were incarcerated, detained, or placed in a juvenile justice facility before their nineteenth birthday, 1 of each to be appointed by the borough presidents and the public advocate.

c. 1. Board members shall serve without compensation.

2. All appointments required by this section shall be made no later than 120 days after the effective date of the local law that added this section.

3. Board members shall serve terms of 6 years and no such member shall be removed from office except by the appointing officer.

4. Any vacancy on the board shall be filled in the manner of the original appointment.

d. The board shall meet at least quarterly and choose a chairperson at its first meeting. The board shall keep a record of its proceedings and determine the rules of its own proceedings, provided that special meetings

may be called by the chairperson upon their own initiative or upon receipt of a written request signed by at least 4 board members. Written notice of the time and place of such special meetings shall be given to each member at least 2 weeks before the date fixed by the notice for such special meeting.

e. The board shall, at least annually, hold a public meeting to solicit feedback from stakeholders and the public.

f. No later than 1 year after all appointments required by this section are made, and annually thereafter, the board shall submit to the mayor and the speaker of the council a report describing the activities of the board over the preceding 12 months, the results of the board's review and recommendations pursuant to this section, and any challenges faced by the board in providing oversight and feedback pursuant to this section. Each such report shall be posted to ACS's website upon submission to the mayor.

§ 2. Section 619 of chapter 24-b of the New York city charter is REPEALED.

§ 3. This local law takes effect immediately.

DIANA I. AYALA, *Chairperson*; KEVIN C. RILEY, TIFFANY CABÁN, CRYSTAL HUDSON, LINDA LEE, CHI A. OSSÉ, LINCOLN RESTLER, ALTHEA V. STEVENS, SANDRA UNG, NANTASHA M. WILLIAMS; 10-0-0; Committee on General Welfare, March 2, 2023. *Other Council Members Attending: Council Member Bottcher.*

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. 522-A

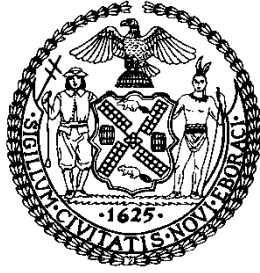
Report of the Committee on General Welfare in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring mental health professionals in families with children shelters.

The Committee on General Welfare, to which the annexed proposed amended local law was referred on June 16, 2022 (Minutes, page 1506), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on General Welfare for Int. No. 436-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 522-A:



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

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

RICHARD LEE, FINANCE DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 522-A

COMMITTEE: General Welfare

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring mental health professionals in families with children shelters.

SPONSOR(S): Bottcher, Ayala, Rivera, Ossé, Hanif, Abreu, Brewer, Louis, Ung, Gutiérrez, Won, Brooks-Powers, Hudson, Nurse, Joseph, Williams, Krishnan, Holden, Schulman, Velázquez, Gennaro, Narcisse, De La Rosa, Restler, Riley, Stevens, Moya, Sanchez, Menin, Marte, Dinowitz, Cabán, Powers, Avilés, Salamanca, Farías, Brannan, Lee, and Paladino.

SUMMARY OF LEGISLATION: Proposed Int. No. 522-A would require the Department of Homeless Services' (DHS) contracted shelter providers to hire mental health professionals to provide on-site or telehealth mental health services at families with children shelters, subject to appropriations. The bill requires that mental health professionals be made available at the 30 largest families with children shelters sites by July 31, 2024, and at all families with children shelter sites by July 31, 2025. DHS is required to maintain a pro-rated ratio of at least one full-time mental health professional for up to every 50 families with children. No later than December 31, 2024, and annually thereafter, DHS will submit a report to the Mayor, the Speaker of the Council, and post on its website, regarding mental health professionals in families with children shelters and the number of clients served.

EFFECTIVE DATE: This local law will take effect 180 days after it becomes law.

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

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY26
Revenues	\$0	\$0	\$0
Expenditures	\$1,063,250	\$9,153,608	\$16,731,932
Net	\$1,063,250	\$9,153,608	\$16,731,932

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

IMPACT ON EXPENDITURES: It is estimated that DHS contracted providers will start hiring a total of 180 mental health professionals when the law goes into effect, with 31 positions filled by July 31, 2024, and an additional 149 positions filled by July 31, 2025. The annual salary is estimated at \$70,000 with a 33 percent fringe for a total of \$93,100 per year for each position. The total estimated costs for 180 positions for a full year would be approximately \$16.7 million. Because the law is anticipated to be effective for nine months only in Fiscal 2024, the prorated costs are estimated to be \$1.1 million. For Fiscal 2025, total costs are estimated to be \$9.1 million

and growing to approximately \$16.7 million by Fiscal 2026 and in the following fiscal years. These estimates assume a phased in hiring process over 22 months.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Julia K. Haramis, Principal Financial Analyst, NYC Council Finance Division

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

LEGISLATIVE HISTORY: This legislation was introduced to the Council on June 16, 2022, as Int. No. 522, and was referred to the Committee on General Welfare (the Committee). A hearing was held by the Committee on September 13, 2022, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Int. No. 522-A, will be voted on by the Committee at a hearing on March 2, 2023. Upon a successful vote by the Committee, Proposed Intro. No. 522-A will be submitted to the full Council for a vote on March 2, 2023.

DATE PREPARED: February 23, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 522-A:)

Int. No. 522-A

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

A Local Law to amend the administrative code of the city of New York, in relation to requiring mental health professionals in families with children 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 21-330 to read as follows:

§ 21-330 *Mental health professionals in families with children shelters. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Adult. The term “adult” means any person 18 years of age or older who is not a child.

Child. The term “child” means a person under 18 years of age or a person under 19 years of age if such person is a full-time student regularly attending secondary school or the equivalent level of vocational or technical training.

Families with children shelter. The term “families with children shelter” means temporary emergency housing provided to homeless families with children by the department or by a provider under contract or similar

agreement with the department pursuant to subdivision (d) of section 900.2 of title 18 of the New York codes, rules and regulations.

Family with children. The term “family with children” means a family with at least 1 adult and 1 child, a couple including at least 1 pregnant individual, a single pregnant individual, or a parent or grandparent with a pregnant individual.

Mental health professional. The term “mental health professional” means a mental health professional licensed to practice in New York state including, but not limited to, the following: a licensed clinical social worker, a psychiatric nurse practitioner, a psychiatrist, or a psychologist.

Mental health services. The term “mental health services” means in-person or telehealth services including, but not limited to, (i) providing psychotherapy services, (ii) providing psychiatric assessments to diagnose mental illness, conduct diagnosis follow-up or coordinate clinical treatment plans, (iii) liaising with or providing referrals to emergency medical or psychiatric care providers or (iv) providing medication monitoring or management.

Operator. The term “operator” means a person that enters into a contract with the department to provide families with children shelter.

b. *Provision of mental health professionals.* Subject to appropriation, the department shall ensure that no later than July 31, 2024, mental health professionals are available in the 30 largest families with children shelters to provide on-site mental health services. Subject to appropriation, the department shall ensure that no later than July 31, 2025, mental health professionals are available in each families with children shelter to provide on-site mental health services. The department shall maintain a pro-rated ratio of at least 1 full-time mental health professional for up to every 50 families with children. The department shall consult with operators in determining the types of mental health professionals providing mental health services to families with children. The department shall ensure that operators utilizing telehealth services enter into a contract with a telehealth provider to provide such services and ensure that there is a confidential space and technology available for persons who utilize such services. The department shall ensure that individuals utilizing such services are informed that utilization of such services is voluntary and may require a mental health professional to report cases of suspected child abuse or maltreatment in accordance with title 6 of article 6 of the social services law. Unless required under title 6 of article 6 of the social services law or section 9.46 of the mental hygiene law, no information shared during utilization of mental health services shall be shared with shelter staff, the department, or contractors without express written consent.

c. *Report.* No later than December 31, 2024 and annually thereafter, the department shall submit to the mayor and the speaker of the council and post on its website a report regarding mental health professionals in families with children shelters as required by subdivision b of this section. Such report shall include, but not be limited to, the following information for the preceding calendar year for each families with children shelter:

1. The number of families with children served by such shelter;
2. The number of families with children served by such shelter receiving mental health services;
3. The number of mental health professionals providing mental health services to families with children;
4. A description of the types of mental health professionals providing mental health services to families with children;
5. A description of the mental health services provided to families with children, including, but not limited to, the types of mental health services; and
6. The average caseload of mental health professionals providing mental health services to families with children.

d. *No information that is required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state, or local law relating to the privacy of information respecting individuals in shelter.*

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

DIANA I. AYALA, Chairperson; KEVIN C. RILEY, TIFFANY CABÁN, CRYSTAL HUDSON, LINDA LEE, CHI A. OSSÉ, LINCOLN RESTLER, ALTHEA V. STEVENS, SANDRA UNG, NANTASHA M. WILLIAMS; 10-0-0; Committee on General Welfare, March 2, 2023. *Other Council Members Attending: Council Member Bottcher.*

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. 165

Report of the Committee on Land Use in favor of disapproving Application number C 200012 ZSM (213-227 West 28th Street Parking Special Permits) submitted by 215 West 28th Street Property Owner LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-45 (Special Permits for additional parking spaces) and 13-451 (Additional parking spaces for residential growth) of the Zoning Resolution to allow an automated accessory parking garage with a maximum capacity of 41 spaces on portions of the ground floor, cellar and sub-cellar levels 1, 2 and 3, of a proposed mixed-use building at 213-219 West 28th Street (Block 778, Lot 31), on a zoning lot located at 213-227 West 28th Street (Block 778, Lots 25 & 31), in an M1-6D District. Borough of Manhattan, Community District 5, Council District 3.

The Committee on Land Use, to which the annexed Land Use item was referred on January 19, 2023 (Minutes, page 288) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB-5 - TWO APPLICATIONS RELATED TO 213-227 WEST 28th STREET PARKING SPECIAL PERMIT

C 200012 ZSM (L.U. No. 165)

City Planning Commission decision approving an application submitted by 215 West 28th Street Property Owner LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 13-45 (Special Permits for Additional Parking Spaces) and Section 13-451 (Additional parking spaces for residential growth) of the Zoning Resolution to allow an automated accessory parking facility with a maximum capacity of 41 spaces on portions of the ground floor, cellar and sub-cellar levels 1, 2 and 3 of a proposed mixed-use building at 213-219 West 28th Street (Block 778, Lot 31), on a zoning lot located at 213-227 West 28th Street (Block 778, Lots 25 & 31) in an M1-6D district, Borough of Manhattan, Community District 5.

C 200013 ZSM (L.U. No. 166)

City Planning Commission decision approving an application submitted by 225 West 28th Street Property Owner LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 13-45 (Special Permits for Additional Parking Spaces) and Section 13-451 (Additional parking spaces for residential growth) of the Zoning Resolution to allow an automated accessory parking facility with a maximum capacity of 36 spaces on portions of the ground floor, cellar and sub-cellar

levels 1, 2 and 3 of a proposed mixed-use building at 221-227 West 28th Street (Block 778, Lot 25), on a zoning lot located at 213-227 West 28th Street (Block 778, Lots 25 & 31) in an M1-6D district, Borough of Manhattan, Community District 5.

INTENT

To approve a special permit to facilitate the development of an automated garage accessory to a mixed-use development at 213-219 West 28th Street (Block 778, Lot 31), with a maximum capacity of 41 spaces on portions of the ground floor, cellar and sub-cellar levels 1, 2 and 3, on a zoning lot located at 213-227 West 28th Street (Block 778, Lots 25 & 31), Borough of Manhattan, Community District 5; and to approve a special permit to facilitate the development of an automated garage accessory to a mixed-use development at 221-227 West 28th Street (Block 778, Lot 25) with a maximum capacity of 36 spaces on portions of the ground floor, cellar and sub-cellar levels 1, 2 and 3, on a zoning lot located at 213-227 West 28th Street (Block 778, Lots 25 & 31), Borough of Manhattan, Community District 5.

PUBLIC HEARING

DATE: January 24, 2023

Witnesses in Favor: Five

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: February 23, 2023

The Subcommittee recommends that the Land Use Committee disapprove the decisions of the City Planning Commission on L.U. Nos. 165 and 166.

In Favor:

Riley
Moya
Louis
Abreu
Schulman
Carr

Against:

Abstain:

COMMITTEE ACTION

DATE: February 28, 2023

The Committee recommends that the Council approve the attached resolutions.

In Favor:
 Salamanca
 Moya
 Louis
 Riley
 Krishnan
 Mealy
 Sanchez
 Kagan
 Borelli

Against:
 None

Abstain:
 None

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

Res. No. 520

Resolution disapproving the decision of the City Planning Commission on ULURP No. C 200012 ZSM, for the grant of a special permit (L.U. No. 165).

By Council Members Salamanca and Riley.

WHEREAS, 215 West 28th Street Property Owner 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 13-45 (Special Permits for Additional Parking Spaces) and Section 13-451 (Additional parking spaces for residential growth) of the Zoning Resolution to allow an automated accessory parking facility with a maximum capacity of 41 spaces on portions of the ground floor, cellar and sub-cellar levels 1, 2 and 3 of a proposed mixed-use building at 213-219 West 28th Street (Block 778, Lot 31), on a zoning lot located at 213-227 West 28th Street (Block 778, Lots 25 & 31) in an M1-6D district, Borough of Manhattan, Community District 5 (ULURP No. C 200012 ZSM) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on January 17, 2023, its decision dated January 17, 2023 (the “Decision”) on the Application;

WHEREAS, the Application is related to application C 200013 ZSM (L.U. No. 166), a special permit to facilitate the development of an automated garage accessory to a mixed-use development at 221-227 West 28th Street;

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 13-45 and 13-451 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 January 24, 2023;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued September 16, 2022 (CEQR No. 18DCP171M) (the “Negative Declaration”).

RESOLVED:

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 200012 ZSM, incorporated by reference herein, and the record before the Council, the Council disapproves the Decision of the City Planning Commission.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, ARI KAGAN, JOSEPH C. BORELLI; 9-0-0; *Absent*: Erik D. Bottcher, Selvena N. Brooks-Powers, Kamillah Hanks; *Maternity*: Carlina Rivera; Committee on Land Use, February 28, 2023. *Other Council Members Attending: Council Members Brewer and Brannan.*

Coupled to be Disapproved.

Report for L.U. No. 166

Report of the Committee on Land Use in favor of disapproving Application number C 200013 ZSM (213-227 West 28th Street Parking Special Permits) submitted by 225 West 28th Street Property Owner LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-45 (Special Permits for additional parking spaces) and 13-451 (Additional parking spaces for residential growth) of the Zoning Resolution to allow an automated accessory parking garage with a maximum capacity of 36 spaces on portions of the ground floor, cellar and sub-cellar levels 1, 2 and 3, of a proposed mixed-use building at 221-227 West 28th Street (Block 778, Lot 25), on a zoning lot located at 213-227 West 28th Street (Block 778, Lots 25 & 31), in an M1-6D District. Borough of Manhattan, Community District 5, Council District 3.

The Committee on Land Use, to which the annexed Land Use item was referred on January 19, 2023 (Minutes, page 289) 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. 165 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 521

Resolution disapproving the decision of the City Planning Commission on ULURP No. C 200013 ZSM, for the grant of a special permit (L.U. No. 166).

By Council Members Salamanca and Riley.

WHEREAS, 225 West 28th Street Property Owner 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 13-45 (Special Permits for Additional Parking Spaces) and Section 13-451 (Additional parking spaces for residential growth) of the Zoning Resolution to allow an automated accessory parking facility with a maximum capacity of 36 spaces

on portions of the ground floor, cellar and sub-cellar levels 1, 2 and 3 of a proposed mixed-use building at 221-227 West 28th Street (Block 778, Lot 25), on a zoning lot located at 213-227 West 28th Street (Block 778, Lots 25 & 31) in an M1-6D district, Borough of Manhattan, Community District 5 (ULURP No. C 200013 ZSM) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on January 17, 2023, its decision dated January 17, 2023 (the “Decision”) on the Application;

WHEREAS, the Application is related to application C 200012 ZSM (L.U. No. 165), a special permit to facilitate the development of an automated garage accessory to a mixed-use development at 213-219 West 28th Street;

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 13-45 and 13-451 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 January 24, 2023;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued September 16, 2022 (CEQR No. 19DCP008M) (the “Negative Declaration”).

RESOLVED:

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 200013 ZSM, incorporated by reference herein, and the record before the Council, the Council disapproves the Decision of the City Planning Commission.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, ARI KAGAN, JOSEPH C. BORELLI; 9-0-0; *Absent*: Erik D. Bottcher, Selvena N. Brooks-Powers, Kamillah Hanks; *Maternity*: Carlina Rivera; Committee on Land Use, February 28, 2023. *Other Council Members Attending: Council Members Brewer and Brannan.*

Coupled to be Disapproved.

Report for L.U. No. 167

Report of the Committee on Land Use in favor of approving Application number N 230154 HIK (N 230154 HIK DL 528/LP-2662) (The Lesbian Herstory Archives - 484 14th Street) Designation by the Landmarks Preservation Commission of the Lesbian Herstory Archives, 484 14th Street (Block 1103, Lot 31), as an historic landmark, Borough of Brooklyn, Community District 6, Council District 39.

The Committee on Land Use, to which the annexed Land Use item was referred on February 2, 2023 (Minutes, page 438) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:**SUBJECT****BROOKLYN CB - 6****N 230154 HIK**

Designation by the Landmarks Preservation Commission [DL-528/LP-2662] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Lesbian Herstory Archives located at 484 14th Street (Tax Map Block 1103, Lot 31), as an historic landmark.

PUBLIC HEARING**DATE:** February 23, 2023**Witnesses in Favor:** Two**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** February 23, 2023

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

In Favor:

Louis
Feliz
Marte
Nurse
Ung
Vernikov

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** February 28, 2023

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Salamanca	None	None
Moya		
Louis		
Riley		
Krishnan		
Mealy		
Sanchez		
Kagan		
Borelli		

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

Res. No. 522

Resolution affirming the designation by the Landmarks Preservation Commission of the Lesbian Herstory Archives located at 484 14th Street (Tax Map Block 1103, Lot 31), Borough of Brooklyn, Designation List No. 528, LP-2662 (L.U. No. 167; N 230154 HIK).

By Council Members Salamanca and Louis.

WHEREAS, the Landmarks Preservation Commission filed with the Council on December 1, 2022 a copy of its designation report dated November 22, 2022 (the "Designation"), designating the Lesbian Herstory Archives located at 484 14th Street, Community District 6, Borough of Brooklyn, as a landmark and Tax Map Block 1103, Lot 31, as its landmark site pursuant to Section 3020 of the New York City Charter;

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

WHEREAS, the City Planning Commission submitted to the Council on January 20, 2023, its report on the Designation dated January 18, 2023 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on February 23, 2023; and

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

RESOLVED:

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

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, ARI KAGAN, JOSEPH C. BORELLI; 9-0-0; *Absent*: Erik D. Bottcher, Selvena N. Brooks-Powers, Kamillah Hanks; *Maternity*: Carlina Rivera; Committee on Land Use, February 28, 2023. *Other Council Members Attending: Council Members Brewer and Brannan.*

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. 170

Report of the Committee on Land Use in favor of approving Application number N 230166 HIX (The Samuel Gompers Industrial High School), Designation by the Landmarks Preservation Commission of the Samuel Gompers Industrial High School (Block 2576, Lot 26), as an historic landmark (Designation List No. 529/LP-2666), Borough of the Bronx, Community District 1, Council District 8.

The Committee on Land Use, to which the annexed Land Use item was referred on February 16, 2023 (Minutes, page 616) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX CB - 1

N 230166 HIX

Designation by the Landmarks Preservation Commission [DL-529/LP-2666] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Samuel Gompers Industrial High School located at 455 Southern Boulevard (Tax Map Block 2576, Lot 26), as an historic landmark.

PUBLIC HEARING

DATE: February 23, 2023

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: February 23, 2023

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

In Favor:

Louis
Feliz
Marte
Nurse
Ung
Vernikov

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** February 28, 2023

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Salamanca	None	None
Moya		
Louis		
Riley		
Krishnan		
Mealy		
Sanchez		
Kagan		
Borelli		

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

Res. No. 523

Resolution affirming the designation by the Landmarks Preservation Commission of the Samuel Gompers Industrial High School located at 455 Southern Boulevard (Tax Map Block 2576, Lot 26), Borough of the Bronx, Designation List No. 529, LP-2666 (L.U. No. 170; N 230166 HIX).

By Council Members Salamanca and Louis.

WHEREAS, the Landmarks Preservation Commission filed with the Council on December 16, 2022 a copy of its designation report dated December 6, 2022 (the "Designation"), designating the Samuel Gompers Industrial High School located at 455 Southern Boulevard, Community District 1, Borough of the Bronx, as a landmark and Tax Map Block 2576, Lot 26, as its landmark site pursuant to Section 3020 of the New York City Charter;

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

WHEREAS, the City Planning Commission submitted to the Council on February 3, 2023, its report on the Designation dated February 1, 2023 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on February 23, 2023; and

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

RESOLVED:

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

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, ARI KAGAN, JOSEPH C. BORELLI; 9-0-0; *Absent*: Erik D. Bottcher, Selvena N. Brooks-Powers, Kamillah Hanks; *Maternity*: Carlina Rivera; Committee on Land Use, February 28, 2023. *Other Council Members Attending: Council Members Brewer and Brannan.*

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. 171

Report of the Committee on Land Use in favor of approving Application number N 230167 HIM (Julius' Bar Building), Designation by the Landmarks Preservation Commission of the Julius' Bar Building, 155-159 West 10th Street (Block 611, Lot 30), as an historic landmark (Designation List No. 529/LP-2663), Borough of Manhattan, Community District 2, Council District 3.

The Committee on Land Use, to which the annexed Land Use item was referred on February 16, 2023 (Minutes, page 616) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 2

N 230167 HIM

Designation by the Landmarks Preservation Commission [DL-529/LP-2663] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Julius' Bar Building, 155-159 West 10th Street (aka 186-188 Waverly Place) (Tax Map Block 611, Lot 30), as an historic landmark.

PUBLIC HEARING

DATE: February 23, 2023

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: February 23, 2023

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

In Favor:

Louis
Feliz
Marte
Nurse
Ung
Vernikov

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** February 28, 2023

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Salamanca	None	None
Moya		
Louis		
Riley		
Krishnan		
Mealy		
Sanchez		
Kagan		
Borelli		

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

Res. No. 524

Resolution affirming the designation by the Landmarks Preservation Commission of the Julius' Bar Building located at 155-159 West 10th Street (aka 186-188 Waverly Place) (Block 611, Lot 30), Borough of Manhattan, Designation List No. 529, LP-2663 (L.U. No. 171; N 230167 HIM).

By Council Members Salamanca and Louis.

WHEREAS, the Landmarks Preservation Commission filed with the Council on December 16, 2022 a copy of its designation report dated December 6, 2022 (the "Designation"), designating the Julius' Bar Building, located at 155-159 West 10th Street (aka 186-188 Waverly Place), Community District 2, Borough of Manhattan, as a landmark and Tax Map Block 611, Lot 30, as its landmark site pursuant to Section 3020 of the New York City Charter;

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

WHEREAS, the City Planning Commission submitted to the Council on February 3, 2023 its report on the Designation dated February 1, 2023 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on February 23, 2023; and

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

RESOLVED:

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

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, ARI KAGAN, JOSEPH C. BORELLI; 9-0-0; *Absent*: Erik D. Bottcher, Selvena N. Brooks-Powers, Kamillah Hanks; *Maternity*: Carlina Rivera; Committee on Land Use, February 28, 2023. *Other Council Members Attending: Council Members Brewer and Brannan.*

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

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

Report for L.U. No. 175

Report of the Committee on Land Use in favor of approving Application number N 230177 HKK submitted by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter and Section 25 303 of the Administrative Code of the City of New York, for the designation of the Melrose Parkside Historic District (DL-530, LP-2664), consisting of 38 buildings located on Parkside Avenue between Flatbush and Bedford Avenues in the Flatbush neighborhood, Borough of Brooklyn, Community District 9, Council District 40.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on March 2, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 9

N 230177 HKK

Designation by the Landmarks Preservation Commission [DL-530/LP-2664] pursuant to Section 3020 of the New York City Charter and Chapter 3 of Title 25 of the Administrative Code of the City of New York of the Melrose Parkside Historic District.

PUBLIC HEARING

DATE: February 23, 2023

Witnesses in Favor: Five

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: February 23, 2023

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

In Favor:	Against:	Abstain:
Louis	None	None
Feliz		
Marte		
Nurse		
Ung		
Vernikov		

COMMITTEE ACTION

DATE: February 28, 2023

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Salamanca	None	None
Moya		
Louis		
Riley		
Krishnan		
Mealy		
Sanchez		
Kagan		
Borelli		

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

Res. No. 525

Resolution affirming the designation by the Landmarks Preservation Commission of the Melrose Parkside Historic District, Borough of Brooklyn, Designation List No. 530, LP-2664 (Pre. L.U. No. 175; N 230177 HKK).

By Council Members Salamanca and Louis.

WHEREAS, the Landmarks Preservation Commission filed with the Council on December 22, 2022 a copy of its designation report dated December 13, 2022 (the “Designation Report”), including the designation pursuant to Section 3020 of the City Charter and Chapter 3 of Title 25 of the Administrative Code of the City of New York of the Melrose Parkside Historic District Landmark, Community District 9, Borough of Brooklyn, with the following district boundaries (the “Designation”):

The proposed Melrose Parkside Historic District consists of the properties bounded by a line beginning at the northwest corner of Parkside Avenue and Bedford Avenue, continuing northerly along the western curbline of Bedford Avenue to a point on a line extending easterly from the northern property line of 413 Parkside Avenue (aka 1996 Bedford Avenue), westerly along said line and the northern property lines of 413 Parkside Avenue (aka 1996 Bedford Avenue) through 397-399 Parkside Avenue; northerly along part of the eastern property line of 393-395 Parkside Avenue; westerly along the northern property lines of 393-395 and 389-391 Parkside Avenue; southerly along part of the western property line of 389-391 Parkside Avenue; westerly along the northern property lines of 385-387 Parkside Avenue through 377-379 Parkside Avenue; northerly along part of

the eastern property line of 375 Parkside Avenue; westerly along the northern property lines of 375 through 357 Parkside Avenue; southerly along the western property line of 357 Parkside Avenue and a line extending southerly to the southern curblineline of Parkside Avenue; westerly along the southern curblineline of Parkside Avenue to a point on a line extending northerly from the western property line of 290 Parkside Avenue; southerly along said line and the western property line of 290 Parkside Avenue; easterly along the southern property lines of 290 through 302 Parkside Avenue and part of the southern property line of 304 Parkside Avenue; southerly along part of the western property line of 304 Parkside Avenue; easterly along part of the southern property line of 304 Parkside Avenue and the southern property lines of 350-352 Parkside Avenue through 366-368 Parkside Avenue and part of the southern property line of 370-372 Parkside Avenue; northerly along part of the eastern property line of 370-372 Parkside Avenue; easterly along part of the southern property line of 370-372 Parkside Avenue and the southern property line of 374-376 Parkside Avenue; southerly along the western property line of 378-380 Parkside Avenue; easterly along the southern property lines of 378-380 Parkside Avenue through 386-388 Parkside Avenue; northerly along the eastern property line of 386-388 Parkside Avenue and a line extending northerly to the northern curblineline of Parkside Avenue; easterly along the northern curblineline of Parkside Avenue to the place of beginning.

WHEREAS, the Designation is subject to review by the Council pursuant to Section 3020 of the New York City Charter;

WHEREAS, the New York City Planning Commission submitted to the Council on February 17, 2023 its report on the Designation dated February 15, 2023 (the “City Planning Commission Report”);

WHEREAS, upon due notice, the Council held a public hearing on the Designation on February 23, 2023; and

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

RESOLVED:

Pursuant to Section 3020 of the New York City Charter, and on the basis of the information and materials contained in the Designation Report and the City Planning Commission Report, the Council affirms the Designation.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, ARI KAGAN, JOSEPH C. BORELLI; 9-0-0; *Absent*: Erik D. Bottcher, Selvena N. Brooks-Powers, Kamillah Hanks; *Maternity*: Carlina Rivera; Committee on Land Use, February 28, 2023. *Other Council Members Attending: Council Members Brewer and Brannan.*

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

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

Report for L.U. No. 176

Report of the Committee on Land Use in favor of approving Application number G 220027 SCQ (Approximately 547-Seat Primary School) pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new approximately 547-Seat Primary School, located at 23-10 43rd Avenue (Block 436, Lot 21), Borough of Queens, Community District 2, Council District 26, Community School District 30.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on March 2, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

QUEENS CB – 2

G 220027 SCQ

Application pursuant to Section 1732 of the New York State Public Authorities Law, concerning the proposed site selection for a new, approximately 547-Seat Primary School Facility, located at 23-10 43rd Avenue on the southern side of 43rd Avenue, between 23rd Street and 24th Street in the Court Square/Long Island City neighborhood of Queens (Block 436, Lot 21), Borough of Queens, Community School District No. 30.

INTENT

To approve the site plan for the construction of a new, 547-Seat Primary School Facility, in Community School District No. 30.

PUBLIC HEARING

DATE: February 23, 2023

Witnesses in Favor: 1

Witnesses Against: 0

SUBCOMMITTEE RECOMMENDATION

DATE: February 23, 2023

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

In Favor:

Louis
Feliz
Marte
Nurse
Ung
Vernikov

Against:

None.

Abstain:

None.

COMMITTEE ACTION

DATE: February 28, 2023

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca
Moya
Louis
Riley
Krishnan
Mealy
Sanchez
Kagan
Borelli

Against:

None

Abstain:

None

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

Res. No. 526

Resolution approving the site plan for a new, approximately, 547-Seat Primary School Facility, located at 23-10 43rd Avenue (Block 436, Lot 21), Community District 2, Borough of Queens (Non-ULURP No. G 220027 SCQ; Preconsidered L.U. No. 176).

By Council Members Salamanca and Louis.

WHEREAS, the New York City School Construction Authority submitted to the Council on February 17, 2023, a site plan pursuant to Section 1732 of the New York State Public Authorities Law for a new, approximately 547-Seat Primary School Facility, located at 23-10 43rd Avenue (Block 436, Lot 21), Community District 2, Borough of Queens, to accommodate students in Community School District No. 30 (the “Site Plan”);

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

WHEREAS, upon due notice, the Council held a public hearing on the Site Plan on February 23, 2023;

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued February 15, 2023 (SEQR Project Number 23-010) (the “Negative Declaration”); and

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

RESOLVED:

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

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

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, ARI KAGAN, JOSEPH C. BORELLI; 9-0-0; *Absent*: Erik D. Bottcher, Selvena N. Brooks-Powers, Kamillah Hanks; *Maternity*: Carlina Rivera; Committee on Land Use, February 28, 2023. *Other Council Members Attending: Council Members Brewer and Brannan.*

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

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

Report for L.U. No. 177

Report of the Committee on Land Use in favor of approving Application number G 220028 SCQ (Approximately 659-Seat High School) pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new approximately 659-Seat High School, located at 13-20 124th Street (Block 3998, Lot 1), Borough of Queens, Community District 7, Council District 19, Community School District 25.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on March 2, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

QUEENS CB – 7

G 220028 SCQ

Application pursuant to Section 1732 of the New York State Public Authorities Law, concerning the proposed site selection for a new, approximately, 659-Seat High School located at 13-20 124th Street a/k/a 123-15 14th Avenue (Block 3998, Lot 1), Borough of Queens, Community School District No. 25.

INTENT

To approve the site plan for the construction of a new, 659-Seat High School, in Community School District No. 25.

PUBLIC HEARING

DATE: February 23, 2023

Witnesses in Favor: 1

Witnesses Against: 0

SUBCOMMITTEE RECOMMENDATION**DATE:** February 23, 2023

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

In Favor:Louis
Feliz
Marte
Nurse
Ung
Vernikov**Against:****Abstain:****COMMITTEE ACTION****DATE:** February 28, 2023

The Committee recommends that the Council approve the attached resolution.

In Favor:Salamanca
Moya
Louis
Riley
Krishnan
Mealy
Sanchez
Kagan
Borelli**Against:**

None

Abstain:

None

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

Res. No. 527

Resolution approving the site plan for a new, approximately, 659-Seat High School located at 13-20 124th Street a/k/a 123-15 14th Avenue (Block 3998, Lot 1), Community District 7, Borough of Queens (Non-ULURP No. G 220028 SCQ; Preconsidered L.U. No. 177).

By Council Members Salamanca and Louis.

WHEREAS, the New York City School Construction Authority submitted to the Council on February 17, 2023, a site plan pursuant to Section 1732 of the New York State Public Authorities Law for a new, approximately, 659-Seat High School located at 13-20 124th Street (Block 3998, Lot 1), Community District 7, Borough of Queens, to accommodate students in Community School District No. 25 (the "Site Plan");**WHEREAS**, the Site Plan is subject to review and action by the Council pursuant to Section 1732 of the New York State Public Authorities Law;

WHEREAS, upon due notice, the Council held a public hearing on the Site Plan on February 23, 2023;

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued February 15, 2023 (SEQR Project Number 23-009) (the “Negative Declaration”); and

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

RESOLVED:

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

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

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, KEVIN C. RILEY, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, ARI KAGAN, JOSEPH C. BORELLI; 9-0-0; *Absent*: Erik D. Bottcher, Selvena N. Brooks-Powers, Kamillah Hanks; *Maternity*: Carlina Rivera; Committee on Land Use, February 28, 2023. *Other Council Members Attending: Council Members Brewer and Brannan.*

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 Public Safety

Report for Int. No. 439-A

Report of the Committee on Public Safety in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to requiring the mayor’s office of criminal justice to evaluate the performance of criminal justice programs that receive funding from the city.

The Committee on Public Safety, to which the annexed proposed amended local law was referred on May 19, 2022 (Minutes, page 1141), respectfully

REPORTS:

I. INTRODUCTION

On March 2, 2023, the Committee on Public Safety, chaired by Council Member Kamillah Hanks, will hold a vote on two pieces of legislation: Proposed Introduction Number 439-A (“Prop. Int. No. 439-A”), sponsored by Council Member Nantasha Williams, in relation to requiring the mayor’s office of criminal justice to evaluate the performance of criminal justice programs that receive funding from the city; and Proposed Introduction Number 756-A (“Prop. Int. No. 756-A”), sponsored by Council Member Kamillah Hanks, in relation to requiring the office for neighborhood safety and the prevention of gun violence to provide training and operational support to not-for-profit service providers participating in the city’s crisis management system. These bills were previously heard on November 4th, 2022 and the committee received testimony from the Mayor’s Office of Criminal Justice (“MOCJ”) service providers, advocates, and other interested parties.

II. BACKGROUND

Cure Violence is an anti-violence model that seeks to utilize a public health approach to stopping the spread of violence. Approaching violence reduction in a manner similar to combatting a communicable disease,¹ Cure Violence seeks a targeted effort to detect and interrupt conflicts, identify and treat individuals at the highest risk of committing violent acts, and changing social norms.²

Cure Violence programs are formed by community stakeholders and employ culturally competent outreach workers who are trained to make contact with persons most exposed to violence in order to facilitate positive behavioral changes and shift cultural norms.³ As credible messengers, many of whom are formerly incarcerated or identify themselves as previously belonging to a gang, violence interrupters use their personal relationships, social networks, and knowledge of their communities to dissuade individuals from engaging in violence and instead manage conflict in healthier ways.⁴ Staff members mediate disputes, prevent escalating violence that often follows shootings, connect youth to supportive services and opportunities, and help young people develop the skills and resilience necessary to avoid violence in the future.⁵

III. NEW YORK CITY'S CRISIS MANAGEMENT SYSTEM

In New York City, CMS is a violence reduction program, based in part on the Cure Violence model, which aims to prevent gun violence by using a holistic public health approach.⁶ Established in 2012, the system receives over \$100 million in operating funding from the City, and serves communities in 21 precincts across all five boroughs.

Task Force to Combat Gun Violence

Despite having one of the lowest murder rates among major U.S. cities, gun violence continues to plague New York City, where cycles of violence have brought about generational trauma in many underserved communities. In response to concerns regarding the persistence of gun violence, the New York City Council created the Task Force to Combat Gun Violence (“the Task Force”) in 2011. The Task Force was comprised of criminal justice stakeholders and community leaders, and was tasked with studying trends of gun violence in New York City and formulating policy recommendations for reducing such violence.⁷

The Task Force used data on shooting incidents obtained from the New York Police Department (‘NYPD’), finding that of 76 police precincts in the City, 44% of all shooting incidents occurred in just 15 precincts, and 82% of all incidents were confined to 40 precincts, with violent conduct largely concentrated among young men between the ages of 14 to 24 years old.⁸ This data led the Task Force to conclude that the City’s gun violence reduction efforts should focus on selected neighborhoods and demographics rather than involving a generalized citywide effort.

From this work, the Task Force recommended the creation of CMS, as a multi-agency and multi-disciplinary, program that employs a cure violence model and provides holistic, community-based, responses to

¹ Delgado, S., Negredo, L., Begum, P., Cubellis, M., Henninger, A., Evans, D., Tomberg, K., & Butts, J. (August 1, 2013) NYC-Cure First Year Assessment Report 2013 A project funded by the New York City Council. Retrieved 2022, from https://johnjayrec.nyc/nyc1_intro/

² Sheyla A. Delgado, Laila Alsabahi, Kevin Wolff, Nicole Alexander, Patricia Cobar, and Jeffrey A. Butts “*Denormalizing Violence: A Series of Reports From the John Jay College of Evaluation of Cure Violence Programs in New York City*” available at <https://johnjayrec.nyc/2017/10/02/cvinsobronxeastny/>

³ Ibid.

⁴ Ibid.

⁵ Delgado, S., Negredo, L., Begum, P., Cubellis, M., Henninger, A., Evans, D., Tomberg, K., & Butts, J. (August 1, 2013) NYC-Cure First Year Assessment Report 2013 A project funded by the New York City Council. Retrieved 2022, from https://johnjayrec.nyc/nyc1_intro/

⁶ See “Program: The Office to Prevent Gun Violence” Mayor’s Office of Criminal Justice available at <https://criminaljustice.cityofnewyork.us/programs/office-to-prevent-gun-violence/>

⁷ Report of New York City Council’s Task Force to Combat Gun Violence, December 21, 2012; available at: <http://council.nyc.gov/press/wp-content/uploads/sites/56/2016/12/gvtfreport.pdf>.

⁸ Ibid.

gun violence.⁹ The Task Force also recommended that additional support services and interventions being made available in target neighborhoods, such as mental health services for youth at-risk for violence, therapeutic services available to victims and community members impacted by gun violence, and increased investment in educational placement, job readiness and training and other wrap around services.¹⁰

NYC CMS

CMS, is managed through MOCJ and the Office for Neighborhood Safety and the Prevention of Gun Violence (“ONS”), a network of community-based organizations that aim to reduce gun violence by providing an immediate, coordinated response following acts of violence.¹¹ This approach acknowledges that violence is a learned behavior and seeks to support communities with social services intended to restore damage done to communities by violence, and prevent further violence.¹² Beginning in 2012, CMS was piloted in one neighborhood in each of New York City’s five boroughs: East New York, Brooklyn; South Bronx; South Jamaica, Queens; North Harlem, Manhattan; and North Staten Island.¹³ In February of 2023, ONS staff and managed contracts were transferred from operating under oversight of MOCJ to being part of the Department of Youth and Community Development (DYCD).¹⁴

⁹ Ibid.

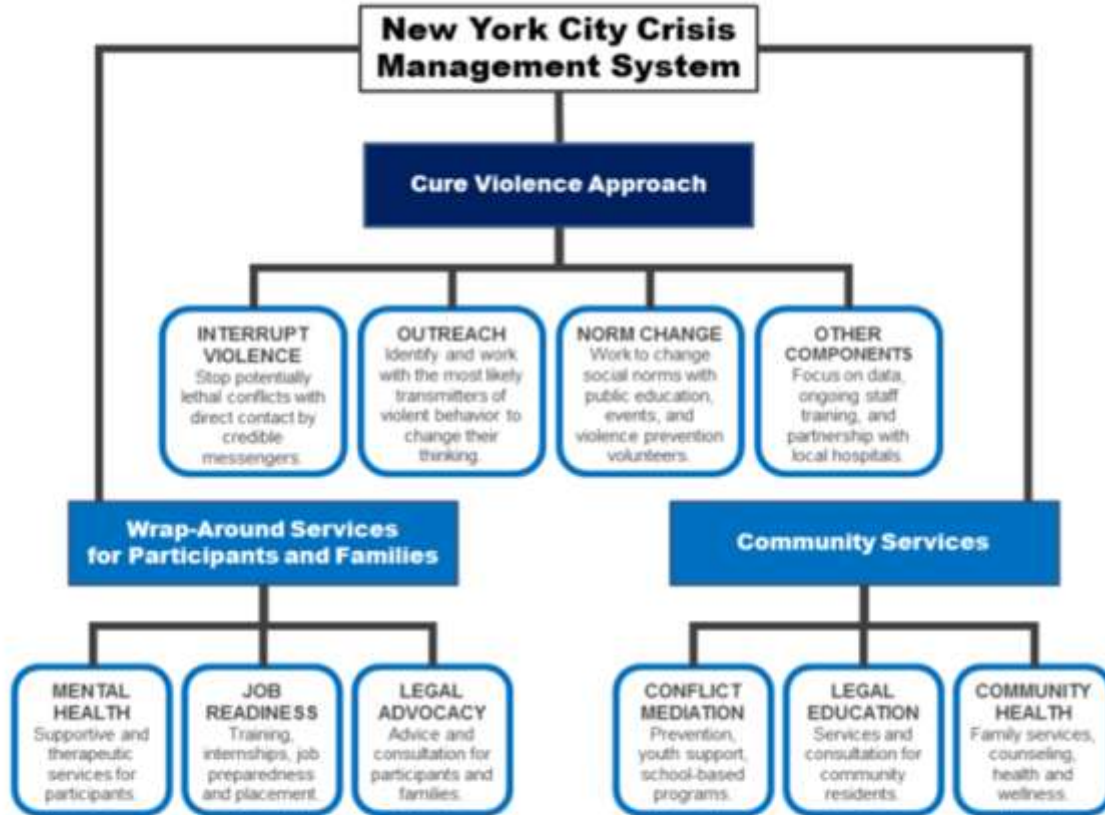
¹⁰ Ibid.

¹¹ See “Program: The Office to Prevent Gun Violence” Mayor’s Office of Criminal Justice *available at* <https://criminaljustice.cityofnewyork.us/programs/office-to-prevent-gun-violence/>

¹² Task Force to Combat Gun Violence Presents Proposals For Reducing Gun Violence to City Council, *available at:* <https://council.nyc.gov/press/2012/12/21/617/>

¹³ Ibid.

¹⁴ Blau, Reuven, “Mayor Adams Shifting ‘Violence Interrupter’ Oversight Agencies,” *The City*, December 15, 2022; *available at:* <https://www.thecity.nyc/2022/12/15/23509769/adams-shifting-violence-interrupter-oversight-agencies>



Source: Research & Evaluation Center, John Jay College of Criminal Justice, City University of New York.

Currently, CMS consists of a network of more than 50 community-based organizations, operating in 22 NYC communities experiencing high rates of gun violence.¹⁵ The City significantly increased its investment in CMS from FY-21 to FY-22—expanding funding from \$35 million to an estimated total of more than \$100 million.¹⁶ However, the FY23 budget included no such increases in funding for CMS despite calls from providers and advocates seeking increased funding to deliver necessary services.¹⁷

The following are a few examples of CMS providers that deliver services in each of the City’s five boroughs.¹⁸

Manhattan

Getting Out Staying Out (GOSO), operates Stand Against Violence East Harlem (SAVE), which serves the East Harlem community as part of CMS. SAVE employs violence interrupters to respond to shootings in an attempt to prevent retaliation and mediate conflicts; reduce high-risk activities through providing access to job training, employment opportunities, and mental health services that aim to provide long-term violence reduction in the community.¹⁹

¹⁵ See “Program: The Office to Prevent Gun Violence” Mayor’s Office of Criminal Justice available at <https://criminaljustice.cityofnewyork.us/programs/office-to-prevent-gun-violence/>

¹⁶ Id.

¹⁷ Offenhardt, Jake, *No New Funding for Violence Interrupter Program Despite Adams’ promised Expansion*, Gothamist, June 15, 2022; available at: <https://gothamist.com/news/no-new-funding-for-violence-interrupter-program-despite-adams-promised-expansion>

¹⁸ Delgado, S., Negrodo, L., Begum, P., Cubellis, M., Henninger, A., Evans, D., Tomberg, K., & Butts, J. (August 1, 2013) NYC-Cure First Year Assessment Report 2013 A project funded by the New York City Council; available at: https://johnjayrec.nyc/nyc1_intro/.

¹⁹ *SAVE East Harlem – GOSO*. (n.d.). Retrieved 2022, from <https://www.gosonyc.org/save-east-harlem/>.

Brooklyn

Man Up! Inc. is the host organization for the CMS programs operating in Brooklyn neighborhoods of East New York and Bedford Stuyvesant; engaging in anti-violence work and providing services including school and summer camp programs, mentoring and leadership development, community watch programs, services for the formerly incarcerated, and assistance with parenting and housing.²⁰

Queens

LIFE Camp Inc. (Love Ignites Freedom through Education), operates CMS programming in South Jamaica, Queens. Using a model of violence interruption, LIFE Camp, teaches violence prevention in schools, and creates programs to provide educational, employment and social opportunities that are often unavailable to at-risk youth and their families.²¹

Bronx

The Center for Court Innovation, a well-known criminal justice research and community development organization, implemented Save Our Streets (S.O.S.) which serves as the host organization for CMS programming in the South Bronx, and works closely with neighborhood leaders and businesses to reduce gun violence.²² S.O.S. also operates CMS programs in the Crown Heights and Bedford Stuyvesant neighborhoods in Brooklyn.

Staten Island

The Central Family Life Center operates the True 2 Life program as part of CMS. True 2 Life provides services in the North Shore of Staten Island, including conflict resolution, hospital-based violence interruption, mentoring, and job training.²³

IV. EVALUATIONS OF CURE VIOLENCE PROGRAMMING

Cure Violence programs have shown positive effects in communities that historically experienced high levels of violent crime, including gun violence.²⁴ Between 2015 and 2017, the Research and Evaluation Center at John Jay College of Criminal Justice (JohnJayREC) published a series of evaluations of Cure Violence programs that served as part of the City's Crisis Management System.²⁵ JohnJayREC's analysis focused on the change in the presence of gun violence, homicides, and the attitudes of program participants.²⁶ Results from JohnJayREC's research suggests that when compared to neighborhoods with similar characteristics not served by Cure Violence programming, areas of NYC with established CMS programs tended to experience greater declines in homicides and gun injuries.²⁷ JohnJayREC's analysis of shooting victimizations and gun injuries between 2014 and 2016 found that CMS programming contributed to significant declines in gun violence that may not have occurred otherwise.²⁸ For example, East New York experienced a 50% reduction in gun injuries

²⁰ Man Up! Inc, Anti-Violence Programs; available at: <https://manupinc.org/anti-violence-program.html>.

²¹ LIFE Camp Inc; available at: <https://www.peaceisalifestyle.com/about-us/lifecamp>.

²² *Save Our Streets (S.O.S.)*. Center for Court Innovation; available at <https://www.courtinnovation.org/programs/save-our-streets-sos/more-info>.

²³ Central Family Life Center, True 2 Life; available at: <https://www.centrfamilylifecenter.org/true2life>.

²⁴ *See* Evaluating Cure Violence in New York City John Jay College of Criminal Justice available at <http://cureviolence.org/results/scientific-evaluations/nyc-evaluation-johnjay/>

²⁵ Ibid.

²⁶ Ibid.

²⁷ Effectiveness of the Cure Violence Model in New York City: Homicide Rates in NYC: 2010-2011 John Jay College of Criminal Justice January 2015 available at <https://johnjayrec.nyc/2015/01/16/researchbrief201501/>

²⁸ The Effects of Cure Violence in the South Bronx and East new York, Brooklyn John Jay College of Criminal Justice October 2017 available at <https://johnjayrec.nyc/2017/10/02/cvinsobronxeastny/>

after the implementation of CMS, compared to Flatbush, a neighborhood not served by CMS, which saw a 5% deduction during the same time period.²⁹

Surveys of Cure Violence participants suggests positive changes in attitudes towards violence. Between 2014 and 2016, JohnJayREC surveyed CMS participants, majority of whom were Black and Hispanic men ages 18 to 30 and found that young men living in neighborhoods with Cure Violence programs: expressed fewer violence-endorsing norms overtime in hypothetical disputes, both petty and serious;³⁰ reported significant reductions in their willingness to use violence compared to men in similar areas without programs;³¹ and reported increased confidence in police and increased willingness to contact police.³²

V. LEGISLATIVE ANALYSIS

Prop. Int. No. 439-A:

This bill would require MOCJ to evaluate the effectiveness of services offered by organizations that receive funding from the City for criminal justice-related services, such as alternatives to incarceration, reentry services, pretrial supervised release, and violence prevention programming. A summary of such evaluations must be submitted to the Mayor and the Council annually. This bill would take effect immediately after enactment.

Since introduction the bill has been amended as follows. Provisions were added to include violence prevention programming as covered by such evaluations. Additionally, language was added to clarify that criminal justice services operated by either MOCJ, or ONS, would be subject to required evaluations.

Prop. Int. No. 756-A:

This bill would require ONS to provide training and operational support to not-for-profit organizations participating in CMS. This effort would include: (i) training relevant to the delivery of services and non-profit administration and capacity building; (ii) providing referrals to technical support ranging from business services to human resource assistance; (iii) facilitating collaboration between CMS stakeholders; and (iv) providing information related to voluntary trainings and relevant certifications for service provider employees. This bill would take effect January 1, 2024.

Since introduction the bill has been amended to reflect accuracy in relevant agencies tasked with implementing such efforts by shifting responsibility from MOCJ to ONS.

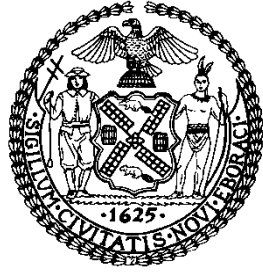
(The following is the text of the Fiscal Impact Statement for Int. No. 439-A:)

²⁹ Ibid.

³⁰ The Effects of Cure Violence in the South Bronx and East New York, Brooklyn John Jay College of Criminal Justice October 2017 available at <https://johnjayrec.nyc/2017/10/02/cvinsobronxeastny/>

³¹ Young Men in Neighborhoods with Cure Violence Programs Adopt Attitudes Less Supportive of Violence John Jay College of Criminal Justice March 2017 available at <https://johnjayrec.nyc/2017/03/16/databit201701/>

³² See Evaluating Cure Violence in New York City John Jay College of Criminal Justice available at <http://cureviolence.org/results/scientific-evaluations/nyc-evaluation-johnjay/>



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

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT. 439 – A

COMMITTEE: Public Safety

TITLE: A Local Law to amend the New York city charter, in relation to requiring the mayor’s office of criminal justice to evaluate the performance of criminal justice programs that receive funding from the city.

Sponsors: Council Members Williams, Narcisse, Kagan, Hanks, Riley, Stevens, Hudson, Abreu, Restler, Sanchez, Louis, Ayala, Brewer, Brannan, De La Rosa, Farías and Velázquez.

SUMMARY OF LEGISLATION: This bill would require the Mayor’s Office of Criminal Justice, to evaluate the performance of organizations that receive funding from the City for criminal justice-related services, such as alternatives to incarceration, reentry services, pretrial supervised release, and violence prevention programming. A summary of such evaluations would then be required to be submitted to the Mayor and the Council annually.

EFFECTIVE DATE Immediately

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FISCAL 2024

FISCAL IMPACT STATEMENT:

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

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

IMPACT ON EXPENDITURES: There is no estimated impact on expenditures as a result of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: Mayor’s Office of Criminal Justice
New York City Council Finance Division

ESTIMATE PREPARED BY: Owen Kotowski, Financial Analyst

ESTIMATE REVIEWED BY: Jack Storey, Unit Head

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 439 on May 19, 2022 and was referred to the Committee on Public Safety (Committee). The Committee heard the legislation on November 4, 2022, and the legislation was laid over. The legislation was subsequently amended, and the

amended legislation. Proposed Intro. 439-A, will be considered by the Committee on March 2, 2023. Upon a successful vote by the Committee, Proposed Int. 439-A will be submitted to the full Council for a vote on March 2, 2023.

DATE PREPARED: FEBRUARY 23, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 439-A:)

Int. No. 439-A

By Council Members Williams, Narcisse, Kagan, Hanks, Riley, Stevens, Hudson, Abreu, Restler, Sanchez, Louis, Ayala, Brewer, Brannan, De La Rosa, Farías, Velázquez, Ossé, Joseph, Rivera and Gennaro.

A Local Law to amend the New York city charter, in relation to requiring the mayor's office of criminal justice to evaluate the performance of criminal justice programs that receive funding from the city

Be it enacted by the Council as follows:

Section 1. Subdivisions (2) and (3) of section 13 of chapter 1 of the New York city charter, as added by vote of the electors on November 4, 1975, are amended to read as follows:

(2) review the budget requests of all agencies for programs related to criminal justice and recommend to the mayor budget priorities among such programs; [and,]

(3) *evaluate the performance of the vendor of any contract with the office of criminal justice or the office for neighborhood safety and the prevention of gun violence that requires the vendor to provide: (i) alternatives to incarceration, including programs for diversion from incarceration; (ii) services related to re-entry to the community following incarceration; (iii) services related to pretrial supervised release; or (iv) violence prevention programming. Beginning no later than September 1, 2024, and no later than September 1 annually thereafter, the coordinator shall submit a written summary of each evaluation conducted pursuant to this subdivision during the previous fiscal year to the mayor and the speaker of the council. Any such summary shall include, but need not be limited to, the following information: (i) the amount of funding received by the vendor pursuant to the contract; (ii) the number of persons to whom services or programming were provided pursuant to the contract; (iii) a brief description of the services or programming provided pursuant to the contract; and (iv) where applicable, information related to re-arrest or compliance by persons to whom services or programming were provided pursuant to the contract, including the rate of re-arrest for such persons; and*

(4) perform such other duties as the mayor may assign.

§ 2. This local law takes effect immediately.

KAMILLAH HANKS, *Chairperson*; JUSTIN L. BRANNAN, ROBERT F. HOLDEN, TIFFANY CABÁN, ERIK D. BOTTCHEER, CARMEN N. De La ROSA, RITA C. JOSEPH, ALTHEA V. STEVENS, JOANN ARIOLA; 9-0-0; *Absent*: Darlene Mealy; Committee on Public Safety, March 2, 2022. *Other Council Members Attending: Council Member Nantasha Williams.*

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

Report for Int. No. 756-A

Report of the Committee on Public Safety in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to requiring the office for neighborhood safety and the prevention of gun violence to provide training and operational support to not-for-profit service providers participating in the city’s crisis management system.

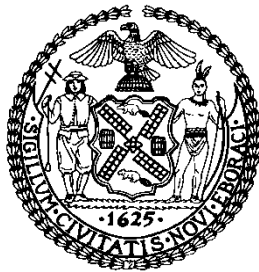
The Committee on Public Safety, to which the annexed proposed amended local law was referred on October 12, 2022 (Minutes, page 2458), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 439-A printed in these Minutes)

Accordingly, this Committee recommends its adoption, as amended.

The following is the text of the Fiscal Impact Statement for Int. No. 756-A



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

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT. 756 – A

COMMITTEE: Public Safety

TITLE: A Local Law to amend the New York city charter, in relation to requiring the office for neighborhood safety and the prevention of gun violence to provide training and operational support to not-for-profit service providers participating in the city’s crisis management system.

Sponsors: Hanks, Louis, Ayala, Restler, Williams, Hudson, Hanif, De La Rosa, Narcisse, Menin, Velázquez, Brooks-Powers, Hudson, Schulman, Ung, Riley, Gutiérrez, Brannan, Abreu, Farías, Lee and Won.

SUMMARY OF LEGISLATION: This bill would require the Office for Neighborhood Safety and the Prevention of Violence, in consultation with the Mayor’s Office of Criminal Justice, to provide training and operational support to not-for-profit organizations participating in the City’s Crisis Management System (CMS). This effort will include: (i) training relevant to the delivery of services and non-profit administration and capacity building; (ii) providing referrals to technical support ranging from business services to human resource assistance; (iii) facilitating collaboration between CMS stakeholders; and (iv) providing information related to voluntary trainings and relevant certifications for service provider employees.

EFFECTIVE DATE January 1, 2024

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FISCAL 2025

FISCAL IMPACT STATEMENT:

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

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

IMPACT ON EXPENDITURES: There is no estimated impact on expenditures as a result of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: Mayor's Office of Criminal Justice
New York City Council Finance Division

ESTIMATE PREPARED BY: Owen Kotowski, Financial Analyst

ESTIMATE REVIEWED BY: Jack Storey, Unit Head

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 756 on October 12, 2022 and was referred to the Committee on Public Safety (Committee). The Committee heard the legislation on November 4, 2022, and the legislation was laid over. The legislation was subsequently amended, and the amended legislation. Proposed Intro. 756-A, will be considered by the Committee on March 2, 2023. Upon a successful vote by the Committee, Proposed Int. 756-A will be submitted to the full Council for a vote on March 2, 2023.

DATE PREPARED: FEBRUARY 23, 2023.

Accordingly, this Committee recommends its adoption, as adopted.

(The following is the text of Int. No. 756-A:)

Int. No. 756-A

By Council Members Hanks, Louis, Ayala, Restler, Williams, Hudson, Hanif, De La Rosa, Narcisse, Menin, Velázquez, Brooks-Powers, Schulman, Ung, Riley, Gutiérrez, Brannan, Abreu, Farías, Lee, Won, Ossé, Joseph, Rivera and Gennaro.

A Local Law to amend the New York city charter, in relation to requiring the office for neighborhood safety and the prevention of gun violence to provide training and operational support to not-for-profit service providers participating in the city's crisis management system

Be it enacted by the Council as follows:

Section 1. Section 13-f of the New York city charter is amended by adding a new subdivision e to read as follows:

e. 1. The office, in consultation with the mayor's office of criminal justice, shall offer training and operational support for service providers to promote the functioning of the city's crisis management system. Such efforts shall include, but not be limited to: (a) providing training on skills relevant to the delivery of violence interrupter services within the crisis management system and not-for-profit administration and capacity building; (b) providing referrals to technical support tailored to service provider organizational needs, including

but not limited to, businesses services, legal assistance, grant writing assistance, and human resource assistance; (c) facilitating collaboration and information sharing between service providers, city agencies, legal service providers and other relevant stakeholders; and (d) providing information related to voluntary trainings for service provider staff to obtain relevant certifications following completion of designated trainings.

2. No later than April 1, 2024, and no later than April 1 of every year thereafter, the office shall include in the report prepared pursuant to paragraph 5 of subdivision c of this section information detailing efforts undertaken pursuant to this subdivision, and a summary of the office's ongoing efforts to support the operation of the city's crisis management system.

3. For the purpose of this subdivision, "service providers" means not-for-profit organizations that contract with the city to deliver services as part of the city's crisis management system.

§ 2. This local law takes effect January 1, 2024.

KAMILLAH HANKS, *Chairperson*; JUSTIN L. BRANNAN, ROBERT F. HOLDEN, TIFFANY CABÁN, ERIK D. BOTTCHER, CARMEN N. De La ROSA, RITA C. JOSEPH, ALTHEA V. STEVENS, JOANN ARIOLA; 9-0-0; *Absent*: Darlene Mealy; Committee on Public Safety, March 2, 2022. *Other Council Members Attending: Council Member Nantasha Williams.*

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

Report of the Committee on Rules, Privileges and Elections

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

Report for Res. No. 528

Report of the Committee on Rules, Privileges and Elections in favor of approving a Resolution making certain amendments to Rule 7.00(a) of the Rules of the Council in relation to the Standing Committees, Sub-Committees, and Special Committees of the Council.

The Committee on Rules, Privileges and Elections, to which the annexed preconsidered resolution was referred on March 2, 2023, respectfully

REPORTS:

SUBJECT: Preconsidered Resolution making certain amendments to Rule 7.00(a) of the Rules of the Council in relation to the Standing Committees, Sub-Committees, and Special Committees of the Council.

ANALYSIS: Before the Committee, for its consideration, are proposed changes to the list of standing committees of the Council

SUBJECT: Preconsidered Resolution pursuant to Rule 7.00 making changes to the membership of certain committees of the Council.

ANALYSIS: Before the Committee, for its consideration, are proposed changes to membership of certain standing committees of the Council

(For text of Res. Nos. 529, please see the Report of the Committee on Rules, Privileges and Elections for Res. Nos. 529 printed in these Minutes; for text of Res. No. 528, please see below)

Accordingly, this Committee recommends the adoption of Res. Nos. 528 and 529.

(The following is the text of Res. No. 528:)

Res. No. 528

By The Committee on Rules, Privileges and Elections.

Resolution making certain amendments to Rule 7.00(a) of the Rules of the Council in relation to the Standing Committees, Sub-Committees, and Special Committees of the Council.

Rule 7.00(a) of the Rules of the Council is hereby amended to read as follows:

7.00. Appointment - a. Prior to the establishment of the membership of any other committee, and after the selection of the Speaker, the Council shall elect the membership of the Committee on Rules, Privileges and Elections. All other committees and appointments thereto shall be recommended by the Committee on Rules, Privileges and Elections, approved by the Council and published in the Calendar. All standing committee chairpersons shall be elected by the Council as a whole. Once elected, a standing committee or subcommittee chairperson may be removed prior to the end of the session without their consent only by the uncoupled vote of 2/3 of all the members. The standing committees of the Council shall bear the following titles and possess the following substantive matter jurisdictions:

AGING - Department for the Aging and all federal, state and municipal programs pertinent to senior citizens.

CIVIL AND HUMAN RIGHTS - Human Rights Commission, Equal Employment Practices Commission and Equal Employment Opportunity.

CIVIL SERVICE AND LABOR - Municipal Officers and Employees, Office of Labor Relations, Office of Collective Bargaining, Office of Labor Services, and Municipal Pension and Retirement Systems.

CONSUMER AND WORKER PROTECTION - Department of Consumer and Worker Protection and Office of Nightlife.

CONTRACTS - Procurement Policy Board, review of City procurement policies and procedures, oversight over government contracts, Mayor's Office of Contract Services and collection agency contracts.

CRIMINAL JUSTICE - Department of Correction and Department of Probation.

CULTURAL AFFAIRS, LIBRARIES AND INTERNATIONAL INTERGROUP RELATIONS - Department of Cultural Affairs, libraries, museums, Art Commission, New York City Commission for the United Nations, Consular Corps and Protocol, Mayor's Office of Special Projects and Community Events, and to encourage harmony among the citizens of New York City, to promote the image of New York City and enhance the relationship of its citizens with the international community.

ECONOMIC DEVELOPMENT - Economic Development.

EDUCATION - Department of Education, School Construction Authority, and Charter Schools.

ENVIRONMENTAL PROTECTION, RESILIENCY AND WATERFRONTS - Department of Environmental Protection and Office of Long Term Planning and Sustainability and Office of Recovery and Resiliency.

FINANCE - Executive Budget review and Budget modification, Banking Commission, Comptroller's Office, Department of Design and Construction, Department of Finance, Independent Budget Office and fiscal policy and revenue from any source.

FIRE AND EMERGENCY MANAGEMENT - Fire/EMS (non-health-related issues), and Emergency Management Department (OEM).

GENERAL WELFARE - Human Resources Administration/Department of Social Services, Administration for Children's Services, Department of Homeless Services, charitable institutions, and Division of Youth and Family Justice within the Administration for Children's Services.

GOVERNMENTAL OPERATIONS - Municipal governmental structure and organization, Department of Citywide Administrative Services, Office of Administrative Trials and Hearings, Community Boards, Tax Commission, Board of Standards and Appeals, Campaign Finance Board, Board of Elections, Voter Assistance Commission, Commission on Public Information and Communication, Department of Records and Information Services, Financial Information Services Agency and Law Department.

HEALTH - Department of Health and Mental Hygiene, Office of the Chief Medical Examiner and EMS (health-related issues).

HIGHER EDUCATION - City University of New York.

HOSPITALS - Public and private hospitals, Health and Hospitals Corporation.

HOUSING AND BUILDINGS - Department of Housing Preservation and Development, Department of Buildings and rent regulation.

IMMIGRATION - Mayor's Office of Immigrant Affairs and other matters affecting immigration.

LAND USE - City Planning Commission, Department of City Planning, Department of Information Technology and Telecommunications, Landmarks Preservation Commission, land use and landmarks review.

MENTAL HEALTH, DISABILITIES AND ADDICTION - Department of Health and Mental Hygiene (issues of mental health, developmental disability and addiction services) and Mayor's Office for People with Disabilities.

OVERSIGHT AND INVESTIGATIONS - To investigate any matters within the jurisdiction of the Council relating to property, affairs, or government of New York City and the Department of Investigation.

PARKS AND RECREATION - Department of Parks and Recreation.

PUBLIC HOUSING - New York City Housing Authority.

PUBLIC SAFETY - Police Department, Civilian Complaint Review Board, Mayor's Office of Criminal Justice, courts, legal services, District Attorneys, and the Office of the Special Narcotics Prosecutor.

RULES, PRIVILEGES AND ELECTIONS - Council structure and organization and appointments.

[RESILIENCY AND WATERFRONTS - Office of Recovery and Resiliency, the Office of Long Term Planning and Sustainability as it relates to efforts to make New York City more resilient in the face of climate change, and preparing for, responding to, and recovering from emergencies, and matters relating to the waterfront.]

SANITATION AND SOLID WASTE MANAGEMENT - Department of Sanitation and the Business Integrity Commission.

SMALL BUSINESS - Department of Small Business Services and matters relating to retail business and emerging industries.

STANDARDS AND ETHICS - Conflicts of Interest Board and Council Ethics.

STATE AND FEDERAL LEGISLATION - Federal legislation, State legislation and Home Rule requests.

TECHNOLOGY - Technology in New York City, Department of Information Technology and Telecommunications (non- land use-related issues), Mayor's Office of Media & Entertainment, NYC TV, and dissemination of public information through the use of technology.

TRANSPORTATION AND INFRASTRUCTURE - Mass Transportation Agencies and facilities, Taxi and Limousine Commission, Department of Transportation and New York City Transit Authority.

VETERANS - Department of Veterans' Services and other veteran related issues.

WOMEN and GENDER EQUITY - Issues relating to advancing the economic mobility, social inclusion, leadership and civic participation of women and girls, domestic violence, Office to End Gender-Based Violence and the Commission on Gender Equity.

YOUTH SERVICES - Youth Board, Department of Youth and Community Development, Interagency Coordinating Council on Youth, and youth related programs.

b. Each standing committee shall be composed of no fewer than five members.

c. The Speaker may create such subcommittees or special committees as he or she deems necessary and appropriate.

KEITH POWERS, *Chairperson*; RAFAEL SALAMANCA, Jr.; JUSTIN L. BRANNAN, GALE A. BREWER, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI, THE SPEAKER (COUNCIL MEMBER ADRIENNE E. ADAMS); 8-0-0; *Absent*: Selvena N. Brooks-Powers; Committee on Rules, Privileges and Elections, March 2, 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 items had been **preconsidered** by the Committee on Rules, Privileges and Elections and had been favorably reported for adoption.

Report for Res. No. 529

Report of the Committee on Rules, Privileges and Elections in favor of approving a Resolution pursuant to Rule 7.00 making changes to the membership of certain committees of the Council.

The Committee on Rules, Privileges and Elections, to which the annexed preconsidered resolution was referred on March 2, 2023, respectfully

REPORTS:

(For text of the Memo, please see the Report of the Committee on Rules, Privileges and Elections for Res. No. 528 above)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 529:)

Res. No. 529

By The Committee on Rules, Privileges and Elections.

Resolution pursuant to Rule 7.00 making changes to the membership of certain committees of the Council.

Pursuant to Rule 7.00 of the Rules of the Council, the membership of certain committees of the Council is changed as specified below:

CIVIL AND HUMAN RIGHTS

[Inna Vernikov]

ECONOMIC DEVELOPMENT

[Nantasha Williams]

Inna Vernikov

EDUCATION

[Shaun Abreu]

ENVIRONMENTAL PROTECTION, RESILIENCY & WATERFRONTS

[Francisco Moya]

[Ari Kagan]

FINANCE

[Ari Kagan]

Althea Stevens

Nantasha Williams

FIRE AND EMERGENCY MANAGEMENT

Ari Kagan

HEALTH

Julie Menin

HOUSING & BUILDINGS

[Ari Kagan]

Shaun Abreu

LAND USE

[Ari Kagan]

Shaun Abreu

MENTAL HEALTH, DISABILITIES & ADDICTION

[Vicki Paladino]

[RESILIENCY AND WATERFRONTS

Christopher Marte

Vickie Paladino

James F. Gennaro

Joann Ariola

Sandy Nurse]

SANITATION AND SOLID WASTE MANAGEMENT

[Nantasha Williams]

Kalman Yeger

TECHNOLOGY

Ari Kagan

TRANSPORTATION AND INFRASTRUCTURE

[Althea Stevens]

VETERANS

Ari Kagan

WOMEN AND GENDER EQUITY

Inna Vernikov

YOUTH SERVICES

[Nantasha Williams]

KEITH POWERS, *Chairperson*; RAFAEL SALAMANCA, Jr.; JUSTIN L. BRANNAN, GALE A. BREWER, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI, THE SPEAKER (COUNCIL MEMBER ADRIENNE E. ADAMS); 8-0-0; *Absent*: Selvena N. Brooks-Powers; Committee on Rules, Privileges and Elections, March 2, 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**Resolution approving various persons Commissioners of Deeds**

By the Presiding Officer –

Resolved, that the following named persons be and hereby are appointed Commissioners of Deeds for a term of two years:

Approved New Applicants

<i>Name</i>	<i>Address</i>	<i>District #</i>
AHSEN YAGLIDERE	1 E 19th Street Brooklyn, New York 11226	2
MELISSA POLANCO	650 Water Street, Apt 1A New York, New York 10002	2
GLADY WARD	1501 Lexington Ave, Apt 6B New York, New York 10029	5
FABIO FERRARI	100 Hamilton Place, Apt 2G New York, New York 10031	7
QUIRSTEN GREEN	673 E 140th Street, Apt 3E Bronx, New York 10454	8
HARRY BIOLSI	24-65 38th Street, Apt A10 Queens, New York 11103	20
TEKMATTEE TEEMAL	130-08 140th Street Queens, New York 11436	28
JOANN ANDINO	85-35 89th Street, Apt 1 Queens, New York 11421	32
LUZBALDINA BISONO	1210 Putnam Ave, Apt 2 Brooklyn, New York 11221	38
LUZ RUIZ	1762 85th Street, Apt 2A Brooklyn, New York 11214	43
MILLICENT LOPEZ	319 68th Street Brooklyn, New York 11220	43
GINA GRONBORG	191 Parkview Loop Staten Island, New York 10314	50

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

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

- | | |
|--|--|
| (1) Preconsidered
M-125 & Res 516 - | The Operating Budget of the Council of the City of New York. |
| (2) Preconsidered
M-126 & Res 517 - | Lump sum OTPS Unit of Appropriation of the Operating Budget of the Council of the City of New York. |
| (3) Preconsidered
M-128 & Res 518 - | Appropriation of new City revenues in Fiscal Year 2023 (MN-3) . |
| (4) Int 436-A - | Creating a Juvenile Justice Advisory Board. |
| (5) Int 439-A - | Mayor's Office of Criminal Justice to evaluate the performance of criminal justice programs that receive funding from the city. |
| (6) Int 522-A - | Mental health professionals in families with children shelters. |
| (7) Int 524-A - | Interest rate applicable to real property with an assessed value of two hundred fifty thousand dollars or less for which the owner of such property has entered into an agreement with the Department of Finance for the payment in installments of real property taxes, assessments or other charges. |
| (8) Int 656-A - | Fire Department to develop an informational campaign to educate the public on fire risks posed by powered mobility devices. |
| (9) Int 663-A - | Sale, lease, and rental of powered bicycles, powered mobility devices and storage batteries. |
| (10) Int 722-A - | Fire Department to report on safety measures to mitigate fire risk associated with powered mobility devices. |

- (11) **Int 749-A -** Food delivery workers with information on safety measures that mitigate the fire risks posed by powered mobility devices.
- (12) **Int 752-A -** Sale of lithium-ion batteries assembled or reconditioned using cells removed from used batteries.
- (13) **Int 756-A -** Office for Neighborhood Safety and the Prevention of Gun Violence to provide training and operational support to not-for-profit service providers participating in the city's crisis management system.
- (14) **Preconsidered Res 508 -** New designation and changes in the designation of certain organizations to receive funding in the Expense Budget (Transparency Resolution).
- (15) **Preconsidered Res 528 -** **Amendments to Rule 7.00(a) of the Rules of the Council** in relation to the Standing Committees, Sub-Committee, and Special Committees of the Council.
- (16) **Preconsidered Res 529 -** Rule 7.00 making **changes to the membership** of certain committees of the Council.
- (17) **L.U. 165 & Res 520 -** **App. C 200012 ZSM (213-227 West 28th Street Parking Special Permits)** Borough of Manhattan, Community District 5, Council District 3 (**Coupled to be Disapproved**).
- (18) **L.U. 166 & Res 521 -** **App. C 200013 ZSM (213-227 West 28th Street Parking Special Permits)** Borough of Manhattan, Community District 5, Council District 3 (**Coupled to be Disapproved**).
- (19) **L.U. 167 & Res 522 -** **App. N 230154 HIK (N 230154 HIK DL 528/LP-2662) (The Lesbian Herstory Archives - 484 14th Street)** Borough of Brooklyn, Community District 6, Council District 39.

- (20) L.U. 170 & Res 523 - **App. N 230166 HIX (The Samuel Gompers Industrial High School)**, Borough of the Bronx, Community District 1, Council District 8.
- (21) L.U. 171 & Res 524 - **App. N 230167 HIM (Julius' Bar Building)**, Borough of Manhattan, Community District 2, Council District 3.
- (22) **Preconsidered**
L.U. 174 & Res 519 - **The Renaissance**, Manhattan, Community District No. 10, Council District No. 9.
- (23) **Preconsidered**
L.U. 175 & Res 525 - **App. N 230177 HKK** Borough of Brooklyn, Community District 9, Council District 40.
- (24) **Preconsidered**
L.U. 176 & Res 526 - **App. G 220027 SCQ (Approximately 547-Seat Primary School)** Borough of Queens, Community District 2, Council District 26, Community School District 30.
- (25) **Preconsidered**
L.U. 177 & Res 527 - **App. G 220028 SCQ (Approximately 659-Seat High School)** Borough of Queens, Community District 7, Council District 19, Community School District 25.
- (26) **Resolution approving various persons Commissioners of Deeds.**

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, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, 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) - **47**.

President, Not Voting – Mealy.

The General Order vote recorded for this Stated Meeting was 47-0-0 (with one member considered Present, Not Voting) as shown above with the exception of the votes for the following legislative items:

The following was the vote recorded for **Preconsidered M-125 & Res. No. 516 and M-126 & Res. No. 517**:

Affirmative – Abreu, Ariola, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, 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) - **46**.

Negative – Yeger - **1**.

Present, Not Voting – Mealy.

The following was the vote recorded for **Int. No. 663-A**:

Affirmative – Abreu, Ariola, Ayala, Bottcher, Brannan, Brewer, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, 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) - **45**.

Negative – Avilés - **1**.

Abstention – Barron - **1**.

Present, Not Voting – Mealy.

The following was the vote recorded for **Preconsidered Res. No. 508**:

Affirmative – Abreu, Ariola, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, 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) - **46**.

Abstention – Yeger – **1**.

Present, Not Voting – Mealy.

The following was the vote recorded for **Preconsidered Res. No. 528**:

Affirmative – Abreu, Ariola, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Cabán, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Hudson, Joseph, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Restler, Riley, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Williams, Won, Yeger, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **41**.

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

Present, Not Voting – Mealy.

The following was the vote recorded for **Preconsidered Res. No. 529**:

Affirmative – Abreu, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Cabán, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Hudson, Joseph, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Restler, Riley, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Williams, Won, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **39**.

Negative – Ariola, Carr, Holden, Kagan, Paladino, Vernikov, Yeger, and the Minority Leader (Council Member Borelli) - **8**.

Present, Not Voting – Mealy.

The following was the vote recorded for **Preconsidered L.U. No. 175 & Res. No. 525**:

Affirmative – Abreu, Ariola, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, 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) - **46**.

Negative – Yeger - **1**.

Present, Not Voting – Mealy.

*The following Introductions were sent to the Mayor for his consideration and approval:
Int. Nos. 436-A, 439-A, 522-A, 524-A, 656-A, 663-A, 722-A, 749-A, 752-A, and 756-A.*

INTRODUCTION AND READING OF BILLS

Int. No. 938

By The Speaker (Council Member Adams), the Public Advocate (Mr. Williams), and Council Members Rivera, Louis, Cabán, Richardson Jordan, Abreu, Hanif, Farías, De La Rosa, Brewer, Restler, Hudson, Ossé, Williams and Bottcher.

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 provide the civilian complaint review board with direct access to officer body-worn camera footage and to establish related procedures

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 footage.* a. *For the purpose 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.

Direct access. The term “direct access” means real time connectivity to the network servers hosting digital material which is provided to remote users for the purpose of accessing such information.

Remote user. The term “remote user” means designated employees of the civilian complaint review board.

b. *Within 60 days after the effective date of the local law that added this section, the department shall provide the civilian complaint review board with direct access to all footage recorded by officer body-worn cameras. Such access shall be comparable to that granted to the department’s internal affairs bureau, and provide user interface that, at a minimum permits: (i) remote users access to footage, including all visual and audio recordings captured by body-worn cameras utilized by department personnel; (ii) remote users to conduct searches for specific footage, using, at a minimum, searches based on keywords, dates, locations, or officer involved; and (iii) the civilian complaint review board to store and present body-worn camera footage in a manner necessary to facilitate the investigation and adjudication of allegations of misconduct, and any other legitimate purposes within the charter granted authority of the civilian complaint review board.*

c. *Direct access to such footage shall not be limited by the department unless such limitation is otherwise required by law. All body-worn camera footage maintained by the department must comply with relevant laws pertaining to segregation of sealed materials.*

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

Referred to the Committee on Public Safety.

Preconsidered Res. No. 508

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, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2023, Fiscal 2022, and Fiscal 2021 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local, aging, youth, 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 Expense Budget by approving new Description/Scope of Services for certain organizations receiving local, youth, and Speaker’s initiative discretionary funding; now, therefore, be it

Resolved, That the City Council approves the new designations and 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 change in the designation of certain organizations receiving aging 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 youth 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 changes in the designation of certain organizations receiving funding pursuant to the Anti-Poverty Initiative 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 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 5; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Speaker’s Initiative to Address Citywide Needs 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 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, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the new designations and changes in the 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 8; and be it further

Resolved, That the City Council approves the changes in the 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 9; and be it further

Resolved, That the City Council approves the change in the 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 10; and be it further

Resolved, That the City Council approves the change in the 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 11; and be it further

Resolved, That the City Council approves the changes in the 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 12; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Language Services Worker Co-operatives 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 changes in the designation of certain organizations receiving funding pursuant to the Crisis Management System 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 changes in the designation of certain organizations receiving funding pursuant to the Family Advocacy and Guardianship Support 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 changes in the designation of certain organizations receiving funding pursuant to the Hate Crime Prevention 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 changes in the designation of certain organizations receiving funding pursuant to the Initiative for Immigrant Survivors of Domestic Violence 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 the designation of certain organizations receiving funding pursuant to the Initiative to Combat Sexual Assault 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 the designation of certain organizations receiving funding pursuant to the Innovative Criminal Justice Programs 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 changes in the designation of certain organizations receiving funding pursuant to the Prevent Sexual Assault (PSA) Initiative for Young Adults 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 changes in the designation of certain organizations receiving funding pursuant to the Support for Victims of Human Trafficking 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 changes in the designation of certain organizations receiving funding pursuant to the Supports for Persons Involved in the Sex Trade 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 change in the designation of a certain organization receiving funding pursuant to the Community Interpreter Bank Initiative 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 new designations of certain organizations receiving funding pursuant to the Welcome NYC 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 changes in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 25; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 26; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 27; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 28; and be it further

Resolved, That the City Council amends the Purpose of Funds for certain organizations receiving funding in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 29.

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. 508 of 2023 file](#) in the legislation section of the New York City Council website at <https://council.nyc.gov>).

Int. No. 939

By Council Members Brooks-Powers, Joseph, Cabán, Louis, Richardson Jordan, Abreu, Hanif, Farías, Hudson, Riley and Ung.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to conduct a biannual study on student access to home internet and electronic devices

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 adding a new chapter 30 to read as follows:

CHAPTER 30
STUDENT ACCESS TO HOME INTERNET AND ELECTRONIC DEVICES

§ 21-1001 *Reporting on student access to home internet and electronic devices. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Blended learning. The term “blended learning” means educational courses that occur through a combination of traditional, in-person classroom instruction and at-home instruction using electronic devices to connect students to teachers.

Electronic device. The term “electronic device” means a desktop computer, laptop, or tablet.

Remote learning. The term “remote learning” means educational courses that occur exclusively through at-home instruction using electronic devices to connect students to teachers.

b. Beginning on January 1, 2025, and every two years thereafter, the department shall submit to the speaker of the council and post conspicuously on the department’s website a report regarding student access to home internet and electronic devices. Information for the report may be procured through means deemed appropriate by the department, including but not limited to surveys sent to the parents or guardians of students. The report shall include, but not be limited to, the following information for each school district:

- 1. The total enrollment;*
- 2. The number of students who do not have internet access at home;*
- 3. The number of students who do not have access to at least one personal electronic device at home;*
- 4. The number of students utilizing remote or blended learning;*
- 5. The number of students issued a department-owned electronic device;*
- 6. An estimate of the percentage of assignments that require home internet access or home electronic devices; and*
- 7. Information regarding student academic performance, including but not limited to, an analysis of how student scores received on state examinations are affected by access to internet and electronic devices.*

c. The department shall include in the report recommendations on reducing the digital divide among students, including but not limited to, identifying means of improving student access to home internet and electronic devices.

d. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state, or local law relating to the privacy of student information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement.

§ 2. This local law takes effect immediately.

Referred to the Committee on Education.

Int. No. 940

By Council Members De La Rosa, Restler, Cabán, Hanif, Brewer, Ayala and Ung.

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

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-311 to read as follows:

§ 23-311 *Dog run complaints. a. Definitions. For the purposes of this section, the term “dog run” means an enclosed area of a park in which a pet dog, accompanied by the owner of or person supervising such dog, is permitted to engage in leisure activity without use of a leash or other restraint.*

b. The department of information technology and telecommunications shall implement and maintain through its 311 citizen service center the capability for the public to file a complaint, service request, or information request under the category of “dog runs,” including on its website, mobile device platforms, and any other platform on which the center routinely utilizes categories to sort complaints and requests.

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

Referred to the Committee on Technology.

Res. No. 509

Resolution declaring April as Sikh Awareness and Appreciation Month in New York City.

By Council Members Gennaro, Lee, Cabán, Louis, Hanif, Farías, Brannan, Menin, Velázquez, Williams, Schulman, Hudson, Sanchez, Krishnan, Holden, Avilés, Ossé, Ayala, Riley, Ung, Carr and Ariola.

Whereas, Sikhism is a religion and philosophy founded by Guru Nanak in the Punjab region of the Indian subcontinent in the late 15th century; and

Whereas, According to the encyclopedia Britannica, in Punjabi the word Sikh means “learner” and the Sikh worldview centers around the idea of oneness and the belief of a divine presence in all people; and

Whereas, Sikh tradition calls upon its followers to participate in prayerful action known as *seva*, and Sikhs are expected to serve humanity while cultivating their own spirituality by practicing their principles daily, which include truthful living, service to humanity and a devotion to God; and

Whereas, Following the annexation by the British of the Punjab province in 1849, in hopes of securing a better economic future, Sikhs with a background in agriculture immigrated to the U.S.; and

Whereas, According to the University of California at Davis, during the 1940s, and in response to the success of Japanese farmers in California, public opinion turned against many Asian immigrants and Sikhs were met with newly enacted discriminatory laws branding most immigrants ineligible from holding leases on agricultural lands or securing U.S. citizenship; and

Whereas, These restrictions caused Sikh immigrants to secure employment as laborers for railroad construction projects and western frontier lumber mills and eventually to accept work as farm laborers for large agricultural growers in California’s Imperial Valley; and

Whereas, According to the University of California at Davis, despite their significant contributions to building the infrastructure of America, a fundamental misunderstanding and mistrust of Sikhs by white Americans led to acts of violence and discrimination against many Sikh communities since their arrival to this country in the nineteenth century; and

Whereas, Riots against Sikhs in rural towns can be traced back to 1907 in Bellingham, Washington, when attacks upon Sikhs were spearheaded by the Asian Exclusion League, an organization formed to marginalize Asians economically that was supported by many white political and labor organizations; and

Whereas, In 1917, the Asian Barred Zone Act stopped almost all Asian immigration to the U.S., leaving many Punjabi families separated for decades and unable to join loved ones already working in the U.S. until the laws were amended in the 1940s; and

Whereas, Since the attacks of September 11, 2001, Sikhs, who for religious reasons wear long beards and turbans and are often misidentified as Muslim, are particularly vulnerable to discrimination and continue to be the target of attacks and hate crimes; and

Whereas, Despite Sikhism having more than 25 million followers worldwide and being the world's fifth largest religion, a 2015 national survey conducted in the U.S. by Hart Research Associates found that a majority of Americans—60 percent—admitted they knew nothing at all about Sikh culture; and

Whereas, Contributions by Sikhs to American life and prosperity include helping to settle the Western frontier and build America's railroads, service in the U.S. military, service in the U.S. House of Representatives, contributions as physicians, university professors, businesspersons, celebrated recording artists, inventors of technology such as fiber optics, and many other contributions to all facets of life in the U.S. and New York City; and

Whereas, While neither the United States Census nor the New York City Department of City Planning collects specific data on religion, according to a 2007 Sikh Coalition Advocacy Survey, there were an estimated 50,000 Sikhs living in Queens, based upon reported membership in Sikh places of worship, known as *gurdwaras*; and

Whereas, Current estimates of Sikhs living in Richmond Hill, Queens are believed to be approximately 60,000, yet without equitable representation within local, state and federal government it remains difficult to promote awareness of Sikh culture and contributions; and

Whereas, To coincide with *Vaisakhi*, a significant day of the year for Sikhs which marks the harvest and beginning of the Sikh New Year, the Sikh Coalition helped to create and enact the nation's first Sikh Awareness and Appreciation Month during April in California, Colorado, Connecticut, Delaware, Georgia, Illinois, Indiana, Massachusetts, Michigan, New Jersey, Oregon, Pennsylvania, Washington, Wisconsin, Virginia and Utah; and

Whereas, Sikhs have lived and worked in the U.S. for more than a century, making vital and significant contributions to daily life in New York City, yet American society is largely unaware and ignorant of their history, community and culture, which puts Sikhs at continued risk for high rates of violence, discrimination, bullying and profiling at work, home and school; now, therefore be it

Resolved, That the Council of the City of New York declares April as Sikh Awareness and Appreciation Month in New York City.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Int. No. 941

By Council Members Gutiérrez, Riley, Won, Avilés, Sanchez, Rivera, Hanif, Brewer, Stevens, Lee, Menin, Joseph, De La Rosa, Krishnan, Nurse, Restler, Cabán, Brannan, Louis, Ayala, Ossé, Hudson, Richardson Jordan, Abreu, Farías, Velázquez, Ung, Dinowitz and Williams (in conjunction with the Brooklyn Borough President).

A Local Law to amend the New York city charter, in relation to establishing an office of child care to oversee free child care for all city residents

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 child care. a. Definitions. As used in this section, the following terms have the following meanings:

Child care. The term “child care” means care for a child between the ages of 6 weeks and 5 years on a regular basis provided away from the child’s residence for less than 24 hours per day by a person other than the parent, stepparent, guardian or relative within the third degree of consanguinity of the parents or stepparents of such child.

Director. The term “director” means the director of the office of child care.

b. No later than 1 year after the effective date of the local law that added this section, the mayor shall establish an office of child care. Such office may be established in the executive office of the mayor and may be established as a separate office or within any other office of the mayor or within any department the head of which is appointed by the mayor. Such office shall be headed by a director who shall be appointed by the mayor or the head of such department.

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

1. Ensure that no later than 4 years after the effective date of the local law that added this section, there shall be free child care available for all city residents, including for undocumented children and children of undocumented individuals living in the city;

2. Work in consultation with relevant programs, agencies and state entities to provide information and assistance to families seeking child care services, including center-based and home-based family child care, in the designated citywide languages as defined in subdivision a of section 23-1101 of the administrative code;

3. Facilitate interagency collaboration with relevant agencies, including the department of health and mental hygiene, department of buildings, human resources administration, fire department, department of city planning, administration for children’s services, and department of education to provide guidance and support to child care providers and prospective child care providers on how to open and operate a child care service, including guidance for how to open a home-based child care service, and assistance for child care providers on how to comply with relevant laws and regulations, and facilitate communication relating to child care between such agencies;

4. Promote and expand child care providers that offer child care services on nights and weekends, including by conducting an annual study to identify neighborhoods that would most benefit from such services to further economic and racial equity across the city;

5. Ensure child care services are available such that there are no gaps that are experienced due to a child’s age and children of all ages have access to continuity of care, including ensuring that home-based family child care is funded based on demand;

6. Establish a funding process specific to New York city that effectively maximizes federal, state and city funding and is in line with the actual cost of high-quality child care in the city, and includes:

(a) A living wage for all child care owners and employees, including compensation and health care and retirement benefits that are in line with teachers employed by the department of education with similar experience and competency;

(b) A grant program to provide funding for child care providers to open a child care service;

(c) The ability for child care providers to submit invoices for reimbursement more than once a month; and

(d) A consideration of the cost of living in the city;

7. Post publicly the budget breakdown for child care owners and employees, which makes transparent the items required in paragraph 6 of this subdivision;

8. Identify future locations where child care can be offered, which shall include but not be limited to identifying spaces in commercial and community spaces and facilities managed by the New York city housing authority and New York city health and hospitals corporation that can be converted into a space to provide child care using city funding, and any locations where access to child care is limited, and the estimated costs for such spaces;

9. Provide training programs for child care providers, including training specifically designed for caring for children with disabilities and for family child care providers in their primary language;

10. Post on the office's website any programs or information related to child care, including information on subsidies, grants, and child care services provided in the city;

11. Create a workforce development program, including paid positions;

12. Coordinate with the department of city planning to identify spaces that could be used for child care;

13. Conduct an education and outreach campaign to inform city residents about the availability of child care, including for families in shelters, families who have a parent or child with a disability, families who have an undocumented parent or child, and hospitals and birth centers; and

14. Conduct annual studies and reports on locations in the city where child care needs are increasing, birth trends in the city and how such trends might affect child care needs in the city, the total number of children in child care, disaggregated by age and race, the types of child care provided, the capacity of each child care provider and the spaces that can be used for child care identified pursuant to paragraph 12, disaggregated by zip code.

d. *Interagency coordination.* In performing their duties, the director shall coordinate with the department of health and mental hygiene, the department of buildings and the department of education to further the duties of the office.

e. *Reporting.* Within 12 months of the effective date of the local law that added this section, and annually thereafter, the office of child care shall submit to the mayor and the speaker of the council, and post to such office's website, a report describing the office's activities as required by subdivision c of this section, including but not be limited to:

1. The neighborhoods identified by the study required by paragraph 4 of subdivision c;

2. Any critical gaps in child care identified pursuant to paragraph 5 of subdivision c;

3. The budget breakdown required by paragraph 7 of subdivision c;

4. The locations identified pursuant to paragraph 8 of subdivision c;

5. The locations, trends and spaces identified pursuant to paragraph 14 of subdivision c; and

6. Any additional findings or recommendations made pursuant to this section.

§ 2. This local law takes effect immediately.

Referred to the Committee on Women and Gender Equity.

Int. No. 942

By Council Members Hanif, Ayala, Avilés, Sanchez, Cabán, Restler, Gutiérrez, De La Rosa, Rivera, Krishnan, the Public Advocate (Mr. Williams), Richardson Jordan, Brewer, Hudson, Farías, Riley, Ung and Won.

A Local Law to amend the New York city charter, in relation to minimum standards for emergency congregate housing

Be it enacted by the Council as follows:

Section 1. The New York city charter is amended by adding a new section 18-a to read as follows:

§ 18-a *Minimum standards for emergency congregate housing.* a. *For the purposes of this section, the following terms have the following meanings:*

Emergency congregate housing. The term "emergency congregate housing" means any location operated by a city agency or provider under contract or similar agreement with a city agency, except for any location operated by the department of social services or provider under contract or similar agreement with the department of social services, where individuals and families reside for more than 96 hours where such individuals and families sleep in a congregate setting with shared facilities, including but not limited to, sleeping quarters and bathrooms.

b. *The mayor shall ensure that emergency congregate housing meets, at a minimum, the standards and regulations set forth in parts 491 and 900 of title 18 of the New York codes, rules and regulations.*

c. If a city agency or provider under contract or similar agreement with such city agency operating emergency housing fails to meet the requirement set forth in subdivision b of this section, such city agency or provider shall be required to report in writing such failure to the mayor, the speaker of the council, and the public advocate within ten days of having knowledge of such failure.

§ 2. This local law takes effect immediately.

Referred to the Committee on General Welfare.

Int. No. 943

By Council Members Hanif, Ayala, Avilés, Sanchez, Cabán, Restler, Gutiérrez, De La Rosa, Rivera, Krishnan, the Public Advocate (Mr. Williams), Richardson Jordan, Hudson, Farías and Riley.

A Local Law to amend the New York city charter, in relation to notification of the right to be placed in shelter

Be it enacted by the Council as follows:

Section 1. The New York city charter is amended by adding a new section 18-a to read as follows:

§ 18-a Notification of the right to be placed in shelter. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Emergency congregate housing. The term “emergency congregate housing” means any location operated by a city agency or a provider under contract or similar agreement with a city agency, except for any location operated by the department of social services or provider under contract or similar agreement with the department of social services, where individuals and families reside for more than 96 hours where such individuals and families sleep in a congregate setting with shared facilities, including but not limited to, sleeping quarters and bathrooms.

Shelter. The term “shelter” means a facility operated by the department of social services or a provider under contract or similar agreement with the department of social services.

b. The mayor or the mayor’s designee shall provide written and verbal notification, as provided in this subdivision, to individuals and families, immediately upon such individual or families’ entry into emergency congregate housing. Such notification shall be communicated in an easily understandable and culturally competent manner and shall be made available in the language spoken by the individual or family. Such notification shall include but not be limited to the following:

(1) The right to be placed in a shelter within 24 hours of an individual or families’ request to be placed in a shelter; and

(2) The right to be provided with transportation to such shelter.

c. If the department of social services fails to meet its obligations to place an individual or family in a shelter within 24 hours of their request to be placed in a shelter, the department of social services shall be required to report such failure to the mayor, the speaker of the council, and the public advocate within one calendar day of having knowledge of such failure.

§ 2. This local law takes effect immediately.

Referred to the Committee on General Welfare.

Int. No. 944

By Council Members Hanks, Louis, Richardson Jordan, Abreu, De La Rosa and Brewer.

A Local Law to amend the administrative code of the city of New York, in relation to the evaluation of civil actions alleging improper conduct by the police department

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 7-114 of the administrative code of the city of New York is amended to read as follows

b. [No later than January 31, 2018 and no later than each July 31 and January 31 thereafter,] *The law department shall, within 15 days of receipt of any information in paragraph (2) or (3), post on its website in a searchable and machine-readable format, and provide notice of such posting to the individual responsible for implementing the duties set forth in paragraph one of subdivision c of section 803 of the charter, the comptroller, the police department, the civilian complaint review board, and the commission to combat police corruption the following information regarding civil actions filed in state or federal court against the police department or individual police officers, or both, resulting from allegations of improper police conduct, including, but not limited to, claims involving the use of force, assault and battery, malicious prosecution, or false arrest or imprisonment:*

1. a list of *each civil action* [actions] filed against the police department or individual police officers, or both, [during the five-year period preceding each January 1 or July 1 immediately preceding each report;]

2. for each such action: (i) the court in which the action was filed; (ii) the name of the law firm representing the plaintiff; (iii) the name of the law firm or agency representing each defendant; (iv) the date the action was filed; and (v) whether the plaintiff alleged improper police conduct, including, but not limited to, claims involving use of force, assault and battery, malicious prosecution, or false arrest or imprisonment; and

3. if an action has been resolved: (i) the date on which it was resolved; (ii) the manner in which it was resolved; and (iii) whether the resolution included a payment to the plaintiff by the city and, if so, the amount of such payment.

§ 2. Section 7-114 of the administrative code of the city of New York is amended by adding a new subdivision c to read as follows:

c. *No later than the first anniversary of the effective date of this law, and thereafter within 15 days of the end of each quarter of the calendar year, the law department shall provide the speaker of the council, the individual responsible for implementing the duties set forth in paragraph one of subdivision c of section 803 of the charter, the comptroller, the police department, the civilian complaint review board, and the commission to combat police corruption with a quarterly report on the (i) the number of new civil actions filed in state or federal court against police department or individual police officers, or both, resulting from allegations of improper conduct, and (ii) the number of civil actions that reached a disposition and the amount of restitution paid to plaintiffs by the city, disaggregated by the year in which the original civil complaint was filed in state or federal court.*

§ 3. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Int. No. 945

By Council Members Hudson, Brewer, Lee, Gutiérrez, Cabán, Yeger, Louis, Richardson Jordan, Abreu, Hanif, Fariás, De La Rosa, Schulman, Holden, Riley and Ung.

A Local Law to amend the administrative code of the city of New York, in relation to establishing a technical support program for older adults

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-210 to read as follows:

§ 21-210 Technical support program for older adults. a. By no later than December 1, 2024, the commissioner, in collaboration with the commissioner of information technology and telecommunications and any relevant stakeholders deemed necessary by the mayor, shall develop a technical support program to serve older adults. Such program shall be offered at no cost and shall, at minimum, include the following:

- 1. Providing technical support related to the use of computers to the extent possible;*
- 2. Providing technical support related to the use of phones;*
- 3. Accessing and navigating telehealth services; and*
- 4. Providing contact information for the technical support team associated with the device.*

b. The program established pursuant to subdivision a of this section shall be made available in all designated citywide languages as defined in section 23-1101.

§ 2. This local law takes effect immediately.

Referred to the Committee on Aging.

Int. No. 946

By Council Members Hudson, Lee, Yeger, Louis, Richardson Jordan, Abreu, Farías, De La Rosa, Schulman, Holden, Riley, Ung, Marte, Narcisse, Dinowitz, Ossé, Barron, Avilés, Nurse, Won, Cabán, Krishnan, Joseph, Hanks and Paladino.

A Local Law to amend the administrative code of the city of New York, in relation to creating a mental health coordinator to inform city employees about mental health support and services

Be it enacted by the Council as follows:

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

§ 12-141 Mental health coordinator. a. The head of each agency, in consultation with the mayor's office for people with disabilities, shall designate an employee as such agency's mental health coordinator.

b. Such mental health coordinator shall assist each agency in coordinating such agency's efforts to comply with the Americans with Disabilities Act and other federal, state, and local laws and regulations concerning accessibility and support for city employees with mental health needs.

c. Such mental health coordinator shall perform outreach to employees of the city about mental health services and support services available to such employees, including but not limited to the employee assistance program.

§ 2. This local law shall take effect in 120 days.

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

Res. No. 510

Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation denying property owners from filing eviction proceedings for tenants who reside in buildings with substantial pending housing maintenance code violations.

By Council Members Hudson, Cabán, Richardson Jordan, Hanif, Farías, De La Rosa, Schulman and Avilés.

Whereas, Building and housing maintenance codes are the regulations and standards governing building and housing construction in New York State (NYS or the State) and New York City (NYC or the City), establishing a base set of standards that ensure a building’s safety, quality, and habitability; and

Whereas, The Department of Buildings (DOB) and the Department of Housing Preservation and Development (HPD) hold building owners accountable to these standards through inspections and issuing violations for failure to meet standards and requirements; and

Whereas, Housing maintenance code violations are issued by HPD and can be summarized as Class “A” Non-Hazardous, Class “B” Hazardous, and Class “C” Immediately Hazardous violations; and

Whereas, The Office of the New York City Public Advocate published its “2021 Worst Landlord Watchlist”, in which it found that from December 2020 to November 2021, a total of 463 buildings, housing 9,384 units, averaged 55,202 open Class B and Class C HPD violations; and

Whereas, On March 1, 2022, HPD announced its Alternative Enforcement Program (AEP), in which it would increase enforcement at 250 apartment buildings that have around 40,000 combined open Class B and Class C violations, with Crain’s New York Business reporting that more than 50 of the buildings listed as part of the AEP belonged to landlords on the Public Advocate’s Worst Landlord Watchlist; and

Whereas, No statute currently prevents landlords or property managers with outstanding housing code violations from filing eviction proceedings; and

Whereas, The COVID-19 pandemic saw the introduction of a statewide eviction moratorium, which expired on January 15, 2022, allowing eviction proceedings to resume; and

Whereas, The State and particularly the City are experiencing an eviction crisis, as the eviction moratorium’s expiration saw an increased rate of eviction filings, which, combined with the backlog of eviction cases present before the pandemic eviction moratorium, resulted in 266,426 total pending eviction cases in New York State for the week of October 23, 2022, according to the advocacy organization Right to Counsel NYC Coalition, citing state court data; and

Whereas, The eviction moratorium’s expiration quickly saw NYC Housing Court calendars flooded with eviction cases and legal service providers lacking the resources to keep up with the accelerated pace of residential eviction cases, resulting in many tenants facing eviction proceedings without a lawyer; and

Whereas, A 2021 working paper from the Furman Center at NYU established that a growing body of sociological research shows that eviction is associated with economic hardship, worse health outcomes, and prolonged residential instability; and

Whereas, Independent news organization, The Indy, reported on March 31, 2022 that many tenants across NYC were experiencing poor living conditions, with some facing eviction despite these conditions; and

Whereas, HPD states that landlords are required to keep their buildings in compliance with the housing maintenance codes and must otherwise keep their buildings in livable conditions, and a property’s state of disrepair or poor living conditions is cited by the New York State Unified Court System as a common defense in eviction proceedings; and

Whereas, Tenants have the right to mount a defense against eviction proceedings filed against them, but going through the court system to begin a legal defense requires time, resources, and knowledge that many tenants do not have; and

Whereas, Property owners and landlords with outstanding violations should not be allowed to file eviction proceedings in housing court as doing so would contribute to the backlog in the housing court system, and the burden then falls on the tenant to prove the state of their living conditions in court, a difficult prospect for many tenants who often do not have the money, time, or knowledge to mount an effective eviction defense; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, legislation denying property owners from filing eviction proceedings for tenants who reside in buildings with substantial pending housing maintenance code violations.

Referred to the Committee on Housing and Buildings.

Res. No. 511

Resolution calling on the New York State Legislature to pass, and the Governor to sign, A.642/S.1215, which directs the Queens Board of Elections to provide language assistance in Bengali, Punjabi and Hindi.

By Council Members Lee, Gennaro, Krishnan, Schulman, Ariola, Cabán, Richardson Jordan, Abreu, Farías, Brannan, Menin, Won, Velázquez, Williams, Avilés, Restler, Hudson, Ayala, Riley and Ung.

Whereas, The Federal Voting Rights Act of 1965 (VRA) is landmark legislation designed to prevent federal, state or local governments from interfering with an individual’s right to vote based on their race or ethnicity; and

Whereas, Section 203 of the VRA requires election officials to provide ballots, registration forms and other election materials in languages other than English; and

Whereas, The United States Census Bureau determines which jurisdictions are required to provide election materials in languages other than English; and

Whereas, In 2021 the US Census Bureau confirmed that Queens County was required to provide election materials in “Asian Indian” languages under section 203 of the VRA; and

Whereas, According to the US Census Bureau, Bengali, Hindi and Punjabi are the most spoken languages among Asian-Indian individuals in Queens; and

Whereas, The City Board of Elections has only provided ballots and voter registration forms in Bengali in Queens; and

Whereas, The City Board of Elections does not translate any election materials or provide any language assistance in Punjabi or Hindi in Queens; and

Whereas, A.642, introduced by Assembly Member David I. Weprin and pending in the New York State Assembly, and companion bill S.1215 introduced by Senator Leroy Comrie and pending in the New York State Senate, seeks to amend the Election Law to require the Queens Board of Elections to provide language assistance, including ballots, signs, mailings, employee and volunteer training materials and information on the Board’s website in Bengali, Punjabi and Hindi; and

Whereas, In addition to meeting the requirements of Section 203 of the VRA, A.642/S.1215 requires the Queens Board of Elections to produce and distribute a booklet containing information about how to register to vote, instructions for obtaining an absentee ballot as well as other general voter information along with a voter registration form in Bengali, Punjabi and Hindi; and

Whereas, A.642/S.1215 will bring New York into fuller compliance with the intent of section 203 of the VRA by providing voting materials in the three Asian-Indian languages most commonly spoken in Queens; and

Whereas, A.642/S.1215 will remove barriers that prevent Punjabi and Hindi-speakers in Queens from fully participating in the electoral process; 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.642/S.1215, which directs the Queens Board of Elections to provide language assistance in Bengali, Punjabi and Hindi.

Referred to the Committee on Governmental Operations.

Int. No. 947

By Council Members Louis and Williams:

A Local Law in relation to creating a task force to consider the impact of slavery and past injustices for African Americans in New York city and reparations for such injustices.

Withdrawn.

Int. No. 948

By Council Members Louis, Williams, Barron, Richardson Jordan, De La Rosa, Restler and Hudson.

A Local Law to amend the administrative code of the city of New York, relation to requiring the New York City Police Department to report information and data regarding the department operations

Be it enacted by the Council as follows:

Section 1. Section 14-150 of the administrative code of the city of New York is amended to read as follows:

§ 14-150 Police Department Reporting Requirements. a. *Each month*, [T]the New York City Police Department shall submit to the city council, *and post on its website*, [on a quarterly basis], the following [materials,] data and reports *in a machine-readable format*:

1. [All academy, in-service, roll-call and other specialized department training materials and amendments thereto distributed to cadets, recruits, officers and other employees of the department, except where disclosure of such material would reveal non-routine investigative techniques or confidential information or where disclosure could compromise the safety of the public or police officers or could otherwise compromise law enforcement investigations or operations.]

[3] A report detailing the number of uniformed personnel and civilian personnel assigned to each and every patrol borough and operational bureau performing an enforcement function within the police department, including, but not limited to, each patrol precinct, housing police service area, transit district and patrol borough street crime unit, as well as the narcotics division, fugitive enforcement division and the special operations division including its subdivisions, but shall not include internal investigative commands and shall not include undercover officers assigned to any command. Such report shall also include, for each school operated by the department of education to which school safety agents are assigned, the number of school safety agents, averaged for the quarter, assigned to each of those schools.

[4]2. A crime status report. Such report shall include the total number of crime complaints (categorized by class of crime, indicating whether the crime is a misdemeanor or felony) for each patrol precinct, including a subset of housing bureau and transit bureau complaints within each precinct; arrests (categorized by class of crime, indicating whether the arrest is for a misdemeanor or felony) for each patrol precinct, housing police service area, transit district, street crime unit and narcotics division; summons activity (categorized by type of summons, indicating whether the summons is a parking violation, moving violation, environmental control board notice of violation, or criminal summons) for each patrol precinct, housing police service area and transit district; domestic violence radio runs for each patrol precinct; average response time for critical and serious crimes in progress for each patrol precinct; [overtime statistics for each patrol borough and operational bureau performing an enforcement function within the police department, including, but not limited to, each patrol precinct, housing police service area, transit district and patrol borough street crime unit, as well as the narcotics division, fugitive enforcement division and the special operations division, including its subdivisions, but shall not include internal investigative commands and shall not include undercover officers assigned to any command]. Such report shall also include the total number of complaints of all sex offenses as defined in article 130 of the New York state penal law, in total and disaggregated by the following offenses: rape as defined in sections 130.25, 130.30, and 130.35; criminal sexual act as defined in sections 130.40, 130.45, and 130.50; misdemeanor sex offenses as

defined in sections 130.20, 130.52, 130.55, and 130.60; sexual abuse as defined in sections 130.65, 130.65-a, 130.66, 130.67, and 130.70; course of sexual conduct against a child as defined in sections 130.75 and 130.80; and predatory sexual assault as defined in sections 130.95 and 130.96. Such report shall also include the total number of major felony crime complaints for *all* properties under the jurisdiction of the department of parks and recreation[, pursuant to the following timetable:

1. Beginning January first, two thousand fourteen, the thirty largest parks, as determined by acreage;
2. Beginning June first, two thousand fourteen, the one hundred largest parks, as determined by acreage;
3. Beginning January first, two thousand fifteen, the two hundred largest parks, as determined by acreage;
4. Beginning January first, two thousand sixteen, the three hundred largest parks, as determined by acreage;
5. Beginning January first, two thousand seventeen, all parks one acre or greater in size; and
6. Beginning January first, two thousand eighteen, all public pools, basketball courts, recreation centers, and playgrounds that are not located within parks one acre or greater in size].

[The department shall conspicuously post all quarterly reports of major felony crime complaints for properties under the jurisdiction of the department of parks and recreation online via the department's website within five business days of the department's submission of such reports to the council.]

[5]3. A report based on the information provided in the department's Stop, Question and Frisk Report Worksheet and any successor form or worksheet. Such report shall include the number of stop, question and frisks for each patrol precinct, housing police service area, transit district, street crime unit and narcotics division; a breakdown of the number of stop, question and frisks by race and gender for each patrol precinct, housing police service area, transit district, street crime unit and narcotics division; the number of suspects arrested or issued a criminal or civil summons as indicated on each stop, question and frisk report for each patrol precinct, housing police service area, transit district, street crime unit and narcotics division; a breakdown by race and gender of the suspects arrested or issued a criminal or civil summons as indicated on each stop, question and frisk report for each patrol precinct, housing police service area, transit district, street crime unit and narcotics division; a listing, by category, of the factors leading to the stop, question and frisk for each patrol precinct, housing police service area, transit district, street crime unit and narcotics division, with a breakdown by race and gender for each listed factor; and a summary of complaints of violent felony crime for each patrol precinct, with a breakdown by race and gender of the suspect as identified by the victim.

[6]4. A report, for each patrol precinct, housing police service area, transit district, street crime unit and narcotics division, of the number of summonses issued for moving violations, with a breakdown by race and gender. Such report shall be generated using data provided by the State Department of Motor Vehicles at such time as the State Department of Motor Vehicles amends its traffic summons to reflect such race and gender information.

[7]5. A report of the number of positions that are civilianizable, including a listing of each position by job title, and the number of positions that were civilianized. "Civilianizable" shall mean any position that does not require uniformed expertise.

6. *A report on overtime usage for each patrol borough and operational bureau performing an enforcement or investigative function within the department, including but not limited to, each patrol precinct, housing police service area, transit district, patrol borough street crime unit, narcotics division, fugitive enforcement division, and the special operations division, including its subdivisions. Such information shall be further disaggregated by uniformed overtime spending by each of the following categories: parades; protests or demonstrations; street fairs; sports or entertainment events; other planned events; other unplanned events; counter-terrorism activities; supplemental patrol; investigative work; new arrests; executing a search or arrest warrant; processing arrest or administrative work related to an enforcement action; attending court proceedings; other administrative duties relating to operations; training; and any other category as determined by the department, disaggregated by ranks of officers. For all overtime spending for planned or unplanned events, including but not limited to, parades, protests or demonstrations, street fairs, sports or entertainment events, the department shall provide a list of each event, and for each such event shall report on the total overtime spending and spending hours for that event, disaggregated by ranks of officers being paid; the numbers of officers assigned to the event, disaggregated by ranks; and the average number of overtime hours required for each such officer at the event.*

[8]7. A report of the number of firearms, including ghost guns and firearms created using a three-dimensional printer, or any piece or part thereof, possessed in violation of law that have been seized, disaggregated by precinct and type of firearm. Such report shall also include, disaggregated by precinct: (i) the number of arrests made and type of crimes charged involving firearms possessed in violation of law, including arrests for the distribution and sale of such firearms; and (ii) the total number and type of firearms recovered in the course of arrests made.

b. The New York city police department shall submit to the city council, *and post on its website*, on a[n annual] *quarterly* basis a firearms discharge report, which shall include, *but need not be limited to, the following information for the prior quarter* [substantially the same information and data categories, disaggregated in substantially the same manner, as the department's 2007 Annual Firearms Discharge Report. It shall also include, at a minimum, in tabular form]:

1. The number of firearms incidents disaggregated by (i) day of week; (ii) tour; (iii) borough; (iv) month; (v) precinct; (vi) number of incidents that occurred outside New York city; and (vii) on-duty or off-duty status of officer.

2. The total number of firearms incidents for the [year of the] *reporting period* and the *same period during the prior year* [year preceding the report], as well as the percentage change between the two years, and disaggregated by (i) intentional discharge - adversarial conflict; (ii) intentional discharge - animal attack; (iii) unintentional discharge; and (iv) unlawful use of firearm.

3. For all firearms incidents [for the year of the report and the year preceding the report], both the raw number for each [year] *quarter* and the percentage change between the two quarters, for each of the following categories (i) the total number of officers firing; (ii) the total number of shots fired; (iii) the total number of officers shot and injured by a subject; (iv) the total number of officers shot and killed by a subject; (v) the total number of subjects shot and injured by an officer; and (v) the total number of subjects shot and killed by an officer.

4. The number of intentional firearms incidents disaggregated by incidents in which (i) a subject used or threatened the use of a firearm; (ii) a subject used or threatened the use of a cutting instrument; (iii) a subject used or threatened the use of a blunt object; (iv) a subject used or threatened the use of overwhelming physical force; (v) an officer perceived a threat of other deadly physical force; (vi) a dog attack was involved; and (vii) an attack by an animal other than a dog was involved.

5. The number of firearms incidents disaggregated by (i) unintentional discharge during adversarial conflict; (ii) unintentional discharge while handling a firearm; (iii) suicide; (iv) unlawful intentional discharge; and (v) unauthorized person discharging officer's firearm.

6. For each firearms incident determined to fall within the category of Intentional Discharge - Adversarial Conflict: (i) an indication of whether or not a firearm was fired by a subject; (ii) an indication of whether the subject used or threatened the use of a firearm, subject used or threatened the use of a cutting instrument, subject used or threatened the use of a blunt object, subject used or threatened the use of overwhelming physical force, or an officer perceived threat of other deadly physical force; (iii) whether or not the weapon possessed or used by a subject or subjects is known, and if known, the type of weapon used or possessed by the subject; (iv) the total number of officers who fired; (v) the total number of shots fired by officers; (vi) the number of shots fired per officer; (vii) the objective completion rate of the incident; (viii) the number of subjects; and (ix) for each subject, the age, race and gender of the subject.

7. A synopsis of each firearms incident resulting in the death of either a subject or an officer.

8. For purposes of this section, the following terms shall have the following meanings: (a) "firearms incident" means any incident during which one or more New York city police officers discharge any firearm, or when a firearm belonging to a New York city police officer is discharged by any person, except for a discharge during an authorized training session, or while lawfully engaged in target practice or hunting, or at a firearms safety station within a department facility;

(b) "subject" means a person engaged in adversarial conflict with an officer or third party, in which the conflict results in a firearms discharge;

(c) "civilian" means a person who is not the subject in the adversarial conflict but is included as a victim, bystander, and/or injured person;

(d) "officer" means a uniformed member of the department, at any rank;

(e) "intentional firearms discharge" means a firearms discharge in which an officer intentionally discharges a firearm, which may include firearms discharges that are determined to be legally justified but outside department guidelines;

(f) "adversarial conflict" means an incident in which an officer acts in defense of self or another during an adversarial conflict with a subject and does not include an animal attack or situations in which an officer only intentionally discharges a firearm to summon assistance;

(g) "unintentional firearms discharge" means a firearms discharge in which an officer discharges a firearm without intent, regardless of the circumstance, commonly known as an accidental discharge;

(h) "unauthorized use of a firearm" means a firearms discharge that is considered unauthorized and is not listed as an intentional firearms discharge, is being discharged without proper legal justification, and includes instances when an unauthorized person discharges an officer's firearm;

(i) "frame or receiver" means a part of a firearm that provides housing for the hammer, bolt or breechblock, and firing mechanism, and that is usually threaded at its forward portion to receive the barrel;

(j) "ghost gun" means any firearm that is assembled from a frame or receiver that has been marketed or sold, either individually or as part of a kit, as an unfinished frame or receiver that could be used to assemble a firearm;

(k) "three-dimensional printer" means a computer-driven machine capable of producing a three-dimensional object from a digital model by adding layers of material in succession; and

(l) "unfinished frame or receiver" means a piece of any material that does not constitute the frame or receiver of a firearm but that has been shaped or formed in any way for the purpose of becoming the frame or receiver of a firearm with modification by the user.

c. The information, data and reports requested in subdivisions a and b shall be provided to the council, and *posted on the department's website in machine-readable format*, except where disclosure of such material could compromise the safety of the public or police officers or could otherwise compromise law enforcement operations. [Notwithstanding any other provision of law, the information, data and reports requested in subdivisions a and b are not required to be transmitted in electronic format to the department of records and information services, or its successor agency, and are not required to be made available to the public on or through the department of records and information services' web site, or its successor's web site.] These reports shall be provided to the council within [30]15 days of the end of the reporting period to which the reports correspond or for which the relevant data may be collected, whichever is later. Where necessary, the department may use preliminary data to prepare the required reports and may include an acknowledgment that such preliminary data is non-final and subject to change.

d. The New York city police department shall submit to the city council[, the governor, the temporary president of the state senate and the speaker of the state assembly], *and post on its website, a quarterly [annually a] report* detailing the total number of criminal complaints and arrests, categorized by class of crime, for violent felony offenses as defined in section 70.02 of the penal law, assault and related offenses as defined in article one hundred twenty of the penal law, sex offenses as defined in article one hundred thirty of the penal law, disorderly conduct as defined in section 240.20 of the penal law, harassment as defined in section 240.25 and 240.26 of the penal law, aggravated harassment as defined in section 240.30 and 240.31 of the penal law, and offenses against public sensibilities as defined in article two hundred forty-five of the penal law, where the conduct occurs on subway lines and bus routes operated by the New York city transit authority or the Staten Island rapid transit operating authority, specifying where such criminal conduct has occurred by police precinct, including specific subway line, subway transit division, and bus route operated by the New York city transit authority or the Staten Island rapid transit operating authority. Such report shall contain a separate tabulation for employees of the authority, passengers and other non-employees. Such report shall specify which bus routes had the greatest number of criminal complaints and arrests. Such statistics shall be tabulated on a monthly basis and on an annual basis and shall be maintained and transmitted in an electronic format to the department of records and information services, or its successor agency, and be made available to the public on or through the department of records and information services' website, or its successor's website. Such statistics shall be first made available on such website ninety days after the effective date of this subdivision and shall be updated on at least a monthly basis thereafter.

e. Report on domestic violence factors. [a]1. For the purposes of this subdivision, the following terms have the following meanings:

Chronic domestic violence case. The term "chronic domestic violence case" means crimes determined by the department to be related to domestic violence that involve a chronic offender.

Chronic offender. The term "chronic offender" means a perpetrator who has been arrested three or more times in an 18-month period for a crime determined by the department to be related to domestic violence.

Domestic violence. The term "domestic violence" means any crime as determined by the department, not including those done in self-defense, when committed against a family or household member as determined by the department.

Perpetrator. The term "perpetrator" means a person who has or who is alleged to have committed domestic violence.

[b]2. Beginning [June 1, 2019] *January 1, 2024*, and [annually] *monthly* thereafter, the department shall submit to the mayor and speaker of the council and shall post on its website, a [annual] report regarding certain domestic violence initiatives, indicators, and factors in the city. Such report shall include, but need not be limited to the following:

1. The total number of domestic violence complaints, disaggregated by precinct;
2. The total number of chronic domestic violence complaints, disaggregated by borough;
3. The total number of domestic violence offenders, disaggregated by precinct;
4. The total number of chronic offenders, disaggregated by precinct;
5. The scope of outreach efforts by the department to victims of domestic violence in cases where a perpetrator violates an order of protection issued by a court of competent jurisdiction; and
6. Any other interventions by the department that relate to domestic violence.

f. Training materials. Each quarter the department shall provide the city council, and post on its website, all academy, in-service, roll-call and other specialized department training materials and amendments thereto distributed to cadets, recruits, officers and other employees of the department, except where disclosure of such material would reveal non-routine investigative techniques or confidential information or where disclosure could compromise the safety of the public or police officers or could otherwise compromise law enforcement investigations or operations.

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Preconsidered Res. No. 512

Resolution calling on the New York State legislature to pass, and the Governor to sign, legislation to create an independent Commission to oversee hospital services pricing for the purpose of increasing access to hospital services, promoting financial stability for hospitals, and lowering healthcare costs for New Yorkers.

By Council Members Menin, Yeager, Cabán, Louis, Richardson Jordan and Ung.

Whereas, Hospitals across New York State (NYS) have wide service price variations for the same procedures despite similarities in hospital size, range of services offered, teaching designation, and patient population health; and

Whereas, A 2016 Gorman Actuarial report examining hospital service price and reimbursement rate differences in NYS found that higher-priced hospitals in Downstate, Buffalo, and Albany were 1.5 to 2.7 times more expensive than lower-priced hospitals in the same regions; and

Whereas, Hospital service price variations can be attributed to the NYS Health Care Reform Act of 1996 (HCRA), which removed state-regulated hospital service price controls and allowed hospitals and private insurers to negotiate reimbursement rates; and

Whereas, Although the HCRA was created to promote financial sustainability of community hospitals and maintain access to hospital care for all New Yorkers through marketplace competition, it caused many community hospitals to shutter due to their lack of market leverage; and

Whereas, According to the Gorman Actuarial report, regardless of an individual hospital's size or market share, hospitals that are part of a hospital system with a large market share are generally higher-priced due to the power of the hospital system in contract negotiations with insurers; and

Whereas, As a result, the price of a procedure depends on the type of insurance an individual has and the hospital they go to; and

Whereas, For example, the average cost of a colonoscopy without insurance is \$895, but for a covered individual it could cost as much as \$2,200 depending on the individual's insurance plan; and

Whereas, Similarly, an MRI scan without insurance costs \$446 within the Mount Sinai Health System, while at New York-Presbyterian Hospital, the same procedure costs approximately \$7,356; and

Whereas, When comparing private insurers' hospital service price rates with Medicare rates in over 3,000 hospitals across the United States, a 2021 RAND Corporation study found that overall, private insurers paid hospitals over 240 percent more than Medicaid for the same procedures; and

Whereas, A 2022 report by the SEIU 32BJ Health Fund demonstrated that the Fund had been charged more than 300 percent of Medicare rates by private hospital systems; and

Whereas, The Gorman Actuarial report also discovered that among hospitals in the Downstate region, those hospitals with more Medicare and Medicaid patients collected lower payments from private insurers than hospitals serving fewer such patients, calling into question the assumption that hospitals bill higher reimbursement rates for privately insured patients to offset low reimbursement rates for Medicare and Medicaid patients; and

Whereas, New York City government (City) is the biggest consumer of private health insurance in NYS; and

Whereas, In Fiscal Year 2021, the City spent approximately \$9.5 billion to pay the cost of health insurance covering approximately 1.25 million people, paying an estimated \$1.2 billion in excess for comparable health insurance packages offered by 1199 and 32BJ of the Service Employee International Union, according to Center for New York City Affairs; and

Whereas, In an effort to regulate hospital service prices and induce sustainable hospital growth, the Maryland State legislature established an independent Health Services Cost Review Commission (HSCRC) in 1971; and

Whereas, The HSCRC is comprised of 7 volunteer commissioners with broad healthcare background and expertise; and

Whereas, The HSCRC has authority to regulate hospitals with the following goals: 1) constrain hospital costs; 2) ensure access to hospital care for all citizens; 3) improve equity and fairness of hospital financing; 4) provide for hospital financial stability; and 5) promote hospital and healthcare pricing transparency by holding stakeholders accountable; and

Whereas, Since its formation, the HSCRC has created many programs that have supported the success of Maryland's hospital system; and

Whereas, One such program is Maryland's All-Payer Rate Setting System, which saved the state over \$796 million in Medicare expenses in 2019 while ensuring identical service prices across all public and private hospitals in the state; and

Whereas, An independent state regulatory body like the HSCRC could be established in NYS to ensure fair hospital pricing, sustainable hospital financing, and equitable hospital access for all New Yorkers; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State legislature to pass, and the Governor to sign, legislation to create an independent Commission to oversee hospital services pricing for the purpose of increasing access to hospital services, promoting financial stability for hospitals, and lowering healthcare costs for New Yorkers.

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

Res. No. 513

Resolution to declare June 3 in New York City as World Bicycle Day.

By Council Members Menin, Won, Restler, Bottcher, Cabán, Louis, Hanif, Hudson, Riley and Ung.

Whereas, According to the World Economic Forum, an estimated two billion bicycles are being used around the world, and that number could increase to five billion by 2050; and

Whereas, In New York City (NYC), according to the NYC Department of Transportation (DOT), in 2021, there were an estimated: 55,000 daily bike commuters to work; 110,000 daily bike commute trips to work; 550,000 total daily cycling trips; and 200.8 million total annual cycling trips; and

Whereas, According to the same DOT data, there has been an increasing trend in annual growth of commuters who travel by bicycle in NYC, noting a 104% increase in daily cycling between 2011 and 2021, and a 20% increase in daily cycling between 2016 and 2021; and

Whereas, In an effort to acknowledge the uniqueness of the bicycle and its ability for people across all countries and cultures to engage in a simple, affordable, and clean means of transportation, which improves environmental stewardship and health, in 2018, the United Nations (UN) established June 3 as World Bicycle Day; and

Whereas, According to the UN, World Bicycle Day is a means to encourage all people to utilize bicycles, while “fostering sustainable development, strengthening education, including physical education, for children and young people, promoting health, preventing disease, promoting tolerance, mutual understanding and respect, and facilitating social inclusion and a culture of peace;” and

Whereas, In addition, the UN has welcomed ways in which to organize bicycle rides at national and local levels to expand the mental, physical and cultural benefits of cycling in society; and

Whereas, As cycling is an important aspect of New Yorkers’ daily lives, declaring June 3 as World Bicycle Day in NYC would continue to expand on the importance of the bicycle to all people; now, therefore, be it

Resolved, That the Council of the City of New York declares June 3 in New York City as World Bicycle Day.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Res. No. 514

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, S.183/A.2418, which would amend the Social Services Law to mandate each local department of social service link persons living with HIV with benefits and services and provide that persons living with HIV who are receiving housing assistance shall not be required to pay more than 30% of household income towards shelter costs.

By Council Members Ossé, Hudson, Sanchez, Cabán, Louis, Richardson Jordan, Hanif, De La Rosa and Restler.

Whereas, When the New York City Human Resources Administration (HRA) created what would become the HIV/AIDS Services Administration (HASA) in 1985, it became one of the first government agencies to respond to the HIV/AIDS epidemic; and

Whereas, Since that time, a series of laws have been passed in New York City to ensure that people living with HIV/AIDS receive access to numerous benefits and services; and

Whereas, Since the mid-1980s, New York City has recognized the connection between stable housing and health by providing rental assistance to help persons living with HIV/AIDS maintain stable housing; and

Whereas, According to the New York City Department of Health and Mental Hygiene (DOHMH), New York City remains the epicenter of the HIV/AIDS epidemic, with more than 125,000 New York City residents living with HIV; and

Whereas, According to DOHMH, despite great progress toward New York City's goals related to ending the HIV/AIDS epidemic, inequities in HIV persist and the highest rates of new diagnoses are among people and ZIP Codes with the highest levels of poverty; and

Whereas, HASA provides a range of services to low income New Yorkers living with HIV/AIDS, including linkage to social services benefits such as food stamps and cash assistance, help applying for supplemental security income (SSI) and social security disability income (SSDI), improved access to medical services and Medicaid, individualized service planning, and rental assistance, among other things; and

Whereas, In 2022, HASA served 41,654 persons and provided housing assistance to over 25,000 clients; and

Whereas, In 2014, the state Department of Health announced a goal of ending the HIV/AIDS epidemic in New York by 2020, halting the disease's spread and eliminating the emergence of new cases; and

Whereas, New York State's 2015 *Ending the Epidemic Blueprint* recommends concrete action to ensure access to adequate, stable housing as an evidence-based HIV health intervention; and

Whereas, In support of this recommendation, New York State established an affordable housing protection for HASA clients that caps their rent at 30% of their income; and

Whereas, People living with HIV upstate and on Long Island are denied the same housing assistance, leaving over 4,000 households living with HIV homeless or unstably housed, according to Housing Works; and

Whereas, There is no statewide equivalent to HASA that ensures low-income individuals living with HIV/AIDS receive access to relevant public benefits and services; and

Whereas, According to the New York State Department of Health, since the start of the COVID-19 pandemic, there have been increases in HIV cases in certain parts of the state, significant reductions in HIV testing and reporting of diagnoses, and decreases in the number of persons accessing pre-exposure prophylaxis; and

Whereas, As a result, the state has pushed back its Ending the Epidemic goals from an original target of 2020 to 2024; and

Whereas, The lack of assistance for people with HIV/AIDS in upstate New York and on Long Island undermines New York State's Ending the Epidemic efforts; and

Whereas, S.183, introduced by State Senator Brad Hoylman and pending in the New York State Senate, and its companion bill A.2418, introduced by Assembly Member Harry Bronson and pending in the New York State Assembly, would provide all low-income New Yorkers with HIV equal access to the housing assistance currently available only to residents of New York City and require each local department of social services assist individuals with HIV to apply for publicly subsidized benefits and services; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, S.183/A.2418, which would amend the Social Services Law to Social Services Law to mandate each local department of social service link persons living with HIV with publicly funded benefits and services and provide that persons living with HIV who are receiving housing assistance shall not be required to pay more than 30% of household income towards shelter costs.

Referred to the Committee on General Welfare.

Int. No. 949

By Council Members Powers, Brewer, Gutiérrez, Feliz, Velázquez, Cabán, Louis, Abreu, Hanif, De La Rosa, Restler, Hudson, Brannan, Menin, Brooks-Powers, Narcisse, Gennaro, Williams, Salamanca, Krishnan, Hanks, Holden, Ayala, Ung, Riley, Avilés, Nurse, Paladino, Vernikov and the Public Advocate (Mr. Williams) (in conjunction with the Brooklyn Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to the establishment of a program to provide reduced cost or no cost lithium-ion batteries used in powered mobility devices

Be it enacted by the Council as follows:

Section 1. Title 20 of the administrative code of the city of New York is amended by adding a new chapter 16 to read as follows:

*CHAPTER 16
LITHIUM-ION BATTERY SAFETY PROGRAM*

§ 20-1601 Definitions. For purposes of this subchapter, the following terms have the following meanings:
Lithium-ion battery. The term “lithium-ion battery” means a storage battery in which an electrical current is generated by lithium ions embedded in a carbon graphite or nickel metal-oxide substrate placed in a high-viscosity carbonate mixture or gelled polymer electrolyte.

Powered mobility device. The term “powered mobility device” means a light electric-powered vehicle or personal electric mobility device such as an electric bicycle or scooter.

§ 20-1602 Lithium-ion battery safety program. a. The department, in collaboration with the department of sanitation, the fire department and any other appropriate agency, shall establish a program to provide new lithium-ion batteries at reduced cost or no cost to eligible individuals, which may include provision of new lithium-ion batteries in exchange for used lithium-ion batteries. The department shall determine which individuals are eligible to participate in such program, the criteria for provision and exchange of lithium-ion batteries, and the amount of cost reduction for the lithium-ion batteries provided. All new batteries provided pursuant to such program shall be listed and labeled by a nationally recognized testing laboratory.

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

Referred to the Committee on Fire and Emergency Management.

Int. No. 950

By Council Members Powers, Gutiérrez, Brewer, Feliz, Velázquez, Cabán, Louis, Abreu, Hanif, De La Rosa, Restler, Hudson, Brannan, Menin, Brooks-Powers, Narcisse, Williams, Salamanca, Krishnan, Hanks, Holden, Ayala, Ung, Riley, Avilés, Nurse, Paladino, Vernikov and the Public Advocate (Mr. Williams).

A Local Law to amend the administrative code of the city of New York, in relation to requiring businesses using bicycles for commercial purposes to provide bicycle operators with fireproof or fire-resistant containers for removable storage batteries used to power motor-assisted bicycles

Be it enacted by the Council as follows:

Section 1. Section 10-157 of the administrative code of the city of New York is amended by adding a new subdivision l. to read as follows:

l. A business using a bicycle for commercial purposes, notwithstanding that such bicycle may be provided by any of its bicycle operators, shall provide at its own expense to each bicycle operator operating such bicycle,

a fireproof or fire-resistant container suitable for use during the charging of the removable storage battery used to power such motor-assisted bicycle. The requirement contained in this subdivision shall apply only to bicycles that are motor-assisted, which utilize a removable battery, and which are not charged entirely on the premises of such business. The fire department shall promulgate rules for determining whether a container is fireproof or fire resistant pursuant to this subdivision. Such businesses may not require any of its bicycle operators to provide such containers at such operator's expense.

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

Referred to the Committee on Fire and Emergency Management.

Int. No. 951

By Council Members Restler, Gennaro, Feliz, Avilés, Cabán, Yeger, Louis, Abreu, De La Rosa, Brewer, Ung and Holden.

A Local Law to amend the New York city fire code, in relation to rooftop access requirements for buildings with solar panel installations.

Be it enacted by the Council as follows:

Section 1. Section FC504.4.4 of the New York city fire code, as amended by local law 47 of 2022, is amended to read as follows:

504.4.4 Rooftop clear path. A clear path of not less than [6] 4 feet ([1829] 1219 mm) horizontal width and 9 feet (2743 mm) in height shall be provided from the front of the building to the rear of the building and from one side of the building to the other for each 100 linear feet (30 480 mm) of rooftop width and depth such that the maximum distance between clear paths is 100 feet (30 480) mm. Such path shall comply with the following requirements:

1. Such clear path shall be accessible from each rooftop perimeter access landing required pursuant to FC504.4.3.
2. Such clear path shall afford reasonable access to bulkhead doors, fire escapes, access ladders, cockloft vents, skylights, scuttles, shafts and rooftop stationary energy storage systems. Such access shall include, to the maximum extent practicable, 3-feet (914 mm) clearance on three sides of the skylight or scuttle. On buildings constructed after the effective date of this section, the clear path shall afford reasonable access, to the maximum extent practicable, to windowed areas on any side of the building that is not fire apparatus accessible.
3. A conduit or pipe may cross such clear path in accordance with FC504.4.7.
4. Any lawful fence obstructing such clear path shall be provided with a standard 3-foot-wide (914 mm) gate, which may be secured by padlock or chain capable of being cut by standard bolt cutters, or secured by other approved device.
5. When the main building rooftop has more than one level, a fixed ladder or other approved means shall be provided to afford access along the clear path from one roof level to the next, excluding any height differential between levels exceeding one story or 16 feet (4077 mm), and any level with a rooftop area that is less than 6 feet (1829 mm) in any dimension.
6. On an "H"-shaped building or other building whose irregular configuration renders a single clear path inadequate to provide access to each wing of the building or other rooftop area, the

commissioner may require one or more additional clear paths to provide adequate access to such rooftop areas.

7. The rooftop surface serving as the clear path shall not be constructed of glass or other transparent or translucent material, nor shall it require a firefighter to walk upon any flush-mounted solar panels or other energized equipment.
8. Rooftop stationary energy storage systems shall be designed and installed in accordance with FC608 and the rules, including ensuring that the deflagration zone is not in the clear path and the exhaust system does not vent into the clear path.
9. The requirements for wind turbines and other equipment with moving components set forth in FC504.4.1(8) shall be applicable to the rooftop clear path.

§2. Section FC512.2 of the New York city fire code, as amended by local law 47 of 2022, is amended to read as follows:

512.2 Flat-roofed buildings and structures 100 feet or less in height. Solar panel installations shall not obstruct any rooftop area access to which is required pursuant to FC504.4, except that solar panel installations may obstruct the clear path required by FC504.4.4 as follows:

1. if the installation is provided with a hinged mechanism or other device for which a certificate of approval has been issued that enables the installation to be safely swung, slid, lifted, collapsed or otherwise moved out of the clear path, and that is designed to allow for operation by one person, without the use of a tool; or
2. on any building with a rooftop width or depth of 25 feet (7620 mm) or less, where the design of a solar panel installation necessitates coverage of all or substantially all of the rooftop across the full width or length thereof, [the commissioner may authorize] permanent obstructions [that] may encroach upon and thereby reduce the clear path width within such area when necessary to accommodate the presence of building features and building service equipment that constitute permanent obstructions, including attic ventilators, bulkheads, chimneys, hatches, plumbing ventilations pipes, scuttles, skylights, and roof-mounted heating, ventilation and air conditioning equipment. Such permanent obstructions may encroach upon and, for the distance of the obstruction, reduce the clear path width up to [2] 3 feet (914 [610] mm). Such permanent obstructions shall not reduce the width of clear path at any point to less than [4] 3 feet ([1219] 914 mm) and shall not encroach upon the rooftop landing areas required by FC504.4.3.

§3. The New York city fire code is amended by adding a new section FC504.6 to read as follows:

504.6 Rooftop access on adjoining rooftops. Two or more adjoining rooftops meeting the requirements of FC504.6.1 may be consolidated for purposes of complying with the rooftop access requirements of FC504.4.1(1) and rooftop obstruction requirements of FC504.4.2(1). Where adjoining rooftops are consolidated for these purposes, they may comply with the alternative access and obstruction requirements of FC504.6.2.

504.6.1 Eligible rooftops. Rooftops may be consolidated for rooftop access purposes only in connection with the installation of solar panels and only where the rooftops:

1. are on buildings classified as Occupancy Group R-2 or R-3;
2. are at the same height and are physically adjoining, without any gap;

3. have no bulkheads; and
4. individually are not more than 25 feet in width.

504.6.2 Alternative rooftop access and obstruction requirements. All rooftops consolidated for purposes of this section must be provided with rooftop access in compliance with the following requirements:

1. The front portion of each adjoining roof shall be unobstructed for the full width of the adjoining roofs to a depth of 6 feet (1829 mm) and height of 9 feet (2743 mm), providing an unobstructed path along the front portion of the adjoining buildings. A similar unobstructed path shall be provided along the front portion of any other building exposure that is fire apparatus accessible, (such as on a corner building fronting on two streets).
2. The rear portion of each adjoining roof shall be unobstructed for the full width of all of the adjoining roofs to a depth of 4 feet (1219 mm) and a height of 9 feet (2743 mm), providing an unobstructed path along the rear portion of the adjoining buildings.
3. Access to the rear of the adjoining buildings shall be provided by a clear path 6 feet (1829 mm) in width and 9 feet (2743 mm) in height, complying with the requirements of FC504.4.1, on not less than every other building.
4. Rooftop obstructions shall not obstruct fire escapes or other means of rooftop access or egress; cover skylights, hatches or scuttles; or otherwise obstruct any building feature required by the Building Code to be operable or accessible.

504.6.3 Application. The application for the rooftop solar panel installation submitted to the Department of Buildings shall include a plan identifying the rooftops consolidated for purposes of this section. The application shall be signed or otherwise authorized by the owners of the respective buildings.

504.6.4 Notification to department. Notification of a solar panel installation on rooftops consolidated pursuant to this section shall be made to the department in an approved manner.

504.6.5 Signage. A durable sign shall be conspicuously posted on each rooftop upon which there is a solar panel installation indicating the location of the inverter shut off switch for the installation by reference to the building address and floor of the building.

504.6.6 Discontinuance and restoration of adjoining rooftop access. If, for any reason, the rooftop access required pursuant to FC504.6.2 is no longer available on one or more adjoining rooftops consolidated for purposes of this section, any adjoining rooftop or rooftops lacking the required access from an adjoining building shall be restored or altered to comply with the rooftop access provisions of FC504.4.1 and the rooftop obstruction provisions of FC504.4.2

§4. This local law takes effect immediately.

Referred to the Committee on Fire and Emergency Management.

Preconsidered Res. No. 515

Resolution recognizing the month of Ramadan annually in the City of New York and celebrating the significant role of Muslims in the multicultural fabric of New York City communities.

By Council Members Williams, Farías, Krishnan, Hanif, Dinowitz, Cabán, Louis, Richardson Jordan, Abreu, De La Rosa, Narcisse, Hudson, Marte, Restler, Won, Ung, Riley, Ossé, Avilés, Velázquez, Gennaro, Rivera, Carr, Vernikov, Kagan and the Public Advocate (Mr. Williams).

Whereas, Islam is one of the world’s major religions and an important part of faith traditions in the United States (U.S.); and

Whereas, Ramadan is the ninth month in the Islamic lunar calendar, as determined by physical sightings of the new moon and astronomical calculations, and varies in its exact dates from year to year; and

Whereas, Ramadan is observed by over 1.8 billion Muslims worldwide as a time for spiritual renewal, reflection, worship, devotion to God, self-control, charity, and doing good deeds; and

Whereas, Fasting is one of the pillars, or religious obligations, of Islam and is central to the observance of Ramadan as a way of developing sympathy for the less fortunate and of learning thankfulness and appreciation for what God has given; and

Whereas, Fasting is observed during daylight hours during Ramadan, with Muslims usually having a pre-fast meal (“suhoor”) before dawn and a post-fast meal (“iftar”) after sunset; and

Whereas, Typically the 27th night of Ramadan, known as the Night of Power (“Lailat ul-Qadr”), commemorates the night on which the first verses of the Qur’an were revealed to the Prophet Muhammad; and

Whereas, Muslims spend time during Ramadan reading the Qur’an and listening to its recitation at mosques around the world and throughout all five boroughs of New York City (NYC); and

Whereas, The month of Ramadan ends with the celebration of Eid al-Fitr, a festival at which Muslims say to each other, “Eid Mubarak” (“a blessed Eid”); and

Whereas, U.S. President Joseph R. Biden, Jr., issued a statement marking the observation of Ramadan on April 12, 2021, saying that “Muslim Americans have enriched our country since our founding” and that they “are as diverse and vibrant as the America they have helped build”; and

Whereas, President Biden subsequently issued a statement marking the observation of Ramadan on April 1, 2022, saying, “During this holy month, as Muslims everywhere honor God’s great mercy, let us also renew our shared commitment to show kindness, mercy, and understanding to one another”; and

Whereas, Muslims have been part of the multicultural fabric in the U.S. since first arriving 400 years ago as slaves; and

Whereas, According to World Population Review in 2023, Islam is the third-largest religion in the U.S., after Christianity and Judaism; and

Whereas, According to World Population Review in 2023, American Muslims are one of the most racially and ethnically diverse U.S. religious groups—about 25 percent Black, 24 percent white, 18 percent Asian, 18 percent Arab, 7 percent mixed race, and 5 percent Hispanic; and

Whereas, According to 2016 data from Muslims for American Progress, a project of the Institute for Social Policy and Understanding, more than 765,000 Muslims make up about 9 percent of NYC residents and own more than 95,000 businesses in NYC; and

Whereas, The NYC Department of Education has recognized both Eid al-Fitr (Festival of the Breaking of the Fast) and Eid al-Adha (Festival of the Sacrifice), two major Muslim holidays celebrated for the past 1,400 years, as official school holidays since 2015; and

Whereas, American Muslims and Muslim immigrants have enriched the multiethnic, multiracial, and multilingual landscape of NYC; now, therefore, be it

Resolved, That the Council of the City of New York recognizes the month of Ramadan annually in the City of New York and celebrates the significant role of Muslims in the multicultural fabric of New York City communities.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations (preconsidered but laid over by the Committee on Cultural Affairs, Libraries and International Intergroup Relations).

Int. No. 952

By Council Members Yeger, Brannan, Holden, Louis, Ayala and Vernikov (by request of the Brooklyn Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting late fees for self-storage units

Be it enacted by the Council as follows:

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

**SUBCHAPTER 26
SELF-STORAGE FACILITIES**

§ 20-880 Definitions. For purposes of this subchapter, the following terms have the following meanings:

Late fee. The term “late fee” means any fee that an occupant is required to pay to the owner of a self-storage facility for failure to pay an occupancy fee by a specified date.

Occupancy agreement. The term “occupancy agreement” means any written agreement, electronic or printed, that establishes or modifies the terms, conditions, rules or any other provisions concerning the use and occupancy of a self-storage facility and any one or more individual storage spaces therein.

Occupancy fee. The term “occupancy fee” means any unconditional fee that an occupant is required to pay to the owner of a self-storage facility for occupancy of and access to a storage space at such self-storage facility.

Occupant. The term “occupant” means a person entitled to the use of the storage space at a self-storage facility under a written occupancy agreement or such person’s successor or assignee.

Self-storage facility. The term “self-storage facility” means any real property or a portion thereof that is designed and used for the purpose of occupying storage space by occupants who are to have access thereto for the purpose of storing and removing personal property.

§ 20-881 Late fees prohibited. a. It shall be unlawful for any self-storage facility to charge a late fee.

b. This subchapter does not apply to any occupancy agreement executed prior to the effective date of the local law that added this subchapter, except that any extension, renewal, amendment or modification of such occupancy agreement occurring on or after the effective date of such local law shall make such occupancy agreement subject to this subchapter.

§ 20-882 Penalties and enforcement. a. Any person that violates any provision of this subchapter or any rule promulgated pursuant to this subchapter shall be subject to a civil penalty that shall not exceed \$1,000 per violation. Violations under this subchapter shall accrue for each instance that an occupant is charged a late fee in violation of this subchapter or any rule promulgated pursuant to this subchapter. A proceeding to recover any civil penalty authorized pursuant to this subchapter may be brought in any tribunal established within the office of administrative trials and hearings or within any agency of the city designated to conduct such proceedings.

b. A civil action may be brought by the corporation counsel on behalf of the city in any court of competent jurisdiction to recover any or all of the following:

- 1. Any civil penalty authorized pursuant to this section;*
- 2. Injunctive relief to restrain or enjoin any activity in violation of this subchapter;*
- 3. Restitution of an amount not to exceed the amount of late fees collected by a self-storage facility that exceeded the maximum amounts permitted pursuant to this subchapter; and*
- 4. Attorneys’ fees and costs, and such other remedies as a court may deem appropriate.*

c. The corporation counsel may initiate any investigation to ascertain such facts as may be necessary for the commencement of a civil action pursuant to this section, and in connection therewith shall have the power to issue subpoenas to compel the attendance of witnesses and the production of documents, to administer oaths and to examine such persons as are deemed necessary.

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

Referred to the Committee on Consumer and Worker Protection.

Int. No. 953

By Council Members Yeger, Brannan, Holden, Feliz, Ayala and Vernikov (by request of the Brooklyn Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to limiting increases of occupancy fees for self-storage units and restricting the reasons for termination of an occupancy agreement

Be it enacted by the Council as follows:

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

*SUBCHAPTER 26
SELF-STORAGE FACILITIES*

§ 20-880 Definitions. For purposes of this subchapter, the following terms have the following meanings:

Occupancy agreement. The term “occupancy agreement” means any written agreement, electronic or printed, that establishes or modifies the terms, conditions, rules or any other provisions concerning the use and occupancy of a self-storage facility and any one or more individual storage spaces therein.

Occupancy fee. The term “occupancy fee” means the total of all upfront and recurring fees that an occupant is required to pay to the owner of a self-storage facility for occupancy of and access to a storage space at such self-storage facility, excluding any penalty fees, calculated on an annual basis.

Occupant. The term “occupant” means a person entitled to the use of the storage space at a self-storage facility under a written occupancy agreement or such person’s successor or assignee.

Self-storage facility. The term “self-storage facility” means any real property or a portion thereof that is designed and used for the purpose of occupying storage space by occupants who are to have access thereto for the purpose of storing and removing personal property.

§ 20-881 Occupancy fee increases. a. It shall be unlawful for any self-storage facility to increase the occupancy fee for any individual storage space at a rate greater than 2 percent per year so long as such storage space is occupied continuously by the same occupant.

b. This subchapter shall apply to all occupancy agreements in effect on or after the effective date of the local law that added this subchapter.

§ 20-882 Occupancy termination. It shall be unlawful for any self-storage facility to terminate any occupancy for any reason other than failure of the occupant to pay any fees required pursuant to the occupant’s occupancy agreement.

§ 20-883 Penalties and enforcement. a. Any person that violates any provision of this subchapter or any rule promulgated pursuant to this subchapter shall be subject to a civil penalty that shall not exceed \$2,500 per violation. Violations under this subchapter shall accrue on an annual basis for each storage space for which an occupant is charged an occupancy fee in violation of this subchapter or any rule promulgated pursuant to this subchapter. A proceeding to recover any civil penalty authorized pursuant to this subchapter may be brought in any tribunal established within the office of administrative trials and hearings or within any agency of the city designated to conduct such proceedings.

b. A civil action may be brought by the corporation counsel on behalf of the city in any court of competent jurisdiction to recover any or all of the following:

- 1. Any civil penalty authorized pursuant to this section;*
- 2. Injunctive relief to restrain or enjoin any activity in violation of this subchapter;*
- 3. Restitution of an amount not to exceed the amount of occupancy fees collected by a self-storage facility that exceeded the maximum amounts permitted pursuant to this subchapter; and*
- 4. Attorneys' fees and costs, and such other remedies as a court may deem appropriate.*

c. The corporation counsel may initiate any investigation to ascertain such facts as may be necessary for the commencement of a civil action pursuant to this section, and in connection therewith shall have the power to issue subpoenas to compel the attendance of witnesses and the production of documents, to administer oaths and to examine such persons as are deemed necessary.

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

Referred to the Committee on Consumer and Worker Protection.

Preconsidered L.U. No. 174

By Council Member Brannan:

The Renaissance, Block 1600, Lot 1002, Manhattan, Community District No. 10, Council District No. 9.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered L.U. No. 175

By Council Member Salamanca:

Application number N 230177 HKK submitted by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter and Section 25-303 of the Administrative Code of the City of New York, for the designation of the Melrose Parkside Historic District (DL-530, LP-2664), consisting of 38 buildings located on Parkside Avenue between Flatbush and Bedford Avenues in the Flatbush neighborhood, Borough of Brooklyn, Community District 9, Council District 40.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions).

Preconsidered L.U. No. 176

By Council Member Salamanca:

Application number G 220027 SCQ (Approximately 547-Seat Primary School) pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new approximately 547-Seat Primary School, located at 23-10 43rd Avenue (Block 436, Lot 21), Borough of Queens, Community District 2, Council District 26, Community School District 30.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions).

Preconsidered L.U. No. 177

By Council Member Salamanca:

Application number G 220028 SCQ (Approximately 659-Seat High School) pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new approximately 659-Seat High School, located at 13-20 124th Street (Block 3998, Lot 1), Borough of Queens, Community District 7, Council District 19, Community School District 25.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions).

Preconsidered L.U. No. 178

By Council Member Salamanca:

Application number N 230045 ZRM (Otis Elevator Building – 260 Eleventh Avenue) submitted by the Circle 1 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 the Special West Chelsea District, Borough of Manhattan, Community District 4, Council District 3.

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).

NEW YORK CITY COUNCIL

A N N O U N C E M E N T S

Friday, March 3, 2023

Committee on Contracts

Julie Won, Chairperson

Oversight - Contracting for the Migrant Crisis: Asylum seekers in New York City.

Council Chambers – City Hall.....10:00 a.m.

**New York City Council Budget and Oversight Hearings on
The Preliminary Budget for Fiscal Year 2024
The Preliminary Capital Plan for Fiscal Years 2024-2027, Fiscal 2024-2033
Preliminary Ten-Year Capital Strategy, and
The Fiscal 2023 Preliminary Mayor’s Management Report**

Monday, March 6, 2023

Council Chambers, City Hall

10:00 a.m. Finance Committee
10:00 a.m. Office of Management and Budget
1:00 p.m. Comptroller
2:00 p.m. Independent Budget
3:00 p.m. Department of Finance
4:00 p.m. Department of Design and Construction
5:00 p.m. Public

Tuesday, March 7, 2023

Council Chambers, City Hall

10:00 a.m. Immigration Committee
10:00 a.m. Office of Immigrant Affairs
1:00 p.m. Public

Committee Room, City Hall

10:30 a.m. Environmental Protection Committee
10:30 a.m. Department of Environmental Protection
12:00 p.m. Public

1:00 p.m. Small Business Committee
1:00 p.m. Department of Small Business Services
2:00 p.m. Public

Council Chambers, City Hall

3:30 p.m. Oversight and Investigations Committee
 3:30 p.m. Department of Investigation
 4:30 p.m. Public

Thursday March 9, 2023

Council Chambers, City Hall

10:00 a.m. Transportation and Infrastructure Committee
 10:00 a.m. MTA/NYC Transit
 11:30 a.m. Department of Transportation
 1:30 p.m. Taxi and Limousine Commission
 2:30 p.m. Public

Committee Room, City Hall

10:30 a.m. Land Use Committee
 10:30 a.m. Landmarks Preservation Commission
 11:30 a.m. Department of City Planning

12:30 p.m. Land Use Committee jointly with the Committee on Technology
 12:30 p.m. Department of Information, Technology & Telecommunications
 1:30 p.m. Public

Monday March 13, 2023

Council Chambers, City Hall

10:00 a.m. General Welfare Committee
 10:00 a.m. Administration for Children's Services
 11:30 a.m. Human Resources Administration / Department of Social Services
 Department of Homeless Service
 2:30 p.m. Public

Committee Room, City Hall

10:30 a.m. Fire and Emergency Management Committee
 10:30 a.m. Fire/Emergency Medical Service
 12:30 p.m. Office of Emergency Management
 1:30 p.m. Public

2:30 p.m. Public Housing Committee
 2:30 p.m. New York City Housing Authority
 4:00 p.m. Public

Tuesday March 14, 2023

Council Chambers, City Hall

10:00 a.m. Aging Committee
10:00 a.m. Department for the Aging
12:00 p.m. Public

Committee Room, City Hall

10:30 a.m. Higher Education Committee
10:30 a.m. City University of New York
12:00 p.m. Public

[Subcommittee on Zoning & Franchises](#)

Kevin C. Riley, Chairperson

See Land Use Calendar

Committee Room – 250 Broadway, 14th Floor1:00 p.m.

[Committee on Land Use](#)

Rafael Salamanca, Jr., Chairperson

All items reported out of the Subcommittees

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – 250 Broadway, 14th Floor1:30 p.m.

Wednesday March 15, 2023

Council Chambers, City Hall

9:00 a.m. Education Committee
9:00 a.m. Department of Education (Expense)
1:00 p.m. School Construction Authority (Capital)
2:00 p.m. Public

[Committee on Rules, Privileges & Elections](#)

Keith Powers, Chairperson

Agenda to be announced

Committee Room – 250 Broadway, 14th Floor10:00 a.m.

Committee Room, City Hall

10:30 a.m. Consumer Affairs and Worker Protection Committee
10:30 a.m. Department of Consumer and Worker Protection
12:00 p.m. Public

1:30 p.m. Housing and Buildings Committee
1:30 p.m. Department of Buildings
3:00 p.m. Department of Housing Preservation and Development
5:00 p.m. Public

Thursday, March 16, 2023

Stated Council Meeting

Council Chambers – City Hall.....Agenda – 1:30 p.m.



NEW YORK CITY COUNCIL

**New York City Council Budget and Oversight Hearings on
The Preliminary Budget for Fiscal Year 2024
The Preliminary Capital Plan for Fiscal Years 2024-2027, Fiscal 2024-2033
Preliminary Ten-Year Capital Strategy, and
The Fiscal 2023 Preliminary Mayor's Management Report**

Monday, March 6, 2023

Council Chambers, City Hall

10:00 a.m.	Finance Committee
10:00 a.m.	Office of Management and Budget
1:00 p.m.	Comptroller
2:00 p.m.	Independent Budget
3:00 p.m.	Department of Finance
4:00 p.m.	Department of Design and Construction
5:00 p.m.	Public

Tuesday, March 7, 2023

Council Chambers, City Hall

10:00 a.m. Immigration Committee
 10:00 a.m. Office of Immigrant Affairs
 1:00 p.m. Public

Committee Room, City Hall

10:30 a.m. Environmental Protection Committee
 10:30 a.m. Department of Environmental Protection
 12:00 p.m. Public

1:00 p.m. Small Business Committee
 1:00 p.m. Department of Small Business Services
 2:00 p.m. Public

Council Chambers, City Hall

3:30 p.m. Oversight and Investigations Committee
 3:30 p.m. Department of Investigation
 4:30 p.m. Public

Thursday March 9, 2023

Council Chambers, City Hall

10:00 a.m. Transportation and Infrastructure Committee
 10:00 a.m. MTA/NYC Transit
 11:30 a.m. Department of Transportation
 1:30 p.m. Taxi and Limousine Commission
 2:30 p.m. Public

Committee Room, City Hall

10:30 a.m. Land Use Committee
 10:30 a.m. Landmarks Preservation Commission
 11:30 a.m. Department of City Planning

12:30 p.m. Land Use Committee jointly with the Committee on Technology
 12:30 p.m. Department of Information, Technology & Telecommunications
 1:30 p.m. Public

Monday March 13, 2023**Council Chambers, City Hall**

10:00 a.m. General Welfare Committee
 10:00 a.m. Administration for Children's Services
 11:30 a.m. Human Resources Administration / Department of Social Services
 Department of Homeless Service
 2:30 p.m. Public

Committee Room, City Hall

10:30 a.m. Fire and Emergency Management Committee
 10:30 a.m. Fire/Emergency Medical Service
 12:30 p.m. Office of Emergency Management
 1:30 p.m. Public

2:30 p.m. Public Housing Committee
 2:30 p.m. New York City Housing Authority
 4:00 p.m. Public

Tuesday March 14, 2023**Council Chambers, City Hall**

10:00 a.m. Aging Committee
 10:00 a.m. Department for the Aging
 12:00 p.m. Public

Committee Room, City Hall

10:30 a.m. Higher Education Committee
 10:30 a.m. City University of New York
 12:00 p.m. Public

Wednesday March 15, 2023**Council Chambers, City Hall**

9:00 a.m. Education Committee
 9:00 a.m. Department of Education (Expense)
 1:00 p.m. School Construction Authority (Capital)
 2:00 p.m. Public

Committee Room, City Hall

10:30 a.m. Consumer Affairs and Worker Protection Committee
 10:30 a.m. Department of Consumer and Worker Protection
 12:00 p.m. Public

1:30 p.m. Housing and Buildings Committee
 1:30 p.m. Department of Buildings
 3:00 p.m. Department of Housing Preservation and Development
 5:00 p.m. Public

Monday March 20, 2023

Council Chambers, City Hall

10:00 am Public Safety
 10:00 a.m. Police Department
 1:00 p.m. Civilian Complaint Review Board
 2:00 p.m. District Attorneys/Special Narcotics Prosecutor
 4:00 p.m. Public

Committee Room, City Hall

10:30 a.m. Cultural Affairs, Libraries & International Intergroup Relations Committee
 10:30 a.m. Libraries
 12:30 p.m. Department of Cultural Affairs
 2:00 p.m. Public

Tuesday March 21, 2023

Council Chambers, City Hall

10:00 a.m. Health Committee
 10:00 a.m. Department of Health and Mental Hygiene jointly with the Committee on Mental Health, Disabilities, & Addiction
 12:00 p.m. Medical Examiner
 1:30 p.m. Public

Committee Room, City Hall

10:30 a.m. Contracts Committee
 10:30 a.m. Mayor's Office of Contracts
 11:30 a.m. Public

Council Chambers, City Hall

2:30 p.m. Hospitals Committee
 2:30 p.m. Health + Hospitals
 4:30 p.m. Public

Wednesday March 22, 2023

Council Chambers, City Hall

10:00 a.m. Parks & Recreation Committee
 10:00 a.m. Department of Parks & Recreation
 12:00 p.m. Public

Committee Room, City Hall

10:00 a.m. Youth Services Committee
 10:00 a.m. Department of Youth and Community Development
 11:30 p.m. Public

12:30 p.m. Governmental Operations Committee
 12:30 p.m. Department of Citywide Administrative Services
 1:30 p.m. Law Department
 2:30 p.m. Board of Elections
 3:30 p.m. Office of Administrative Trials and Hearings
 4:30 p.m. Public

Council Chambers, City Hall

2:00 p.m. Sanitation and Solid Waste Management Committee
 2:00 p.m. Department of Sanitation
 4:00 p.m. Public

Thursday March 23, 2023

Council Chambers, City Hall

10:00 a.m. Criminal Justice Committee
 10:00 a.m. Department of Probation
 10:30 a.m. Department of Correction
 1:00 p.m. Board of Correction
 2:00 p.m. Public

Committee Room, City Hall

10:30 a.m. Economic Development Committee
 10:30 a.m. Economic Development Corporation
 12:30 p.m. Public

Friday March 24, 2023

Council Chambers, City Hall

10:00 a.m. Finance Committee
 10:00 a.m. Agenda to be announced

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 that one year had passed since Russia's invasion of Ukraine. She noted that the city remained united in supporting the 150,000 Ukrainian New Yorkers living here and would continue to stand in solidarity with Ukraine's right to peace and security.

The Speaker (Council Member Adams) acknowledged that the month of March marks Women's History Month. She noted that she was honored to lead and be part of the city's first women-majority Council. She highlighted the various accomplishments for women achieved during this Council's first year such as the addressing of disparities in maternal health, safe guarding access to abortion care, and expanding services for survivors of crime and domestic violence. She wished everyone a Happy Women's History Month, and in addition, acknowledged the approaching International Women's Day as well.

The Speaker (Council Member Adams) acknowledged that the Council recently celebrated Dominican Independence Day when the culture and contributions of the city's Dominican communities are highlighted and appreciated. The event was held in the Council Chambers on the evening of February 27, 2023. She thanked Council Members De La Rosa, Abreu, Farías, Feliz, Marte, Sanchez as well as the Black and Latino Caucus for hosting the celebration.

The Speaker (Council Member Adams) acknowledged these following celebrations taking place during the month of March: Greek-American Heritage Month, Irish-American Heritage Month, Bangladesh Independence Day, and *Holi* which is the Hindu Festival of Colors that welcomes the spring season. She noted that the Council would be welcoming community members to the people's house of City Hall throughout the month for these cultural celebrations.

The Speaker (Council Member Adams) acknowledged that March 1, 2023 marked Independence Movement Day which is an important time for the city's Korean-American communities. She explained that the day honors the March 1st Movement for liberation and independence. She added that she joins our Korean-American neighbors in celebrating this day of commemoration.

The Speaker (Council Member Adams) acknowledged that March 6, 2023 marks Ghana Independence Day which celebrates the country's 1957 independence from the United Kingdom. She wished Ghanaian New Yorkers a Happy Ghana Independence Day.

The Speaker (Council Member Adams) wished a *chag Purim sameach*, a happy and joyous *Purim*, to our Jewish friends and neighbors. She noted that the holiday would be observed on March 6th this year.

The Speaker (Council Member Adams) announced that she would be holding her 2023 State of the City Address at the Justice Sonia Sotomayor Community Center in The Bronx on Wednesday, March 8, 2023 at 11 a.m. Those assembled in the Chambers responded with applause in appreciation.

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 Thursday, March 16, 2023.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor's Local Law Note: Int. Nos. 672-A, 673-A, 674-A, and 855-A, all adopted at the January 19, 2023 Stated Meeting, were **returned unsigned** by the Mayor on February 21, 2023. These items had become law on February 19, 2023 due to the lack of Mayoral action within the Charter-prescribed thirty day time period. These bills were assigned subsequently as Local Laws Nos. 19 to 22 of 2023, respectively.

Editor's Local Law Note: Int. Nos. 92-A, 141-A, 375-A, 421-A, 515-A, 527-A, 541-A, and 676-A, all adopted by the Council at the February 2, 2023 Stated Meeting, were **signed into law by the Mayor** on February 21, 2023 as, respectively, Local Law Nos. 23 to 30 of 2023.