

THE COUNCIL

Minutes of the Proceedings for the

STATED MEETING

of

Thursday, September 14, 2023, 2:05 p.m.

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

Council Members

Adrienne E. Adams, *The Speaker*

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

Absent: Council Member Hanks and Rivera;

Parental Leave: Council Member Hudson.

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 Cabán, Moya, and Velásquez; Council Member Cabán was in-person for the Roll Call for Attendance but participated remotely at later points during the meeting).

INVOCATION

The Invocation was delivered by Father Jean Delva, Our Lady of Miracles RC Church located at 757 East 86th Street, in Canarsie Brooklyn 11236.

We stand before you Holy Spirit, conscious of our sinfulness,
but aware that we gathered and your name.
Come to us. Remain with us. Enlighten our hearts.
Give us light and strength to know your will,
and to make it our own, and to live
it in our lives.
Guide us by your wisdom, support us by your power for your God,
sharing the glory of the Father and the Son.
We desire justice for all.
Enable us to hold the rights of others
and do not allow us to be misled by our ignorance
or become corrupted by fear or favor.
Let us our hearts always be with you
in a bond of love and to keep us faithful
to all that is true.
As our guide today, in your name,
may we temper justice with love
so that all our decisions may be pleasing to you,
and yearn to be reward.
We promise to be good and faithful servants,
for your God forever and ever.
Amen.

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

ADOPTION OF MINUTES

Council Member Nurse moved that the Minutes of the Stated Meetings of July 13, 2023 and August 3, 2023 be adopted as printed.

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

M-173

Communication from the Richmond County Democratic Committee - Submitting a Certificate of Recommendation for Michele Sileo to fill the vacancy as Richmond County Democratic Commissioner of Elections, pursuant to Section 3-204 of the New York State Election Law.

August 11, 2023

City Clerk and Clerk of the City Council of New York City
141 Worth Street
Municipal Building
New York, New York 10013

To Whom it May Concern:

Enclosed please find a Certificate of Recommendation for the appointment of Michele Sileo, to fill the vacancy as Richmond County Democratic Commissioner of Elections.

Ms. Sileo was recommended to the County Committee as a qualified candidate for the position of Commissioner of Elections by State Senator Jessica Scarcella-Spanton, State Assemblyman Charles D. Fall, and Council Member Kamillah M. Hanks.

As you are aware, Commissioner Patricia Anne Taylor Carsel recently resigned after years of service, which prompted this recommendation to fill the vacancy.

I want to thank you in advance for your time and consideration in this regard.

Sincerely Yours,

Laura Sword
County Chairwoman

Referred to the Committee on Rules, Privileges and Elections.

REPORTS OF THE STANDING COMMITTEES**Report of the Committee on Civil Service and Labor**

Report for Int. No. 877-B

Report of the Committee on Civil Service and Labor 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 exit surveys and interviews for resigning and retiring employees of city agencies.

The Committee on Civil Service and Labor, to which the annexed proposed amended local law was referred on January 19, 2023 (Minutes, page 261), respectfully

REPORTS:**I. INTRODUCTION**

On September 14, 2023, the Committee on Civil Service and Labor, chaired by Council Member Carmen De La Rosa, voted on Introduction Number 877-B (Int. 877-B), in relation to administering exit surveys and exit interviews to resigning and retiring employees of New York City (City) agencies. On May 31, 2023, the Committee held a hearing on this legislation and received testimony from the Department of Citywide Administrative Services (DCAS), municipal labor unions, and other members of the public. The Committee on Civil Service and Labor passed Int. 877-B with 8 votes in the affirmative, 0 votes in the negative, and 0 abstentions.

II. LEGISLATIVE ANALYSIS**Int. 877-B**

Int. 877-B would require the Commissioner of the Department of Citywide Administrative Services (DCAS) to create a comprehensive exit survey and interview protocol for resigning and retiring City employees designed to gather feedback from such employees on the quality of their work experience in the City's civil service. Int. 877-B would require all City agencies to submit their current exit surveys or policies to DCAS by January 1, 2024, for the Commissioner's consideration when creating a comprehensive exit survey and interview protocol.

Int. 877-B would require City agencies to administer exit surveys and interviews to resigning or retiring employees pursuant to the protocol created by the Commissioner. The bill would require City agencies to offer an exit survey to every resigning or retiring employee. Additionally, the bill would require agencies with 100,000 employees or more to offer exit interviews to no fewer than 20% of resigning or retiring employees; agencies with 50,000 to 99,999 employees to offer exit interviews to no fewer than 40% of resigning or retiring employees; and all other agencies to offer an exit interview to all resigning or retiring employees. The bill would require that all exit surveys and interviews be administered on or before the employee's last day of employment.

Int. 877-B would require all City agencies to provide DCAS with data from administered exit surveys and interviews by September 15, 2024, and annually on or before September 15 every following year.

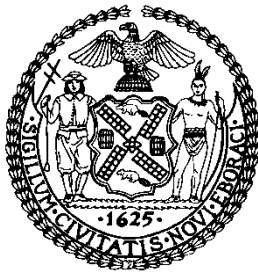
Int. 877-B would require DCAS to submit a report on exit surveys and interviews completed by resigning and retiring employees to the Equal Employment Practices Commission and to the Speaker by March 30, 2025, and annually on or before March 30 every following year. Such report would include, but not be limited to, the following information: the number of resigning and retiring employees; the number of exit surveys and interviews offered and completed; and a summary and analysis of information obtained from exit surveys and

interviews that makes best efforts to address the reasons for resignation or retirement given by surveyed and interviewed employees.

Int. 877-B would take effect immediately.

Since being heard, Int. 877-B received technical edits and was amended to require City agencies to offer exit interviews in addition to exit surveys.

(The following is the text of the Fiscal Impact Statement for Int. No. 877-B:)



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

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 877-B

COMMITTEE: Civil Service and Labor

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to exit surveys for resigning and retiring employees of city agencies.

SPONSOR(S): By Council Members Abreu, De La Rosa, Menin, Louis, Stevens, Hanif, Ung, Richardson Jordan, Farías, Nurse, Brewer, Cabán, Williams, Sanchez, Schulman, Brooks-Powers, Hudson, Riley, Marte, Gutiérrez, Velázquez and Rivera.

SUMMARY OF LEGISLATION: This bill would require the Department of Citywide Administrative Services (DCAS) to create an exit survey designed to gather feedback from resigning and retiring municipal employees in regard to their experience in the civil service. Agencies would be required to administer voluntary electronic exit surveys to all employees and exit interviews to a set percentage of employees at an agency, based on the agency's size. The surveys and exit interviews would be administered on or before the last day of employment of the resigning or retiring employee. No later than March 30, 2025, and annually thereafter, DCAS would be required to submit a report to the Equal Employment Practices Commission (EEPC) and the Speaker summarizing the responses received from resigning and retiring employees in exit surveys and interviews.

EFFECTIVE DATE: This local law would take effect immediately

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2025

FISCAL IMPACT STATEMENT:

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

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

IMPACT ON EXPENDITURES: It is estimated that there would be no impact on expenditures resulting from the enactment of this legislation, as DCAS would use existing resources to fulfill its requirement.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division
New York City Mayor's Office of Management and Budget

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

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

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on January 19, 2023, as Intro. 877 and referred to the Committee on Civil Service and Labor (Committee). The Committee heard the legislation on May 31, 2023, and the legislation was laid over. The legislation was subsequently amended twice, and the final amended legislation Proposed Intro. 877-B, will be considered by the Committee on September 14, 2023. Upon successful vote by the Committee, Proposed Intro. No. 877-B will be submitted to the full Council for a vote on September 14, 2023.

DATE PREPARED: September 11, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 877-B:)

Int. No. 877-B

By Council Members Abreu, De La Rosa, Menin, Louis, Stevens, Hanif, Ung, Richardson Jordan, Farías, Nurse, Brewer, Cabán, Williams, Sanchez, Schulman, Brooks-Powers, Hudson, Riley, Marte, Gutiérrez, Velázquez, Rivera, Narcisse, Won, Lee, Dinowitz and Mealy.

A Local Law to amend the administrative code of the city of New York, in relation to exit surveys and interviews for resigning and retiring employees of city agencies

Be it enacted by the Council as follows:

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

§ 12-216 Exit surveys and interviews. a. Definitions. For purposes of this section, the following terms have the following meanings:

Commissioner. The term “commissioner” means the commissioner of citywide administrative services.

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

Resigning employee. The term “resigning employee” means an employee who has provided notice of resignation from city civil service, but does not include a retiring employee.

Retiring employee. The term “retiring employee” means an employee who has provided notice of retirement from city civil service.

b. No later than January 1, 2024, each agency shall provide to the department copies of any exit surveys or policies that such agency administers in relation to resigning or retiring employees.

c. Upon consideration of any exit surveys or policies received from agencies pursuant to subdivision b of this section, the commissioner shall create a comprehensive exit survey and interview protocol for resigning employees and retiring employees. Such survey and interview protocol shall include, but not be limited to, questions designed to elicit the information required pursuant to subdivision f of this section, including details regarding the quality of the employee’s experience during their employment in city civil service and the employee’s reasons for resigning or retiring from city civil service.

d. 1. Agencies shall offer electronic exit surveys created pursuant to subdivision c of this section to all resigning employees and retiring employees, to be completed on a voluntary basis.

2. Agencies shall make best efforts to offer to conduct exit interviews pursuant to the protocol required by subdivision c to as many resigning employees and retiring employees as practicable throughout the reporting period, and in accordance with the following:

(a) Each agency with 100,000 employees or more shall offer an exit interview to no fewer than 20 percent of such employees;

(b) Each agency with no fewer than 50,000 employees and no more than 99,999 employees shall offer an exit interview to no fewer than 40 percent of such employees; and

(c) Each agency with fewer than 50,000 employees shall offer an exit interview to all such employees.

3. Exit surveys and interviews shall be offered to resigning employees or retiring employees no later than 1 week before the last day of employment of such resigning employee or retiring employee and, if such employee elects to participate in such survey or interview, shall be conducted on or before such employee’s last day of employment.

e. No later than September 15, 2024, and on or before September 15 annually thereafter, each agency shall provide to the department and the equal employment practices commission data from the exit surveys and interviews administered pursuant to subdivision d of this section in a form and manner to be determined by the commissioner.

f. No later than March 30, 2025, and by March 30 annually thereafter, the department shall submit to the equal employment practices commission and to the speaker of the council: (i) a copy of the comprehensive exit survey and interview protocol required by subdivision c of this section and (ii) a report regarding responses from exit surveys and interviews administered during the reporting period pursuant to this section. Such report shall include, but need not be limited to:

1. The following information on resigning employees and retiring employees for the prior calendar year, disaggregated by agency, civil service title, business title, title classification, managerial status, as applicable, and status as resigning employee or retiring employee:

(a) The number of such employees;

(b) The number of such employees who were offered to complete an exit survey;

(c) The number of such employees who were offered an exit interview;

(d) The number of such employees who completed an exit survey; and

(e) The number of such employees who completed an exit interview.

2. A summary and analysis of information obtained from exit surveys and interviews administered to resigning employees and retiring employees in the prior calendar year. Such summary and analysis shall make best efforts to address the reasons for resignation or retirement given by surveyed and interviewed employees, which may include, but are not limited to: career change; decision to pursue further education; remote work

policies; leave policies; caregiving responsibilities; wages and other compensation; conflict with colleagues; conflict with management; perceived unsafe working conditions; concerns about possible harassment or discrimination; workload; loss of city residency; and commute time.

§ 2. This local law takes effect immediately.

CARMEN N. De La ROSA, *Chairperson*; TIFFANY CABÁN, ERIC DINOWITZ, OSWALD FELIZ, RITA C. JOSEPH, JULIE MENIN, FRANCISCO P. MOYA, SANDY NURSE; 8-0-0; *Absent*: Erik D. Bottcher and Kamillah Hanks; Committee on Civil Service and Labor, September 14, 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 Finance

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

Report for Res. No. 744

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 September 14, 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, 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”). On June 30, 2023, the Council adopted the expense budget for fiscal year 2024 with various programs and initiatives (the “Fiscal 2024 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 2024, Fiscal 2023, and Fiscal 2022 Expense Budgets (“Charts”).

This Resolution, dated September 14, 2023, approves the new designations and the changes in the designation of certain organizations receiving local, aging, youth, anti-poverty, boroughwide, and Speaker’s initiative to address citywide needs and community safety and victims’ services discretionary funding and funding for certain initiatives in accordance with the Fiscal 2024 Expense Budget; approves the changes in designation of certain organizations receiving local, aging, youth, anti-poverty, and community safety and victims’ services discretionary funding and funding for certain initiatives in accordance with the Fiscal 2023 Expense Budget; approves the new designations and the changes in the designation of certain organizations receiving local and Speaker’s initiative to address citywide needs discretionary funding and funding for certain initiatives in accordance with the Fiscal 2022 Expense Budget; and amends the description for the Description/Scope of Services of certain organizations receiving local and Speaker’s initiative discretionary funding and certain

initiatives in accordance with the Fiscal 2024 and Fiscal 2023 Expense Budgets. 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 2024, Fiscal 2023, and Fiscal 2022 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. 744:)

Preconsidered Res. No. 744

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

By Council Members Brannan and Mealy.

Whereas, On June 30, 2023, the Council of the City of New York (the “City Council”) adopted the expense budget for Fiscal Year 2024 with various programs and initiatives (the “Fiscal 2024 Expense Budget”); and

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, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2024 and Fiscal 2023 and Fiscal 2022 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local, aging, youth, anti-poverty, boroughwide, and Speaker’s initiative 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 2024 and Fiscal 2023 Expense Budgets by approving new Description/Scope of Services for certain organizations receiving local discretionary funding and certain organization receiving funding pursuant to certain initiatives; now, therefore, be it

Resolved, That the City Council approves the new designations and changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2024 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the new designations and changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2024 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 2024 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 2024 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 2024 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2024 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 A Greener NYC Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 8; 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 After-School Adventure (CASA) Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 9; and be it further

Resolved, That the City Council approves the new designations and the changes in the designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the new designations and change in the designation of certain organizations receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the new designations and change in the designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 12; 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 NYC Cleanup Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 13; 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 Parks Equity Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 14; 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 Support Our Older Adults Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 15; 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 Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the new designations of certain organizations receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Educational Programs for Students Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Afterschool Enrichment Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 19; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Community Land Trust Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 20; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the HIV/AIDS Faith Based Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 21; and be it further

Resolved, That the City Council approves the new designations of certain organizations receiving funding pursuant to the Ending the Epidemic Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 22; and be it further

Resolved, That the City Council approves the new designations of certain organizations receiving funding pursuant to the Viral Hepatitis Prevention Initiative in accordance with the Fiscal 2024 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 Worker Cooperative Business Development Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 24; and be it further

Resolved, That the City Council approves the new designations and change in the designation of certain organizations receiving funding pursuant to the Crisis Management System Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 25; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Hate Crime Prevention Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 26; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the CUNY Diversity Incubator Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 27; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Confronting Religious and Ethnic Discrimination at CUNY Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 28; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Autism Awareness Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 29; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Mental Health Services for Vulnerable Populations Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 30; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Young Women's Leadership Development Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 31; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Elie Wiesel Holocaust Survivors Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 32; and be it further

Resolved, That the City Council approves the new designations of certain organizations receiving funding pursuant to the Naturally Occurring Retirement Communities (NORCs) Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 33; and be it further

Resolved, That the City Council approves the new designations of certain organizations receiving funding pursuant to the Older Adult Clubs for Immigrant Populations Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 34; 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 2023 Expense Budget, as set forth in Chart 35; 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 36; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 37; and be it further

Resolved, That the City Council approves the change 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 38; and be it further

Resolved, That the City Council approves the 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 39; and be it further

Resolved, That the City Council approves the change 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 40; and be it further

Resolved, That the City Council approves the change 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 41; and be it further

Resolved, That the City Council approves the change 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 42; 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 2023 Expense Budget, as set forth in Chart 43; 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 44; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Support Our Seniors Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 45; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Art a Catalyst for Change Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 46; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Physical Fitness and Education Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 47; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Older Adult Clubs, Programs, and Enhancements Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 48; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Naturally Occurring Retirement Communities (NORCs) Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 49; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the AAPI Community Support Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 50; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 51; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the LGBT Community Services Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 52; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Speaker's Initiative to Address Citywide Needs in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 53; and be it further

Resolved, That the City Council amends the Purpose of Funds for certain organizations receiving funding in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 54; 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 55.

(For text of the Exhibit Charts, please refer to the attachments section of [the Res. No. 744 of 2023 file](https://council.nyc.gov) in the legislation section of the New York City Council website at <https://council.nyc.gov>)

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, CHI. A. OSSÉ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 14-0-0; *Absent*: Kamillah Hanks, Pierina Ana Sanchez, and Julie Won; *Parental Leave*: Crystal Hudson; Committee on Finance, September 14, 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. 255

Report of the Committee on Finance in favor of a Resolution approving Paradise Management Cluster 4.HPO.FY23, Block 2822, Lot 19; Block 3253, Lots 51 & 54, Bronx, Community Districts No. 5 and 8, Council District No. 14.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on September 14, 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:)

THE COUNCIL OF THE CITY OF NEW YORK

September 14, 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 September 14, 2023 – Resolution approving a tax exemption for one Land Use item (Council Districts 14, 15)

Item #1: Paradise Management

This application is for 4 clusters in the Paradise portfolio, covering 618 units across 8 buildings in the Bronx in CM Sanchez' and Feliz' districts. Units are predominantly 1- and 2-bedrooms, with some 3- and 4-bedrooms and one 5-bedroom. Paradise Management is seeking partial 40-year Article XI exemptions which would impose new HPD regulatory agreements in each cluster. Stabilized rents would range from 45% to 90% AMI, depending on the cluster. Under the terms of the Article XI, all subject clusters would have to set aside 10% of units for homeless individuals, enroll in HPD's Aging-in-Place initiative, and start working on identified critical and short-term needs with the buildings.

Summary:**Cluster 4**

- Borough – Bronx
- Block 2822, Lot 19; Block 3253, Lots 51 and 54
- Council District – 14
- Council Member – Sanchez
- Council Member approval –Yes
- Number of buildings – 3
- Number of units – 397 residential
- Type of exemption – Article XI, partial, 40 year
- Population – rental
- Sponsors – Paradise Management
- Purpose – preservation
- Cost to the city – \$32.9 million (net present value)
- Housing Code Violations
 - Class A – 21
 - Class B – 56
 - Class C – 63
- Anticipated AMI Targets: 35 units at 45%, 80 units at 60%, 140 units at 70%, 140 units at 90%

Cluster 6

- Borough – Bronx
- Block 3171, Lot 1; Block 3134, Lots 7 and 9
- Council District – 14 and 15
- Council Member – Sanchez and Feliz
- Council Member approval –Yes
- Number of buildings – 3
- Number of units – 86 residential
- Type of exemption – Article XI, partial, 40 year
- Population – rental
- Sponsors – Paradise Management
- Purpose – preservation
- Cost to the city – \$6.4 million (net present value)
- Housing Code Violations
 - Class A – 24
 - Class B – 50

- Class C – 45
- Anticipated AMI Targets: 12 units at 50%, 36 units at 70%, 37 units at 85%

Cluster 14

- Borough – Bronx
- Block 2879, Lot 192
- Council District – 14
- Council Member – Sanchez
- Council Member approval –Yes
- Number of buildings – 1
- Number of units – 64 residential
- Type of exemption – Article XI, partial, 40 year
- Population – rental
- Sponsors – Paradise Management
- Purpose – preservation
- Cost to the city – \$4.8 million (net present value)
- Housing Code Violations
 - Class A – 5
 - Class B – 36
 - Class C – 16
- Anticipated AMI Targets: 9 units at 50%, 15 units at 60%, 27 units at 70%, 12 units at 80%

Cluster 15

- Borough – Bronx
 - Block 2879, Lot 170
 - Council District – 14
 - Council Member – Sanchez
 - Council Member approval –Yes
 - Number of buildings – 1
 - Number of units – 71 residential
 - Type of exemption – Article XI, partial, 40 year
 - Population – rental
 - Sponsors – Paradise Management
 - Purpose – preservation
 - Cost to the city – \$5.3 million (net present value)
 - Housing Code Violations
 - Class A – 2
 - Class B – 26
 - Class C – 5
- Anticipated AMI Targets: 6 units at 50%, 10 units at 60%, 36 units at 70%, 18 units at 80%

(For text of the coupled resolutions for L.U. Nos. 256, 257, and 258, please see the Report of the Committee on Finance for L.U. Nos. 256, 257, and 258, respectively, printed in these Minutes; for the coupled resolution for L.U. No. 255, please see below:)

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

Preconsidered Res. No. 778

Resolution approving an exemption from real property taxes for property located at (Block 2822, Lot 19; Block 3252, Lots 51 and 54), Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 255).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated June 13, 2023 that the Council take the following action regarding a housing project located at (Block 2822, Lot 19; Block 3252, Lots 51 and 54), Bronx (“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. “Company” shall mean 2755-69 Sedgwick LLC and Concourse Estate LLC or any other entities that acquire all or a portion of the beneficial interests in the Exemption Area with the prior written consent of HPD.
 - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - d. “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 2822, Lot 19 and Block 3253, Lots 51 and 54 on the Tax Map of the City of New York.
 - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. “Gross Rent” shall mean the gross potential rents from all residential, commercial, and community facility units on the Exemption Area without regard to whether such units

are occupied or vacant, including, but not limited to, Section 8, rent supplements, rental assistance, or any other subsidy.

- g. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
 - h. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to four-tenths of one percent (0.40%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
 - i. “HDFC” shall mean HP 1749 Grand Concourse & 2755-69 Sedgwick Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - j. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - k. “Owner” shall mean, collectively, the HDFC and the Company.
 - l. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use) shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross Rent Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation.
 4. Notwithstanding any provision hereof to the contrary:
 - a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which

notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.

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

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARIÁS, CHI. A. OSSÉ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 14-0-0; *Absent*: Kamillah Hanks, Pierina Ana Sanchez, and Julie Won; *Parental Leave*: Crystal Hudson; Committee on Finance, September 14, 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. 256

Report of the Committee on Finance in favor of a Resolution approving Paradise Management Cluster 6.HPO.FY23, Block 3134, Lots 7 and 9; Block 3171, Lot 1, Bronx, Community Districts No. 5 and 6, Council Districts No. 14 and 15.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on September 14, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Memo, please see the Report of the Committee on Finance for L.U. No. 255 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 779

Resolution approving an exemption from real property taxes for property located at (Block 3134, Lots 7 and 9; Block 3171, Lot 1), Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 256).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated June 13, 2023 that the Council take the following action regarding a housing project located at (Block 3134, Lots 7 and 9; Block 3171, Lot 1), Bronx (“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. “Company” shall mean 2238 Morris LLC, 968 Bronx Park South LLC and 2146 Vyse LLC or any other entities that acquire all or a portion of the beneficial interests in the Exemption Area with the prior written consent of HPD.
 - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - d. “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 3134, Lots 7 and 9 and Block 3171, Lot 1 on the Tax Map of the City of New York.
 - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. “Gross Rent” shall mean the gross potential rents from all residential, commercial, and community facility units on the Exemption Area without regard to whether such units are occupied or vacant, including, but not limited to, Section 8, rent supplements, rental assistance, or any other subsidy.

- g. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
 - h. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to twenty-one hundredths of one percent (0.21%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
 - i. “HDFC” shall mean HP 960-968 BPS & 2238 Morris Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - j. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - k. “Owner” shall mean, collectively, the HDFC and the Company.
 - l. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use) shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross Rent Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation.
 4. Notwithstanding any provision hereof to the contrary:
 - a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.

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

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARIÁS, CHI. A. OSSÉ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 14-0-0; Committee on Finance, September 14, 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. 257

Report of the Committee on Finance in favor of a Resolution approving Paradise Management Cluster 14.HPO.FY23, Block 2879, Lot 192, Bronx, Community District No. 5, Council District No. 14.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on September 14, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Memo, please see the Report of the Committee on Finance for L.U. No. 255 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 780

Resolution approving an exemption from real property taxes for property located at (Block 2879, Lot 192), Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 257).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated June 13, 2023 that the Council take the following action regarding a housing project located at (Block 2879, Lot 192), Bronx (“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. “Company” shall mean 150 West Burnside LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
 - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - d. “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 2879, Lot 192 on the Tax Map of the City of New York.
 - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. “Gross Rent” shall mean the gross potential rents from all residential, commercial, and community facility units on the Exemption Area without regard to whether such units are occupied or vacant, including, but not limited to, Section 8, rent supplements, rental assistance, or any other subsidy.
 - g. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
 - h. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to nine-hundredths of one percent (0.09%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline,

Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.

- i. “HDFC” shall mean HP 150 West Burnside Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - j. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - k. “J-51 Benefits” shall mean any tax benefits pursuant to Section 489 of the Real Property Tax Law which are in effect on the Effective Date.
 - l. “Owner” shall mean, collectively, the HDFC and the Company.
 - m. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use) shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross Rent Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation.
 4. Notwithstanding any provision hereof to the contrary:
 - d. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
 - e. The Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that exists on the Effective Date.

- f. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
5. In consideration of the Exemption, the owner of the Exemption Area shall, for so long as the Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, (a) nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities, and (b) the J-51 Benefits shall remain in effect, but the Exemption shall be reduced by the amount of such J-51 Benefits.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARIÁS, CHI. A. OSSÉ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 14-0-0; *Absent*: Kamillah Hanks, Pierina Ana Sanchez, and Julie Won; *Parental Leave*: Crystal Hudson; Committee on Finance, September 14, 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. 258

Report of the Committee on Finance in favor of a Resolution approving Paradise Management Cluster 15.HPO.FY23, Block 2879, Lot 170, Bronx, Community District No. 5, Council District No. 14.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on September 14, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Memo, please see the Report of the Committee on Finance for L.U. No. 255 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 781

Resolution approving an exemption from real property taxes for property located at (Block 2879, Lot 170), Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 258).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated June 13, 2023 that the Council take the following action regarding a housing project located at (Block 2879, Lot 170), Bronx (“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. “Company” shall mean 190 West Burnside LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
 - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - d. “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 2879, Lot 170 on the Tax Map of the City of New York.
 - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. “Gross Rent” shall mean the gross potential rents from all residential, commercial, and community facility units on the Exemption Area without regard to whether such units are occupied or vacant, including, but not limited to, Section 8, rent supplements, rental assistance, or any other subsidy.
 - g. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
 - h. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to twenty-four hundredths of one percent (0.24%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.

- i. “HDFC” shall mean HP 190 West Burnside Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - j. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - k. “J-51 Benefits” shall mean any tax benefits pursuant to Section 489 of the Real Property Tax Law which are in effect on the Effective Date.
 - l. “Owner” shall mean, collectively, the HDFC and the Company.
 - m. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use) shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross Rent Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation.
 4. Notwithstanding any provision hereof to the contrary:
 - a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
 - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that exists on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.

5. In consideration of the Exemption, the owner of the Exemption Area shall, for so long as the Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, (a) nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities, and (b) the J-51 Benefits shall remain in effect, but the Exemption shall be reduced by the amount of such J-51 Benefits.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARIÁS, CHI. A. OSSÉ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 14-0-0; *Absent*: Kamillah Hanks, Pierina Ana Sanchez, and Julie Won; *Parental Leave*: Crystal Hudson; Committee on Finance, September 14, 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. 949-A

Report of the Committee on Fire and Emergency Management in favor of approving and adopting, as amended, a Local Law in relation to the establishment of a trade-in program for powered mobility devices and lithium-ion batteries used in powered mobility devices, and to provide for the repeal of such local law upon the expiration thereof.

The Committee on Fire and Emergency Management, to which the annexed proposed amended local law was referred on March 2, 2023 (Minutes, page 745), respectfully

REPORTS:

I. INTRODUCTION

On September 14, 2023, the Committee on Fire and Emergency Management, Chaired by Council Member Joann Ariola, voted on Introduction Number 949-A (“Int. No. 949-A”), in relation to the establishment of a trade-in program for powered mobility devices and lithium-ion batteries used in powered mobility devices, and to provide for the repeal of such local law upon the expiration thereof. The Committee voted in favor of the bill by a vote of nine affirmatives, none opposed, and no abstentions. The Committee previously heard the legislation on March 17, 2023, and received testimony from representatives of the New York City Fire Department (“FDNY”), the Department of Consumer and Worker Protection (“DCWP”), technical experts, advocates, and other interested parties.

II. BACKGROUND

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.¹ 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.²

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.³ The legislation removed restrictions on three classes of e-bikes with speeds under 25 miles per hour and e-scooters with speeds under 20 miles per hour.

Dangers of Lithium-Ion Battery Fires

Lithium-Ion battery fires can be extremely dangerous because they are self-sustaining and are difficult to contain and extinguish.⁴ 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.⁵ 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.⁶

III. 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 e-bikes and e-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.”⁷ 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.⁸ These provisions included: (i) adoption of Underwriters Laboratory (UL) standards for charging equipment;⁹ (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;¹⁰ and (iii) establishing requirements for battery charging¹¹, and storage areas for such powered devices.¹² 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

¹ 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>

² Id.

³ 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=5BEC4A3E-AF9D-4532-9E0E-2DE4333476F7&Options=ID|Text|&Search=1264>

⁴ <https://batteryuniversity.com/article/lithium-ion-safety-concerns>

⁵ <https://batteryuniversity.com/article/lithium-ion-safety-concerns>

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⁷ FC 202

⁸ FC 309.3

⁹ FC 309.3.1

¹⁰ FC 309.3.2

¹¹ FC 309.3.3

¹² FC 309.3.4

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.¹³ 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.¹⁴

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.¹⁵

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 representatives¹⁶ 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;¹⁷ UL 2272, the Standard for Electrical Systems for Personal E-Mobility Devices;¹⁸ and UL 2271, the Standard for Safety of Light Electric Vehicle Batteries.¹⁹

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.”²⁰ UL standard 2272 similarly evaluates the electrical systems of other electric powered mobility devices, such as e-scooters.²¹ 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 2849.²² 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.”²³ ²⁴ In February of 2023, FDNY Commissioner Kavanagh sent a letter to leadership of the CPSC highlighting additional safety measures that are needed to address lithium-ion battery related fires and asking for the CPSC to “be proactive in ... seizing imported devices

¹³ FC 309.3.3

¹⁴ FC 309.3.4

¹⁵ FC 309.3

¹⁶

¹⁷ 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.

¹⁸ Id.

¹⁹ See American National Standards Institute, UL 2271; available at: <https://webstore.ansi.org/standards/ul/ul2271ed2018>.

²⁰ 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.

²¹ Id.

²² 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>

²³ Id.

²⁴ 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/>.

at the ports that fail minimum industry standards, levying penalties against manufacturers who fail to inform [regulators] of hazards posed by their products, and seeking additional recalls of unsafe products.”²⁵

IV. E-BIKE LEGISLATION

In March of 2023, the Council passed a package of e-bike safety legislation: (i) Local Law 38 of 2023, which requires the FDNY to develop an informational campaign to educate the public on fire risks posed by powered mobility devices; (ii) Local Law 39 Of 2023, which prohibits the sale, lease, or rental of powered mobility devices, such as e-bikes and electric scooters, and storage batteries for these devices, that fail to meet recognized safety standards; (iii) Local Law 40 of 2023, which requires the FDNY to report on safety measures to mitigate fire risk associated with powered mobility devices; (iv) Local Law 41 of 2023, which requires that DWCP, in consultation with the FDNY, establish materials that provide guidance on safe use and storage of powered mobility devices; and (v) Local Law 42 of 2023, which prohibits the sale of lithium-ion batteries assembled or reconditioned using cells removed from used batteries.

Additionally, there is pending State legislation, S.314/A.275, which would direct the New York State Energy and Development Authority to establish a ride clean rebate program for e-bikes and e-scooters.²⁶ The law would make class one, class two and class three e-bikes, and e-scooters, that are compliant with all State regulations, eligible for a 50% rebate up to \$1,100.²⁷ The legislation has passed the New York State Senate and is pending approval of the New York State Assembly.

In March of 2023, Congressman Ritchie Torres introduced H.R. 1797, which is also known as the *Setting Consumer Standards for Lithium-Ion Batteries Act*.²⁸ This bill would require the CPSC to “establish a final consumer product safety standard for rechargeable lithium-ion batteries used in personal mobility devices, such as electric scooters and bikes, to protect against the risk of fires caused by such batteries.”²⁹

V. 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 difficult to contain and extinguish.³⁰ 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.³¹ 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.³²

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²⁶ NYS Ride Clean Rebate Program Legislation (S.314/A.257) <https://www.nysenate.gov/legislation/bills/2023/s314>

²⁷ NYS Ride Clean Rebate Program Legislation (S.314/A.257) <https://www.nysenate.gov/legislation/bills/2023/s314>

²⁸ H.R. 1797 at <https://www.congress.gov/bill/118th-congress/house-bill/1797/text?s=1&r=28>

²⁹ H.R. 1797 at <https://www.congress.gov/bill/118th-congress/house-bill/1797/text?s=1&r=28>

³⁰ <https://batteryuniversity.com/article/lithium-ion-safety-concerns>

³¹ Id.

³² Id.

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.³³

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

On March 13, 2023, at The Committee’s Preliminary Budget hearing, the FDNY testified that there were 38 fires Citywide that were caused by lithium-ion batteries during the current calendar year.

The City continues to experience a growing number of e-bike fires, both residential and commercial, that not only destroy property but result in fatalities. One such incident occurred on February 5, 2023, in which three children were seriously injured when an e-bike lithium-ion battery caught fire in their Manhattan apartment.³⁴ Another happened on March 18, 2023, in which a lithium-ion battery caused a residential fire in the Bronx that resulted in the death of one individual.³⁵ The most recent reported incident was on April 10, 2023, when two young people, a 7 year-old boy and his 19 year-old sister, were killed in a residential fire caused by an e-bike that was being charged near the front door of an apartment building in Astoria, Queens.³⁶ It was reported that the fire “started in the vestibule of the building and traveled swiftly up the stairway, engulfing an apartment on the second floor where a father and five young people, including children, were inside, according to fire officials. Four of the occupants were able to jump out the windows to safety.”³⁷

VI. LEGISLATIVE ANALYSIS

Prop. Int. No. 949-A

This legislation would require an office or agency designated by the Mayor, to establish a program whereby individuals can receive new powered mobility devices or lithium-ion batteries for use in such devices, that meet relevant fire safety standards. Such devices and batteries would be provided at reduced cost or no cost to an

³³ 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>

³⁴ E-bike battery fire in NYC leaves 3 kids injured, including 2 critically: FDNY. Moore, Tina, NY Post. February 5, 2023 at [E-bike battery fire in NYC leaves 3 kids injured, including 2 critically: FDNY \(nypost.com\)](#)

³⁵ 1 Person Killed in Bronx Apartment Fire Caused by Lithium Ion Battery. Hoogensen, Finn. WPIX

March 19, 2023 at [1 person killed in Bronx apartment fire caused by lithium-ion battery: FDNY | PIX11](#)

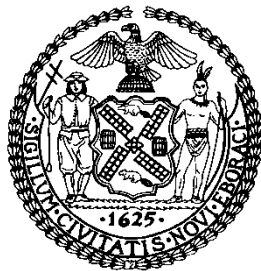
³⁶ Two Young People Killed in E-Bike Fire in Queens. Hu, Winnie and Needelman, Joshua. New York Times. April 10, 2023 at [Two Young People Killed in E-Bike Fire in Queens - The New York Times \(nytimes.com\)](#)

³⁷ Two Young People Killed in E-Bike Fire in Queens. Hu, Winnie and Needelman, Joshua. New York Times. April 10, 2023 at [Two Young People Killed in E-Bike Fire in Queens - The New York Times \(nytimes.com\)](#)

individual, and would be available in exchange for the surrender of devices that do not comply with relevant fire safety standards, or are otherwise illegal; or used lithium-ion batteries. Additionally, such office or agency would be required to conduct and engage in a multi-lingual outreach campaign regarding the trade-in program. Finally, the local law would take effect 90 days after it becomes law and would be deemed repealed on September 1, 2025.

Since introduction the legislation has been amended in several respects. The agency responsible for implementing the program was amended to provide the Administration increased flexibility in permitting multi-agency collaboration. In recognition of the importance of device and battery compatibility and an effort to remove unsafe devices from public use, the legislation was amended to include the provision of new powered mobility devices, in addition to lithium-ion batteries, in exchange for devices that do not meet criteria for sale or are otherwise illegal in New York City. Finally, language was added to require the Administration to conduct and engage in an outreach campaign regarding the trade-in program.

The following is the text of the Fiscal Impact Statement for Int. No. 949-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. 949-A

COMMITTEE: Fire and Emergency Management

TITLE: A Local Law in relation to the establishment of a trade-in program for powered mobility devices and lithium-ion batteries used in powered mobility devices, and to provide for the repeal of such local law upon the expiration thereof.

Sponsors: 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, Schulman, Marte, Fariás, Paladino, Vernikov, Kagan and the Public Advocate (Mr. Williams) (in conjunction with the Brooklyn Borough President).

SUMMARY OF LEGISLATION: This bill would require an office or agency designated by the Mayor to establish a program whereby individuals can receive new powered mobility devices or lithium-ion batteries for use in such devices that meet relevant fire safety standards. Such batteries would be provided at reduced cost or no cost and would be available in exchange for the surrender of devices that do not comply with relevant fire safety standards, or are otherwise illegal; or used lithium-ion batteries. Additionally, such office or agency would be required to conduct and engage in an outreach campaign regarding the trade-in program.

EFFECTIVE DATE: This law takes effect 90 days after becoming law.

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

FISCAL IMPACT STATEMENT:

	Effective FY24	Succeeding FY25	Full Fiscal Impact FY25
Revenues (+)	See below	See below	See below
Expenditures (-)	See below	See below	See below
Net	See below	See below	See below

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: This bill would likely result in additional expenditure as a result of the cost structure included in this legislation. However, the fiscal impact cannot be estimated at this time as it will be determined by participation in the program. The participation will be guided by the rules that will be promulgated prior to the effective date.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: City Tax-Levy

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 March 2, 2023, as Intro. No. 949 and referred to the Committee on Fire and Emergency Management (the Committee). The legislation was considered by the hearing held on April 17, 2023, and was subsequently amended. The amended version, Proposed Intro. No. 949-A will be considered by the Committee on September 14, 2023. Upon successful vote by the Committee, Proposed Intro. No. 949-A will be submitted to the full Council for a vote on September 14, 2023.

DATE PREPARED: 9/13/2023.

Accordingly, this Committee recommends its adoption.

(The following is the text of Int. No. 949-A:)

Int. No. 949-A

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, Schulman, Marte, Farías, Rivera, Bottcher, Won, Dinowitz, Mealy, Paladino, Vernikov, Kagan and the Public Advocate (Mr. Williams) (in conjunction with the Brooklyn Borough President).

A Local Law in relation to the establishment of a trade-in program for powered mobility devices and lithium-ion batteries used in powered mobility devices, and to provide for the repeal of such local law upon the expiration thereof

Be it enacted by the Council as follows:

Section 1. a. Definitions. For purposes of this section, the following terms have the following meanings:

Eligible device. The term “eligible device” means a powered mobility device or lithium-ion battery that does not meet the requirements for sale contained in section 20-610 of the administrative code of the city of New York, a motorized scooter as defined in subdivision a of section 19-176.2 of the administrative code of the city of New York, or a limited use motorcycle as defined in section 121-b of the vehicle and traffic law.

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 bicycle. The term “powered bicycle” means a class one bicycle with electric assist or a class two bicycle with electric assist, as such terms are defined in section 102-c of the vehicle and traffic law.

Powered mobility device. The term “powered mobility device” means a powered bicycle or an electric scooter as defined in section 114-e of the vehicle and traffic law.

b. An office or agency designated by the mayor shall establish a program to provide new powered mobility devices or lithium-ion batteries that meet the requirements for sale contained in section 20-610 of the administrative code of the city of New York, at reduced cost or no cost, to natural persons who trade in an eligible device and who satisfy the requirements for eligibility set forth in rules promulgated by such office or agency designated by the mayor. A natural person participating in such trade-in program shall be limited to receiving no more than 1 powered mobility device and no more than 2 lithium-ion batteries, and shall be prohibited from reselling such device or batteries for a period of 1 year after receipt of such device or batteries.

c. The office or agency designated by the mayor pursuant to subdivision b of this section shall promulgate rules establishing: (i) eligibility requirements to participate in the program established pursuant to subdivision b of this section, which may include, but need not be limited to, the income level or occupation of applicants; and (ii) the amount of cost reduction provided for the powered mobility devices and lithium-ion batteries.

d. The office or agency designated by the mayor pursuant to subdivision b of this section shall conduct and engage in an outreach campaign regarding the trade-in program, including but not limited to outreach targeting food delivery workers regarding such program. Such outreach shall be conducted in English, the designated citywide languages as defined in section 23-1101 of the administrative code of the city of New York, and any additional languages as determined by the head of the office or agency designated by the mayor pursuant to subdivision b of this section.

§ 2. This local law takes effect 90 days after it becomes law and expires and is deemed repealed on September 1, 2025.

JOANN ARIOLA, *Chairperson*;; ROBERT F. HOLDEN, KALMAN YEGER, KEVIN C. REILLY, OSWALD FELIZ, CARMEN N. De La ROSA, LYNN C. SCHULMAN, ARI KAGAN; DAVID M. CARR; 9-0-0; *Absent*: James F. Gennaro; Committee on Fire and Emergency, September 14, 2023. *Other Council Members attending*: *The Majority Leader (Council Member Powers)*.

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. 1080-A

Report of the Committee on General Welfare in favor of approving and adopting, a Local Law to amend the administrative code of the city of New York, in relation to the publication and dissemination of information on emergency feeding programs, food benefits programs, and senior centers.

The Committee on General Welfare, to which the annexed amended proposed local law was referred on June 8, 2023 (Minutes, page 1716), respectfully

REPORTS:

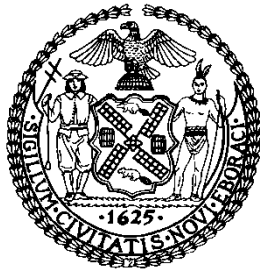
I. Introduction

On September 14, 2023, the Committee on General Welfare, chaired by Deputy Speaker Diana Ayala, will consider Proposed Introduction Number (Int. No.) 1080-A, sponsored by Council Member Linda Lee. The Committee previously held a hearing on this legislation on June 21, 2023.

II. Bill Analysis

Int. No. 1080-A would require the Department of Social Services (DSS) to make information on emergency feeding programs, food benefits programs, and senior centers available on the Department's website, through the Access HRA application, and through any online platform through which the City disseminates information on social services and benefits. The bill would require that such information be made available in a format that allows a user of the website to search for an emergency feeding program, food benefits program, or senior center by categories such as zip code, hours of operation, status as a senior citizen, and any other category deemed relevant by the Commissioner of Social Services (Commissioner). The bill would further require DSS, in coordination with the Department for the Aging, to make the same information available in writing at job centers, senior centers, Supplemental Nutrition Assistance Program (SNAP) centers, and any other locations deemed relevant by the Commissioner. The bill would require that such information be made available in English and the designated citywide languages.

(The following is the text of the Fiscal Impact Statement for Int. No. 1080-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: 1080-A

COMMITTEE: General Welfare

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the publication and dissemination of information on emergency feeding programs, food benefits programs, and senior centers.

SPONSOR(S): Council Members Lee, Cabán, Farías, Ung, Louis, Hanif, Restler, Gutiérrez, Riley, Marte, Brooks-Powers, Menin, Velázquez, Hanks, and Avilés (by request of the Bronx Borough President).

SUMMARY OF LEGISLATION: Proposed Int. No. 1080-A would require the Department of Social Services (DSS) to make information on emergency feeding programs, food benefits programs, and senior centers available on its website and through ACCESS HRA, in a format such that users can search for an emergency feeding program, a location for applying for a food benefits program, or a senior center by zip code, hours of operation, or status as a senior citizen. DSS shall include a link to this information on any online platform through which the City disseminates information on social services and benefits. DSS, in coordination with the Department for the Aging, shall make written information on emergency feeding programs, food benefits programs, and senior centers available at job centers, senior centers, and SNAP centers.

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

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal Year 2025

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY25
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

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

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

ESTIMATE REVIEWED BY: Chima Obichere, Deputy Director
Jonathan Rosenberg, Managing Deputy Director
Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council on June 8, 2023, as Proposed Int. No. 1080 and was referred to the Committee on General Welfare (the Committee). The legislation was considered by the Committee on General Welfare and the Committee on Immigration at a joint hearing held on June 21, 2023, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Int. No. 1080-A, will be voted on by the Committee at a hearing on September 14, 2023. Upon a

successful vote by the Committee, Proposed Intro. No. 1080-A will be submitted to the full Council for a vote on September 14, 2023.

DATE PREPARED: September 11, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1080-A:)

Int. No. 1080-A

By Council Members Lee, Cabán, Farías, Ung, Louis, Hanif, Restler, Gutiérrez, Riley, Marte, Brooks-Powers, Menin, Velázquez, Hanks, Avilés, Rivera, Narcisse, Won, Dinowitz, Mealy and the Public Advocate (Mr. Williams) (by request of the Bronx Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to the publication and dissemination of information on emergency feeding programs, food benefits programs, and senior centers

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-131.3 to read as follows:

§ 21-131.3 *Information on emergency feeding programs, food benefits programs, and senior centers. a. Definitions. As used in this section, the following terms have the following meanings:*

ACCESS HRA. The term "ACCESS HRA" means the website and mobile application in which individuals obtain information on and apply for some HRA benefits, and HRA clients obtain certain HRA benefits case information.

Emergency feeding program. The term "emergency feeding program" means a food pantry or soup kitchen.

Food benefits programs. The term "food benefits programs" means the supplemental nutrition assistance program, administered by the United States department of agriculture; the special supplemental nutrition program for women, infants, and children, administered by the United States department of agriculture; and any successor programs.

Job center. The term "job center" means any location designated by the department as a job center where individuals can complete an application for cash assistance in person.

Senior center. The term "senior center" has the same meaning as set forth in section 21-201.

SNAP center. The term "SNAP center" means any location designated by the department as a SNAP center where individuals can complete an application in person for the supplemental nutrition assistance program, administered by the United States department of agriculture.

b. The department shall make information on emergency feeding programs, food benefits programs, and senior centers available on the department's website and through ACCESS HRA, in a format such that users can search for an emergency feeding program, a location for applying for a food benefits program, or a senior center by zip code, hours of operation, status as a senior citizen, and any other relevant category as determined by the commissioner.

c. The department shall include a link to the information required by subdivision b of this section on any online platform through which the city disseminates information on social services and benefits.

d. The department shall, in coordination with the department for the aging, make written information on emergency feeding programs, food benefits programs, and senior centers available at job centers, senior centers, SNAP centers, and any other relevant locations as determined by the commissioner. Such information shall include but need not be limited to the locations of each emergency feeding program and senior center, the locations for applying for a food benefits program, and the hours of operation of such locations.

e. The information required by subdivisions b and d of this section shall be available be in English and in the designated citywide languages as defined in section 23-1101.

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

DIANA I. AYALA, *Chairperson*; TIFFANY CABÁN, LINDA LEE, CHI A. OSSÉ, LINCOLN RESTLER, SANDRA UNG, NANTASHA M. WILLIAMS; 7-0-0; *Absent*: Kevin C. Riley and Althea V. Stevens; *Parental*: Crystal Hudson; Committee on General Welfare, September 14, 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 Land Use

Report for L.U. No. 245

Report of the Committee on Land Use in favor of approving, as modified, Application number N 230240 ZRM (Arena Text Amendment) submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article VII, Chapter 4 (Special Permits by the City Planning Commission), Borough of Manhattan, Community District 5, Council District 3.

The Committee on Land Use, to which the annexed Land Use item was referred on July 13, 2023 (Minutes, page 2118), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 245 & Res. No. 785 printed in the General Orders Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, ERIK D. BOTTCHEER, KAMILLAH HANKS, SHEKAR KRISHNAN, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Absent*: Farah M. Louis, Darlene Mealy, and Francisco P. Moya; Committee on Land Use, August 28, 2023.

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

Report for L.U. No. 246

Report of the Committee on Land Use in favor of approving, as modified, Application number C 230238 ZSM (Madison Square Garden Special Permit) submitted by MSG Arena, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-41* of the Zoning Resolution to allow an arena with a maximum capacity of 22,000 seats within an existing 10-story building on property located at 4 Penn Plaza (Block 781, Lots 1, 2 and 10), in C6-4 and C6-6 Districts, partially within the Special Hudson Yards District (Pennsylvania Station Subarea B4) and partially within the Special Midtown 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 July 13, 2023 (Minutes, page 2118), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 246 & Res. No. 786 printed in the General Orders Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, ERIK D. BOTTCHEER, KAMILLAH HANKS, SHEKAR KRISHNAN, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Absent*: Farah M. Louis, Darlene Mealy, and Francisco P. Moya; Committee on Land Use, August 28, 2023.

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

Report for L.U. No. 250

Report of the Committee on Land Use in favor of approving Application number C 220334 ZMX (893 Eagle Avenue Rezoning) submitted by the Housing Options and Geriatric Association Resources, Inc., pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6c, changing from an R6 District to a R7-2 District, Borough of the Bronx, Community District 3, Council District 17.

The Committee on Land Use, to which the annexed Land Use item was referred on August 3, 2023 (Minutes, page 2260) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:**SUBJECT**

**BRONX CB-3 – THREE APPLICATIONS RELATED TO 893 EAGLE AVENUE
REZONING**

C 220334 ZMX (L.U. No. 250)

City Planning Commission decision approving an application submitted by Housing Options and Geriatric Association Resources, Inc., pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6c, changing from an R6 District to an R7-2 district property bounded by a line 100 feet northerly of East 161st Street, Eagle Avenue, East 161st Street and a line midway between Third Avenue and Eagle Avenue, Borough of the Bronx, Community District 3, as shown on a diagram (for illustrative purposes only) dated February 13, 2023, and subject to the conditions of CEQR Declaration E-667.

N 220335 ZRX (L.U. No. 251)

City Planning Commission decision approving an application submitted by Housing Options and Geriatric Association Resources, Inc., pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing Area.

C 220336 ZSX (L.U. No. 252)

City Planning Commission decision approving an application submitted by Housing Options and Geriatric Association Resources, Inc., pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-903 of the Zoning Resolution to modify the requirements of Section 24-111 (Maximum Floor Area Ratio for Certain Community Facility Uses) to permit the allowable community facility floor area ratio of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) to apply to a non-profit institution with sleeping accommodations, in connection with a proposed 11-story building on property located at 893 Eagle Avenue (Block 2620, Lots 49, 50, 52, and 56), in an R7-2 District.

INTENT

To approve the amendment to rezone the project area from an R6 zoning district to an R7-2 zoning district, amend the zoning text to designate the project area as a Mandatory Inclusionary Housing (MIH) area utilizing Options 1 and 2, and grant an approval of the special permit pursuant to ZR Section 74-903 to facilitate the development of a new community facility building containing approximately 83 affordable and supportive housing units and community facility space at 893 Eagle Avenue in the Morrisania section of the Bronx, Community District 3.

PUBLIC HEARING

DATE: August 10, 2023

Witnesses in Favor: Four

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION**DATE:** August 28, 2023

The Subcommittee recommends that the Land Use Committee approve the decisions of the City Planning Commission on L.U. Nos. 250 through 252.

In Favor:	Against:	Abstain:
Riley	None	None
Abreu		
Bottcher		
Hanks		
Schulman		
Carr		

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

The Committee recommends that the Council approve the attached resolutions.

In Favor:	Against:	Abstain:
Salamanca	None	None
Rivera		
Riley		
Abreu		
Brooks-Powers		
Bottcher		
Hanks		
Krishnan		
Sanchez		
Borelli		

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

Res. No. 782

Resolution approving the decision of the City Planning Commission on ULURP No. C 220334 ZMX, a Zoning Map amendment (L.U. No. 250).

By Council Members Salamanca and Riley.

WHEREAS, Housing Options and Geriatric Association Resources, Inc., filed an application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6c, by changing from an R6 District to an R7-2 district, which in conjunction with the related actions would facilitate the development of a new community facility building containing approximately 83 affordable and supportive

housing units and community facility space at 893 Eagle Avenue in the Morrisania section of the Bronx, Community District 3 (ULURP No. C 220334 ZMX) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on July 24, 2023 its decision dated July 24, 2023 (the "Decision") on the Application;

WHEREAS, the Application is related to applications N 220335 ZRX (L.U. No. 251), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area; and C 220336 ZSX (L.U. No. 252), a special permit pursuant to Zoning Resolution (ZR) Section 74-903;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on August 10, 2023;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued February 13th, 2023 (CEQR No. 20DCP076X), which includes an (E) designation for the development site to avoid the potential for significant adverse impacts related to hazardous materials and air quality (E-667) (the "Negative Declaration").

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designation (E-667) and Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 220334 ZMX, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 6c, changing from an R6 District to an R7-2 district property bounded by a line 100 feet northerly of East 161st Street, Eagle Avenue, East 161st Street and a line midway between Third Avenue and Eagle Avenue, Borough of the Bronx, Community District 3, as shown on a diagram (for illustrative purposes only) dated February 13, 2023, and subject to the conditions of CEQR Declaration E-667.

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, ERIK D. BOTTCHEER, KAMILLAH HANKS, SHEKAR KRISHNAN, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Absent*: Farah M. Louis, Darlene Mealy, and Francisco P. Moya; Committee on Land Use, August 28, 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 for L.U. No. 251

Report of the Committee on Land Use in favor of approving Application number N 220335 ZRX (893 Eagle Avenue Rezoning) submitted by Housing Options and Geriatric Association Resources, Inc. (H.O.G.A.R., Inc.), pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of the Bronx, Community District 3, Council District 17.

The Committee on Land Use, to which the annexed Land Use item was referred on August 3, 2023 (Minutes, page 2260) 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. 250 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. 783

Resolution approving the decision of the City Planning Commission on Application No. N 220335 ZRX, for an amendment of the text of the Zoning Resolution (L.U. No. 251).

By Council Members Salamanca and Riley.

WHEREAS, Housing Options and Geriatric Association Resources, Inc., filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing Area, which in conjunction with the related actions would facilitate the development of a new community facility building containing approximately 83 affordable and supportive housing units and community facility space at 893 Eagle Avenue in the Morrisania section of the Bronx, Community District 3 (ULURP No. N 220335 ZRX), (the "Application");

WHEREAS, the City Planning Commission filed with the Council on July 24, 2023, its decision dated July 24, 2023 (the "Decision") on the Application;

WHEREAS, the Application is related to applications C 220334 ZMX (L.U. No. 250), a zoning map amendment to change an R6 zoning district to an R7-2 zoning district; and C 220336 ZSX (L.U. No. 252), a special permit pursuant to Zoning Resolution (ZR) Section 74-903;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on August 10, 2023;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued February 13th, 2023 (CEQR No. 20DCP076X), which includes an (E) designation for the development site to avoid the potential for significant adverse impacts related to hazardous materials and air quality (E-667) (the “Negative Declaration”).

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designation (E-667) and Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 220335 ZRX, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

Matter underlined is new, to be added;

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

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

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

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

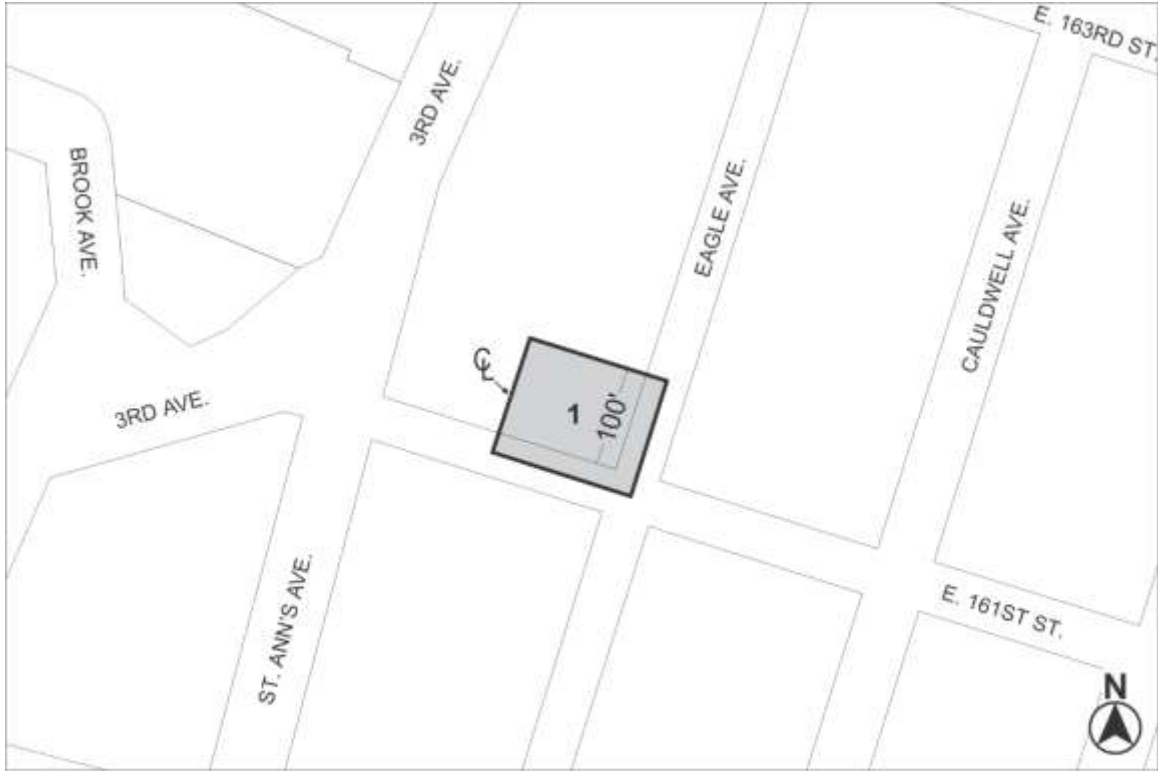
* * *

THE BRONX

* * *

The Bronx Community District 3

* * *



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

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

Portion of Community District 3, The Bronx

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, ERIK D. BOTTCHER, KAMILLAH HANKS, SHEKAR KRISHNAN, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Absent*: Farah M. Louis, Darlene Mealy, and Francisco P. Moya; Committee on Land Use, August 28, 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 for L.U. No. 252

Report of the Committee on Land Use in favor of approving Application number C 220336 ZSX (893 Eagle Avenue Rezoning) submitted by the Housing Options and Geriatric Association Resources, Inc., pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-903 of the Zoning Resolution to modify the requirements of 24-111 (Maximum Floor Area Ratio for Certain Community Facility Uses) to permit the allowable community facility floor area ratio of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) to apply to a non-profit institution with sleeping accommodations, in connection with a proposed 11-story building on property located at 893 Eagle Avenue (Block 2620, Lots 49, 50, 52 & 56), in an R7-2* District, Borough of the Bronx, Community District 3, Council District 17.

The Committee on Land Use, to which the annexed Land Use item was referred on August 3, 2023 (Minutes, page 2261) 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. 250 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 784

Resolution approving the decision of the City Planning Commission on ULURP No. C 220336 ZSX, for the grant of a special permit (L.U. No. 252).

By Council Members Salamanca and Riley.

WHEREAS, Housing Options and Geriatric Association Resources, Inc., filed an application pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-903 of the Zoning Resolution to modify the requirements of Section 24-111 (Maximum Floor Area Ratio for Certain Community Facility Uses) to permit the allowable community facility floor area ratio of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) to apply to a non-profit institution with sleeping accommodations, in connection with a proposed 11-story building on property located at 893 Eagle Avenue (Block 2620, Lots 49, 50, 52, and 56), in an R7-2 District, which in conjunction with the related actions would facilitate the development of a new community facility building containing approximately 83 affordable and supportive housing units and community facility space at 893 Eagle Avenue in the Morrisania section of the Bronx, Community District 3 (ULURP No. C 220336 ZSX) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on July 24, 2023, its decision dated July 24, 2023 (the “Decision”) on the Application;

WHEREAS, the Application is related to applications C 220334 ZMX (L.U. No. 250), a zoning map amendment to change an R6 zoning district to an R7-2 zoning district; and N 220335 ZRX (L.U. No. 251), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) Area;

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

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-903 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 August 10, 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 February 13th, 2023 (CEQR No. 20DCP076X), which includes an (E) designation for the development site to avoid the potential for significant adverse impacts related to hazardous materials and air quality (E-667) (the “Negative Declaration”).

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designation (E-667) and Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 20336 ZSX, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

1. The property that is the subject of this application (C 220336 ZSX) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following approved drawings, prepared by Urban Architectural Initiatives, RA, PC, filed with this application and incorporated in this resolution:

<u>Dwg. No.</u>	<u>Title</u>	<u>Last Date Revised</u>
Z-001.00	Zoning Analysis	03/10/2023
Z-002.00	Site Plan	03/10/2023
Z-003.00	Sections Longitudinal Height and Setback Diagram I	03/10/2023
Z-004.00	Sections Transverse Height and Setback Diagram II	03/10/2023
Z-005.00	Sections Transverse Height and Setback Diagram III	03/10/2023
Z-006.00	Sections Transverse Height and Setback Diagram IV	03/10/2023
Z-007.00	Sections Longitudinal Height and Setback V	03/10/2023

1. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
2. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
3. Development pursuant to this resolution shall be allowed only after the restrictive declaration attached hereto as Exhibit A, with such administrative changes as are acceptable to Counsel to the Department of City Planning, has been executed and recorded in the Office of the Register of the City of New York, County of

the Bronx. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.

4. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sub-lessee or occupant.
5. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is ground for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.
6. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, ERIK D. BOTTCHEER, KAMILLAH HANKS, SHEKAR KRISHNAN, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Absent*: Farah M. Louis, Darlene Mealy, and Francisco P. Moya; Committee on Land Use, August 28, 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 Parks and Recreation

Report for Int. No. 760-A

Report of the Committee on Parks and Recreation 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 water safety instruction to New York city's public school children at no cost

The Committee on Parks and Recreation, to which the annexed proposed amended local law was referred on October 12, 2022 (Minutes, page 2460), respectfully

REPORTS:

INTRODUCTION

On September 14, 2023, the Committee on Parks and Recreation, chaired by Council Member Shekar Krishnan, held a hearing to vote on Int. No. 760-A, sponsored by Council Member Julie Menin, A Local Law to amend the administrative code of the city of New York, in relation to providing water safety instruction to New York city's public school children at no cost. This legislation was originally heard at a hearing held on April 26, 2023, during which the Committee received testimony from the New York City Department of Parks and Recreation (DPR), advocates, and other interested parties. More information about this bill, along with the materials for that hearing, can be accessed [here](#).

The Committee also voted on Int. No. 962-A, sponsored by Majority Whip Selvena Brooks-Powers, A Local Law to amend the administrative code of the city of New York, in relation to public swimming pool assessment and location survey and swimming lessons offered by the department of parks and recreation. This legislation was originally heard at a hearing held on April 26, 2023, during which the Committee received testimony from DPR, advocates, and other interested parties. More information about this bill, along with the materials for that hearing, can be accessed [here](#).

The Committee also voted on Int. No. 1017-A, sponsored by Chair Shekar Krishnan, A Local Law to amend the administrative code of the city of New York, in relation to lifeguards at public beaches and pools under the jurisdiction of the department of parks and recreation. This legislation was originally heard at a hearing held on April 26, 2023, during which the Committee received testimony from DPR, advocates, and other interested parties. More information about this bill, along with the materials for that hearing, can be accessed [here](#).

Finally, the Committee also voted on Int. No. 1066-A, sponsored by Council Member Gale A. Brewer, A Local Law to amend the New York city charter, in relation to the role of trees and the tree canopy with respect to the city's long-term sustainability planning. This legislation was originally heard at a hearing held on June 13, 2023, during which the Committee received testimony from DPR, advocates, and other interested parties. More information about this bill, along with the materials for that hearing, can be accessed [here](#).

At this hearing, the Committee voted 12 in favor, 0 opposed and 0 abstentions on the bills.

LEGISLATION

Below is a brief summary of the legislation being considered today by this Committee. This summary is intended for informational purposes only and does not substitute for legal counsel. For more detailed information, you should review the full text of the bill, which is attached below.

Int. No. 760-A, A Local Law to amend the administrative code of the city of New York, in relation to providing water safety instruction to New York city's public school children at no cost

Int. No. 760-A would require DPR to provide swimming lessons and water safety instruction for free to NYC public school second grade students.

This local law would take effect 120 days after it becomes law.

Int. No. 962-A, A Local Law to amend the administrative code of the city of New York, in relation to public swimming pool assessment and location survey and swimming lessons offered by the department of parks and recreation

Int. No. 962-A would require DPR, with other City agencies, to conduct a survey of sites owned by the City to identify suitable locations where additional public swimming pools could be built, with a focus on communities that do not have access to pools, determine whether sites can accommodate more than one pool or other athletic equipment, assess the ongoing capital needs of its pools and update the assessment routinely. It would also require that DPR consult with the Department of Education (DOE) on creating a plan to open pools under DOE jurisdiction for use by the public. Finally, it would require that DPR offer free swimming lessons at indoor swimming pools under its jurisdiction.

This local law would take effect 90 days after it becomes law.

Int. No. 1017-A, A Local Law to amend the administrative code of the city of New York, in relation to lifeguards at public beaches and pools under the jurisdiction of the department of parks and recreation

Int. No. 1017-A would require DPR to submit an annual report to the Mayor and Council on staffing levels and training for the City's pools and beaches programs, including information on the seasonal recruitment of lifeguards, the number of emergencies that occurred at each beach, and pool and the current number of pools that are closed for public use due to maintenance or other issues.

This local law would take effect immediately.

Int. No. 1066-A, A Local Law to amend the New York city charter, in relation to the role of trees and the tree canopy with respect to the city's long-term sustainability planning

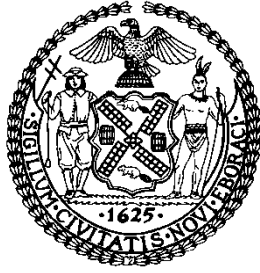
Local Law 84 of 2013 requires the Mayor's Office of Long-Term Planning and Sustainability to create a long term sustainability plan with goals for certain categories (i.e., air quality, energy, climate change, coastal protection, etc.) as well as tracking sustainability indicators for those categories. That plan is released every 4 years. This bill would require Local Law 84's planning to consider the role of trees in its long-term sustainability planning in addition to the other factors it already measures.

This local law would take effect immediately.

UPDATE

On Thursday, September 14, 2023, the Committee adopted Int. 760-A by a vote of 12 in the affirmative, zero in the negative, and zero abstentions; Int. 962-A by a vote of 12 in the affirmative, zero in the negative, and zero abstentions; Int. 1017-A by a vote of 12 in the affirmative, zero in the negative, and zero abstentions; Int. 1066-A by a vote of 12 in the affirmative, zero in the negative, and zero abstentions.

(The following is the text of the Fiscal Impact Statement for Int. No. 760-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, DIRECTOR
FISCAL IMPACT STATEMENT**

PROPOSED INTRO. NO: 760-A

COMMITTEE: Parks and Recreation

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to providing water safety instruction to New York City's public school children at no cost.

SPONSOR(S): By Council Members Menin, Krishnan, Mealy, Joseph, Hudson, Farías, Avilés, Hanif, Abreu, Gutiérrez, Louis, Riley, Richardson Jordan, Brooks-Powers, Narcisse, Marte, Brewer, Gennaro, Dinowitz, Lee, Brannan, Hanks, Ung, Williams, Powers, Barron, Ayala, Schulman, Bottcher, Stevens, Salamanca, Won, Feliz, Moya, Rivera, Velázquez, Cabán and the Public Advocate (Mr. Williams) (by request of the Manhattan Borough President).

SUMMARY OF LEGISLATION: This bill would require the Department of Parks and Recreation to provide swimming lessons and water safety instruction for free to NYC public school second grade students.

EFFECTIVE DATE: This bill would take effect 120 days after becoming law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal Year 2025

FISCAL IMPACT STATEMENT:

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

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation, as DPR would use existing resources to fulfill its requirement.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division
New York City Department of Parks and Recreation

ESTIMATE PREPARED BY: Michael Sherman, Senior Financial Analyst

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

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on October 12, 2022, as Intro. 760 and referred to the Committee on Parks and Recreation (the Committee). A hearing was held by the Committee on April 26, 2023 and the bill was laid over. The legislation has been amended and the amended version, Proposed Intro. No. 760-A will be considered by the Committee on September 14, 2023. Upon a successful vote by the Committee, Proposed Intro. No. 760-A will be submitted to the full Council for a vote on September 14, 2023.

DATE PREPARED: September 11, 2023.

(For text of Int. Nos. 962-A, 1017-A, and 1066-A and their Fiscal Impact Statements, please see the Report of the Committee on Parks and Recreation for Int. Nos. 962-A, 1017-A, and 1066-A, respectively, printed in these Minutes; for text of Int. No. 760-A, please see below)

Accordingly, this Committee recommends the adoption of Int. Nos. 760-A, 962-A, 1017-A, and 1066-A.

(The following is the text of Int. No. 760-A:)

Int. No. 760-A

By Council Members Menin, Krishnan, Mealy, Joseph, Hudson, Farías, Avilés, Hanif, Abreu, Gutiérrez, Louis, Riley, Richardson Jordan, Brooks-Powers, Narcisse, Marte, Brewer, Gennaro, Dinowitz, Lee, Brannan, Hanks, Ung, Williams, Powers, Barron, Ayala, Schulman, Bottcher, Stevens, Salamanca, Won, Feliz, Moya, Rivera, Velázquez, Cabán, Kagan and the Public Advocate (Mr. Williams) (by request of the Manhattan Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to providing water safety instruction to New York city's public school children at no cost

Be it enacted by the Council as follows:

Section 1. Title 18 of the administrative code of the city of New York is amended by adding a new section 18-160 to read as follows:

§ 18-160 *Water safety instruction provided at no cost. a. Definition. As used in this section, the term “water safety instruction” means a series of lessons designed for students of a particular age group or skill level administered by the department to teach swimming and related water safety awareness, including swim for life or any similar or successor program.*

b. Subject to appropriation, staffing requirements, and the availability of adequate facilities, the department, in consultation with the department of education, shall offer water safety instruction at no cost to New York city public school second grade students. Where such instruction takes place at a recreation center under the jurisdiction of the department, necessary employees of the department of education shall not be required to purchase a membership to such recreation center to accompany such students for such instruction.

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

SHEKAR KRISHNAN, *Chairperson*; FRANCISCO P. MOYA, ERIC DINOWITZ, ROBERT F. HOLDEN, LINDA LEE, CHRISTOPHER MARTE, JULIE MENIN, MERCEDES NARCISSE, LINCOLN RESTLER, SANDRA UNG, MARJORIE VELÁZQUEZ, DAVID M. CARR; 12-0-0; Committee on Parks and Recreation, September 14, 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 for Int. No. 962-A

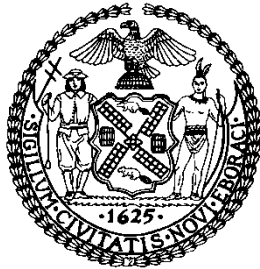
Report of the Committee on Parks and Recreation in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to public swimming pool assessment and location survey and swimming lessons offered by the department of parks and recreation.

The Committee on Parks and Recreation, to which the annexed proposed amended local law was referred on March 16, 2023 (Minutes, page 853), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Parks and Recreation for Int. No. 760-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 962-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, DIRECTOR
FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 962-A

COMMITTEE: Parks and Recreation

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to public swimming pool assessment and location survey and swimming lessons offered by the department of parks and recreation.

SPONSOR(S): By Council Members Brooks-Powers, Louis, Schulman, Hudson, Ayala, Abreu, Riley, Krishnan, Brewer, Lee, Velázquez, Hanif, Gutiérrez, Dinowitz, Hanks and Farías.

SUMMARY OF LEGISLATION: This bill would require the Department of Parks and Recreation (DPR), with other City agencies, to conduct a survey of sites owned by the City to identify suitable locations where additional public swimming pools could be built, with a focus on communities that do not have access to pools, determine whether sites can accommodate more than one pool or other athletic equipment, assess the ongoing capital needs of its pools and update the assessment routinely. It would also require that DPR consult with the Department of Education (DOE) on creating a plan to open pools under DOE jurisdiction for use by the public. Finally, it would require that DPR offer free swimming lessons at indoor swimming pools under its jurisdiction.

EFFECTIVE DATE: This bill would take effect 90 days after it becomes law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal Year 2025

FISCAL IMPACT STATEMENT:

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

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

IMPACT ON EXPENDITURES: It is anticipated that there would likely be some costs associated with this bill; particularly for outside consultants that might be needed in order to comply with the legislation. However, the costs of these consultants cannot be estimated at this time.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council Finance Division
New York City Department of Parks and Recreation

ESTIMATE PREPARED BY: Michael Sherman, Senior Financial Analyst

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

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on March 16, 2023, as Intro. 962 and referred to the Committee on Parks and Recreation (the Committee). A hearing was held by the Committee on April 26, 2023, and the bill was laid over. The legislation has been amended and the amended version, Proposed Intro. No. 962-A will be considered by the Committee on September 14, 2023. Upon a successful vote by the Committee, Proposed Intro. No. 962-A will be submitted to the full Council for a vote on September 14, 2023.

DATE PREPARED: September 11, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 962-A:)

Int. No. 962-A

By Council Members Brooks-Powers, Louis, Schulman, Hudson, Ayala, Abreu, Riley, Krishnan, Brewer, Lee, Velázquez, Hanif, Gutiérrez, Dinowitz, Hanks, Farías, Rivera, Narcisse, Won, Joseph, Mealy, Kagan and the Public Advocate (Mr. Williams).

A Local Law to amend the administrative code of the city of New York, in relation to public swimming pool assessment and location survey and swimming lessons offered by the department of parks and recreation

Be it enacted by the Council as follows:

Section 1. Title 18 of the administrative code of the city of New York is amended by adding new sections 18-161 and 18-162 to read as follows:

§ 18-161 Swimming pool assessment and location survey. a. An agency or office designated by the mayor, in consultation with the department of parks and recreation and any city agency, state agency, public authority, or person whom the agency or office deems to have appropriate information or expertise, shall conduct a survey of property owned and controlled by the city of New York in each borough to analyze whether any such property may be suitable for the construction of a swimming pool, provided that, to the extent practicable, any such property located in an environmental justice area, as such term is defined in section 3-1001, shall be prioritized for such analysis. The designated agency or office shall submit such survey to the mayor and the speaker of the council no later than October 1, 2025. Such survey shall include, but not be limited to:

- 1. The location of each surveyed property and a description of the city agency or office that has jurisdiction over such property;*
- 2. An analysis of the condition of each surveyed property and a determination whether construction of a swimming pool on such property is feasible;*
- 3. For each property where such analysis indicates that construction of a swimming pool is feasible, a description of the necessary steps that would be associated with such construction, an assessment of whether construction of more than 1 swimming pool or an additional recreational or athletic facility on such property is feasible, a description of the typical length of time of a construction project for such swimming pool or such a facility, a description of the typical overall cost of such a project, and an indication whether such property is located within an environmental justice area, as such term is defined in section 3-1001; and*
- 4. A list of proposed properties where the construction of a pool is planned within 5 fiscal years following submission of the survey required by this section, including a description of factors that may be considered by the department in identifying the properties in such list, including whether such properties are located in a low- or moderate-income community.*

b. No later than October 1, 2025, the designated agency or office shall also submit an assessment of existing swimming pools located on property owned and controlled by the city of New York to the mayor and the speaker of the council. Such assessment shall include, but need not be limited to, the following information:

- 1. For each such swimming pool undergoing capital reconstruction or planned to undergo capital reconstruction, an assessment that describes the capital or maintenance needs that prompted the capital work, the current estimated costs for such work, and whether the property is located in an environmental justice area, as such term is defined in section 3-1001; and*
- 2. For each such swimming pool, a description of the educational and recreational programs offered and how such programs meet the needs of the community district where such pool is located.*

c. The designated agency or office shall update the assessment described in subdivision b of this section and submit such update to the mayor and speaker of the council no later than October 1, 2027 and every 2 years thereafter. Such update shall also include a description of any new locations, if any, that were surveyed for potential pool construction since the initial survey pursuant to subdivision a of this section occurred, or whether any changes to the condition of previously surveyed sites has occurred.

§ 18-162 Swimming lessons at indoor pools. Subject to appropriation and the availability of adequate facilities and sufficient staffing to meet the requirements of this section, the department shall offer swimming lessons for children and adults, including persons with disabilities, at each indoor pool location under the jurisdiction of the commissioner that is open to the public. Such lessons shall be free of charge to residents of the city with a valid recreation center membership issued by the department and shall be offered no less than 3 days per week.

§ 2. An agency or office designated by the mayor, in consultation with the department of parks and recreation and the department of education, shall develop a report concerning the feasibility of providing public access to suitable swimming pool facilities located in property under the control of the department of education buildings when school is not in session or such facilities are not being used for a school-related purpose. The designated agency or office shall submit such report to the mayor and the speaker of the council by no later than October 1, 2024.

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

SHEKAR KRISHNAN, *Chairperson*; FRANCISCO P. MOYA, ERIC DINOWITZ, ROBERT F. HOLDEN, LINDA LEE, CHRISTOPHER MARTE, JULIE MENIN, MERCEDES NARCISSE, LINCOLN RESTLER, SANDRA UNG, MARJORIE VELÁZQUEZ, DAVID M. CARR; 12-0-0; Committee on Parks and Recreation, September 14, 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 for Int. No. 1017-A

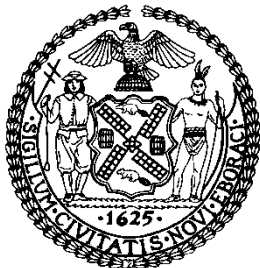
Report of the Committee on Parks and Recreation in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to lifeguards at public beaches and pools under the jurisdiction of the department of parks and recreation.

The Committee on Parks and Recreation, to which the annexed proposed amended local law was referred on April 27, 2023 (Minutes, page 1148), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Parks and Recreation for Int. No. 760-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 1017-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, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 1017-A

COMMITTEE: Parks and Recreation

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to lifeguards at public beaches and pools under the jurisdiction of the department of parks and recreation.

SPONSOR(S): By Council Members Krishnan, Louis, Riley, Restler, Lee, Brewer, Menin, Hanif, Dinowitz, Marte, Velázquez, Hanks, Avilés, Farías and Rivera.

SUMMARY OF LEGISLATION: This bill would require the Department of Parks and Recreation (DPR) to submit an annual report to the Mayor and Council on staffing levels and training for the City's pools and beaches programs, including information on the seasonal recruitment of lifeguards, the number of emergencies that occurred at each beach and pool, and the current number of pools that are closed for public use due to maintenance or other issues.

EFFECTIVE DATE: This bill would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal Year 2025

FISCAL IMPACT STATEMENT:

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

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation, as DPR would use existing resources to fulfill its requirement.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division
New York City Department of Parks and Recreation

ESTIMATE PREPARED BY: Michael Sherman, Senior Financial Analyst

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

LEGISLATIVE HISTORY: The legislation was first considered by the Committee on Parks and Recreation as a Pre-Considered Introduction on April 26, 2023 and the bill was laid over. Following the hearing, the bill was introduced to the full Council on April 27, 2023 as Proposed Intro. No. 1017 and referred to the Committee on Parks and Recreation (the Committee). The legislation was subsequently amended and the amended version, Proposed Intro. No. 1017-A will be considered by the Committee on September 14, 2023. Upon a successful vote by the Committee, Proposed Intro. No. 1017-A will be submitted to the full Council for a vote on September 14, 2023.

DATE PREPARED: September 11, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1017-A:)

Int. No. 1017-A

By Council Members Krishnan, Louis, Riley, Restler, Lee, Brewer, Menin, Hanif, Dinowitz, Marte, Velázquez, Hanks, Avilés, Farías, Rivera, Narcisse, Won, Joseph, Mealy, Vernikov, Kagan and the Public Advocate (Mr. Williams).

A Local Law to amend the administrative code of the city of New York, in relation to lifeguards at public beaches and pools under the jurisdiction of the department of parks and recreation

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 18 of the administrative code of the city of New York is amended by adding a new section 18-163 to read as follows:

§ 18-163 Report on staffing and training at beaches and pools. a. No later than November 1, 2024 and every November 1 thereafter, the department shall submit a report to the mayor and the speaker of the council regarding the number of lifeguards hired to work at beaches and pools under the jurisdiction of the department. Such report shall include, but need not be limited to:

- 1. The number of lifeguards hired to work at beaches and outdoor pools under the jurisdiction of the department for the bathing season that year;*
- 2. The number of lifeguards hired to work at indoor pools located at recreation centers under the jurisdiction of the department as of October 1 of that year;*
- 3. A description of the safety training that is provided to lifeguards at beaches and pools under the jurisdiction of the department as of October 1 of that year, including information on how often such training is provided;*
- 4. The number and location of incidents that required emergency assistance by a lifeguard at each beach and pool under the jurisdiction of the department that occurred during the immediately preceding 12 months ending October 1 of that year; and*
- 5. The number of indoor and outdoor pools that are under the jurisdiction of the department, the number of such pools closed to the public for maintenance or other purposes as of October 1 of that year, and when each closed pool is estimated to be reopened for public use.*

§ 2. This local law takes effect immediately.

SHEKAR KRISHNAN, *Chairperson*; FRANCISCO P. MOYA, ERIC DINOWITZ, ROBERT F. HOLDEN, LINDA LEE, CHRISTOPHER MARTE, JULIE MENIN, MERCEDES NARCISSE, LINCOLN RESTLER, SANDRA UNG, MARJORIE VELÁZQUEZ, DAVID M. CARR; 12-0-0; Committee on Parks and Recreation, September 14, 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 for Int. No. 1066-A

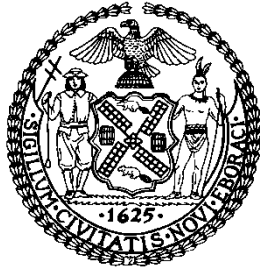
Report of the Committee on Parks and Recreation in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to the role of trees and the tree canopy with respect to the city's long-term sustainability planning.

The Committee on Parks and Recreation, to which the annexed proposed amended local law was referred on June 8, 2023 (Minutes, page 1689), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Parks and Recreation for Int. No. 760-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 1066-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, DIRECTOR
FISCAL IMPACT STATEMENT**

PROPOSED INTRO. NO: 1066-A

COMMITTEE: Parks and Recreation

TITLE: A Local Law to amend the New York city charter, in relation to the role of trees and the tree canopy with respect to the city's long-term sustainability planning.

SPONSOR(S): By Council Members Brewer, Krishnan, Botcher, Louis, Cabán, Farías, Ossé, Nurse, Ung, Hanif, Restler, Gutiérrez, Riley, Rivera, Menin and Avilés.

SUMMARY OF LEGISLATION: Local Law 84 of 2013 requires the Mayor’s Office of Long-Term Planning and Sustainability to create a long term sustainability plan with goals for certain categories (i.e., air quality, energy, climate change, coastal protection, etc.) as well as tracking sustainability indicators for those categories. That plan is released every 4 years.

This bill would require Local Law 84’s planning to consider the role of trees in its long-term sustainability planning in addition to the other factors it already measures.

EFFECTIVE DATE: This bill would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal Year 2025

FISCAL IMPACT STATEMENT:

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

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation, as DPR would use existing resources to fulfill its requirement.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division
New York City Department of Parks and Recreation

ESTIMATE PREPARED BY: Michael Sherman, Senior Financial Analyst

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

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on June 8, 2023, as Intro. No. 1066 and referred to the Committee on Parks and Recreation (the Committee). A hearing was held by the Committee on June 13, 2023 and the bill was laid over. The legislation has been amended and the amended version, Proposed Intro. No. 1066-A will be considered by the Committee on June 14, 2023. Upon a successful vote by the Committee, Proposed Intro. No. 1066-A will be submitted to the full Council for a vote on June 14, 2023.

DATE PREPARED: September 11, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1066-A:)

Int. No. 1066-A

By Council Members Brewer, Krishnan, Bottcher, Louis, Cabán, Farías, Ossé, Nurse, Ung, Hanif, Restler, Gutiérrez, Riley, Rivera, Menin, Avilés, Narcisse, Won, Lee, Joseph, Dinowitz, Velázquez, Mealy and the Public Advocate (Mr. Williams).

A Local Law to amend the New York city charter, in relation to the role of trees and the tree canopy with respect to the city's long-term sustainability planning

Be it enacted by the Council as follows:

Section 1. Paragraph 1 of subdivision b of section 20 of the New York city charter, as amended by local law number 84 for the year 2013, is amended to read as follows:

1. develop and coordinate the implementation of policies, programs and actions to meet the long-term needs of the city, with respect to its infrastructure, environment and overall sustainability citywide, including but not limited to the categories of housing, open space, trees and the tree canopy, brownfields, transportation, water quality and infrastructure, air quality, energy, and climate change; the resiliency of critical infrastructure, the built environment, coastal protection and communities; and regarding city agencies, businesses, institutions and the public;

§ 2. This local law takes effect immediately.

SHEKAR KRISHNAN, *Chairperson*; FRANCISCO P. MOYA, ERIC DINOWITZ, ROBERT F. HOLDEN, LINDA LEE, CHRISTOPHER MARTE, JULIE MENIN, MERCEDES NARCISSE, LINCOLN RESTLER, SANDRA UNG, MARJORIE VELÁZQUEZ, DAVID M. CARR; 12-0-0; Committee on Parks and Recreation, September 14, 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 Small Business

Report for Int. No. 263-A

Report of the Committee on Small Business in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring the department of small business services to report on the services provided at workforce1 career centers.

The Committee on Small Business, to which the annexed proposed amended local law was referred on April 28, 2023 (Minutes, page 801), respectfully

REPORTS:

I. INTRODUCTION

On September 14, 2023, the Committee on Small Business, chaired by Council Member Julie Menin, will hold a vote on the following pieces of legislation: Proposed Introduction Number 263-A, sponsored by Council Member Menin, in relation to requiring the Department of Small Business Services (SBS) to report on the services provided at Workforce1 Centers; Proposed Introduction Number 969-A, sponsored by Council Member Mercedes Narcisse, in relation to information on local Community Development Financial Institutions (CDFIs); and Proposed Introduction Number 1103-A, sponsored by Council Member Menin, in relation to information on loans and grants for small businesses. These bills were previously heard by the Committee on June 28, 2023.

II. BACKGROUND

a. WORKFORCE1 CAREER CENTERS

SBS offers free services at its network of Workforce1 Career Centers to prepare New Yorkers for their job searches and help New Yorkers find jobs.¹ At these Centers, SBS provides assistance with interview preparation, resume updates, and connection with employers and training opportunities.² There are 18 Workforce1 Centers located throughout the five boroughs.³ Through its Virtual Workforce1 Career Center system, SBS connects individuals via web or phone to one-on-one help from professionals who assist job seekers identify jobs that fit their experience and skills.⁴ These no-cost services do not require in-person visits.⁵ Moreover, the New York City Department of Consumer and Worker Protection runs Financial Counseling and Coaching programs at Workforce1 Career Centers.⁶ Workforce1 customers can book appointments with NYC Financial Empowerment Center counselors to obtain free, one-on-one professional financial counseling to create a budget; open a safe

¹ NYC Department of Small Business Services, Careers Page, available at <https://www.nyc.gov/site/sbs/careers/careers.page>.

² *Id.*

³ NYC Department of Small Business Services Location Finder, available at <https://maps.nyc.gov/sbs>.

⁴ NYC Department of Small Business Services, Virtual Workforce1 Career Center System, available at <https://www.nyc.gov/site/sbs/careers/virtual-wf1cc.page>.

⁵ *Id.*

⁶ NYC Department of Consumer and Worker Protection, Book an Appointment for Financial Counseling, available at <https://a866-dcwpwb.nyc.gov/workforce1/book-appointment>.

and affordable bank account; improve credit; and deal with debt, including student loans.⁷ The Publications & Reports page of the SBS website does not include any materials that discuss Workforce1 Centers.⁸

b. COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

Community Development Financial Institutions (CDFIs) are financial institutions that provide economic services for individuals, small businesses and communities that have historically been underserved by mainstream lending services.⁹ These institutions are often community-oriented and have been heralded for lending responsibly to low-income communities.¹⁰ CDFIs include community development (CD) banks, CD credit unions, CD loans funds, and CD venture capital funds.¹¹ Local CDFIs are generally certified through the CDFI Fund, which is an investment fund managed by the U.S. Department of Treasury.¹² This certification allows the institutions to apply for financial support through the CDFI Fund.¹³

Across the United States, there are over 1,000 CDFIs operating.¹⁴ A recent report from Center for an Urban Future shared that in New York City there are approximately 36 CDFIs and most are severely underutilized.¹⁵ Of the 36 CDFIs, only 10 to 12 provide a minimum of 50 loans per year, and the maximum number of loans provided by the more active institutions is under 350 per year.¹⁶ According to the report, low-income entrepreneurs and business owners seeking financial assistance often struggle to access CDFIs or are unaware they exist.¹⁷ In New York City, small businesses “face unmet capital needs of approximately \$45 billion a year” with minority- and immigrant-owned businesses typically struggling the most in obtaining capital.¹⁸ Specific financial support targeting these businesses, like the Opportunity Fund, have been introduced by SBS to combat these gaps in funding to woman-, BIPOC-, and immigrant-owned businesses, and business located in low- and moderate-income (LMI) communities.¹⁹ This Fund, which has since been paused due to a high number of applicants, is expected to target 1,500 local businesses and was developed and administered in partnership with local CDFIs.²⁰

c. BANKING RESOURCES AVAILABLE TO NYC’S SMALL BUSINESSES

The failures of Silicon Valley Bank (SVB) and Signature Bank in March 2023 highlight the need for resources to support NYC’s small businesses when selecting a bank. SVB’s collapse took place after it informed

⁷ *Id.*

⁸ NYC Department of Small Business Services, “Publications & Reports,” available at <https://www.nyc.gov/site/sbs/about/publications-reports.page>.

⁹ *What is a CDFI?* Opportunity Finance Network. (Accessed June 22, 2023). Available at: <https://www.ofn.org/what-is-a-cdfi/>

¹⁰ U.S. Department of the Treasury Community Development Financial Institutions Fund. Federal Deposit Insurance Corporation. (Accessed on June 22, 2023). Available at: <https://www.fdic.gov/resources/bankers/affordable-mortgage-lending-center/guide/part-1-docs/cdfi-overview.pdf>

¹¹ *Community Development Financial Institution (CDFI) and Community Development (CD) Bank Resource Directory*. Office of the Comptroller of the Currency. (Accessed on June 22, 2023). Available at: <https://www.occ.gov/topics/consumers-and-communities/community-affairs/resource-directories/cdfi-and-cd-bank/index-cdfi-and-cd-bank-resource-directory.html>

¹² *Supra note 10*. A Local Law to amend the administrative code of the city of New York, in relation to information on local community development financial institutions

¹³ *Id.*

¹⁴ *What are CDFIs?* U.S. Department of the Treasury Community Development Financial Institutions Fund. (Accessed on June 22, 2023). Available at: https://www.cdfifund.gov/sites/cdfi/files/documents/cdfi_infographic_v08a.pdf

¹⁵ Messina, Judith and Eli Dvorkin. *Bolstering Minority and Immigrant-Owned Businesses by Scaling Up CDFIs*. Center for an Urban Future. December 2022. Available at: <https://nycfuture.org/research/bolstering-minority-and-immigrant-owned-businesses-by-scaling-up-cdfis#:~:text=New%20York%20City%20has%20approximately,fewer%20than%20350%20loans%20annually>

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ NYC Small Business Services. *NYC Small Business Opportunity Fund*. (Accessed on June 22, 2023). Available at: <https://sbsopportunityfund.nyc>.

²⁰ NYC.GOV. *Mayor Adams, SBS Commissioner Kim Announce Opening of Applications for Historic \$75M ‘Opportunity Fund’ to Help Small Businesses Lead Pandemic Recovery*.” Office of the Mayor. January 23, 2023. Available at: <https://www.nyc.gov/office-of-the-mayor/news/054-23/mayor-adams-sbs-commissioner-kim-opening-applications-historic-75m-opportunity#0>

investors on March 8 that it needed to raise \$2.25 billion to bolster its finances.²¹ The news led the bank's stock price to plummet, and many customers withdrew their funds shortly thereafter.²² Following the bank run, regulators shut down the bank on March 10 and seized its deposits.²³ Although regulators approved a plan on March 12 to ensure that SVB clients would receive all their deposits back, the Federal Deposit Insurance Corporation (FDIC) generally covers only up to \$250,000 per depositor per ownership category.²⁴ As of December 2022, about 95% of deposits at SVB were uninsured.²⁵

For some small businesses, FDIC coverage at their bank should be enough to avoid a loss in deposits.²⁶ But, small business owners can safeguard against such losses in other ways. Some financial planners advise that small business owners could consider having accounts at multiple banks, including different accounts for payroll, treasury management, cash reserves or a merchant account.²⁷ Small businesses may also wish to examine the financial stability of their banks, including by reviewing the bank's financial statements, ratings and reviews.²⁸ Small business owners could also choose banks that offer specialized services for small businesses, including a dedicated business banking team, merchant services or business loans or lines of credit.²⁹

SBS offers financing assistance to small businesses, such as help connecting with multiple lenders, including banks, credit unions, nonprofit lenders and the U.S. Small Business Administration.³⁰ Small businesses can request financing assistance from SBS online or by calling the NYC Small Business Services Hotline.³¹

III. COMMITTEE HEARING ON INT. NOS. 263-2022, 969-2023, AND 1103-2023, AND SUBSEQUENT BILL AMENDMENTS

On June 28, 2023, the Committee on Small Business, chaired by Council Member Menin, held a hearing to consider Intros. 263, 969, and 1103. The Committees received testimony from SBS, small business advocacy organizations, and members of the public.

After the hearing, Int. 263 was amended to remove the reporting requirement on job retention statistics, reflecting that SBS is unable to collect such data at this time. The amendments also placed the new legislation in the Administrative Code instead of the Charter, reflecting general practice for such reporting requirements.

Int. 969 was also amended to remove the changes to the Charter, reflecting that the Charter already empowers SBS to conduct outreach and activities to be required by the proposed legislation. Instead, the amended bill would amend only the Administrative Code, requiring that SBS provide information related to local community development financial institutions (CDFIs), including a directory of participating local CDFIs and a description of each CDFI's mission statement, operating locations, and the services and types of loans offered. In addition, the amended bill would now require that the information be provided through the one-stop-shop online portal established by Local Law 94 of 2022. Accordingly, the effective date was changed to align with the effective date of Int. 1103-A, which also affects the implementation of the same online portal.

Int. 1103 was amended to be integrated into the one-stop-shop online portal that will be established pursuant to Local Law 94 of 2022. Accordingly, the effective date was delayed to until 180 days after its enactment, to work with the effective date of Local Law 94 of 2022. The informational requirements were also amended for clarity.

²¹ Sarah O'Brien, "After SVB and Signature failures, what small businesses should look for when choosing a bank," CNBC, Mar. 13, 2023, available at <https://www.msn.com/en-us/money/other/after-svb-and-signature-failures-what-small-businesses-should-look-for-when-choosing-a-bank/ar-AA18A2gy>.

²² *Id.*

²³ *Id.*

²⁴ *Id.*

²⁵ *Id.*

²⁶ *Id.*

²⁷ *Id.*

²⁸ *Id.*

²⁹ *Id.*

³⁰ NYC 311, "Business Financial Assistance," available at <https://portal.311.nyc.gov/article/?kanumber=KA-02595>.

³¹ *Id.*

IV. LEGISLATIVE ANALYSIS

a. INTRODUCTION 263-A

This bill would amend the New York City Administrative Code to require SBS to produce an annual report on the services provided at each Workforce1 Career Center in the City, including the number of new registrants, the number of job placements, and the number of registrants provided job training. The bill would take effect immediately upon becoming law.

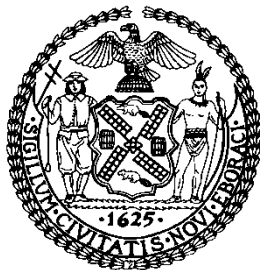
b. INTRODUCTION 969-A

This bill would amend the New York City Administrative Code to require SBS to provide information related to local community development financial institutions (CDFIs) via the one-stop-shop online portal established by Local Law 94 of 2022. Such information shall include a directory of participating local CDFIs and a description of each CDFI's mission statement, operating locations, and the services and types of loans offered. The bill would take effect at the same time as Int. 1103-A is scheduled to take effect, 180 days after that bill becomes law.

c. INTRODUCTION 1103-A

This bill would amend the New York City Administrative Code to require SBS to provide information for small businesses on banking and loan services, including information on selecting a lender; specialized services offered by banks for small businesses; information on typical fees, interest rates, monthly charges, or balance requirements; the advantages and disadvantages of having accounts at multiple banks; and information about Federal Deposit Insurance Corporation (FDIC) insurance coverage or other protections provided for small business deposits. The bill would take effect 180 days after becoming law.

(The following is the text of the Fiscal Impact Statement for Int. No. 263-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: 263-A

COMMITTEE: Small Business

TITLE: A Local Law to amend the New York city charter, in relation to requiring the department of small business services to report on the services provided at workforce1 career centers.

SPONSOR(S): Council Members Menin, Brewer, Stevens, Williams, Ung, Ayala, Farías, Abreu, Nurse, Louis, Riley, Brooks-Powers, Hanif, Velázquez, Rivera, Hanks, Avilés and Narcisse (by request of the Queens Borough President).

SUMMARY OF LEGISLATION: This bill would require the Department of Small Business Services (SBS) to produce an annual report on the services provided at each Workforce1 center in the City, including the number

of new registrants, the number of registrants who obtained job placements, and the number of registrants provided job training.

EFFECTIVE DATE: This bill would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal Year 2025

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY25
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Glenn P. Martelloni, Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was introduced to the Council on April 28, 2022, as Proposed Int. 263, and was referred to the Committee on Small Business Services (the Committee). A hearing was held by the Committee on June 28, 2023, and the legislation was laid over. The legislation was subsequently amended and the final amended version, Proposed Int. No. 263-A, will be voted on by the Committee at a hearing on September 14, 2023. Upon a successful vote by the Committee, Proposed Int. 263-A will be submitted to the full Council for a vote on September 14, 2023.

DATE PREPARED: September 11, 2023.

(For text of Int. Nos. 969-A and 1103-A and their Fiscal Impact Statements, please see the Report of the Committee on Small Business for Int. Nos. 969-A and 1103-A, respectively, printed in these Minutes; for text of Int. No. 263-A, please see below)

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 263-A:)

Int. No. 263-A

By Council Members Menin, Brewer, Stevens, Williams, Ung, Ayala, Farías, Abreu, Nurse, Louis, Riley, Brooks-Powers, Hanif, Velázquez, Rivera, Hanks, Avilés, Narcisse, Lee and Mealy (by request of the Queens Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of small business services to report on the services provided at workforce1 career centers

Be it enacted by the Council as follows:

Section 1. Chapter 10 of title 22 of the administrative code of the city of New York is amended by adding a new section 22-1007 to read as follows:

§ 22-1007 *Report on workforce1 career centers. a. Definition. For purposes of this section, the term “workforce1 career center” means a program established by the department to provide job assistance and training opportunities to adults seeking employment.*

b. No later than January 31, 2024, and no later than January 31 of each year thereafter, the department shall submit to the mayor and the speaker of the council a report on the performance of workforce1 career centers during the prior fiscal year. Such report shall include a list of all workforce1 career centers in the city and for each such center, during the prior fiscal year: (i) the number of new registrants; (ii) the number of registrants who obtained employment utilizing the services of such center; and (iii) the number of registrants who received job training, disaggregated by industry.

§ 2. This local law takes effect immediately.

JULIE MENIN, *Chairperson*; SELVENA N. BROOKS-POWERS, TIFFANY CABÁN, SHEKAR KRISHNAN, SANDRA UNG, MARJORIE VELÁZQUEZ; 6-0-0; *Absent*: Darlene Mealy; Committee on Small Business, September 14, 2023. *Other Council Members Attending*: Council Member Narcisse.

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. 969-A

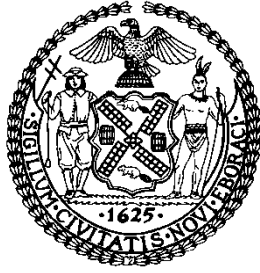
Report of the Committee on Small Business in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to information on local community development financial institutions.

The Committee on Small Business, to which the annexed proposed amended local law was referred on March 16, 2023 (Minutes, page 862), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Small Business for Int. No. 263-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 969-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: 969-A

COMMITTEE: Small Business Services

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to information on local community development financial institutions.

SPONSOR(S): Council Members Narcisse, Lee, Louis, Hudson, Ayala, Riley, Menin, Brooks-Powers, Hanif, Velázquez, and Rivera.

SUMMARY OF LEGISLATION: The proposed bill requires the Department of Small Business Services (SBS) to provide information related to local community development financial institutions (CDFIs) via the one-stop-shop online portal established by Local Law 94 of 2022. Such information shall include a directory of participating local CDFIs and a description of each CDFI’s mission statement, operating locations, and the services and types of loans offered.

EFFECTIVE DATE: This local law takes effect on the same date, as proposed in introduction number 1103-A, which takes effect in 180 days.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal Year 2025

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY25
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Glenn P. Martelloni, Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was introduced to the Council on March 16, 2023, as Proposed Intro. 969, and was referred to the Committee on Small Business Services (the Committee). A hearing was held by the Committee on June 28, 2023, and legislation was laid over. The legislation was subsequently amended and the final amended version, Proposed Int. No. 969-A, will be voted on by the Committee at a hearing on September 14, 2023. Upon a successful vote by the Committee, Proposed Int. 969-A will be submitted to the full Council for a vote on September 14, 2023.

DATE PREPARED: September 11, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 969-A:)

Int. No. 969-A

By Council Members Narcisse, Lee, Louis, Hudson, Ayala, Riley, Menin, Brooks-Powers, Hanif, Velázquez, Rivera, Won, Mealy and Avilés.

A Local Law to amend the administrative code of the city of New York, in relation to information on local community development financial institutions

Be it enacted by the Council as follows:

Section 1. Section 22-1001 of the administrative code of the city of New York is amended by adding a new definition of “local CDFI” in alphabetical order to read as follows:

Local CDFI. The term “local CDFI” means a financial institution that: (i) is certified as a community development financial institution by the federal department of the treasury; (ii) is authorized to do business in the state of New York; (iii) provides services to persons or businesses in the city; and (iv) has agreed to provide the department with information relating to services it provides, in order to be included on the department’s website in accordance with subparagraph (a) of paragraph 4 of subdivision a of section 22-1002.

§ 2. Subparagraph (a) of paragraph 4 of subdivision a of section 22-1002 of the administrative code of the city of New York, as added by a local law for the year 2023 amending the administrative code of the city of New York, relating to information on loans and grants for small businesses, as proposed in introduction number 1103-A, is amended to read as follows:

(a) Guidance on selecting a lender, *including information about local CDFIs, which shall include, but need not be limited to, a directory of local CDFIs, and for each such local CDFI, a description of services provided by such local CDFI, the neighborhood or area of the city in which such local CDFI operates or provides services, and the types of loans offered by such local CDFI;*

§ 3. This local law takes effect on the same date that a local law for the year 2023 amending the administrative code of the city of New York, relating to information on loans and grants for small businesses, as proposed in introduction number 1103-A, takes effect.

JULIE MENIN, *Chairperson*; SELVENA N. BROOKS-POWERS, TIFFANY CABÁN, SHEKAR KRISHNAN, SANDRA UNG, MARJORIE VELÁZQUEZ; 6-0-0; *Absent:* Darlene Mealy; Committee on Small Business, September 14, 2023. *Other Council Members Attending: Council Member Narcisse.*

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. 1103-A

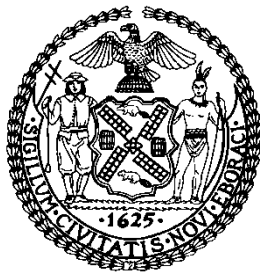
Report of the Committee on Small Business in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to information on loans and grants for small businesses.

The Committee on Small Business, to which the annexed proposed amended local law was referred on June 22, 2023 (Minutes, page 1919), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Small Business for Int. No. 263-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 1103-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: 1103-A

COMMITTEE: Small Business Services

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to information on loans and grants for small businesses.

SPONSOR(S): Council Members Menin, Louis, Stevens, Hudson, Ung, Riley, Marte, Brooks-Powers, Hanif, Velázquez, Rivera, Hanks, Avilés and Narcisse.

SUMMARY OF LEGISLATION: This bill would require the Department of Small Business Services (SBS) to post on its website information on selecting a bank for small businesses, including information on specialized services offered by banks for small businesses, information on typical fees, interest rates, monthly charges, or balance requirements, the advantages and disadvantages of having accounts at multiple banks, and information about Federal Deposit Insurance Corporation insurance coverage or other protections provided for small business deposits.

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

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal Year 2025

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY25
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Glenn P. Martelloni, Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was introduced to the Council on June 22, 2023, as Proposed Intro. 1103, and was referred to the Committee on Small Business Services (the Committee). A hearing was held by the Committee on June 28, 2023. The legislation was subsequently amended and the final amended version, Proposed Int. No. 1103-A, will be voted on by the Committee at a hearing on September 14, 2023. Upon a successful vote by the Committee, Proposed Int. 1103-A will be submitted to the full Council for a vote on September 14, 2023.

DATE PREPARED: September 11, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1103-A:)

Int. No. 1103-A

By Council Members Menin, Louis, Stevens, Hudson, Ung, Riley, Marte, Brooks-Powers, Hanif, Velázquez, Rivera, Hanks, Avilés, Narcisse, Won, Lee, Dinowitz and Mealy.

A Local Law to amend the administrative code of the city of New York, in relation to information on loans and grants for small businesses

Be it enacted by the Council as follows:

Section 1. Subparagraph (c) of paragraph 3 and paragraph 4 of subdivision a of section 22-1002 of the administrative code of the city of New York, such subparagraph (c) as added by and such paragraph 4 as amended by local law number 94 for the year 2022, are amended to read as follows:

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

4. *Information on loans and grants for small businesses which shall include, but need not be limited to:*

(a) *Guidance on selecting a lender;*

(b) *Information on specialized services that may be offered by banks for small businesses, such as a dedicated banking team, merchant services, business loans, or lines of credit;*

(c) *Information on typical fees, interest rates, monthly charges, or balance requirements;*

(d) *Potential advantages and disadvantages of having accounts at multiple banks; and*

(e) *Information about federal deposit insurance corporation insurance coverage or other protections provided for small businesses deposits; and*

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

§ 2. This local law takes effect in 180 days.

JULIE MENIN, *Chairperson*; SELVENA N. BROOKS-POWERS, TIFFANY CABÁN, SHEKAR KRISHNAN, SANDRA UNG, MARJORIE VELÁZQUEZ; 6-0-0; *Absent*: Darlene Mealy; Committee on Small Business, September 14, 2023. *Other Council Members Attending*: Council Member Narcisse.

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

GENERAL ORDERS CALENDAR

Report for L.U. No. 245 & Res. No. 785

Report of the Committee on Land Use in favor of approving, as modified, Application number N 230240 ZRM (Arena Text Amendment) submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article VII, Chapter 4 (Special Permits by the City Planning Commission), Borough of Manhattan, Community District 5, Council District 3.

The Committee on Land Use, to which the annexed Land Use item was referred on July 13, 2023 (Minutes, page 2118) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

SUBJECT

**BROOKLYN CB-12 – TWO APPLICATIONS RELATED TO 1233 57TH STREET
REZONING**

C 230117 ZMK (L.U. No. 253)

City Planning Commission decision approving an application submitted by 1233 57th St., LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22c by changing from an R5 District to an R6A District property bounded by a line midway between 56th Street and 57th Street, a line 150 feet northwesterly of 13th Avenue, 57th Street, and a line 440 feet northwesterly of 13th Avenue, Borough of Brooklyn, Community District 12, as shown on a diagram (for illustrative purposes only) dated February 27, 2023, and subject to the conditions of CEQR Declaration E-709.

N 230118 ZRK (L.U. No. 254)

City Planning Commission decision approving an application submitted by 1233 57th St., LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

INTENT

Applications were originally filed to rezone the project area from an R5 zoning district to an R6A zoning district and amend the zoning text to designate the project area as a Mandatory Inclusionary Housing (MIH) area utilizing Options 1 and 2. The applications were withdrawn by the applicant on September 5, 2023.

PUBLIC HEARING**DATE:** August 10, 2023**Witnesses in Favor:** Two**Witnesses Against:** Seven**SUBCOMMITTEE RECOMMENDATION****DATE:** September 6, 2023

The Subcommittee recommends that the Land Use Committee approve the motion to file pursuant to withdrawal of the applications by the Applicant on L.U. Nos. 253 and 254.

In Favor:

Riley
Moya
Louis
Abreu
Bottcher
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** September 20, 2023

The Committee recommends that the Council adopt a motion to file L.U.s 253 and 254, pursuant to withdrawal of the applications by the Applicant.

In Favor:

Salamanca
Moya
Louis
Riley
Abreu
Brooks-Powers
Bottcher
Hanks
Krishnan
Mealy
Sanchez

Against:

None

Abstain:

None

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

Res. No. 785

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 230240 ZRM, for an amendment of the text of the Zoning Resolution (L.U. No. 245).

By Council Members Salamanca and Riley.

WHEREAS, the New York City Department of City Planning, filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying Article VII, Chapter 4 (Special Permits by the City Planning Commission), which would facilitate the continued use and operation of Madison Square Garden (MSG) located at 4 Penn Plaza in the Midtown neighborhood of Manhattan, Community District 5 (ULURP No. N 230240 ZRM) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on July 12, 2023, its decision dated July 12, 2023 (the “Decision”), on the Application;

WHEREAS, the Application is related to application C 230238 ZSM (L.U. No. 246), a special permit pursuant to ZR Section 74-71, as amended;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on July 18, 2023;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application, specifically as set forth in the Council’s resolution on the related special permit application (L.U. No. 246), which is pursuant to the modified zoning text incorporated herein;

WHEREAS, pursuant to the land use rationale set forth in the Council’s resolution on the related special permit application (L.U. No. 246), the instant resolution modifies the CPC decision on the Zoning Resolution text amendment, to be consistent with such land use rationale;

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued February 13th, 2023 (CEQR No. 23DCP100M) (the “Negative Declaration”).

RESOLVED:

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 230240 ZRM, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission, with the following modifications.

Matter underlined is new, to be added;

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

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

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

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

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

* * *

**ARTICLE VII
ADMINISTRATION
Chapter 4
Special Permits by the City Planning Commission**

* * *

**74-40
USE PERMITS**

* * *

**74-41
Arenas, Auditoriums, Stadiums or Trade Expositions**

C4 C6 C7 C8 M1 M2 M3

(a) The City Planning Commission may permit arenas, auditoriums or stadiums with a capacity in excess of 2,500 seats, or trade expositions with a rated capacity in excess of 2,500 persons, provided that the following findings are made:

- (1) that the principal vehicular access for such #use# is not located on a local #street# but is located on an arterial highway, a major #street# or a secondary #street# within one-quarter mile of an arterial highway or major #street#;
- (2) that such #use# is so located as to draw a minimum of vehicular traffic to and through local #streets# in nearby residential areas;
- (3) that such #use# is not located within 200 feet of a #Residence District#;
- (4) that adequate reservoir space at the vehicular entrance, and sufficient vehicular entrances and exits, are provided to prevent traffic congestion;
- (5) that vehicular entrances and exits for such #use# are provided separately and are located not less than 100 feet apart; and
- (6) that due consideration has been given to the proximity of bus and rapid transit facilities to serve such #use#.

(b) In Community District 7 in the Borough of the Bronx, the Commission may permit an indoor arena with a maximum seating capacity of 6,000 within 200 feet of a #Residence District# and, in conjunction with such arena, permit modifications of the provisions of Sections 32-64 (Surface Area and Illumination Provisions), 32-655 (Height of signs in all other Commercial Districts), and 36-62 (Required Accessory Off-street Loading Berths), provided that:

- (1) the provisions of paragraphs (a)(1), (a)(2), (a)(4), (a)(5) and (a)(6) of this Section are met;
- (2) open space surrounding such arena will be located and arranged to provide adequate pedestrian gathering areas to minimize disruption to the surrounding areas;
- (3) the arena includes noise attenuation features and measures which serve to reduce arena-related noise in the surrounding area, including at nearby #residences#;
- (4) where Sections 32-64 and 32-655 are modified, a #signage# plan has been submitted showing the location, size, height and illumination of all #signs# on the #zoning lot#, and the Commission finds that all such #signs#, and any illumination from or directed upon such #signs#, are located and arranged so as to minimize any negative effects from the arena #use# on nearby #residences#; and
- (5) where Section 36-62 is modified, a loading plan has been submitted that addresses the operational needs of all servicers of the arena and shows the number, location and

arrangement of all loading berths on the #zoning lot#, and the Commission finds that such loading plan is adequate to address the loading demand generated by the arena #use# and has received assurances that the arena operator will implement such plan in accordance with its terms

(c) In the Pennsylvania Station Subarea B4 of the Farley Corridor Subdistrict B of the #Special Hudson Yards District#, the Commission may permit arenas with seating in excess of 2,500 persons, provided that the following findings are made:

- (1) the provisions of paragraphs (a)(1) through (a)(6) of this Section are met; and
- ~~(2) public spaces of appropriate proportions and quality design are provided around the arena in a manner that is commensurate with the civic importance of the site;~~
- ~~(3) such public spaces will: facilitate public use and pedestrian flow; provide suitable amenities for the users of the space; and be integrated with the above- and below-grade pedestrian circulation network and transit facilities in the surrounding area;~~
- ~~(4) entrances and exits to the arena and to the adjacent open areas are located and designed to facilitate public use and circulation on the #zoning lot#;~~
- (5) the proposed loading for the arena will not unduly: interfere with the use of public spaces; interfere with transit facilities; interrupt the flow of pedestrian traffic in the pedestrian circulation network; or interfere with the efficient functioning of adjacent #streets# including for the staging or queuing of vehicles for loading or for security checks. An application for this special permit shall include a loading operations plan that describes the number, location and arrangement of all loading berths on the #zoning lot# as well as the location and management of off-site storage and staging of vehicles associated with the arena #use#. The plan shall be referred to the Department of Transportation and affected transit agencies for a report or recommendations on the plan. The Commission shall, in its determination, give due consideration to these reports and recommendations; and
- ~~(6) the arena shall be appropriately consistent and compatible with existing transit facilities on or adjacent to the #zoning lot#, and with proposed improvements to such transit facilities by the affected transit agencies.~~

~~Design changes to existing #plazas# located within pedestrian accessible open areas may be made without a certification by the Chairperson of the Commission pursuant to Section 37-625, and the design standards of Section 37-70, inclusive, shall not apply to such #plazas#.~~

~~In order to ensure that the continued design development of the proposed arena would enhance the character of the surrounding area in a manner commensurate with the civic importance of the site,~~

~~¶The Commission may require that, within six months of approval of the special permit, the applicant submit to the Chairperson of the City Planning Commission:~~

~~(aa) design drawings and any other supporting documents necessary to detail the design of the public spaces; and~~

~~(bb) a transportation management plan, developed in consultation with the Department of City Planning and the Department of Transportation, to detail the loading operations plan.~~

~~The Chairperson shall certify that the arena design, inclusive of required public spaces, as shown in the design drawings, and the loading operations, as described in the transportation management plan, comply with the relevant conditions of the Commission's resolution.~~

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including limitations on #signs#, requirements for soundproofing of arenas or auditoriums, shielding of floodlights, screening of open #uses or surfacing all access roads or driveways. The Commission may also prescribe requirements for pedestrian-accessible open areas surrounding the arena, auditorium or stadium, including #accessory# directional or building identification #signs# located therein. ~~In addition, within Pennsylvania Station Subarea B4 of the #Special Hudson Yards District#, design changes to existing #plazas# located within such pedestrian accessible open areas may be made without a certification by~~

~~the Chairperson of the Commission pursuant to Section 37-625, and the design standards of Section 37-70, inclusive, shall not apply to such #plazas#.~~ In addition, within Pennsylvania Station Subarea B4 of the #Special Hudson Yards District#, design changes to existing #plazas# located within such pedestrian-accessible open areas may be made without a certification by the Chairperson of the Commission pursuant to Section 37-625, and the design standards of Section 37-70, inclusive, shall not apply to such #plazas#.

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, ERIK D. BOTTCHEER, KAMILLAH HANKS, SHEKAR KRISHNAN, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Absent*: Farah M. Louis, Darlene Mealy, and Francisco P. Moya; Committee on Land Use, August 28, 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 for L.U. No. 246

Report of the Committee on Land Use in favor of approving, as modified, Application number C 230238 ZSM (Madison Square Garden Special Permit) submitted by MSG Arena, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-41* of the Zoning Resolution to allow an arena with a maximum capacity of 22,000 seats within an existing 10-story building on property located at 4 Penn Plaza (Block 781, Lots 1, 2 and 10), in C6-4 and C6-6 Districts, partially within the Special Hudson Yards District (Pennsylvania Station Subarea B4) and partially within the Special Midtown 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 July 13, 2023 (Minutes, page 2118) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 245 & Res. No. 785 printed above in the General Orders Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 786

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 230238 ZSM, for the grant of a special permit (L.U. No. 246).

By Council Members Salamanca and Riley.

WHEREAS, MSG Arena, LLC (the “Applicant”), filed an application pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-41 of the Zoning Resolution to allow an arena with a maximum capacity of 22,000 seats within an existing 10-story building on property located at 4 Penn Plaza (Block 781, Lots 1, 2, and 10; the “Site”), in C6-4 and C6-6 Districts, partially within the Special Hudson Yards District (Pennsylvania Station Subarea B4) and partially within the Special

Midtown District, Borough of Manhattan, Community District 5 (ULURP No. C 230238 ZSM) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on July 12, 2023, its decision dated July 12, 2023 (the “Decision”) on the Application;

WHEREAS, the Application is related to application N 230240 ZRM (L.U. No. 245), a zoning text amendment to modify ZR Section 74-41 (Arena, Auditoriums, Stadiums or Trade Expositions);

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 Sections 74-41(a)(c) 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 July 18, 2023;

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

BACKGROUND

WHEREAS, the Applicant seeks this zoning special permit approval to continue an arena use at the Site (“Arena”), in a facility that was designed in a different era, over fifty years ago, and has not materially adjusted the exterior design or the loading operations of the Arena to adapt to the evolving character of the surrounding area over the past decades;

WHEREAS, the existing Arena structure is uniquely situated, directly above the various below-grade facilities that serve Pennsylvania (“Penn”) Station, and where the station’s celebrated above-ground head-house structure previously stood;

WHEREAS, Penn Station provides critical transportation services to the City, the wider metropolitan area, and the broader region; presently three major railroads operate out of the station—Amtrak, New Jersey Transit (“NJT”), and Long Island Railroad (“LIRR”); and, beginning in 2027, a fourth provider, Metro North Railroad (“MNR”), is planned to start servicing the station;

WHEREAS, due to its central location in Midtown Manhattan, Penn Station is equally integrated to the city’s subway system, and as such, Penn Station is literally the doorway to the City for millions of commuters and visitors;

WHEREAS, Penn Station originally opened to rail service in 1910, over 110 years ago, and, by 1963, the year the Arena use was first approved, was accommodating a daily ridership of approximately 200,000;

WHEREAS, Penn Station today is the busiest rail facility in North America, with an estimated daily ridership of approximately 600,000 individuals as of 2019 (a 300% increase over 1963);

WHEREAS, according to the involved rail and transit agencies, namely Amtrak, MTA, and NJT (the “Railroads”), Penn Station’s daily ridership is projected to reach 678,000 in or around 2038, or within the next 15 years;

WHEREAS, accompanying this significant growth in ridership, the West side of Midtown Manhattan is being redeveloped into a major business and residential neighborhood, transforming the area surrounding Penn

Station and making the streets adjoining Penn Station critical to the safe and efficient circulation of this re-envisioned area;

PRIOR APPROVALS & PROCEDURAL HISTORY

WHEREAS, in 1963, a zoning special permit was approved for arena use within a new purpose-built facility, known as Madison Square Garden and which remains today at the Site, and that such special permit was subject to a term of 50 years (the “1963 Approval”);

WHEREAS, in 2013, upon the lapse of the 1963 Approval, the Applicant sought a new special permit, seeking approval to operate its Arena use in perpetuity, and was only approved to operate for another ten years until 2023 (the “2013 Approval”) because it had become clear that the original designs for the Arena and Penn Station were no longer viable due to the ridership growth at the station and the loading requirements of present-day events and shows;

WHEREAS, the Applicant is once again seeking approval to operate its Arena use in perpetuity, this time under a proposed concurrent amendment by the Department of City Planning of the special permit zoning text, which specifically included new findings that introduce, among other things, the concept of “compatibility” between the proposed arena use and existing as well as potential future transit facilities;

ARENA PROGRAMMING, USAGE, AND LOCATIONAL ADVANTAGE

WHEREAS, the Arena facility contains approximately 987,243 square feet of floor area (as that term is defined in the Zoning Resolution) distributed over twelve levels, and has a maximum capacity of 22,000 seats, pursuant to the 2013 Approval;

WHEREAS, on an annual basis, the Arena sells approximately 3,300,000 tickets for a wide range of programming, including sports, concerts, and other events;

WHEREAS, between 2017 and 2019 (the three years prior to the COVID-19 pandemic), the Arena hosted an average of 235 events per year or approximately 4.5 every week;

WHEREAS, Arena patrons are proportionally estimated to arrive from the following locations (all approximate): 28% New York City, 18% elsewhere in New York State, 14% New Jersey, 3% Connecticut, and 37% elsewhere in the US, internationally, or unspecified;

WHEREAS, depending on the type of event, Arena patrons arrive by various means of transportation, including by up to approximately 59% via subway/rail, and as such, the arena use that Applicant seeks to extend in perpetuity is heavily reliant on Penn Station;

WHEREAS, approximately 48% of Arena events consist of professional sporting contests (*i.e.*, NBA and NHL; together approximately on 113 days per year), beginning at either 7:00PM or 7:30PM, for which patrons arrive up to one hour prior to the scheduled start times, and generally exit beginning from 9:30PM or 10:00PM;

WHEREAS, approximately 38% of Arena events consist of concerts (approximately on 89 days per year), beginning generally between 7:30PM and 8:00PM, for which patrons arrive up to one hour prior to the scheduled start times, and generally exit at or around 11:00PM;

WHEREAS, as represented by the Applicant and City personnel in testimony before the Council, the position of city planning decision-makers and the Applicant is that the Arena’s current location unequivocally provides a significant benefit in terms of accessibility, efficiency, and convenience; as evidenced by testimony delivered by the Department of City Planning Executive Director, noting that the Arena’s “colocation at a transit facility is hugely beneficial all around—to the arena, to the city, and to the area” and testimony delivered by the

Applicant’s representative, noting “[it is] really easy for everybody to get there and creates a lot less vehicular traffic around the area or anywhere in the city.... [I]t’s the best location that any arena in the world could possibly be”;

PLANNED AND ONGOING TRANSIT FACILITY IMPROVEMENTS

WHEREAS, according to the Railroads, and as noted above, the estimated daily ridership at Penn Station is projected to increase by 13% over 2019 levels, to approximately 678,000, in part, due to projected increases from the Gateway and Metro North Railroad service projects;

WHEREAS, Penn Station, and the recently-opened Moynihan Train Hall across Eighth Avenue and to which Penn Station is connected below-grade, together have been the focus of long-standing planning and redevelopment work, including the revitalization of the Moynihan Train Hall itself, the new below-grade LIRR Concourse along the length of Penn Station underneath 33rd Street, the Metro North Railroad project, scheduled to bring expanded commuter rail service by 2027, and the Gateway project, which will bring expanded rail service from New Jersey; together these projects will result in a transformed Penn Station and including how Midtown West is accessed and the pedestrian circulation in the Penn Station area;

WHEREAS, the Railroads issued in 2021 a Penn Station Master Plan Alternatives Report for the next phase of modernizing Penn Station and creating a train station worthy of the hundreds of thousands of riders that rely daily on the station; as summarized by a representative for Amtrak, this next phase is focused on “[expansion of] public circulation space to relieve overcrowding and improve passenger comfort and security; simplifying the station’s layout to relieve overcrowding... place it on a single public level with more intuitive wayfinding for our passengers and the public at large; improving station and platform accessibility and egress; modernizing operational spaces and systems to enhance safety and efficiency; and enhancing the stations presence and entrances at street level”;

WHEREAS, the Railroads issued a request for proposals in 2022 to complete preliminary designs for this next phase and awarded a contract to FXCollaborative Architects LLP, WSP USA Inc. and British architect John McAslan + Partners, who worked on the reconfiguration of King’s Cross Station in London;

WHEREAS, the Railroads are planning to begin construction—specifically on track and platform work—by the end of 2024, in order to capitalize on schedule efficiencies and temporarily-reduced train volumes at Penn Station, and to minimize disruption of other commuter rail service, before MNR service is scheduled to be incorporated into Penn Station, in 2027;

ARENA LOADING OPERATIONS

WHEREAS, events such as the types hosted by the Arena today have changed significantly since it was designed and approved in 1963, intensifying in scale, complexity, and frequency;

WHEREAS, industry standards for both buildings and vehicles, and the corresponding equipment and loading requirements for events such as the types hosted by the Arena, have evolved over the same time period;

WHEREAS, for example, the height of long-haul truck and tractor-trailers today exceeds the loading bay clearances that the original Arena facility was designed to accommodate;

WHEREAS, the Arena’s loading facilities have been obsolete in this regard for over fifty years;

WHEREAS, today, typical sporting events require four to six semi-trucks and trailers; and typical concert events require nine or ten semi-trucks and trailers, but increasingly, require as many as 20 such trucks for large-scale shows;

WHEREAS, as represented by Applicant, the loading operations for a typical night-time event at the Arena begin with a load-in, starting between 2:00AM and 8:00AM the day of the show, and conclude with a load-out, starting between 10:00PM and 11:30PM after the show, with both steps requiring a duration of between four to six hours; and moreover, according to the City Planning Commission report, Department of City Planning staff “made numerous site visits to the Arena to view loading operations and witnessed load-ins typically starting at 8AM during the morning rush hour”;

WHEREAS, for events requiring more than four to six trucks, the Applicant relies on surrounding streets, particularly including 31st Street, 33rd Street, and 8th Avenue, for its loading operations, effectively privatizing the public thoroughfares for use as a parking lot;

WHEREAS, notwithstanding the Arena’s obsolete loading infrastructure and the increasing loading demands of its shows and events, Applicant has not modified in a material manner the Arena’s loading configuration in the past fifty years;

WHEREAS, as one of the requirements of its original application, the Applicant provided a Loading Plan which simply documented existing conditions and summarized existing loading operations, without proposing any adjustments, and, further, that the Applicant only agreed to marginal operational changes when directed by the City Planning Commission to do so;

PLANNING PRIORITY TO RESOLVE CONFLICTING USES IN THE PENN STATION AREA

WHEREAS, the Site’s continued use as an arena has fundamental planning repercussions on this transforming neighborhood and the whole City;

WHEREAS, the streets adjoining Penn Station are critical pedestrian corridors, including 31st and 33rd as East-West connectors, and Seventh and Eighth Avenues as North-South connectors;

WHEREAS, the Site’s location is also situated at the nexus of important vehicular corridors, including all of the aforementioned city streets, as well as the access points to and from the Lincoln Tunnel to the immediate west;

WHEREAS, one of the city’s most ambitious planning initiatives of the last 30 years continues to progress in the Hudson Yards mixed-use neighborhood, less than two blocks west of the Site;

WHEREAS, the Site’s immediate surrounding neighborhood is itself the subject of long-standing and well-publicized planning efforts to better integrate these blocks into Midtown;

WHEREAS, as part of these various planning efforts and in conjunction with the recently opened LIRR entrance near the intersection of 33rd Street and Seventh Avenue, a portion of 33rd Street has been pedestrianized (“Plaza 33”), and there are further plans to implement a shared street along the remainder of 33rd Street between Seventh and Eighth Avenues;

WHEREAS, for all of the above reasons, and to prioritize safety and efficiency of circulation in and around the Site by pedestrians and vehicular users alike, while also accommodating traffic and pedestrian flow relating to both the Arena use and to the ongoing transit improvements, and while acknowledging the extensive interconnectedness between the two facilities within a confined volume of space, it remains vitally important to resolve, to the greatest extent practicable, potential access and circulation conflicts between Madison Square Garden and Penn Station;

WHEREAS, among the other planning policy issues that Council has considered and prioritized is the need to also achieve more effective access between the two facilities, as well as between the facilities and their surrounding area;

WHEREAS, due to these planning priorities, Council at this time cannot determine the long-term viability of an arena use at the Site and the Arena use should not take precedence over public access to Penn Station;

WHEREAS, both the local Community Board and the Manhattan Borough President have recommended that an arena at the site not be permitted for more than five years, in part based on the above planning policy issues;

WHEREAS, pending an assessment of the long-term viability of an arena use at the site, the Applicant must engage with the New York City Department of Transportation and the New York City Department of City Planning regarding its current loading operations and develop a Traffic Management Plan; and

WHEREAS, the Council has considered the relevant environmental issues, including the determination by the City Planning Commission, that the Application is a Type II and requires no further review action (the “Type II Determination”).

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment pursuant to the Type II Determination.

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 230238 ZSM, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission, with the following modifications.

Matter ~~double struck out~~ is old, deleted by the City Council;
Matter double-underlined is new, added by the City Council

RESOLVED, by the City Planning Commission, pursuant to Sections 197–c and 200 of the New York City Charter, that based on the environmental determination and the consideration and findings described in this report, the application submitted by MSG Arena LLP. pursuant to 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 74-41 of the Zoning Resolution to allow an arena with a maximum capacity of 22,000 seats within an existing 10–story building on property located at 4 Penn Plaza (Blocks 781, Lots 1, 2 and 10) in C6–4 and C6–6 Districts, partially within the Special Hudson Yards District (Pennsylvania Station Subarea B4) and partially within the Special Midtown District is approved, as modified by the City Planning Commission, subject to the following terms and conditions:

1. The property that is the subject of this application (C 230238 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by Gensler, and Matthews Nielsen Landscape Architects, PC filed with this application and incorporated in this resolution, as may be amended in accordance with the Chair certification process described below:

<u>Drawing No.</u>	<u>Title</u>	<u>Last Date Revised</u>
Z.1	Zoning Computations	February 10, 2023
Z.2	Site Plan	February 10, 2023
Z.3	Level 1/Street Level Plan	February 10, 2023
Z.4	Level 2/MSG Lobby Level Plan	February 10, 2023
Z.5	Level 3/Mezzanine Level Plan	February 10, 2023
Z.6	Level 4/Technical Level Plan	February 10, 2023
Z.7	Level 5/Event Level Plan	February 10, 2023

Z.8	Level 6/Lower Concourse Plan	February 10, 2023
Z.9	Level 7/Lower Level Suite Plan	February 10, 2023
Z.10	Level 8/Upper Concourse Plan	February 10, 2023
Z.11	Level 9/Upper Suite Plan	February 10, 2023
Z.12	Level 10/Upper Bowl Plan	February 10, 2023
Z.13	Longitudinal Section	February 10, 2023
L.0	Open Area Circulation	February 10, 2023
L.1	Open Area Subject to Special Permit	February 10, 2023
L.2	Open Area Site Plan	February 10, 2023
L.3	Open Area Details	February 10, 2023
L.4	Open Area Details	February 10, 2023

~~2. FUTURE PENN STATION IMPROVEMENT MECHANISM~~

~~When the Rail Agencies complete 30 percent design development drawings (“Preliminary Drawings”) for future improvements to Penn Station that include use of property owned by MSG or require alterations to the MSG Complex, or require other modifications to the Special Permit (“Penn Station Project”) as evidenced by written notice, including a copy of the Preliminary Drawings, signed by all of the Rail Agencies to MSG and the Department, MSG shall, within ninety (90) days of its receipt of such notice file with the Department an application to modify this Special Permit in order for the Arena to remain appropriately consistent and compatible with proposed improvements to Penn Station. The application shall contain, at a minimum, the following materials:~~

- ~~a) a written description of any alterations to the MSG Complex, any modifications to the approved drawings, and any other modifications to the arena use or the special permit that MSG may propose in order to continue to satisfy the finding pursuant to ZR Section 74-41(e)(6) that the Arena is appropriately consistent and compatible with proposed improvements to transit facilities on or adjacent to the zoning lot by the Rail Agencies, and an explanation of how any proposed modifications will enable the Arena to continue to meet all applicable findings;~~
- ~~b) a written description of the specific respects in which the proposed modifications to the special permit relate to the Penn Station Project, including, to the extent applicable, the pedestrian and/or transit-oriented goals thereof;~~
- ~~c) amended drawings reflecting any proposed modifications to the special permit;~~
- ~~d) a proposed schedule for implementation of any proposed modifications to the special permit; and~~
- ~~e) a statement as to whether each of the Rail Agencies has or has not accepted and has or has not agreed to the proposed modifications to the special permit or has requested additional modifications to which MSG has not agreed.~~

~~The Commission may also invite the Rail Agencies to submit comments, individually or jointly, on the MSG application, including whether the Rail Agencies have agreed to modifications proposed by MSG, whether the Rail Agencies have requested additional modifications or actions from MSG to which MSG has not agreed, and whether and to what extent MSG’s agreement or failure to agree to the Rail Agencies’ requests will assist or hinder the Rail Agencies’ implementation of the Penn Station Project.~~

~~3.2 ADDITIONAL PUBLIC REALM REQUIREMENTS~~

~~MSG Arena, LLC has provided three letters, dated June 23, June 30, and July 7, 2023, detailing its commitments to improve the public realm and open areas in and around the Arena. MSG shall refine and implement those commitments, as described below:~~

- ~~Seating. The open area on the southeast corner of the Arena will incorporate an additional third planter bench to the proposed two planter benches and will provide for more social seating. Additionally, new bench seating and/or plantings will be incorporated beneath the existing soffits, subject to infrastructural constraints. Additional seating shall be conducive to public use in its dimensions and materiality. Public seating shall not interfere with pedestrian circulation around the site and into entrances to Penn Station and Madison Square Garden.~~
- ~~Landscape. The existing soffits will incorporate new plantings and/or bench seating, subject to infrastructural constraints. Trees and other plantings shall be located within the public areas, especially in proximity to seating areas, to provide visual interest and enhance pedestrian comfort. The placement of such features shall not interfere with the circulation of pedestrians.~~
- ~~Lighting. MSG will enhance the lighting around the entire street frontage of the MSG Complex and the midblock driveway. Lighting enhancements also be implemented in the areas beneath the existing soffits and at the Penn Station entrances. The lighting shall foster a safe, legible, and inviting environment and be coordinated with existing fixtures near and around the MSG Complex.~~
- ~~Civic Identity. The existing Penn Station entrance structures on Eighth Avenue will be replaced with more modern, dramatic structures that could include large glass canopies that extend over portions of the corner open areas without disrupting pedestrian flow. New entrance structures will also incorporate lighting to illuminate the area below. The Penn Station signage on the new structures will require coordination and consultation with the Rail Agencies. Any replacement structures shall establish a stronger identity and inspire a sense of civic pride at the two plaza areas along Eighth Avenue and utilize vertical design elements which have proven successful not only in marking entry but establishing an identity of a place.~~
- ~~Blank Walls. The Eighth Avenue façade will incorporate a graphic treatment that would enliven the existing blank wall. The graphic treatment will enhance the façade with artwork and/or wayfinding, not branding or advertisements. The sidewalk experience should be an enjoyable experience for everyone and significant portions of blank walls, such as that along Eighth Avenue, shall be mitigated through the integration of wayfinding, art, materiality, graphic design treatments, and/or enhanced lighting. Such an approach shall be dynamic and respond to views from multiple locations and distances, including along the sidewalk, as well as across street from Moynihan Station.~~
- ~~Wayfinding. A unified design language for the MSG complex signage will be implemented to establish a clearer hierarchy of entrances, reduce visual noise, distinguish commercial signage from transit signage, and employ consistent colors and typeface across all signage. Wayfinding will also be improved for pedestrians navigating the midblock driveway onsite.~~
- ~~Obstructions. Existing canopy structures serving the arena entrances will be removed and others will be reduced in size. Obstructions at the midblock driveway entrances will be removed to the extent feasible to facilitate pedestrian circulation. Structures such as vestibules, tents, canopies, storage units, metal barricades, etc. shall not be placed in public open areas. Mechanical and security infrastructure should be integrated with open space and building design elements to the greatest extent feasible.~~

~~In order to provide greater detail to these commitments, MSG shall prepare revised design and public realm plans within six months after approval of the special permit and shall submit such revised plans to the CPC Chairperson. The revised plans shall be sufficient to enable the Chairperson to certify that the arena design has to the greatest extent feasible, been developed in accordance with the plans approved by the CPC and the relevant conditions of this Resolution.~~

4.2. TRANSPORTATION MANAGEMENT PLAN (TMP) REQUIREMENTS RELATED TO LOADING OPERATIONS

MSG Arena, LLC will complete a TMP developed in consultation with the Department of Transportation and the Department of City Planning in order to provide greater detail to the commitments made by MSG Arena, LLC in its letter of June 23, 2023 and the recommendations made by DOT, as follows:

- TMP will be consistent with DOT’s freight policies and goals as established in reports such as Truck Smart, Delivering Green, and Off-Hour Deliveries.
- TMP shall include the following measures, but not limited to:
 - a. No parking or staging of trucks on West 33rd Street between Seventh Avenue and Eighth Avenue;
 - b. Flaggers or security personnel to walk all such vehicles along West 33rd Street between Seventh Avenue and Eighth Avenue when the access or leave the MSG off-street loading area;
 - c. Off-site and off-street locations for commercial vehicle staging that do not impede pedestrian safety or circulation;
 - d. Managed access and restricted hours for vehicular traffic on West 33rd Street;
 - e. Consolidated commercial deliveries, including deliveries via electric vehicles and cargo bike;
 - f. Designed locations for security checks and/or screening of trucks.

MSG Arena, LLC will submit the TMP to the CPC Chairperson within six months after approval of the special permit. The TMP shall be sufficient to enable the Chairperson to certify that the loading operations plan has to the greatest extent feasible, been developed in accordance with the plans approved by the CPC and the relevant conditions of this approval.

~~5.3.~~ Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.

~~6.4.~~ Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.

~~7.5.~~ All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.

~~8.6.~~ Upon failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.

~~9.7.~~ Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city’s or such employee’s or agent’s failure to act in accordance with the provisions of this special permit.

~~10.8.~~ This permit shall expire ~~10~~ 5 years following the effective date hereof (the “Expiration Date”).

~~11.9.~~ MSG shall, except as otherwise set forth below, complete construction of the improvements that are shown on Drawings No. L. ~~10 through and~~ L.4 in substantial conformity with the Plans ~~or in substantial conformity with the approved drawings of a subsequent certification pursuant ZR Section 74-41(e)(6)(aa) (each~~ “Open Space Improvements”) ~~no later than two (2) years after such approval (each an “Open Space Improvement Completion Date”). In the event that the Chairperson reasonably determines that there is planned work in connection with certain facilities serving Penn Station (including, without limitation, replacement,~~

~~repair, removal, and/or addition of waterproofing areas) that is reasonably expected to (i) be commenced within one (1) year after an Open Space Improvement Completion Date and (ii) interfere with MSG's ability to construct some or all of the Open Space Improvements or require the demolition, replacement or removal of a material portion of the Open Space Improvements, MSG may request the Chairperson extend an Open Space Improvement Completion Date, by written notice to the Chairperson. Such written notice shall include a description of the Penn Station work that is expected to interfere with construction of the Open Space Improvements, a description of the Open Space Improvements that will be interfered with by the Penn Station work, and a proposed revised schedule for completion of the Open Space Improvements. The Chairperson may thereafter extend the Completion Date for some or all of the Open Space Improvements by up to one (1) year after the date on which such Penn Station work is completed.~~

RAFAEL SALAMANCA, Jr., *Chairperson*; CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, ERIK D. BOTTCHEER, KAMILLAH HANKS, SHEKAR KRISHNAN, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Absent*: Farah M. Louis, Darlene Mealy, and Francisco P. Moya; Committee on Land Use, August 28, 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).

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

- | | | |
|------|------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1) | Int 263-A - | Department of Small Business Services to report on the services provided at workforce1 career centers. |
| (2) | Int 760-A - | Providing water safety instruction to New York City's public school children at no cost. |
| (3) | Int 877-B - | Exit surveys and interviews for resigning and retiring employees of city agencies. |
| (4) | Int 949-A - | Establishment of a trade-in program for powered mobility devices and lithium-ion batteries used in powered mobility devices. |
| (5) | Int 962-A - | Public swimming pool assessment and location survey and swimming lessons offered by the department of parks and recreation. |
| (6) | Int 969-A - | Information on local community development financial institutions. |
| (7) | Int 1017-A - | Lifeguards at public beaches and pools under the jurisdiction of the department of parks and recreation. |
| (8) | Int 1066-A - | Role of trees and the tree canopy with respect to the city's long-term sustainability planning. |
| (9) | Int 1080-A - | Publication and dissemination of information on emergency feeding programs, food benefits programs, and senior centers. |
| (10) | Int 1103-A - | Information on loans and grants for small businesses. |
| (11) | Preconsidered
Res 744 - | New designation and changes in the designation of certain organizations to receive funding in the Expense Budget (Transparency Resolution). |

- (12) **L.U. 245 & Res 785 -** **App. N 230240 ZRM (Arena Text Amendment)**, Borough of Manhattan, Community District 5, Council District 3.
- (13) **L.U. 246 & Res 786 -** **App. C 230238 ZSM (Madison Square Garden Special Permit)**, Borough of Manhattan, Community District 5, Council District 3.
- (14) **L.U. 250 & Res 782 -** **App. C 220334 ZMX (893 Eagle Avenue Rezoning)**, Borough of the Bronx, Community District 3, Council District 17.
- (15) **L.U. 251 & Res 783 -** **App. N 220335 ZRX (893 Eagle Avenue Rezoning)** submitted by Housing Options and Geriatric Association Resources, Inc. (H.O.G.A.R., Inc.), Borough of the Bronx, Community District 3, Council District 17.
- (16) **L.U. 252 & Res 784 -** **App. C 220336 ZSX (893 Eagle Avenue Rezoning)**, Borough of the Bronx, Community District 3, Council District 17.
- (17) **Preconsidered L.U. 255 & Res 778 -** Paradise Management Cluster, Bronx, Community Districts No. 5 and 8, Council District No. 14.
- (18) **Preconsidered L.U. 256 & Res 779 -** Paradise Management, Bronx, Community Districts No. 5 and 6, Council Districts No. 14 and 15.
- (19) **Preconsidered L.U. 257 & Res 780 -** Paradise Management, Bronx, Community District No. 5, Council District No. 14.
- (20) **Preconsidered L.U. 258 & Res 781 -** Paradise Management Cluster, Bronx, Community District No. 5, Council District No. 14.

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

Affirmative – Abreu, Ariola, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Holden, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Vernikov, Williams, Won, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **48**.

The General Order vote recorded for this Stated Meeting was 48-0-0 as shown above.

*The following Introductions were sent to the Mayor for his consideration and approval:
Int. Nos. 263-A, 760-A, 877-B, 949-A, 962-A, 969-A, 1017-A, 1066-A, 1080-A, and 1103-A.*

RESOLUTIONS

presented for voice-vote

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

Report for voice-vote item Res. No. 346-A

Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations in favor of approving, as amended, a Resolution recognizing the contributions of Hip Hop to arts and culture by designating August 11 as Hip Hop Celebration Day, August as Hip Hop Recognition Month, and November as Hip Hop History Month annually in the City of New York.

The Committee on Cultural Affairs, Libraries and International Intergroup Relations, to which the annexed amended resolution was referred on October 12, 2022 (Minutes, page 2491), respectfully

REPORTS:

On Thursday, September 14, 2023, the Committee on Cultural Affairs, Libraries and International Intergroup Relations, chaired by Council Member Chi Ossé, held a hearing and vote on Resolution Number (Res. No.) 415-A, sponsored by Council Member Joann Ariola, calling on the United States Congress to pass, and the President to sign, the September 11 Day of Remembrance Act. No testimony was provided by the public.

The Committee also held a vote on Res. No. 346-A, sponsored by Council Member Nantasha Williams, recognizing the contributions of Hip Hop to arts and culture by designating August 11 as Hip Hop Celebration Day, August as Hip Hop Recognition Month, and November as Hip Hop History Month annually in the City of New York, and on Res. No. 450-A, also sponsored by Council Member Williams, recognizing the contributions of Def Jam to the music industry and to music lovers everywhere by designating January 2024 as Def Jam Recognition Month in the City of New York, which were originally heard on June 7, 2023, with public testimony provided by community groups and other organizations.

The Committee on Cultural Affairs, Libraries and International Intergroup Relations passed all three pieces of legislation by a vote of eight in the affirmative, zero in the negative, and zero abstentions.

(For text of the voice-vote resolutions for Res. No. 415-A and 450-A, please see the Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations for Res. Nos. 415-A and 450-A respectively, printed below in the voice-vote Resolutions Calendar section of these Minutes; for text of Res. No. 346-A, please see below:)

Accordingly, this Committee recommends the adoption of Res. Nos. 346-A, 415-A, and 450-A.

(The following is the text of Res. No. 346-A:)

Res. No. 346-A

Resolution recognizing the contributions of Hip Hop to arts and culture by designating August 11 as Hip Hop Celebration Day, August as Hip Hop Recognition Month, and November as Hip Hop History Month annually in the City of New York.

By Council Members Williams, Riley, Stevens, Restler, Joseph, Farías, Abreu, Louis, Ossé, Rivera, Sanchez, Nurse, Brewer, Cabán, Avilés, De La Rosa, Krishnan and the Public Advocate (Mr. Williams).

Whereas, DJ Kool Herc introduced his innovative DJing skills on two turntables in the Bronx on August 11, 1973, officially giving birth to the music of Hip Hop culture; and

Whereas, Rappers added their poetry to the DJs' beats, giving the crowd a look into the often hard realities of their lives and their hopes for the future; and

Whereas, Masters of ceremonies (MCs) commanded the mics to reach out to the audience to keep the parties going, before adding their own freestyle talents to the mix; and

Whereas, Break-boys (b-boys) and break-girls (b-girls) created a new style of dancing and brought it to the streets, making breaking an integral part of the culture; and

Whereas, Graffiti writers decorated urban spaces in their own unique styles, sometimes risking their own safety and the wrath of law enforcement and property owners; and

Whereas, Hip Hop culture produced artists who honed their talents in theater and literature, telling their stories of race, class, gender, activism, and empowerment; and

Whereas, Hip Hop preaches, through some of its greatest voices, the values of community, freedom, justice, peace, self-respect, and respect for others; and

Whereas, Hip Hop began with performers and supporters in the Black and Caribbean communities in New York City (NYC), including especially NYC's Puerto Rican community, but expanded rapidly to embrace people of many races, ethnicities, religions, and socioeconomic statuses; and

Whereas, Hip Hop performers have built a multi-billion dollar industry, which contributes to the health of NYC's economy; and

Whereas, Hip Hop performers are well known for giving back to the NYC communities they come from, often providing charitable contributions and words of support to NYC residents in need, including to NYC's schoolchildren; and

Whereas, In 2021, the United States (U.S.) Senate passed Resolution 331, designating August 11, 2021 as Hip Hop Celebration Day; the month of August 2021 as Hip Hop Recognition Month; and the month of November 2021 as Hip Hop History Month; and

Whereas, Hip Hop culture, on the occasion of its official 50th anniversary in 2023, continues to thrive throughout NYC, across the U.S., and around the world; and

Whereas, The designation of annual celebrations to commemorate the early days of Hip Hop culture in NYC honors the positive impact that Hip Hop has had and continues to have on NYC communities and commerce; now, therefore, be it

Resolved, That the Council of the City of New York recognizes the contributions of Hip Hop to arts and culture by designating August 11 as Hip Hop Celebration Day, August as Hip Hop Recognition Month, and November as Hip Hop History Month annually in the City of New York.

CHI A. OSSÉ, *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, ERIC DINOWITZ, AMANDA FARÍAS, SHAHANA K. HANIF, RITA C. JOSEPH, SANDRA UNG; 8-0-0; *Parental*: Crystal Hudson; Committee on Cultural Affairs, Libraries and International Intergroup Relations, September 14, 2023.

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

Adopted unanimously by the Council by voice-vote.

Report for voice-vote item Res. No. 415-A

Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations in favor of approving, as amended, a Resolution calling on the United States Congress to pass, and the President to sign, the September 11 Day of Remembrance Act.

The Committee on Cultural Affairs, Libraries and International Intergroup Relations, to which the annexed amended resolution was referred on December 7, 2022 (Minutes, page 2927), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations for Res. No. 346-A printed above in this voice-vote Resolutions Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Res. No. 415-A:)

Res. No. 415-A

Resolution calling on the United States Congress to pass, and the President to sign, the September 11 Day of Remembrance Act.

By Council Members Ariola, Yeger, Schulman, Farías, Ung, Hanks, Brannan, Marte, Menin, Rivera, Dinowitz, Holden, Narcisse, Avilés, Riley, Lee, Velázquez, Paladino, Vernikov, Borelli, Carr, Kagan and the Public Advocate (Mr. Williams).

Whereas, Although the terrorist attacks of September 11, 2001 on the World Trade Center in New York City (NYC), at the Pentagon in our nation’s capital, and in Shanksville, Pennsylvania, were the deadliest terror attacks ever launched against our nation, the people of the United States (US) stood united against the terrorists and in support of the attacks’ immediate and long-term victims, including by joining the US military to remind the world of our strength of character; and

Whereas, The September 11 Day of Remembrance Act (S.1472/H.R.2382), sponsored by US Senator Marsha Blackburn and US Representative Michael Lawler, calls for September 11 to be designated as a legal public holiday; and

Whereas, NYC residents have a lasting special connection to that never-to-be-forgotten day, whether as private citizens who observed the collapse of the Twin Towers, or as heroic first responders who rushed to the site without regard for their own safety, or as family members and friends of those who perished at that site; and

Whereas, A generation of Americans is now too young to remember the events of September 11 firsthand, though it continues to shape their lives in so many ways; and

Whereas, Thousands of NYC children and youth are part of the generation that were born into families of September 11 victims, but never knew their family members taken so senselessly; and

Whereas, Establishing September 11 as a federal holiday allows Americans to set aside school and work for one day in order to give younger and older Americans—as well as future generations—time to reflect on the meaning and lasting effects of the terrorist attacks of September 11; and

Whereas, Establishing September 11 as an official Day of Remembrance would go beyond establishing it as Patriot Day, as designated in the joint resolution of the US Congress (H.J. Res. 71) on December 18, 2001, which calls on the President to issue a yearly proclamation, including the observance of a moment of silence and the flying of flags at half-staff; and

Whereas, An official Day of Remembrance would go beyond Public Law No. 111-13 (April 21, 2019), in which the US Congress requested that September 11 be recognized each year as a National Day of Service and Remembrance to demonstrate the compassion and selflessness of the American people as they serve others in need; and

Whereas, An official Day of Remembrance would go beyond New York State’s current legislation (S.4166A/A.1801B), signed by Governor Andrew Cuomo in 2019, which allows for a moment of silence in schools to commemorate the terrorist attacks and encourage classroom discussion; and

Whereas, An official Day of Remembrance gives all New Yorkers time to honor the almost 3,000 innocent victims, including hundreds of first responders, who died on September 11 and allows family members, in particular, quiet time to grieve the continued loss of loved ones; now, therefore, be it

Resolved, That the Council of the City of New York calls on the United States Congress to pass, and the President to sign, the September 11 Day of Remembrance Act.

CHI A. OSSÉ, *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, ERIC DINOWITZ, AMANDA FARÍAS, SHAHANA K. HANIF, RITA C. JOSEPH, SANDRA UNG; 8-0-0; *Parental*: Crystal Hudson; Committee on Cultural Affairs, Libraries and International Intergroup Relations, September 14, 2023.

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

Adopted unanimously by the Council by voice-vote.

Report for voice-vote item Res. No. 450-A

Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations in favor of approving, as amended, a Resolution recognizing the contributions of Def Jam to the music industry and to music lovers everywhere by designating January 2024 as Def Jam Recognition Month in the City of New York.

The Committee on Cultural Affairs, Libraries and International Intergroup Relations, to which the annexed amended resolution was referred on December 21, 2022 (Minutes, page 3082), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations for Res. No. 346-A printed above in this voice-vote Resolutions Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Res. No. 450-A:)

Res. No. 450-A

Resolution recognizing the contributions of Def Jam to the music industry and to music lovers everywhere by designating January 2024 as Def Jam Recognition Month in the City of New York.

By Council Members Williams, Stevens, Riley, Louis, Joseph, Farías, Hudson, Ossé, Rivera, Nurse, Cabán, Avilés, De La Rosa, Krishnan and the Public Advocate (Mr. Williams).

Whereas, Rick Rubin began recording rap music in his dorm room at the Weinstein Residence Hall of New York University and gave birth to Def Jam Recordings (Def Jam), using a loan from his parents to get the company started; and

Whereas, Rubin soon joined with Russell Simmons, who brought his business expertise as a prominent figure in the Hip Hop scene and as the already-established manager of Run DMC, the renowned rap trio from Hollis, Queens; and

Whereas, Rubin and Simmons, both just in their twenties, launched Def Jam from New York City (NYC) to eventual worldwide acclaim, along with the careers of many of the label's iconic artists; and

Whereas, Rubin found innovative ways to get the energy and sound of live Hip Hop into the songs and albums he produced; and

Whereas, Simmons strove for authenticity for his artists and their music, using the slogan "keeping it real" to characterize who the artists were and what they wanted to say in their music; and

Whereas, Rubin and Simmons began by recording local talent, who became a who's who of rap royalty; and

Whereas, LL Cool J, a 17-year-old from Queens, was one of Def Jam's earliest artists, releasing his single "I Need a Beat" in 1984, marking the official launch of Def Jam, and his debut album *Radio* in 1985 and going on to become one of the first rappers to earn mainstream success; and

Whereas, The Beastie Boys, a trio of Jewish white rappers from Long Island, who brought Hip Hop to the suburbs, also signed early with Def Jam and released their single "Rock Hard" in 1984 and their first album *Licensed to Ill* in 1986, which became the best-selling rap album of the 1980s; and

Whereas, Def Jam signed Public Enemy, also hailing from Long Island, in the late 1980s, giving voice to the social and political concerns of African Americans and ensuring Public Enemy's significant and lasting influence on rap music; and

Whereas, Even though Rubin left Def Jam in 1988 and Simmons left in 1999, the pre-eminence of Def Jam (through a variety of corporate entities over the years) did not wane as it added new executives and some of the music industry's biggest artists over the next four decades, including JAY-Z, DMX, Ja Rule, Method Man & Redman, Ludacris, Rihanna, Jeezy, Kanye West, Justin Bieber, Logic, Pusha T, Jadakiss, Vince Staples, Jeremih, Big Sean, YG, 2 Chainz, Dave East, and Jhené Aiko; and

Whereas, Def Jam has promoted artists of various racial and ethnic backgrounds and has brought their music to people of all demographics nationwide and worldwide; and

Whereas, Def Jam has contributed substantially to the health of the music industry and the economy of NYC; and

Whereas, Def Jam continues to thrive as it enters its 40th year in 2024, producing new music with up-and-coming artists, who will take their places alongside the pioneers who began their careers with Def Jam decades ago; and

Whereas, The designation of Def Jam Recognition Month commemorates Rubin's pioneering producing and Simmons's business acumen and the impact that they had on the music industry and continue to have on fans everywhere; now, therefore, be it

Resolved, That the Council of the City of New York recognizes the contributions of Def Jam to the music industry and to music lovers everywhere by designating January 2024 as Def Jam Recognition Month in the City of New York.

CHI A. OSSÉ, *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, ERIC DINOWITZ, AMANDA FARÍAS, SHAHANA K. HANIF, RITA C. JOSEPH, SANDRA UNG; 8-0-0; *Parental*: Crystal Hudson; Committee on Cultural Affairs, Libraries and International Intergroup Relations, September 14, 2023.

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

Adopted unanimously by the Council by voice-vote.

INTRODUCTION AND READING OF BILLS

Int. No. 1159

By Council Members Abreu, Stevens, Louis, Farías, Schulman, Menin and Marte.

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

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.21 to read as follows:

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

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

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

Referred to the Committee on Health.

Int. No. 1160

By Council Members Abreu, Stevens, Louis, Farías, Schulman and Menin.

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

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.23 to read as follows:

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

b. Report. No later than 90 days after the effective date of the local law that added this section, and annually thereafter, the department shall submit to the mayor and the speaker of the council and post on its website a report on requests for background checks received by the department. The report shall include a separate row referencing each unique occurrence of a background check request that either (i) was received during the preceding year or (ii) was received prior to the preceding year but was not completed prior to the preceding year. Each such row shall include, but need not be limited to, the following information set forth in separate columns for each background check request:

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

2. Whether the background check has been completed;
 3. If the background check has been completed, the date the department completed the background check;
 4. If the background check has been completed, the number of days taken to complete the background check;
 5. A unique and anonymous identification code corresponding to the current or prospective child care provider, employee, or volunteer about whom the background check has been requested; and
 6. If the background check was completed more than 14 days from the date the department received the request for a background check, the reasons why the background check was not completed within 14 days.
- § 2. This local law takes effect immediately.

Referred to the Committee on Health.

Int. No. 1161

By Council Members Abreu, Velázquez, Powers, Hudson, Nurse, Restler, Krishnan, Menin, Schulman, Stevens, Bottcher, Gutiérrez, Hanif and Marte.

A Local Law to amend the administrative code of the city of New York, in relation to allowing reusable beverage containers in sports venues

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 16 of the administrative code of the city of New York is amended by adding new section 16-403 to read as follows:

§ 16-403 *Reusable beverage container in sports venues. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Reusable beverage container. The term “reusable beverage container” means a drinking vessel that is designed and manufactured to be capable of multiple reuses.

Sports venue. The term “sports venue” means a building, structure, or place in which professional or collegiate sporting competitions are held.

b. A sports venue shall not prohibit an individual from bringing a reusable beverage container into the venue, except as provided in this section. A sports venue may require that reusable beverage containers be empty upon entering the venue and may restrict the types of reusable beverage container permitted into the venue, including by specifying the size and material of permissible beverage containers, provided that the sports venue permits at least one type of reusable beverage container.

c. The department, the department of health and mental hygiene and the department of consumer and worker protection shall enforce the provisions of this section.

d. Any sports venue that violates this section or any rule promulgated pursuant thereto shall be liable for a civil penalty recoverable in a civil action brought in the name of the commissioner, the commissioner of health and mental hygiene, or the commissioner of consumer and worker protection, or in a proceeding before the office of administrative trials and hearings. Such penalties shall be in the amount of \$500 for the first violation, \$750 for the second violation committed on a different day within a period of 12 months, and \$1,000 for the third and each subsequent violation committed on different days within a period of 12 months.

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

Referred to the Committee on Sanitation and Solid Waste Management.

Res. No. 742

Resolution calling on the New York City Department of Education to develop curriculum on machine learning, and adapt their current curriculum and policies to account for the safe use of generative AI.

By Council Members Abreu, Joseph, Gutiérrez, Farías, Ossé, Krishnan, Hanif and De La Rosa (by request of the Manhattan Borough President).

Whereas, Generative artificial intelligence (AI) is a type of AI that can generate new content, including text, images and videos, through learning patterns from pre-existing data; and

Whereas, Examples of generative AI systems include image generators, large language models, code generation tools, or audio generation tools; and

Whereas, Since the public release of Open AI's ChatGPT, a chatbot powered by an underlying large language model trained to follow an instruction in a prompt and provide a detailed response in a humanlike conversational dialogue within seconds, it has become the fastest-growing consumer application in history, growing from one million users following its launch in November 2022 to over 100 million users in January 2023; and

Whereas, In addition to text outputs, generative AI can be used to analyze large data sets, identify trends and patterns, and make predictions; other applications include creating images, such as graphs and other data visualization, music, computer code; and

Whereas, Over the past year, with the release and growth of ChatGPT, Google's Bard, and similar generative AI systems, critics have issued warnings about the impact generative AI could have on society; and

Whereas, A May 30, 2023, open letter published by the Center for AI Safety and signed by more than 350 executives, researchers, and engineers working in AI, asserts "[m]itigating the risk of extinction from AI should be a global priority alongside other societal-scale risks such as pandemics and nuclear war"; and

Whereas, A nationally representative survey of more than a thousand K-12 teachers and a thousand students published in February 2023 by the polling and research firm Impact Research for the Walton Family Foundation revealed that 51 percent of teachers have used ChatGPT, with 40 percent of teachers saying they use it weekly, and 10 percent reporting they use it almost daily; and

Whereas, By comparison, 33 percent of student respondents reported using ChatGPT for school, including 47 percent of those ages 12-14; and

Whereas, The survey also found that 59 percent of teachers reported that "ChatGPT will likely have legitimate educational uses that we cannot ignore," while 24 percent reported that "ChatGPT will likely only be useful for students to cheat"; and

Whereas, Overall, the survey revealed that teachers and students agree that ChatGPT will be important to incorporate into schooling: 68 percent of students believe it can help them become better students and 75 percent of students reported that it can help them learn faster, while 73 percent of teachers agree that ChatGPT can help their students learn more; and

Whereas, Generative AI chatbots, which rely on patterns learned in its training rather than facts, are not reliable sources of information; and

Whereas, A May 3, 2023, JSTOR Daily post, highlighted that failing to properly engage with generative AI could produce a "generation of students and professionals who rely on a machine to think for them," ultimately resulting in an "educational landscape where... students will have ChatGPT write their essays, and teachers will have ChatGPT grade them"; and

Whereas, In January 2023, citing "concerns about negative impacts on student learning, and concerns regarding the safety and accuracy of content," the New York City ("NYC" or "City") Department of Education (DOE) restricted access to ChatGPT on DOE networks and devices; and

Whereas, However, in a first-person piece published May 18, 2023, by Chalkbeat New York, DOE Chancellor Banks conceded that "the reality [is] that our students are participating in and will work in a world where understanding generative AI is crucial"; and

Whereas, Education must keep pace and embrace new technology in order to best prepare students for an ever-evolving world; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York City Department of Education to develop curriculum on machine learning, and adapt their current curriculum to account for the safe use of generative AI.

Referred to the Committee on Education.

Res. No. 743

Resolution calling on the New York State Legislature to pass, and the New York State Governor to sign, S.2016-A/A.4592-A, also known as the NY HEAT Act, which would align utility regulation with state climate justice and emission reduction targets and repeal certain provisions of the Public Service Law relating to gas service and sale.

By Council Members Avilés, Gutiérrez, Restler, Farías and Hanif.

Whereas, In 2019, New York State (NYS) enacted the Climate Leadership and Community Protection Act (CLCPA) in an effort to dramatically reduce greenhouse gas (GHG) emissions from all sectors of NYS's economy; and

Whereas, The CLCPA, among other things, requires that the NYS Department of Environmental Conservation establish: statewide GHG emissions limits reducing emissions by 85 percent below 1990 levels by 2050; regulations to achieve statewide GHG emissions reductions; and a process to ensure that a minimum of 35 percent of investments from clean energy and energy efficiency funds are invested in disadvantaged communities; and

Whereas, This has a particular impact on New York City (NYC), as the CLCPA aligns with the City's commitments surrounding climate change, including: a target of reducing GHG emissions by 80 percent below 2005 levels by 2050, which was codified into law when the City Council passed Local Law 66 of 2014; a target of reducing GHG emissions produced by NYC's largest buildings by 40 percent below 2005 levels by 2030 and 80 percent by 2050, which was codified into law under Local Law 97 of 2019; and the City's efforts to phase out fossil fuels, including Local Law 154 of 2021, which prohibits the combustion of high carbon-emitting substances in certain newly-constructed buildings within the City; and

Whereas, In 2021, according to the NYC Mayor's Office of Climate and Environmental Justice, 86.88 million tons of carbon dioxide equivalent were emitted for all activities taking place within the boundaries of NYC's five boroughs, when using the CLPCA's accounting method; and

Whereas, According to a NYC Panel on Climate Change 2019 report, it is estimated that by the 2050s, NYC is likely to experience a 4.1 degree Fahrenheit increase in the average annual temperature, which will result in: more intense heat waves that can cause stroke, exhaustion, and possible death; a rise in sea levels of about two and a half feet that will flood lower-lying land; twice as many 100-year storms that can damage homes and infrastructure; and one and a half times more extreme precipitation days that can result in intense flash flooding; and

Whereas, The CLCPA essentially altered the context in which the Public Service Commission (PSC) regulates and how NYS' gas utilities operate, as it will require a quick transition away from fossil fuels in order to bring emissions down and meet specific targets; and

Whereas, According to a March 2023 report by the Building Decarbonization Coalition (BDC) entitled "The Future of Gas in New York State," incentives for non-fossil fuel energy alternatives are putting pressure on fossil fuel-based gas consumption and gas utilities' ratepayer counts, which could concentrate increasing system costs for gas utilities and place a financial burden on those left utilizing gas, especially for low-income New Yorkers; and

Whereas, The BDC report notes that, despite the pressure from the CLPCA to transition to non-fossil fuel energy alternatives and the increasing possibility that gas system networks may become obsolete in the future, NYS' gas utilities are increasing their investments in high fixed-cost pipeline networks, with NYS' gas utilities investments over the past 10 years more than doubling from \$13 billion to \$29 billion, and the average cost to gas utilities for replacing gas distribution mains, of which nearly 9 out of every 10 miles of distribution mains

are replacements, has increased to about \$6 million per mile, when calculating what will be sought from ratepayers; and

Whereas, As it is important for both NYS and NYC to implement measures that will ensure state regulation and oversight of gas utilities, while providing for the equitable achievement of the CLCPA’s goals and targets, S.2016-A and A.4592-A, otherwise known as the NY HEAT Act, were introduced by NYS Senator Liz Krueger and NYS Assemblymember Patricia Fahy, respectively; and

Whereas, S.2016-A, which was passed by the NYS Senate, and A.4592-A, which has yet to be passed by the Assembly, would align utility regulation with NYS’ climate justice and emission reduction targets and repeal certain provision of the Public Service Law relating to gas service and sale; and

Whereas, S.2016-A/A.4592-A would: make utility bills more affordable through protections for low-to-moderate income customers; empower the PSC to equitably achieve CLCPA targets; amend provisions of Public Service Law currently undermining the CLCPA; and manage infrastructure costs paid by gas customers; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the New York State Governor to sign, S.2016-A/A.4592-A, also known as the NY HEAT Act, which would align utility regulation with state climate justice and emission reduction targets and repeal certain provisions of the Public Service Law relating to gas service and sale.

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

Int. No. 1162

By Council Members Borelli, Yeager, Vernikov, Paladino, Kagan, Holden, Ariola and Carr.

A Local Law in relation to a study regarding the feasibility of providing parents with an annual \$10,000 tuition reimbursement payment per student to cover the cost of nonpublic schooling and the repeal of this local law upon the expiration thereof

Be it enacted by the Council as follows:

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

Nonpublic school. The term “nonpublic school” means any school that contains any combination of grades from kindergarten through grade 12 in the city of New York, other than a public school, which (i) is providing instruction in accordance with article 17 and section 3204 of the education law and (ii) collects tuition.

Public school. The term “public school” means a school of the city school district of the city of New York, including charter schools under the jurisdiction of the department of education.

Student. The term “student” means any pupil under the age of 21 as of September 1 of the academic year of enrollment who does not have a high school diploma and who is enrolled in a nonpublic school.

Tuition. The term “tuition” has the same meaning as set forth in section 561 of the education law.

§ 2. Feasibility study. The department of finance, in collaboration with the department of education, shall study and report on the feasibility of providing the parents of a student enrolled in a nonpublic school with an annual \$10,000 tuition reimbursement payment for each student enrolled in such school. No later than one year after the effective date of this local law, the department of finance shall submit to the mayor and speaker of the council and shall post conspicuously on its website a report on the findings of such study. Such report shall:

1. Assess the estimated costs of nonpublic school tuition reimbursement payments;
2. Assess any potential impact of nonpublic school tuition reimbursement payments to public schools, including, but not limited to, any potential impact to public school transportation and delivery of special education services at public schools;
3. Identify which agency should be responsible for the distribution of nonpublic school tuition reimbursement payments;

4. Identify any legal and practical barriers to the distribution of nonpublic school tuition reimbursement payments; and

5. Include any other information relevant to assessing the feasibility of distributing nonpublic school tuition reimbursement payments.

§ 3. Effective date. This local law takes effect immediately and expires and is deemed repealed upon the submission of the report to the mayor and the speaker of the council as required by section 2 of this local law.

Referred to the Committee on Education.

Preconsidered Res. No. 744

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

By Council Members Brannan and Mealy.

Whereas, On June 30, 2023, the Council of the City of New York (the “City Council”) adopted the expense budget for Fiscal Year 2024 with various programs and initiatives (the “Fiscal 2024 Expense Budget”); and

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, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2024 and Fiscal 2023 and Fiscal 2022 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local, aging, youth, anti-poverty, boroughwide, and Speaker’s initiative 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 2024 and Fiscal 2023 Expense Budgets by approving new Description/Scope of Services for certain organizations receiving local discretionary funding and certain organization receiving funding pursuant to certain initiatives; now, therefore, be it

Resolved, That the City Council approves the new designations and changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2024 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the new designations and changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2024 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 2024 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 2024 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 2024 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2024 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 A Greener NYC Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 8; 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 After-School Adventure (CASA) Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 9; and be it further

Resolved, That the City Council approves the new designations and the changes in the designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the new designations and change in the designation of certain organizations receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the new designations and change in the designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 12; 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 NYC Cleanup Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 13; 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 Parks Equity Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 14; 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 Support Our Older Adults Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 15; 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 Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the new designations of certain organizations receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Educational Programs for Students Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Afterschool Enrichment Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 19; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Community Land Trust Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 20; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the HIV/AIDS Faith Based Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 21; and be it further

Resolved, That the City Council approves the new designations of certain organizations receiving funding pursuant to the Ending the Epidemic Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 22; and be it further

Resolved, That the City Council approves the new designations of certain organizations receiving funding pursuant to the Viral Hepatitis Prevention Initiative in accordance with the Fiscal 2024 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 Worker Cooperative Business Development Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 24; and be it further

Resolved, That the City Council approves the new designations and change in the designation of certain organizations receiving funding pursuant to the Crisis Management System Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 25; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Hate Crime Prevention Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 26; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the CUNY Diversity Incubator Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 27; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Confronting Religious and Ethnic Discrimination at CUNY Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 28; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Autism Awareness Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 29; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Mental Health Services for Vulnerable Populations Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 30; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Young Women's Leadership Development Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 31; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Elie Wiesel Holocaust Survivors Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 32; and be it further

Resolved, That the City Council approves the new designations of certain organizations receiving funding pursuant to the Naturally Occurring Retirement Communities (NORCs) Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 33; and be it further

Resolved, That the City Council approves the new designations of certain organizations receiving funding pursuant to the Older Adult Clubs for Immigrant Populations Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 34; 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 2023 Expense Budget, as set forth in Chart 35; 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 36; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 37; and be it further

Resolved, That the City Council approves the change 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 38; and be it further

Resolved, That the City Council approves the 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 39; and be it further

Resolved, That the City Council approves the change 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 40; and be it further

Resolved, That the City Council approves the change 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 41; and be it further

Resolved, That the City Council approves the change 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 42; 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 2023 Expense Budget, as set forth in Chart 43; 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 44; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Support Our Seniors Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 45; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Art a Catalyst for Change Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 46; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Physical Fitness and Education Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 47; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Older Adult Clubs, Programs, and Enhancements Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 48; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Naturally Occurring Retirement Communities (NORCs) Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 49; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the AAPI Community Support Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 50; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 51; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the LGBT Community Services Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 52; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Speaker's Initiative to Address Citywide Needs in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 53; and be it further

Resolved, That the City Council amends the Purpose of Funds for certain organizations receiving funding in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 54; 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 55.

Adopted by the Council (preconsidered and approved by the Committee on Finance; for text of the Exhibit Charts, please refer to the attachments section of [the Res. No. 744 of 2023 file](#) in the legislation section of the New York City Council website at <https://council.nyc.gov>).

Res. No. 745

Resolution calling on the New York State Legislature to pass, and the Governor to sign, A.181/S.178, in relation to amending the New York State Constitution to remove the requirement that registration for purposes of voting be completed at least 10 days before election day.

By Council Members Brannan, Menin, Gutiérrez and Hanif.

Whereas, All eligible New Yorkers deserve a reasonable opportunity to exercise their fundamental voting rights; and

Whereas, New York State consistently has one of the lowest voter turnout rates, ranking 39th among states in the 2022 General Election; and

Whereas, Potential voters often find it challenging to register, due to confusing rules and/or lack of time, resulting in only 63.2 percent of eligible voters being registered in 2022, according to the Census Bureau; and

Whereas, Article 2, Section 5 of the New York State Constitution requires that voter registration be completed at least 10 days before each election; and

Whereas, A 2019 amendment to the Election Law allowed voters in New York State to register to vote 25 days before any election event, including general, primary, and special elections; and

Whereas, Under the current process, the voter registration deadline being nearly one month before an election could cause many hopeful registrants to not be eligible to vote in the following election; and

Whereas, A.181, introduced by Assembly Member Robert C. Carroll and pending in the New York State Assembly, and companion bill S.178, introduced by State Senator Michael Gianaris and pending in the New York State Senate, seek to amend the New York State Constitution by removing the requirement that registration for purposes of voting be completed at least 10 days before election day; and

Whereas, Removing barriers towards making the voter registration deadline closer to election events can only benefit New Yorkers, by granting more time to register to vote; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, A.181/S.178, in relation to amending the New York State Constitution to remove the requirement that registration for purposes of voting be completed at least 10 days before election day.

Referred to the Committee on Governmental Operations.

Int. No. 1163

By Council Members Brewer, Stevens, Louis, Restler, Feliz and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to third-party delivery workers and powered bicycle safety

Be it enacted by the Council as follows:

Section 1. Paragraph (3) of subdivision e of section 10-157 of the administrative code of the city of New York, as amended by local law number 91 for the year 2017, is amended to read as follows:

(3) Each bicycle operator shall complete a bicycle safety course prior to making deliveries or otherwise operating a bicycle on behalf of a business using a bicycle for commercial purposes. For purposes of this section, "bicycle safety course" shall mean information provided by the department of transportation regarding safe bicycling, [and] adherence to traffic and commercial bicycle laws, *safe and lawful operation of powered bicycles within the meaning of section 20-609, and lithium-ion battery and charging safety.*

§ 2. Subdivision b of section 20-563.2 of the administrative code of the city of New York is amended by adding a new paragraph 4 to read as follows:

4. Unless it has already done so pursuant to section 10-157, a third-party food delivery service shall comply with the requirements of subdivisions e and f of section 10-157 applicable to a business using a bicycle for commercial purposes and shall ensure that each person it hires, retains, or engages as a bicycle operator within the meaning of section 10-157 complies with subdivision e of such section.

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

Referred to the Committee on Consumer and Worker Protection.

Res. No. 746

Resolution calling on the New York State Assembly to pass A.4938-B and A.5310 and the Governor to sign A.4938-B/S.154-C and A.5310/S.157, which would set standards for lithium-ion batteries used in specific electric mobility devices and prohibit the sale of second-use lithium-ion batteries intended for use in a bicycle with electric assist, an electric scooter or a limited use motorcycle.

By Council Members Brewer, Louis, Farías, Schulman and Abreu.

Whereas, During the past several years, New York City has experienced a rapid increase in lithium-ion battery related fires, largely associated with E-bikes; and

Whereas, The construction of these batteries contain a pressurized electrolyte fluid that makes them dangerous in a range of circumstances, which may compromise the battery's integrity and cause the battery to explode or ignite; and

Whereas, These circumstances include but are not limited to: (i) impact damage to the battery; (ii) a manufacturing flaw; (iii) aging and deterioration of the battery components; (iv) extreme temperatures; and (v) overcharging; and

Whereas, The New York City Fire Department ("FDNY") investigated 44 lithium-ion fires related to E-bikes and electric scooters during 2020, none of which resulted in deaths; and

Whereas, During 2021 and 2022, respectively, the FDNY reported investigating 104 and 220 fires resulting in 4 and 6 deaths; and

Whereas, On June 20, 2023, an early-morning fire at an E-bike store in lower Manhattan, caused by lithium-ion batteries, resulted in the death of four individuals; and

Whereas, In March of 2023, the Council passed a package of E-bike safety legislation, including: (i) Local Law 39 of 2023, which prohibits the sale, lease, or rental of powered mobility devices, such as e-bikes and electric scooters, and storage batteries for these devices, that fail to meet recognized safety standards and (ii) Local Law 42 of 2023, which prohibits the sale of reconditioned lithium-ion batteries that use cells removed from used storage batteries; and

Whereas, A.4938-B, introduced by New York State Assemblymember Jeffrey Dinowitz, and companion bill S.154-C, introduced by New York State Senator Liz Krueger, would require lithium-ion batteries sold in the State and to be used in a light electric-powered vehicle or personal mobility device to be manufactured in accordance with certain standards and specifications; and

Whereas, A.4938-B/S.154-C would amend the New York State General Business Law ("GBL") by prohibiting the manufacturing, distribution, sale of lithium-ion battery or chargers for E-bikes, electric scooters, and other small mobility devices that do not comply with one of the listed standards set out by *Underwriter Laboratories*; and

Whereas, A.4938-B/S.154-C would create a civil penalty that ranges from \$500 for a first violation to \$1000 for each subsequent for anyone who violates the law; and

Whereas A.5310, introduced by Assemblymember Jeffrey Dinowitz, and companion bill S.157, introduced by Senator Liz Krueger, would prohibit the sale of second-use lithium-ion batteries intended for use in a bicycle with electric assist, an electric scooter or a limited use motorcycle; and

Whereas, A.5310/S.157 would amend the GBL by prohibiting the distribution, assembly, or sale of second-use lithium-ion batteries for E-bikes and electric scooters that have been assemble or reconditioned using cells removed from used batteries; and

Whereas, A.5310/S.157 would create a civil penalty that ranges from \$200 for a first violation to \$1000 for each subsequent violation within two years for anyone who violates the law; and

Whereas, On June 1, 2023, the New York State Senate passed S.157 and was delivered to the New York State Assembly on the same day; and

Whereas, On June 8, 2023, the New York State Senate passed S.154-C and was delivered to the New York State Assembly on the same day; and

Whereas, Currently, the New York State Assembly has yet to hold a vote on A.4938-B or A.5310; and

Whereas, Prohibiting the sale of second-use lithium-ion batteries intended for the use in E-bikes and electric scooters statewide would further preclude the use of these dangerous products within the City and better ensure the safety of all New Yorkers; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Assembly to pass A. 4938-B and A.5310 and the Governor to sign A.4938-B/S.154-C and A.5310/S.157, which would set standards for lithium-ion batteries used in specific electric mobility devices and prohibit the sale of second-use lithium-ion batteries intended for use in a bicycle with electric assist, an electric scooter or a limited use motorcycle.

Referred to the Committee on Consumer and Worker Protection.

Res. No. 747

Resolution calling on the New York State Legislature to pass, and the New York State Governor to sign, S.7587/A.7833, known as the “Commercial E-Bike Licensing Act,” which requires the registration of bicycles with electric assist used for commercial purposes and creates liability for employers for certain violations.

By Council Members Brewer, Stevens, Louis, Farías, Schulman and Abreu.

Whereas, Bicycles equipped with an electric motor (e-bikes) have become a popular mode of transportation for individuals and method of delivery for food and small goods, since 2020, when New York State (NYS) made it legal for people to operate e-bikes on some streets and highways; and

Whereas, Under NYS Law, e-bikes may operate on highways with a posted speed limit of 30 miles per hour or less; municipalities can further regulate the time, place and manner of operation of e-bikes; and e-bikes cannot be operated on a sidewalk unless authorized by local law or ordinance; and

Whereas, E-bikes offer a convenient and effective option for personal transportation, but also for workers in the delivery industry; and

Whereas, According to estimates, in New York City (NYC), there are approximately 65,000 food-delivery workers that work on behalf of mobile app delivery services such as Uber Eats, DoorDash and Grubhub, and according to the Workers Justice Project, about 80% of delivery workers rely on e-bikes or motorbikes; and

Whereas, With the increased prevalence of e-bikes in NYC, road users have noted the danger these devices can sometimes pose to pedestrians, other cyclists, and themselves when operated impermissibly, including being driven on sidewalks and riders not complying with traffic safety regulations; and

Whereas, It is possible that food delivery workers choosing to engage in dangerous riding behavior is largely fueled by pressure from delivery companies requiring delivery workers to conduct delivery of food and goods as fast as possible; and

Whereas, For 2022, according to the NYC Department of Transportation, e-bikes with pedals were involved in nine fatalities, and, as of July 4, 2023, for 2023, e-bikes with pedals were involved in 12 fatalities; and

Whereas, In an effort to ensure that commercial e-bike users comply with regulations and operate in a safe manner, for the well-being of both themselves and others, while ultimately reducing the number of fatalities and injuries related to such devices, S7587/A.7833, known as the “Commercial E-Bike Licensing Act,” was introduced at the state level; and

Whereas, S.7587, introduced by NYS Senator Brad Hoylman-Sigal, and A.7833, introduced by NYS Assemblymember Tony Simone, would require the registration and licensure of e-bikes used for commercial purposes, and directs the costs of violations relating to riding such a bicycle on a sidewalk to the employer of the commercial e-bike rider; and

Whereas, By requiring the registration of e-bikes used for commercial purposes and requiring visible license information, delivery e-bikes involved in dangerous situations could be easily identified, with any fines or violations being placed on the employer, and not the delivery worker; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the New York State Governor to sign, S.7587/A.7833, known as the “Commercial E-Bike Licensing Act,” which requires the registration of bicycles with electric assist used for commercial purposes and creates liability for employers for certain violations.

Referred to the Committee on Consumer and Worker Protection.

Res. No. 748

Resolution calling on Congress to pass, and the President to sign, the Prescription Pricing for the People Act of 2023 and the Pharmacy Benefit Manager Transparency Act of 2023.

By Council Members Brewer, Louis, Farías and Schulman.

Whereas, In the United States (U.S.), prescription drug prices have been on the rise, with prices widely varying across cities and states, making it difficult for many Americans to access and afford their medications; and

Whereas, According to GoodRx Health, New York (NY) is the sixth most expensive U.S. state for prescription drugs, where residents pay 10.4% above the national average for their medications; and

Whereas, New York Public Interest Research Group Fund (NYPIRG) reports huge prescription drug price differences within and among NY counties; and

Whereas, For example, Spiriva, a medication for asthma and COPD, on average costs \$308.92 in Onondaga and \$322.64 in the Bronx; and

Whereas, Meanwhile, just within New York City (NYC), Spiriva can cost as high as \$698.72 or as low as \$224.95, a difference of \$473.77; and

Whereas, Over the past few years, the U.S. Senate has been examining the ever-increasing price of prescription drugs; and

Whereas, In 2019, the Senate Committee on Finance held a three-part hearing on drug pricing in America and examined the role that Pharmacy Benefit Managers (PBMs) play in increasing the cost of drugs for consumers; and

Whereas, PBMs are intermediaries that manage prescription drug benefits on behalf of health insurers, Medicare Part D drug plans, and large employers, and have significant influence over the prices and availability of prescription medications; and

Whereas, PBMs negotiate with drug manufacturers, using their buying power to get the best deal on medications on behalf of insurance companies and their customers; and

Whereas, PBMs are large corporations, and the three largest—CVS Health/Caremark, Cigna/Express Scripts, and UnitedHealth/OptumRx—control about 80% of the prescription drug market; and

Whereas, However, consumer and patient advocates have argued that PBMs act only to increase their bottom line, and not to make prescription medications more affordable for consumers and patients; and

Whereas, The National Community Pharmacists Association, for example, argues that PBMs will select medications for inclusion in a plan if a rebate is paid to the PBM, but not necessarily because including the medication would be in the consumers’ best interests; and

Whereas, PBMs operate with little to no transparency, making it difficult to understand how they determine prices for prescription drugs, and whether they engage in anticompetitive or deceptive practices that harm consumers, pharmacies, and health plans; and

Whereas, PBMs may steer patients to pharmacies in which they have an ownership interest, or use formulary designs to favor drugs that generate higher rebates from manufacturers; and

Whereas, In a practice known as “spread pricing,” PBMs may charge health plans more than they reimburse pharmacies for the same drugs, and keep the difference as profit; and

Whereas, PBMs may engage in “clawbacks” by imposing inflated copayments on consumers while charging pharmacies direct and indirect remuneration fees to reduce their reimbursement rates or decrease future payments to pharmacies to offset “negative funding” to an amount that is slightly above the drug acquisition cost, allowing PBMs to pocket most of the money; and

Whereas, Due to such practices, while patients are forced to pay more money for the same drug at a particular pharmacy, which could often be higher than the out-of-pocket cost of their prescription, pharmacies also suffer through low reimbursements and decreased customer trust, which could threaten their viability; and

Whereas, Part of the difficulty in assessing the actions of PBMs stems from the fact that there is little regulation of the industry and it lacks transparency; and

Whereas, To address these issues, Senator Chuck Grassley has introduced S.133, the Prescription Pricing for the People Act of 2023, which would require the Federal Trade Commission to study the role of PBMs in the pharmaceutical supply chain and report to Congress on their anticompetitive practices and other trends that may impact the cost of prescription drugs; and

Whereas, S.127, the Pharmacy Benefit Manager Transparency Act of 2023 introduced by Senator Maria Cantwell, would prohibit PBMs from engaging in spread pricing, clawbacks, steering, and other unfair or deceptive practices when managing prescription drug benefits; and

Whereas, Together these bills would increase transparency and accountability in the PBM industry, protect consumers and pharmacies from abusive practices, and promote competition and lower prices in the prescription drug market; and

Whereas, Given that New Yorkers already pay one of the highest rates for their prescription drugs, it is vital that these bills become law; now, therefore, be it

Resolved, That the Council of the City of New York calls on Congress to pass, and the President to sign, the Prescription Pricing for the People Act of 2023 and the Pharmacy Benefit Manager Transparency Act of 2023.

Referred to the Committee on Consumer and Worker Protection.

Res. No. 749

Resolution calling on the United States Citizenship and Immigration Services (USCIS) and the Secretary of Homeland Security to grant humanitarian parole, of at least two years, to asylum seekers who entered the United States prior to the date this parole is announced.

By Council Members Brewer, Farías, Hanif and Abreu.

Whereas, The path to accessing employment authorization is a lengthy and complex process for asylum seekers; and

Whereas, Due to the complexity of the applications, the processing backlogs, and the 150 day waiting period, asylum seekers may not be able to access employment authorization for over 2 years after their entry into the United States.; and

Whereas, According to a recent report from *Make the Road New York*, in New York City, 97% of asylum seekers surveyed did not have work permits; and

Whereas, Without access to work permits, tens of thousands of asylum seekers do not have the option to work legally in the United States, which could force them to enter an underground employment market where they may be victims of wage theft and other forms of exploitation; and

Whereas, However, asylum seekers who have come to New York City over the past year are also eligible for humanitarian parole; and

Whereas, Often these individuals are fleeing countries suffering from significant political, economic, or humanitarian crises; and

Whereas, Humanitarian parole provides temporary lawful status to individuals for ‘urgent humanitarian reasons’ or ‘significant public benefit’; and

Whereas, Although individuals from countries such as Haiti, Nicaragua, Venezuela, and Cuba have been included in parole programs specific to their countries, this program only applies to individuals who have entered the United States after October 19, 2022 for Venezuelans, and after January 9, 2023 for Cubans, Venezuelans, and Nicaraguans; and

Whereas, The existing parole program does not encompass the asylum seekers who crossed into the U.S. before those dates or individuals who are part of the recent asylum seeker influx from other countries; and

Whereas, USCIS and the Secretary of Homeland Security have the authority to temporarily designate humanitarian parole and can use their discretion to apply parole to any noncitizen who fulfills the relevant criteria; and

Whereas, Although humanitarian parole is temporary and does not provide a pathway to citizenship, it does not preclude individuals from applying for asylum; and

Whereas, Individuals can immediately apply to employment authorization by filing an I-765 employment authorization application after being paroled; and

Whereas, Asylum seekers in New York City are struggling to navigate a lengthy and complicated process to safely and legally work in the United States; and

Whereas, Without access to work permits, asylum seekers will not be able to provide for themselves or their families; and

Whereas, USCIS can use their discretion for humanitarian parole to give our newest New Yorkers temporary lawful status and an easier pathway to access work in their new city; now, therefore, be it

Resolved, That the Council of the City of New York Resolution calling on the United States Citizenship and Immigration Services (USCIS) and the Secretary of Homeland Security to grant humanitarian parole, of at least two years, to asylum seekers who entered the United States prior to the date this parole is announced.

Referred to the Committee on Immigration.

Res. No. 750

Resolution calling on the New York State Legislature to pass, and the Governor to sign, A.1679/S.561, in relation to increasing the penalty for leaving the scene of an accident involving an e-scooter and further calling upon the New York State Legislature to include e-bikes in such legislation.

By Council Members Brewer, Louis, Farías, Schulman and Abreu.

Whereas, The transportation sector within the City of New York (“the City”) has rapidly expanded and is becoming increasingly multimodal; and

Whereas, In 2019, the Council of the City of New York passed, and Mayor Bill de Blasio signed, Local Law 195 of 2019, which, among other street safety and major transportation improvements, requires the New York City Department of Transportation (“DOT”) to install at least 250 protected bike lanes and redesign at least 2,000 signalized intersections; and

Whereas, With the emergence of new technologies, as well as the City’s vast investment in transportation improvement projects, the adoption of electric bikes (“e-bikes”) and electric scooters (“e-scooters”) within the City of New York has become more common; and

Whereas, In 2020, the New York State Legislature passed legislation allowing for people to operate e-bikes and e-scooters on many streets within the State and the City Council subsequently passed legislation removing prohibitions in local law; and

Whereas, The New York City administrative code states that e-bikes and e-scooters cannot ride on sidewalks; and

Whereas, According to an analysis of 311 compliant data by the not-for-profit news organization, The City, complaints filed reporting instances of cycling, scootering, and in-line skating occurring in unwanted locations has dramatically increased, from 484 complaints in 2019 to 1,036 in 2021; and

Whereas, New York State Vehicle and Traffic Law prohibits any person operating a motor vehicle from leaving the scene of a traffic accident without reporting it; and

Whereas, According to former DOT Commissioner Polly Trottenberg, who was quoted in a 2018 article by the New York Times, “[Crash investigations provide] crucial information about what happens in particular crashes,” and, according to the article, such investigations help DOT identify roadways in need of redesign or other safety measures needed; and

Whereas, In 2021, the New York City Council passed, and Mayor Bill de Blasio signed, Local Law 49 of 2021, which required the Department of Transportation to create a crash investigation and analysis unit tasked with investigating, analyzing and reporting on all vehicle crashes involving significant injury; and

Whereas, Local Law 49 also requires the Department of Transportation to make recommendations for safety-improving changes to street design and infrastructure, and to post reports regarding its crash reviews on the Department of Transportation’s website; and

Whereas, The City has an overall interest in ensuring that individuals do not leave the scene of a traffic collision; and

Whereas, A.1679 by Assemblymember Linda B. Rosenthal and S.561 by State Senator Brad Hoylman-Sigal would amend the New York State Vehicle and Traffic law to increase the penalties for leaving the scene of an accident involving an electric scooter without reporting it: in the second degree from a violation to a Class-A misdemeanor; and in the first degree from a Class-B misdemeanor to a Class-E felony; and

Whereas, Such legislation might encourage e-scooter riders involved in a collision to stay at the scene of the collision site, which could potentially increase pedestrian and traffic safety; and

Whereas, Including e-bikes in such legislation could potentially further increase pedestrian and traffic safety; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, A.1679/S.561, in relation to increasing the penalty for leaving the scene of an accident involving an e-scooter and further calls upon the New York State legislature to include e-bikes in such legislation.

Referred to the Committee on Transportation and Infrastructure.

Preconsidered Int. No. 1164

By Council Members Brooks-Powers, Riley and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to adding an investment roadmap to the streets master plan

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 19-199.1 of the administrative code of the city of New York, as added by local law number 195 for the year 2019, is amended by adding new definitions of “daylighting,” “significant injury,” and “traffic calming device” in alphabetical order to read as follows:

Daylighting. The term “daylighting” means street design elements for enhancing visibility of cross traffic and pedestrians for motorists approaching an intersection.

Significant injury. The term “significant injury” means any injury categorized as an “A” injury by the New York state department of motor vehicles, any injury which requires hospitalization, or any other injury as determined by the department.

Traffic calming device. The term “traffic calming device” means a device, including but not limited to street redesigns, speed humps, neckdowns, and raised crosswalks, installed on a street and intended to slow, reduce, or alter motor vehicle traffic to enhance safety for pedestrians and cyclists.

§ 2. Subdivision b of section 19-199.1 of the administrative code of the city of New York, as added by local law number 195 for the year 2019, is amended to read as follows:

b. Master plan. 1. The department shall issue and implement a master plan for the use of streets, sidewalks, and pedestrian spaces every five years. In developing each such plan, the department shall prioritize and promote: (i) the safety of all street users; (ii) on-street priority for mass transit vehicles; (iii) the reduction of vehicle emissions; [and] (iv) access for individuals with disabilities; and (v) *improving equity in infrastructure investment.*

2. By December 1, 2021 and by December 1 of every fifth year thereafter, the department shall issue such plan for the five-year period beginning January 1 of the following year.

3. *Beginning with the master plan due December 1, 2026, each master plan shall include an investment roadmap that:*

(i) for each community district, measures the existing level of investment in infrastructure that enhances the safety of street users, including but not limited to daylighting, traffic calming devices, accessible pedestrian signals, pedestrian spaces, protected bicycle lanes, and shared streets;

(ii) for each community district, measures the existing level of investment in all other transportation infrastructure, including but not limited to bicycle lanes, bus stop upgrades, protected bus lanes, and transit signal priority;

(iii) for each community district, identifies the incidence rate of collisions involving motor vehicles, pedestrians, cyclists, or other street users that result in significant injuries; and

(iv) describes how the master plan will increase the relative level of investment in community districts with low levels of investment, and in each environmental justice area, as that term is defined in section 3-1001.

§ 3. This local law takes effect immediately after it becomes law.

Referred to the Committee on Transportation and Infrastructure (preconsidered but laid over by the Committee on Transportation and Infrastructure).

Int. No. 1165

By Council Members Brooks-Powers, Stevens, Louis and Farías.

A Local Law to amend the New York city charter, in relation to adding two commissioners to the New York city taxi and limousine commission board

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 2301 of the New York city charter, as added by local law number 12 for the year 1971, is amended to read as follows:

a. The commission shall consist of [nine] *11* members to be appointed by the mayor with the advice and consent of the city council; *at least 2 of said members shall hold a valid driver license issued by the commission;* [five] *5* of said members, [one] *1* resident from each of the [five] *5* boroughs of New York city, shall be recommended for appointment by a majority vote of the [councilmen] *council members* of the respective borough.

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

Referred to the Committee on Transportation and Infrastructure.

Res. No. 751

Resolution calling on the New York State Legislature to pass and the Governor to sign, S.399A/A.338A, to enact the Safer Consumption Services Act, which provides for the establishment of overdose prevention centers.

By Council Members Cabán, Gutiérrez, Restler and Hanif.

Whereas, According to the Center for Disease Control and Prevention (CDC), an estimated 108,000 drug overdose deaths—the highest number ever recorded—occurred within the United States in 2021; and

Whereas, In January 2023, the New York City Department of Health and Mental Hygiene (DOHMH) reported 2,668 overdose deaths occurred in New York City in 2021, reflecting an increase of 565 deaths from the 2,103 overdose fatalities reported in 2020; and

Whereas, DOHMH has attributed the majority of the overdose deaths in New York City to the synthetic opioid fentanyl, which is 50 to 100 times more potent than morphine; and

Whereas, A 2023 New York University (NYU) study found that more than 80 percent of its study participants who had injected drugs tested positive for fentanyl, while only 18 percent of those participants reported they had done so knowingly; and

Whereas, According to NYU, the prevalence of fentanyl in the illicit drug supply causes people who use drugs to unknowingly ingest fentanyl, which substantially increasing their risk of overdose and which, over time, increases their tolerance to fentanyl, potentially requiring increased amounts of the drug to elicit the same effects; and

Whereas, Given the lethality and prevalence associated with fentanyl in the New York City illicit drug supply, NYU emphasized the need to provide continued support for evidenced-based practices such as needle exchanges, medication assisted therapy and treatment programs including OPC; and

Whereas, According to DOHMH, Overdose Prevention Centers (OPC) are places where people can safely use previously obtained drugs under the supervision of trained clinical and medical staff to reduce the potential risks of fatal overdoses, while clients are also introduced to harm reduction techniques and referrals for medical and behavioral health treatment; and

Whereas, Since November 2021, the two OPC's currently operating in New York City—located in East Harlem and Washington Heights—have intervened and successfully prevented 945 potentially fatal overdoses; and

Whereas, Despite the fact that federal law has deemed the activities at OPC's to be unlawful, President Biden's Administration has embraced the harm reduction model, and in a February 2022 statement to the Associated Press, Attorney General Merrick Garland reported the Department of Justice is evaluating supervised consumption sites, "including discussions with state and local regulators about appropriate guardrails for such sites as an overall approach to harm reduction and public safety"; and

Whereas, The Opioid Settlement Fund Advisory Annual Report received by Governor Kathy Hochul on November 1, 2022 included recommendations for continued investments in evidenced-based treatment as well as increased support for syringe services programs, including funding for OPC's; and

Whereas, S.399-A, sponsored by New York State Senator Gustavo Rivera, and companion bill S. 338-A, sponsored by State Assembly Member Linda Rosenthal, would authorize the New York State Department of Health in conjunction with local health departments to allow the safe injection sites to continue to offer service provision while providing staff members with immunity from criminal or civil liability; now, therefore be it

Resolved, That the Council of the City of New York Resolution calls upon on the New York State Legislature to pass and the Governor to sign, S.399A/A.338A, to enact the Safer Consumption Services Act, which provides for the establishment of overdose prevention centers.

Referred to the Committee on Health.

Res. No. 752

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, S.6733/A.7316, legislation that enables community health centers to be fully reimbursed for telehealth care services.

By Council Members Cabán, Stevens, Gutiérrez, Louis, Farías, Schulman and Hanif

Whereas, Amidst the unprecedented challenges posed by the COVID-19 pandemic, telehealth services through Federally Qualified Health Centers (FQHCs), also commonly known as Community Health Centers (CHCs) became a preeminent means of medical care for vulnerable New Yorkers; and

Whereas, Under the Federal Covid-19 Public Health Emergency, CHCs covered under the New York State (NYS) mental hygiene law such as hospitals and nursing homes (Article 28), emergency medical services (Article 30), and outpatient mental health licensed facilities for mentally disabled (Article 31), chemical dependence, and gambling (Article 32), qualified to receive full reimbursement for conducting services via telehealth; and

Whereas, During the pandemic, the Center for Medicare and Medicaid Services (CMS) reported a staggering 2,745% surge in telehealth services when compared to the pre-pandemic figures; and

Whereas, Both the fear of being exposed to COVID-19 and the need to receive timely and critical emergency care contributed to the expansion of services; and

Whereas, Although telehealth has slightly declined subsequent to the peak of the pandemic, many New Yorkers are still utilizing remote services today; and

Whereas, The valuable benefits of telehealth extend far beyond health concerns relating to the pandemic, giving individuals with limited transportation options, childcare obligations, or the inability to take time off from work, a chance to receive proper and timely healthcare; and

Whereas, Notably, CHCs in NYS have observed a reduction in "no-show" rates for telehealth appointments, particularly in the realm of behavioral health visits; and

Whereas, The approximately 1,296 CHCs in New York City (NYC) are strategically located in underprivileged areas, serving as a means of accessible and cost-effective healthcare services for individuals regardless of their income level, immigration status, or insurance coverage; and

Whereas, The patient population at CHCs includes 89% who are low-income, 68% Black, Hispanic/Latinx, or other people of color, 13% uninsured, and 59% who are enrolled in Medicaid or Child Health Plus; and

Whereas, These patient demographics encounter disproportional health challenges due to systemic inequities that perpetuate health disparities, which have been exacerbated by the COVID-19 pandemic; and

Whereas, However, despite their vital role in providing care to the most vulnerable New Yorkers, CHCs operating under the Article 28 license (hospitals and nursing homes) are charged facility fees even when both the patient and the provider are situated outside the physical CHC facility, per NYS public health law related to commercial Medicaid reimbursement provided via telehealth; and

Whereas, Clinics governed by mental hygiene law Article 31 and 32, operating under Ambulatory Patient Groups, are exempt from facility fee restrictions, enabling fair reimbursement for telehealth services regardless of location; and

Whereas, A recent revision by the NYS Department of Health dictates that, as of the conclusion of the Federal Covid-19 Public Health Emergency on May 11, 2023, commercial and Medicaid services provided via telehealth will be reimbursed at a one-third rate of in-person services, forcing CHCs to further limit telehealth medical visits, amplifying inequities in the healthcare system; and

Whereas, In response, New York State Senator Gustavo Rivera and New York State Assemblywoman Amy Paulin introduced S.6733/A.7316, which would amend the public health law to allow CHCs under Article 28 license to receive full reimbursement for telehealth services, independent of the geographical location of both patient and provider by removing any facility fee, similar to Article 31 and 32 licensed facilities, which are exempt from facility fees; and

Whereas, On June 12, 2023, the Committee on Health and the Committee on Women and Gender Equity held a hearing on transgender rights and services at hospitals where Callen Lorde Community Health Center, which provides an affirming environment for patients seeking culturally competent care, testified to the importance in supporting S.6733/A.7316; and

Whereas, According to Callen Lorde, at the height of the pandemic, 90-95% of their behavioral health visits were completed via telehealth, safeguarding critical health care access to the LGBTQ, Black, Indigenous, and People of Color (BIPOC) Medicaid beneficiaries; and

Whereas, To ensure the financial stability of CHCs and safeguard access to indispensable healthcare services while advancing health equity for New Yorkers, CHCs should be fully reimbursed through Medicaid for providing quality telehealth services in New York; 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.6733/A.7316, legislation that enables community health centers to be fully reimbursed for telehealth care services.

Referred to the Committee on Health.

Res. No. 753

Resolution calling on the New York State Legislature to pass, and the Governor to sign, A.3903/S.5103, to amend the education law, in relation to including policies and procedures in school safety plans for responding to students having mental health crises in order to reduce the instances where schools resort to police intervention in mental health emergencies.

By Council Members Cabán, Ayala, Stevens, Gutiérrez, Louis, Restler and Hanif

Whereas, In 2013, a group of parents sued the New York City Department of Education (DOE), claiming that schools violated their children’s constitutional rights and broke federal law by calling 911 in response to behavior that, in many cases, resulted directly from a student’s disability, such as mental health issues; and

Whereas, As part of the 2014 settlement of that case, the DOE issued a regulation that requires schools to make every effort to manage students in distress safely without involving police; and

Whereas, Chancellor’s Regulation A-411 (CR A-411), issued May 21, 2015, on “Behavioral Crisis De-Escalation/Intervention and Contacting 911” requires schools to employ efforts to de-escalate the behavior safely, including by deploying trained crisis response teams and allowing parents to speak to their children by phone, if possible; and

Whereas, Only where a student’s behavior poses an imminent and substantial risk of serious injury to himself or others and the situation cannot be safely addressed by school staff does CR A-411 allow staff to call 911; and

Whereas, Despite adoption of CR A-411, a May 2023 investigation by THE CITY and ProPublica found that New York City schools continue to call on safety agents and other police officers to manage students in distress thousands of times each year—incidents the New York Police Department (NYPD) calls “child in crisis” interventions; and

Whereas, According to that investigation, since 2017—the first post-lawsuit year for which the NYPD reported complete data—schools have seen an average of 3,200 incidents per year, excluding 911 calls made in 2020 and 2021, when schools operated on a remote or hybrid schedule due to the COVID-19 pandemic; and

Whereas, According to *The Systemic Racism of School Policing*, a study by the Urban Youth Collaborative analyzing 2016-2020 policing data for DOE schools, Black and Latinx youth accounted for about 90 percent of arrests by school police despite being only about 65 percent of the student population; and

Whereas, More particularly, according to the Urban Youth Collaborative study, Black students accounted for almost 50 percent of “child in crisis” incidents involving mental health issues despite being only about 25 percent of the student population; and

Whereas, The incidence of child and teen mental health crises has been on the rise in the wake of the COVID-19 pandemic, according to the American Psychological Association; and

Whereas, However, it should not be the case that police, whose job is to enforce the law, should be first responders for students experiencing emotional distress or mental health crises, as law enforcement training and methods are almost never the appropriate response to mental health emergencies; and

Whereas, A.3903, sponsored by Assembly Member Chantel Jackson, and its companion bill S.5103, sponsored by Senator Cordell Cleare, would amend the education law, in relation to including policies and procedures in school safety plans for responding to students having mental health crises; and

Whereas, In addition, A.3903/S.5103 would preclude the use of summoning police for a mental health crisis where there is no perceived or expected threat of violence; and

Whereas, Moreover, it is incumbent upon schools to ensure appropriate intervention and assistance to students experiencing mental health crises; now, therefore, be it

Resolved, That the Council of the City of New York calls upon on the New York State Legislature to pass, and the Governor to sign, A.3903/S.5103, to amend the education law, in relation to including policies and procedures in school safety plans for responding to students having mental health crises in order to reduce the instances where schools resort to police intervention in mental health emergencies.

Referred to the Committee on Education.

Res. No. 754

Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation to support the provision of medication abortion on all college and university campuses in New York State.

By Council Members Cabán, Powers, Gutiérrez, Farías, Schulman, Hanif and Abreu

Whereas, On June 24, 2022, the United States Supreme Court overturned Roe v. Wade, eliminating the protection of a woman's right to abortion under the U.S. constitution; and

Whereas, Roe v. Wade, which was decided on January 22, 1973, was reversed by the Supreme Court's decision in Dobbs v. Jackson Woman's Health Organization, thereby overturning five decades of judicial precedent that honored a woman's fundamental right to privacy, and effectively ending the ability for women to control their own personal decisions about family planning; and

Whereas, According to the Guttmacher Institute, in the year following the Dobbs decision, abortion was banned in Alabama, Arkansas, Idaho, Kentucky, Louisiana, Mississippi, Missouri, Oklahoma, South Dakota, Tennessee, Texas, and West Virginia; and

Whereas, Abortion is currently unavailable in North Dakota because its sole clinic moved to Minnesota, and is also unavailable in Wisconsin due to ongoing legal challenges; and

Whereas, The states of Arizona, Florida, Georgia, and Utah continue to litigate the legality of abortion bans under state law; and

Whereas, As near total bans on abortion in the states of Indiana, Wyoming, and Ohio have been blocked by state courts, legal arguments about the terms of gestational bans continue to be ongoing; and

Whereas, While the states of Iowa, Montana, and Nebraska narrowly failed to pass total bans on abortion, state legislators are reportedly likely to try again to pass bans in the 2023 legislative session; and

Whereas, In May 2023, Governor Kathy Hochul signed into law legislation ensuring all public colleges and universities in the State University of New York (SUNY) and City University of New York (CUNY) campuses offer access to medication abortion; and

Whereas, In June of 2023, Governor Hochul signed a bill expanding medication abortion access by protecting doctors who prescribe and provide abortion medications to patients living outside New York state; and

Whereas, The private New York University (NYU) announced medication abortion will be fully covered by NYU insurance beginning in the fall 2023 semester when its Health Center will begin to dispense mifepristone, the safe and commonly used abortion medication drug approved by the FDA nearly 20 years ago; and

Whereas, In direct response to the U.S. Supreme Court’s decision to overturn *Roe v. Wade*, the private New York City women’s college, Barnard College, will ensure access for its students to medication abortion pills in the fall of 2023; and

Whereas, The U.S. Census Bureau 2020 estimates the female population of New York City to be 4,382 million, constituting 52 percent of the 8,468 million New Yorkers who live in the five boroughs of the City; and

Whereas, According to the College Simply website, there are 149 private colleges and universities in New York state that enrolled 627,764 students in 2022; and

Whereas, According to the Educational Data Initiative, women continue to outnumber men in college enrollment and graduations in New York City and account for nearly 60 percent of all college admissions; and

Whereas, Governor Hochul stated “as anti-choice extremists and judges continue to roll back abortion rights across the country, we are fighting back here in New York”; now, therefore, be it

Resolved, That the Council of the City of New York calls upon on the New York State Legislature to pass, and the Governor to sign, legislation to support the provision of medication abortion on all college and university campuses in New York State.

Referred to the Committee on Health.

Int. No. 1166

By Council Members Dinowitz, Yeger, Stevens, Riley, Gutiérrez, Louis and Marte

A Local Law to amend the administrative code of the city of New York, in relation to reporting on the number of bedrooms created though inclusionary housing programs

Be it enacted by the Council as follows:

Section 1. Subdivision 5 of section 26-1702 of the administrative code of the city of New York, as added by local law number 200 for the year 2017, is amended to read as follows:

5. The number of affordable housing units *and the number of bedrooms within such units* located at or provided in connection with such lot, disaggregated by income band;

§ 2. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 1167

By Council Members Dinowitz, Riley, Yeger, Stevens, Velázquez, Gutiérrez, Louis, Marte and Feliz.

A Local Law to amend the administrative code of the city of New York, in relation to the designation of rapid emergency response centers in each community district

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 30 of the administrative code of the city of New York is amended by adding a new section 30-117 to read as follows:

§ 30-117 *Community district emergency response center. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Emergency response center. The term “emergency response center” means a facility in each community district designated as a relief area for displaced residents following a natural or human-caused disaster.

Feminine hygiene products. The term “feminine hygiene products” means menstrual cups, tampons, and sanitary napkins used in connection with the menstrual cycle.

b. The commissioner, in consultation with the office of the mayor and community boards, shall identify and designate at least 1 facility within each community district to serve as an emergency response center. In determining locations for emergency response centers the department shall prioritize proximity to other emergency services where practicable.

c. Emergency response centers designated pursuant to subdivision b of this section shall contain the following supplies:

- 1. Coats and outerwear;*
- 2. Toiletries;*
- 3. Blankets;*
- 4. School supplies;*
- 5. Diapers;*
- 6. Feminine hygiene products;*
- 7. Potable water;*
- 8. Personal hygiene products;*
- 9. Face coverings;*
- 10. First aid kits and supplies;*
- 11. Baby formula; and*

12. Any other supplies deemed appropriate by the commissioners of emergency management and citywide administrative services.

d. The commissioner may coordinate with community-based and not-for-profit organizations in each community district, except as otherwise limited by applicable laws and rules, to aid in providing supplies listed in subdivision c of this section.

e. No later than 18 months after the effective date of the local law that added this section, and annually thereafter, the commissioner, in consultation with the commissioner of citywide administrative services, shall complete an inventory and submit to the mayor and the speaker of the council a report which provides the total number of supplies, disaggregated by type, at each emergency response center designated pursuant to subdivision b of this section.

§ 2. This local law takes effect immediately.

Referred to the Committee on Fire and Emergency Management.

Res. No. 755

Resolution calling on Congress to pass, and the President to sign, S.1488/H.R.3183, the “Enhance Access to SNAP Act of 2023” (EATS Act of 2023), to remove certain eligibility disqualifications that restrict otherwise eligible students from participating in the Supplemental Nutrition Assistance Program.

By Council Members Dinowitz, Stevens, Louis, Restler, Farías and Hanif.

Whereas, The U.S. Department of Agriculture defines food insecurity as the limited or uncertain availability of nutritionally adequate and safe food; and

Whereas, According to a 2021 report by the Hope Center for College, Community, and Justice at Temple University, 39 percent of students at two-year higher education institutions and 29 percent of students at four-year higher education institutions experienced food insecurity in 2020 in the United States (U.S.); and

Whereas, The Hope Center’s data reveal that during 2020, among students at American two-year higher education institutions, 22 percent experienced a very low level of food security, and 16 percent experienced a low level of food security; and

Whereas, The Hope Center also documented that during 2020, among students at U.S. four-year higher education institutions, 17 percent experienced a very low level of food security, and 12 percent experienced a low level of food security; and

Whereas, The Hope Center additionally found that during 2020, 17 percent of students at two-year higher education institutions and 12 percent of students at four-year higher education institutions in the U.S. lost weight because of food insecurity; and

Whereas, Per the Hope Center's 2021 report, as of 2020, indigenous, Black, and Hispanic students at American two- and four-year higher education institutions experienced a significantly higher prevalence of basic needs insecurity, including food insecurity, compared with their White counterparts; and

Whereas, Also per the Hope Center's 2021 report, LGBTQIA+ students at American two- and four-year higher education institutions experienced a higher rate of basic needs insecurity, including food insecurity, than their non-LGBTQIA+ peers; and

Whereas, The Hope Center's data demonstrate that as of 2020, at American two- and four-year higher education institutions, first-generation, low-income, part-time, foster-care involved, justice-system involved, and parenting students experienced a higher incidence of basic needs insecurity, including food insecurity; and

Whereas, A 2021 study by the Urban Food Policy Institute at the City University of New York (CUNY) reported that even before the COVID-19 pandemic exacerbated food insecurity in the U.S., 40 percent to 50 percent of the State University of New York's students experienced hunger; and

Whereas, CUNY Urban Food Policy Institute's 2021 research also reveals that in 2020, 18 percent of CUNY students experienced chronic or episodic hunger, 27 percent of CUNY students cut or skipped meals due to insufficient financial means, and 50 percent of CUNY students were concerned about food running out before being able to purchase more; and

Whereas, In contrast, data from the U.S. Census Bureau show that 13.7 percent of adults in the U.S. and 16.2 percent of adults in New York State experienced food insecurity in 2020; and

Whereas, Research, including studies published in 2016 in the Journal of the Academy of Nutrition and Dietetics, in 2019 in the American Journal of Public Health, and in 2022 in Public Health Nutrition, found that food insecurity among college and university students is associated with poor sleep, impaired focus, lower grades, delayed graduation, a higher risk of dropping out, a lower likelihood of graduation, increased stress, and higher rates of diabetes, obesity, high blood pressure, depression, and anxiety; and

Whereas, According to a 2022 report by the Center on Budget and Policy Priorities, a research and policy organization, the Supplemental Nutrition Assistance Program (SNAP) reduces the prevalence of food insecurity by as much as 30 percent and is associated with improved current and long-term health and lower healthcare costs; and

Whereas, SNAP eligibility is primarily based on a household's income and certain other characteristics, but the Food Stamp Act Amendments of 1980 restricted access to SNAP benefits for individuals enrolled half time or more in an institution of higher education; and

Whereas, The Food Stamp Act Amendments of 1980 established several exemptions to the college student SNAP restriction, which apply if a student is either: 1) younger than the age of 18 or aged 50 years or older, 2) a parent caring for a child under the age of 6, 3) a parent caring for a child aged 6 years to 11 years and unable to obtain childcare to attend school and work, 4) a single parent caring for a child under the age of 12 and enrolled full-time, 5) working a minimum of 20 hours per week at paid employment, 6) participating in a state- or federally-financed work-study program, 7) receiving Temporary Assistance for Needy Families benefits, 8) not physically or mentally fit, or 9) enrolled in certain programs for the purpose of employment and training; and

Whereas, In its 2018 Report to Congressional Requesters, the U.S. Government Accountability Office (GAO) reported that of the 5.5 million low-income American students at-risk for food insecurity, 25 percent or over 1.3 million did not meet a SNAP student exemption and were not receiving SNAP benefits; and

Whereas, The Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (CRRSA Act) added temporarily, until the end of the COVID-19 public health emergency, two new types of exemptions to the SNAP student rule; and

Whereas, A CRRSA Act exemption would apply if a student either has an Expected Family Contribution (EFC) of \$0 in the current academic year on the Free Application for Federal Student Aid or is eligible to participate in a state or a federally financed work-study program during the regular school year; and

Whereas, According to the Hope Center's 2021 report, in 2019-2020, nationally, there were about 6 million undergraduate students at \$0 EFC at public colleges and universities, representing approximately 35 percent of all undergraduate students at public colleges and universities nationwide; and

Whereas, Per the Hope Center’s 2021 report, roughly 3.5 million undergraduate students at \$0 EFC at public colleges and universities were made eligible for SNAP benefits by the CRRSA Act; and

Whereas, With the intent of addressing the growing crisis of food insecurity among American college students, U.S. Senator Kirsten E. Gillibrand introduced S.1488 in the U.S. Senate, and U.S. Representative James Gomez introduced companion bill H.R.3183 in the U.S. House of Representatives, known as the “Enhance Access to SNAP Act of 2023” (EATS Act of 2023), which would amend the Food and Nutrition Act of 2008 to remove certain eligibility disqualifications that restrict otherwise eligible students from participating in the Supplemental Nutrition Assistance Program; now, therefore, be it

Resolved, That the Council of the City of New York calls on Congress to pass, and the President to sign, S.1488/H.R.3183, the “Enhance Access to SNAP Act of 2023” (EATS Act of 2023), to remove certain eligibility disqualifications that restrict otherwise eligible students from participating in the Supplemental Nutrition Assistance Program.

Referred to the Committee on General Welfare.

Int. No. 1168

By Council Members Feliz, Powers, Velázquez, Abreu, Joseph, Brewer, Louis, Marte, Brooks-Powers, Schulman and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to safety standards for powered bicycles and powered mobility devices used for food delivery services.

Be it enacted by the Council as follows:

Section 1. Section 20-1501 of the administrative code of the city of New York is amended by adding a new definition of “powered mobility device” in alphabetical order to read as follows:

Powered mobility device. The term “powered mobility device” shall be a powered bicycle or a powered mobility device, as such terms are defined in subchapter 2 of chapter 4 of title 20.

§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 20-1526 to read as follows:

§ 20-1526 Powered mobility devices. Any powered mobility device operated by a food delivery worker on behalf of a third-party delivery service or third-party courier service shall meet the standard for sale established by paragraph 1 of subdivision a of section 20-610, or paragraph 1 of subdivision b of such section, and any rules promulgated pursuant to either such paragraphs. Any such powered mobility device shall be provided at the expense of such delivery service or courier service, or by the food delivery worker. Such delivery service or courier service may permit a food delivery worker to make deliveries using a personal device that meets the standards provided in this section, provided that such delivery service or courier service shall not require any of its food delivery workers to provide such powered mobility device at such worker's expense as a term of employment.

§ 3. This local law takes effect 6 months after becoming law.

Referred to the Committee on Consumer and Worker Protection.

Int. No. 1169

By Council Members Gennaro, Krishnan, Yeger, Gutiérrez, Louis, Schulman, Restler, Hanif and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of parks and recreation to resolve risks posed by trees on public property

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 18-157 of the administrative code of the city of New York, as added by local law number 20 for the year 2022, is amended, and new subdivisions b and c are added, to read as follows:

a. *As used in this section, the following terms have the following meanings:*

Extreme overall risk. The term “extreme overall risk” means when tree failure is imminent, there is a high likelihood of tree failure impacting a target, and the consequences of the failure are severe, in accordance, or substantial equivalence, with “ANSI A300 tree risk assessment standard part 9” of 2017, developed by the American National Standards Institute.

High overall risk. The term “high overall risk” means (i) when consequences of tree failure are significant and likelihood of tree failure impacting a target is very likely or likely; or (ii) when consequences of tree failure are severe and likelihood of tree failure impacting a target is likely; in accordance, or substantial equivalence, with “ANSI A300 tree risk assessment standard part 9” of 2017, developed by the American National Standards Institute.

Low overall risk. The term “low overall risk” means (i) when consequences of tree failure are negligible and likelihood of tree failure impacting a target is unlikely; or (ii) when consequences of tree failure are minor and likelihood of tree failure impacting a target is somewhat likely; in accordance, or substantial equivalence, with “ANSI A300 tree risk assessment standard part 9” of 2017, developed by the American National Standards Institute.

Moderate overall risk. The term “moderate overall risk” means (i) when consequences of tree failure are minor and likelihood of tree failure impacting a target is very likely or likely; or (ii) when consequences of tree failure are significant or severe and likelihood of tree failure impacting a target is somewhat likely; in accordance, or substantial equivalence, with “ANSI A300 tree risk assessment standard part 9” of 2017, developed by the American National Standards Institute.

*b. The department shall inspect each tree under its jurisdiction over 6 inches in caliper, to determine if any issue threatens the health of such tree or causes such tree to pose a threat to public safety, at least [once] twice between each time such tree is pruned by the department or by a person authorized by the department to perform routine scheduled maintenance of such tree. Such inspection shall not be required for trees in forests and natural areas, and shall be limited to inspections of trees located on streets and trees located in landscaped parks, which for purposes of this section are referred to as “covered trees”. *The department shall adopt a protocol for such inspections that shall use either of the following standards: “ANSI A300 tree risk assessment standard part 9” of 2017, developed by the American National Standards Institute, or “Tree Risk Assessment, second edition,” developed by the International Society of Arboriculture. Such adopted protocol may differ from such standards where necessitated by New York city’s unique environment, provided that it considers factors such as likelihood of tree failure, likelihood of impacting a target, and consequences of impacting a target.**

c. The department shall respond for the purposes of conducting tree work to any inspections of covered trees performed after January 1, 2024, within the following timeframes:

- 1. Extreme overall risk: 7 days after inspection completed;*
- 2. High overall risk: 28 days after inspection completed;*
- 3. Moderate overall risk: 56 days after inspection completed; and*
- 4. Low overall risk: 84 days after inspection completed.*

§ 2. Subdivisions b and c of section 18-157 of the administrative code of the city of New York, as added by local law number 20 for the year 2022, are relettered subdivisions d and e, respectively.

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

Covered trees. The term “covered trees” has the same meaning as set forth in subdivision b of section 18-157 of the administrative code of the city of New York.

Department. The term “department” means the department of parks and recreation.

Low overall risk. The term “low overall risk” has the same meaning as set forth in subdivision a of section 18-157 of the administrative code of the city of New York.

Moderate overall risk. The term “moderate overall risk” has the same meaning as set forth in subdivision a of section 18-157 of the administrative code of the city of New York.

b. By June 30, 2024, the department shall organize a list of covered trees under its jurisdiction which have previously been inspected and assigned a low overall risk or moderate overall risk value by the protocol adopted pursuant to subdivision b of section 18-157 of the administrative code of the city of New York. The department shall include on such list any covered trees which have been inspected but not yet received a work order, and covered trees which have an existing work order. The department shall order such list by the date of the tree’s inspection, with the oldest inspections listed first.

1. Starting with the first tree on such list and working towards more recent inspections, the department shall respond for the purposes of conducting tree work to no less than 33 percent of the covered trees on such list no later than June 30, 2025. The department shall respond for the purposes of conducting tree work to no less than 66 percent of the covered trees on such list no later than June 30, 2026. The department shall respond for the purposes of conducting tree work to the remainder of the covered trees on such list no later than June 30, 2027.

2. No later than November 1 of the year this local law takes effect, and annually thereafter, the department shall submit to the mayor and the speaker of the council a report on its progress in conducting tree work pursuant to paragraph 1 of this subdivision. Such report shall cease to be required upon the department’s submission to the mayor and the speaker of the council of a report indicating that the department has completed tree work for all covered trees on the list described in subdivision b of this section. The department shall include in each such report:

(a) the number of low overall risk and moderate overall risk trees to which the department has responded for the purposes of conducting tree work during that calendar year;

(b) the number of low overall risk and moderate overall risk trees to which the department remains required, pursuant to paragraph 1 of this subdivision, to respond to for the purposes of conducting tree work; and

(c) the identity of any covered trees remaining on the list described in subdivision b of this section which cannot be addressed pursuant to paragraph 1 of this subdivision, and a description of any circumstances prohibiting the department from complying with the requirements of this section.

§ 4. This local law takes effect immediately.

Referred to the Committee on Parks and Recreation.

Res. No. 756

Resolution calling upon the United States Congress to pass, and the President to sign, S. 1350/H.R 2964, the Wastewater Infrastructure Pollution Prevention and Environmental Safety Act (WIPPEs), requiring the Federal Trade Commission to issue regulations requiring certain products to have “Do Not Flush” labeling.

By Council Members Gennaro, Velázquez, Gutiérrez, Farías, Hanif and Abreu.

Whereas, New York City’s (NYC or City) wastewater infrastructure consists of over 7,500 miles of sewer lines, which convey approximately 1.3 billion gallons of water each day to the City’s 14 wastewater resource recovery facilities; and

Whereas, From households, wastewater goes through multiple phases of treatment, starting with grates that screen larger pieces of debris from the water as it enters the sewage system, followed by pumping to a wastewater treatment facility where the water is briefly held in settling tanks where heavier sediment sinks to the bottom, and lighter particles and grease can be skimmed from the surface before being sent for additional processing; and

Whereas, The City’s wastewater infrastructure is not designed to accept materials other than bodily waste and sanitary paper designed to break down nearly immediately in the presence of water; and

Whereas, Flushing materials unsuitable for the City’s wastewater infrastructure down toilets can cause significant problems for such infrastructure, as the material can collect in sewer grates and cause backups, congeal with improperly discarded grease and oil to form into clumps known as fatbergs, and contribute to equipment failures at treatment plants; and

Whereas, Nonwoven wipes, which may be marketed as baby wipes, wet wipes, sanitary wipes, makeup wipes, or cleaning and disinfecting wipes, are usually made either partially or entirely from fossil fuel-derived fibers, and do not break down quickly enough to be flushed, have been identified as a major culprit in sewer line clogs and the formation of fatbergs; and

Whereas, Even wipes explicitly marketed as flushable may contribute to sewage clogs and potential machinery damage according to a 2019 study conducted by Toronto Metropolitan University’s Flushability Lab at Ryerson Urban Water, which found that of 23 brands of nonwoven wipes labeled flushable, none broke down quickly enough to safely pass through sewage infrastructure; and

Whereas, During a hearing of the NYC Council’s Committee on Environmental Protection in October of 2020, the then Commissioner of the NYC Department of Environmental Protection (DEP), Vincent Sapienza, testified that DEP spends nearly \$19,000,000 each year addressing sewage clogs and damage to machinery caused by the flushing of nonwoven wipes; and

Whereas, The National Association of Clean Water Agencies estimates that improperly flushed wipes cost water utilities in the U.S. approximately \$441,000,000 in additional operating costs each year; and

Whereas, The WIPPE Act, S. 1350/H.R. 2964, sponsored by U.S. Senator Jeff Merkley and U.S. House Representative Lisa McClain, would require the Federal Trade Commission, within 2 years, to establish regulations requiring manufacturers, wholesalers, suppliers, or retailers to label certain household and personal care wipes clearly and conspicuously with high contrast “Do Not Flush” symbols; and

Whereas, The WIPPE Act would apply to pre-moistened, nonwoven disposable wipes sold or offered for sale that are (i) marketed as baby or diapering wipes, or (ii) household or personal care wipes composed either wholly or in part of fossil fuel-derived fibers and that have a high likelihood of being flushed; and

Whereas, The WIPPE Act would establish standards requiring covered products to feature the “Do Not Flush” symbol and label prominently displayed in a location reasonably viewable to users each time a wipe is dispensed, in high contrast colors, unobscured by seams or package design elements, and covering at least 2 percent of the surface area of the main display panel; and

Whereas, The Act would also require the Federal Trade Commission to issue regulations prohibiting the representation or marketing of covered products as flushable; and

Whereas, Violations of the Act would trigger a fine of no more than \$2,500 for each day the violation occurs, not to exceed \$100,000 for a single violation, and states would be preempted from establishing restrictions different from those contained within the WIPPE Act; and

Whereas, The labeling required by the WIPPE Act may increase awareness among the general public that nonwoven disposable wipes should not be flushed, which may in turn help to reduce this unwanted behavior and minimize the effects of improper disposal on municipal wastewater facilities across the United States; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Congress to pass, and the President to sign, S. 1350/H.R. 2964, the Wastewater Infrastructure Pollution Prevention and Environmental Safety Act (WIPPE), requiring the Federal Trade Commission to issue regulations requiring certain products to have “Do Not Flush” labeling.

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

Int. No. 1170

By Council Members Gutiérrez, Avilés, Dinowitz, Stevens, Riley, Louis, Restler and Hanif.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to report on certain physical facilities at city schools

Be it enacted by the Council as follows:

Section 1. Subsection b of section 21-952 of the administrative code of the city of New York, as added by local law number 56 for the year 2014, is amended to read as follows:

b. Not later than February 15, 2015, and annually thereafter, the department shall submit to the council and post on the department's website a report of information regarding guidance counselors and social workers for the current school year. Such report shall include, but not be limited to: (i) the number of full and part-time guidance counselors and social workers in each school, (ii) the guidance counselor and social worker to student ratio in each school, (iii) whether the guidance counselor or social worker is providing counseling assistance to more than one school, (iv) the number of guidance counselors and social workers who provide counseling services as mandated by an IEP as of December 15 of the current school year, (v) the number of staff in each school who received professional development or training in postsecondary planning as of the prior school year, [and] (vi) the number of licensed and certified bilingual guidance counselors and social workers in each school, *and (vii) whether each school has an office or other dedicated physical space for social workers or guidance counselors to provide services, a brief description of the condition of each such space, and the approximate year in which each such space was last updated.* Such report shall also include the number of guidance counselors and social workers in the absent teacher reserve pool for grades seven through twelve, and information regarding any guidance memorandums issued by the department regarding college preparedness. Such report shall include demographic information for students in each school, including, but not limited to race, ethnicity, English language learner status, special education status, and the percentage of students eligible for free and reduced price lunch pursuant to guidelines promulgated by the United States department of agriculture.

§ 2. Paragraph 6 of subdivision b of section 21-960 of the administrative code of the city of New York, as amended by local law number 127 for the year 2019, is amended to read as follows:

6. Information on all designated indoor and outdoor facilities used by the school for physical education instruction including, but not limited to:

(a) Information on all designated physical education instruction spaces inside or attached to the school including (i) the size of the space in square feet; (ii) whether the space is used for any purpose other than physical education instruction; and (iii) whether the space is used by any other schools including co-located schools in the same building and the names of such schools;

(b) Information regarding all off-site indoor and outdoor spaces that are used by the school for the purpose of physical education instruction, including but not limited to (i) the name and the location of the off-site space or facility; and (ii) whether the space is being used by any other schools including co-located schools in the same building and the names of such schools; *and*

(c) *A brief description of the condition of each space used for physical education instruction described in subparagraphs (a) and (b) of this paragraph, and the approximate year in which each such space was last updated;*

§ 3. Paragraph 6 of subdivision b of section 21-972 of the administrative code of the city of New York, as added by local law number 177 for the year 2016, is amended to read as follows:

6. Information regarding the total available bandwidth in megabits per second provided in each school building, *whether there is one or more accessible wireless local area networks, and if so, the maximum link rate expressed in megabits per second for each;* and for each such school building containing more than one school, the schools in such building.

§ 4. Title 21-A of the administrative code of the city of New York is amended by adding a new chapter 31 to read as follows:

CHAPTER 31
REPORTING ON SCHOOL FACILITIES

§ 21-1002 *Definitions.* For purposes of this chapter, the term "school" means a school of the city school district.

§ 21-1003 *Reporting on School Facilities.* a. On February 15 annually, the department shall submit to the speaker of the council and post conspicuously on the department's website a report on the physical facilities of schools which shall include the following:

1. *The number of science laboratories in each school, a brief description of the condition of each science laboratory space, and the approximate year in which each such space was last updated;*
 2. *The number of computer laboratories in each school, a brief description of the condition of each computer laboratory space, and the approximate year in which each such space was last updated;*
 3. *The number of libraries in each school, a brief description of the condition of each library space, and the approximate year in which each such space was last updated;*
 4. *The number of cafeterias or dedicated spaces for food service in each school, a brief description of the condition of each cafeteria or food service space, and the approximate year in which each such space was last updated;*
 5. *The number of playgrounds, outdoor recreational areas, or other spaces for non-instructional physical activity by students in each school, a brief description of the condition of each such space, and the approximate year in which each was last updated;*
 6. *The number of offices or dedicated spaces established for student security, law enforcement, or corrections purposes in each school, a brief description of the condition of each such space, and the approximate year in which each was last updated;*
 7. *The number of nurse's offices or dedicated physical spaces for a nurse to provide health services in each school, a brief description of the condition of each room or space, and the approximate year in which each such space was last updated;*
 8. *The number of offices or dedicated spaces established for restorative justice programs in each school, a brief description of the condition of each such space, and the approximate year in which each was last updated; and*
 9. *For each school, the general condition and the year of last update of all:*
 - (a) *Roof decks;*
 - (b) *Interior walls and ceiling finishes; and*
 - (c) *Heating, ventilating, and air-conditioning systems.*
- § 5. This local law takes effect immediately.

Referred to the Committee on Education.

Int. No. 1171

By Council Members Hanif, Restler, Stevens, Sanchez, Gutiérrez, Louis, Avilés, Marte and De La Rosa.

A Local Law to amend the administrative code of the city of New York, in relation to an annual education campaign to combat antisemitism and promote inclusion

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 8 of the administrative code of the city of New York is amended by adding a new section 8-135 to read as follows:

§ 8-135 *Annual education campaign to combat antisemitism and promote inclusion. a. The commission shall conduct an annual public education campaign on:*

1. *The prevention of antisemitic prejudice, harassment, and violence;*
2. *The contributions of Jewish New Yorkers to the city throughout history;*
3. *The impacts of antisemitic hate crimes; and*
4. *Principles and practices to promote equity, inclusion, and understanding.*

b. The first campaign required under this section shall begin no later than 60 days after the effective date of the local law that added this section and shall continue for no less than 1 year. Each subsequent campaign required under this section shall begin on May 1 and continue for no less than 30 days in order to coincide with Jewish American Heritage Month, except that the commission may from time to time choose a different campaign start date if, in a given year, such start date would further the purposes of the campaign.

c. In conducting the campaigns required under this section, the commission shall coordinate with the office for the prevention of hate crimes, the office of ethnic and community media, and, as needed, with relevant city agencies, interfaith organizations, community groups, and human rights and civil rights groups.

d. The campaigns required under this section shall use, at a minimum, television, internet, radio, print media, digital kiosks, and subway and other public transportation advertisements throughout the city.

e. The campaigns required under this section shall be designed to reach all age groups, with special attention to reaching young people.

f. Campaign materials and communications shall be available in all designated citywide languages, as defined in section 23-1101, and any additional languages as determined by the department in consultation with local community organizations.

§ 2. This law takes effect immediately.

Referred to the Committee on Civil and Human Rights.

Int. No. 1172

By Council Members Holden, Yeger, Louis, Farías, Restler and Marte.

A Local Law to amend the administrative code of the city of New York, in relation to refusing to renew, suspending, or revoking a license of a tobacco retail dealer that has violated certain authorization requirements of the cannabis law

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 20-206 of the administrative code of the city of New York, subdivision a and paragraph 1 of such subdivision as added by local law number 2 for the year 2000, paragraph 2 of such subdivision as amended by local law number 95 for the year 2015, paragraph 3 of such subdivision as amended by local law number 191 for the year 2017, and paragraph 4 of such subdivision as added by local law number 95 for the year 2015, is amended to read as follows:

a. In addition to any other powers of the commissioner, and not in limitation thereof, the commissioner may, after due notice and opportunity to be heard, refuse to renew any license required under this subchapter and may suspend or revoke such license if the person holding such license, or, where applicable, any of its officers, principals, directors, members, managers, employees, or stockholders owning more than ten percent of the outstanding stock of the corporation, has been found to have:

1. made a material false statement or concealed a material fact in connection with the filing of any application pursuant to this subchapter; [or]

2. not paid, within the time permitted by law, any civil penalty or judgment duly imposed pursuant to the provisions of this subchapter or any rules promulgated thereunder or pursuant to chapter thirteen of title eleven of this code, or chapter forty of title eleven of this code relating to cigarette sales; [or]

3. violated the provisions of subdivision a or b of section 17-706 of this code or any rules promulgated thereunder; [or]

4. violated any provision of section 10-203 of this code or any rules promulgated thereunder[.]; *or*

5. *violated subdivision 1 of section 125 of the cannabis law or any rules promulgated thereunder through the unregistered, unlicensed, or unpermitted distribution for sale, selling at wholesale or retail, or delivering to consumers of any cannabis, cannabis product, medical cannabis, or cannabinoid hemp or hemp extract product, as such terms are defined in section 3 of the cannabis law.*

§ 2. The commissioner of consumer and worker protection shall conduct an education and outreach campaign to inform affected licensees of the new grounds added by this local law for refusal to renew, suspension, or revocation of a license.

§ 3. This local law takes effect immediately.

Referred to the Committee on Consumer and Worker Protection.

Int. No. 1173

By Council Members Holden and Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to ensuring emergency vehicle access to open streets

Be it enacted by the Council as follows:

Section 1. Subdivision g of section 19-107.1 of the administrative code of New York, as added by local law number 55 for the year 2021, is amended to read as follows:

g. Operation. Open streets shall be managed and operated in accordance with this section and rules of the department. In addition to any other requirement, such rules shall provide:

1. Open streets must be *designed and* maintained in a manner that allows for *access, entry, exit, and passage* by emergency [vehicle access] *vehicles, including but not limited to fire apparatus, at all times without requiring the manual rearrangement of any barriers, signage, or other traffic calming measures used to control motor vehicle access on the open street to allow for such access, entry, exit, or passage;*

2. *Procedures to notify users of open streets, through signage or other means, to be alert for the entry into, exit from, and passage through the open street of vehicles;*

[2.] 3. Subject to applicant interest and applicant or department resources, open streets may be operated for up to 24 hours per day and up to 366 days per year;

[3.] 4. Procedures for the temporary suspension of an open street as necessary, including for safety, severe weather events, or any other purpose for which the department determines a suspension will benefit the community;

[4.] 5. Proposed operational and maintenance plan for the open street, including how to maintain emergency vehicle access and any other staffing plans;

[5.] 6. Procedures for the staffing of open streets, to include that the department may choose not to require staffing of open streets with sufficient traffic calming measures;

[6.] 7. Procedures by which community organizations may create their own barriers, signage and street furniture that encourage sustainability and welcoming design, subject to the review and approval of the department; and

[7.] 8. Procedures by which community organizations may expeditiously obtain permits related to programming on open streets.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of transportation shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 1174

By Council Members Hudson, Joseph, Yeger, Stevens, Riley, Gutiérrez, Louis, Farías, Schulman, Hanif, Abreu and Marte.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the New York city department of education to distribute New York state non-driver identification card applications to all high school students

Be it enacted by the Council as follows:

Section 1. Section 21-1001 of the administrative code of the city of New York, as added by local law number 48 for the year 2023, is amended to read as follows:

CHAPTER 30
DISTRIBUTION OF [IDNYC MUNICIPAL] *INFORMATION REGARDING IDENTIFICATION*
[PROGRAM MATERIALS] CARDS

§ 21-1001 Distribution of [IDNYC municipal] *information regarding* identification [program materials] cards. a. Definitions. As used in this section, the following terms have the following meanings:

IDNYC. The term “IDNYC” means the New York city identity card established pursuant to section 3-115.

Non-driver identification card. The term “non-driver identification card” means the identification card established pursuant to section 490 of the vehicle and traffic law.

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

b. At the start of each school year, the department shall distribute to each school, for distribution to every student of such school, information related to the IDNYC program. Distribution of such information to schools and students may be in hard copy or electronic if distribution of other similar information occurs electronically. At a minimum, such information shall include the IDNYC application form and information on: (i) eligibility requirements; (ii) the application process, including but not limited to a list of documents accepted to prove identity and residency; and (iii) relevant benefits and discounts provided to IDNYC cardholders.

c. At the start of each school year, the department shall distribute to each school, for distribution to every student of such school, information related to non-driver identification cards. Distribution of such information to schools and students may be in hard copy or electronic if distribution of other similar information occurs electronically. At a minimum, such information shall include the non-driver identification card application form and information on: (i) eligibility requirements and (ii) the application process, including but not limited to relevant application fees and a list of documents accepted to prove identity and residency.

[c.] d. The department shall make available the information required to be distributed pursuant to subdivision b and c of this section on the department’s website in English and in each of the designated citywide languages, as such term is defined in subdivision a of section 23-1101.

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

Referred to the Committee on Education.

Int. No. 1175

By Council Members Hudson, Cabán, Richardson Jordan, Schulman, Bottcher, Gutiérrez, Restler, Farías, Hanif and Abreu.

A Local Law to amend the New York city charter, in relation requiring city agencies to provide an “X” option for gender on certain forms.

Be it enacted by the Council as follows:

Section 1. Paragraph 4 of subdivision k of section 15 of the New York city charter, as amended by local law number 76 for the year 2018, is to read as follows.

4. Beginning no later than six months after the effective date of the local law that added this subdivision, and annually thereafter, the office of operations, or the office or agency designated by the mayor, shall conduct a review of all forms issued by the agencies described in paragraph 1 of this subdivision and any other agencies so designated by the mayor that: collect demographic information addressing the questions contained on the survey form, are completed by persons seeking services and contain content and/or language in relation to collecting such information that is within the administering city agency's authority to edit or amend. The office of operations, or the office or agency designated by the mayor, shall submit to the council within 60 days of such review, a list of all forms reviewed and all forms eligible for updating, and for forms not eligible for updating an explanation of why such forms are not eligible for updating, and indicate which forms shall be updated. When practicable, when such forms are updated they shall request voluntary responses to questions about sexual

orientation, including heterosexual, lesbian, gay, bisexual or asexual status, or other; gender identity, including transgender, cisgender and intersex status or other; and the gender pronoun or pronouns that an individual identifies with and that others should use when talking to or about that individual. *Any such update shall, where practicable, include "X" as an option when gender identity information is collected.* All forms identified as eligible for updating during the review required pursuant to this paragraph shall be updated to invite responses to questions about sexual orientation, gender identity and the gender pronoun or pronouns that an individual identifies with and that others should use when talking to or about that individual no later than five years from the effective date of the local law that added this subdivision. All forms not eligible for updating shall be provided in conjunction with the standardized, anonymous and voluntary demographics information survey form as established by paragraph 1 of subdivision k of this section.

§ 2. This local law takes effect immediately .

Referred to the Committee on Governmental Operations.

Res. No. 757

Resolution calling on the Federal Communication Commission Management Agency to add alerts for missing persons with dementia to the Wireless Emergency Alerts system.

By Council Members Hudson, Yeger, Stevens, Gutiérrez, Louis, Restler, Farías, Schulman, Hanif and Abreu.

Whereas, According to the Population Reference Bureau, more than 7 million Americans ages 65 and older had dementia, as a result of Alzheimer’s disease or a similar condition, in 2020, and, based on current trends, more than 9 million Americans could have dementia by 2030 and nearly 12 million by 2040; and

Whereas, According to the Alzheimer’s Association, in 2020 there were 410,000 people living with dementia in New York State, as a result of Alzheimer’s disease or a similar condition, and the number of New Yorkers living with dementia is expected to increase by 12.2 percent by 2025; and

Whereas, According to the Alzheimer’s Association, in 2020 there were over 586,000 family members and friends providing care for people with dementia in New York State, as a result of Alzheimer’s disease or a similar condition; and

Whereas, Dementia may cause a person to lose their ability to recognize familiar places and persons, often resulting in a person living with dementia wandering or becoming lost; and

Whereas, The Alzheimer’s Association reports that 6 in 10 persons living with dementia will wander at least once and many will do so repeatedly; and

Whereas, Wandering for a person with dementia can be dangerous and even life-threatening and can cause great stress and anguish for caregivers; and

Whereas, According to the Alzheimer’s Association, up to 50 percent of those who wander risk serious injury or death if not found within 24 hours; and

Whereas, The city of New York has a Silver Alert system that issues alerts through communication channels, such as broadcast news, for older individuals with dementia who are missing from the New York City area and are in imminent danger; and

Whereas, The state of New York has the Missing Vulnerable Adult Program which also issues alerts for missing cognitively impaired adults, including those who have dementia, when there is a credible risk of harm; and

Whereas, The 2020 annual report of the Missing Vulnerable Adult Program reported that out of 118 alerts issued that year for missing adults, 89 of such alerts were for missing adults who had dementia; and

Whereas, Both the Silver Alert system and the Missing Vulnerable Adults Program send notifications only to mobile devices that have specifically enrolled to receive such notifications through NotifyNYC, NY-Alert, or a similar program, and such notifications are sent to all enrolled mobile devices regardless of the location of the mobile device; and

Whereas, The federal Warning, Alert and Response Network Act established the Wireless Emergency Alerts (WEA) system and authorized the Federal Communication Commission (FCC) to manage the WEA system; and

Whereas, Alerts sent through the WEA system are sent directly to all compatible mobile devices located in a targeted geographic area even if the mobile device has not enrolled or subscribed to receive such alerts; and

Whereas, The FCC, as a part of its role as the administrator of the WEA system, establishes the types of alerts to be sent out through the system, which currently include alerts regarding dangerous weather, missing children, and other public safety situations; and

Whereas, The risk to a missing person with dementia could be minimized if an alert is broadcast to all compatible mobile devices in the area where such person went missing by increasing the chances of quickly locating such missing person; now, therefore, be it

Resolved, That the Council of the City of New York calls on the Federal Communication Commission Management Agency to add alerts for missing persons with dementia to the Wireless Emergency Alerts system.

Referred to the Committee on Aging.

Res. No. 758

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.884/A.6331, to direct the New York State Office for the Aging and the Empire State Development Corporation to expand encore entrepreneurship in New York State to empower individuals 50 years of age or older to establish small businesses.

By Council Members Hudson, Louis, Farías, Schulman and Hanif.

Whereas, The American Association of Retired Persons (AARP) and the U.S. Small Business Administration define encore entrepreneurs as people aged 50 years or older who start and operate a small business; and

Whereas, According to a 2021 report commissioned by the U.S. Small Business Administration, encore entrepreneurs constituted 50.9 percent of all U.S. business owners as of 2020; and

Whereas, A 2018 study by the Center for an Urban Future reported that there were approximately 210,000 self-employed New York City residents aged 50 years or older, an increase of 19 percent since 2005; and

Whereas, Moreover, per the same 2018 study, the number of encore entrepreneurs aged 60 years or older in New York City grew by 44 percent between 2005 and 2016 to over 104,000 people; and

Whereas, Per a 2021 report by the U.S. Small Business Administration, encore entrepreneurs were nearly 30 percent more likely to utilize their businesses as a supplemental income than their younger counterparts; and

Whereas, A 2021 Encore Entrepreneur Report by Hiscox, a global insurer, documented that 50 percent of the responding encore entrepreneurs started their business to earn more income; and

Whereas, Recent U.S. Census Bureau data show that the annual median income among Americans aged 55 years to 64 years declined by 2.6 percent between 2020 and 2021, from an estimated \$77,872 to an estimated \$75,842; and

Whereas, Similarly, the annual median income among U.S. adults aged 65 years and older decreased by 2.6 percent between 2020 and 2021, from an estimated \$48,866 to an estimated \$47,620; and

Whereas, The prevalence of poverty among Americans aged 65 years and older increased between 2020 and 2021, from 8.9 percent, or over 4.8 million people, to 10.3 percent, or more than 5.8 million people; and

Whereas, Moreover, 4.2 percent of U.S. adults aged 65 years and older, or over 2.3 million people, lived in deep poverty in 2021; and

Whereas, According to the New York State Office of Temporary and Disability Assistance, as of November 2021, 631,101 people in New York State and 372,302 people in New York City received Supplemental Security Income; and

Whereas, The New York State Department of Labor documented that 10.9 percent of adults aged 55 years to 74 years and 13.1 percent of adults aged 75 years and older in New York State lived in poverty in 2021; and

Whereas, Likewise, 15.6 percent of adults aged 55 years to 74 years and 19.8 percent of adults aged 75 years and older in New York City were in poverty in 2021; and

Whereas, According to the U.S. Bureau of Labor Statistics, between April 2022 and April 2023, prices paid by urban consumers for all items, as measured by the Consumer Price Index, increased by 4.9 percent nationally and by 3.7 percent in New York State; and

Whereas, Between May 2022 and May 2023, housing costs in the New York Metropolitan Area grew by 4.2 percent; and

Whereas, Per a 2021 report by the U.S. Small Business Administration, almost 72 percent of U.S. encore entrepreneurs felt unsupported by their local government, and over 65 percent of American encore entrepreneurs felt unsupported by their state government; and

Whereas, According to the same 2021 report, among U.S. encore entrepreneurs, 74 percent used personal savings to finance their business, while 36.6 percent utilized personal credit cards, and 23.6 percent used retirement savings for that purpose; and

Whereas, With the aim of positioning New York State as a leader in supporting encore entrepreneurs by addressing a lack of formal programs and services for this population's unique needs, State Senator Rachel May introduced S.884 in the New York State Senate, and Assembly Member Al Stirpe introduced companion bill A.6331 in the New York State Assembly, which would direct the New York State Office for the Aging and the Empire State Development Corporation to expand encore entrepreneurship in New York State to empower individuals aged 50 years or older to establish small businesses; and

Whereas, Specifically, S.884/A.6331 would direct the New York State Office for the Aging and the Empire State Development Corporation to create a taskforce to develop recommendations on innovative programming for encore entrepreneurs and to implement a program to provide education and training specific to the unique needs of this category of small business owners; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, S.884/A.6331, to direct the New York State Office for the Aging and the Empire State Development Corporation to expand encore entrepreneurship in New York State to empower individuals 50 years of age or older to establish small businesses.

Referred to the Committee on Aging.

Res. No. 759

Resolution calling on the New York State Legislature to pass, and the Governor to sign, A.6362, to authorize localities to provide for an additional real property tax exemption for eligible persons who are 65 years of age and older.

By Council Members Hudson, Yeger, Louis, Farías and Schulman.

Whereas, Recent U.S. Census Bureau data show that the median annual income among Americans aged 65 years and older decreased by 2.6 percent between 2020 and 2021, from an estimated \$48,866 to an estimated \$47,620; and

Whereas, The prevalence of poverty among U.S. adults aged 65 years and older increased between 2020 and 2021, from 8.9 percent, or over 4.8 million people, to 10.3 percent, or more than 5.8 million people; and

Whereas, Moreover, 4.2 percent of Americans aged 65 years and older, or over 2.3 million people, lived in deep poverty in 2021; and

Whereas, According to the New York State Office of Temporary and Disability Assistance, as of November 2021, 631,101 people in New York State and 372,302 people in New York City received Supplemental Security Income; and

Whereas, According to the U.S. Bureau of Labor Statistics, between April 2022 and April 2023, prices paid by urban consumers for all items, as measured by the Consumer Price Index, increased by 4.9 percent nationally and by 3.7 percent in New York State; and

Whereas, Between May 2022 and May 2023, housing costs in the New York Metropolitan Area expanded by 4.2 percent; and

Whereas, The U.S. Census Bureau calculated that in New York State, the median homeowner costs, inclusive of a mortgage, were \$2,267 per month or \$27,204 per year in 2021; and

Whereas, In New York City, the median homeowner costs, inclusive of a mortgage, amounted to \$2,913 per month or \$34,956 per year in 2021; and

Whereas, As of 2021, the median value of owner-occupied housing units was \$340,600 in New York State and \$660,700 in New York City; and

Whereas, The New York City Department of Finance noted that as of January 2023, assessed values of one-, two-, and three-family homes in New York City increased by 6 percent, while the tax rate for Tax Year 2023 for this property class was 20.31 percent of the assessed value; and

Whereas, Similarly, as of January 2023, assessed values of cooperative and condominium apartments in New York City grew by 3.1 percent, while the tax rate for this property class was 12.27 percent of the assessed value for Tax Year 2023; and

Whereas, According to the U.S. Internal Revenue Service, as of 2023, the median property tax in New York State was \$3,755 per year; and

Whereas, Among the counties encompassed by New York City, as of 2023, the median annual property tax was \$2,653 in Bronx County, \$2,903 in Kings County, \$5,873 in New York County, \$2,914 in Queens County, and \$2,842 in Richmond County; and

Whereas, A report for Fiscal Year 2022 by the New York City Department of Finance highlighted that the rate of property tax delinquency for Class One property in New York City, including one-, two-, and three-family homes, increased between 2019 and 2021, from 3.34 percent to 3.45 percent; and

Whereas, Likewise, the rate of property tax delinquency for Class Two property in New York City, including cooperative and condominium apartments, grew between 2019 and 2021, from 1.66 percent to 2.28 percent; and

Whereas, The Senior Citizen Homeowners' Exemption (SCHE) program in New York State provides a property tax exemption for eligible persons aged 65 years and older, who own one-, two-, or three-family homes, condominiums, or cooperative apartments, provided that the total combined annual income of the property owner and spouse or co-owner does not exceed \$58,399; and

Whereas, As of 2023, to be eligible for the largest tax exemption of 50 percent of the assessed property value under SCHE in New York City, an eligible homeowner's total combined annual income must be \$50,000 or less; and

Whereas, With the aim of providing additional relief for older New Yorkers from the burden of real property tax, thereby reducing their risk of housing dislocation and homelessness, Assembly Member David Weprin introduced A.6362 in the New York State Assembly, which would authorize localities to provide for an additional real property tax exemption for persons aged 65 years and older who meet the income eligibility limits and other criteria to the extent of 60 percent of the assessed valuation of such real property; and

Whereas, Specifically, A.6362 would authorize localities in New York State to offer a property tax exemption of 60 percent of the assessed property value for homeowners who are 65 years and older with a combined annual income between \$3,000 and \$22,000; 55 percent of the assessed property value for homeowners who are 65 years and older with a combined annual income of over \$22,000, but less than \$23,000; and 50 percent of the assessed property value for homeowners who are 65 years and older with a combined annual income of more than \$23,000, but less than \$24,000; 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.6362, to authorize localities to provide for an additional real property tax exemption for eligible persons who are 65 years of age and older.

Referred to the Committee on Aging.

Res. No. 760

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.3004/A.6324, which would establish an Office of Older Adult Workforce Development within the State Office for the Aging.

By Council Members Hudson, Stevens, Gutiérrez, Louis, Farías, Schulman and Hanif.

Whereas, In the United States (U.S.), with the exception of the loss of life since early 2020 due to the COVID-19 pandemic, life spans have greatly increased since the early twentieth century; and

Whereas, Today, a 65 year old in good health can expect to live to nearly 90 years of age, while experts in longevity believe that children born this century should prepare to live to 100 years of age; and

Whereas, Moreover, health spans, which refers to the years one can live without requiring care, are also increasing, which means that older adults are working for many more years than ever before; and

Whereas, The U.S. Bureau of Labor Statistics (BLS) projects that those 55 years and older will comprise nearly 25 percent of the labor force in 2024; and

Whereas, With a population of 4.6 million New Yorkers age 60 and older, New York State (“State”) has the fourth largest population of older adults in the country; and

Whereas, Compared to the rest of the U.S., the State has a higher share of its labor force that is 65 and older, a group which grew 32.8 percent over the decade and comprised 22.1 percent of the population in 2021, which is nearly 5 percent higher than in 2011; and

Whereas, In New York City (NYC), there are more than 1 million people age 60 and older, and that figure is projected to grow by 40 percent over the next couple of decades; and

Whereas, According to the NYC Department of Consumer Affairs, half of New Yorkers age 55 and older have no money in traditional retirement accounts and 40 percent of New Yorkers between the ages of 50 and 64 have less than \$10,000 saved in such accounts; and

Whereas, Additionally, 21 percent of those 65 and older live below the poverty line in NYC; and

Whereas, According to research from the Age Smart Employer Awards project at Columbia University, there are numerous advantages to retaining and hiring older workers; and

Whereas, Such advantages include “experience, critical thinking and sheer knowledge that cannot be taught;” having a strong work ethic; higher rates of productivity in multigenerational teams; and capacity to train the next generation of workers; and

Whereas, Older workers tend to stay in jobs longer and take fewer days off; and

Whereas, In 2022, the median tenure of workers ages 55-64 in all industries was 9.8 years, which was more than three times the 2.8 years for workers ages 25-34, according to BLS; and

Whereas, While the Equal Employment Commission had advised that the Age Discrimination in Employment Act of 1967 protects job applicants against discrimination for years, some federal courts have ruled otherwise since 2016; and

Whereas, According to a 2022 AARP Research survey of nearly 3,000 people age 50 and older, 62 percent of respondents think older workers face discrimination in the workplace based on age and, among them, 93 percent believe that age discrimination against older workers is common in the workplace; 32 percent report hearing negative comments in the workplace about an older co-worker’s age over the past two years; 17 percent say that they have been the recipient of negative comments about their age at work; and 13 percent have been passed up for a promotion or chance to get ahead because of their age; and

Whereas, S.3004, sponsored by State Senator Cordell Cleare, and A.6324, sponsored by State Assembly Member Al Stirpe, would amend the elder law, in relation to creating the Office of Older Adult Workforce within the State Office for the Aging, as well as establish the duties of the coordinator, which include helping to plan and implement efforts to help address the needs of older adults in the workplace; creating a centralized website with resources for older adults; providing information on prohibitions against age discrimination and remedies to victims of such discrimination; and conducting outreach and education on the services provided by the Office; and

Whereas, Whether out of financial necessity or a desire to continue to work, an increasing number of older New Yorkers are delaying retirement or reentering the workforce after retiring, and they deserve the assistance they require to gain or retain employment; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, S.3004/A.6324, which would establish an Office of Older Adult Workforce Development within the State Office for the Aging.

Referred to the Committee on Aging.

Res. No. 761

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.6569-A, in relation to deed theft, and for the Governor to sign S.6577/A.6656, in relation to the theft of real property and protections for victims of real property theft.

By Council Members Hudson, Gutiérrez, Farías, Schulman and Hanif.

Whereas, According to the New York City (NYC) Department of Finance, deed fraud, also known as deed theft, is when criminals record a fraudulent deed, mortgage, or other lien against a property without the owner's knowledge or consent, with the New York State's (NYS) Office of the Attorney General (OAG) stating in 2023 that the most common ways scammers steal deeds are through forging a real homeowner's signature on a deed before submitting it to a county clerk to imitate a property sale, or tricking a homeowner into unknowingly signing over their property; and

Whereas, According to the OAG, from 2014 to April 2023, the NYC Sheriff's Office counted nearly 3,500 complaints of deed theft throughout the city, with more than 1,500 complaints in Brooklyn and 1,000 from Queens; and

Whereas, The OAG also reported in 2023 that New York State neither has laws that make deed theft a standalone crime nor adequate legal remedies to reverse a fraudulent property sale or stop a deed theft in process, leaving prosecutors bound by statutes of limitations and forced to use charges like grand larceny that, according to the NYS Chief Deputy Attorney General for Social Justice, do not allow prosecutors to take into account certain factors, such as whether the victim is a vulnerable person or whether the property is the victim's primary residence, in determining the severity of the crime; and

Whereas, Deed theft can have devastating effects, with the most obvious being forcing homeowners to give up their homes, but can also include draining a homeowner's finances as they fight a deed theft in court, which can place them in an untenable financial position even if they successfully prevent a deed theft from occurring, and could ultimately still result in the homeowner losing their home due to the scam's financial impacts; and

Whereas, The victims of deed theft are disproportionately Black, Brown, and elderly, with scammers focusing on gentrifying neighborhoods where homes have appreciated in value; and

Whereas, NYC is already in the midst of a housing affordability crisis as well as a homelessness crisis, with the real estate group Douglas Elliman reporting that house prices and rents reached record levels in 2022 and 2023, while City officials stated that NYC's homeless shelter populations hit record levels of 66,000 in October 2022 and 100,000 in June 2023; and

Whereas, Having these concurrent crises raises the importance of keeping homeowners in their homes and preventing the loss of their residences and wealth, especially when the loss is due to fraud; and

Whereas, New York State Senate Bill S.6569-A, sponsored by State Senator Zellnor Myrie, and New York State Bill S.6577/A.6656, sponsored in the State Senate by State Senator Brian Kavanagh and in the State Assembly by Assemblymember Helene E. Weinstein, were introduced as a package of legislation with a number of key provisions to combat and prevent deed theft; and

Whereas, S.6569-A would establish a crime of deed theft, grant the OAG concurrent criminal jurisdiction to prosecute cases related to deed theft and real estate-related crimes, and extend the statute of limitations to

eight years for any felony related to a deed theft and any felony where there is fraud in connection with a real property transaction; and

Whereas, S.6577/A.6656 would void “good faith purchaser” protections that allow buyers to retain their rights to a property regardless of how the seller acquired it, stay eviction proceedings in housing court for homeowners who can show evidence that there is possible deed theft in progress, and expand existing protections from the Homeowner Equity Theft Prevention Act to include homeowners that have active utility liens; and

Whereas, S.6569-A has been passed by the New York State Senate but has yet to be passed by the Assembly, while S.6577/A.6656 has been passed by both branches of the New York State Legislature but is awaiting signature from the Governor; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, S.6569-A, in relation to deed theft, and for the Governor to sign S.6577/A.6656, in relation to the theft of real property and protections for victims of real property theft.

Referred to the Committee on Housing and Buildings.

Res. No. 762

Resolution calling on the State Legislature to pass, and the Governor to sign, S.6352-A, in relation to certain housing accommodations and certain hardship provisions.

By Council Members Hudson and Louis.

Whereas, New York City (NYC or City) has an ongoing housing affordability crisis, as real estate firms and housing market companies like Douglas Elliman and Zumper reported that, as of May 2023, rental prices across the city have reached record highs, with median rents for a 1-bedroom apartment reaching \$3,900 per month, averaged across all 5 boroughs, and reaching medians as high as \$4,395 per month in Manhattan and \$3,550 per month in Brooklyn; and

Whereas, The 2021 NYC Housing and Vacancy Survey (HVS), a joint project conducted by the NYC Department of Housing Preservation and Development (HPD) and the U.S. Census Bureau, revealed several key statistics that underlined the NYC housing crisis, including that rental homes listed below \$1,500 per month had a vacancy rate of less than 1 percent, the lowest rate in 30 years, and that 54.1 percent of renting households are rent-burdened, meaning that they are paying at least 30 percent of their household income towards rent; and

Whereas, The U.S. has seen cost-of-living increases in the wake of the COVID-19 pandemic, experiencing record inflation rates of 7 to 9 percent while also witnessing month-to-month increases in food prices that were as high as 10 percent in February 2023, according to the U.S. Bureau of Labor Statistics; and

Whereas, A June 2023 NBC article reported that high consumer prices were likely to persist through 2023 amidst a slowdown in wage growth and the Federal Reserve hiking interest rates, underscoring the need to ensure the preservation and production of affordable housing in NYC; and

Whereas, NYC is experiencing its housing affordability crisis and cost-of-living increases against a backdrop of record homelessness, as NYC officials reported that the City’s homeless shelter populations hit record levels of over 100,000 in June 2023, up from the previous record of 66,000 in October 2022, further emphasizing the importance of keeping people housed and making more affordable housing available for New Yorkers; and

Whereas, Housing experts recommend increasing the supply of housing, particularly affordable housing, as fundamental to solving NYC’s housing crisis; and

Whereas, Despite widespread agreement on the need to increase housing supply, especially affordable housing, the 2023 Preliminary Mayor’s Management Report listed just 16,428 units of affordable housing that began construction in NYC in the 2022 fiscal year, down from 29,388 and 30,311 units in fiscal years 2021 and 2020, respectively; and

Whereas, In addition, the New York Housing Conference’s NYC Housing Tracker found that in calendar year 2022, the City produced just 14,766 units of affordable housing when taking into account both new construction and preservation of existing housing, a 48 percent decrease from 28,387 units, which was the average production over the past 5 years; and

Whereas, Thousands of affordable units that could otherwise be used to alleviate the housing shortage are reported to be kept off the market because property owners find the repairs needed to rehabilitate them upon vacancy too expensive; and

Whereas, Allowing the possibility for rent adjustment would provide a means to address the concern that rental rates do not adequately cover the cost of repairs; and

Whereas, S.6352-A, introduced by State Senator Leroy Comrie and referred to the State Senate Committee on Housing, Construction, and Community Development, would incentivize the preservation and restoration to the rental market of rent-stabilized dwelling units vacated after long-term occupancies, in part by allowing property owners to apply to adjust the rent for their apartments after submitting documentation verifying the completion of certain restorations; now, therefore, be it

Resolved, That the Council of the City of New York calls on the State Legislature to pass, and the Governor to sign, S.6352-A, in relation to certain housing accommodations and certain hardship provisions.

Referred to the Committee on Housing and Buildings.

Res. No. 763

Resolution designating May 20 annually as Gloria “Hurricane G” Rodriguez Day in the City of New York and recognizing her contributions to the cultural landscape of her home borough of Brooklyn and to Hip Hop worldwide.

By Council Members Hudson, Ossé, Gutiérrez, Louis and Farías.

Whereas, Lifelong Brooklynite Gloria Rodriguez was born on May 20, 1970, and became one of Hip Hop’s first female Puerto Rican MCs (master of ceremonies), known to her fans as Hurricane G; and

Whereas, Hurricane G became the first female member of Def Squad (originally known as Hit Squad), the Hip Hop crew that included Erick Sermon (who had come from gold-album duo EPMD), Redman, and Keith Murray, who featured each other on their songs; and

Whereas, Hurricane G gained notice in 1992 when she called out rap legend Redman at the beginning of his “Tonight’s Da Night,” starting with “Yo yoj Redman”; and

Whereas, Hurricane G “[stole] the show,” according to KEXP radio host Larry Mizell, Jr., on “We Run N.Y.,” her second hit with Redman, which came from his 1994 *Dare Iz a Darkside* album; and

Whereas, Well-known Hip Hop radio duo and rap kingmakers Stretch and Bobbito praised Hurricane G’s “Milky” (featuring Redman and produced by Sermon), which they debuted on their WKCR-FM show and which showed off Hurricane G’s freestyling flow, with lines like “I’m livin’ like Thanksgivin’ and chillin’ ”; and

Whereas, *All Woman*, released in 1997 on Jellybean Benitez’s H.O.L.A. (Home of Latino Artists) Recordings, was Hurricane G’s only solo album and included songs rapped in English and in Spanish, “effortlessly bringing a distinctive Nuyorican edge to her straightforward flow,” according to the *Pitchfork* newsletter; and

Whereas, “Somebody Else” from *All Woman* rocketed to No. 10 on Billboard’s Hot Rap Singles chart, telling the painful story of being mistreated in a relationship and using the haunting chorus of “You gonna make me love somebody else if you keep on treating me the way you do”; and

Whereas, “El Barrio” from *All Woman*, rapped in Spanish in Hurricane G’s characteristic Nuyorican style to a lyrical melody, tells the story of the resilient and proud “Hurricane Gloria, the queen of rap,” growing up in the barrio, where “kings and queens suffer and die” and where “life ... is hard, I swear it to you”; and

Whereas, Hurricane G brought her unique style to a remix of Puff Daddy/P. Diddy’s “P.E. 2000,” as Hurricane G and Diddy rap together in Spanish to a driving infectious beat; and

Whereas, Hurricane G also collaborated with other rappers, including with Xzibit on “Just Maintain” and “Bird’s Eye View” from his debut album; and

Whereas, In 2013, Hurricane G. released *Mami & Papi*, a final album with fellow Brooklyn rapper Thirstin Howl III; and

Whereas, Hurricane G died on November 6, 2022, after a battle with lung cancer, and was eulogized by Old School Hip Hop Lust, a repository of Hip Hop history, as “an unapologetic spitter of cultural rigor—instilling a prominent spotlight on Afro-Latina hip-hop practitioners”; and

Whereas, Sermon, who shares a daughter with Hurricane G, paid tribute to Hurricane G as “a legend in her own right” and as someone “who paved the way” and was “as real as they come”; and

Whereas, It is appropriate to dedicate a day to honor Hurricane G’s legacy as one of rap’s female pioneers; now, therefore, be it

Resolved, That the Council of the City of New York designates May 20 annually as Gloria “Hurricane G” Rodriguez Day in the City of New York and recognizing her contributions to the cultural landscape of her home borough of Brooklyn and to Hip Hop worldwide.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Res. No. 764

Resolution calling on the New York State Legislature to pass, and the Governor to sign, A.4375/S.351, to require school districts and charter schools to include instruction on the political, economic, and social contributions, and lifeways of lesbian, gay, bisexual, transgender, queer, intersex, and asexual people, in an appropriate place in the curriculum of middle school and high school students.

By Council Members Hudson, Cabán, Schulman, Ossé, Bottcher, Gutiérrez, Louis, Restler, Farías and Hanif

Whereas, The lesbian, gay, bisexual, transgender, queer, intersex, and asexual (LGBTQIA or LGBTQ+) communities have historically been marginalized and discriminated against throughout the United States (U.S.); and

Whereas, LGBTQ+ youth continue to be frequent targets of discrimination and harassment, particularly in school; and

Whereas, According to the latest (2021) National School Climate Survey conducted by the Gay, Lesbian and Straight Education Network (GLSEN), 76.1% of LGBTQ+ students reported being verbally harassed at school because of their sexual orientation or gender expression; and

Whereas, The survey further noted that 31.2% of LGBTQ+ students reported being physically harassed and 12.5% reported being physically assaulted at school in the past year because of their sexual orientation or gender expression; and

Whereas, LGBTQ+-related discrimination at school has extremely negative effects on students; and

Whereas, According to GLSEN’s 2021 survey, LGBTQ+ students who experienced discrimination at school were nearly three times as likely to have missed school in the past month and had lower GPAs than their peers; and

Whereas, The GLSEN survey also found that LGBTQ+ students who experienced discrimination at school had lower self-esteem and school belonging and higher levels of depression, which is of particular concern in light of the fact that LGBTQ+ youth have significantly higher rates of attempted suicide and suicidal ideation than the general population; and

Whereas, Studies have shown that teaching LGBTQ history in the classroom leads to fewer instances of bullying and harassment at school and creates a safer school climate for all students regardless of sexual orientation or gender expression; and

Whereas, Furthermore, LGBTQ+ communities and individuals have made lasting contributions to the U.S. as a whole and New York in particular, including breaking barriers and paving the way for a more inclusive, tolerant, and understanding society; and

Whereas, A.4375, sponsored by Assembly Member Daniel O'Donnell, and its companion bill S.351, sponsored by Senator Robert Jackson, would require school districts and charter schools to include instruction on the political, economic, and social contributions, and lifeways of lesbian, gay, bisexual, transgender, queer, intersex, and asexual people, in an appropriate place in the curriculum of middle school and high school students; and

Whereas, In addition, A.4375/S.351 would create a task force to study, make recommendations, and prepare a report on the policies, procedures, and best practices for the selection and adoption of inclusive instructional materials; and

Whereas, As New York is the historic home of many of these communities and social movements, it is fitting and appropriate that our state fully tells their stories so our students are prepared for a more inclusive world view; and

Whereas, Moreover, it is incumbent upon schools to ensure equal educational opportunity, basic civil rights protections, and freedom from erasure for all students, including LGBTQ+ young people; now, therefore, be it

Resolved, That the Council of the City of New York calls on on the New York State Legislature to pass, and the Governor to sign, A.4375/S.351, to require school districts and charter schools to include instruction on the political, economic, and social contributions, and lifeways of lesbian, gay, bisexual, transgender, queer, intersex, and asexual people, in an appropriate place in the curriculum of middle school and high school students.

Referred to the Committee on Education.

Res. No. 765

Resolution calling upon institutions of higher education in New York City to take action to create and foster LGBTQIA+ inclusive campus climates.

By Council Members Hudson, Cabán, Ossé, Bottcher, Gutiérrez, Restler, Schulman and Hanif.

Whereas, The New York City Council's LGBTQIA+ caucus is concerned about discrimination against LGBTQIA+ persons and LGBTQIA+ organizations at institutions of higher learning; and

Whereas, Some LGBTQIA+ students in New York City have expressed that they feel excluded, othered, and unwelcomed on their university campuses; and

Whereas, The New York City Human Rights Law prohibits discrimination on the basis of actual or perceived sexual orientation in employment, housing, commercial space and lending practices, public accommodations, credit, apprentice training programs, and education; and

Whereas, The New York State Sexual Orientation Non-Discrimination Act prohibits discrimination on the basis of actual or perceived sexual orientation in employment, housing, public accommodations, education, and credit; and

Whereas, Joint National Public Radio and Robert Wood Johnson Foundation statistical research shows that 58 percent of LGBTQIA+ respondents say that they are sometimes or often discriminated against at college; and

Whereas, Analysis conducted by Cornell University shows that there is a strong link between anti-LGBTQIA+ discrimination and harms to the health and well-being of LGBTQIA+ people; and

Whereas, The National Institute of Mental Health found that while rates of depression, suicidal thoughts, and suicidal behaviors are high among all college students, rates for these risk factors are higher among adolescents and young adults identifying as LGBTQIA+; and

Whereas, The National Institute of Mental Health results show that students identifying as transgender, non-binary, genderqueer, or other-gender have significantly higher rates of depression, suicidal ideation, and suicide attempts relative to cisgender students; and

Whereas, The National Institute of Mental Health results demonstrate that students identifying as asexual, pansexual, bisexual, queer, or mostly gay/lesbian are substantially more likely to have two or more suicide risk factors relative to heterosexual students; and

Whereas, The significant variation in suicide risk highlights the need for targeted interventions for groups at highest risk; and

Whereas, Research conducted by the U.S. Department of Education shows that students report less discrimination and bias at institutions where they perceive a stronger institutional commitment to diversity; and

Whereas, According to the U.S. Department of Education, institutions of higher education serve as gateways to educational and economic mobility; and

Whereas, U.S. Department of Labor, Bureau of Labor Statistics data indicates that the attainment of a postsecondary degree has become increasingly important due to technological changes and increasing demand for skilled workers; now, therefore, be it

Resolved, That the Council of the City of New York calls upon institutions of higher education in New York City to take action to create and foster LGBTQIA+ inclusive campus climates.

Referred to the Committee on Higher Education.

Res. No. 766

Resolution calling on the New York City Department of Education to update its CS4All initiative to increase access to CS4All professional development for educators and administrators, particularly for those in underserved schools, and to increase training for all teachers.

By Council Members Joseph, Powers, Gutierrez, Abreu, Stevens, Louis, Schulman, Menin, Farías, Ossé, Hanif, Krishnan and De La Rosa (by request of the Manhattan Borough President).

Whereas, Computer science (CS) is the study of computers and computational systems, including the principles, theories, and methods for designing, developing, and utilizing thereof; and

Whereas, CS includes the study of algorithms, artificial intelligence (AI), computer architecture, computer networks, databases, operating systems, programming languages, software engineering, and human-computer interaction; and

Whereas, CS plays a crucial role in advancing technology, driving innovation, and shaping aspects of everyday life, including communication, entertainment, healthcare, scientific research, and transportation; and

Whereas, CS is a rapidly evolving field that continuously pushes the boundaries of what is possible, enabling new discoveries and improving efficiency in all industries and sectors; and

Whereas, CS education enhances students' critical thinking, equipping them with essential skills, providing them with a foundation in computational thinking, problem-solving, and algorithmic reasoning; and

Whereas, CS education empowers students to be active creators and contributors to society by encouraging them to think creatively and develop innovative solutions to real world problems; and

Whereas, CS education helps students develop digital literacy, including how to navigate technology responsibly, and understanding data privacy, and prepares them for future job opportunities; and

Whereas, With the recent public release of generative AI chatbots, digital literacy skills are especially important to know how to evaluate the credibility of, and make informed decisions about, AI-generated content; and

Whereas, CS education is particularly important to addressing the digital divide, which refers to the gap in access to technology and digital resources between different socioeconomic groups and communities, including reliable internet connectivity and access to personal devices, among underserved students; and

Whereas, The New York City (NYC) Department of Education (DOE) Computer Science for All (CS4All) initiative is a citywide effort to ensure that all public school students have access to CS education; and

Whereas, Through CS4All, DOE collaborates with schools, educators, industry partners, and community organizations to develop a comprehensive and inclusive CS curriculum aligned with national standards and best practices; and

Whereas, CS4All emphasizes teacher training and professional development to equip educators with the necessary skills and knowledge to effectively teach CS; and

Whereas, CS4All came out of DOE's Equity and Excellence for All agenda and, according to its website, the initiative is committed to "providing every single child, in every classroom, in every [NYC] public school" with a "meaningful, high quality [CS] education at each school level... by 2025"; and

Whereas, However, CS4All has been criticized for not doing enough to address the racial and gender disparities that exist in CS education; and

Whereas, An October 2022 study by the New York University's (NYU) Research Alliance on CS4All showed that only 17 percent of DOE schools are meeting the participating and equity goals set for girls, Black, and Latinx students; and

Whereas, Moreover, schools that made greater improvement in CS access and participation also served lower percentages of Black and Latinx students on average; and

Whereas, The NYU study also found that schools that made greater improvements were more likely to have multiple teachers participate in CS4All professional development and to have an administrator or teacher participate in the CS4All leadership professional development; and

Whereas, This suggests that CS4All professional development may have helped facilitate greater access and participation among students; and

Whereas, In this increasingly digital world, CS is an essential part of a student's education; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York City Department of Education to update its CS4All initiative to increase access to CS4All professional development for educators and administrators, particularly for those in underserved schools, and to increase training for all teachers.

Referred to the Committee on Education.

Res. No. 767

Resolution calling on the New York City Department of Education to mandate training on generative artificial intelligence tools, including for potential classroom implementation, for all educators.

By Council Members Joseph, Powers, Gutierrez, Abreu, Schulman, Menin, Farías, Ossé, Hanif, Krishnan and De La Rosa (by request of the Manhattan Borough President).

Whereas, Generative artificial intelligence (AI) is a type of AI that can generate new content, including text, images, and videos, through learning patterns from pre-existing data; and

Whereas, Examples of generative AI systems include image generators, large language models, code generation tools, or audio generation tools; and

Whereas, Open AI's ChatGPT, a chatbot powered by an underlying large language model, is trained to follow an instruction in a prompt and provide a detailed response in a humanlike conversational dialogue within seconds; and

Whereas, Since its public release, ChatGPT has become the fastest-growing consumer application in history, growing from one million users following its launch in November 2022 to over 100 million users in January 2023; and

Whereas, With the release and growth of ChatGPT, Google's Bard, and similar generative AI systems, critics have both touted and condemned the impact of generative AI on society; and

Whereas, In a February 23, 2023, Wall Street Journal editorial, Henry Kissinger, Eric Schmidt, and Daniel Huttenlocher claim “[g]enerative [AI] presents a philosophical and practical challenge on a scale not experienced since the start of the Enlightenment” with the invention of the printing press; and

Whereas, A widely discussed concern about generative AI has centered around education and the potential for students to improperly use the technology, such as to plagiarize assignments; and

Whereas, According to a January 2023 Intelligent.com poll, 30 percent of college students have used ChatGPT on written homework assignments, while research published in March 2023 by the Walton Family Foundation showed that 33 percent of students aged 12 to 17 use ChatGPT for schoolwork; and

Whereas, Generative AI chatbots rely on patterns learned in training, which can be based on non-factual information and which could result in false narratives and misinformed outputs; and

Whereas, In a first-person piece published May 18, 2023, by Chalkbeat New York, the New York City Department of Education Chancellor David Banks asserted that “the reality [is] that our students are participating in and will work in a world where understanding generative AI is crucial”; and

Whereas, For generative AI to be useful and reliable, there must be a concentrated effort and an ongoing conversation in academia to adapt to generative AI, including how it can be effectively integrated into education; and

Whereas, Generative AI is a huge technological breakthrough that has the potential to be a valuable resource or have devastating consequences in both education and society; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York City Department of Education to mandate training on generative artificial intelligence tools, including for potential classroom implementation, for all educators.

Referred to the Committee on Education.

Int. No. 1176

By Council Members Louis, Restler, Fariás and Schulman.

A Local Law to amend the administrative code of the city of New York, in relation to requiring third-party food delivery services and food service establishments to display sanitary inspection letter grades online

Be it enacted by the Council as follows:

Section 1. Section 20-563 of the administrative code of the city of New York, as amended by local law number 117 for the year 2021, is amended by adding new definitions of “letter grade”, “menu” and “menu item” in alphabetical order to read as follows:

Letter grade. The term “letter grade” means the sanitary inspection grade issued by the department of health and mental hygiene pursuant to section 81.51 of the health code of the city of New York.

Menu. The term “menu” means a written list of the names or images of a food item or items and the prices of such items, that is the primary writing of a food service establishment from which a person makes an order selection.

Menu item. The term “menu item” means any food item that a customer may select for purchase from a food service establishment.

§ 2. Subchapter 36 of chapter 2 of title 20 of the administrative code of the city of New York is amended by adding a new section 20-563.14 to read as follows:

§ 20-563.14 Display of letter grades required. a. Every third-party food delivery service shall display the letter grade assigned to each food service establishment in a conspicuous manner to persons using such service. Such letter grade shall be displayed adjacent to the name of each food service establishment whenever such name appears on a list of food service establishments that can be selected by a person to make an online order.

Such letter grade shall also be displayed conspicuously whenever the menu or menu items of a food service establishment are displayed for selection by persons using such service.

b. Every food service establishment that operates a website, mobile application or other internet service that offers or arranges for the sale of food and beverages prepared by, and the same-day delivery or same-day pickup of food and beverages from such food service establishment, shall conspicuously and prominently post its letter grade on such website, mobile application or other internet service.

c. The department may establish by rule additional requirements relating to the display of such letter grades.

§ 3. This local law takes effect 1 year after it becomes law.

Referred to the Committee on Small Business.

Int. No. 1177

By Council Members Louis, Farías, Stevens, Narcisse, Gutiérrez, Schulman, Hanif and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to establishing a screening program for endometriosis and polycystic ovarian syndrome

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 17-199.19 of the administrative code of the city of New York, as added by local law number 88 for the year 2022, is amended to read as follows:

a. The department shall provide sexual and reproductive health services and conduct research on sexual and reproductive health disparities within the city. In providing such services, the department shall have the power and duty to:

1. Provide outreach, education, and support to individuals, especially low-income individuals and those without health insurance, regarding issues related to sexual and reproductive health, including, but not limited to:

(a) Contraception, including a broad range of methods such as long-acting reversible contraception;

(b) Preconception health services;

(c) Abortion services;

(d) Family planning services;

(e) Testing, prevention, and treatment for HIV;

(f) Testing and treatment for sexually transmitted infections;

(g) Routine screening for breast and cervical cancer; [and]

(h) Health education, in community settings, to promote reproductive health, prevent unintended pregnancy, and promote access to reproductive and preventive health services[.]; *and*

(i) *Endometriosis and polycystic ovarian syndrome.*

2. Make referrals, when determined appropriate by the department, to affordable and accessible services related to contraception; abortion; family planning; breast and cervical cancer screenings; *endometriosis*; *polycystic ovarian syndrome*; and counseling, testing, and treatment for HIV and sexually transmitted infections.

3. *Establish a menstrual health program to screen patients who display or have displayed symptoms of menstrual disorders for endometriosis and polycystic ovarian syndrome.*

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

Referred to the Committee on Health.

Int. No. 1178

By Council Members Menin, Riley, Louis, Farías, Schulman, Abreu and Marte.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of sanitation to install and fill dog waste bag dispensers on public litter baskets

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-144 to read as follows:

§ 16-144 *Dog waste bag dispenser program. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Designated citywide languages. The term “designated citywide languages” has the same meaning as defined in subdivision a of section 23-1101.

Dog waste bag dispenser. The term “dog waste bag dispenser” means any container manufactured for the purpose of containing and dispensing dog waste bags.

Public litter basket. The term “public litter basket” means a basket, container, or receptacle placed in a public place by the department or its authorized agent for the public disposal of litter.

b. The commissioner shall install and fill dog waste bag dispensers on, or adjacent to, all public litter baskets. Each dog waste bag container shall be checked and refilled with dog waste bags as needed, but no less than once every week.

c. The commissioner, in collaboration with the department of health and mental hygiene, shall implement a public awareness campaign designed to educate the public on the negative public health consequences associated with dog waste, the legal responsibility of a person who owns or controls a dog for picking up dog waste, and the associated penalties for violations. The campaign shall include virtual and in-person outreach in the designated citywide languages. The campaign shall continue for no less than 1 year or for such longer duration as the commissioner determines will further the goals of the campaign.

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

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 1179

By Council Members Menin, the Public Advocate (Mr. Williams) and Council Members Hudson, Abreu, Cabán, Farías, Stevens, Riley, Gutiérrez, Louis and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to menstrual products in city bathroom facilities

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.23 to read as follows:

§ 17-199.23 *Menstrual products in city bathroom facilities. a. Definitions. As used in this section, the following terms have the following meanings:*

City bathroom facility. The term “city bathroom facility” means any bathroom or shower that is leased, managed, or operated by the city, excluding any bathroom or shower that is in a school building as defined in section 21-968.

Menstrual products. The term “menstrual products” means menstrual cups, tampons, and sanitary napkins for use in connection with the menstrual cycle.

b. Provision of menstrual products. No later than 180 days after the effective date of the local law that added this section, the department, in coordination with the department of citywide administrative services, shall make menstrual products available at no cost in every city bathroom facility.

c. Report. No later than 1 year after the effective date of the local law that added this section, and annually thereafter, the department, in coordination with the department of citywide administrative services, shall submit a report to the mayor and the speaker of the council on the provision of menstrual products in city bathroom facilities as required by subdivision b of this section. The report shall include, but need not be limited to, the following:

- 1. The total number of city bathroom facilities;*
- 2. The total number of city bathroom facilities where menstrual products are not available; and*
- 3. If there are any city bathroom facilities where menstrual products are not available, the reasons why the products are not available.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Health.

Res. No. 768

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.1532/A.4576, to require school districts to establish policies and procedures regarding the treatment of transgender or gender non-conforming students.

By Council Members Menin, Cabán, Hudson, Schulman, Joseph, Sanchez, Bottcher, Richardson Jordan, the Public Advocate (Mr. Williams), Gutiérrez, Restler and Hanif.

Whereas, New York State’s Dignity for All Students Act (DASA), which took effect on July 1, 2012, provides that students may not be discriminated against based on their “actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex by school employees or students on school property or at a school function”; and

Whereas, DASA defines “gender” as “a person’s actual or perceived sex and includes a person’s gender identity or expression”; and

Whereas, *The 2021 National School Climate Survey*, conducted by the Gay, Lesbian and Straight Education Network (GLSEN), found that about 68 percent of lesbian, gay, bisexual, transgender, or queer (LGBTQ+) students between the ages of 13 and 21 felt unsafe at school because of their sexual orientation, gender identity, and/or gender expression and about 79 percent avoided school functions or extracurricular activities because they felt unsafe or uncomfortable; and

Whereas, The GLSEN survey found that about 85 to 95 percent of LGBTQ+ students heard homophobic remarks or negative remarks in school about gender expression or transgender individuals and that about 76 percent experienced in-person verbal harassment and 31 percent physical harassment; and

Whereas, The GLSEN survey also found that the majority of LGBTQ+ students who were harassed or actually assaulted in school did not report the incident to school staff, but that the majority of those who did report the incident noted that school staff did little or nothing in response; and

Whereas, The GLSEN survey further found that almost 60 percent of LGBTQ+ students experienced discriminatory policies or practices at school, including being prevented from using their chosen name or pronouns, using their preferred restroom or locker room, wearing their preferred style of clothes, or playing on sports teams consistent with their gender; and

Whereas, The GLSEN survey also noted that LGBTQ+ students who have been harassed, assaulted, or discriminated against in school were more likely than their peers to be absent from school, to have poorer grades, to have lower self-esteem, or to have been disciplined at school; and

Whereas, S.1532, introduced on January 12, 2023, by State Senator Brad Hoylman-Sigal, representing the 47th State Senate District in Manhattan, would amend the State education law to require every school district to establish policies and procedures regarding the treatment of transgender or gender non-conforming students in

order to ensure that school districts implement DASA's anti-discrimination requirements as they pertain to transgender or gender non-conforming students; and

Whereas, Companion bill A.4756, introduced on February 17, 2023, by State Assembly Member Tony Simone, representing the 75th State Assembly District in Manhattan, would provide for the same establishment of policies and procedures that ensure that schools do not treat transgender or gender non-conforming students "differently from the way they treat other students of the same gender identity or gender expression"; and

Whereas, Specifically, S.1532/A.4756 would call for policies and procedures that ensure that school employees use pronouns and names consistent with a student's own gender identity or expression, regardless of the sex or gender designated on a student's education records or other documents; and

Whereas, S.1532/A.4756 would call for policies and procedures that permit students to participate in sex-segregated activities, such as sports teams, clubs, and classes, and to use sex-segregated facilities, such as restrooms and locker rooms, according to a student's own gender identity or expression; and

Whereas, S.1532/A.4756 would call for policies and procedures that safeguard students' privacy regarding transgender or gender non-conforming status, including information such as a student's birth name or sex assigned at birth; and

Whereas, S.1532/A.4756 would call for policies and procedures that permit students to request that a school revise education records to reflect a student's own gender identity or expression; and

Whereas, S.1532/A.4756 would prohibit schools from requiring that students must first obtain a medical diagnosis, treatment, or identification documents that reflect a student's own gender identity or expression before being treated according to that gender identity or expression; and

Whereas, If passed, S.1532/A.4756 would take effect immediately; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, S.1532/A.4576, to require school districts to establish policies and procedures regarding the treatment of transgender or gender non-conforming students.

Referred to the Committee on Education.

Res. No. 769

Resolution calling upon the New York State Environment Facilities Corporation to remove restrictive barriers and uncap funds New York City can receive for water infrastructure upgrades.

By Council Members Menin, Gennaro, Ariola, Brannan and Schulman.

Whereas, President Biden and the United States Congress passed the Bipartisan Infrastructure Law (BIL), which provides \$50 billion for water and wastewater projects; and

Whereas, In New York State (NYS), most of the funds provided by the BIL are controlled by NYS's Environmental Facilities Corporation (EFC); and

Whereas, The EFC's established guidelines were carefully crafted to prevent New York City (NYC) from equitably receiving needed capital; and

Whereas, The EFC instituted hardship rules to allow for all municipalities across the state to benefit, but with the notion, that only municipalities under 300,000 can receive the vast majority of BIL funding, in the form of grants from the EFC, pursuant to these hardship rules; and

Whereas, NYS and the EFC have attempted to ensure equity across the state by having the funds distributed across all municipalities in New York regardless of population; and

Whereas, NYC is the only municipality in NYS with over 300,000 people; and

Whereas, By not taking population into effect when developing these rules, the EFC only created inequality by depriving New York City, the most populous municipality in the State of New York, of its fair share of funds; and

Whereas, The BIL did not impose these guidelines, and this is solely a decision by the EFC; and

Whereas, NYC, as a result of these unjust funding guidelines, only received two percent of NYS's water infrastructure grant funds in 2022, and NYC can only receive six percent of NYS's water and wastewater project funds from the BIL funds for 2023 according to U.S. Representatives Nicole Malliotakis, Grace Meng, and Nydia Velázquez; and

Whereas, The State of New York also passed the Clean Water Infrastructure Act, which limited funding from the law at \$5 million per municipality, thus, NYC can only receive up to 10 percent of these state funds under the law; and

Whereas, These inequitable policies promulgated by the State of New York disproportionately impact minority and low-income communities; and

Whereas, The majority of NYC is of non-white background, and NYC holds the largest minority population in NYS; and

Whereas, NYC has 59 percent of the state's disadvantaged communities, which are at heightened risk of negatively being impacted by climate change compared to other municipalities according to the New York State Energy Research and Development Authority; and

Whereas, A proper equitable distribution of water infrastructure funds would go toward disadvantaged communities, instead; and

Whereas, Millions of NYC residents are at risk of climate change, and critical water infrastructure upgrades are needed to improve the life of the over 8 million who live in NYC; and

Whereas, NYS should end its discriminatory environmental and water infrastructure policies punishing NYC and its residents; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Environmental Facilities Corporation to remove restrictive barriers and uncap funds New York City can receive for water infrastructure upgrades

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

Res. No. 770

Resolution calling on the New York State Legislature to pass, and the Governor to sign, A.5007/S.2381, in relation to enabling constitutionally-qualified electors to register to vote and to cast a ballot on the same day at a polling location.

By Council Members Menin, Ung, Gutiérrez, Farías, Hanif and Abreu.

Whereas, Voting is a critical component of civic participation, and all eligible New Yorkers deserve an opportunity to exercise that right; and

Whereas, Voter turnout in New York City continues to lag behind its peer cities, with a Portland State University study ranking New York City's voter turnout rate 22nd among the 30 largest cities in the United States; and

Whereas, A 2001 study published in Social Science Quarterly found that allowing voters to register and vote on election day could increase voter turnout by 7 percent; and

Whereas, According to the National Conference of State Legislatures, 20 states and Washington, D.C. allow voters to register and vote on the same day during early voting or on election day; and

Whereas, An analysis by the New York Civil Liberties Union found that over 70,000 New Yorkers would have been eligible to vote if election day registration was in place for the 2016 presidential primary election; and

Whereas, A.5007, introduced by Assembly Member Kenny Burgos and pending in the New York State Assembly, and companion bill S.2381, introduced by State Senator Zellnor Myrie and pending in the New York State Senate, seek to amend the New York State Election Law to allow individuals qualified to register to vote, to complete a conditional registration and cast an affidavit ballot at an early voting poll site, or at an election day poll site; and

Whereas, A.5007/S.2381 would provide thousands of New Yorkers who would otherwise be ineligible to vote an opportunity to register and vote on the same day; 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.5007/S.2381, in relation to enabling constitutionally-qualified electors to register to vote and to cast a ballot on the same day at a polling location.

Referred to the Committee on Governmental Operations.

Int. No. 1180

By Council Members Moya, Farías and Schulman.

A Local Law to amend the administrative code of the city of New York, in relation to penalties for improper collection or disposal of waste by mobile food vendors

Be it enacted by the Council as follows:

Section 1. Chapter 15 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-1519 to read as follows:

§ 17-1519 Mobile food vending unit waste collection and disposal. a. A mobile food vending unit permittee or licensee shall comply with the requirements set forth in section 89.25 of the health code regarding waste collection and disposal, or any successor provision.

b. A mobile food vending unit permittee or licensee that violates this section shall be subject to a civil penalty of, for violations committed in any 2 year period:

- 1. \$200 for the first and second violation;*
- 2. \$250 for the third violation; and*
- 3. \$500 for the fourth or any subsequent violation.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Health.

Res. No. 771

Resolution calling on New York State Legislature to pass, and the Governor to sign, S1839A/A2609 and S1890/A2661, the Sickle Cell Treatment Act.

By Council Members Narcisse, Stevens, Gutiérrez, Louis, Lee, Schulman, Hanif and Brewer.

Whereas, Sickle cell disease (SCD) is a group of inherited conditions characterized by abnormal hemoglobin, which could deform or rupture red blood cells leading to chronic pain, stroke, vulnerability to infections, pulmonary hypertension, vision loss, organ damage, and an accumulation of serious health complications including premature death; and

Whereas, SCD affects millions of people throughout the world and disproportionately affects individuals of African, Mediterranean, Middle Eastern, South Asian, and Central and South American descent; and

Whereas, According to the Centers for Disease Control and Prevention (CDC), SCD affects approximately 100,000 Americans, 10% of whom live in New York State (NYS); and

Whereas, In 2008, the CDC conducted a report on SCD in NYS, and found that SCD occurs among approximately 1 out of every 1,259 births, 1 out of every 260 Black or African-American births, 1 out of every 10,209 white births, and 1 out of every 2,714 Hispanic-American births; and

Whereas, Per the CDC report, approximately 80% of individuals diagnosed with SCD in NYS lived in New York City (NYC) and 76% of newborns with SCD are born in NYC; and

Whereas, Of the 197 babies born with SCD in NYS in 2008, the last time when such data was publicly reported, 80% of these babies were Black or African American, 8% white, 11% Hispanics-Americans, and 3% other or unknown race; and

Whereas, Many suffering from SCD die at an age that is younger than the average lifespan, such as in NYS, where only 14% of individuals diagnosed with SCD lived past the age of 51 years; and

Whereas, Bone marrow or stem cell transplant is the only FDA-approved cure available to individuals suffering from SCD—and it is both an extremely risky and expensive procedure that many cannot afford or qualify for; and

Whereas, Persons with sickle cell trait (SCT) are carriers of the sickle cell gene who have inherited the normal hemoglobin gene from one parent and the sickle cell gene from the other parent; and

Whereas, Approximately 3 million Americans have SCT; and

Whereas, When both parents have SCT, there is a 1 in 4 chance with each pregnancy that the child will be born with SCD; and

Whereas, Most people with SCT do not have any symptoms of SCD, however, in rare cases, people with SCT might experience complications of SCD; and

Whereas, Both SCT and SCD can be detected before birth or at birth through screening tests and can be managed with comprehensive care and preventive measures; and

Whereas, However, in NYS, Hospitals only began testing for SCT and SCD in 2006, which means that an entire generation born before this time could be unaware of whether they are an SCD or SCT carrier; and

Whereas, According to the CDC, 1 in 13 Black or African American babies is born with SCT, highlighting the immediate need for early detection and education; and

Whereas, The CDC states that SCD is a major public health concern with life-threatening complications that can develop rapidly and worsen as patients age; and

Whereas, Given the complexity, seriousness, and cost of SCD, patients and physicians often struggle to care for the symptoms and health complications caused by SCD; and

Whereas, SCD requires specialized, comprehensive and continuous care to achieve the best possible outcomes; and

Whereas, Newborn, prenatal, and preconception screening, genetic counseling, and education of patients, family members, schools, and health care providers are critical preventative measures; and

Whereas, To address these issues, NYS Senator James Sander Jr. and Assemblywoman Alicia L. Hyndman have introduced S1890/A2661, known as the Sickle Cell Treatment Act, and S1839A/A2609; and

Whereas, S1839A/A2609 aims to establish a sickle cell disease detection and education program within the NYS Department of Health to provide information and resources to individuals with SCD, their families, health care providers, and the general public; and

Whereas, The Sickle Cell Treatment Act, if passed, would establish 5 sickle cells centers of excellence and 10 outpatient treatment centers, staffed by specialists dedicated to serving SCD patients; and

Whereas, Together, these two bills would help increase awareness, knowledge, and understanding of SCD and its complications while improving access to quality prevention, care, and treatment, thereby reducing health disparities, complications, and mortality associated with SCD; now, therefore, be it

Resolved, That the Council of the City of New York calls on New York State Legislature to pass, and the Governor to sign, S1839A/A2609 and S1890/A2661, the Sickle Cell Treatment Act.

Referred to the Committee on Health.

Int. No. 1181

By Council Members Nurse and Marte.

A Local Law to amend the administrative code of the city of New York, in relation to penalties in tax exempt projects due to source of income discrimination

Be it enacted by the Council as follows:

Section 1. Section 11-241 of the administrative code of the city of New York is amended as follows:

§ 11-241 Discrimination in tax exempt projects. No exemption from taxation, for any project, other than a project hitherto agreed upon or contracted for, shall be [granted]*approved by a City agency* to a housing company, insurance company, redevelopment company or redevelopment corporation *where the New York State Commission on Human Rights, the New York City Commission on Human Rights, or the Commissioner thereof, found that such entity,* [which shall] directly or indirectly, refused, [withhold]*withheld* from, or [deny]*denied* to any person any of the dwelling or business accommodations in such project or property, or the privileges and services incident to occupancy thereof, on account of the race, color, [or] creed, *or lawful source of income* of any such person. Any exemption from taxation hereafter granted shall terminate sixty days after a finding by the supreme court of the state of New York that such discrimination is being or has been practiced in such project or property; if within sixty days such discrimination shall have been ended, then the exemption shall not terminate. *As used in this section, "lawful source of income" has the same meaning as set forth in section 8-102.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Finance.

Int. No. 1182

By Council Members Nurse, Stevens, Gutiérrez, Farías and Marte.

A Local Law to amend the administrative code of the city of New York, in relation to rejecting sidewalk and roadway cafe licenses for food service establishments that violate labor laws

Be it enacted by the Council as follows:

Section 1. Section 19-160 of the administrative code of the city of New York is amended by adding a new subdivision k to read as follows:

k. An applicant for a sidewalk cafe or roadway cafe license shall disclose to the department any finding by a court of law or any final agency determination from the 5 years prior to the date of application that the applicant violated any New York city, New York state, or federal law, or any rule or regulation promulgated pursuant to such a law, relating to worker protection, compensation, safety, or discrimination. The commissioner may deny the license based on 3 or more such violations.

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

Referred to the Committee on Transportation and Infrastructure.

Int. No. 1183

By Council Members Nurse, De La Rosa, Gennaro, Avilés, Menin, Restler, Sanchez, Schulman, Velázquez, Won, Gutiérrez and Hanif.

A Local Law to amend the administrative code of the city of New York, in relation to the installation of solar photovoltaic systems on city-owned property

Be it enacted by the Council as follows:

Section 1. Section 4-207.1 of the administrative code of the city of New York, as added by local law number 24 for the year 2016, is amended to read as follows:

§ 4-207.1 Photovoltaic systems for city-owned buildings. a. As used in this section:

City building. The term “city building” shall have the meaning ascribed to such term in section 28-309.2 of the code.

Contracted entity. The term “contracted entity” means a local development corporation or other not-for-profit corporation, a majority of whose members are appointed by the mayor, that contracts with the city to provide or administer economic development benefits on behalf of the city and expending city capital appropriations in connection therewith, except that such term does not include the Brooklyn navy yard development entity as defined in section 22-821.

Cost effective. The term “cost effective” means, with respect to the installation of a photovoltaic system or additional photovoltaic system capacity, one or more of the following determinations:

1. The cumulative savings expected to result from such installation, including expected savings in energy costs, will in 25 years or less, equal or exceed the expected costs of such installation, less all federal, state and other non-city governmental assistance available to offset the cost of such installation and including the social cost of carbon value, as described in paragraphs 3 and 4 of subdivision d of section 3-125 of the code; provided, however, that a higher site- or project-specific social cost of carbon value may be developed and used in lieu of the social cost of carbon value described in such paragraphs.

2. A power purchase agreement relating to such installation, entered into with the city, offers electricity rates for photovoltaic systems that meet or are lower than the average prevailing utility rates.

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

Eligible roof. The term “eligible roof” means a city building roof that is less than or equal to ten years old and in good condition, as defined by city asset management standards.

b. *By December 31, 2025, the department, in coordination with the office of long-term planning and sustainability, shall install, maintain, and operate solar photovoltaic systems on eligible roofs of city buildings sufficient to produce a total of 100 megawatts of electricity.*

c. *The department, in coordination with the office of long-term planning and sustainability, shall create a plan by December 31, 2026, to be utilized to install, maintain, and operate solar photovoltaic systems on eligible roofs of city buildings and city-owned property, including but not limited to parking lots, industrial structures, and structures owned by a contracted entity, sufficient to produce a total of 150 megawatts of electricity by December 31, 2030.*

d. *In meeting the requirements of this section, the department shall prioritize the installation of solar photovoltaic systems on public schools, city-owned property and structures owned by a contracted entity located in disadvantaged communities, as defined by section 75-0101 of the environmental conservation law.*

e. By December 31, 2016, and by September 1 of every second year thereafter, the department, with the cooperation of all appropriate city agencies, shall submit to the speaker of the council and the mayor, and make publicly available online, a report containing, at a minimum, the following information for each city building, disaggregated by council district:

1. The street address of such building;
2. The age of such building's roof;
3. Whether such building's roof is in good condition, as defined by city asset management standards;
4. For each eligible roof, the following information will be provided:

(a) [the] *The estimated potential photovoltaic system size that could be installed on such roof, as expressed in installed power capacity (in kilowatts);*

(b) [the] *The estimated potential energy that could be generated by such system annually (in kilowatt-hours);*
and

(c) [the] *The estimated amount of greenhouse gas emissions reduced or avoided annually due to the use of such system;*

5. Whether a photovoltaic system has been installed at such building and, if such a system has been installed, a description thereof, including:

(a) [the] *The photovoltaic system size expressed in installed power capacity (in kilowatts), as a percentage of the maximum peak power need identified for such building and, if such building has an eligible roof, as a percentage of the maximum photovoltaic system size that could be cost effectively installed on the roof of such building;*

(b) [the] *The* energy generated by such system annually (in kilowatt-hours) and expressed as a percentage of the estimated energy consumption of such building;

(c) [the] *The* date of such installation;

(d) [the] *The* total cost of such system and a description of how the installation of such system was financed, including whether such financing involved a power purchase agreement entered into with the city;

(e) [the] *The* energy cost savings resulting from and revenue generated by such system annually; and

(f) [the] *The* estimated amount of greenhouse gas emissions reduced or avoided due to such system annually[.]; and

6. If a photovoltaic system has not been installed at such building, the reasons that such a system was not installed and, where an alternate sustainability project, structural change or other use has been proposed or carried out for the roof of such building, a description of such alternate project, structural change or use including:

(a) [the] *The* projected benefits thereof;

(b) [the] *The* estimated energy cost savings, if applicable; and

(c) [the] *The* estimated amount of greenhouse gas emissions reduced or avoided annually due to such project, structural change or use, if applicable, and associated economic value as determined using the social cost of carbon value, as described in paragraphs 3 and 4 of subdivision d of section 3-125 [of the code].

§ 2. This local law takes effect immediately.

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

Res. No. 772

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.5713/A.3249, to require the establishment of a composting program at dormitories, dining facilities, and other facilities owned, occupied, or operated by the State University of New York, the City University of New York, and institutions subject to their jurisdiction.

By Council Members Nurse, Dinowitz, Gutiérrez, Louis, Schulman, Hanif and Brewer.

Whereas, According to a 2020 report by the New York City Food Policy Center at the Hunter College in New York City, 72 billion pounds of food, at a total value of \$218 billion, are discarded by food producers, retailers, and dining establishments every year in the United States (U.S.); and

Whereas, The Food Recovery Network, a student-led movement against food waste, estimates that college campuses in the U.S. produce 22 million pounds of food waste each year; and

Whereas, Per the New York City Food Policy Center, 21 percent of landfill volume in the U.S. is food waste, whose decomposition process generates a large amount of methane, a potent greenhouse gas; and

Whereas, The Food and Agriculture Organization of the United Nations in its 2013 summary report on food waste's environmental effects highlighted that food waste was the third-largest emitter of greenhouse gases on the planet; and

Whereas, The U.S. National Aeronautics and Space Administration notes that methane and other greenhouse gases absorb solar radiation, trapping heat in Earth's atmosphere and thereby increasing global temperatures and causing climate change; and

Whereas, The New York City Food Policy Center in its 2020 report emphasized that food waste accounts for approximately 18 percent of all waste in New York State, with about 3.9 million tons of food ending up in landfills each year; and

Whereas, Per the same report, food retailers, dining establishments, colleges, and hospitals generate over 250,000 tons of food waste in New York State each year; and

Whereas, The New York State Department of Environmental Conservation (NYSDEC) estimates that if food waste were diverted from landfills, greenhouse gas emissions could be reduced by more than 120,000 metric tons of carbon dioxide equivalents each year; and

Whereas, According to the New York City Department of Sanitation, 650,000 tons of food waste are generated annually by businesses and institutions in New York City, representing one-third of all citywide commercial waste; and

Whereas, The Natural Resources Defense Council estimated in its 2017 analysis that colleges and universities were responsible for 2 percent of all food waste in New York City; and

Whereas, In 2019, New York State enacted the Food Donation and Food Scraps Recycling law, codified in § 27-2201 of the New York State Environmental Conservation Law, which requires businesses and institutions, including colleges and universities, that generate an annual average of two tons of wasted food per week or more to donate excess edible food and to recycle all remaining food scraps, if they are within 25 miles of an organics recycler; and

Whereas, Every June, NYSDEC publishes annually a list of businesses and institutions identified as designated food scraps generators (DFSG) and their responsibilities under the Food Donation and Food Scraps Recycling law, which newly identified DFSG have to fulfill by January 1 of the following year; and

Whereas, Per NYSDEC's 2022 report, 76 colleges and universities, including 22 State University of New York colleges, were required to comply with the Food Donation and Food Scraps Recycling law in 2022, with 76 of them being required to donate excess edible food and 32 of them being required to recycle food scraps; and

Whereas, Per the same NYSDEC's report, 74 colleges and universities, including 22 State University of New York colleges, were required to comply with the Food Donation and Food Scraps Recycling law in 2023, with 74 of them being required to donate excess edible food and 39 of them being required to recycle food scraps; and

Whereas, The Food Donation and Food Scraps Recycling law limits mandatory participation to the largest commercial food scraps generators located within a very small distance of 25 miles from an organics recycling facility, while presently, waste in New York State is transported over the average distance of about 60 miles; and

Whereas, The Food Donation and Food Scraps Recycling law thus leaves out those food scraps generators who produce an annual average of less than two tons of wasted food per week or are located within more than 25 miles from an organics recycling facility; and

Whereas, The Food Donation and Food Scraps Recycling law also explicitly excludes New York City, which is governed by Local Law 146 of 2013, codified in § 16-306.1 of the New York City Administrative Code, which requires covered establishments, designated by the Commissioner of the New York City Department of Sanitation based on their size and capacity, to separate organic waste, including food scraps, and to arrange for it to be transported or processed separately from garbage and recycling; and

Whereas, However, Local Law 146 of 2013 leaves out from mandatory participation college dormitories and campuses without food service/preparation facilities, as well as college food service/preparation facilities that are below the specified size and capacity; and

Whereas, With the intent of reducing greenhouse gas emissions, combating climate change, and ensuring that publicly-funded higher education institutions play an active role in this endeavor, State Senator Lea Webb introduced S.5713 in the New York State Senate, and Assembly Member Harvey Epstein introduced companion bill A.3249 in the New York State Assembly, which would require each institution within the State University of New York (SUNY) and the City University of New York (CUNY) to ensure that all compostable waste in dormitories, cafeterias, dining halls or restaurant services operated by the institution and in facilities used for maintenance and landscaping services be separated and placed in labeled containers, and would require the trustees of SUNY and CUNY to annually post a report detailing their composting programs; and

Whereas, S.5713/A.3249 would address shortcomings of the New York State Food Donation and Food Scraps Recycling law and New York City's Local Law 146 of 2013 by expanding mandatory organic waste diversion participation to all SUNY and CUNY institutions irrespective of their size, capacity, or location; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, S.5713/A.3249, to require the establishment of a composting program at dormitories, dining facilities, and other facilities owned, occupied, or operated by the State University of New York, the City University of New York, and institutions subject to their jurisdiction.

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 1184

By Council Members Ossé, Gutiérrez, Louis, Schulman and Hanif.

A Local Law to amend the New York city charter, in relation to requiring the department of cultural affairs to report annually on department funding of art and cultural organizations and institutions

Be it enacted by the Council as follows:

Section 1. Chapter 67 the New York city charter is amended by adding a new section 2509 to read as follows:
 § 2509. *Cultural funding. a. For purposes of this section, the following terms have the following meanings:*

Capacity-building funding. The term “capacity-building funding” means funding to help small, community-based organizations serving low-to-moderate income populations through the department’s community arts development program, or any successor program.

Capital funding. The term “capital funding” means funding to support design and construction projects and major equipment purchases.

Cultural institution funding. The term “cultural institution funding” means funding provided to a member of the cultural institutions group.

Cultural institutions group. The term “cultural institutions group” means the group of cultural institutions that operate on city-owned property and are recognized by the department as members of such group.

Department. The term “department” means the department of cultural affairs.

Program funding. The term “program funding” means funding administered through the department’s cultural development fund, or any successor program.

b. No later than August 1, 2023, and on or before August 1 annually thereafter, the department shall submit to the speaker of the council and post on the department’s website a report on the department’s direct expenses, and funding of art and cultural organizations and institutions, in the prior fiscal year. Such report shall include, but not be limited to, the following information disaggregated by where applicable:

1. The name of each organization or institution that received department funds, and for each such organization:

(a) The zip code, borough, community board, and council district;

(b) The amount of funds the department allocated, and for each such amount, the type of funds provided, including, but not limited to, program funding, cultural institution funding, capital funding, and capacity-building funding;

2. The amount of funds used for direct expenses of the department, disaggregated by expense type;

3. A summary of department funding of art and cultural organizations and institutions, including any trends or significant changes in such funding; and

4. An explanation of any challenges the department faced in obtaining data to produce the report required by this subdivision.

§ 2. This local law takes effect immediately.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Res. No. 773

Resolution calling on the Governor to sign S.5026/A.6040 enacting the “Freelance Isn’t Free Act” in New York State.

By Council Members Powers, Velázquez, Abreu, De La Rosa, Ossé, Louis, Schulman, Hanif and Brewer.

Whereas, Approximately 60 million Americans, or 39 percent of the U.S. workforce, performed freelance work in the past year, according to Upwork’s 2022 Freelance Forward survey; and

Whereas, New York State’s Labor Law prohibits wage theft for employees directly hired by an employer but does not cover freelancers such as writers, editors, graphic designers, videographers, consultants, and those who are otherwise self-employed; and

Whereas, New York City’s Local Law 140 of 2016, known as the “Freelance Isn’t Free Act” (FIFA) established labor protections for freelance workers such as the right to a written contract, timely and full payment, protection from retaliation for exercising their rights, and the ability to collect double the amount owed plus attorney’s fees for violations; and

Whereas, Freelance workers alleging FIFA violations may file a complaint with the Department of Consumer and Worker Protection (DCWP) and sue the hiring party; and

Whereas, From March 2017, when FIFA went into effect, through December 2021, DCWP handled more than 2,100 complaints and secured more than \$2.4 million in restitution and penalties for 702 freelance workers, according to DCWP’s 2022 “State of Workers’ Rights in New York City” report; and

Whereas, If there is evidence of a pattern or practice of FIFA violations by an entity, the City can bring a civil action against the hiring party; and

Whereas, In December 2021, the City filed its first lawsuit under the “pattern and practice” provisions of FIFA against L’Officiel USA after receiving more than 20 complaints alleging that the company failed to pay contractors, did not provide a written contract, and retaliated against freelancers for exercising their rights, according to DCWP’s 2022 “State of Workers’ Rights in New York City” report; and

Whereas, Since New York City passed FIFA, cities including Los Angeles, Minneapolis, Seattle, and Columbus have enacted similar legislation to protect freelance workers from non-payment; and

Whereas, A 2022 survey by the Authors Guild, Freelancers Union, Graphic Artist Guild, American Society of Media Photographers, National Press Photographers Association, American Photographic Artists, and National Writers Union found that 62 percent of freelance workers based in New York State have lost wages at least once over an employer’s refusal to pay them and 76 percent spend one-to-two hours per week trying to recoup payment for late or overdue wages; and

Whereas, S.5026, introduced by Senator Andrew Gounardes and passed by the New York State Senate, and its companion bill A.6040, introduced by Assembly Member Harry Bronson and passed by the New York State Assembly, would replicate FIFA in state Labor Law, adding administrative oversight and support from the Department of Labor to respond to complaints; and

Whereas, In December 2022, Governor Kathy Hochul vetoed a version of S.5026/A.6040 that had passed both houses of the New York State Legislature; now, therefore, be it,

Resolved, That the Council of the City of New York calls on the Governor to sign S.5026/A.6040 enacting the “Freelance Isn’t Free Act” in New York State.

Referred to the Committee on Consumer and Worker Protection.

Int. No. 1185

By the Public Advocate (Mr. Williams) and Council Members Ariola, Gennaro, Schulman, Ung, Gutiérrez, Fariás, Restler, Hanif and Marte.

A Local Law to amend the administrative code of the city of New York, in relation to the cleaning of catch basins and reports on catch basin cleanups and maintenance

Be it enacted by the Council as follows:

Section 1. Section 24-503 of the administrative code of the city of New York is amended by adding a new subdivision f to read as follows:

f. The commissioner of environmental protection shall submit quarterly reports to the mayor, the speaker of the council and the public advocate regarding the inspection, cleanup, maintenance and repair of catch basins, disaggregated by community district. Inspections will be conducted as follows:

1. Two levels of inspection for maintenance. Tier 1 inspection shall be required on a biannual basis of commercial zones, flood zones (as per the NYC Flood Hazard Mapper), and residential areas not in flood zones, but prone to flooding (as per the NYC Stormwater Flood Map); and

2. Tier 2 inspection. This inspection shall be required on an annual cycle and shall include catch basins around parks, leaves, branches, and shall include all remaining catch basins.

e. The commissioner of environmental protection shall also ensure that such catch basins are inspected, at a minimum, once every year, and are unclogged or repaired within five days after an inspection or the receipt of a complaint about a clogged or malfunctioning catch basin. Catch basins not unclogged or repaired within five days after an inspection or the receipt of a complaint shall be identified in the quarterly report.

§2. This local law takes effect immediately.

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

Res. No. 774

Resolution calling on the New York State Board of Elections to refrain from certifying and the New York City Board of Elections to refrain from purchasing: direct recording electronic voting machines; voting machines that encode votes cast on a paper ballot as barcodes or QR codes; and any voting machines that do not utilize or create individual, voter-verifiable paper ballots that are marked by the voter by hand or through the use of an accessible nontabulating ballot marking device.

By the Public Advocate (Mr. Williams) and Council Members Louis and Schulman.

Whereas, Problems with ballots during the 2000 Presidential election led to passage of the federal Help America Vote Act (HAVA) in 2002; and

Whereas, HAVA provided states with funding to upgrade and modernize their voting systems; and

Whereas, Many states used HAVA funds to purchase direct-recording electronic (DRE) voting machines that election officials believed would prevent the type of ballot issues seen in the 2000 Presidential election; and

Whereas, Almost all of the states that originally purchased DRE machines that did not produce a voter-verified paper ballot have already begun to phase out their use; and

Whereas, The Council of the City of New York unanimously adopted Resolution No. 131-A on March 14, 2007, which urged the New York State Board of Elections (SBOE) and the New York City Board of Elections (NYCBOE) to certify and purchase precinct-based optical scan voting systems as the new voting technology for the City of New York; and

Whereas, precinct-based optical scan voting systems utilize hand-marked, machined-scanned, voter-verifiable paper ballots; and

Whereas, Consistent with Resolution No. 131-A, New York declined to adopt any DRE voting machines

when it used its HAVA funding to replace lever machines, and instead adopted more reliable, hand-marked, machine-scanned, individual, voter-verifiable paper ballots and accessible nontabulating ballot marking devices (BMDs); and

Whereas, DRE voting machines require all voters to mark their ballot on a touch screen in lieu of paper ballots; and

Whereas, Electronic touch screens are prone to errors and malfunctions in ways that paper ballots are not; and

Whereas, In New York State each local board of elections must purchase their own voting equipment; and

Whereas, Pursuant to Part 6210.19 of the SBOE regulations, on Election Day each polling site is required to have one DRE for every 550 registered voters; however, poll sites only require one optical scanner for up to 4,000 election day voters, therefore many more DREs or other touch screen voting machines would have to be purchased and maintained to serve all the voters in the City of New York than if ballot scanners were used instead; and

Whereas, It has been estimated that purchasing enough DREs or other touch screen voting machines to serve all the voters of the City of New York would cost millions of dollars more than purchasing enough ballot scanners to serve all the City's voters; and

Whereas, A new category of "hybrid" touch screen voting machines (also known as "tabulating BMDs") that print out a paper record of the voter's votes encoded as a barcode or a QR code that is then cast and counted, but is not readable by the voter, has been proposed for certification by the SBOE, and for purchase by the NYCBOE; and

Whereas, A barcode printed on a paper ballot may be used to inform the ballot scanner about that ballot's Election District, but do not allow a voters to verify that their own selections were correctly recorded; and

Whereas, Section 7-202 of the New York State Election Law requires any voting machine or system approved by the SBOE to "provide the voter an opportunity to privately and independently verify votes selected and the ability to privately and independently change such votes or correct any error before the ballot is cast and counted"; and

Whereas, Studies have shown that even if DREs or touch screen voting machines, such as the Express Vote XL, which was recently certified by the SBOE print out the votes selected on the screen as text, voters often fail or lack the time to review their ballot to determine that the choices on the screen match those on the slip of paper, and this printed text is not counted on election night anyway; and

Whereas, Another one of these "hybrid" voting machines (also known as "tabulating BMDs") passes hand-marked paper ballots under a printer that, if malfunctioning or hacked, could print "phantom" marks on a paper ballot without voters' consent or verification, causing any vote marked on the paper ballots to be questionable, even if audited or recounted by hand; and

Whereas, Any voting machines that do not utilize a paper ballot where the voter can verify their choices before the ballot is cast and counted are considered more vulnerable to foreign interference than voting machines that utilize an individual, voter-verifiable paper ballots; and

Whereas, Individual, voter-verifiable paper ballots are necessary to conduct post-election audits and recounts; and

Whereas, Election security experts consider individual, voter-verifiable hand-marked paper ballots the gold standard for election security; and

Whereas, The expected life span of voting equipment is generally between 10 and 20 years; and

Whereas, The voting equipment currently in use in New York is over 15 years old; and

Whereas, The voting equipment used in New York is at or near the end of its expected lifespan; and

Whereas, The outdated voting equipment used in New York frequently breaks down, causing long lines at polling sites; and

Whereas, As the outdated voting machines currently being used in New York break down, they will become more and more difficult to fix or replace; and

Whereas, According to cybersecurity expert Jeremy Epstein, outdated software like what is being used on New York is more vulnerable to attack than newer updated software; and

Whereas, New York will need to replace its outdated voting equipment in the next few years; and

Whereas, Local boards of election may only purchase voting equipment that has been certified by the SBOE; and

Whereas, The SBOE has recently certified voting systems that utilize and create individual, voter-verifiable paper ballots that are marked by the voter by hand or through the use of an accessible nontabulating ballot marking device and at least two more such approvals are expected; and

Whereas, SBOE Co-Chair and former NYC Election Commissioner Douglas A. Kellner has stated publicly that he: (1) strongly supports removing from New York law authorization for direct recording electronic voting devices, even when those devices create a voter verifiable paper record; (2) agrees that as a matter of design, it would be preferable to separate ballot marking devices from the scanner that reads and tabulates the ballot; and (3) agrees that New York law should guarantee that every voter has the right to choose either to hand-mark a paper ballot or to use a ballot marking device to mark a ballot; and

Whereas, New York Election Law does not preclude the approval by the SBOE of voting machines consistent with this Resolution; and

Whereas, Section 7-201 the Election Law authorizes the SBOE to conduct its own examination of voting systems and decide by a vote of the Commissioners whether or not to approve them; and

Whereas, Many good-government groups such as Common Cause New York, Citizens for Voting Integrity NY, Free Speech for People, and The Brennan Center for Justice have publicly urged the SBOE to refrain from certifying voting machines that do not produce a voter-verified paper ballot; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Board of Elections to refrain from certifying and the New York City Board of elections to refrain from purchasing: direct recording electronic voting machines; voting machines that encode votes cast on a paper ballot as barcodes or QR codes; and any voting machines that do not utilize or create individual, voter-verifiable paper ballots that are marked by the voter by hand or through the use of an accessible nontabulating ballot marking device.

Referred to the Committee on Governmental Operations.

Int. No. 1186

By Council Members Rivera, Hanif, Stevens, Gutiérrez, Restler and Marte.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to a report on staff misconduct at the department of correction

Be it enacted by the Council as follows:

Section 1. Section 626 of the New York city charter is amended by adding a new subdivision i to read as follows:

i. No later than 60 days after the effective date of the local law that added this subdivision, and quarterly thereafter, the board shall submit to the mayor and the speaker of the council and shall post conspicuously on the board's website a quarterly report regarding cases involving staff misconduct at the department of correction that the board referred for further investigation. Such report must include a table in which each separate row references a unique investigation. Each such row must include the following information, as well as any additional information the board deems appropriate, set forth in separate columns:

- 1. The category of any alleged misconduct offenses;*
- 2. A description of the alleged staff misconduct and the procedural history of the staff misconduct case; and*
- 3. Whether the case was referred to the department of correction, the department of investigation, a district attorney, or the United States department of justice.*

§ 2. Chapter 1 of title 9 of the administrative code of the city of New York is amended by adding a new section 9-163 to read as follows:

§ 9-163 Staff misconduct report. a. No later than 75 days after the effective date of the local law that added this section, the commissioner shall submit to the mayor and the speaker of the council and shall post conspicuously on the department's website a report regarding staff misconduct cases that were closed within 10 years preceding the effective date of the local law that added this section. Such report must include a table in which each separate row references a unique staff misconduct case. Each such row must include the following

information for each staff misconduct case, as well as any additional information the commissioner deems appropriate, set forth in separate columns:

1. Any unique identifier used by the department to identify the staff misconduct case such as the case number;
2. The date of the incident or incidents of alleged staff misconduct;
3. Each facility where the alleged staff misconduct occurred;
4. The date the staff misconduct case was initiated by the department;
5. The employee's last name;
6. The employee's shield number, if applicable;
7. The employee's civil service title;
8. The category of any alleged misconduct offenses;
9. A description of the alleged staff misconduct and the procedural history of the staff misconduct case;
10. If the case was adjudicated by the office of administrative trials and hearings, the date on which the case was referred to the office of administrative trials and hearings;
11. The execution date of the negotiated plea agreement;
12. The date the case was closed;
13. The disposition of the case;
14. The penalty and discipline imposed if any;
15. Whether the case was referred to the department of investigation, a district attorney, or the United States department of justice;
16. The number of previous staff misconduct cases associated with the employee; and
17. The case number, or other unique identifier used by the department to identify staff misconduct cases, of any previous staff misconduct cases associated with the employee.

b. No later than 60 days after effective date of the local law that added this section, and monthly thereafter, the commissioner shall submit to the mayor and the speaker of the council and shall post conspicuously on the department's website a report regarding open staff misconduct cases. Such report must include a table in which each separate row references a unique staff misconduct case. Each such row must include the following information and any additional information the commissioner deems appropriate, set forth in separate columns:

1. Any unique identifier used by the department to identify the staff misconduct case such as the case number;
2. The date of the incident or incidents of alleged staff misconduct;
3. Each facility where the alleged staff misconduct occurred;
4. The date the staff misconduct case was initiated by the department;
5. The employee's last name;
6. The employee's shield number, if applicable;
7. The employee's civil service title;
8. The category of any alleged misconduct offenses;
9. A description of the alleged staff misconduct and the procedural history of the staff misconduct case;
10. If the case is being adjudicated by the office of administrative trials and hearings, the date on which the case was referred to the office of administrative trials and hearings;
11. The status of the case as of the date of the report; and
12. Whether the case was referred to the department of investigation, a district attorney, or the United States department of justice.

c. No later than 120 days after the effective date of the local law that added this section, and monthly thereafter, the commissioner shall submit to the mayor and the speaker of the council and shall post conspicuously on the department's website a report regarding staff misconduct cases against department employees that were closed in the previous month. Such report must include a table in which each separate row references a unique staff misconduct case. Each such row must include the following information, as well as any additional information the commissioner deems appropriate, set forth in separate columns:

1. Any unique identifier used by the department to identify the staff misconduct case such as the case number;
2. The date of the incident or incidents of alleged staff misconduct;
3. Each facility where the alleged staff misconduct occurred;
4. The date the staff misconduct case was initiated by the department;
5. The employee's last name;
6. The employee's shield number, if applicable;

7. *The employee's civil service title;*
8. *The category of any alleged misconduct offenses;*
9. *A description of the alleged staff misconduct and the procedural history of the staff misconduct case;*
10. *If the case was adjudicated by the office of administrative trials and hearings, the date on which the case was referred to the office of administrative trials and hearings;*
11. *The execution date of the negotiated plea agreement;*
12. *The date the case was closed;*
13. *The disposition of the case;*
14. *The penalty and discipline imposed if any;*
15. *Whether the case was referred to the department of investigation, a district attorney, or the United States department of justice;*
16. *The number of previous staff misconduct cases associated with the employee; and*
17. *The case number, or other unique identifier used by the department to identify staff misconduct cases, of any previous staff misconduct cases associated with the employee.*

d. No later than 60 days after the effective date of the local law that added this section, and monthly thereafter, the chief administrative law judge of the office of administrative trials and hearings shall submit to the mayor and the speaker of the council and shall post conspicuously on the office of administrative trials and hearings' website a report regarding open staff misconduct cases against department of correction employees. Such report must include a table in which each separate row references a unique staff misconduct case. Each such row must include the following information, as well as any additional information the chief administrative law judge deems appropriate, set forth in separate columns:

1. *Any unique identifier used by the department of correction to identify the staff misconduct case such as the case number;*
2. *Any unique identifier used by the office of administrative trials and hearings to identify the staff misconduct case such as the case number;*
3. *The date of the incident or incidents of alleged staff misconduct;*
4. *Each facility where the alleged staff misconduct occurred;*
5. *The employee's last name;*
6. *The employee's shield number, if applicable;*
7. *The employee's civil service title;*
8. *The category of any alleged misconduct offenses;*
9. *A description of the alleged staff misconduct and the procedural history of the staff misconduct case;*
10. *The date on which the case was referred to the office of administrative trials and hearings; and*
11. *The status of the case as of the date of the report.*

e. The reports required by subdivisions a, b, c, and d of this section shall include a data dictionary and glossary of terms.

§ 3. Chapter 2 of title 33 of the administrative code of the city of New York is amended by adding a new section 33-202 to read as follows:

§ 33-202 *Staff misconduct at the department of correction. a. No later than 75 days after the effective date of the local law that added this section, the commissioner shall submit to the mayor and the speaker of the council and shall post conspicuously on the department's website a report regarding cases involving staff misconduct at the department of correction that were closed within 10 years preceding the effective date of the local law that added this section. The report must include the total number of department of correction staff misconduct cases closed by the department, disaggregated by year and further disaggregated by:*

1. *The facility where the alleged staff misconduct occurred;*
2. *The employee's civil service title;*
3. *The category of any alleged misconduct offenses;*
4. *Whether the case was closed:*
 - (a) *Within 90 days;*
 - (b) *Between 91 days and 180 days;*
 - (c) *Between 181 days and 270 days;*
 - (d) *Between 271 days and 365 days; or*
 - (e) *More than 365 days after the case was initiated by the department;*

5. *The disposition of the case;*
6. *The penalty and discipline imposed if any;*
7. *Whether the case was referred to a district attorney; and*
8. *Whether the case was referred to the United States department of justice.*

b. No later than 120 days after effective date of the local law that added this section, and quarterly thereafter, the commissioner shall submit to the mayor and the speaker of the council and shall post conspicuously on the department's website a report regarding cases involving staff misconduct at the department of correction that were closed in the previous quarter. The report must include the total number of department of correction staff misconduct cases closed by the department, disaggregated by:

1. *The facility where the alleged staff misconduct occurred;*
2. *The employee's civil service title;*
3. *The category of any alleged misconduct offenses;*
4. *Whether the case was closed:*
 - (a) *Within 90 days;*
 - (b) *Between 91 days and 180 days;*
 - (c) *Between 181 days and 270 days;*
 - (d) *Between 271 days and 365 days; or*
 - (e) *More than 365 days after the case was initiated by the department;*
5. *The disposition of the case;*
6. *The penalty and discipline imposed if any;*
7. *Whether the case was referred to a district attorney; and*
8. *Whether the case was referred to the United States department of justice.*

c. The reports required by subdivisions a and b of this section shall include a data dictionary and glossary of terms.

§ 4. This local law takes effect immediately.

Referred to the Committee on Criminal Justice.

Res. No. 775

Resolution calling on the United States Congress to pass and the President to sign, H.R.4972-118th Congress, known as The End Solitary Confinement Act.

By Council Members Rivera, Gutiérrez, Restler, Fariás and Hanif.

Whereas, The harmful impact of solitary confinement affects individuals subjected to it, their communities, and their loved ones, disproportionality affecting marginalized groups such as Black and brown individuals, young people, LGBTQ+ people, among others; and

Whereas, A study from the Association of State Correctional Administrators and Yale Law School that examined prisons throughout the United States revealed that Black and brown individuals are more frequently placed in solitary confinement than their white counterparts, citing 2016 statistics that found Black men comprised 45 percent of those in solitary confinement despite constituting 40 percent of the total prison population; and

Whereas, The United Nations has consistently criticized the practice of solitary confinement, also known as segregation, secure housing, the hole, or lockdown, and issued the Nelson Mandela Rules in 2015 to address prolonged isolation; and

Whereas, Numerous studies have revealed severe consequences of prolonged solitary confinement on the mental health and overall well-being of incarcerated individuals; and

Whereas, The utilization of solitary confinement, despite involving only 6 to 8 percent of the total prison population, has been found to contribute to nearly half of all suicides among incarcerated individuals, as highlighted by the findings of the Prison Policy Initiative; and

Whereas, Research conducted by Cornell University demonstrates a direct correlation between time spent in solitary confinement and an elevated risk of reoffending as extended periods of confinement in isolation can significantly diminish a returning citizen's chances of obtaining employment, due to mental health and other consequences of confinement; and

Whereas, H.R.4972, The End Solitary Confinement Act, introduced by U.S. House Representative Cori Bush (D-Mo.), ensures that incarcerated individuals have access to a minimum of 14 hours of daily time out of their cells, including dedicated programming spanning seven hours aimed at addressing crucial topics such as mental health, substance abuse, and violence prevention; and

Whereas, The legislation envisions the establishment of oversight mechanisms, including the creation of a community monitoring body to investigate complaints of abuse and to ensure the fair and dignified treatment of individuals within correctional facilities; and

Whereas, H.R.4972 strengthens the due process rights of prisoners, safeguarding their access to procedural fairness and protection against unjust treatment; and

Whereas, The End Solitary Confinement Act is endorsed by the Federal Anti-Solitary Taskforce and City Council calls for increased attention to and reform of correctional policies surrounding solitary confinement to align with humane, rehabilitative, and restorative practices within the criminal justice system; now, therefore, be it

Resolved, That the Council of the City of New York calls on the United States Congress to pass and the President to sign, H.R.4972-118th Congress, known as The End Solitary Confinement Act.

Referred to the Committee on Criminal Justice.

Res. No. 776

Resolution expressing support of H. Res. 77, calling on the President to embrace the goals and provisions of the Treaty on the Prohibition of Nuclear Weapons and make nuclear disarmament the centerpiece of U.S. national security policy.

By Council Members Rivera, Gutiérrez and Brewer.

Whereas, As of the beginning of 2022, the estimated global arsenal of nearly 13,000 nuclear warheads was concentrated among nine nations: 5,977 in Russia, 5,428 in the U.S., 350 in China, 290 in France, 225 in the U.K., 165 in Pakistan, 160 in India, 90 in Israel, and 20 in North Korea; and

Whereas, Russia, China, the U.K., Pakistan, India, and North Korea are increasing nuclear warheads inventories; and

Whereas, It is estimated that as much as 90 percent of the global nuclear warheads arsenal is concentrated among just two nations—Russia and the U.S.; and

Whereas, Out of the estimated global nuclear arsenal, over 9,400 nuclear warheads are in the military stockpiles to be used by missiles, aircraft, ships, and submarines; and

Whereas, About 3,730 nuclear warheads are deployed with operational forces, such as on missiles or on bomber bases; and

Whereas, Approximately 2,000 U.S., Russian, French, and U.K. nuclear warheads are on high alert for use on short notice; and

Whereas, Since the Cold War, the estimated global inventory of nuclear warheads decreased from the peak of about 70,300 warheads in 1986 to approximately 12,700 warheads at the beginning of 2022; and

Whereas, Most of the post-Cold War decline in nuclear warheads occurred during the 1990s, driven primarily by the dismantling of retired nuclear warheads; and

Whereas, The decline in nuclear warheads was offset by increasing military stockpiles and new types of nuclear weapons; and

Whereas, Even a tiny portion of the global nuclear warheads arsenal is capable of causing planet-wide ecological disruptions and famine; and

Whereas, A study published in the July 2022 issue of the journal Nature Food showed that more than 2 billion people could die from a nuclear war between India and Pakistan, and more than 5 billion could die from a war between the United States and Russia; and

Whereas, The January 29, 2019 annual assessment of worldwide threats by the U.S. intelligence sector warned that the impacts of climate change and ecological degradation amplify stress on communities across the globe, exacerbating geopolitical tensions and increasing the risk of armed conflict, including a nuclear war; and

Whereas, In 2017, the Congressional Budget Office estimated that the Nuclear Modernization Plan to upgrade and enhance almost every element of the U.S. nuclear weapons inventory would cost more than \$1.2 trillion over 30 years without adjusting for inflation; and

Whereas, In 2021, the Congressional Budget Office projected that the nuclear forces plans contained in the Fiscal Year 2021 budget requests by the U.S. Department of Defense and the U.S. Department of Energy would cost \$634 billion over the period between 2021 and 2030, averaging more than \$60 billion annually; and

Whereas, On February 2, 2019, the U.S. and the Russian Federation withdrew from the 1987 bilateral Intermediate-Range Nuclear Forces Treaty, which had required the signatories to eliminate their ground-launched ballistic and cruise missiles capable of traveling between 300 and 3,400 miles by June 1, 1991, by which date both nations together had destroyed 2,692 short- and intermediate-range missiles; and

Whereas, On July 7, 2017, 122 nations adopted the Treaty on the Prohibition of Nuclear Weapons, which took effect on January 22, 2021; and

Whereas, The Treaty calls for the elimination of all nuclear weapons; and

Whereas, As of September 2022, 91 states were signatories of the Treaty, with the notable absence of the U.S. and Russia, the two nations holding 90 percent of the estimated global nuclear weapons arsenal; and

Whereas, On January 31, 2023, U.S. Congressional Representative James McGovern introduced in the House of Representatives H. Res. 77, which would call on the President to embrace the goals and provisions of the Treaty on the Prohibition of Nuclear Weapons and make nuclear disarmament the centerpiece of the national security policy of the U.S.; and

Whereas, H. Res. 77 would also call on the Secretary of State, the Secretary of Defense, all other Federal and congressional leaders of the U.S., and the American people to lead a global effort to prevent nuclear war; and

Whereas, H. Res. 77 would specifically urge the U.S. to renounce the option of using nuclear weapons first and to take its nuclear weapons off hair-trigger alert; and

Whereas, H. Res. 77 would further call on the U.S. to end the President's sole authority to launch a nuclear attack; and

Whereas, H. Res. 77 would additionally urge the U.S. to cancel the plan to replace its nuclear arsenal with modernized, enhanced weapons; and

Whereas, H. Res. 77 would call on the U.S. to actively pursue a verifiable agreement among nuclear-armed states to mutually eliminate their nuclear arsenals; now, therefore, be it

Resolved, That the Council of the City of New York expresses its support of H. Res. 77, calling on the President to embrace the goals and provisions of the Treaty on the Prohibition of Nuclear Weapons and make nuclear disarmament the centerpiece of U.S. national security policy.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Res. No. 777

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.5439/A.5914, to designate Xylazine as a Schedule III depressant.

By Council Member Rivera.

Whereas, According to the Centers for Disease Control and Prevention (CDC), over 75 percent of all drug overdose deaths in the United States (U.S.) in 2021 involved an opioid, including prescription opioids, heroin, and synthetic opioids; and

Whereas, Opioid-involved drug overdose deaths increased nationally by more than eight times since 1999, accounting for over 932,000 deaths between 1999 and 2020; and

Whereas, Per CDC, the number of opioid-involved drug overdose deaths in the U.S. in 2021 was ten times the number of such deaths in 1999; and

Whereas, CDC data show that opioid-involved drug overdoses killed over 80,000 Americans in 2021, and almost 88 percent of those deaths involved synthetic opioids; and

Whereas, CDC data also reveal that in 2020, 70 percent of all drug overdose deaths in the U.S. involved illicitly-manufactured varieties of fentanyl—a synthetic opioid; and

Whereas, Incidences of drug overdose deaths involving synthetic opioids other than methadone, including fentanyl and fentanyl analogs, increased more than 22 percent from 2020 to 2021 across the U.S.; and

Whereas, Moreover, in November 2022, the U.S. Drug Enforcement Administration (DEA) issued a Public Safety Alert, in which it warned about a sharp increase in the trafficking of fentanyl adulterated with xylazine in 48 of 50 U.S. states; and

Whereas, According to the November 8, 2022 alert to healthcare professionals by the U.S. Food and Drug Administration (FDA), xylazine is a highly potent non-opioid sedative and analgesic that was approved in 1972 exclusively for use in veterinary medicine; and

Whereas, Per the FDA, exposure to xylazine produces a number of life-threatening effects, including respiratory depression, dangerously low blood pressure, low body temperature, disrupted cardiac activity, and coma; and

Whereas, Additionally, the FDA stressed that repeated exposure to xylazine, especially through intravenous injections, causes the development of severe, necrotic skin ulcerations that necessitate amputation in some cases, as well as physical dependence and withdrawal symptoms, including agitation and severe anxiety; and

Whereas, Crucially, the FDA emphasized that since xylazine is not an opioid, administration of naloxone—a standard treatment to reverse an opioid overdose—would not address xylazine’s effects, and that currently, there is no approved xylazine reversal agent known to be safe and effective in humans; and

Whereas, The FDA also noted that routine toxicology tests do not detect xylazine, and, compounded by xylazine’s rapid elimination from a human system, exposure to it is likely to be underdiagnosed and underreported; and

Whereas, According to an October 2022 report by the DEA, drug traffickers and dealers add xylazine, colloquially known by its street names of “tranq,” “tranq dope,” “sleep-cut,” “Philly dope,” and “zombie drug,” to heroin, fentanyl, cocaine, and methamphetamine as an adulterant to increase the weight, the effects, and therefore, the profits; and

Whereas, The FDA and DEA warned in November 2022 that many substance users may not even be aware of the presence of xylazine in their drug supply; and

Whereas, In the November 2022 Public Safety Alert, DEA reported that in 2022, about 23 percent of fentanyl powder and 7 percent of fentanyl pills seized by the agency were adulterated with xylazine; and

Whereas, Per DEA, between 2020 and 2021, all four geographic regions of the U.S. experienced an increase in the number of xylazine-involved overdose deaths: by 750 percent in the West, by 516 percent in the Midwest, by 1,127 percent in the South, and by 103 percent in the Northeast; and

Whereas, The New York State Department of Health reported that there were 135 xylazine-involved opioid overdose deaths in New York State, excluding New York City, in 2021, accounting for 5.2 percent of all opioid overdose deaths in that year, and all of those deaths involved a mixture of xylazine and fentanyl; and

Whereas, Per the New York State Department of Health, there were 429 xylazine-involved opioid overdose deaths in New York City in 2021, or 19.1 percent of all opioid overdose deaths in that period, and all of those deaths involved a combination of xylazine and fentanyl; and

Whereas, To stem the rising tide of the xylazine-involved mortality, State Senator James Skoufis introduced S.5439 in the New York State Senate, and Assembly Member Carrie Woerner introduced companion bill A.5914 in the New York State Assembly, which would amend Schedule III of Section 3306 of the Public Health Law to include xylazine as a Schedule III controlled substance; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, S.5439/A.5914, to designate Xylazine as a Schedule III depressant.

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

Int. No. 1187

By Council Members Sanchez, Louis and Restler (by request of the Mayor).

A Local Law to amend the administrative code of the city of New York, in relation to the license term for master electrician and special electrician licenses

Be it enacted by the Council as follows:

Section 1. Subdivision g of section 27-3014 of Chapter 3 of title 27 of the administrative code of the city of New York, as renumbered by local law 39 for the year 2011, is amended to read as follows:

g. Each license and seal shall be issued for [one year] *three years* and the full fee shall be payable irrespective of the date of issue.

§ 2. Subdivision a of Section 27-3015 of Chapter 3 of title 27 of the administrative code of the city of New York, as amended by local law 39 for the year 2011, is amended to read as follows:

a. Any license and seal issued hereunder shall expire [one year] *three years* from the year of issuance on the licensee's date of birth for that year irrespective of the date of issue. Such license may be renewed every [year] *three years* thereafter without examination, provided application for such renewal, accompanied by the renewal fees prescribed above and such information as may be required by the commissioner to ensure compliance with section 27-3016 of this chapter and evidence of insurance coverage in compliance with section 27-3013 of this chapter, shall have been filed prior to the expiration of the existing license.

1. Where an applicant can show good and sufficient cause for his or her inability to renew his or her license and seal before its expiration, the commissioner may, upon submission of a complete application for late renewal within ninety (90) days after the expiration of such license, permit the issuance, without examination, of a new license and seal upon payment of the prescribed fees for such new license and seal within said ninety days. The commissioner may promulgate rules authorizing the renewal of a license up to six months after the expiration of such license for extenuating circumstances.

2. No license shall be renewed and no new license and seal shall be issued unless all outstanding fees required by section 27-3018 of this code have been paid.

3. Renewal shall also be subject to the licensee's good moral character. As provided in department rule, the licensee's failure to clear open violations in a timely manner may result in the refusal to renew a license until the violations are resolved.

4. The commissioner may promulgate rules requiring applicants for the renewal of master or special electrician's licenses to submit proof, in such form as he or she shall determine, that, [in each year of] during the license term, such applicant completed at least eight hours of continuing education courses approved by the department. Such proof shall be submitted with the license renewal application.

§ 3. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 1188

By Council Members Velázquez and Menin.

A Local Law to amend the administrative code of the city of New York, in relation to the requirement of food vendors to obtain a certificate of authority to collect sales tax

Be it enacted by the Council as follows:

Section 1. Paragraph four of subdivision b of section 17-309 of the administrative code of the city of New York is amended to read as follows:

4. Proof that the applicant has obtained a certificate of authority to collect sales taxes pursuant to section eleven hundred thirty-four of the tax law and has a tax clearance certificate from the state tax commission of the state of New York[.] *except that only applicants applying for a permit or a supervisory license shall be required to present such proof.*

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

Referred to the Committee on Health.

Preconsidered L.U. No. 255

By Council Member Brannan:

Paradise Management Cluster 4.HPO.FY23, Block 2822, Lot 19; Block 3253, Lots 51 & 54, Bronx, Community Districts No. 5 and 8, Council District No. 14.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered L.U. No. 256

By Council Member Brannan:

Paradise Management Cluster 6.HPO.FY23, Block 3134, Lots 7 and 9; Block 3171, Lot 1, Bronx, Community Districts No. 5 and 6, Council Districts No. 14 and 15.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered L.U. No. 257

By Council Member Brannan:

Paradise Management Cluster 14.HPO.FY23, Block 2879, Lot 192, Bronx, Community District No. 5, Council District No. 14.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered L.U. No. 258

By Council Member Brannan:

Paradise Management Cluster 15.HPO.FY23, Block 2879, Lot 170, Bronx, Community District No. 5, Council District No. 14.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered L.U. No. 259

By Council Member Salamanca:

Application number C 200101 ZMK (2761 Plumb 2nd Street Rezoning) submitted by Zaliv, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 29a, changing from a C3 District to an R3-2 District and establishing within the proposed R3-2 District a C2-3 District, Borough of Brooklyn, Community District 15, Council Zoning and Franchises District 48.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises (preconsidered but laid over by the Subcommittee on Zoning and Franchises).

Preconsidered L.U. No. 260

By Council Member Salamanca:

Application number C 230012 ZMQ (42-18 31st Avenue Rezoning) submitted by 42-18 Development, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 9a & 9b, eliminating from within an existing R5 District a C1-2 District, changing from an R5 District to an R6A District, and establishing within the proposed R6A District a C1-3 District, Borough of Queens, Community District 1, Council District 26.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises (preconsidered but laid over by the Subcommittee on Zoning and Franchises).

Preconsidered L.U. No. 261

By Council Member Salamanca:

Application number N 230013 ZRQ (42-18 31st Avenue Rezoning) submitted by 42-18 Development, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Community District 1, Council District 26.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises (preconsidered but laid over by the Subcommittee on Zoning and Franchises).

Preconsidered L.U. No. 262

By Council Member Salamanca:

Application number C 220456 ZMR (125 Greaves Lane) submitted by 125 Greaves Lane, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 33c, establishing within an existing R3-2 District a C2-1 District, Borough of Staten Island, Community District 3, Council District 51.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises (preconsidered but laid over by the Subcommittee on Zoning and Franchises).

Preconsidered L.U. No. 263

By Council Member Salamanca:

Application number N 230112 ZRR (South Richmond Zoning Relief) submitted by New York City Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying provisions of Article X, Chapter 7 (Special South Richmond Development District) and related Sections, Borough of Staten Island, Community District 3, Council District 51.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises (preconsidered but laid over by the Subcommittee on Zoning and Franchises).

Preconsidered L.U. No. 264

By Council Member Salamanca:

Application number C 230291 ZMX (1460-1480 Sheridan Boulevard) submitted by Simone Companies, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 3d, changing from an M1-1 District to an R7-3 District and establishing within the proposed R7-3 District a C2-4 District, Borough of the Bronx, Community District 9, Council District 17.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises (preconsidered but laid over by the Subcommittee on Zoning and Franchises).

Preconsidered L.U. No. 265

By Council Member Salamanca:

Application number N 230292 ZRX (1460-1480 Sheridan Boulevard) submitted by Simone Companies, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of the Bronx, Community District 9, Council District 17.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises (preconsidered but laid over by the Subcommittee on Zoning and Franchises).

L.U. No. 266

By Council Member Salamanca:

Application No. G 230032 XIM (ShareNYC-244 East 106th Street Article XI Disposition) submitted by the New York City Department of Housing Preservation and Development for approval of the disposition of city-owned property pursuant to Article XI of the Private Housing Finance Law for property located at 244 East 106th Street (Block 1655, p/o Lot 29) (Tentatively New Lot 129), Borough of Manhattan, Community District 11, Council District 8.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

L.U. No. 267

By Council Member Salamanca:

Application number N 230383 HIX (Fire Alarm Telegraph Bureau, Bronx Central Office, DL- 533/LP-2668) submitted by the Landmarks Preservation Commission, pursuant to the provisions Section 3020 of the Charter of the City of New York and Chapter 3 of Title 25 of the Administrative Code of the City of New York, for the designation of the Fire Alarm Telegraph Bureau, Bronx Central Office, located at 1129 East 180th Street (Tax Map Block 4333, p/o Lot 1), Borough of the Bronx, Community District 27, Council District 15.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

L.U. No. 268

By Council Member Salamanca:

Application number N 230385 HIX (Bronx Opera House, DL-533/LP-2667) submitted by the Landmarks Preservation Commission, pursuant to the provisions Section 3020 of the Charter of the City of New York and Chapter 3 of Title 25 of the Administrative Code of the City of New York, for the designation of the Bronx Opera House, located at 436-442 East 149th Street (Tax Map Block 2293, p/o Lot 46), Borough of the Bronx, Community District 1, Council District 8.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions

L.U. No. 269

By Council Member Salamanca:

Application number N 230386 HIX (Firehouse, Engine Company 88/Ladder Company 38, DL-533/LP-2669) submitted by the Landmarks Preservation Commission, pursuant to the provisions Section 3020 of the Charter of the City of New York and Chapter 3 of Title 25 of the Administrative Code of the City of New York, for the designation of the Firehouse, Engine Company 88/Ladder Company 38, located at 2225 Belmont Avenue (Tax Map Block 3086, Lot 38), Borough of the Bronx, Community District 6, Council District 15.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

L.U. No. 270

By Council Member Salamanca:

Application number N 240022 HIM (935 St. Nicholas Avenue Building, DL-534/LP-2670) submitted by the Landmarks Preservation Commission, pursuant to the provisions Section 3020 of the Charter of the City of New York and Chapter 3 of Title 25 of the Administrative Code of the City of New York, for the designation of the 935 St. Nicholas Avenue Building, located at 929-939 St. Nicholas Avenue (aka 462-466 West 157th Street) (Tax Map Block 2107, Lot 72), Borough of Manhattan, Community District 12, Council District 7.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

L.U. No. 271

By Council Member Salamanca:

Application number N 240020 HIM (Hotel Cecil & Minton's Playhouse Building, DL-534/LP-2671) submitted by the Landmarks Preservation Commission, pursuant to the provisions Section 3020 of the Charter of the City of New York and Chapter 3 of Title 25 of the Administrative Code of the City of New York, for the designation of the Hotel Cecil & Minton's Playhouse Building, located at 206 West 118th Street (aka 150-158 St. Nicholas Avenue and 206-212 West 118th Street) (Tax Map Block 1923, Lot 38), Borough of Manhattan, Community District 10, Council District 9.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

L.U. No. 272

By Council Member Salamanca:

Application number N 240021 HIQ (John Birks "Dizzy" Gillespie Residence, DL-534/LP-2657) submitted by the Landmarks Preservation Commission, pursuant to the provisions Section 3020 of the Charter of the City of New York and Chapter 3 of Title 25 of the Administrative Code of the City of New York, for the designation of the John Birks "Dizzy" Gillespie Residence located at 105-19 37th Avenue (aka 34-68 106th Street) (Tax Map Block 1747, Lot 51), Borough of Queens, Community District 3, Council District 21.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

NEW YORK CITY COUNCIL

A N N O U N C E M E N T S

Friday, September 15, 2023

Committee on Mental Health, Disabilities & Addiction jointly with the
Committee on Veterans

Linda Lee, Chairperson
Robert F. Holden, Chairperson

Oversight – Mental Health Services for Veterans.

Int 793 – By Council Members Holden, Louis, Richardson Jordan, Gennaro, Ariola, Paladino and Vernikov – **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to report on referrals to assisted outpatient treatment programs.

Int 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, Menin, Moya, Gutiérrez, Brannan, Sanchez, Brooks-Powers, Gennaro, Williams, Brewer, Velázquez, Hanif, Powers, Bottcher, Paladino and Kagan - **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.

Res 581 - By Council Members Dinowitz, Louis, Yeger, Farías, Hanif, Brewer, Ung, Lee, Riley and Velázquez (by request of the Bronx Borough President) - **Resolution** calling on the City to recognize November as Veteran Appreciation Month in New York City.

Council Chambers – City Hall.....10:00 a.m.

Monday, September 18, 2023

Committee on Women and Gender Equity

Tiffany Cabán, Chairperson

Oversight - Menstrual Equity in NYC - Update.

Int 1055 - By Council Members Cabán, Farías, Stevens, Louis, Hanif, Restler, Hudson, Ossé, Riley and Gennaro - **A Local Law** to amend the administrative code of the city of New York, in relation to menstrual products.

Int 1056 - By Council Member De La Rosa, the Speaker (Council Member Adams), and Council Members Brooks-Powers, Farías, Stevens, Louis, Hanif, Restler, Hudson, Ossé, Riley and Gennaro - **A Local Law** to amend the administrative code of the city of New York, in relation to the provision of feminine hygiene products in schools.

Int 1057 - By Council Members Farías, Menin, Stevens, Louis, Hanif, Restler, Hudson, Ossé, Ayala, Narcisse, Velázquez, Krishnan, Brannan, Schulman, Brewer, Dinowitz, De La Rosa, Ung, Nurse, Abreu, Feliz, Won, Rivera, Sanchez, Williams, Joseph, Lee, Gutiérrez, Richardson Jordan, Salamanca, Riley, Powers, Bottcher, Gennaro, Holden, Carr and Ariola - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of correction to report on its distribution of feminine hygiene products to female incarcerated individuals and female individuals arrested and detained in the custody of the department for at least 48 hours.

Int 1058 - By Council Members Farías, Menin, Stevens, Louis, Hanif, Restler, Hudson, Ossé, Ayala, Narcisse, Velázquez, Krishnan, Brannan, Schulman, Brewer, Dinowitz, De La Rosa, Ung, Nurse, Abreu, Feliz, Won, Rivera, Sanchez, Williams, Joseph, Lee, Gutiérrez, Richardson Jordan, Salamanca, Riley, Powers, Bottcher, Gennaro, Holden, Yeger and Ariola - **A Local Law** to amend the administrative code of the city of New York, in relation to education on feminine hygiene products.

Int 1059 - By Council Member Farías, the Public Advocate (Mr. Williams) and Council Members Menin, Stevens, Louis, Hanif, Restler, Hudson, Ossé, Ayala, Narcisse, Velázquez, Krishnan, Brannan, Schulman, Brewer, Dinowitz, De La Rosa, Ung, Nurse, Abreu, Feliz, Won, Rivera, Sanchez, Williams, Joseph, Lee, Gutiérrez, Richardson Jordan, Salamanca, Riley, Powers, Bottcher, Gennaro, Holden, Yeger, Carr and Ariola - **A Local Law** to amend the administrative code of the city of New York, in relation to including menstrual cups in the definition of feminine hygiene products and the provision of such products.

Council Chambers – City Hall.....10:00 a.m.

Tuesday, September 19, 2023

[Committee on Civil & Human Rights](#) jointly with the
[Committee on Cultural Affairs, Libraries &
International Intergroup Relations](#)

Nantasha Williams, Chairperson

Chi A. Ossé, Chairperson

Int 716 - By Council Members De La Rosa, Louis, Restler, Hudson, Avilés and Abreu - **A Local Law** to amend the New York city charter and the administrative code of the city of New York, in relation to creating a school diversity monitor within the human rights commission.

Int 934 - By the Public Advocate (Mr. Williams) and Council Members Barron, Restler, Cabán, Farías, Hudson, Hanif, Richardson Jordan and Marte - **A Local Law** in relation to requiring the placement of an informational sign near the intersection of Wall and Pearl Streets in Manhattan to mark the site of New York’s first slave market.

Int 1073 - By Council Members Hudson, Williams, Cabán, Riley, Ossé, Richardson Jordan, Hanif, Restler, Sanchez, Narcisse, Avilés, Farías, Brooks-Powers, Krishnan, Nurse, Gutiérrez and Rivera - **A Local Law** to amend the administrative code of the city of New York, in relation to the creation of a truth, healing, and reconciliation process.

Int 1082 - By Council Members Louis, Williams, Hudson, Cabán, Riley, Richardson Jordan, Ossé, Brewer, Hanif, Restler, Sanchez, Narcisse, Avilés, Farías, Brooks-Powers, Won, Rivera, Krishnan, Gutiérrez, Ayala, Nurse, Stevens, De La Rosa and Marte - **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.

Int 1085 - By Council Members Nurse, Williams, Hudson, Cabán, Riley, Ossé, Richardson Jordan, Ung, Hanif, Restler, Sanchez, Narcisse, Avilés, Menin, Farías, Krishnan and Gutiérrez - **A Local Law** to amend the New York city charter and the administrative code of the city of New York, in relation to public art and school names.

Int 1101 By Council Members Farías, Louis, Richardson Jordan, Hanif, Restler, Sanchez, Hudson, Narcisse, Avilés, Cabán, Menin, Schulman, Brooks-Powers, Krishnan, Nurse, Riley and Gennaro - **A Local Law** to amend the New York city charter, in relation to anti-racism training for human services contractors.

Int 1118 - By Council Members Williams, Louis, Richardson Jordan, Farías, Stevens, Hanif, Restler, Sanchez, Narcisse, Avilés, Cabán, Menin, Brooks-Powers, Krishnan, Nurse and Riley - **A Local Law** to amend the New York city charter, in relation to anti-racism and anti-racial discrimination trainings for city employees

Int 1150 - By Council Members Marte, Restler, Hanif, Ossé, Rivera, Menin, Narcisse, Avilés, Riley, Farías, Hanks, Brewer, Nurse and Gutiérrez - **A Local Law** in relation to establishing a New York city freedom trail task force.

Council Chambers – City Hall.....10:00 a.m.

[Subcommittee on Landmarks, Public Sitings and Dispositions](#)

Farah N. Louis, Chairperson

See Land Use Calendar

Committee Room – 250 Broadway, 14th Floor..... 10:00 a.m.

[Subcommittee on Zoning & Franchises](#)

Kevin C. Riley, Chairperson

See Land Use Calendar

Committee Room – 250 Broadway, 14th Floor.....12:00 p.m.

Wednesday, September 20, 2023

[Committee on Hospitals](#) jointly with the
[Committee on Health](#)

Mercedes Narcisse, Chairperson

Lynn C. Schulman, Chairperson

Oversight - Evaluating Access to Sickle Cell Care in NYC.

Proposed Int 968-A - By Council Members Narcisse, Louis, Velázquez, Richardson Jordan, Yeger, Schulman, Hudson, Ung, Abreu, Riley, Lee, Gutiérrez and Gennaro (by request of the Manhattan Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to a professional education program and public outreach campaign regarding sickle cell disease.

Council Chambers – City Hall.....10:00 a.m.

[Committee on Land Use](#)

Rafael Salamanca, Jr., Chairperson

All items reported out of the Subcommittees

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – 250 Broadway, 14th Floor.....12:00 p.m.

[Committee on Technology](#) jointly with the

Jennifer Gutiérrez, Chairperson

[Committee on Education](#)

Rita Joseph, Chairperson

Oversight - The Role of Artificial Intelligence, Emerging Technology, and Computer Instruction in New York City Public Schools

Council Chambers – City Hall.....1:00 p.m.

Thursday, September 21, 2023

[Committee on Women and Gender Equity](#)

Tiffany Cabán, Chairperson

Int 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, Williams, Schulman, Narcisse, Brooks-Powers, Feliz, Marte and Gennaro (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.

Res 560 - By Council Members Menin, Cabán, Stevens, Gutiérrez, Riley, Yeger, Restler, Hudson, Hanif, Ung, Brewer, Lee, Velázquez and De La Rosa - **Resolution** calling on the New York State Legislature to pass, and the Governor to sign, S.4924/A.1303, to remove the minimum wage and hours requirements for applicants of child care assistance.

Res 561 - By Council Members Menin, Krishnan, Yeger, Hudson, Ung, Brewer, Lee, Riley, Velázquez and De La Rosa - **Resolution** calling on the New York State Legislature to pass, and the Governor to sign, A.200/S.3380 to provide a business tax credit for employer provided day care.

Committee Room – 250 Broadway, 16th Floor.....10:00 a.m.

[Committee on Contracts](#) jointly with the

Julie Won, Chairperson

[Committee on Oversight and Investigations](#)

Gale A. Brewer, Chairperson

Oversight - Revisiting City Contracts Serving Asylum Seekers in New York City

Council Chambers – City Hall1:00 p.m.

Friday, September 22, 2023

[Committee on Public Housing](#)

Alexa Avilés, Chairperson

Oversight - \$78.34 Billion: NYCHA’s Physical Needs Assessment.

Council Chambers – City Hall.....10:00 a.m.

Tuesday, September 26, 2023

[Committee on Transportation and Infrastructure](#)

Selvina N. Brooks-Powers, Chairperson

Oversight - Hard Infrastructure.

Int 481 - By Council Members Lee, Yeger, Hudson, Brannan, Brooks-Powers, Brewer, Nurse, Ung, Kagan, Menin, Marte, Farías, Williams, Holden, Schulman, Dinowitz, Ossé, Abreu, Restler, Avilés, Powers, Won and Ariola - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of transportation to notify property owners ordered to repair sidewalks of existing department plans to make repairs on same sidewalks.

Int 596 - By Council Members Schulman, Brooks-Powers, Brewer, Dinowitz, Krishnan, Narcisse, Menin, Yeger, Avilés, Nurse, Gutiérrez, Riley, Brannan and Sanchez - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring that the department of transportation repair broken curbs as part of resurfacing projects.

Int 905 - By Council Members Brannan, Ayala, Yeger, Narcisse, Abreu, Ung, Dinowitz, Farías, Borelli, Velázquez, Holden, Menin, Williams, Riley, Won, Hanks, Stevens, Louis, Hudson, Carr, Moya, Paladino, Nurse, Vernikov, Lee, Krishnan, Cabán, Restler, Richardson Jordan, Marte and Ariola - **A Local Law** to amend the administrative code of the city of New York, in relation to the street resurfacing timeline

Int 1077 - By Council Members Joseph, Cabán, Farías, Riley, Ossé, Brewer, Ung, Hanif, Restler, Gutiérrez, Krishnan, Avilés, Stevens, Richardson Jordan, Louis, Won, Menin, Velázquez, Marte, Brooks-Powers, Gennaro, Rivera, Narcisse, De La Rosa and Williams (by request of the Manhattan Borough President) - **A Local Law** in relation to a capital plan and timeline for installing public bathrooms.

Committee Room – 250 Broadway, 16th Floor..... 9:00 a.m.

[Committee on Cultural Affairs, Libraries & International Intergroup Relations](#)

Chi A. Ossé, Chairperson

Oversight - Administering DCLA’s Cultural Development Fund.

Council Chambers – City Hall.....10:00 a.m.

[Committee on Housing and Buildings](#) jointly with the [Committee on Land Use](#)

Pierina Ana Sanchez, Chairperson
Rafael Salamanca, Jr., Chairperson

Oversight – Affordable Housing Development Pipeline.

Int 362 - By Council Members Salamanca, Louis, Hanif, Ayala, Restler, Abreu, Richardson Jordan, Sanchez and Riley - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of housing preservation and development to report on the disposition of city property for affordable housing development.

Int 1031 - By The Speaker (Council Member Adams) and Council Members Sanchez, Salamanca, Riley, Louis, Ayala, Powers, Abreu, Avilés, Bottcher, Cabán, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hudson, Joseph, Krishnan, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Restler, Rivera, Stevens, Ung, Velázquez, Williams, Won and Brewer - **A Local Law** to amend the New York city charter, in relation to a fair housing plan, and to repeal local law number 133 for the year 2018, in relation to affordable housing plans.

Committee Room – City Hall.....10:00 a.m.

[Committee on Small Business](#)

Julie Menin, Chairperson

Int 1083 - By Council Members Menin, Riley and Ung (by request of the Mayor) - **A Local Law** to amend the New York city charter, in relation to the establishment of the office of nightlife.

Committee Room – 250 Broadway, 14th Floor..... 10:00 a.m.

[Committee on Civil Service and Labor](#)

Carmen De La Rosa, Chairperson

Oversight – Future of Municipal Work.

Int 467 - By Council Members De La Rosa, Hanif, Joseph, Abreu, Won and Krishnan (by request of the Queens Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to New York City agencies policies regarding work-related communications during non-work hours.

Res 481 - By Council Members Hudson, De La Rosa, the Public Advocate (Mr. Williams) and Council Members Abreu, Gutiérrez, Hanif, Cabán, Krishnan, Brewer, Richardson Jordan and Schulman - **Resolution** calling on the New York State Legislature to pass, and the Governor to sign, A.1435, also known as the "New York City Teleworking Expansion Act".

Council Chambers – City Hall.....1:00 p.m.

Wednesday, September 27, 2023

Committee on General Welfare

Diana I. Ayala, Chairperson

Oversight - Public Benefits Processing Delays at HRA.

Int 567 - By Council Members Feliz, Brewer, Yeger, Avilés and Nurse - **A Local Law** to amend the administrative code of the city of New York, in relation to prohibiting homeless families with children from being housed in private buildings with multiple class C housing maintenance code violations.

Int 647 - By Council Members Avilés, Abreu, Louis, Velázquez, Restler, Won, Brewer, Ossé, Ayala, Nurse, De La Rosa, Sanchez, Brannan, Powers, Schulman, Hudson, Krishnan, Gutiérrez and Narcisse - **A Local Law** to amend the New York city charter and the administrative code of the city of New York, in relation to requiring sheriffs and city marshals to report housing displacement to the department of social services/human resources administration to evaluate eligibility for legal counsel.

Int 651 - By Council Members Ayala, Louis, Restler, Stevens, Hanif, Hudson, Brewer, Ung, Sanchez, Won and Gutiérrez - **A Local Law** to amend the administrative code of the city of New York, in relation to precluding the department of homeless services from requiring a child’s presence at an intake center when a family with children applies for shelter.

Int 653 - By Council Members Ayala, Louis, Riley, Restler, Hanif, Hudson, Ung, Sanchez, Won and Brannan - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of social services and the department of homeless services to provide drug treatment services.

Int 741 - By Council Members Salamanca, Hudson, Joseph and Abreu - **A Local Law** to amend the administrative code of the city of New York, in relation to radiator inspections in homeless shelters.

Int 902 - By Council Members Ayala, Ung, Cabán, Hanif, Restler, Hudson, Abreu, Brewer and Richardson Jordan - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of homeless services to provide process navigator services to every family with children entering an intake center.

Int 910 - By Council Members Hudson, Brewer, Cabán, Restler, Yeger, Abreu, Richardson Jordan, Avilés and Ung - **A Local Law** to amend the administrative code of the city of New York, in relation to establishing a universal benefits application for city benefits and codifying Access NYC, and to repeal section 3-119.3 of the administrative code of the city of New York, relating to a study on notification of public assistance eligibility.

Committee Room – City Hall.....10:00 a.m.

Committee on Public Safety jointly with the
Committee on Technology

Kamillah Hanks, Chairperson

hhh Jennifer Gutiérrez, Chairperson

Oversight - NYPD’s Implementation of the Public Oversight of Surveillance Technology (POST) ACT.

Council Chambers – City Hall.....10:00 a.m.

Committee on Environmental Protection,
Resiliency and Waterfronts

James F. Gennaro, Chairperson

Oversight - DEP’s Management of Noise Complaints.

Int 160 - By Council Members Holden, Yeger and Ariola - **A Local Law** to amend the administrative code of the city of New York, in relation to the noise standard for commercial establishments.

Int 774 - By Council Members Powers, Mealy, Restler, Menin, Yeger, Joseph, Holden, Schulman, Brewer, Hudson, Bottcher, Hanks, Riley and Abreu - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of environmental protection to measure construction-related sound levels inside dwelling units upon request.

Int 775 - By Council Members Powers, Restler, Menin, Yeger, Joseph, Holden, Schulman, Brewer, Hudson, Bottcher, Hanks, Riley and Abreu - **A Local Law** to amend the administrative code of the city of New York, in relation to results of noise inspections.

Int 776 - By Council Members Powers, Restler, Menin, Yeger, Joseph, Holden, Schulman, Brewer, Hudson, Bottcher, Hanks, Riley and Abreu - **A Local Law** to amend the administrative code of the city of New York, in relation to providing noise inspection reports.

Int 777 - By Council Members Powers, Restler, Menin, Holden, Schulman, Brewer, Hudson, Bottcher, Hanks, Riley and Abreu - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring an after hours variance for the removal of construction debris.

Int 778 - By Council Members Power, Yeager, Holden, Restler, Menin, Joseph, Schulman, Brewer, Hudson, Bottcher, Hanks, Abreu, Ung and Dinowitz - **A Local Law** to amend the administrative code of the city of New York, in relation to establishing a photo noise violation monitoring device program for motor vehicles.

Preconsidered Int ___ - By Council Member Gennaro - **A Local Law** to amend the administrative code of the city of New York, in relation to citizen noise complaints.

Council Chambers – City Hall.....1:00 p.m.

[Committee on Health](#) jointly with the
[Committee on Fire and Emergency Management](#)

Lynn C. Schulman, Chairperson
Joann Ariola, Chairperson

Oversight - Protecting New Yorkers from Heat and Air Quality Emergencies.

Int 1119 - By Council Members Brooks-Powers, Farías, Riley, Schulman, Hanif, Ung, Louis, Velázquez, Ayala, Menin, Gennaro and Marte - **A Local Law** to amend the administrative code of the city of New York, in relation to an annual report on drowning deaths.

Int 1127 - By Council Members Powers, Narcisse, Joseph, Schulman, Gennaro, Sanchez, Restler, Farías, Holden, Menin, Nurse, De La Rosa, Hanif, Abreu, Marte, Krishnan, Brewer, Avilés, Rivera, Riley and Louis (by request of the Manhattan Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to standards and reporting regarding indoor air quality in schools within the city school district.

Int 1128 - By Council Members Powers, Sanchez, Schulman, Joseph, Narcisse, Gennaro, Restler, Farías, Holden, Menin, Nurse, De La Rosa, Hanif, Abreu, Marte, Krishnan, Brewer, Avilés, Rivera, Riley and Louis (by request of the Manhattan Borough President) - **A Local Law** in relation to establishing a pilot program to monitor indoor air quality in certain commercial buildings.

Int 1129 - By Council Members Powers, Sanchez, Schulman, Joseph, Narcisse, Gennaro, Restler, Farías, Holden, Menin, Nurse, De La Rosa, Hanif, Abreu, Marte, Krishnan, Brewer, Avilés, Rivera, Riley and Louis (by request of the Manhattan Borough President) - **A Local Law** in relation to establishing a pilot program to monitor indoor air quality in certain residential buildings.

[Committee on Health](#) jointly with the
[Committee on Fire and Emergency Management \(Cont.\)](#)

Int 1130 - By Council Members Powers, Schulman, Joseph, Narcisse, Gennaro, Sanchez, Restler, Farías, Holden, Menin, Nurse, De La Rosa, Hanif, Abreu, Marte, Krishnan, Brewer, Avilés, Rivera, Riley and Louis (by request of the Manhattan Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to standards and reporting regarding indoor air quality in city buildings.

Committee Room – City Hall.....1:00 p.m.

Thursday, September 28, 2023

Stated Council Meeting

Council Chambers – City Hall.....Agenda – 1:30 p.m.

The following comments are a summary of some of the remarks made by the Speaker (Council Member Adams) during the Communication from the Speaker segment of this meeting:

The Speaker (Council Member Adams) acknowledged the 22nd anniversary of the September 11th attacks. She noted that the FDNY had recently added the names of another 43 members who had died of illnesses related to their work in the rescue and recovery efforts at the World Trade Center. She noted that these 43 individuals are among the hundreds of first responders who have passed away from 9/11-related illnesses over the past 22 years. The Speaker (Council Member Adams) reiterated that it was imperative that the city, state, and Federal government provide the families and victims who are still struggling from the aftermath of the 9/11 tragedy with the full support that they need to recover.

The Speaker (Council Member Adams) acknowledged the death of NY1 reporter and journalist Ruschell Boone. Ms. Boone passed away on September 3, 2023 at the age of 48. The Speaker (Council Member Adams) spoke of how Ms. Boone understood and conveyed the complexities of the city's communities in her reporting. She noted that Ms. Boone often presented her critical stories, concerning Queens in particular, with integrity and heart. The Speaker (Council Member Adams) praised her spirit and her ability to bring people together and noted that she would be profoundly missed.

The Speaker (Council Member Adams) acknowledged the death of United Federation of Teachers founder George Altomare. Mr. Altomare died on August 20, 2023 at the age of 92. She noted that he had dedicated his life to the improvement of the New York City public school system and had fought successfully to improve conditions for students and educators. The Speaker (Council Member Adams) praised Mr. Altomare's leadership and contributions during his lifetime of service to the city.

The Speaker (Council Member Adams) acknowledged that Senior Legislative Counsel Brenda McKinney was departing after six years at the Council. She noted that Ms. McKinney had effectively served the Committee on Cultural Affairs, Libraries, and International Intergroup Relations as well as the Committee on Women and Gender Equity. The Speaker (Council Member Adams) thanked Ms. McKinney for her dedication and service and wished her the best in her new job endeavor in Washington, D.C.

The Speaker (Council Member Adams) acknowledged the recent celebration of Labor Day on September 4, 2023. She spoke of the ongoing fights taking place for such essential protections as fair wages, safer workplaces, improved benefits, and the right to organize without fear or retaliation. On behalf of the Council, the Speaker (Council Member Adams) expressed her pride to stand alongside of workers in these struggles each and every day.

The Speaker (Council Member Adams) acknowledged that the Jewish new year of *Rosh Hashanah* starts on the evening of September 15th and runs until Sunday evening September 18th. She wished *Shana Tova*, a happy and sweet new year, to all those who are celebrating.

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Shortly before adjournment, the Majority Leader (Council Member Powers) acknowledged the presence of Michael Corbett in the Council Chambers. He noted that Mr. Corbett was leaving Council Member Velázquez's office for a position at the New York City Board of Elections. The Majority Leader (Council Member Powers) congratulated Mr. Corbett and thanked him for his service with the Council.

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, September 28, 2023.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor's Note: For the transcript of these proceedings, please refer to the respective attachment section of items introduced or adopted at this Stated Meeting of September 14, 2023 on the New York City Council website at <https://council.nyc.gov>.

Editor's Local Law Note: Int. Nos. 193-A, 200-A, 645-B, 853-A, 887-B, 1018-A, 1019-A, 1021-A, 1022-A, and 1074-A, both adopted at the July 13, 2023 Stated Meeting, were returned unsigned by the Mayor on August 15, 2023. These items had become law on August 13, 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. 111 through 120 of 2023, respectively,

Int. No. 31-C, adopted by the Council at the August 3, 2023 Stated Meeting, was signed into law by the Mayor on August 16, 2023 as Local Law No. 121 of 2023.

Int. Nos. 5-A, 6-A, 289-A, 384-A, 689-A, and 750-A, all adopted at the August 3, 2023 Stated Meeting, were returned unsigned by the Mayor on September 5, 2023. These items had become law on September 3, 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. 122 through 127 of 2023, respectively,