

THE COUNCIL

Minutes of the Proceedings for the

STATED MEETING

of

Thursday, May 26, 2022, 10:22 a.m.

(held remotely via video-conference)

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

Council Members

Adrienne E. Adams, Speaker

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

Absent: Council Member Narcisse.

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

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

There were 50 Council Members marked present at this Stated Meeting held remotely via video-conference.

During the Communication from the Speaker segment of this meeting, the Speaker (Council Member Adams) acknowledged the violence that the city and the nation had been subjected to in the days previous to these proceedings as described below:

The Speaker (Council Member Adams) acknowledged the death of Daniel Enriquez who was the victim of a subway shooting. Mr. Enriquez, 48, was killed on May 22, 2022 in an apparent random attack on a Manhattan bound Q train. On behalf of the Council, the Speaker (Council Member Adams) sent her heartfelt condolences to his family, friends, co-workers, and community during this difficult time.

The Speaker (Council Member Adams) acknowledged the mass shooting that took place at an elementary school in Uvalde, Texas. Nineteen children and two teachers were killed during the attack on Robb Elementary School on May 24, 2022. She spoke of the teachers who had sacrificed their own lives to protect their students. The Speaker (Council Member Adams) noted that this was yet another incident of mass violence and destruction committed by someone who had easy access to a military style firearm and yet another instance of a community being stricken by grief.

At this point, the Speaker (Council Member Adams) asked for a moment of silence in memory of Daniel Enriquez, and in memory of the children and teachers who were killed in Texas, and for the communities that were suffering from the trauma of this violence.

A moment of silence was observed in the Council Chambers.

* * *

REPORT OF THE STANDING COMMITTEES

Report of the Committee on State and Federal Legislation

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

Report for State Legislation Res. No. 5

Report of the Committee on State and Federal Legislation in favor of approving a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Gounardes, S.1608, and Assembly Member Abbate, A.4006, “AN ACT to amend the civil service law, in relation to the appointment and promotion of certain personnel of the sanitation department of the city of New York”.

The Committee on State and Federal Legislation, to which the annexed preconsidered State and Federal Legislation was referred on May 26, 2022, respectfully

REPORTS:

(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether this respective State Legislation Resolution [SLR] should be recommended for adoption by the Council. By adopting this SLR, the Council would be formally requesting that the New York State Legislature act favorably in this matter)

I. BACKGROUND

According to Article V, Section 6 of the New York State Constitution, appointments and promotions in the civil service of the State, including cities, are made according to merit and fitness based on a competitive examination.

In this case, the proposed legislation would ensure that Department of Sanitation (DSNY) supervisors are the most qualified to serve in their positions. DSNY supervisors in New York City experience challenges in providing timely, high-quality assistance during day to day operations and emergencies. Accordingly, only the most qualified employees should be promoted to these supervisory positions.

Currently, there is no examination required for candidates seeking promotion to General Superintendent 2 (GS2) and General Superintendent 3 (GS3). Rather, the selections of those being promoted to GS2 and GS3 are done by submission of a superior officer’s recommendation to a higher level DSNY officials. This bill would require that promotions to the positions of GS2 and GS3 would be based on merit and fitness as determined by a competitive civil service examination to better ensure the highest level of service is provided to the public in the most efficient and competent possible manner. This legislation could also improve diversity within the supervisory ranks of DSNY.¹ On May 26, 2022 the Committee on State and Federal Legislation held a vote on SLR 0005-2022. The SLR passed with 5 votes in the affirmative, 0 votes in the negative, and no abstentions.

¹ Note that the Council’s [Pay Equity report](#) includes data and a discussion of the lack of diversity among the supervisory ranks of DSNY; the General Superintendent title is 73% white. NYC Council Data Operations Unit. *Pay Equity in NYC*. NYC Council. (Aug. 2021) at p. 45. Available at http://council.nyc.gov/data/wp-content/uploads/sites/73/2021/08/080221.OC03.PAY-EQUITY-IN-NYC_v8.pdf.

II. PROPOSED LEGISLATION

Section one of this bill adds a new section 59-c to the Civil Service Law providing that a competitive examination will be used to fill vacancies in DSNY in the titles of General Superintendent 2 and General Superintendent 3 and/or positions with equivalent duties and responsibilities. This section also details which employees at DSNY will have the opportunity to participate in a competitive promotional examination for the next higher title.

Section two of this bill is the effective date.

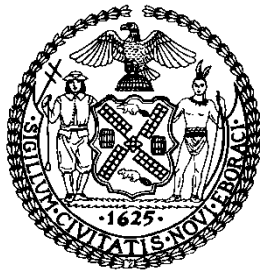
III. FISCAL IMPLICATIONS

See Council Finance Division fiscal impact statement.

IV. EFFECTIVE DATE

This bill takes effect immediately.

(The following is the text of the Fiscal Impact Statement for SLR No. 5:)



**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
FISCAL IMPACT STATEMENT**

**PRECONSIDERED SLR 5: A.4006 (Abbate)
S.1608 (Gounardes)**

COMMITTEE: State and Federal Legislation

TITLE: An act to amend the civil service law, in relation to the appointment and promotion of certain personnel of the sanitation department of the city of New York.

SPONSOR: Council Member Abreu.

SUMMARY OF LEGISLATION: This bill would provide that going forward, promotions to certain supervisory positions in the Department of Sanitation (DSNY) would be subject to competitive examination. Specifically, section one of this bill adds a new section 59-c to the Civil Service Law providing that a competitive examination will be used to fill vacancies in DSNY in the titles of General Superintendent 2 and General Superintendent 3 and/or positions with equivalent duties and responsibilities. Furthermore, this section also details which employees at DSNY will have the opportunity to participate in a competitive promotional examination for the next higher title.

EFFECTIVE DATE: This act would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023

FISCAL IMPACT STATEMENT:

	Effective FY22	FY Succeeding Effective FY23	Full Fiscal Impact FY23
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is anticipated that there would be no impact on revenues as a result of this legislation.

IMPACT ON EXPENDITURES: It is estimated that there would be no impact on expenditures resulting from the enactment of this legislation as the DSNY would be able to use existing resources to implement the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Jon Seltzer, Senior Financial Analyst

ESTIMATE REVIEWED BY: Chima Obichere, Unit Head

LEGISLATIVE HISTORY: This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on May 26, 2022. Upon a successful vote by the Committee, the Preconsidered SLR will be introduced and submitted to the full Council for a vote on May 26, 2022.

DATE PREPARED: May 25, 2022.

(For text of the related State bills and the State Sponsor’s Memorandum-in Support from each house ([S.1608](#), [A.4006](#)), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).

Accordingly, this Committee recommends its adoption.

(The following is the text of SLR No. 5 before the Committee:)

Preconsidered State Legislation Resolution No. 5

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Gounardes, S.1608, and Assembly Member Abbate, A.4006, “AN ACT to amend the civil service law, in relation to the appointment and promotion of certain personnel of the sanitation department of the city of New York”.

By Council Member Abreu.

Whereas, Bills have been introduced in the New York State Legislature by Senator Gounardes, S.1608, and Assembly Member Abbate, A.4006, “AN ACT to amend the civil service law, in relation to the appointment and promotion of certain personnel of the sanitation department of the city of New York”; and

Whereas, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; now, therefore, be it

Resolved, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

SHAUN ABREU, *Chairperson*; CARMEN N. De La ROSA; JAMES F. GENNARO; JENNIFER GUTIERREZ, CHRISTOPHER MARTE; 5-0-0; Committee on State and Federal Legislation, May 26, 2022 (Remote Hearing).

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 State and Federal Legislation and had been favorably reported for adoption.

Report for State Legislation Res. No. 6

Report of the Committee on State and Federal Legislation in favor of approving a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Gounardes, Biaggi, Cleare, Gianaris, Hoylman, Jackson, Kavanagh, Krueger, Myrie, Persaud, Ramos, Rivera, and Sepulveda, S.5602-B, and Committee on Rules (at request of Assembly Member Glick), A.10438, “AN ACT to amend the vehicle and traffic law, in relation to photo speed violation monitoring systems in school speed zones in the city of New York; and to amend chapter 189 of the laws of 2013, amending the vehicle and traffic law and the public officers law relating to establishing in a city with a population of one million or more a demonstration program implementing speed violation monitoring systems in school speed zones by means of photo devices, in relation to the effectiveness thereof”.

The Committee on State and Federal Legislation, to which the annexed preconsidered State and Federal Legislation was referred on May 26, 2022, respectfully

REPORTS:

(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether this respective State Legislation Resolution [SLR] should be recommended for adoption by the Council. By adopting this SLR, the Council would be formally requesting that the New York State Legislature act favorably in this matter)

I. BACKGROUND

First established in State law in 2013 as an effort to deter speeding drivers in proximity to schools, authorization for the City’s school zone speed camera program is set to expire on July 1, 2022. After repeated expansions, the camera enforcement program has grown from 20 to 750 school zones. Currently, cameras may be placed within a quarter-mile radius of a school building, and may operate on weekdays between the hours of 6:00 a.m. and 10:00 p.m. According to the New York City Department of Transportation, the program has proven “effective and efficient” at reducing dangerous speeding and its consequences.

The bill would also eliminate the current restriction on operating speed cameras overnight and on weekends, allowing speed cameras to issue violations at all times. The legislation also amends the existing program requirements to provide that signage indicating the presence of photo enforcement systems must accompany speed limit signs at camera locations. On May 26, 2022 the Committee on State and Federal Legislation held a

vote on SLR 0006-2022. The SLR passed with 5 votes in the affirmative, 0 votes in the negative, and no abstentions.

II. PROPOSED LEGISLATION

Section one of this bill amends subdivision (a) of section 1180-b of the vehicle and traffic law to eliminate the limit on speed cameras’ operational hours, which is currently between 6:00 a.m. and 10:00 p.m. on weekdays.

Section two of this bill amends Chapter 180 of the Laws of 2013 to renew the speed camera program until July 1, 2025.

Section three of this bill is the effective date.

III. FISCAL IMPLICATIONS

See Council Finance Division fiscal impact statement.

IV. EFFECTIVE DATE

This bill takes effect immediately.

(The following is the text of the Fiscal Impact Statement for SLR No. 6:)



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

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

FISCAL IMPACT STATEMENT

**Preconsidered SLR 6: S.5602-B (Gounardes)
A.10438 (Glick)**

COMMITTEE: State and Federal Legislation

TITLE: An act to amend the administrative code of the city of New York and the vehicle and traffic law, in relation to photo speed violation monitoring systems in school zones in the City of New York; and to amend chapter 189 of the laws of 2013, amending the vehicle and traffic law and the public officers law relating to establishing in a city with a population of one million or more a demonstration program implementing speed violation monitoring systems in school zones by means of photo devices, in relation to the effectiveness thereof.

SPONSOR: Council Member Abreu.

SUMMARY OF LEGISLATION: This legislation would amend the vehicle and traffic law and the public officers law to extend authorization for the photo monitoring program from July 1, 2022 to July 1, 2025 and to eliminate the limitation on hours of operation for speed cameras which is currently between 6:00am and 10:00pm on weekdays. In addition, the bill would require cities with school speed zone cameras to install signs bearing the words “photo enforced” below speed limit signs, giving written notice to approaching motor vehicle operators that a photo speed violation monitoring system is in use.

EFFECTIVE DATE: This act shall take effect immediately; provided that the amendments to section 1180-b of the vehicle and traffic law made by section one of this act shall not affect the repeal of such section and shall be deemed repealed therewith.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023

FISCAL IMPACT STATEMENT:

	Effective FY22	FY Succeeding Effective FY23	Full Fiscal Impact FY23
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 because full compliant with the legislation is anticipated.

IMPACT ON EXPENDITURES: It is estimated that this legislation would have no impact on expenditures. While there could be a minimal cost associated with the requirement to install signs bearing the words “photo enforced” below speed limit signs, it is assumed that this requirement could be fulfilled using existing resources.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: John Basile, Principal Financial Analyst

ESTIMATE REVIEWED BY: Chima Obichere, Unit Head
Eisha Wright, Deputy Director
Malcom Buthorn, Interim Finance Counsel

LEGISLATIVE HISTORY: This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR at a hearing on May 26, 2022. Following a successful vote by the Committee, the Preconsidered SLR will be introduced and submitted for a vote to the full Council on May 26, 2022.

DATE PREPARED: May 25, 2022.

(For text of the related State bills and the State Sponsor's Memorandum-in Support from each house (S.5602-B, A.10438), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).

Accordingly, this Committee recommends its adoption.

(The following is the text of SLR No. 6 before the Committee:)

Preconsidered State Legislation Resolution No. 6

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Gounardes, S.5602-B, and Assembly Member Glick, A.10438, "AN ACT to amend the vehicle and traffic law, in relation to photo speed violation monitoring systems in school speed zones in the city of New York; and to amend chapter 189 of the laws of 2013, amending the vehicle and traffic law and the public officers law relating to establishing in a city with a population of one million or more a demonstration program implementing speed violation monitoring systems in school speed zones by means of photo devices, in relation to the effectiveness thereof".

By Council Member Abreu.

Whereas, Bills have been introduced in the New York State Legislature by Senator Gounardes, S.5602B, and Assembly Member Glick, A.10438, "AN ACT to amend the vehicle and traffic law, in relation to photo speed violation monitoring systems in school speed zones in the city of New York; and to amend chapter 189 of the laws of 2013, amending the vehicle and traffic law and the public officers law relating to establishing in a city with a population of one million or more a demonstration program implementing speed violation monitoring systems in school speed zones by means of photo devices, in relation to the effectiveness thereof"; and

Whereas, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; now, therefore, be it

Resolved, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

SHAUN ABREU, *Chairperson*; CARMEN N. De La ROSA; JAMES F. GENNARO; JENNIFER GUTIERREZ, CHRISTOPHER MARTE; 5-0-0; Committee on State and Federal Legislation, May 26, 2022 (Remote Hearing).

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 State and Federal Legislation and had been favorably reported for adoption.

Report for State Legislation Res. No. 7

Report of the Committee on State and Federal Legislation in favor of approving a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Comrie and Liu, S.3259, and Assembly Member Vanel, A.3817, “AN ACT to amend the administrative code of the city of New York and the vehicle and traffic law, in relation to increasing the fine for tractor-trailer combinations that park on residential streets overnight”.

The Committee on State and Federal Legislation, to which the annexed preconsidered State and Federal Legislation was referred on May 26, 2022, respectfully

REPORTS:

(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether this respective State Legislation Resolution [SLR] should be recommended for adoption by the Council. By adopting this SLR, the Council would be formally requesting that the New York State Legislature act favorably in this matter)

I. BACKGROUND

Southeast Queens sits between two of the busiest airports in the country, JFK and LaGuardia, and hosts a large number of import-export businesses that distribute food, materials, and supplies to local establishments from all around the world. Southeast Queens takes pride in the fact that it is able to have such a large impact on the economic growth of our City. Unfortunately, hosting these businesses and airports has put a strain on local communities. While commercial trucks have a place to pick up and drop off the supplies they are delivering, there is no place for them to park. So between overnight shifts, they reside in residential communities taking up spaces in front of houses, not just creating an eyesore but an environmental hazard and major inconvenience for residents.

In many residential neighborhoods, on-street parking is often occupied by large tractor-trailers overnight, despite the existing prohibition on such parking in local law. With few designated parking areas for large commercial vehicles, truck drivers may park in residential neighborhoods due to (1) legal limits on driving hours; (2) because they live nearby; or (3) to prepare for early morning pickups or deliveries. This parking impacts residents' quality of life by reducing the availability of on-street parking, constricting traffic and creating noise and air pollution.

This legislation would amend local law to increase the penalty for parking a tractor-trailer combination, tractor, truck trailer or semi-trailer overnight on streets in residential neighborhoods. The penalty for a first infraction would be increased from \$250 to \$400, and from \$500 to \$800 for all subsequent violations in a six-month period. The bill would also amend State law to give New York City's Parking Violations Bureau the authority to impose such penalties. On May 26, 2022 the Committee on State and Federal Legislation held a vote on SLR 0007-2022. The SLR passed with 5 votes in the affirmative, 0 votes in the negative, and no abstentions.

II. PROPOSED LEGISLATION

Section one amends the Administrative Code of the City of New York to impose a \$400 fine for a first violation of this law by any commercial vehicle, including tractor-trailer combinations, truck trailer or semi-trailer. If the same owner has a subsequent violation of this section within a six month period, they will be subject to monetary fine of \$800.

Section two amends the vehicle and traffic law to provide that in New York City, any commercial vehicle that violates the law may receive a monetary fine of \$400 for a first offense and \$800 for any subsequent offense within six months.

Section three of this bill is the effective date.

III. FISCAL IMPLICATIONS

See Council Finance Division fiscal impact statement.

IV. EFFECTIVE DATE

This bill takes effect immediately.

(The following is the text of the Fiscal Impact Statement for SLR No. 7:)



THE COUNCIL OF THE CITY OF NEW YORK

FINANCE DIVISION

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

FISCAL IMPACT STATEMENT

**Preconsidered SLR 7: S.3259 (Comrie)
A.3817 (Vanel)**

COMMITTEE: State and Federal Legislation

TITLE: An act to amend the administrative code of the city of New York and the vehicle and traffic law, in relation to increasing the fine for tractor-trailer combinations that park on residential streets overnight.

SPONSOR: Council Member Abreu.

SUMMARY OF LEGISLATION: This bill would amend the vehicle and traffic law to allow the City of New York to increase the fine for tractor-trailer combinations, truck trailer or semi-trailer that park on residential streets overnight. The fine for a first offense would increase from \$200 to \$400. Any subsequent violations by the same owner within a six-month period of time would increase from \$500 to \$800.

EFFECTIVE DATE: This act would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023

FISCAL IMPACT STATEMENT:

	Effective FY22	FY Succeeding Effective FY23	Full Fiscal Impact FY23
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 because full compliant with the legislation is anticipated.

IMPACT ON EXPENDITURES: It is estimated that this legislation would have no impact on expenditures.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: John Basile, Principal Financial Analyst

ESTIMATE REVIEWED BY: Chima Obichere, Unit Head
Eisha Wright, Deputy Director
Malcom Buthorn, Interim Finance Counsel

LEGISLATIVE HISTORY: This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR at a hearing on May 26, 2022. Following a successful vote by the Committee, the Preconsidered SLR will be introduced and submitted for a vote to the full Council on May 26, 2022.

DATE PREPARED: May 25, 2022.

(For text of the related State bills and the State Sponsor’s Memorandum-in Support from each house (S.3259, A.3817), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).

Accordingly, this Committee recommends its adoption.

(The following is the text of SLR No. 7 before the Committee:)

Preconsidered State Legislation Resolution No. 7

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Comrie, S.3259, and Assembly Member Vanel, A.3817, “AN ACT to amend the administrative code of the city of New York and the vehicle and traffic law, in relation to increasing the fine for tractor-trailer combinations that park on residential streets overnight”

By Council Member Abreu.

Whereas, Bills have been introduced in the New York State Legislature by Senator Comrie, S.3259, and Assembly Member Vanel, A.3817, “AN ACT to amend the administrative code of the city of New York and the

vehicle and traffic law, in relation to increasing the fine for tractor-trailer combinations that park on residential streets overnight”; and

Whereas, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; now, therefore, be it

Resolved, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

SHAUN ABREU, *Chairperson*; CARMEN N. De La ROSA; JAMES F. GENNARO; JENNIFER GUTIERREZ, CHRISTOPHER MARTE; 5-0-0; Committee on State and Federal Legislation, May 26, 2022 (Remote Hearing).

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 State and Federal Legislation and had been favorably reported for adoption.

Report for State Legislation Res. No. 8

Report of the Committee on State and Federal Legislation in favor of approving a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Addabbo, S.9125, and Committee on Rules (at request of Assembly Member Abbate), A.10373, “AN ACT to amend the administrative code of the city of New York, in relation to the pensionable earnings of first grade police officers”.

The Committee on State and Federal Legislation, to which the annexed preconsidered State and Federal Legislation was referred on May 26, 2022, respectfully

REPORTS:

(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether this respective State Legislation Resolution [SLR] should be recommended for adoption by the Council. By adopting this SLR, the Council would be formally requesting that the New York State Legislature act favorably in this matter)

I. BACKGROUND

This bill would incentivize experienced police officers to remain members of the police force for their entire career. Currently, experienced officers have little incentive to remain in the New York Police Department (NYPD) beyond the minimum number of years required for a service retirement. According to the sponsor’s memo accompanying this bill, experienced, knowledgeable police officers that provide their services beyond 20 years (Tier 2) and 22/25 years (Tier 3) would benefit the public. The public protection provided by NYPD would be enhanced by these veteran officers, who have dealt with numerous criminal and public safety situations over their careers. Additionally, newer police officers will learn skills and benefit from the experience of veteran officers to become better police officers themselves and more prepared to protect the public. On May 26, 2022

the Committee on State and Federal Legislation held a vote on SLR 0008-2022. The SLR passed with 5 votes in the affirmative, 0 votes in the negative, and no abstentions.

II. PROPOSED LEGISLATION

Section one of this bill would increase the salary base used in calculating pension benefits for two pools of First Grade Officer (FGO) members of the Police pension system. For FGOs with over 25 years of service, the bill would increase the highest salary to the two-year aggregate used for Third Grade Detectives. For FGOs with over 30 years of service, the bill would increase the highest salary to the two-year aggregate used for Sergeants. Notably, this bill does not increase the actual salary earned by an officer, merely the salary for purposes of calculating pensions.

Section two of this bill is the effective date.

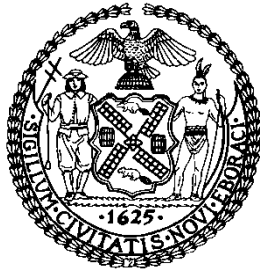
III. FISCAL IMPLICATIONS

See Council Finance Division fiscal impact statement.

IV. EFFECTIVE DATE

This bill takes effect immediately.

(The following is the text of the Fiscal Impact Statement for SLR No. 8:)



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
TANISHA S. EDWARDS, ESQ.**

CHIEF FINANCIAL OFFICER AND DEPUTY CHIEF OF
STAFF TO THE SPEAKER

FISCAL IMPACT STATEMENT

**PRECONSIDERED SLR 8: A.10373 (Abbate)
S. 9125 (Addabbo Jr.)**

COMMITTEE: State and Federal Legislation.

TITLE: AN ACT to amend the administrative code of the city of New York, in relation to the pensionable earnings of first grade police officers.

SPONSOR(S): Council Member Abreu.

SUMMARY OF LEGISLATION: This bill would increase the final average salary (FAS) base used in calculating pension benefits for two pools of First Grade Officer (FGO) members of the New York City Police Pension Fund. For FGO members with 25 to 29 years of credited service, the FAS would include the highest possible salary used for Third Grade Detectives for two of the annual salaries used in determining the FAS. For FGO

members with 30+ years of credited service, the FAS would include the highest possible salary for Sergeants for two of the annual salaries used to determine the FAS.

EFFECTIVE DATE: This act would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY24
Revenues	\$0	\$0	\$0
Expenditures	\$1,000,000	\$1,000,000	\$1,000,000
Net	\$1,000,000	\$1,000,000	\$1,000,000

IMPACT ON REVENUES: It is anticipated that there would be no impact on revenues as a result of this legislation.

IMPACT ON EXPENDITURES: It is estimated that passing this bill would increase the Present Value of Future Benefits by \$8.5 million. The corresponding increase in the Unfunded Accrued Liability would be treated as an actuarial loss, and would amortize accordingly over a 15 year period. The amortized payments toward the UAL, coupled with the increase in the normal cost to fund these plans, would require an annual \$1 million in additional City contributions.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council Finance Division
Fiscal Note 2022-36, Chief Actuary for the New York City Police Pension Fund

ESTIMATE PREPARED BY: Andrew Wilber, Economist

ESTIMATE REVIEWED BY: Raymond Majewski, Deputy Director/Chief Economist
Malcom Butehorn, Senior Counsel

LEGISLATIVE HISTORY: This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on May 26, 2022. Upon successful vote by the Committee, the Preconsidered SLR will be introduced and submitted to the full Council for a vote on May 26, 2022.

DATE PREPARED: May 23, 2022.

(For text of the related State bills and the State Sponsor’s Memorandum-in Support from each house ([S.9125](https://www.nysenate.gov/legislation) [A.10373](https://www.nysenate.gov/legislation)), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).

Accordingly, this Committee recommends its adoption.

(The following is the text of SLR No. 8 before the Committee:)

Preconsidered State Legislation Resolution No. 8

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Addabbo, S.9125, and Assembly Member Abbate, A.10373, “AN ACT to amend the administrative code of the city of New York, in relation to the pensionable earnings of first grade police officers”.

By Council Member Abreu.

Whereas, Bills have been introduced in the New York State Legislature by Senator Addabbo, S.9125, and Assembly Member Abbate, A.10373, “AN ACT to amend the administrative code of the city of New York, in relation to the pensionable earnings of first grade police officers”; and

Whereas, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; now, therefore, be it

Resolved, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

SHAUN ABREU, *Chairperson*; CARMEN N. De La ROSA; JAMES F. GENNARO; JENNIFER GUTIERREZ, CHRISTOPHER MARTE; 5-0-0; Committee on State and Federal Legislation, May 26, 2022 (Remote Hearing).

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 State and Federal Legislation and had been favorably reported for adoption.

Report for State Legislation Res. No. 9

Report of the Committee on State and Federal Legislation in favor of approving a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Bailey, S.9327, and Committee on Rules (at request of Assembly Member Abbate), A.10360, “AN ACT to amend the retirement and social security law, in relation to allowing certain members of the New York city police pension fund to borrow from contributions”.

The Committee on State and Federal Legislation, to which the annexed preconsidered State and Federal Legislation was referred on May 26, 2022, respectfully

REPORTS:

(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether this respective State Legislation Resolution [SLR] should be recommended for adoption by the Council. By adopting this SLR, the Council would be formally requesting that the New York State Legislature act favorably in this matter)

I. BACKGROUND

Currently, Tier 3 New York City Police pension fund members are prohibited from borrowing from their contributions pursuant to the Retirement and Social Security Law (RSS) § 517(c). Currently, the Police pension fund permits Tier 1 and Tier 2 members to borrow from accumulated balances of basic member contributions at 6 percent interest. Other state and local employees subject to RSS Article 14, including those covered by the

New York State and Local Employees' Retirement System and the New York State Employees Retirement System are also permitted to borrow, pursuant to RSS §§ 517, 517-b, and 517-c. The ability to take pension loans has long been a benefit for police officers who use these loans to assist with educational expenses, a down payment on a mortgage, and another vital needs. The proposed legislation would restore this important right in a manner that is consistent with the rights available to police officers and other public employees throughout New York City and New York State.

II. PROPOSED LEGISLATION

Section one of this bill would permit Tier 3, Tier 3 Revised, and Tier 3 Enhanced members to borrow from accumulated balances of basic member contributions at 6 percent.¹ Members with start dates before January 1, 2018, would be permitted to secure a loan for an amount up to 75% of accumulated member contributions plus accumulated interest. Members with start dates after January 1, 2018, would be permitted to secure a loan for an amount up to 50% of accumulated member contributions plus accumulated interest.

Section two of this bill sets the interest rate for the loans authorized in section one.

Section three of this bill is the effective date.

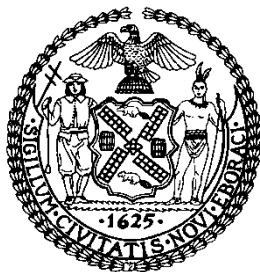
III. FISCAL IMPLICATIONS

See Council Finance Division fiscal impact statement.

IV. EFFECTIVE DATE

This bill takes effect immediately.

(The following is the text of the Fiscal Impact Statement for SLR No. 9:)



**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

FISCAL IMPACT STATEMENT

**PRECONSIDERED SLR 9: A.10360 (Abbate)
S.9327 (Bailey)**

COMMITTEE: State and Federal Legislation

TITLE: AN ACT to amend the retirement and social security law, in relation to allowing certain members of the New York city police pension fund to borrow from contributions.

SPONSOR(S): Council Member Abreu.

¹ Includes Additional Member Contributions for Tier 3 Enhanced members.

SUMMARY OF LEGISLATION: Currently, the New York City Police Pension Fund permits Tier 1 and Tier 2 members to borrow from accumulated balances of basic member contributions (BMC) at 6% interest. This bill would extend eligibility of the borrowing privilege to include Tier 3, Tier 3 Revised, and Tier 3 Enhanced members of the New York City Police Pension Fund.

The bill would permit newly eligible members with start dates before January 1, 2018 to secure a loan for an amount up to 75% of accumulated BMC balances plus accumulated interest, and would permit newly eligible members with start dates after January 1, 2018 to secure a loan for an amount up to 50% of accumulated BMC balances plus accumulated interest.

EFFECTIVE DATE: This act would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023

FISCAL IMPACT STATEMENT:

	Effective FY23	FY Succeeding Effective FY24	Full Fiscal Impact FY23
Revenues	\$0	\$0	\$0
Expenditures	\$3,300,000	\$3,300,000	\$3,300,000
Net	\$3,300,000	\$3,300,000	\$3,300,000

IMPACT ON REVENUES: It is anticipated that there would be no impact on revenues as a result of this legislation.

IMPACT ON EXPENDITURES: It is estimated that passing this bill would increase the Present Value of Future Benefits by \$40 million, resulting in a \$9.4 million net increase in Unfunded Accrued Liabilities (UAL). The UAL increase would amortize over the remaining working lifetime of members impacted by the legislation, which the City Actuary estimates to be 18 years. The amortized payments toward the UAL, coupled with the increase in the normal cost to fund these plans, would require an annual \$3.3 million in additional City contributions.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council Finance Division
Fiscal Note 2022-44, Chief Actuary for the New York City
Police Pension Fund

ESTIMATE PREPARED BY: Andrew Wilber, Economist

ESTIMATE REVIEWED BY: Raymond Majewski, Deputy Director/Chief Economist
Malcom Butehorn, Senior Counsel

LEGISLATIVE HISTORY: This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on May 26, 2022. Upon successful vote by the Committee, the Preconsidered SLR will be introduced and submitted to the full Council for a vote on May 26, 2022.

DATE PREPARED: May 23, 2022.

(For text of the related State bills and the State Sponsor's Memorandum-in Support from each house ([S.9327](#), [A.10360](#)), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).

Accordingly, this Committee recommends its adoption.

(The following is the text of SLR No. 9 before the Committee:)

Preconsidered State Legislation Resolution No. 9

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Bailey, S.9327, and Assembly Member Abbate, A.10360, “AN ACT to amend the retirement and social security law, in relation to allowing certain members of the New York city police pension fund to borrow from contributions”

By Council Member Abreu.

Whereas, Bills have been introduced in the New York State Legislature by Senator Bailey, S.9327, and Assembly Member Abbate, A.10360, “AN ACT to amend the retirement and social security law, in relation to allowing certain members of the New York city police pension fund to borrow from contributions”; and

Whereas, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; now, therefore, be it

Resolved, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

SHAUN ABREU, *Chairperson*; CARMEN N. De La ROSA; JAMES F. GENNARO; JENNIFER GUTIERREZ, CHRISTOPHER MARTE; 5-0-0; Committee on State and Federal Legislation, May 26, 2022 (Remote Hearing).

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 State and Federal Legislation and had been favorably reported for adoption.

Report for State Legislation Res. No. 10

Report of the Committee on State and Federal Legislation in favor of approving a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Jackson, S.9068-B, and Committee on Rules (at request of Assembly Member De Los Santos), A.10285-B, “AN ACT authorizing the city of New York to discontinue the use as parkland of a portion of real property in the county of New York and to grant easements to the metropolitan transportation authority so that it may make handicapped accessible improvements and upgrades to the New York city transit authority 168 Street transit station”.

The Committee on State and Federal Legislation, to which the annexed preconsidered State and Federal Legislation was referred on May 26, 2022, respectfully

REPORTS:

(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether this respective State Legislation

Resolution [SLR] should be recommended for adoption by the Council. By adopting this SLR, the Council would be formally requesting that the New York State Legislature act favorably in this matter)

I. BACKGROUND

State law provides that parkland is inalienable property of New York City and that it cannot be alienated without a special law authorizing the alienation. This bill would authorize the City to alienate parkland for use by the Metropolitan Transportation Authority (MTA) to improve the 168 street transit station.

After enactment of this law, MTA would then be required to request the disposition of such City-owned property to the MTA pursuant to the Public Authorities Law. Such requests would be subject to the advisory opinions of affected community boards and public hearings before the Council, and Council approval.

The 168 Street station is a major transfer hub for upper Manhattan serving the communities of Washington Heights, Harlem, and Inwood. It connects IND 8 Avenue (A/C) Line with the Broadway-7 Avenue (1) Line. The station is the terminus for C train service and a critical interchange between the two west side lines located at the intersection of Broadway, 168 Street and St. Nicholas Avenue near the New York Presbyterian Hospital Complex. The (I) Train station is a deep station currently only accessible by an elevator bank on the west side of Broadway (downtown platform side). From the lower elevator landing, steps and overpasses convey passengers to the two station platforms. Accordingly, the 168 Street Station on the Broadway-7 Avenue (1) Line is not accessible to those who need a step-free path to access the platform.

To provide accessibility New York City Transit Authority (NYCTA) needs to construct a new elevator from the mezzanine to the northbound platform in a location under Mitchel Square, a public park bound by Broadway, St. Nicholas Avenue and West 166 Street. A second elevator would be constructed from the existing high-capacity elevators to provide a step-free path to the southbound platform.

The SLR passed with 5 votes in the affirmative, 0 votes in the negative, and no abstentions.

II. PROPOSED LEGISLATION

Section one would authorize the City to discontinue some park land at Mitchel Square and the Broadway Mall in Washington Heights, and grant the MTA, for the use of the NYCTA, rights over such areas to facilitate NYCTA construction of upgrades in accordance with the Americans with Disabilities Act, as well as circulation and emergency exit improvements at the 168 Street transit station.

Section two requires that MTA to pay fair market value to the City for the park land that will be used, and establishes the relevant processes. The value and payment would be determined after the City grants the MTA easements over the required park land pursuant to the provisions of Section 1266(12-a) of the Public Authorities Law, as it may apply.

Sections three and four describe the specific portions of park land that would be discontinued and the park land that will be used as a construction staging area for over two years as the permanent station improvements described in Sections three and four are made.

Section five provides for compliance with federal law, to the extent applicable.

Section six provides that after the construction project is complete, the MTA will restore those portions of parkland that served as construction staging areas for the permanent station improvements.

Section seven of this bill is the effective date.

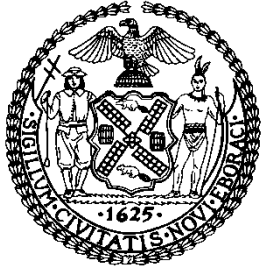
III. FISCAL IMPLICATIONS

See Council Finance Division fiscal impact statement.

IV. EFFECTIVE DATE

This bill takes effect immediately.

(The following is the text of the Fiscal Impact Statement for SLR No. 10:)



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

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

FISCAL IMPACT STATEMENT

**Preconsidered SLR 10: S.9068-B (Jackson)
A.10285-B (De Los Santos)**

COMMITTEE: State and Federal Legislation

TITLE: An act authorizing the city of New York to discontinue the use as parkland of a portion of real property in the county of New York and to grant easements to the Metropolitan Transportation Authority so that it may make handicapped accessible improvements and upgrades to the New York City Transit Authority 168 Street transit station.

SPONSOR(S): Council Member Abreu.

SUMMARY OF LEGISLATION: This legislation would authorize the City of New York to alienate certain parcels of land to enable the New York City Transit Authority (NYCTA) to make critical Americans with Disabilities Act (ADA) upgrades and other circulation and emergency egress improvements at the 168 Street Station in Washington Heights, Manhattan. The bill also provides that upon completion of the construction project, the park be restored in an improved condition to support the recreational needs of the community as directed and approved by the NYC Department of the Parks and Recreation.

EFFECTIVE DATE: This act would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FY 2023

FISCAL IMPACT STATEMENT:

	Effective FY22	FY Succeeding Effective FY23	Full Fiscal Impact FY23
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is anticipated that there would be no impact on revenues as a result of this legislation.

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Chima Obichere, Unit Head

ESTIMATE REVIEWED BY: Eisha Wright, Deputy Director
Malcom Butehorn, Counsel

LEGISLATIVE HISTORY: This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on May 26, 2022. Following a successful vote by the Committee, the Preconsidered SLR will be introduced and voted on by the full Council on May 26, 2022.

DATE PREPARED: May 25, 2022.

(For text of the related State bills and the State Sponsor's Memorandum-in Support from each house ([S.9068-B](https://www.nysenate.gov/legislation), [A.10285-B](http://nyassembly.gov/leg/)), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).

Accordingly, this Committee recommends its adoption.

(The following is the text of SLR No. 10 before the Committee:)

Preconsidered State Legislation Resolution No. 10

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Jackson, S.9068-B, and Assembly Member De Los Santos, A.10285-B, "AN ACT authorizing the city of New York to discontinue the use as park land of a portion of real property in the county of New York and to grant easements to the metropolitan transportation authority so that it may make handicapped accessible improvements and upgrades to the New York city transit authority 168 Street transit station".

By Council Member Abreu.

Whereas, Bills have been introduced in the New York State Legislature by Senator Jackson, S.9068-B, and Assembly Member De Los Santos, A.10285-B, “AN ACT authorizing the city of New York to discontinue the use as park land of a portion of real property in the county of New York and to grant easements to the metropolitan transportation authority so that it may make handicapped accessible improvements and upgrades to the New York city transit authority 168 Street transit station”; and

Whereas, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; now, therefore, be it

Resolved, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

SHAUN ABREU, *Chairperson*; CARMEN N. De La ROSA; JAMES F. GENNARO; JENNIFER GUTIERREZ, CHRISTOPHER MARTE; 5-0-0; Committee on State and Federal Legislation, May 26, 2022 (Remote Hearing).

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 State and Federal Legislation and had been favorably reported for adoption.

Report for State Legislation Res. No. 11

Report of the Committee on State and Federal Legislation in favor of approving a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Sepulveda, S.9120-A, and Committee on Rules (at request of Assembly Member Benedetto), A.10443, “AN ACT to authorize the city of New York to discontinue a portion of real property in the county of the Bronx as parkland and to grant easements for improvements to the railroad right-of-way to bring Metro-North railroad service to four new stations in the Bronx and to Pennsylvania Station in the county of New York”.

The Committee on State and Federal Legislation, to which the annexed preconsidered State and Federal Legislation was referred on May 22, 2022, respectfully

REPORTS:

(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether this respective State Legislation Resolution [SLR] should be recommended for adoption by the Council. By adopting this SLR, the Council would be formally requesting that the New York State Legislature act favorably in this matter)

I. BACKGROUND

This bill would authorize New York City to alienate certain parcels of land to enable the Metropolitan Transportation Authority (MTA) to make critical improvements related to Penn Station Access Project, which would enable Metro-North passengers to travel directly into Penn Station. State law provides that parkland is

inalienable property of the City and that it cannot be alienated without a special law authorizing the alienation. This bill would authorize the City to alienate certain parkland in the Bronx for use by the MTA to improve transportation options.

After enactment of this law, MTA would then be required to request the disposition of such City-owned property to the MTA pursuant to the Public Authorities Law. Such requests would be subject to the advisory opinions of affected community boards and public hearings before the Council, and Council approval.

Currently, Metro-North train passengers are limited to traveling to Grand Central Terminal, and can only reach the west side through some combination of walking, taxi, bus or subway, each of which presents its own obstacles of time, cost and inconvenience. The Penn Station Access Project would allow commuters and other train passengers in the northern suburbs of the New York City metropolitan area and Connecticut to access the west side of midtown Manhattan more easily by bringing Metro-North trains directly into Penn Station.

The SLR passed with 5 votes in the affirmative, 0 votes in the negative, and no abstentions.

II. PROPOSED LEGISLATION

Section one would authorize the City to discontinue the park land described in section three of the bill to implement the Penn Station Access Project.

Section two requires the MTA to pay fair market value to the City for the park land that will be used, and establishes the relevant processes. The value and payment would be determined after the City grants the MTA easements over the required park land pursuant to the provisions of Section 1266(12-a) of the Public Authorities Law, as it may apply.

Section three describes the specific portions of park land that would be discontinued.

Section four authorizes the MTA to transfer of some or all easements to the National Railroad Passenger Corporation as necessary.

Section five provides for compliance with federal law, to the extent applicable.

Section six of this bill is the effective date.

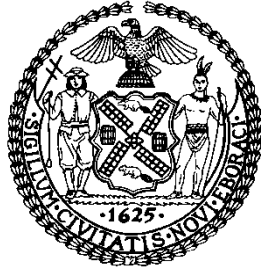
III. FISCAL IMPLICATIONS

See Council Finance Division fiscal impact statement.

IV. EFFECTIVE DATE

This bill takes effect immediately.

(The following is the text of the Fiscal Impact Statement for SLR No. 11:)



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

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

FISCAL IMPACT STATEMENT

**Preconsidered SLR 11: S.9120-A (Sepulveda)
A.10443 (Benedetto)**

COMMITTEE: State and Federal Legislation

SPONSOR(S): Council Member Abreu.

TITLE: An act to authorize the city of New York to discontinue a portion of real property in the county of the Bronx as parkland and to grant easements for improvements to the railroad right-of-way to bring Metro-North railroad service to four new stations in the Bronx and to Pennsylvania Station in the county of New York.

SUMMARY OF LEGISLATION: This legislation would authorize the City of New York to alienate certain parcels of land to enable the Metropolitan Transportation Authority (MTA) to make critical improvements related to Penn Station access project which would enable Metro-North passengers to travel directly into Penn Station. The bill also provides that upon completion of the construction project, the MTA in consultation with the city of New York, restore the surface of the lands described in section three of this bill and such lands shall continue to be used for park purposes.

EFFECTIVE DATE: This act would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FY 2023

FISCAL IMPACT STATEMENT:

	Effective FY22	FY Succeeding Effective FY23	Full Fiscal Impact FY23
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is anticipated that there would be no impact on revenues as a result of this legislation.

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A**SOURCE OF INFORMATION:** New York City Council Finance Division**ESTIMATE PREPARED BY:** Chima Obichere, Unit Head**ESTIMATE REVIEWED BY:** Eisha Wright, Deputy Director
Malcom Butehorn, Counsel

LEGISLATIVE HISTORY: This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on May 26, 2022. Following a successful vote by the Committee, the Preconsidered SLR will be introduced and voted on by the full Council on May 26, 2022.

DATE PREPARED: May 25, 2022.

(For text of the related State bills and the State Sponsor's Memorandum-in Support from each house [S.9120-A](https://www.nysenate.gov/legislation), [A.10443](https://www.nysenate.gov/legislation), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).

Accordingly, this Committee recommends its adoption.

(The following is the text of SLR No. 11 before the Committee:)

Preconsidered State Legislation Resolution No. 11

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Sepúlveda, S.9120-A, and Assembly Member Benedetto, A.10443, "AN ACT to authorize the city of New York to discontinue a portion of real property in the county of the Bronx as parkland and to grant easements for improvements to the railroad right-of-way to bring Metro-North railroad service to four new stations in the Bronx and to Pennsylvania Station in the county of New York".

By Council Member Abreu.

Whereas, Bills have been introduced in the New York State Legislature by Senator Sepúlveda, S.9120-A, and Assembly Member Benedetto, A.10443, "AN ACT to authorize the city of New York to discontinue a portion of real property in the county of the Bronx as parkland and to grant easements for improvements to the railroad right-of-way to bring Metro-North railroad service to four new stations in the Bronx and to Pennsylvania Station in the county of New York"; and

Whereas, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; now, therefore, be it

Resolved, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

SHAUN ABREU, *Chairperson*; CARMEN N. De La ROSA; JAMES F. GENNARO; JENNIFER GUTIERREZ, CHRISTOPHER MARTE; 5-0-0; Committee on State and Federal Legislation, May 26, 2022 (Remote Hearing).

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 State and Federal Legislation and had been favorably reported for adoption.

Report for State Legislation Res. No. 12

Report of the Committee on State and Federal Legislation in favor of approving a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Salazar, S.9323-A, and Committee on Rules (at request of Assembly Member Walker), A.10449, “AN ACT to authorize the city of New York to discontinue the use as parkland a portion of real property in the borough of Brooklyn and to transfer such lands to the metropolitan transportation authority, to enable the New York city transit authority to construct in such areas new permanent at-grade station improvements and pedestrian bridges”.

The Committee on State and Federal Legislation, to which the annexed preconsidered State and Federal Legislation was referred on May 26, 2022, respectfully

REPORTS:

(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether this respective State Legislation Resolution [SLR] should be recommended for adoption by the Council. By adopting this SLR, the Council would be formally requesting that the New York State Legislature act favorably in this matter)

I. BACKGROUND

State law provides that parkland is inalienable property of New York City and that it cannot be alienated without a special law authorizing the alienation. This bill would authorize the City to alienate parkland for use by the Metropolitan Transportation Authority (MTA) to improve the Broadway Junction transit station.

After enactment of this law, MTA would then be required to request the disposition of such City-owned property to the MTA pursuant to the Public Authorities Law. Such requests would be subject to the advisory opinions of affected community boards and public hearings before the Council, and Council approval.

The Broadway Junction Station is an MTA/NYCTA subway station complex in East New York, Brooklyn, which connects the elevated Jamaica (J/Z) Line, elevated Canarsie (L) Line, and the underground Fulton Street (A/C) Line. As one of the busiest stations in Brooklyn, this project will make Broadway Junction Station fully accessible in accordance with the requirements of the Americans with Disabilities Act of 1990. In addition, this Project will also improve the circulation capacity of the complex by providing direct transfer between the A/C Line and L Line, as well as adding a new entrance and egress at the L Line station. Additionally, the MTA will construct a comfort station in the Park in accordance with New York City Parks & Recreation specifications. In partial consideration for the property rights, the MTA will facilitate the demapping of a portion of Sackman Street, which runs through the Park between Truxton Street and Fulton Street, to be used as parkland.

The SLR passed with 5 votes in the affirmative, 0 votes in the negative, and no abstentions.

II. PROPOSED LEGISLATION

Section one would authorize the City to discontinue some park land at the Callahan-Kelly Playground, and grant the MTA, for the use of the NYCTA, rights over such areas to facilitate NYCTA construction of ADA upgrades and circulation improvements at the Broadway Junction transit station.

Section two requires the MTA to pay fair market value to the City for the park land that will be used, and establishes the relevant processes. The value and payment would be determined after the City grants the MTA easements over the required park land pursuant to the provisions of Section 1266(12-a) of the Public Authorities Law, as it may apply.

Sections three and four describe the specific portions of park land that would be discontinued.

Section five identifies the park land that will be used as a construction staging area for over two years as the permanent station improvements described in Sections three and four are made.

Section six details the portion of Sackman Street will be turned into a substitute park as referenced in Section two.

Section seven provides for compliance with federal law, to the extent applicable.

Section eight provides that after the construction project is complete, the MTA will restore those portions of parkland that served as construction staging areas for the permanent station improvements.

Section nine of this bill is the effective date.

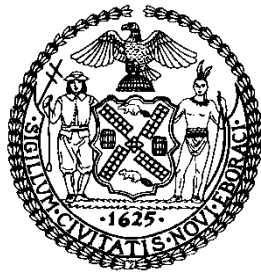
III. FISCAL IMPLICATIONS

See Council Finance Division fiscal impact statement.

IV. EFFECTIVE DATE

This bill takes effect immediately.

(The following is the text of the Fiscal Impact Statement for SLR No. 12:)



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

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

FISCAL IMPACT STATEMENT

**Preconsidered SLR 12: S.9323-A (Salazar)
A.10449 (Walker)**

COMMITTEE: State and Federal Legislation

TITLE: An act to authorize the city of New York to discontinue the use as parkland a portion of real property in the borough of Brooklyn and to transfer such lands to the metropolitan transportation authority, to enable the New York city transit authority to construct in such areas new permanent at-grade station improvements and pedestrian bridges.

SPONSOR(S): Council Member Abreu.

SUMMARY OF LEGISLATION: This legislation would authorize the City of New York to alienate certain parcels of land to enable the New York City Transit Authority (NYCTA) to make critical Americans with Disabilities Act (ADA) upgrades and other circulation improvements at the Broadway Junction Station Complex in the borough of Brooklyn. The bill also provides that upon completion of the construction project, the MTA in consultation with the city of New York, restore the surface of the lands described in section five of this bill and such lands shall continue to be used for park purposes.

EFFECTIVE DATE: This act would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FY 2023

FISCAL IMPACT STATEMENT:

	Effective FY22	FY Succeeding Effective FY23	Full Fiscal Impact FY23
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is anticipated that there would be no impact on revenues as a result of this legislation.

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Chima Obichere, Unit Head

ESTIMATE REVIEWED BY: Eisha Wright, Deputy Director
Malcom Butehorn, Counsel

LEGISLATIVE HISTORY: This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on May 26, 2022. Following a successful vote by the Committee, the Preconsidered SLR will be introduced and voted on by the full Council on May 26, 2022.

DATE PREPARED: May 25, 2022.

(For text of the related State bills and the State Sponsor's Memorandum-in Support from each house ([S.9323-A](#), [A.10449](#)), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).

Accordingly, this Committee recommends its adoption.

(The following is the text of SLR No. 12 before the Committee:)

Preconsidered State Legislation Resolution No. 12

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Salazar, S.9323-A, and Assembly Member Walker, A.10449, "AN ACT to authorize the city of New York to discontinue the use as parkland a portion of real property in the borough of Brooklyn and to use such property to construct elevators and handicapped accessible improvements and upgrades to the New York city transit authority Broadway Junction transit station"

By Council Member Abreu.

Whereas, Bills have been introduced in the New York State Legislature by Senator Salazar, S.9323-A, and Assembly Member Walker, A.10449, "AN ACT to authorize the city of New York to discontinue the use as parkland a portion of real property in the borough of Brooklyn and to use such property to construct elevators and handicapped accessible improvements and upgrades to the New York city transit authority Broadway Junction transit station"; and

Whereas, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; now, therefore, be it

Resolved, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

SHAUN ABREU, *Chairperson*; CARMEN N. De La ROSA; JAMES F. GENNARO; JENNIFER GUTIERREZ, CHRISTOPHER MARTE; 5-0-0; Committee on State and Federal Legislation, May 26, 2022 (Remote Hearing).

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

There were no additional items listed on the General Order Calendar.

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

- | | |
|---------------------------------------|--|
| (1) Preconsidered
SLR 5 - | S.1608/A.4006 , Appointment and promotion of certain personnel of the Sanitation Department (Home Rule item introduced by the Council requiring two-thirds affirmative vote for passage). |
| (2) Preconsidered
SLR 6 - | S.5602-B/A.10438 , Photo speed violation monitoring systems in school speed zones; and a demonstration program implementing speed violation monitoring systems in school speed zones by means of photo devices (Home Rule item introduced by the Council requiring two-thirds affirmative vote for passage). |
| (3) Preconsidered
SLR 7 - | S.3259/A.3817 , Increasing the fine for tractor-trailer combinations that park on residential streets overnight (Home Rule item introduced by the Council requiring two-thirds affirmative vote for passage). |
| (4) Preconsidered
SLR 8 - | S.9125/A.10373 , Pensionable earnings of first grade police officers (Home Rule item introduced by the Council requiring two-thirds affirmative vote for passage). |
| (5) Preconsidered
SLR 9 - | S.9327/A.10360 , Allowing certain members of the New York City police pension fund to borrow from contributions (Home Rule item introduced by the Council requiring two-thirds affirmative vote for passage). |
| (6) Preconsidered
SLR 10 - | S.9068-B/A.10285-B , Discontinue the use as parkland of a portion of real property in the county of New York and to grant easements to the Metropolitan Transportation Authority so that it may make handicapped accessible improvements and upgrades to the New York City Transit Authority 168 |

- Street transit station (**Home Rule item introduced by the Council requiring two-thirds affirmative vote for passage**).
- (7) **Preconsidered SLR 11 -** **S.9120-A/A.10443**, Discontinue a portion of real property in the county of the Bronx as parkland and to grant easements for improvements to the railroad right-of-way to bring Metro-North railroad service to four new stations in the Bronx and to Pennsylvania Station (**Home Rule item introduced by the Council requiring two-thirds affirmative vote for passage**).
- (8) **Preconsidered SLR 12 -** **S.9323-A/A.10449**, Discontinue the use as parkland a portion of real property in the borough of Brooklyn and to transfer such lands to the Metropolitan Transportation Authority, to enable the New York City Transit Authority to construct in such areas new permanent at-grade station improvements and pedestrian bridges (**Home Rule item introduced by the Council requiring two-thirds affirmative vote for passage**).

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

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

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

The following was the vote recorded for **Preconsidered SLR No. 6**:

Affirmative – Abreu, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Menin, Moya, Nurse, Ossé, Restler, Richardson Jordan, Riley, Rivera, 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) - **43**.

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

The following was the vote recorded for **Preconsidered SLR No. 8***:

Affirmative – Abreu, Ariola, Ayala, Bottcher, Brannan, Brewer, Brooks-Powers, Carr, Dinowitz, Feliz, Gennaro, Hanks, Holden, Kagan, Lee, Menin, Moya, Paladino, Riley, Rivera, Salamanca, Schulman, Ung, Velázquez, Vernikov, Williams, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **30**.

Negative – Avilés, Barron, Mealy, Richardson Jordan - **4**.

Abstentions – Cabán, Farías, De La Rosa, Gutiérrez, Hanif, Hudson, Joseph, Krishnan, Louis, Marte, Nurse, Ossé, Restler, Sanchez, Stevens and Won - **16**.

*** The vote to approve Preconsidered SLR No. 8 failed due to the lack of a two-thirds affirmative vote necessary for passage of a Home Rule item introduced by the Council.**

The following was the vote recorded for **Preconsidered SLR No. 9**:

Affirmative – Abreu, Ariola, Ayala, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanks, Holden, Hudson, Kagan, Krishnan, Lee, Louis, Marte, Menin, Moya, Nurse, Ossé, Paladino, Restler, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Vernikov, Williams, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **43**.

Negative – Avilés, Barron and Mealy – **3**.

Abstention – Hanif, Joseph, Richardson Jordan, and Won – **4**.

The following was the vote recorded for **Preconsidered SLR No. 11**:

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

Negative – Barron - **1**.

Home Rule Request bluebacks signed and certified by the City Clerk and Clerk of the Council (Mr. McSweeney) verifying the passage of SLRs No. 5-7, 9-12 of 2022 were sent to the State Senate and State Assembly in Albany.

INTRODUCTION AND READING OF BILLS

Preconsidered State Legislation Resolution No. 5

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Gounardes, S.1608, and Assembly Member Abbate, A.4006, “AN ACT to amend the civil service law, in relation to the appointment and promotion of certain personnel of the sanitation department of the city of New York”.

By Council Member Abreu.

Whereas, Bills have been introduced in the New York State Legislature by Senator Gounardes, S.1608, and Assembly Member Abbate, A.4006, “AN ACT to amend the civil service law, in relation to the appointment and promotion of certain personnel of the sanitation department of the city of New York”; *and*

Whereas, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

Resolved, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and approved by the Committee on State and Federal Legislation).

Preconsidered State Legislation Resolution No. 6

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Gounardes, Biaggi, Cleare, Gianaris, Hoylman, Jackson, Kavanagh, Krueger, Myrie, Persaud, Ramos, Rivera, and Sepulveda, S.5602-B, and Committee on Rules (at request of Assembly Member Glick), A.10438, “AN ACT to amend the vehicle and traffic law, in relation to photo speed violation monitoring systems in school speed zones in the city of New York; and to amend chapter 189 of the laws of 2013, amending the vehicle and traffic law and the public officers law relating to establishing in a city with a population of one million or more a demonstration program implementing speed violation monitoring systems in school speed zones by means of photo devices, in relation to the effectiveness thereof”.

By Council Member Abreu.

Whereas, Bills have been introduced in the New York State Legislature by Senators Gounardes, Biaggi, Cleare, Gianaris, Hoylman, Jackson, Kavanagh, Krueger, Myrie, Persaud, Ramos, Rivera, and Sepulveda, S.5602-B, and Committee on Rules (at request of Assembly Member Glick), A.10438, “AN ACT to amend the vehicle and traffic law, in relation to photo speed violation monitoring systems in school speed zones in the city of New York; and to amend chapter 189 of the laws of 2013, amending the vehicle and traffic law and the public officers law relating to establishing in a city with a population of one million or more a demonstration program implementing speed violation monitoring systems in school speed zones by means of photo devices, in relation to the effectiveness thereof”; *and*

Whereas, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

Resolved, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and approved by the Committee on State and Federal Legislation).

Preconsidered State Legislation Resolution No. 7

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Comrie and Liu, S.3259, and Assembly Member Vanel, A.3817, “AN ACT to amend the administrative code of the city of New York and the vehicle and traffic law, in relation to increasing the fine for tractor-trailer combinations that park on residential streets overnight”.

By Council Members Abreu and Louis.

Whereas, Bills have been introduced in the New York State Legislature by Senators Comrie and Liu, S.3259, and Assembly Member Vanel, A.3817, “AN ACT to amend the administrative code of the city of New York and the vehicle and traffic law, in relation to increasing the fine for tractor-trailer combinations that park on residential streets overnight”; *and*

Whereas, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

Resolved, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and approved by the Committee on State and Federal Legislation).

Preconsidered State Legislation Resolution No. 8

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Addabbo, S.9125, and Committee on Rules (at request of Assembly Member Abbate), A.10373, “AN ACT to amend the administrative code of the city of New York, in relation to the pensionable earnings of first grade police officers”.

By Council Member Abreu.

Whereas, Bills have been introduced in the New York State Legislature by Senator Addabbo, S.9125, and Committee on Rules (at request of Assembly Member Abbate), A.10373, “AN ACT to amend the administrative code of the city of New York, in relation to the pensionable earnings of first grade police officers”; *and*

Whereas, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

Resolved, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Defeated by the Council due to the lack of a two-thirds affirmative vote necessary for a Home Rule item introduced by the Council to pass (preconsidered and approved by the Committee on State and Federal Legislation).

Preconsidered State Legislation Resolution No. 9

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Bailey, S.9327, and Committee on Rules (at request of Assembly Member Abbate), A.10360, “AN ACT to amend the retirement and social security law, in relation to allowing certain members of the New York city police pension fund to borrow from contributions”.

By Council Member Abreu.

Whereas, Bills have been introduced in the New York State Legislature by Senator Bailey, S.9327, and Committee on Rules (Assembly Member Abbate), A.10360, “AN ACT to amend the retirement and social security law, in relation to allowing certain members of the New York city police pension fund to borrow from contributions”; *and*

Whereas, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

Resolved, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and approved by the Committee on State and Federal Legislation).

Preconsidered State Legislation Resolution No. 10

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Jackson, S.9068-B, and Committee on Rules (at request of Assembly Member De Los Santos), A.10285-B, “AN ACT authorizing the city of New York to discontinue the use as parkland of a portion of real property in the county of New York and to grant easements to the metropolitan transportation authority so that it may make handicapped accessible improvements and upgrades to the New York city transit authority 168 Street transit station”.

By Council Member Abreu.

Whereas, Bills have been introduced in the New York State Legislature by Senator Jackson, S.9068-B, and Committee on Rules (at request of Assembly Member De Los Santos), A.10285-B, “AN ACT authorizing the city of New York to discontinue the use as parkland of a portion of real property in the county of New York and to grant easements to the metropolitan transportation authority so that it may make handicapped accessible improvements and upgrades to the New York city transit authority 168 Street transit station”; *and*

Whereas, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

Resolved, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and approved by the Committee on State and Federal Legislation).

Preconsidered State Legislation Resolution No. 11

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Sepulveda, S.9120-A, and Committee on Rules (at request of Assembly Member Benedetto), A.10443, “AN ACT to authorize the city of New York to discontinue a portion of real property in the county of the Bronx as parkland and to grant easements for improvements to the railroad right-of-way to bring Metro-North railroad service to four new stations in the Bronx and to Pennsylvania Station in the county of New York”.

By Council Member Abreu.

Whereas, Bills have been introduced in the New York State Legislature by Senator Sepulveda, S.9210-A, and Committee on Rules (at request of Assembly Member Benedetto), A.10443, “AN ACT to authorize the city of New York to discontinue a portion of real property in the county of the Bronx as parkland and to grant easements for improvements to the railroad right-of-way to bring Metro-North railroad service to four new stations in the Bronx and to Pennsylvania Station in the county of New York”; *and*

Whereas, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

Resolved, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and approved by the Committee on State and Federal Legislation).

Preconsidered State Legislation Resolution No. 12

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Salazar, S.9323-A, and Committee on Rules (at request of Assembly Member Walker), A.10449, “AN ACT to authorize the city of New York to discontinue the use as parkland a portion of real property in the borough of Brooklyn and to transfer such lands to the metropolitan transportation authority, to enable the New York city transit authority to construct in such areas new permanent at-grade station improvements and pedestrian bridges”.

By Council Member Abreu.

Whereas, Bills have been introduced in the New York State Legislature by Senator Salazar, S.9323-A, and Committee on Rules (at request of Assembly Member Walker), A.10449, “AN ACT to authorize the city of

New York to discontinue the use as parkland a portion of real property in the borough of Brooklyn and to transfer such lands to the metropolitan transportation authority, to enable the New York city transit authority to construct in such areas new permanent at-grade station improvements and pedestrian bridges”; *and*

Whereas, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

Resolved, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and approved by the Committee on State and Federal Legislation).

Int. No. 442

By Council Members Bottcher, Nurse, Ossé, Louis, Marte, Williams, Krishnan, Hanif, Narcisse, Brooks-Powers, Cabán, Gutiérrez, Avilés, Brannan, Schulman, Hudson, Richardson Jordan, Barron, Sanchez, Joseph, Farías, Abreu, Restler and Riley (by request of the Manhattan Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to abating rodents as a requirement for the issuance of certain construction permits

Be it enacted by the Council as follows:

Section 1. Article 105 of chapter 1 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-105.2.3 to read as follows:

§ 28-105.2.3 Rodent abatement in rat mitigation zones. *Prior to the issuance of a permit authorizing work on 50% or more of the area of a building, the performance of vertical or horizontal enlargement adding more than 25% of the area of a building or demolition of more than 50% of the area of a building, the applicant shall certify that a licensed pest management professional has been retained to prevent and control for rodents, provided that (i) this requirement shall apply only to buildings located in rat mitigation zones designated by the department of health and mental hygiene, (ii) this requirement shall not apply to a building until 7 months after the location of such building has been included in a rat mitigation zone designated by such department, and (iii) the department may, by rule, establish additional criteria limiting the kinds of buildings to which this section applies.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 443

By Council Members Cabán, Louis, Joseph, Hanif, Avilés, Ossé, Won, Williams, Brooks-Powers, Restler, Ung and Riley (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 police department to provide records of complaints and investigations of bias-based profiling to the city commission on human rights

Be it enacted by the Council as follows:

Section 1. Section 14-151 of the administrative code of the city of New York is amended by adding a new subdivision f to read as follows:

f. The department shall provide records of all closed complaints and investigations of bias-based profiling, including copies of complaints, investigative files and disciplinary records to the city commission on human rights for analysis in the furtherance of the commission's official functions. Such records shall include, but not be limited to, the following information:

1. Information regarding each departmental personnel who was the subject of a bias-based profiling complaint, including such person's name, age, shield number, precinct, rank, command, length of service to the department and whether such person is a uniformed member of service;

2. For each person identified in paragraph 1, the number of bias-based profiling complaints against such person; and

3. For each complaint identified in paragraph 2:

(a) The self-reported demographics of complainants, including but not limited to race, ethnicity, color, national origin, creed, disability, sexual orientation, gender, citizenship status, housing status, and age;

(b) The types of policing encounters associated with complaints of biased-based profiling;

(c) The discriminatory policing conduct alleged; and

(d) The outcomes of such complaints, including whether any disciplinary action was taken.

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Res. No. 185

Resolution calling upon the New York State Department of Education to implement a robust requirement for civics education at the elementary, middle and high school level for all public schools in New York.

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

Whereas, Civics, defined by Merriam Webster's Dictionary as the study of the rights and duties of citizens and of how government works, is an important component of a democratic society; and

Whereas, Civics education helps promote democratic ideals by preparing students to be engaged citizens; and

Whereas, Enhancing youth participation in community service and political engagement could help foster future behaviors that would provide long-term benefits to communities; and

Whereas, A robust civics curriculum in public schools could help to ensure such engagement; and

Whereas, The foundation for Social Studies in New York State is the New York State K-12 Social Studies Framework, which was adopted by the Board of Regents in 2014 and subsequently revised in 2016 for grades K-8 and in 2017 for grades 9-12; and

Whereas, Civics, Citizenship, and Government is one of the 5 New York State Learning Standards for Social Studies to be taught across elementary, intermediate and high school grade levels, culminating in a Participation in Government course in 12th grade; and

Whereas, It is essential that civics curriculum be updated and enhanced and its implementation monitored; and

Whereas, In January 2014, the New York State Bar Association (NYSBA) President David Schraver sent a letter to then-Governor Andrew Cuomo about the critical need to enhance civics education in New York State; and

Whereas, A February 2014 statement issued by the NYSBA referenced a "shocking level of decline" in Americans' grasp and understanding of the structure of American democracy as found by the Association's Law Youth and Citizenship Committee's report on civics education; and

Whereas, According to findings of this report, fifty-eight percent of New Yorkers could not name either of their two current United States Senators; and

Whereas, Furthermore, the report indicates that only five percent of New Yorkers surveyed knew that the Constitution was designed to prevent both tyranny of the majority and of a small, influential minority; and

Whereas, Changes in educational priorities which focus on factors such as career readiness and standardized test results are thought to exacerbate the lack of a first-rate civics focused curriculum; and

Whereas, According to the executive director of the Center for Civic Education, the United States is “focused more upon developing the worker at the expense of developing the citizen”; and

Whereas, A 2011 study by the Brennan Center gave New Yorkers failing grades in civic literacy and stated that meaningful democracy requires civic literacy and that civic illiteracy puts American democracy at risk; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Department of Education to implement a robust requirement for civics education at the elementary, middle and high school level for all public schools in New York.

Referred to the Committee on Education.

Int. No. 444

By Council Members Holden, Louis, Brannan, Abreu and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of environmental protection to post information online regarding scheduled and requested infrastructure services

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 department of environmental protection shall post on its website certain information relating to scheduled and requested infrastructure services. The department shall update such information at least monthly and shall, at a minimum, include the following:

1. Scheduled and requested services relating to infrastructure under the department’s jurisdiction, including inspection, maintenance, repair, installation and removal of catch basins and fire hydrants; water quality testing; sinkhole repair; and ponding condition remediation;

2. The date and location of each upcoming service by the department; and

3. The status of requests relating to such services. Such status information shall include the date of the request, the location of the requested service, the type of service requested, any determination made by the department regarding such request and any completed or scheduled service that addresses the request.

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

Referred to the Committee on Environmental Protection.

Int. No. 445

By Council Members Holden, Louis and Brannan.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the preparation of five-year capital plans for parks on a community board level

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 18 of the administrative code of the city of New York is amended by adding a new section 18-159 to read as follows:

§ 18-159 Five-year parks capital plans. a. In accordance with subdivision b of this section, the department shall prepare a proposed five-year parks capital plan for each community board. Each such plan shall list every property within the jurisdiction of the commissioner within the boundaries of the community board and detail any planned capital projects, as defined in section 5-101, at each property, including a description of the planned capital project, an estimate of the cost of the planned capital project, and the year in which the capital project's design and construction is proposed to be initiated and estimated to be completed.

b. No later than January 16, 2023, and every fifth January 16 thereafter, the department shall submit the proposed five-year parks capital plans to the applicable community board which shall conduct a public hearing and shall prepare and submit recommendations to the department on or before March 25, 2023, and every fifth March 25 thereafter. The department shall consider the recommendations received from each community board, and, no later than April 26, 2023, and every fifth April 26 thereafter, shall submit final five-year parks capital plans to the mayor, the speaker of the council, and the community boards, and post such plans on the department's website.

c. No later than April 26 of any year in which a proposed five-year parks capital plan is not required to be submitted to the community boards pursuant to subdivision b of this section, the department shall submit any amendments to the final five-year parks capital plans to the mayor, the speaker of the council, and the applicable community board, and post such amendments on the department's website.

§3. This local law takes effect immediately.

Referred to the Committee on Parks and Recreation.

Int. No. 446

By Council Members Holden and Brannan.

A Local Law to amend the administrative code of the city of New York, in relation to the undertaking of surveys before planting trees

Be it enacted by the Council as follows:

Section 1. Section 18-103 of the administrative code of the city of New York is amended to read as follows:

§ 18-103 Trees and vegetation; definitions. Whenever the word "street" or the plural thereof occurs in sections 18-104, 18-105,[and] 18-106 and 18-158 of this title, it shall be deemed to include all that is included by the terms street, avenue, road, alley, lane, highway, boulevard, concourse, public square, and public place, or the plurals thereof respectively; the word "tree" or the plural thereof shall be deemed to include all forms of plants having permanent woody self-supporting trunks; the word "vegetation" shall be deemed to include plants collectively of whatever name or nature not included under the term "tree".

§ 2. Chapter 1 of title 18 of the administrative code of the city of New York is amended by adding a new section 18-158 to read as follows:

§ 18-158 Tree planting survey. Before the commencement of planting a tree on any street or sidewalk under the jurisdiction of the department, the department shall conduct a survey of the area within a 10-foot radius of the proposed tree planting site to determine whether planting the tree would interfere with the ordinary usage of the street or sidewalk, or injure or impair any sewer, drain, water pipe or other infrastructure. If the results of such survey show that planting a tree at a particular site would cause substantial interference with, injury to or impairment of a street, sidewalk or infrastructure, the department shall not plant a tree at such site. The results of any such survey shall be posted on the department's website.

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

Referred to the Committee on Parks and Recreation.

Int. No. 447

By Council Members Holden and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to unlawful methods of restraint during an arrest or attempted arrest

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 10-181 of the administrative code of the city of New York, as added by local law number 66 for the year 2020, is amended to read as follows:

a. Unlawful methods of restraint. No person shall restrain an individual in a manner that restricts the flow of air or blood by compressing the windpipe or the carotid arteries on each side of the neck, [or sitting, kneeling, or standing on the chest or back in a manner that compresses the diaphragm,] in the course of effecting or attempting to effect an arrest.

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Int. No. 448

By Council Members Holden, Yeger and Louis.

A Local Law to create a commission to examine the cost of renovating jail facilities on Rikers Island

Be it enacted by the Council as follows:

Section 1. Commission established. There is hereby established a commission to be known as the renovate Rikers Island commission.

§ 2. Duties. The commission shall examine the cost of renovating jail facilities on Rikers Island, including the costs of so renovating relative to the costs of opening new jail facilities outside of Rikers Island.

§ 3. Membership. a. The commission shall be composed of the following members:

1. Three members appointed by the mayor;
2. Three members appointed by the speaker of the council; and
3. Four members appointed jointly by the speaker of the council and the mayor, one of whom shall serve as chair.

b. No member shall be employed by the city of New York.

c. The mayor may invite officers and representatives of relevant federal, state and local agencies and authorities to participate in the work of the commission.

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

e. Each member of the commission shall serve at the pleasure of the officer who appointed the member. In the event of a vacancy on the commission, a successor shall be appointed in the same manner as the original appointment for the remainder of the unexpired term. All members of the commission shall serve without compensation.

§ 4. Meetings. a. The chair shall convene the first meeting of the commission no later than 30 days after the last member has been appointed, except that where not all members of the commission have been appointed within the time specified in section three, the chair shall convene the first meeting of the commission within 10 days of the appointment of a quorum.

b. The commission may invite experts and stakeholders to attend its meetings and to provide testimony and information relevant to its duties.

c. The commission shall meet no less than once each quarter to carry out the duties described in section two.

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

§ 5. Report. a. No later than 270 days after the effective date of this local law, the commission shall submit a report to the mayor, the speaker of the council and the commissioner of correction setting forth its findings related to the costs of renovating jail facilities on Rikers Island, including the costs of so renovating relative to the costs of opening new jail facilities outside of Rikers Island. The report shall include a summary of information the commission considered in formulating its findings.

b. The commissioner of correction shall publish the commission's report electronically on the website of the department of correction no later than 10 days after its submission to the mayor and the speaker of the council.

§ 6. Agency support. Each agency affected by this local law shall provide appropriate staff and resources to support the work of such agency related to the commission.

§ 7. Termination. The commission shall terminate 180 days after the date on which it submits its report, as required by section five.

§ 8. Effective date. This local law takes effect immediately.

Referred to the Committee on Criminal Justice.

Res. No. 186

Resolution recognizing February 16th annually as Lithuania Independence Day in the City of New York.

By Council Member Holden.

Whereas, Lithuania, the southernmost of Europe's Baltic states, is situated west of Belarus, between Latvia and Russia, bordering the Baltic Sea; and

Whereas, Lithuanian lands were first united around 1236 until 1569, when Lithuania and Poland formally united into a single dual state, the Polish-Lithuanian Commonwealth; and

Whereas, The Polish-Lithuanian Commonwealth existed until 1795 when its remnants were partitioned by surrounding countries, the bulk of which was assumed by Russia; and

Whereas, Lithuania remained a part of the Russian Empire when the Great Seimas of Vilnius, a major assembly held in December 1905 in Vilnius, Lithuania, convened following violent clashes between demonstrators and government troops to demand political autonomy within the Russian Empire; and

Whereas, In April 1915, German troops launched a military offensive against Russian troops in western Lithuania, and captured Vilnius in September 1915; and

Whereas, Lithuania remained under German military occupation during World War I until February 16, 1918, when the Council of Lithuania signed the Act of Independence of Lithuania, which restored it as an independent state; and

Whereas, Despite recognizing Lithuania's independence under the Treaty of Moscow in 1920, the Union of Soviet Socialist Republics ("Soviet Union" or "USSR") invaded Lithuania and compelled the country to be incorporated into the USSR in 1940; and

Whereas, In 1941, the USSR carried out mass arrests and deported thousands of Lithuanians, who were deemed to be harboring anti-Soviet attitudes, to Siberian labor camps and other forced settlements in remote parts of the Soviet Union; and

Whereas, Early on during World War II (WWII), on June 22, 1941, Nazi Germany invaded the Soviet Union and occupied Lithuania, which was then incorporated into a German civilian administration covering the Baltic states and western Belorussia; and

Whereas, Shortly before and immediately after the arrival of German forces, Lithuanians carried out violent riots against both Lithuanian and Jewish refugees, who had comprised about 10 percent of Lithuania's population; and

Whereas, By the end of WWII, an estimated 90 to 96 percent of Lithuanian Jews had been murdered – one of the highest victim rates in Europe; and

Whereas, In the summer of 1944, the Soviet Union reoccupied Lithuania and continued to deport and imprison hundreds of thousands of Lithuanians; and

Whereas, Between 1944 and 1990, Lithuania remained under Soviet occupation rule until March 11, 1990, when Lithuania became the first Soviet republic to proclaim its independence from the USSR as the Republic of Lithuania; and

Whereas, In response to Lithuania asserting its independence, the USSR imposed oil embargoes and an economic blockade against the state, and eventually killing protesting civilians amid tense negotiations; and

Whereas, The United States (U.S.) first established diplomatic relations with Lithuania on July 28, 1922, when a U.S. representative to Lithuania was stationed at a legation in Riga, Latvia until May 31, 1930 when the legation in present-day Kaunas, Lithuania was established; and

Whereas, Though the Soviet invasion and annexation of Lithuania in 1940 forced the closure of the American legation, the U.S. never recognized the forcible incorporation of Lithuania into the Soviet Union and Lithuanian representation in the United States continued uninterrupted; and

Whereas, On September 2, 1991, the U.S. recognized the restoration of Lithuania's independence; and

Whereas, Since Lithuania regained its independence, and its accession to the North Atlantic Treaty Organization and the European Union in 2004, it has become a strong and effective partner committed to U.S. objectives in the area of democracy promotion; and

Whereas, New York City (NYC) has been home to many Lithuanians and Lithuanian-Americans, including filmmaker, poet and artist Jonas Mekas and modern artist Jurgis Mačiūnas; and

Whereas, NYC is also home to Lithuania Square, a triangular patch of land in Brooklyn dedicated to the memory of two Lithuanian-Americans, Steponas "Stephen" Darius and Stasys "Stanley" Girenas, who attempted to fly nonstop from New York to Lithuania in 1933; and

Whereas, The 2016 American Community Survey, of the U.S. Census Bureau, estimates that 1,705 Lithuanian-born residents reside in NYC; now, therefore, be it

Resolved, That the Council of the City of New York recognizes February 16th annually as Lithuania Independence Day in the City of New York.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Int. No. 449

By Council Member Mealy.

A Local Law to amend the administrative code of the city of New York, in relation to a pesticide use reporting manual published by the department of parks and recreation

Be it enacted by the Council as follows:

Section 1. Section 17-1208 of the administrative code of the city of New York is amended by adding a new subdivision d as follows:

d. Pursuant to section 18-158, the department of parks and recreation shall develop a manual regarding the reporting of its pesticide use.

§ 2. Chapter 1 of Title 18 of the administrative code of the city of New York is amended by adding a new section 18-158 as follows:

§ 18-158 Pesticide use manual. By January 1, 2023, the commissioner shall publish on the department's website a manual that sets forth binding policy regarding the reporting of pesticide use by the department. Any subsequent amendments or modifications to such manual shall be made available online on the department's website. Such manual shall, at a minimum, set forth a system of recordkeeping and reporting pursuant to section 17-1208, including, but not limited to:

a. The submission of a pesticide use report by the department to the commissioner of health and mental hygiene on May 1 of each year;

b. The submission of a pesticide use report to the commissioner of health and mental hygiene and the city council on November 1 of each year starting on November 1, 2023;

c. The requirement that all pesticide use reports prepared by the department are made available online on the department's website; and

d. The requirement that on May 1 of each year starting on May 1, 2023, a summary of any changes made to the pesticide use manual during the prior year and an updated manual be made available online on the department's website.

§ 3. This local law takes effect immediately.

Referred to the Committee on Parks and Recreation.

Int. No. 450

By Council Members Powers, Louis, Joseph, Abreu and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to mold assessments in class A multiple dwellings

Be it enacted by the Council as follows:

Section 1. The section heading and subdivision a of section 24-154 of the administrative code of the city of New York, as added by local law number 61 for the year 2018, are amended to read as follows:

§ 24-154 *Mold assessment*, abatement and remediation work for certain buildings. a. As used in this section, the terms “mold abatement,” “mold assessment” and “mold remediation” shall have the meanings ascribed to such terms in section 930 of the labor law; the [term] *terms* “*class A multiple dwelling*,” “dwelling unit” and “owner” shall have the [meaning] *meanings* ascribed to such terms in the housing maintenance code; the terms “floor area” and “zoning lot” shall have the meaning ascribed to such terms in the New York city zoning resolution and:

Administering agency. The term “administering agency” means the agency or agencies designated by the mayor pursuant to subdivision f to administer and enforce the provisions of this section.

Covered building. The term “covered building” means a building that (i) contains ten or more dwelling units or (ii) is located on a zoning lot that contains 25,000 or more square feet of non-residential floor area.

Covered person. The term “covered person” means, with respect to a building, a person who is an owner of such building, a managing agent of such building or an employee of such owner or agent.

[*Project.* The term “project” means mold remediation, mold assessment or mold abatement, of areas greater than ten square feet, but does not include full demolition of vacant buildings.]

Mold growth condition. The term “mold growth condition” means any condition of mold growth on an indoor surface, building structure or ventilation system, including mold that is within wall cavities, that is likely to cause harm to a person or for which mold remediation or mold abatement is advisable.

Non-residential floor area. The term “non-residential floor area” means, for a zoning lot, the amount of commercial floor area, office floor area, retail floor area, storage floor area and factory floor area, according to records of the department of finance and department of city planning.

Project. The term “project” means mold remediation, mold assessment or mold abatement, of areas greater than 10 square feet, but does not include full demolition of vacant buildings.

§ 2. Subdivisions d, e and f of section 24-154 of the administrative code of the city of New York, as added by local law number 61 for the year 2018, are redesignated subdivisions e, f and g respectively, and a new subdivision d is added to read as follows:

d. 1. If a person conducting a mold assessment for a class A multiple dwelling determines on the basis of such assessment that a mold growth condition exists in a dwelling unit within such class A multiple dwelling, then, no later than 24 hours after making such determination and regardless of whether or not such person has received payment for the assessment, such person shall provide the owner of such class A multiple dwelling with a written notice stating that a mold growth condition exists in the relevant dwelling unit.

2. *Such written notice shall:*
- (a) *Identify the rooms or areas within such dwelling unit where the mold growth condition exists;*
 - (b) *Include a statement in conspicuously sized type notifying the owner that under the laws of the city of New York, such owner must provide a copy of the notice to the occupant of the affected dwelling unit within 24 hours and that failure to do so may subject such owner to monetary penalties;*
 - (c) *Be written in English and in each of the designated citywide languages as defined in section 23-1101; and*
 - (d) *Comply with any rules promulgated by the administering agency under this subdivision.*
3. *No later than 24 hours after receiving a written notice described in this subdivision, the owner of the affected class A multiple dwelling shall provide a copy of such notice to the occupant of the affected dwelling unit.*
4. *The administering agency shall promulgate rules specifying the form of the notice described in this subdivision.*

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

Referred to the Committee on Environmental Protection.

Int. No. 451

By Council Members Powers and Louis.

A Local Law to amend the New York city charter, in relation to assigning a unique identifying number to each zoning lot in the city

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 191 of the New York city charter, as amended by local law number 101 for the year 2017, is amended to read as follows:

- b. The director of city planning shall:
- 1. Advise and assist the mayor, the borough presidents and the council in regard to the physical planning and public improvement aspects of all matters related to the development of the city.
 - 2. Provide staff assistance to the city planning commission in all matters under its jurisdiction.
 - 3. Be the custodian of the city map and record thereon all changes legally authorized.
 - 4. Conduct continuous studies and collect statistical and other data to serve as the basis for planning recommendations.
 - 5. Provide community boards with such staff assistance and other professional and technical assistance as may be necessary to permit such boards to perform their planning duties and responsibilities under this chapter.
 - 6. Assist the mayor in the preparation of strategic plans, including the preparation of the report provided for in section sixteen concerning the social, economic and environmental health of the city, the strategic policy statement provided for in section seventeen and the ten-year capital strategy provided for in section two hundred fifteen.
 - 7. Appoint a deputy executive director for strategic planning.
 - 8. Make a complete transcript of the public meetings and hearings of the commission available for public inspection free of charge within sixty days after any such meeting or hearing. The director shall also provide a copy of any requested pages of such transcript at a reasonable fee to cover the costs of copying and, where relevant, mailing.
 - 9. Indicate on the department's website the name and contact information of an employee who acts as a coordinator with the board of standards and appeals.
 - 10. Provide on the department's website, a record of each application for a variance or special permit to the board of standards and appeals where the department or the city planning commission has submitted testimony and a copy of such testimony in a searchable format.
 - 11. *Assign a unique identifying number to each zoning lot, as defined in section 12-10 of the New York city zoning resolution, in the city, and subsequently amend each such unique identifying zoning lot number to reflect*

any changes to the metes and bounds of any zoning lot, including, but not limited to the subdivision of any zoning lot, the transfer of development rights from one zoning lot to another zoning lot and the aggregation of two or more zoning lots declared to be a tract of land to be treated as one zoning lot pursuant to paragraph (d) of the definition of “zoning lot” in section 12-10 of the New York city zoning resolution.

12. Perform such other functions as are assigned to him or her by the mayor or other provisions of law.
 § 2. This local law takes effect immediately.

Referred to the Committee on Governmental Operations.

Int. No. 452

By Council Members Powers, Brannan and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to a pilot program for the use of unmanned aircraft systems in the inspection of the exterior walls of buildings greater than six stories in height

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 10-126 of the administrative code of the city of New York is amended to read as follows:

a. Definitions. [When] As used in this section, the following [words or] terms [shall mean or include] have the following meanings:

[1. “[Aircraft.]” *The term “aircraft” means [A]any contrivance [, now or hereafter] invented, used or designed for avigation or flight in the air, including an unmanned aerial vehicle or a captive balloon, except a parachute or other contrivance designed for use[,] as and carried primarily as safety equipment.*

[2. “Place of landing.” Any authorized airport, aircraft landing site, sky port or seaplane base in the port of New York or in the limits of the city.

3. “Limits of the city.” The water, waterways and land under the jurisdiction of the city and the air space above the same.

4. “[Avigate.]” To] *The term “avigate” means to pilot, steer, direct, fly or manage an aircraft in or through the air, whether controlled from the ground or otherwise.*

[5. “Congested area.” Any land terrain within the limits of the city.

6. “Person.” A natural person, co-partnership, firm, company, association, joint stock association, corporation or other like organization.]

Limits of the city. The term “limits of the city” means the water, waterways and land under the jurisdiction of the city and the air space above the same.

Place of landing. The term “place of landing” means any authorized airport, aircraft landing site, sky port or seaplane base in the port of New York or in the limits of the city.

Unmanned aerial vehicle. The term “unmanned aerial vehicle” means an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

§ 2. Subdivision c of section 10-126 of the administrative code of the city of New York is amended to read as follows:

c. Take offs and landings. It shall be unlawful for any person avigating an aircraft to take off or land, except in an emergency, at any place within the limits of the city other than places of landing designated by the department of transportation or the port of New York authority, *and except pursuant to section 28-302.7.*

§ 3. Article 302 of title 28 of the administrative code of the city of New York, as added by local law 38 for the year 2007, is amended by adding a new section 28-302.7 to read as follows:

§ 28-302.7 *Unmanned aerial systems pilot program. a. Definitions. As used in this section, the following terms have the following meanings:*

Unmanned aerial vehicle. The term “unmanned aerial vehicle” means an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

Unmanned aircraft system. The term “unmanned aircraft system” means an unmanned aerial vehicle and any associated equipment used for the operation of an unmanned aerial vehicle.

b. No later than December 31, 2023, the department shall establish a pilot program for the use of unmanned aircraft systems, in conjunction with physical examinations and close-up inspections, for critical examinations of a building’s exterior walls, as required by section 28-302.2, provided that no unmanned aircraft system shall be operated pursuant to this section in any manner prohibited by or contrary to the laws and regulations of the federal aviation administration. Such pilot program shall continue through at least December 31, 2024, and may continue after such date at the discretion of the commissioner. The department shall promulgate rules for such pilot program to prioritize implementation in community districts with the greatest number of sidewalk sheds. The department shall promulgate rules for the safe operation of unmanned aircraft systems, and for the security of data collected and retained by owners and operators of such unmanned aircraft systems.

c. The department shall continue to study the safety and feasibility of the use of unmanned aircraft systems over the course of the pilot program established by subdivision b, and shall consider, but not be limited to, the following subjects:

1. The impacts of the use of unmanned aircraft systems on the time spent and costs of conducting the inspections required by section 28-302.2, including the impacts, if any, on any repair or maintenance work required as a result of such inspection;

2. What types of exterior wall defects are better identified through the use of unmanned aircraft systems;

3. The efficacy of the use of unmanned aircraft systems in conducting inspections required by section 28-302.2 in relation to the physical examinations and close-up inspections required by that section;

4. Whether the periodic use of unmanned aircraft systems can identify any changes in the condition of a building’s exterior walls in comparison to previous inspections of such exterior walls;

5. Which types of buildings would most benefit from the use of unmanned aircraft systems in exterior wall inspections;

6. The feasibility of authorizing the use of unmanned aircraft systems in the course of emergency response work conducted by the department;

7. The feasibility of authorizing the use of unmanned aircraft systems in identifying open roofs in structurally compromised buildings;

8. The feasibility of authorizing the use of unmanned aircraft systems to improve the energy efficiency of buildings; and

9. The impacts of the use of unmanned aircraft systems in conducting inspections required by section 28-302.2 on pedestrian safety.

d. No later than June 30, 2025, the commissioner shall submit a report to the mayor and the speaker of the city council on such pilot program and the results of the study required by subdivision c, which shall include, at a minimum:

1. Recommendations as to whether and how such pilot program may be expanded and made permanent;

2. The cost of conducting inspections required by section 28-302.2 with the use of unmanned aircraft systems compared to the cost of conducting such inspections without their use;

3. Feedback from participants in such pilot program, including building owners, qualified exterior wall inspectors and unmanned aircraft system operators; and

4. Challenges presented by the use of unmanned aircraft systems in the pilot program.

§ 4. This local law takes effect immediately, except that sections two and three of this local law expire and are deemed repealed upon submission of the report required by section three.

Referred to the Committee on Housing and Buildings.

Int. No. 453

By Council Members Powers, Louis, Joseph, Hanif and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to requiring officers and employees of city contractors to report corruption and to cooperate with the department of investigation

Be it enacted by the Council as follows:

Section 1. Paragraph 1 of subdivision a of section 7-805 of the administrative code of the city of New York, as added by local law number 53 for the year 2005, is amended to read as follows:

1. Any officer or employee of the city [of New York] who believes that [he or she] *such officer or employee* has been the subject of an adverse personnel action, as such term is defined in [paragraph one of] subdivision a of section 12-113 [of the administrative code of the city of New York]; or

§ 2. Subdivision a of section 12-113 of the administrative code of the city of New York, as amended by local law number 33 for the year 2012, and paragraph 11 of such subdivision, as added by local law number 9 for the year 2021, is amended to read as follows:

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

[1. “Adverse personnel action” shall include] *Adverse personnel action. The term “adverse personnel action” includes* dismissal, demotion, suspension, disciplinary action, negative performance evaluation, any action resulting in loss of staff, office space or equipment or other benefit, failure to appoint, failure to promote, or any transfer or assignment or failure to transfer or assign against the wishes of the affected officer or employee.

[2. “Remedial action” means an appropriate action to restore the officer or employee to his or her former status, which may include one or more of the following:

(i) reinstatement of the officer or employee to a position the same as or comparable to the position the officer or employee held or would have held if not for the adverse personnel action, or, as appropriate, to an equivalent position;

(ii) reinstatement of full seniority rights;

(iii) payment of lost compensation; and

(iv) other measures necessary to address the effects of the adverse personnel action.

3. “Commissioner” shall mean the commissioner of investigation.

4. “Child” shall mean] *Child. The term “child” means* any person under the age of [nineteen] 19, or any person ages [nineteen] 19 through [twenty-one] 21 if such person receives instruction pursuant to an individualized education plan.

Commissioner. The term “commissioner” means the commissioner of investigation.

[5. “Educational welfare” shall mean any aspect of a child's education or educational environment that significantly impacts upon such child's ability to receive appropriate instruction, as mandated by any relevant law, rule, regulation or sound educational practice.

6. “Superior officer” shall mean an agency head, deputy agency head or other person designated by the head of the agency to receive a report pursuant to this section, who is employed in the agency in which the conduct described in such report occurred.

7. “Contract” shall mean] *Contract. The term “contract” means* any written agreement, purchase order or instrument having a value in excess of [one hundred thousand dollars] \$100,000 pursuant to which a contracting agency is committed to expend or does expend funds in return for work, labor, services, supplies, equipment, materials, or any combination of the foregoing, and [shall include] *includes* a subcontract between a covered contractor and a covered subcontractor. Such term [shall] *does* not include contracts or subcontracts resulting from emergency procurements or that are government-to-government procurements.

[8. “Contracting agency” shall mean] *Contracting agency. The term “contracting agency” means* a city, county, borough, or other office, position, administration, department, division, bureau, board or commission, or a corporation, institution or agency of government, the expenses of which are paid in whole or in part from the city treasury.

[9. “Covered contractor” shall mean] *Covered contractor. The term “covered contractor” means a person or business entity who is a party or a proposed party to a contract with a contracting agency valued in excess of [one hundred thousand dollars] \$100,000, and the term “covered subcontractor” [shall mean] means a person or entity who is a party or a proposed party to a contract with a covered contractor valued in excess of [one hundred thousand dollars] \$100,000.*

Educational welfare. The term “educational welfare” means any aspect of a child’s education or educational environment that significantly impacts upon such child’s ability to receive appropriate instruction, as mandated by any relevant law, rule, regulation or sound educational practice.

[10. “Officers or employees of an agency of the city” shall be deemed to include] *Officers or employees of an agency of the city. The term “officers or employees of an agency of the city” is deemed to include officers or employees of local development corporations or other not-for-profit corporations that are parties to contracts with contracting agencies and the governing boards of which include city officials acting in their official capacity or appointees of city officials. Such officers and employees [shall not be] are not deemed to be officers or employees of a covered contractor or covered subcontractor.*

[11. “Special commissioner of investigation” shall mean the position of deputy commissioner of investigation for the city school district of the city of New York, as established by mayoral executive order number 11 for the year 1990, as amended, or any successor or to the duties of such officer.]

Remedial action. The term “remedial action” means an appropriate action to restore the officer or employee to the former status of such officer or employee, which may include one or more of the following:

1. Reinstatement of the officer or employee to a position the same as or comparable to the position the officer or employee held or would have held if not for the adverse personnel action or, as appropriate, to an equivalent position;

2. Reinstatement of full seniority rights;

3. Payment of lost compensation; and

4. Other measures necessary to address the effects of the adverse personnel action.

Special commissioner of investigation. The term “special commissioner of investigation” means the position of deputy commissioner of investigation for the city school district of the city of New York, as established by mayoral executive order number 11 for the year 1990, as amended, or any successor to the duties of such officer.

Superior officer. The term “superior officer” means an agency head, deputy agency head or other person designated by the head of the agency to receive a report pursuant to this section, who is employed in the agency in which the conduct described in such report occurred.

§ 3. Paragraphs 2, 3 and 4 of subdivision b of section 12-113 of the administrative code of the city of New York, as amended by local law number 9 for the year 2021, are amended to read as follows:

2. (a) *Every officer and employee of a covered contractor or covered subcontractor shall without undue delay report any information concerning conduct which such officer or employee knows or reasonably believes to involve corruption, criminal activity, conflict of interest, gross mismanagement or abuse of authority by any officer or employee of such contractor or subcontractor, which concerns a contract with a contracting agency, (i) to the commissioner, (ii) to a council member, the public advocate, the comptroller, the special commissioner of investigation, the city chief procurement officer, the agency chief contracting officer, or the agency head or commissioner of the contracting agency.*

(b) Every officer and employee of a covered contractor or covered subcontractor shall cooperate fully with any investigation or inquiry conducted by the commissioner or special commissioner of investigation which concerns a contract with a contracting agency.

(c) No officer or employee of a covered contractor or covered subcontractor shall take an adverse personnel action with respect to another officer or employee of such contractor or subcontractor in retaliation for such officer or employee making a report of information concerning conduct which such officer or employee knows or reasonably believes to involve corruption, criminal activity, conflict of interest, gross mismanagement or abuse of authority by any officer or employee of such contractor or subcontractor, which concerns a contract with a contracting agency, to the commissioner, a council member, the public advocate, the comptroller, the special commissioner of investigation, the city chief procurement officer, the agency chief contracting officer, or the agency head or commissioner of the contracting agency. Such report shall be referred to the commissioner unless such conduct is within the jurisdiction of the special commissioner of investigation, in which case such report shall be referred to the special commissioner.

3. Every contract or subcontract in excess of [one hundred thousand dollars] \$100,000 shall contain a provision detailing the provisions of paragraph [two] 2 of this subdivision and of paragraph [two] 2 of subdivision e of this section. *If a contracting agency determines that there has been a violation of subparagraphs (a) and (b) of paragraph 2 of this subdivision, including, but not limited to, the knowing failure to report information or interference with, or obstruction of, an investigation conducted by the commissioner, such contracting agency shall take such action as it deems appropriate and consistent with the remedies available under the contract or subcontract.*

4. Upon request, the commissioner, council member, public advocate, comptroller, special commissioner of investigation [or], corporation counsel, *city chief procurement officer, agency chief contracting officer or agency head or commissioner of the contracting agency* receiving the report of [alleged adverse personnel action] *information concerning conduct that an officer or employee referenced in this subdivision knows or reasonably believes to involve corruption, criminal activity, conflict of interest, gross mismanagement or abuse of authority* shall make reasonable efforts to protect the anonymity and confidentiality of the officer or employee making such report.

§ 4. Subdivision c of section 12-113 of the administrative code of the city of New York is amended by adding a new paragraph 3 to read as follows:

3. Upon request, the commissioner, special commissioner of investigation or corporation counsel receiving the report of alleged adverse personnel action shall make reasonable efforts to protect the anonymity and confidentiality of the officer or employee making such report.

§ 5. The requirements imposed by subparagraphs (a) and (b) of paragraph 2 of subdivision b of section 12-113 of the administrative code of the city of New York do not apply to any contract between a contracting agency and a covered contractor or any subcontract between a covered contractor and a covered subcontractor that is executed or renewed prior to the effective date of the local law that added this section. For purposes of this section, the terms “contract,” “contracting agency,” “covered contractor” and “covered contractor” have the meanings ascribed to such terms in subdivision a of section 12-113 of such code.

§ 6. This local law takes effect 120 days after it becomes law, except that the commissioner of investigation, special commissioner of investigation for the city school district and the city chief procurement officer may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Oversight and Investigations.

Int. No. 454

By Council Members Powers, Louis, Brannan and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to establishing timelines for the approval of permits and expanding real time tracking of pending permits

Be it enacted by the Council as follows:

Section 1. Chapter 6 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-602 to read as follows:

§ 23-602 Timelines for the approval of permits. a. Public timelines. Each city agency that issues permits or licenses shall establish and maintain, for each such permit or license, publicly available timelines that approximate how long an applicant should expect to wait for a decision on such applicant’s permit or license application. Such timelines shall be publicly available no later than December 31, 2023.

b. Real time tracking. Each city agency that issues permits or licenses shall establish tools that allow applicants to track the status of their applications in real time. Such tracking systems shall be operational no later than December 31, 2023.

c. Accountability. On or before December 31, 2023, the mayor shall establish methods of holding agencies accountable if they do not adequately meet the timelines the agencies establish.

§ 2. This local law takes effect immediately.

Referred to the Committee on Technology.

Int. No. 455

By Council Members Powers and Louis.

A Local Law in relation to extending scheduled vehicle retirement dates for taxicabs during the COVID-19 state disaster emergency and the repeal thereof

Be it enacted by the Council as follows:

Section 1. a. Definitions. As used in this section, the following terms have the following meanings:

Accessible taxicab. The term “accessible taxicab” means a taxicab that is licensed by the commission and that meets the specifications of the americans with disabilities act as described in section 67-05.2 of title 35 of the rules of the city of New York.

Commission. The term “commission” means the taxi and limousine commission.

COVID-19 state disaster emergency. The term “COVID-19 state disaster emergency” means the state disaster emergency declared by the governor of New York in executive order number 11.6 issued on May 15, 2022 or any executive order renewing or extending such emergency.

Medallion. The term “medallion” means the metal plate issued by the commission for displaying the license number of a licensed taxicab on the outside of the vehicle.

Scheduled vehicle retirement date. The term “scheduled vehicle retirement date” means the date by which a taxicab is scheduled to be retired from service, as determined pursuant to title 35 of the rules of the city of New York or by local law.

Taxicab. The term “taxicab” means a motor vehicle, yellow in color, bearing a medallion indicating that it is licensed by the commission to carry up to five passengers for hire and authorized to accept street hails.

Vehicle retirement extension. The term “vehicle retirement extension” means an extension from the scheduled vehicle retirement date for a taxicab.

b. Any owner of a taxicab that is affiliated with a medallion that is not scheduled to be converted to an accessible taxicab at the next scheduled vehicle retirement date in accordance with section 58-50 of title 35 of the rules of the city of New York, that applies in writing to the commission for a vehicle retirement extension during the COVID-19 state disaster emergency, shall be granted an extension of 12 months from the scheduled vehicle retirement date, provided that such taxicab continues to meet all safety and emission requirements throughout the duration of such extension.

c. Any owner of a taxicab that is affiliated with a medallion that is scheduled to be converted to an accessible taxicab at the next scheduled vehicle retirement date in accordance with section 58-50 of title 35 of the rules of the city of New York, that applies in writing to the commission for a vehicle retirement extension during the COVID-19 state disaster emergency, shall be granted an extension of 6 months from the scheduled vehicle retirement date, provided that such taxicab continues to meet all safety and emission requirements throughout the duration of such extension.

d. The commission shall withdraw any extension granted pursuant to subdivisions b and c whenever such taxicab is determined by the commission to be unsafe for operation.

e. Any owner of a taxicab that received a vehicle retirement extension pursuant to subdivision b may apply for up to an additional 12 month extension if such owner continues to meet the requirements of subdivision b at the time such owner applies for the extension and the owner can demonstrate an economic or other personal hardship that the commission determines would create an undue burden upon the owner if the extension were not granted.

f. The chairperson of the taxi and limousine commission shall post conspicuously on the commission's website, information on the vehicle retirement extensions provided for by this local law.

g. Nothing in this local law is intended to interfere or conflict with any court order, or is intended to supersede section 67-19 of title 35 of the rules of the city of New York.

§ 2. This local law takes effect immediately and expires and is deemed repealed on January 1, 2024.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 456

By Council Member Powers, the Public Advocate (Mr. Williams) and Council Members Yeger, Joseph, Hanif, Restler and Avilés.

A Local Law to amend the administrative code of the city of New York, in relation to the maximum fee allowed when transferring money to a person in the custody of the department of correction

Be it enacted by the Council as follows:

Section 1. 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 Institutional fund accounts. The department of correction shall ensure that members of the public depositing funds into institutional fund accounts established pursuant to subdivision 7 of section 500-c of the correction law are not charged a service fee that is more than \$5. This fee cap applies to all devices or systems capable of allowing members of the public to deposit funds into an institutional fund account, including wire and online transfers.

§ 2. This local law takes effect immediately.

Referred to the Committee on Criminal Justice.

Int. No. 457

By Council Members Powers, Brannan and Menin.

A Local Law to amend the administrative code of the city of New York, in relation to authorizing city agencies to operate small remotely piloted aircraft

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 10-126 of the administrative code of the city of New York is amended to read as follows:

c. Take offs and landings. It shall be unlawful for any person avigating an aircraft to take off or land, except in an emergency *or pursuant to section 10-126.1*, at any place within the limits of the city other than places of landing designated by the department of transportation or the port of New York authority.

§ 2. Title 10 of the administrative code of the city of New York is amended by adding a new section 10-126.1 to read as follows:

§ 10-126.1 Small remotely piloted aircraft. a. Definitions. For purposes of this section, the following terms have the following meanings:

Remotely piloted device. The term "remotely piloted device" means a device operated without the possibility of direct human intervention from within or on the device.

Small remotely piloted aircraft. The term “small remotely piloted aircraft” means a remotely piloted device that is used or intended to be used for flight in the air, weighing less than 55 pounds on takeoff, including everything that is on board or otherwise attached to the device.

b. Permissible operation; agencies. 1. Pursuant to applicable federal, state and local laws, rules and regulations, an employee or agent of an agency may operate small remotely piloted aircraft to carry out the functions and duties assigned to such agency by law.

2. No person shall operate small remotely piloted aircraft to carry out the functions and duties of an agency before the head of such agency has authorized such operation by rule pursuant to paragraph 3 of this subdivision.

3. Upon a determination by the head of an agency that such agency could benefit from the operation of small remotely piloted aircraft to carry out the functions and duties assigned to such agency by law, such head of agency shall make rules for the operation of small remotely piloted aircraft by such agency. Such rules shall be designed to ensure the safety of persons and property, protection of privacy, and compliance with applicable federal, state and local laws, rules and regulations.

4. This section does not authorize the use of small remotely piloted aircraft in contravention of applicable federal, state and local laws or regulations.

§ 3. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Editor's Note: This bill was subsequently re-assigned to the Committee on Governmental Operations.

Res. No. 187

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, S.492/A.4128A, which would authorize boards of elections in New York State to establish absentee ballot drop-off locations.

By Council Members Powers, Joseph, Hanif and Restler.

Whereas, The public health risks of the COVID-19 virus have made absentee voting a safer alternative to in-person voting for hundreds of thousands of New Yorkers; and

Whereas, In the spring of 2020, Governor Cuomo issued executive orders allowing New Yorkers to cite risk of exposure to COVID-19 as a valid reason for requesting an absentee ballot, ordering local boards of election to mail an absentee ballot application form to every eligible voter in the state, and ordering local boards of election to send voters their absentee ballots for the June Primary Election with a postage-paid return envelope; and

Whereas, At a New York City Council oversight hearing on September 25, 2020, the City Board of Elections reported that it mailed out over 775,000 absentee ballots to voters in June 2020, a roughly twelve-fold increase from the 2016 Presidential Primary; and

Whereas, In June, due to a United States Postal Service (USPS) error, namely the lack of postmark, thousands of mailed-in absentee ballots were initially invalidated by the New York City Board of Elections, only to be subsequently validated in compliance with a federal court order; and

Whereas, Throughout the summer of 2020, newly appointed postmaster general Louis DeJoy implemented policy changes, purportedly to reduce costs and inefficiencies at the USPS, including removing hundreds of high-speed mail sorting machines, cutting overtime, and organizational restructuring; and

Whereas, In July 2020, the USPS sent a letter to all 50 states, warning them that if they did not require voters to request mail-in ballots at least 15 days before an election, there could be a risk that the USPS would not be able to deliver ballots in time for votes to be counted; and

Whereas, In September 2020, a federal judge in New York ordered Mr. De Joy and the USPS to reverse the policy changes implemented in the summer, to pre-approve all overtime requested between October and

November 2020 to treat all election mail as first-class priority mail, and to submit a weekly report detailing the USPS's progress in improving mail delivery; and

Whereas, Due to these operational failures and attempted policy changes at the USPS, public trust in the USPS's ability to deliver absentee ballots on time has eroded; and

Whereas, Returning an absentee ballot to a secure drop box is an increasingly popular alternative to mailing the ballot back through the USPS; and

Whereas, According to the Cybersecurity and Infrastructure Security Agency, the branch of the U.S. Department of Homeland Security tasked with securing election infrastructure, ballot drop boxes are "secure and convenient means for voters to return their mail ballot;" and

Whereas, At least 33 other states and the District of Columbia have used, or planned on using, ballot drop boxes in 2020; and

Whereas, In western states that conduct elections largely via absentee ballots, ballot drop box use is very high, including in Colorado where nearly 75 percent of all ballots were returned to a drop box in 2016; and

Whereas, In September 2020, Governor Cuomo signed an Executive Order mandating that boards of election allow voters to drop off absentee ballots at drop boxes located at boards of election offices, early voting poll sites, or Election Day poll sites; and

Whereas, The New York City Board of Elections announced it would provide ballot drop boxes at every board office, early voting poll site, and Election Day poll site; and

Whereas, New York State Senator Brad Hoylman and Assembly Member Richard Gottfried introduced S.492/A.4128A, which would authorize boards of election to set up secure ballot drop box locations across the state, not limited to only poll sites or board offices; and

Whereas, Numerous good government and voting advocacy groups support S.492/A.4128A, including but not limited to the League of Women Voters of New York State, VoteEarlyNY, Citizens Union, and NYPIRG; and

Whereas, Establishing secure ballot drop boxes at various locations would give New York voters more options to return their absentee ballots safely and securely, would eliminate the need for paid postage, and would reduce the burden on the USPS; 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.492/A.4128A, which would authorize boards of elections in New York State to establish absentee ballot drop-off locations.

Referred to the Committee on Governmental Operations.

Res. No. 188

Resolution calling upon the President to establish an anti-Semitism task force.

By Council Members Powers and Dinowitz.

Whereas, Hate crimes are a serious problem across the country in; and

Whereas, The Federal Bureau of Investigation (FBI) recorded 7,314 hate crimes in the United States in 2019 compared to 5,479 in 2014; and

Whereas, The number of incidents may actually be much higher as many victims do not report to the authorities, and not all law enforcement departments report to the FBI; and

Whereas, The number of hate crimes incidents in New York City dramatically increased from 256 in 2020 to 524 in 2021; and

Whereas, Anti-Semitism has been a particular motivator in many of the bias and hate crimes recorded in New York City and across the country; and

Whereas, In other big cities, like Los Angeles and Chicago, Jewish people were the most frequent targets of hate crimes in 2019 based on data from the Center for the Study of Hate and Extremism (CSHE); and

Whereas, Hate crimes are often extremely violent; and

Whereas, For example, on December 28, 2019, the seventh night of Hanukkah, five people were stabbed by an intruder who broke into the home of a Hasidic rabbi in Monsey, New York; and

Whereas, This act of terrorism came just weeks after four people were shot and killed by two attackers, fueled by anti-Semitism, who targeted a kosher supermarket in New Jersey; and

Whereas, New Yorkers and people across the country have the right to practice their religion without threat of violence or interference; and

Whereas, With the increases in anti-Semitism and neo-Nazism, the right to free exercise of religion is under attack; and

Whereas, Reports indicate white supremacist and neo-Nazi hate groups have targeted New York City for recruiting purposes, leaving pamphlets, posters, and hanging banners in various neighborhoods; and

Whereas, This makes people feel threatened and unsafe in their communities; and

Whereas, In the past, when specific communities have been made the target of hate and violence, the federal government has convened task forces to investigate; and

Whereas, For example, after numerous African-American churches were targeted in arson attacks between 1995 and 1996, then-President Bill Clinton established the National Church Arson Task Force; and

Whereas, This task force helped coordinate the local government and law enforcement responses to the arson attacks and prevention measures, which assisted communities rebuild their sense of safety; and

Whereas, New York City has the largest population of Jewish people in the United States; and

Whereas, New Yorkers and people throughout the United States have the right to feel safe while practicing their faith and going about their life; now, therefore, be it

Resolved, That the Council of the City of New York calls on the President to establish an anti-Semitism task force.

Referred to the Committee on Public Safety.

NEW YORK CITY COUNCIL

A N N O U N C E M E N T S

Tuesday, May 31, 2022

Subcommittee on Zoning & Franchises

Kevin C. Riley, Chairperson

See Land Use Calendar

Remote Hearing (Virtual Room 1).....10:00 a.m.

Wednesday, June 1, 2022

Subcommittee on Landmarks, Public Sitings and Dispositions

Farah N. Louis, Chairperson

See Land Use Calendar

Remote Hearing (Virtual Room 2).....10:00 a.m.

Committee on Consumer and Worker Protection

Marjorie Velázquez, Chairperson

Oversight - Con Edison Price Increases.

Int 372 - By The Speaker (Council Member Adams) and Council Members Yeger and Louis (by request of the Manhattan Borough President) - **A Local Law** to amend the New York city charter, in relation to the creation of an office of the utility advocate within the department of consumer and worker protection.

Res 162 - By Council Members Lee and Louis - **Resolution** calling on the New York State Legislature to pass, and the Governor to sign, amendments to article 4 of the Public Service Law to prevent a utility’s rate case from exceeding a certain percentage each year.

Res 172 - By Council Members Salamanca and Yeger - **Resolution** calling on New York State to increase the number of Commissioners on the Public Service Commission and permit New York City to appoint two of its Commissioners.

Res 173 - By Council Members Ung, Yeger and Louis - **Resolution** calling upon the Governor and New York State Legislature to expand financial relief programs to assist City residents struggling to pay their utility bills.

Res 174 - By Council Members Velázquez, Yeger and Ung - **Resolution** calling upon Consolidated Edison to improve communication with City residents about increases in utility costs.

Remote Hearing (Virtual Room 3).....1:30 p.m.

Committee on Land Use

Rafael Salamanca, Jr., Chairperson

All items reported out of the Subcommittees

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Remote Hearing (Virtual Room 2).....2:00 p.m.

Thursday, June 2, 2022

Stated Council Meeting

HYBRID HEARING – Council Chambers – City Hall.....Agenda – 1:30 p.m.

The following comments were among the remarks made by the Speaker (Council Member Adams) during the Communication from the Speaker segment of this meeting:

The Speaker (Council Member Adams) acknowledged and reiterated that New York City, like many cities across the country, had experienced increases in violence during the pandemic -- including an increase in community interpersonal violence and hate violence. Referring to what she had said in her State of the City address, the Speaker (Council Member Adams) noted that there needed to be a focus on the trauma which strikes communities as a result of these incidents. She emphasized that it was necessary to address this trauma which leaves people less healthy and less stable and which allows the cycles of violence to continue. She also noted that we should not become numb to these acts of mass violence. The Speaker (Council Member Adams) reiterated that it was time for our leaders in Washington, D.C. to demonstrate that they care about protecting our children, our families, and our communities so that these preventable acts of mass violence do not continue.

Whereupon on motion of the Speaker (Council Member Adams), the Majority Leader and Acting President Pro Tempore (Council Member Powers) adjourned these remote proceedings to meet again for the Stated Meeting on Thursday, June 2, 2022.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

