



RESOLUTION

Date: June 2, 2020

Committee of Origin: Health & Human Services

Re: The horrific murder of George Floyd.

Full Board Vote: 47 In Favor 0 Against 0 Abstentions 0 Ineligible

Our Community is saddened and sickened by the horrific murder of George Floyd by police officers in Minneapolis.

We acknowledge that in New York City and around the country, we continue to experience incident after incident, in which police have engaged in the use of excessive force against members of the Black community.

We stand in solidarity with our Black brothers and sisters to demand Justice for George Floyd.

We applaud the police officers who have acted with restraint and in support of peace and justice; and those who stood in solidarity with protesters by taking a knee during the protests.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan calls upon the Attorney General and prosecutors in the State of Minnesota to expedite and to ensure the prosecution of every officer present at the murder of George Floyd to the fullest extent of the law.

BE IT FURTHER RESOLVED THAT Community Board 7/Manhattan calls upon the Attorney General of the United States to move expeditiously to investigate and take appropriate action with respect to the violation of the civil rights of George Floyd.

BE IT FURTHER RESOLVED THAT Community Board 7/Manhattan condemns all acts of police brutality and calls upon our Mayor and Police Commissioner to take action to ensure that all police activity in apprehending individuals in the line of duty is commensurate with the actions or offenses of those individuals they are apprehending. This would reflect the NYPD's mission "to enhance the quality of life in New York City by working in partnership with the community to enforce the law, preserve peace, protect the people, reduce fear, and maintain order."



RESOLUTION

Date: June 2, 2020

Committees of Origin: Business & Consumer Issues Joint with Steering

Re: The potential use of various outdoor spaces by restaurants and other small businesses during the recovery from the Covid-19 Crisis.

Full Board Vote: 46 In Favor 0 Against 0 Abstentions 0 Ineligible

Combined BCI and Steering Committee Vote: 23-0-0-0. Non-Committee Board Member Vote: 11-0-1-0

This resolution is based on the following facts:

Background

On the Upper West Side as throughout our City, restaurants and other small retail businesses are the backbone of the economy and a crucially important component of the local economy.

Prior to the lockdown of all but essential businesses in March 2020, restaurants and other small businesses accounted for more than 50% of all employment in our City and State, and restaurant and hospitality positions led the way in job growth that generated the lowest unemployment in memory.

The Tourism industry in New York City rivals the financial services and capital markets sector in terms of jobs created and contribution to GDP. In the last decade, tourism has evolved from an important part of the local economy to one of its pillars, with trips to our City doubling in that period.

Tourism in turn relies on a vibrant, healthy and eclectic mix of cultural institutions, entertainment offerings, and local and independent restaurants and other small businesses to make a unique experience in our City that is worth visiting, and worth the expense that comes with travel to our shores. Tourism and business travel will be moribund until the total experience is available, including viable restaurants and small business products and services.

The local restaurant and small business community in our Upper West Side community plays an equally vital role in providing entertainment, shopping, food and drink, socialization and relaxation all so important in our bustling City. We also depend on our restaurants to provide everything from a night out, someone else to cook and clear, fare for every conceivable occasion, from a special occasion celebration at a destination venue to takeout as a break from at-home cooking to an on-the-go tide-me-over, to opportunities with ambiance to meet with friends.

Returning our local restaurants and small businesses to viability is a pressing and crucial component of any plan for the economic recovery of our City.

The Impact of the Economic Shutdown

After months with either no activity whatsoever, or modest take-out/curbside and delivery business, too many of our restaurants and small businesses are already at the brink. Federal, City and State programs have softened the blow somewhat, although many of these programs were not calibrated with New York City rents and taxes in mind, presenting many restaurateurs and small businesses with a Hobson's choice of postponing payment of key expenses or taking on debt that equally threatens their future.

Current blueprints for reopening the City economy, which is at best projected to be weeks away, are anticipated to limit in-person patronage to a fraction of capacity. For example, current expectations are that restaurants will be required to operate at no more than 50% to ensure social safe distancing.

Restaurant industry experts confirm that few establishments can be sustainable for long with such restrictions in place.

Outdoor Space as a Component of a Solution

The creative use of outdoor spaces, including portions of sidewalks, the curbside or street bed, public plazas, privately operated public spaces, and single-purpose open spaces (collectively, "Outdoor Spaces"), is essential to supplement the capacity of our restaurants and small businesses and give them a fighting chance at survival.

Such use of Outdoor Spaces will be needed to continue for a defined period until the restrictions on their operation are lifted and they can return to sustainable profitability.

No one option will serve all contexts and situations, and local input from the Community Board, the Business Improvement District where applicable, Block and Neighborhood Associations, and other community stakeholders will be required to ensure that this program works well and benefits the restaurants and small retail businesses in our District.

Challenges

Current regulations severely limit the ability of restaurants to use Outdoor Spaces, and functionally prohibit any other business from doing to.

In order to implement a plan that allows for the creative use of Outdoor Spaces, various regulations must be relaxed, suspended or deferred. For example, the use of sidewalk or curbside space for restaurants will require revocable approval from the City Department of Transportation. Serving food or beverages will require approval from the State Liquor Authority and the City Department of Health and Mental Hygiene, and use of all Outdoor Spaces may be subject to fees and limits of the City Department of Consumer Affairs and the Department of Buildings. Similarly, approvals from various agencies may be needed to allow small retail businesses to offer their products and services, and conduct sales, outside the confines of their shops. In each case, such approvals may be in derogation of existing regulations.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan supports the creative use of Open Spaces by restaurants and small retail businesses so they can resume operations sustainably, and so that patrons, staff and other workers can remain safe and healthy as they reopen, and

BE IT FURTHER RESOLVED THAT CB7 calls on the Governor, the Mayor, the State Liquor Authority, the City Department of Transportation, the City Department of Consumer Affairs, the City Department of Health and Mental Hygiene, the City Department of City Planning, the City Department of Buildings, the Department of Sanitation, the Mayor's Street Activity Permit Office (SAPO) and all other State and City agencies whose rules, regulations and prescripts apply to adopt Executive Orders, interim regulations, or agency directives suspending or modifying the application of all laws and regulations as necessary to permit restaurants and small retail businesses to operate in Open Spaces for a period until such restaurants and businesses are free from restrictions that inhibit their viability, and

BE IT FURTHER RESOLVED THAT CB7 calls on the Mayor to appoint a lead agency and a point person with plenary authority and adequate staffing to coordinate and expedite approvals as necessary for all aspects of the immediate selection and implementation of Open Spaces, and to liaise with Community Boards and other necessary parties as applicable, and

BE IT FURTHER RESOLVED THAT the selection of appropriate Open Spaces in each community be adopted in time for reopening as soon as practicable after permission to reopen under the Governor's Executive Orders, with such Open Spaces selected with expeditious consultation with the Community Board, Business Improvement District, Block and Neighborhood Association and other community stakeholders, with due attention to the need for cleaning and Sanitation service, and provided that such selection shall in each case not unreasonably interfere with:

- Bus routes or other mass transit (subject to reasonable adjustments that preserve service);
- Emergency vehicles' ability to reach their routes and destinations;
- Truck access to loading zones to serve businesses and residences receiving and making deliveries;
- Sanitation and carting operations;
- NYPD operations;
- Pedestrian safety and accessibility, including for the mobility-challenged; and
- Reasonable residential peace and quiet.



RESOLUTION

Date: June 2, 2020

Committee of Origin: Business & Consumer Issues

Re: 359 Columbus Avenue (West 77th Street.)

Full Board Vote: 42 In Favor 0 Against 2 Abstentions 0 Ineligible

Committee: 6-0-1-0. Non-Committee Board Members: 4-0-0-0.

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** new application #2380-he 2020-ASWC to the Department of Consumer Affairs by 8th Hill, Inc., d/b/a 8th Hill Restaurant, for a four-year consent to operate an unenclosed sidewalk café with 18 tables and 54 seats.



RESOLUTION

Date: June 2, 2020

Committee of Origin: Preservation

Re: 424 West End Avenue (West 81st Street.) Application to the Landmarks Preservation Commission for window replacement.

Full Board Vote: 43 In Favor 0 Against 0 Abstentions 0 Ineligible

Committee: 8-0-0-0. Non-Committee Board Members: 1-0-0-0.

This resolution is premised on the following facts:

- This project is a master plan for 974 new or replacement windows and includes balcony doors.
- The current windows and balcony doors operate by sliding open and closed.
- The sliding windows will be replaced with casement windows in the same configuration and finish as the present windows, although they will operate differently.
- All work will be done from the inside of the building.
- No work will be done on the ground floor.

THEREFORE, Community Board 7/Manhattan resolves to **approve** the application as presented based on its necessity and appropriateness to the character of the Historic District.

Directed by the City Charter mandate that Community Boards review matters prior to consideration by the Landmarks Preservation Commission, the Preservation Committee reviews the "appropriateness" of proposed changes to individually designated landmarks as well as to properties listed within the Upper West Side's Historic Districts.



RESOLUTION

Date: June 2, 2020

Committees of Origin: Transportation Joint with Parks & Environment

Re: Enforcement in Central Park.

Full Board Vote: 28 In Favor 2 Against 9 Abstentions 0 Ineligible

Combined Transportation and Parks & Environment Committees: 11-2-4-0.

Non-Committee Board Members: 1-0-3-0.

This resolution is based on the following facts:

During the Covid Crisis, use of Central Park by pedestrians is an essential means of recreation, exercise, and respite from the need to isolate at home.

Cyclists and other vehicles in Central Park sometimes fail to obey traffic laws and regulations such as failing to stop at red lights, failing to yield, and failing to observe the legal speed limit, and there are also cyclists who ride on pedestrian-only paths. This conduct places pedestrians at risk.

THEREFORE, BE IT RESOLVED that Community Board 7/Manhattan calls on the New York Police Department and the Parks Enforcement Patrol to increase enforcement of violations by cyclists and other vehicles of traffic laws and regulations and Parks rules to promote pedestrian safety.



RESOLUTION

Date: June 2, 2020

Committee of Origin: Transportation

Re: MTA during Covid-19 crisis

Full Board Vote: 32 In Favor 0 Against 0 Abstentions 0 Ineligible

This resolution is based on the following facts:

The MTA is the economic engine that moves the entire New York metropolitan region, and this region is the economic engine of the entire northeast, with approximately 10% of the nation's GDP produced here, and as the Northeast goes, so goes the nation.

Due to the Covid19 pandemic, the MTA has suffered devastating losses in ridership, as many are heeding the Governor's call to stay home, resulting in a 95% loss in ridership on the subways, with close to 94% on the commuter rail systems, and almost 90% on the bus system, resulting in unsustainable losses on the transit system, estimated by the end of 2020 to be in the area of \$7 to \$9 billion, with no approximate time of recovery.

The MTA provides essential service for front-line health care workers, pharmacies, doctors, nurses, grocery employees, city employees who cannot work from home, resulting in over 100 MTA employees forfeiting their lives to keep the region moving safely during the crisis, and while the MTA will receive \$3.9 billion from the CARES act, this is a drop in the bucket given the burgeoning deficit and continued loss of dedicated funding from the Bridges & Tunnels surplus.

Because of this crisis, the State Legislature has agreed to use the "lockbox" from congestion pricing funds for operating support for the MTA, placing on potentially unlimited hold important parts of the Capital Program and the many projects provided for in that Program, such as station accessibility, CBTC installation, Rutgers Tunnel repairs, and more.

Due to the pandemic, the MTA has been forced to undertake massive cleaning of all station surfaces, rolling stock, worker headquarters, etc., resulting in even higher deficits, and Whereas the only way the city and the region can recover and get back to "normal" is with a healthy, fully-functioning transportation system.

The current formula by which Federal Transit Authority funding is appropriated is by an outdated and unfair system, by which New York - which has 40% of the nation's transit users - gets 16% of the federal funding.

THEREFORE BE IT RESOLVED THAT Community Board 7/Manhattan calls on New York's Congressional Delegation to ensure that federal funding of at least an additional \$5 billion is provided to

the MTA as soon as possible, which will ensure that the New York region can begin to rebound and recover from the Covid19 pandemic, and have a fighting chance of survival, and

BE IT FURTHER RESOLVED THAT Community Board 7/Manhattan calls on Congress and the Federal Transit Administration to change the outdated and unfair formula by which transit systems nationwide receive federal support, giving New York's Metropolitan Transportation Authority, which carries 40% of transit users nationwide - with a normal 9 million riders daily - at least 40% of the federal funding, so this amazing and unique transportation system can continue to serve the residents, visitors, and everyone - with the life-saving mobility we all need and deserve.

Committee: 12-0-0-0. Non-Committee Board Members: 10-0-0-0.



RESOLUTION

Date: June 2, 2020

Committee of Origin: Youth, Education and Libraries

Re: FY 2021 and 2022 Department of Education Budgets.

Full Board Vote: 33 In Favor 0 Against 0 Abstentions 0 Ineligible

Committee: 6-0-0-0. Non-Committee Board Members: 4-0-0-0.

This resolution is based on the following facts:

Prior to the onset of the Covid-19 Crisis, State funding of education in New York City was significantly below the levels mandated by the *Campaign for Fiscal Equity* Court decisions.

The collapse of the local, State and national economies due to the necessary responses to Covid-19, and the resulting catastrophic shortfalls in tax and other governmental revenues, are expected to generate enormous pressure to cut virtually every facet of the City Budget for FY 2021 and FY2022, and likely in ensuing years.

In addition, updates on the already-adopted FY2021 and prospective FY2022 State Budgets include disproportionately large cuts in the already-underfunded State portion of education funding Statewide, which will have an enormous negative effect on the City education Budgets for those fiscal years.

The closure of school buildings starting in March 2020, which will last at least until the end of FY 2020 and likely through the Summer of 2020 and well beyond, has already had an enormous negative impact on students' progress measured against goals set under ordinary conditions. All students, as well as faculty and administrations, have felt these effects. Of more universal application for students is the social and emotional toll of separation from familiar routines and learning environments, as well as isolation from classmates and the absence of in-person services. This is exacerbated by the elimination of after-school and youth programs that are essential to social-emotional learning and provides academic support

The most significant impacts have been visited disproportionately on students from families experiencing economic need and by students with special needs. These students' challenges included having to wait for delivery of remote learning devices, the sharing of these remote learning devices among multiple family members, frequently experiencing issues with connecting to WiFi and in some cases, not having Wi-Fi access at all.

For schools, these financial uncertainties have created a planning nightmare that will impact the quality of student learning both in the next academic year and for years to come. Teacher and staff vacancies

are frozen, staffing decisions are subject to financial constraints that are still unknown, key budget information, like next year's registers and average teachers' salaries, are unavailable, and requirements for centralized purchasing of distance learning tools have slowed schools' capacity to respond nimbly to student need.

Despite its name, not every school currently receives its full complement of Fair Student Funding per the formula. In the current school year, fifty-five percent of schools received only 90% of the funding called for under the Fair Student Funding Formula (collectively, the "Underfunded Schools").

Further dramatic cuts to the Budget for the City Department of Education ("DoE") run the risk of creating a lost cohort of students who will never catch up to the arc of progress they were making before the onset of the Covid-19 Crisis, and will be permanently scarred by the experiences that led to students failing or feeling as though they are being left behind. The budget also requires a renewed and vigorous effort to establish the most critical priorities for the coming years' Budgets, and an insistence that equity of access to resources be a co-equal element of aligning those Budget priorities with expenditures.

The DoE Budget includes generous expenditures on central and Citywide administrative services, and also includes significant sums spent on outside consultants and other contracted services. While many of these consultants and service-providers may perform essential functions, the looming Budget crisis requires both a keen eye for culling the non-essential or duplicative expenditures and reassigning to salaried staff the tasks that can be performed in-house. It requires that the City and State take measures as extraordinary as the times to which they relate to explore sources of funding to abide the consequences of the Covid-19 Crisis and its aftermath.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan calls on the President and Congress to provide meaningful Budget relief to the States to prevent the catastrophic setbacks to all of our children that failure to act will surely create; and be it

FURTHER RESOLVED THAT Community Board 7/Manhattan calls on the Governor to refrain from any further cuts to education funding in the FY 2021 and FY 2022 State Budgets, including as necessary granting a reprieve from the onerous application of cuts that appear to be universal in application, but are disproportionately visited on the education budget due to chronic historical under-funding; and be it

FURTHER RESOLVED THAT Community Board 7/Manhattan calls on the Mayor and the Chancellor to re-prioritize spending by the DoE to limit to the greatest extent possible the imposition of cuts to resources in the in-person and virtual classroom, and look first at administrative services including duplicative expenditures, consultants and external services that could be performed in-house to absorb the lion's share of any DoE Budget cuts; and be it

FURTHER RESOLVED THAT Community Board 7/Manhattan calls on the Mayor and the Chancellor to streamline their personnel and purchasing processes to provide clarity and ensure that schools can respond quickly to identified student need in a time of crisis, and to ensure that all such decisions are made with a view to increasing equity of access to all resources; and be it

FURTHER RESOLVED THAT Community Board 7/Manhattan calls on the Mayor and the Chancellor to exclude Underfunded Schools from additional cuts at least until the cuts to the historically fully-funded schools are equal to the shortfalls experienced by the Underfunded Schools per the Fair Student Funding Formula; and be it

FURTHER RESOLVED THAT Community Board 7/Manhattan calls on the Governor, the Legislature, the Mayor, the City Council, and all necessary State Authorities and City Agencies to explore options to offset the threatened cuts to the DoE Budget including the use of targeted borrowing through bonds and other debt instruments as sources of revenue for the DoE Budget.