



This Week in New York

Covering New York State and City Government

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“Every record has been destroyed or falsified, every book rewritten, every picture has been repainted, every statue and street building has been renamed, every date has been altered. And the process is continuing day by day and minute by minute. History has stopped. Nothing exists except an endless present in which the Party is always right.”
-George Orwell, 1984-

In the News – New York State

Dr. Betty A. Rosa Appointed Commissioner of the NYS Education Department

The State Board of Regents unanimously appointed Dr. Betty A. Rosa as Commissioner of Education and President of the University of the State of New York, the first Latina woman to serve in the position.

The Commissioner oversees the work of more than 700 school districts with 2.6 million students; 7,000 libraries; 900 museums; and more than 50 professions encompassing nearly 900,000 licensees.

Dr. Rosa has served as Interim Commissioner since August 2020. She was elected by her Board of Regents colleagues as Chancellor in March 2016 and re-elected for a second term in 2019. Dr. Rosa was first elected to the Board of Regents for a five-year term in 2008, as the Regent for the Twelfth Judicial District (Bronx County), then re-elected in 2013 and 2018.

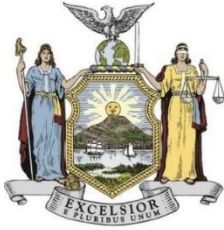
She earned an Ed. M. and Ed. D. in Administration, Planning and Social Policy from Harvard University. She also holds two other Master of Science in Education degrees, one in Administration and Supervision and the other in Bilingual Education from the City College of New York and Lehman College respectively and a B.A. in psychology from the City College of New York. She has more than 30 years of instructional and administrative experience with an expertise in inclusive education, cooperative teaching models, student achievement, and policy implementation.



Commissioner Betty Rosa

Dr. Rosa began her career in the NYC Department of Education as a bilingual paraprofessional, teacher and reading coordinator, served as an assistant principal and principal in special education, was principal of I.S. 218, a full-service community school in partnership with the Children’s Aid Society in District 6, and developed and implemented the Office of Conflict Resolution for the NYC Division of Special Education.

In 1998, Dr. Rosa was appointed Superintendent of Community School District 8 in the Bronx and later appointed to serve as the Senior Superintendent of the Bronx.



New Yorkers with Comorbidities and Underlying Conditions Eligible for COVID-19 Vaccine

Governor Andrew Cuomo this week announced that New Yorkers with comorbidities and underlying conditions can make appointments at state-run mass vaccination sites beginning February 14th, with the first appointments scheduled beginning February 15th.

According to the Governor, excess vaccine supply meant for hospital workers can be used to open eligibility for New Yorkers with comorbidities and underlying conditions. Local health departments will determine how, where and when to schedule appointments in their jurisdictions, and those appointments will begin as early as February 15th. No local jurisdiction should accept appointments until the allocations are known, and no earlier than February 14th.

To show they have comorbidities or underlying conditions, New Yorkers must provide documentation as required by the facility where they are getting vaccinated which must be either: doctor's letter; medical information evidencing comorbidity, or signed certification. New York State will audit local systems.

The list of comorbidities and underlying conditions, which is subject to change, is available below. Adults of any age with the following conditions due to increased risk of moderate or severe illness or death from the virus that causes COVID-19:

- Cancer (current or in remission, including 9/11-related cancers).
- Chronic kidney disease.
- Pulmonary Disease, including but not limited to, COPD (chronic obstructive pulmonary disease), asthma (moderate-to-severe), pulmonary fibrosis, cystic fibrosis, and 9/11 related pulmonary diseases.
- Intellectual and Developmental Disabilities including Down Syndrome.
- Heart conditions, including but not limited to heart failure, coronary artery disease, cardiomyopathies, or hypertension (high blood pressure).
- Immunocompromised state (weakened immune system) including but not limited to solid organ transplant or from blood or bone marrow transplant, immune deficiencies, HIV, use of corticosteroids, use of other immune weakening medicines, or other causes.
- Severe Obesity (BMI 40 kg/m²), Obesity (body mass index [BMI] of 30 kg/m² or higher but < 40 kg/m²).
- Pregnancy.
- Sickle cell disease or Thalassemia.
- Type 1 or 2 diabetes mellitus.
- Cerebrovascular disease (affects blood vessels and blood supply to the brain).
- Neurologic conditions including but not limited to Alzheimer's Disease or dementia.
- Liver disease.



Senate Advances Legislative Package To Combat Housing Discrimination

The State Senate this week passed legislation to address housing discrimination across New York State. The bills advanced will implement fair housing practices, implicit bias training, compensatory relief to victims of housing discrimination, and an anti-discrimination housing fund.

In November 2019, *Newsday* released an investigative report proving that Black home buyers were being discriminated against. Their report found that real estate agents provided an average of 50 percent more listings to White clients than they gave to Black counterparts – 39 compared with 26.

“There is no place in New York for housing discrimination and predatory practices,” Senate Majority Leader Andrea Stewart-Cousins said. “Buying a new home should be a special achievement in a person’s life without the risk of becoming a victim of abhorrent discrimination.”

The legislation includes:

- **Annual Covert Fair Housing Testing:** This legislation, Senate Bill S.112 sponsored by Senator Anna Kaplan, requires the Attorney General to conduct annual covert fair housing testing to assess compliance with fair housing laws throughout New York State. It is sponsored by Assemblymember Gina Sillitti.
- **Implicit Bias Training:** This legislation, Senate Bill S.538B sponsored by Senator Anna Kaplan, requires real estate brokers and salespersons to receive implicit bias training as part of their license renewal process. It is sponsored by Assemblymember Gina Sillitti.
- **Compensatory Damages:** This legislation, Senate Bill S.715 sponsored by Senator Kevin Thomas, compels the Commissioner of the Division of Human Rights to award compensatory damages, punitive damages, or other relief to victims of housing discrimination.
- **Anti-Discrimination Housing Fund:** This legislation, Senate Bill S.945B sponsored by Senator Jim Gaughran, would increase the maximum fine imposed by the Department of State on real estate licensees to \$2,000, and direct fifty percent of the fine collected to a newly created Anti-Discrimination in Housing Fund to be used by the Attorney General for fair housing testing and other grants to local agencies and non-profits to fight housing discrimination.
- **Affirmatively Further Fair Housing:** This legislation, Senate Bill S.1353 sponsored by Senator Brian Kavanagh, establishes the State's Obligation to "Affirmatively Further Fair Housing" - Directs the commissioner and heads of all housing agencies to establish and administer housing programs in a manner that affirmatively further fair housing.
- **Identify Brokers:** This legislation, Senate Bill S.1448 sponsored by Senator Brad Hoylman, would require that real estate salespersons and real estate brokers licensed by the Department of State legibly write their name and license number whenever required to sign a document to make it easier to identify brokers.

- **Increases Required Training:** This legislation, Senate Bill S.2132B sponsored by Senator James Skoufis, requires additional testing and training for initial licensing of brokers and salespeople, including specific courses on fair housing laws, segregation, and anti-bias training, and requires licensing course faculty to certify that curriculum complies with Department of State regulations.
- **Standardized Client Procedures:** This legislation, Senate Bill S.2131A sponsored by Senator James Skoufis, requires standardized client intake procedures for real estate brokers.
- **Surcharge Fee:** This legislation, Senate Bill S.2133A sponsored by Senator James Skoufis, adds a surcharge to the fee paid for issuing or reissuing a real estate broker or salesmen license and directs the new funds to be used for fair housing testing by the Attorney General.
- **Statutory Obligations of Oversight:** This legislation, Senate Bill S.2157A sponsored by Senator Kevin Thomas, requires associate real estate brokers serving as real estate officer managers to exercise supervision over other associate brokers and real estate salesmen.
- **Client Demographic Data:** This legislation, Senate Bill S.2525A sponsored by Senator Brian Kavanagh, requires real estate brokers to compile client demographic data and submit it to the Secretary of State.

In the News – City



Mayor de Blasio Delivers Testimony on the New York State Executive Budget

Mayor Bill de Blasio yesterday delivered testimony on the New York State FY 2021 Executive Budget, speaking out against cuts to schools and public health during a pandemic and pushing for direct aid to small businesses, investing in working New Yorkers, and taxing the wealthy.

Testifying before the Joint Fiscal Committees of the State Legislature, Mayor de Blasio explained that the City suffered a \$10.5 billion drop in its tax revenue over Fiscal Years 20 through 22 and spent \$6.1 billion on COVID-19 related expenses. He cited that approximately \$685 million of that may not be covered by federal reimbursement and acknowledged that the “federal government has so far failed to pass a real stimulus package with direct local aid.”

He noted that the City “made it through the past year thanks to sound fiscal management,” achieving a total of \$2.2 billion in savings over Fiscal Years 2021 and 2022, including \$1.3 billion in Program to Eliminate the Gap, or PEG, savings.

However, given funding and budgeting uncertainty, Mayor de Blasio emphasized, “instead of cuts, we must tax the wealthy.”

He then called upon the Legislature to rescind funding losses from the Executive Budget including cuts and cost shifts to NYC of \$310 million in Fiscal Year 21 and \$309 million in Fiscal Year 22 and proposed cuts to public health and education. Additionally, the Mayor noted that the Executive Budget proposal assumes \$6 billion in federal stimulus aid - meaning the City could face additional cuts if Washington does not come through.

Highlights of the Mayor's testimony include:

Education - Mayor de Blasio called upon the Legislature to:

- Restore \$800 million in federal education funding diverted from the City.
- Reject the of shift mandated charter school costs to NYC: \$179 million in Fiscal Year 21 and \$100 million in Fiscal Year 22.
- Reimburse the City for \$92 million in school bus driver costs.

Health - Mayor de Blasio called upon the Legislature to:

- Restore cuts to Health + Hospitals totaling \$139 million in Fiscal Year 21 and \$334 million in Fiscal Year 22. These cuts would result in closing 19 H+H clinics, which treat 140,000 patients a year, and losing 900 doctors and nurses.
- Fund cuts to the City's public health programming by \$51 million in Fiscal Year 22, including the Nurse Family Partnership.
- Reappropriate \$28 million in Fiscal Year 21 and \$43 million in Fiscal Year 22 to support substance abuse and domestic violence services, resources for youth in foster care, and senior citizen programming.

Local Government Authority - Mayor de Blasio asserted that the Executive Budget also contains proposals that "seek to usurp the City's local authority and silence community input" including:

- Doing away with City zoning regulations and the land use process to allow the conversion of commercial property and hotels to housing.
- Giving Javits Convention Center Operating Corporation discretion to override City building codes and City code enforcement.
- Allowing the MTA to override DOT issued permits and to direct the City to relocate DOT and DEP infrastructure, delaying ADA street improvements, and disrupt flood protection projects in frontline communities.
- Weakening the City's Local Law 97, an initiative to reduce carbon emissions from buildings.

Mayor de Blasio did endorse a number of Executive Budget proposals such as allowing New Yorkers to use their security deposit for rent payments and legalizing adult-use cannabis. In addition, he took the opportunity to promote initiatives to:

- Create a new tenant right to request a payment plan for arrears and afford affirmative defense to tenants in court.
- Enact the Housing Stability Support initiative to provide rental assistance to those at risk of eviction.
- Pass the City's Community Hiring legislation to require contractors and businesses to hire low-income New Yorkers and workers from high-poverty communities and the NYC Small Business Recovery Tax Credit to provide \$50 million in rent relief to 17,000 small businesses.

- Increase NYC agencies' discretionary purchase threshold to \$1 million, which is the same authority as the MTA.



Bills Passed by the City Council

Transfers the land, buildings and facilities of Rikers Island to the New York City Department of Citywide Administrative Services

Int. No. 1592-A, sponsored by Council Member Costa Constantinides, would establish a process for the transferring of the land, buildings and facilities of Rikers Island from the Department of Correction (DOC) to the Department of Citywide Administrative Services (DCAS). In biannual evaluations, any portion not in active use for the housing of persons, or providing of services for such persons, would be transferred, with the entirety being transferred no later than August 31, 2027.

Expands the City's long-term energy plan to include a study of the feasibility of different types of renewable energy sources combined with battery storage on Rikers Island

Int. No. 1593-A, sponsored by Council Member Costa Constantinides, would require the City of New York to undertake a feasibility study designed to ascertain whether different types of renewable energy sources, combined with battery storage, are feasible on Rikers Island. This initial long-term energy plan, with this feasibility study, would be due on June 30, 2022.

Creates a pilot program to test sewage for SARS-CoV-2

Int. No. 1966-A, sponsored by Council Member Costa Constantinides, would establish a pilot sampling program to test for the presence of SARS-CoV-2, which is the virus that causes the disease known as COVID-19, in sewage no less than twice per week at each City wastewater treatment plant..

Disqualifies persons with certain felony convictions from being elected to, or holding, an elected city office

Int. No. 374-A, sponsored by Council Member Justin Brannan, would disqualify any person that has been convicted of certain felonies related to public corruption and depriving the public of honest services from being elected to, or holding, the office of Mayor, Public Advocate, Comptroller, Borough President, or Council Member. The felonies included are grand larceny (if the property stolen included public funds), theft or bribery concerning programs receiving federal funds, making false statements in violation of section 1001 of title 18 of the U.S. Code (if committed through the use of, or in connection with, the person's elected office), wire and mail fraud, interference with commerce by threats or violence, and felony attempt or conspiracy to commit any of the aforementioned felonies. Under this bill, convictions that have been vacated or pardoned under state or federal law would not prevent a person from being elected to or holding office.

Requires 311 to conduct annual customer satisfaction surveys in multiple languages

Int. No. 1525-B, sponsored by Council Member Peter Koo, would require 311 to conduct at least five customer satisfaction surveys per year. 311 would be required to conduct such surveys in English and each of the ten “designated citywide languages.”

Requires the publication of 311 service level agreements

Int. No. 1830-A, sponsored by Council Member Diana Ayala, would require 311 to post each agency’s service level agreement (SLA) on the Open Data portal, provide a link to such posting on the 311 website, and maintain a separate page on the 311 website providing general background information on SLAs.

Creates an advisory board for gender and racial equity in hospitals

Int. No. 2064-A, sponsored by Council Member Helen Rosenthal, would require the creation of an advisory board to report on issues relating to gender and racial equity in the provision of healthcare services in hospitals and other covered health care services in New York City.

The board would consist of a multi-disciplinary panel of representatives and be required to submit a report including recommendations for addressing and eliminating such inequities by December 1, 2021, and December 1 annually thereafter.

Extends the moratorium on the issuance of accessory sign violations and increases the waiver of permit fees related to installing an accessory sign

Int. No. 2044-A, sponsored by Council Member Robert Holden, would mitigate the financial impact of accessory sign violations. This bill would extend the moratorium on the issuance of accessory sign violations and the temporary Department of Buildings (DOB) assistance program established by Local Law 28 of 2019 for two years. The moratorium established by Local Law 28 of 2019 expired in early 2021 and the DOB assistance, which expired after six months, also included 75% waiver of certain permit fees related to installing an accessory sign. To provide further assistance, in addition to extending the moratorium and DOB assistance program, this bill would also increase the permit fee waiver to 100%. This local law would take effect immediately and be retroactive to January 1, 2021.

Briefs

Speaker Heastie Announces Assembly Post-COVID Mass Transit Working Group

Speaker Carl Heastie this week announced that the Assembly has created an internal working group to focus on the recovery and future of the State’s mass transit systems as they mitigate the impacts of the COVID-19 pandemic.

The working group will be chaired by Transportation Committee Chair William B. Magnarelli and will also include the following committee chairs: Cities Committee Chair Edward C. Braunstein; Corporations, Authorities and Commissions Chair Amy R. Paulin; and Local Governments Committee Chair Fred W. Thiele, Jr.

The working group will examine challenges that transit systems across the state are facing as a result of the public health crisis, which includes a dramatic drop in ridership.

According to the Speaker, the Metropolitan Transportation Authority's (MTA) ridership dropped 63 percent from 2019 to 2020, and non-MTA transit systems also experienced ridership losses, some at levels of 50 percent or more.

Additionally, the working group will look at transit systems capital investment and operating needs, transit's impact on the economy and jobs, transit deserts in rural areas of the state, social equity and climate change, and ways to help cities and local governments provide efficient transit services.

NY to Allow Arena & Stadiums to Open at 10% Capacity

Governor Andrew Cuomo this week announced that sports and entertainment events in major stadiums and arenas with a capacity of 10,000 or more people can re-open with limited spectators beginning February 23rd. Barclays Center has been approved to re-open on February 23rd for the Brooklyn Nets home game against the Sacramento Kings.

Following the model established as part of the successful Buffalo Bills pilot program, venues and events must follow similar guidelines, including Department of Health approval for venues and events, capacity limitations, testing requirements, mandatory face coverings, temperature checks, and assigned, socially distanced seating. Specifically, in order to re-open venues to professional sports, sites must:

- Obtain DOH approval for both venues and events.
- Institute a 10 percent capacity limit in arenas and stadiums.
- Ensure all staff and spectators receive a negative COVID-19 PCR test within 72 hours of the event.
- Mandate face coverings, social distancing, and temperature checks for all those in attendance.
- Mandate assigned, socially distanced seating.
- Collect contact information from all those in attendance to help inform contact tracing efforts.
- Meet enhanced air filtration, ventilation, and purification standards.
- Ensure retail, food services, and athletic activities abide by all state-issued guidance.

According to the Governor, the success of February 23rd Nets game and similar events in approved venues over the coming weeks will help inform the re-opening process for smaller venues in the future.

NYSE Chief Warns it May Exit NY if Stock Transfer Tax is Imposed

The New York Stock Exchange may leave New York if the State imposes a transfer tax on stock sales, the president of the Exchange said this week in an op-ed in the *Wall Street Journal*.

NYSE President Stacey Cunningham said she and 25 other representatives of New York's securities industry sent a letter last Wednesday to state legislative leaders warning against the unintended consequences of imposing such a tax, which would ultimately be borne by investors.

“The New York Stock Exchange belongs in New York. If Albany lawmakers get their way, however, the center of the global financial industry may need to find a new home,” she said.

James Patchett Announces Departure from De Blasio Administration

New York City Economic Development Corporation (EDC) President James Patchett this week announced his plans to depart from the de Blasio administration, effective in early March.

Patchett has served as President and CEO of EDC since February 2017. In his role at EDC, Patchett has focused on investing in public-serving infrastructure. He also oversaw EDC’s response to the COVID-19 pandemic. Patchett is leaving EDC to pursue opportunities in the private sector.

Coming Up

New York State

Tuesday February 16th

Westchester State Senate Delegation Online Forums, Virtual Event (<https://www.nysenate.gov/>), 5 p.m. – 8 p.m.

Online Lunar New Year Celebration, Virtual Event (<https://www.nysenate.gov/>), 5 p.m. – 7 p.m.

Wednesday February 17th

Rochester Area Budget Forum, Virtual Event (<https://www.nysenate.gov/>), 5 p.m. – 7 p.m.

What’s New in Small Business Relief Forums, <https://www.nysenate.gov/>, 7 p.m. – 8:30 p.m.

Thursday February 18th

Black History Month Celebration, Virtual Event (<https://www.zoom.com/>), 6:30 p.m. – 8:30 p.m.

Friday February 19th

Independent Redistricting Commission Meeting, Virtual Meeting (<https://www.nysenate.gov/>), 7 p.m. – 8:30 p.m.

New York City

Tuesday February 16th

Committee on Public Safety, Remote Hearing (Virtual Room 1), 10 a.m.

Committee on Environmental Protection, Remote Hearing (Virtual Room #3), 11 a.m.

Wednesday February 17th

Committee on Technology, Remote Hearing (Virtual Room #2), 10 a.m.

Committee on Economic Development, Remote Hearing (Virtual Room #3), 10 a.m.

Subcommittee on Capital Budget, Remote Hearing Virtual Room #1), 10 a.m.

Oversight – Restarting the City’s Capital Program in light of COVID-19

Thursday February 18th

Committee on Education, (Virtual Room #2), 10 a.m.

Committee on Cultural Affairs, Libraries, and International Intergroup Relations, Remote Hearing (Virtual Room 3), 10 a.m.

Subcommittee on Landmarks, Public Sitings, and Dispositions, (Virtual Room #1), 2 p.m.

Friday February 19th

Committee on Finance, Remote Hearing (Virtual Room #2), 10 a.m.

Oversight – IBO’s evaluation of the NYC Industrial Development Agency’s Industrial Program

Committee on General Welfare, Remote Hearing (Virtual Room #3), 10 a.m.

Oversight – The Juvenile Justice System during COVID-19.

**“We believe in the ideas of family, mutuality,
the sharing of benefits and burdens
for the good of all, feeling one another’s pain,
sharing one another’s blessing
recognizing that at the heart of the matter
we are bound to each other.”**

-Mario M. Cuomo-

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