



This Week in New York

Covering New York State and City Government

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July 19, 2019 Edition



In the News – State



NYS Executes the Nation's Largest Offshore Wind Agreement

Governor Signs Climate Protection Act

Governor Andrew Cuomo, joined by former Vice President Al Gore, this week executed the nation's largest offshore wind agreement and the single largest renewable energy procurement - nearly 1,700 megawatts - with the selection of two offshore wind projects.

Empire Wind and Sunrise Wind development projects of Equinor US Holdings, Inc. and Bay State Wind LLC, a joint venture of Ørsted A/S and Eversource Energy, won New York's first offshore wind RFP. The contracts are estimated to create enough energy to power over 1 million homes, create more than 1,600 jobs, and result in \$3.2 billion in economic activity.

"The environment and climate change are the most critically important policy priorities we face," Governor Cuomo said. "They literally will determine the future - or the lack thereof. Even in today's chaos of political pandering and hyperbole there are still facts, data and evidence - and climate change is an undeniable scientific fact. But cries for a new green movement are hollow political rhetoric if not combined with aggressive goals and a realistic plan on how to achieve them. With this agreement, New York will lead the way in developing the largest source of offshore wind power in the nation..."

Governor Cuomo also signed the Climate Leadership and Community Protection Act (CLCPA) which requires the State to achieve a carbon free electricity system by 2040 and reduce greenhouse gas emissions 85% below 1990 levels by 2050. Highlights of the new law include:

- **Carbon Neutrality:** The New York State Department of Environmental Conservation (DEC) will, through the adoption of regulations, drive an 85% reduction in greenhouse gas emissions by 2050, with an interim mandate of 40% reduction in emissions by 2030 (both relative to 1990 levels). The Climate Action Council will develop a plan to offset remaining emissions through carbon capture or other technologies, resulting in a carbon-neutral economy.
- **70% Renewable Energy by 2030 and Zero-Carbon Emission Electric Sector by 2040:** The CLCPA codifies Governor Cuomo's goals as called for under his Green New Deal, mandating that at least 70% of New York's electricity come from renewable energy sources such as wind and solar by 2030, and that the state's power system is 100% carbon neutral by 2040.

- **Clean Energy Investments:** The CLCPA also codifies Governor Cuomo's commitments to install 9,000 megawatts of offshore wind by 2035; 6,000 megawatts of distributed solar by 2025; and 3,000 megawatts of energy storage by 2030.



Chapters of the Laws of 2019

Chapter 95 (Sponsored by Senator Bailey/M of A Wright) -- Prohibits race discrimination based on natural hair or hairstyles; defines "race" for certain specific purposes to include, but not be limited to, ancestry, color, ethnic group identification, and ethnic background, and to include traits historically associated with race, including but not limited to, hair texture and protective hairstyles; and defines "protective hairstyles" to include, but not be limited to, such hairstyles as braids, locks, and twists.

Chapter 96 (Sponsored by M of A Bichotte/Senator Sanders) -- Relates to minority and women business enterprises; extends the provisions of article 15-a of the executive law; provides for punishment for fraud related to minority and women business enterprises.

Chapter 97 (Sponsored by Senator Sanders/M of A Bichotte) -- Authorizes an increase of the threshold of New York City's discretionary purchasing authority from \$150,000 to \$500,000.

Chapter 98 (Sponsored by Senator Parker/M of A Bichotte) Authorizes the Dormitory Authority of the State of New York to create a four-year procurement pilot program to further expand contracting opportunities for MWBEs and small businesses.

Chapter 100 (Sponsored by M of A Rosenthal/Senator Savino) -- Increases the age to purchase tobacco products from 18 years old to 21 years old.

Chapter 104 (Sponsored by M of A Dinowitz/Senator Kavanaugh) -- Relates to the transport of pistols or revolvers by licensees

Chapter 105 (Sponsored by M of A Nolan/Senator Ramos) -- Enacts the farm laborers fair labor practices act: grants collective bargaining rights to farm laborers.

Chapter 106 (Sponsored by Senator Kaminsky/M of A Englebright) -- Enacts the New York state climate leadership and community protection act; relates to climate change; renewable energy program; labor and job standards and worker protection.



Bills Delivered to the Governor



S5024A (Sponsored by Senator Parker/M of A Kim) -- Enacts the NYS Reuniting Families Act.

S5791 (Sponsored by Senator Ramos/M of A Crespo) --Provides for penalties for discrimination or retaliation against immigrant employees.

In the News – City



MTA Reorganization Plan May Include 2,700 Job Cuts

The Metropolitan Transportation Authority (MTA) Board will review the much-publicized \$500 million agency reorganization plan which could result in the elimination of 2,700 workers over the next two years. The reorganization plan seeks to reconfigure the \$17 billion agency to operate as a single, cohesive agency.

A 37-page report, prepared by Alix Partners, provides an outline of the reorganization plan, but does not specify where the cuts could occur or provide a timeline for the reorganization. According to the MTA, the agency will look at all positions, from service workers to headquarters personnel. The cuts would range from 1,900 to 2,700 and would come from a combination of attrition and layoffs. The \$17 billion organization currently has approximately 74,000 employees.

The report outlines a “transformational” plan that relies on six “significant” changes:

1. Refocusing agency responsibilities on safety, operations and maintenance, consider the merger of all bus operations and future review of separating Bus and subway.
2. Centralization of Construction and Development function across agencies and across the lifecycle of capital projects.
3. Creation of a new central engineering function to set standards ensuring quality and sustainability of infrastructure.
4. Creation of new Central Customer Communication to create clear, high quality and consistent customer communication across the MTA.
5. Establish uniform operating standards and design and optimize MTA-wide transit network across the entire system and region, rather than agency-by-agency.
6. Centralize all operating support functions, focusing Agencies on service deliveries.

The report recommends new management positions including: a Managing Director/Chief Operating Officer, a Chief Engineering Officer and chief transformation officer to lead the changes at the authority. Other new roles would include a chief operating officer, an accessibility officer, and a diversity officer.

The changes are anticipated be implemented within the next two years, with the bulk of transition occurring within the first six to nine months of implementation.

Governor Andrew Cuomo weighed in on the report asserting that the Plan's lack of task completion dates and performance measures are "serious omissions". In a letter to the MTA Board, Governor Cuomo emphasized that the final Reorganization Plan must have specific benchmarks, dates, measurable performance indicators and timelines and called for a full evaluation of the MTA's progress to be done in six months to inform future policy and program decisions.

Previously, the Governor also charged the MTA with addressing the City's homeless crisis in the final plan.

The MTA July Board/Committee schedule for next week is:

July 2019

Monday, July 22

Joint M-N & LIRR Mtg. - 8:30 a.m.

NYCT/MTA Bus Mtg. - 10:00 a.m.

B & T Mtg. - 1:00 p.m.

Finance Mtg. - 1:30 p.m.

CPOC Mtg. - 2:30 p.m.

Wednesday, July 24

Safety Mtg. - 8:00 a.m.

Board Mtg. - 9:00 a.m.

Briefs

State Cap on Property Taxes Remains at Two-Percent

Property tax levy growth for local governments with fiscal years that close on Dec. 31 will be capped at 2 percent for the 2020 fiscal year, according to State Comptroller Thomas DiNapoli. This figure affects the tax cap calculations for all counties, towns, fire districts, 44 cities and 10 villages.

"The allowable levy growth will be 2 percent for the second year in a row, however, mixed economic signals may require local governments to respond to changing financial conditions," Comptroller DiNapoli said. "Local officials should remain vigilant when crafting their budgets."

The tax cap, which first applied to local governments in 2012, limits tax levy increases to the lesser of the rate of inflation or 2 percent with some exceptions, including a provision that allows municipalities to override the tax cap.

Governor Signs Bill Expanding MWBE Program

Legislation that extends and expands the State's minority and women-owned business enterprises (MWBE) program was approved this week by Governor Andrew Cuomo. The measure will extend the law by five years and is aimed at expanded participation in the program.

The reauthorization extends the program until 2024 and includes:

- Extending the term of MWBE certification from 3 years to 5 years;
- Increasing agency and authority discretionary purchasing threshold from \$200,000 to \$500,000 without a formal competitive process;
- Increasing the Personal Net Worth cap from \$3.5 million to \$15 million to make more businesses eligible; and
- Establishing a Workforce Diversity Program that requires State agencies overseeing construction projects to utilize a diverse workforce; among additional new terms.

Governor Signs Farm Workers Bill

Governor Andrew Cuomo this week signed the Farm Workers Bill, which establishes the Farm Laborers Fair Labor Practices Act. The bill grants farm workers overtime pay, a day of rest each week, disability and Paid Family Leave coverage, unemployment benefits, and other labor protections. The bill will take effect on January 1, 2020.

Specifics of the Farm Laborers Fair Labor Practices Act include:

- Grants collective bargaining rights to farm laborers;
- Requires employers of farm laborers to allow at least 24 consecutive hours of rest each week;
- Provides for 60-hour work week for farm workers;
- Requires overtime rate at one and one-half times normal rate;
- Makes provisions of unemployment insurance law applicable to farm laborers and reduces costs to farmers for ineligible workers (H-2A);
- Ensures sanitary codes apply to all farm worker housing, regardless of the number of occupants;
- Removes a payroll threshold for requiring farm labor employers to obtain workers' compensation coverage;
- Allows farm laborers to receive disability and Paid Family Leave benefits; and
- Requires reporting of injuries to employers of farm laborers.

State Education Commissioner To Step Down Next Month

Commissioner Mary Ellen Elia next will step down next month as head of the State Education Department, according to an announcement made at this month's State Board of Regents.

Commissioner Elia had previously served as the superintendent of schools in Hillsborough County, Florida and is a native of western New York. She will step down effective August 31 to take a position with a national education policy organization that focuses on turning around troubled schools.



De Blasio Administration Announces Details of Major Citi Bike Expansion

Citi Bike expands into South Bronx and northern Manhattan in the next year doubling the current service area by 35 square miles and tripling the number of bikes to 40,000

The de Blasio Administration joined Lyft this week to announce the boundaries of the planned expansion of Citi Bike over the next five years. Last November, the City and Lyft announced an agreement in which Lyft would invest \$100 million to grow and strengthen the system, doubling the size of its service area and tripling the number of bikes over the next five years. The third phase of Citi Bike's expansion will bring Citi Bike to all of Manhattan, as well as into the Bronx, and deeper into Brooklyn and Queens.

Former Governor Paterson Joins Management At Las Vegas Sands

Former Governor David Paterson has joined Las Vegas Sands as a senior vice president and special advisor as the company seeks to build a casino in New York City, according to a company announcement.

New York currently licenses four casinos in upstate New York. Under state law, downstate casino licenses cannot be approved until 2023.

“The expansion of gaming downstate will bring billions of dollars in immediate and sustainable revenue streams to New York to fund programmatic and policy priorities including public education, public transit modernization or affordable housing, while stabilizing the entire gaming industry in the state,” Paterson said in a statement. “...I have witnessed a strong commitment from Sands as we share a common goal of bringing economic opportunity to New York, while simultaneously securing tens of thousands of local, accessible jobs, MWBE business opportunities and training programs for a local workforce.”

Las Vegas Sands estimates that a New York City-based casino would create 15,000 permanent labor union jobs and 15,000 construction jobs from labor unions.

Coming Up

New York State

Wednesday, July 31st

NYS Joint Commission on Public Ethics (JCOPE) Filing Deadline for Client Semi Annual Reports.

NYS Joint Commission on Public Ethics (JCOPE) Filing Deadline for Lobbyist Bimonthly Reports.

New York City

Monday, July 22nd

Committee on Small Business, 250 Broadway - Committee Rm, 14th Fl. 11:30 a.m.
Int 1000-2018 -- In relation to microbusinesses.

Int 1049-2018 -- Requiring the dept of small business services to assess the state of storefront businesses.

Int 1467-2019 --Information about city laws and rules that apply to small businesses.

Int 1471-2019 -- Requiring the dept of small business services to offer certain business services including training and education.

Int 1472-2019 -- Requiring owners to submit registration statements regarding ground floor and second floor commercial premises.

Committee on General Welfare, 250 Broadway - Committee Rm, 16th Fl. Noon
Administration for Children's Services to implement a policy finding that a person's mere possession or use of marijuana does not by itself create an imminent risk of harm to a child, warranting the child's removal.

Committee on Transportation, 250 Broadway - Committee Rm, 16th Fl., 12:30 p.m.

Int 0084-2018 -- Summer school calendars and clarifying the enforcement of parking regulations near schools

Int 0570-2018 -- Illegible parking signs.

Int 0886-2018 -- Pilot program for allowing pet harbors to be placed on sidewalks adjacent to commercial establishments.

Int 1457-2019 -- Bicyclists following pedestrian control signals.

Committee on Housing and Buildings & Committee on Oversight and Investigations, Council Chambers - City Hall, 1 p.m.

Oversight - Taking Stock: A Look Into the Third Party Transfer Program in Modern Day New York.

Committee on Civil Service and Labor, 250 Broadway - Committee Rm, 14th Fl., 3 p.m.

Never Forget the Heroes: Permanent Authorization of the September 11th Victim Compensation Fund Act. (H.R.1327/S.546).

Tuesday, July 23rd

Committee on Finance, Committee Room - City Hall, 10 a.m.

Expense Budget: Approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.

Committee on Parks and Recreation, Council Chambers - City Hall, 10:30 p.m.

Naming of 86 thoroughfares and public places.

Committee on Rules, Privileges and Elections, Committee Room - City Hall, 10:30 a.m.

Nomination of Jeffrey Roth, Taxi and Limousine Commission

City Council Stated Meeting, Council Chambers - City Hall, 1:30 p.m.

Wednesday, July 24th

Charter Revision Commission 2019, Council Chambers - City Hall, 6 pm.

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