



# This Week in New York

Covering New York State and City Government

A Publication of Pitta Bishop & Del Giorno LLC

April 23, 2021 Edition



*“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*



### Comptroller DiNapoli: \$2.9 Billion Hole Threatens MTA’s Capital Program

New York State Comptroller Thomas DiNapoli’s [annual report](#) on the Metropolitan Transportation Authority’s debt levels found the MTA does not have the resources to fully fund its \$54.8 billion 2020-2024 capital program.

According to the Comptroller, delays to capital projects, severe revenue declines, and increased borrowing caused by the COVID-19 pandemic are making the Authority’s capital program to repair, modernize, and expand the transit system appear “increasingly unrealistic.”

To cover fare and other revenue losses during the pandemic, the MTA borrowed \$2.9 billion to pay operating expenses. However, Comptroller DiNapoli asserted, it now can no longer afford to pay for the debt service on \$9.8 billion in debt it had planned to issue for the transit and commuter rail portions of its capital program. Unless the MTA can find new sources of income or cut expenses, it will have to cut the program by \$2.9 billion or more or further delay projects.

“...despite recent federal relief that helped avoid drastic short-term budget cuts,” Comptroller DiNapoli explained, “The MTA’s mounting debts and devastated revenue make it unlikely that it can afford all the work it planned. The numbers just don’t add up. Either ridership and revenue must recover faster than the MTA expects, or the MTA must find new sources of income, or other financial support, to pay for additional debt service.”

The Comptroller noted that the President’s proposed infrastructure program may provide capital funding to help the MTA reduce its borrowing, but this is still uncertain. If not, the MTA, and its customers, likely face serious cuts to upgrades and other work that could impact the quality of service.

According to the report, the MTA's outstanding long-term debt has tripled in the last two decades and the percentage of revenue it must put toward those debts has also grown dramatically. During the past decade, the MTA generally spent about 16 percent of its operating revenue on debt payments, but by 2024 debt service will be 23 percent of revenues. Debt service is projected to reach \$3.8 billion by 2028, which is \$1.1 billion or 42 percent more than in 2020.

Auditors found that in March 2021, ridership was down from March 2019 by 65% on subways, 51% on buses, and more than 70% on commuter railroads. If ridership does not return as expected by 2024, Comptroller DiNapoli noted the MTA will face the same rising debts but will have less income, opening the door to potential service cuts and higher than planned fare and toll hikes.

Comptroller DiNapoli's report also found:

- The MTA was devastated by the loss of farebox and dedicated tax revenues and has only balanced short-term budgets with \$14.5 billion in federal aid and \$2.9 billion in borrowing for operating purposes.
- The MTA's outstanding long-term debt reached \$38 billion in 2020 and will approach \$47 billion by 2023. This may be higher if the MTA includes the issuance of \$6.9 billion in anticipated debt for its 2020-2024 program.
- The \$54.8 billion 2020-2024 capital program is the MTA's largest ever, and with that program just beginning it had a goal of committing \$13.5 billion on projects in 2020 across all programs. With the pandemic pausing projects that were not federally funded or using in-house labor, only \$5.4 billion was committed that year. For the 2020-2024 program, only 100 of 517 projects were completed or even started. The MTA's total capital commitment goal for 2021 is \$6.2 billion.
- State legislation commits New York state and New York City to provide \$3 billion to the 2020-2024 program. The state has appropriated its full commitment and expects to issue \$10 billion of its own bonds to fund this and prior commitments. However, there is a risk that the state might decide not to bond the full amount, as its own capacity under the state's debt-reform limit becomes strained. NYC has appropriated \$200 million to date.
- The MTA expects to get \$10.7 billion in federal support for the 2020-2024 capital program, including \$2.9 billion for the Second Avenue Subway, but this is not certain.
- Congestion pricing is projected to bring \$15 billion to the 2020-2024 capital program. Final approval is expected later this year, but revenue won't begin to appear until 2023.



## **COVID-19 Updates**

### **Vaccination Walk-in Availability (April 23<sup>rd</sup>)**

- Individuals 60 years and older: The 16 mass vaccination sites across New York will accept walk-in appointments for individuals age 60 and older.

## Movie Theater, Museum, Aquarium, Zoo & Botanical Garden Capacity (April 26<sup>th</sup>)

- Movie theater capacity will increase to 33 percent capacity.
- Museum, aquarium, zoo and botanical garden and other low-risk, indoor and outdoor arts and entertainment will increase to 50 percent capacity.

## Large Scale Areas & Event Venues (May 19<sup>th</sup>)

- Large-scale arenas, and event venues, including professional and collegiate sports, and major performances spectator capacity will increase to 25 percent capacity. Social distancing, masks, health screenings and all other health and safety protocols remain in effect.



## 2021-2022 NYS Enacted Budget

### 2021-22 Appropriation Bills

State Operations - Chapter 50 of the Laws of 2021  
Legislature and Judiciary - Chapter 51 of the Laws of 2021  
State Debt Service - Chapter 52 of the Laws of 2021  
Aid to Localities - Chapter 53 of the Laws of 2021  
Capital Projects - Chapter 54 of the Laws of 2021

### 2021-22 Article VII Bills

Public Protection and General Government - Chapter 54 of the Laws of 2021  
Education, Labor and Family Assistance - Chapter 54 of the Laws of 2021  
Health and Mental Hygiene - Chapter 54 of the Laws of 2021  
Transportation, Economic Development and Environmental Conservation -  
Chapter 54 of the Laws of 2021  
Revenue - Chapter 54 of the Laws of 2021

## Bills Being Considered by the Governor

**A5684A - Sponsored by M of A Gottfried/Senator Rivera** - Relates to requirements for residential health care facilities and related entities and operations.

**S830B – Sponsored by Senator Comrie/M of A O’Donnell** - Relates to voting and registration for voting by formerly incarcerated individuals convicted of a felony.

**A5545 – Sponsored by Senator Mayer/M of A Bronson** - Allows voters who are concerned about voting in-person due to an epidemic or disease outbreak to request an absentee ballot for school districts elections.

## *In the News – City*



### **Report Provides Snapshot of the City's Immigrant Community**

The NYC Mayor's Office of Immigrant Affairs (MOIA) this week released its annual [State of Our Immigrant City](#) report illustrating the contributions made by this community as well as the challenges and barriers it faces.

“Immigrants are essential, and this has never been more apparent than during the COVID-19 pandemic. As we celebrate their critical contributions, we must also recognize the barriers they face and commit to addressing their needs,” said Mayor Bill de Blasio. “The Mayor’s Office of Immigrant Affairs has done incredible work to empower our immigrant neighbors and build a stronger city for all of us.”

According to the report, immigrant workers contribute 23 percent of the City's Gross Domestic Product (GDP), while the poverty rate for undocumented immigrants is 29.2 percent and 27.1 percent for green card holders and immigrants with other statuses. In addition, 12 percent of immigrant New Yorkers lack health insurance, compared to 4 percent of U.S.-born New Yorkers.

Deputy Mayor for Strategic Policy Initiatives J. Phillip Thompson explained that the 2020 Annual Report brings new urgency to the task of expanding services and developing new initiatives to break down the long-standing inequities and barriers to immigrant New Yorkers’ full participation in the City.

The snapshot of the City’s immigrant community includes:

#### **Population**

**New Yorkers by Immigration Status:** 63 percent U.S.-born citizens; 21 percent naturalized citizens; 10 percent green card holders or other status; and 5 percent undocumented.

**Top Ten Countries of Birth for Immigrant New Yorkers, from Highest Population to Lowest:** Dominican Republic, China, Jamaica, Mexico, Guyana, Ecuador, Bangladesh, Haiti, India, and Trinidad & Tobago.

**Top Ten Languages of Immigrant New Yorkers with Limited English Proficiency (LEP), in Order:** Spanish, Chinese (including Cantonese and Mandarin), Russian, Bengali, Haitian Creole, Korean, Arabic, Polish, Urdu, and Italian.

**Mixed-Status Household:** Nearly 62 percent of New Yorkers live in family households with at least one immigrant.

- About 12 percent of New Yorkers live in mixed-status households, in which at least one undocumented person lives with other persons who have legal status.
- About 14 percent of all children or 240,000 live in mixed-status families.

### **Economy**

**Workforce:** 80 percent of undocumented immigrants (age 16 and older) are in the labor force, compared to 65 percent of all New Yorkers.

**Gross Domestic Product:** Immigrant New Yorkers contributed \$244 billion to the city's Gross Domestic Product (GDP), about 23 percent of its total GDP.

### **Health Insurance**

- 12 percent of immigrant New Yorkers lack health insurance, compared to 4 percent of U.S.-born New Yorkers.
- 46 percent of undocumented New Yorkers lack health insurance.
- 13 percent of undocumented children (under age 19) in New York City lack health insurance, despite the fact universal coverage is available to all children, regardless of immigration status, in New York State.



## **Curbside Composting, Expanded Community Composting, and Hazardous Waste Disposal Programs Return to NYC**

NYC launched its rebooted Curbside Composting Program yesterday which had been put on hold due to the budgetary impact of the COVID-19 pandemic.

According to Mayor Bill de Blasio, the new iteration of the program will be available to the 3.5 million New Yorkers who previously had curbside collection service, with buildings and residents able to voluntarily opt-in to receive free weekly curbside composting service. Enrollment will launch in August, with collection services set to begin in October and expand as more buildings opt in. Significant expansions of community composting, reuse, and hazardous waste disposal programs are included in the announcement as well.

The original program was suspended in the spring of 2020 to help shore up the City's resources during the height of the pandemic. This week's announcement means that composting and seasonal leaf collections are being restored nearly a year ahead of schedule.

In addition, the Food Scrap Drop-Off program will be significantly expanded, from over 100 community-based sites at present to more than 200 this fall. Residents can find their closest site at [nyc.gov/dropfoodscraps](http://nyc.gov/dropfoodscraps). School Curbside Composting service will also return in the 2021-2022 school year.

Mayor de Blasio also announced that SAFE Disposal Events, which collect Solvents, Automotive, Flammables, and Electronics products as well as other regulated waste, will expand from two per borough each year – a total of 10 – to nearly 60 per year, one for each community district. Special Waste Drop-off locations will also be re-opening starting this July. These sites have been closed since March 2020.



## Bills Approved by the City Council

**Int. 1524-A** - Sponsored by Council Member Kallos - Expands the list of prohibited pesticides.

**Int. 1673-A** - Sponsored by Council Member Rivera - Requires agencies that procure food to develop food waste prevention plans as well as recommendations on how to safely and efficiently donate surplus food.

**Int. 1675-B** - Sponsored by Council Member Rose - Expands Local Law 4 of 2018 requiring the Department of Education to provide information regarding summer meals to every student, and would be required to include the three locations nearest to each student's school of attendance where the meals will be available.

**Int. No 1680-A** - Sponsored by Council Member Vallone - Requires the Mayor's Office of Food Policy to include additional information in the Food Metrics Report.

**Int. 1748-A** - Sponsored by Council Member Dromm - Requires the Department of Health and Mental Hygiene (DOHMH) to conduct a public information and outreach campaign regarding the provision of medically unnecessary treatments and interventions performed on individuals born with intersex traits or variations in sex characteristics.

**Int. 1888** - Sponsored by Council Member Treyger - Prohibits all non-City owned or non-authorized motor vehicles from being used on City elevated boardwalks.

**Int. 1959-A** - Sponsored by Council Member Rodriguez – Requires the Mayor to establish an Office of Sports, Wellness and Recreation. The Office will be charged with the authority to promote and enhance sports-related opportunities for youth and to promote the role of sports in education.

# Briefs

## Mayor de Blasio Commits to 100% Electric School Bus Fleet By 2035

Mayor Bill de Blasio doubled down on his commitment to reduce carbon and air pollution from vehicles by announcing that school buses in New York City will be electric by 2035.

In partnership with the City, the NYC School Bus Umbrella Corporation (NYCSBUS), an independent non-profit that will manage school bus operations. Through its partnership with NYCSBUS, the City will purchase 75 accessible electric school buses in the next two years to advance this goal, and as part of the 960 buses they will manage.

The transition from a diesel school bus fleet to an all-electric fleet will have significant climate, health and cost-saving impacts: The new fleet will reduce 30% of carbon emissions from school buses.

## New York City Sues Exxon Mobil, Shell, BP, and The American Petroleum Institute for Systematically and Intentionally Deceiving New Yorkers

Mayor Bill de Blasio and Corporation Counsel James E. Johnson this week filed a [lawsuit](#) in New York Supreme Court against Exxon, Shell, BP, and the American Petroleum Institute for violating New York City's Consumer Protection Law through false advertising and deceptive trade practices.

The lawsuit was filed in the Supreme Court of the State of New York in the County of New York. It calls out defendants for "systematically and intentionally deceiving New Yorkers" in violation of New York City's Consumer Protection Law (*New York City Administrative Code §§ 20-700 et seq.*) Specifically, the complaint lays out a case showing that:

- Defendants' product promotions, which are positioned to convince consumers that the purchase and use of their products is beneficial in addressing climate change, are false and misleading because they fail to disclose the disastrous impacts associated with the use of those same fossil fuel products; and
- Through their aggressive and multi-pronged greenwashing campaigns directed at NYC consumers, Defendants falsely present themselves and the oil and gas industry as corporate leaders in the fight against global warming, recognizing that they can sell more products if they are viewed as environmentally responsible corporate citizens.

The lawsuit seeks relief to stop the Defendants from engaging the deceptive practices alleged in the complaint and to recover civil penalties for every violation of New York City's Consumer Protection Law.

## Mayor de Blasio Names Karina Jimenez as Director of State Legislative Affairs

Mayor Bill de Blasio this week appointed Karina Jimenez as Director of State Legislative Affairs.

Jimenez most recently served as Chief of Staff and Senior Advisor in the Mayor's Office of Intergovernmental Affairs. Before this, Jimenez served as the Director of Member Engagement for the Mayor's Office of State Legislative Affairs and as Director of Community Engagement in the Mayor's Public Engagement Unit.

She earned her BA in Political Science and Masters in Urban and Regional Planning from Binghamton University; State University of New York.

# Coming Up

## New York State

### Monday April 26<sup>th</sup>

*Assembly Standing Committee on Consumer Affairs and Protection, Online Meeting, (<https://www.nyasassembly.gov/>), 10:00 a.m.*

*Senate Standing Committee on Health, Online Meeting, (<https://www.nysenate.gov/>), 10:00 a.m.*

*Assembly Standing Committee on Corporations, Authorities, and Commissions, Online Meeting, (<https://www.nyasassembly.gov/>), 10:30 a.m.*

*Senate Standing Committee on Agriculture, Online Meeting, (<https://www.nysenate.gov/>), 10:30 a.m.*

*Assembly Standing Committee on Banks, Online Meeting, (<https://www.nyasassembly.gov/>), 11:30 a.m.*

*Senate Standing Committee on Insurance, Online Meeting, (<https://www.nysenate.gov/>), 11:00 a.m.*

*Senate Standing Committee on Local Government, Online Meeting, (<https://www.nysenate.gov/>), 11:30 a.m.*

*Senate Standing Committee on Transportation, Online Meeting, (<https://www.nysenate.gov/>), 12:00 p.m.*

*Senate Standing Committee on Ethics and Internal Government, Online Meeting, (<https://www.nysenate.gov/>), 12:30 p.m.*

*Senate Standing Committee on Consumer Protection, Online Meeting, (<https://www.nysenate.gov/>), 1:00 p.m.*

*Senate Standing Committee on Finance, Online Meeting, (<https://www.nysenate.gov/>), 1:30 p.m.*

*Assembly Session, NYS Capitol Building, Online Meeting, (<https://www.nyassembly.gov/>), 2:00 p.m.*

*Senate Session, NYS Capitol Building, Online Meeting, (<https://www.nysenate.gov/>), 3:00 p.m.*

***Tuesday April 27<sup>th</sup>***

*Assembly Standing Committee on Children and Families, Online Meeting, (<https://www.nyassembly.gov/>), 9:00 a.m.*

*Assembly Standing Committee on Agriculture, Online Meeting, (<https://www.nyassembly.gov/>), 9:00 a.m.*

*Senate Standing Committee on Libraries, Online Meeting, (<https://www.nysenate.gov/>), 9:00 a.m.*

*Assembly Standing Committee on Small Business, Online Meeting, (<https://www.nyassembly.gov/>), 9:30 a.m.*

*Senate Standing Committee on Banks, Online Meeting, (<https://www.nysenate.gov/>), 9:30 a.m.*

*Senate Standing Committee on Education, Online Meeting, (<https://www.nysenate.gov/>), 10:00 a.m.*

*Assembly Standing Committee on Social Services, Online Meeting, (<https://www.nyassembly.gov/>), 10:30 a.m.*

*Senate Standing Committee on Social Services, Online Meeting, (<https://www.nysenate.gov/>), 10:30 a.m.*

*Assembly Standing Committee on Governmental Operations, Online Meeting, (<https://www.nyassembly.gov/>), 11:00 a.m.*

*Senate Standing Committee on Disabilities, Online Meeting, (<https://www.nysenate.gov/>), 11:00 a.m.*

*Assembly Standing Committee on Mental Health, Online Meeting, (<https://www.nyassembly.gov/>), 11:30 a.m.*

*Senate Standing Committee on Housing Construction and Community Development, Online Meeting, (<https://www.nysenate.gov/>), 11:30 a.m.*

*Assembly Standing Committee on Aging, Online Meeting, (<https://www.nyassembly.gov/>), 12:00 p.m.*

*Senate Standing Committee on Cities 1, Online Meeting, (<https://www.nysenate.gov/>), 12:00 p.m.*

*Assembly Standing Committee on Housing, Online Meeting, (<https://www.nyassembly.gov/>), 12:30 p.m.*

*Senate Standing Committee on Crime Victims, Crime and Correction, Online Meeting, (<https://www.nysenate.gov/>), 12:30 p.m.*

*Assembly Standing Committee on Environmental Conservation, Online Meeting, (<https://www.nyasassembly.gov/>), 1:00 p.m.*

*Senate Standing Committee on Labor, Online Meeting, (<https://www.nysenate.gov/>), 1:00 p.m.*

*Assembly Standing Committee on Tourism, Parks, Arts and Sports Development, Online Meeting, (<https://www.nyasassembly.gov/>), 1:30 p.m.*

*Senate Standing Committee on Children and Families, Online Meeting, (<https://www.nysenate.gov/>), 1:30 p.m.*

*Assembly Standing Committee on Racing and Wagering, Online Meeting, (<https://www.nyasassembly.gov/>), 2:00 p.m.*

*Senate Standing Committee on Judiciary, Online Meeting, (<https://www.nysenate.gov/>), 3:00 p.m.*

*Assembly Session, NYS Capitol Building, (<https://www.nyasassembly.gov/>).*

*Senate Session, NYS Capitol Building, (<https://www.nysenate.gov/>), 3:00 p.m.*

### **Wednesday April 28<sup>th</sup>**

*Assembly Standing Committee on Health, Online Meeting, (<https://www.nyasassembly.gov/>), 9:00 a.m.*

*Senate Standing Committee on Mental Health, Online Meeting, (<https://www.nysenate.gov/>), 9:00 a.m.*

*Senate Standing Committee on Commerce, Economic Development and Small Business, Online Meeting, (<https://www.nysenate.gov/>), 9:30 a.m.*

*Assembly Standing Committee on Education, Online Meeting, (<https://www.nyasassembly.gov/>), 10:00 a.m.*

*Assembly Standing Committee on Insurance, Online Meeting, (<https://www.nyasassembly.gov/>), 10:00 a.m.*

*Senate Standing Committee on Energy and Telecommunications, Online Meeting, (<https://www.nysenate.gov/>), 10:00 a.m.*

*Assembly Standing Committee on Labor, Online Meeting, (<https://www.nyasassembly.gov/>), 10:30 a.m.*

*Assembly Session, NYS Capitol Building, (<https://www.nyasassembly.gov/>), tbd.*

*Senate Session, NYS Capitol Building, (<https://www.nysenate.gov/>), 11:00 a.m.*

## *New York City*

### *Tuesday April 27<sup>th</sup>*

*Committee on Women and Gender Equality, Remote Hearing (Virtual Room #2), 10:00 a.m.*

*Committee on Land Use, Remote Hearing (Virtual Room #1), 12:00 a.m.*

### *Wednesday April 28<sup>th</sup>*

*Committee on Public Safety, Remote Hearing (Virtual Room #1), 10:00 a.m.*

*Committee on Finance, Remote Hearing (Virtual Room #3), 10:00 a.m.*

*Committee on Contracts, Remote Hearing (Virtual Room #2), 1:00 p.m.*

### *Thursday April 29<sup>th</sup>*

*City Council Stated Meeting, Remote Hearing (Virtual Room #1), 1:30 p.m.*

**“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-**

**Disclaimer:** The materials in this *This Week in New York* report are provided for informational purposes only and are not intended to be a comprehensive review of legislative or governmental or political developments, to create a client-consultant/lobbyist relationship, or to provide consulting, lobbying or political advice. Readers are cautioned not to attempt to solve specific problems on the basis of information contained in this *This Week in New York*. If consulting, lobbying or government relations advice is required, please consult a professional expert in such matters. The information contained herein, does not necessarily reflect the opinions of Pitta Bishop & Del Giorno LLC, or any of its members or employees or its clients. Neither Pitta Bishop & Del Giorno LLC, nor its members or employees make any warranty, expressed or implied, and assume no legal liability with respect to the information in this report, and do not guarantee that the information is accurate, complete, useful or current. Accordingly, Pitta Bishop & Del Giorno LLC is not responsible for any claimed damages resulting from any alleged error, inaccuracy, or omission. This communication may be considered an advertisement or solicitation.

To request that copies of this publication be sent to a new address or fax number, to unsubscribe, or to comment on its contents, please contact Theresa Cosgrove at [tcosgrove@pittabishop.com](mailto:tcosgrove@pittabishop.com) or at (518) 449-3320.

**To Our Clients:** If you have any questions regarding any of the matters addressed in this newsletter, or regarding any legislative, government relations or political or consulting or related issues in general, please contact the Pitta Bishop & Del Giorno LLC professional with whom you usually work.

*This Week in New York* is a publication of Pitta Bishop & Del Giorno LLC.

**120 Broadway, 28th Floor  
New York, New York 10271**  
Telephone (212) 652-3890  
Facsimile (212) 652-3891

**111 Washington Avenue, St. 401  
Albany, New York 12210**  
Telephone (518) 449-3320  
Facsimile (518) 449-5812

**25 Hyatt Street, St. 202  
Staten Island, New York 10301**  
Telephone (718) 943-1050  
Facsimile (718) 943-1051

**1220 19<sup>th</sup> Street NW  
Washington, D.C. 20036**  
Telephone (202) 964-4753  
Facsimile (202) 964-5754