

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2013**

No. 84

Introduced by Council Members Gennaro, Brewer, Comrie, Koo, Koppell, Richards, Vallone, Chin, Barron, Lappin, Eugene, Greenfield, Van Bramer and Williams (in conjunction with the Mayor).

A LOCAL LAW

To amend the New York city charter, in relation to planning for resiliency to climate change as a responsibility of the office of long-term planning and sustainability.

Be it enacted by the Council as follows:

Section 1. Section 20 of the New York city charter, as amended by local law number 5 for the year 2010, is amended to read as follows:

§ 20. Office of long-term planning and sustainability. a. The mayor shall establish an office of long-term planning and sustainability. Such office may, but need not, be established in the executive office of the mayor and may be established as a separate office or within any other office of the mayor or within any department the head of which is appointed by the mayor. Such office shall be headed by a director who shall be appointed by the mayor or by the head of such department. For the purposes of this section only, "director" shall mean the director of long-term planning and sustainability.

b. Powers and duties. The director shall have the power and the duty to:

1. develop and coordinate the implementation of policies, programs and actions to meet the long-term needs of the city, with respect to its infrastructure, environment and overall sustainability citywide, including but not limited to the categories of housing, open space,

brownfields, transportation, water quality and infrastructure, air quality, energy, and climate change; *the resiliency of critical infrastructure, the built environment, coastal protection and communities*; and regarding city agencies, businesses, institutions and the public;

2. develop measurable sustainability indicators, which shall be used to assess the city's progress in achieving sustainability citywide; [and]

3. take actions to increase public awareness and education regarding sustainability and sustainable practices; *and*

4. *appoint a deputy director who shall be responsible for matters relating to resiliency of critical infrastructure, the built environment, coastal protection and communities and who shall report to the director.*

c. Sustainability indicators. No later than December thirty-first, two thousand eight and annually thereafter, the director shall identify a set of indicators to assess and track the overall sustainability of the city with respect to the categories established pursuant to paragraph one of subdivision b of this section and any additional categories established by the director, and prepare and make public a report on the city's performance with respect to those indicators. Such report may be prepared and presented in conjunction with the mayor's management report required pursuant to section twelve of this chapter. The report shall include, at a minimum:

1. the city's progress in achieving sustainability citywide, which shall be based in part on the sustainability indicators developed pursuant to paragraph two of subdivision b of this section; and

2. any new or revised indicators that the director has identified and used or will identify and use to assess the city's progress in achieving sustainability citywide, including, where an indicator has been or will be revised or deleted, the reason for such revision or deletion.

d. Population projections. No later than April twenty-second, two thousand ten, and every four years thereafter, the department of city planning shall release or approve and make public a population projection for the city that covers a period of at least twenty-one years, with intermediate projections at no less than ten year intervals. Where feasible, such projections shall include geographic and demographic indicators.

e. Long-term sustainability plan. 1. The director shall develop and coordinate the implementation of a comprehensive, long-term sustainability plan for the city. Such plan shall include, at a minimum:

i. an identification and analysis of long-term planning and sustainability issues associated with, but not limited to, housing, open space, brownfields, transportation, water quality and infrastructure, air quality, energy, and climate change; and

ii. goals associated with each category established pursuant to paragraph one of subdivision b of this section and any additional categories established by the director, and a list of policies, programs and actions that the city will seek to implement or undertake to achieve each goal by no later than April twenty-second, two thousand thirty.

2. No later than April twenty-second, two thousand eleven, and no later than every four years thereafter, the director shall develop and submit to the mayor and the speaker of the city council an updated long-term sustainability plan, setting forth goals associated with each category established pursuant to paragraph one of subdivision b of this section and any additional categories established by the director, and a list of policies, programs and actions that the city will seek to implement or undertake to achieve each goal by no later than twenty years from the date each such updated long-term sustainability plan is submitted. *No later than two thousand fifteen, and no later than every four years thereafter, the plan shall also include a list of policies, programs and actions*

that the city will seek to implement or undertake to achieve each goal relating to the resiliency of critical infrastructure, the built environment, coastal protection and communities. Such updated plan shall take into account the population projections required pursuant to subdivision d of this section. An updated plan shall include, for each four-year period beginning on the date an updated plan is submitted to the mayor and the speaker of the city council, implementation milestones for each policy, program and action contained in such plan. An updated plan shall report on the status of the milestones contained in the immediately preceding updated plan. Where any categories, goals, policies, programs or actions have been revised in, added to or deleted from an updated plan, or where any milestone has been revised in or deleted from an updated plan, the plan shall include the reason for such addition, revision or deletion. The director shall seek public input regarding an updated plan and its implementation before developing and submitting such plan pursuant to this paragraph. The director shall coordinate the implementation of an updated long-term sustainability plan.

f. Review and reporting. 1. No later than April twenty-second, two thousand nine, and no later than every April twenty-second thereafter, the director shall prepare and submit to the mayor and the speaker of the city council a report on the city's long-term planning and sustainability efforts. In those years when an updated long-term sustainability plan is submitted pursuant to paragraph two of subdivision e of this section, such report may be incorporated into the updated long-term sustainability plan. The report shall include, at a minimum:

i. the city's progress made to implement or undertake policies, programs and actions included in the sustainability plan or updated sustainability plan required by subdivision e of this section, since the submission of the most recent plan or updated plan or report required by this paragraph; and

ii. any revisions to policies, programs or actions in the previous long-term sustainability plan, including the reason for such revision.

g. There shall be a sustainability advisory board whose members, including, at a minimum, representatives from environmental, environmental justice, planning, *architecture, engineering, coastal protection, construction, critical infrastructure*, labor, business and academic sectors, shall be appointed by the mayor. The advisory board shall also include the speaker of the city council or a designee and the chairperson of the council committee on environmental protection or a designee. The advisory board shall meet, at a minimum, twice per year and shall provide advice and recommendations to the director regarding the provisions of this section.

h. The director shall post on the city's website, a copy of each sustainability plan required by subdivision e of this section, and all reports prepared pursuant to this section, within ten days of their completion.

i. Interagency green team. 1. There is hereby established within the office an interagency green team under the management of the director or the director's designee to facilitate the use of innovative technologies, design and construction techniques, materials or products that may have significant environmental and sustainability benefits and to assist innovative projects in addressing city agency regulatory requirements.

2. The interagency green team shall include as members the commissioners of buildings, environmental protection, transportation, design and construction, health and mental hygiene and the chairperson of the city planning commission, or their respective designees, and such other members as the director shall designate. The director shall also designate members from among the fire commissioner and the commissioners of parks and recreation, consumer affairs, emergency management, housing preservation and development, sanitation, and the chairperson

of the landmarks preservation commission, or their respective designees, with respect to specific matters being considered by the interagency green team where the director determines it appropriate to do so.

§ 2. This local law shall take effect immediately.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on September 24, 2013 and approved by the Mayor on October 2, 2013.

MICHAEL M. McSWEENEY, City Clerk Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 84 of 2013, Council Int. No. 1105-A of 2013) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council and approved by the Mayor.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel.