

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2021**

No. 16

Introduced by Council Members Constantinides, Rosenthal, Brannan, Koslowitz, Kallos, Ayala, Levin, Lander, Chin, Menchaca, Cumbo, Van Bramer, Levine, Reynoso, Rivera, Rodriguez, Powers, Treyger, Adams, Cornegy, Perkins, Koo, Maisel, Cabrera, Rose, Ampy-Samuel, D. Diaz, Dromm and Louis.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to the transfer of land, buildings and facilities of Rikers Island to the department of citywide administrative services

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 4 of the administrative code of the city of New York is amended by adding a new section 4-215 to read as follows:

§ 4-215 Transfer of Rikers Island to the commissioner of citywide administrative services. a.

With respect to the location that is known as Rikers Island:

1. By no later than July 1, 2021, and every six months thereafter until charge and control over the entirety of Rikers Island has been transferred pursuant to this section, the mayor shall transfer charge over every portion of Rikers Island that the mayor determines is not in active use for the housing of incarcerated persons, or in active use for the providing of direct services to such persons, such as medical care, training, storage, employment training and services, re-entry services, educational services, visitation, legal services, or administrative hearings, to the charge of the commissioner of citywide administrative services. For the purposes of this paragraph, the use of each building, facility, and structure, as well as the use of every piece of unimproved land

greater than 20,000 square feet, shall be evaluated. By no later than August 31, 2027, all portions of Rikers Island shall be fully transferred and under the charge and control of the commissioner of citywide administrative services and shall no longer be used by the department of correction for the housing of incarcerated persons;

2. Upon the transfer of any portion of Rikers Island pursuant to this section, the commissioner of citywide administrative services shall have charge over the portion of land transferred, including all buildings, structures, facilities, and property located thereon, with all of the powers and duties, with respect to such real property, buildings, structures, facilities, and property, as described in chapter 35 of the charter. The commissioner of citywide administrative services shall notify the Rikers Island advisory committee, established pursuant to subdivision b of this section, of each such transfer within 30 days of such transfer;

3. Until the entirety of Rikers Island is transferred to, and under the charge and control of, the commissioner of citywide administrative services, maintenance and operation of any portion of Rikers Island transferred to the charge of the commissioner of citywide administrative services shall be subject to guidelines agreed upon by the departments of correction and citywide administrative services, provided that such guidelines shall not be established or exercised so as to prohibit the commissioner of citywide administrative services' access to, or the productive use of, portions of Rikers Island under the charge of the commissioner of citywide administrative services;

4. The commissioner of citywide administrative services shall, in communication with the Rikers Island advisory committee, have the authority to plan and coordinate the actions of city agencies with respect to prospective uses of Rikers Island for sustainability and resiliency

purposes, including but not limited to renewable energy generation and storage, wastewater treatment, and organic waste processing, provided that such planning shall include consideration of whether the use of existing structures would best contribute to environmental or sustainability goals; and

5. Prior to August 31, 2027 or the date by which Rikers Island is fully transferred pursuant to paragraph 1 of this subdivision, whichever comes first, any portions of Rikers Island still in active use by the department of correction, as described in paragraph 1 of this subdivision, shall remain under the jurisdiction of the commissioner of correction pursuant to section 624 of the charter, and the care, custody and control of persons therein shall remain under the care and management of such commissioner pursuant to section 623 of the charter.

b. Rikers Island advisory committee.

1. There shall be established a Rikers Island advisory committee, which shall consist of 15 members, as follows: the commissioner of citywide administrative services or such commissioner's designee, the commissioner of environmental protection or such commissioner's designee, the commissioner of parks and recreation or such commissioner's designee, the commissioner of sanitation or such commissioner's designee, the commissioner of buildings or such commissioner's designee, the director of long-term planning and sustainability or such director's designee, two members appointed by the mayor, and seven members appointed by the speaker of the council. No less than four of the nine members appointed by the mayor and the speaker of the council shall be persons who have been impacted directly by incarceration on Rikers Island, provided that not less than two of such four members shall be persons who were in custody at a facility on Rikers Island and the remainder of whom may be persons whose immediate

family members were in custody at a facility on Rikers Island. No less than three of the nine members appointed by the mayor and the speaker of the council shall be persons with an expertise in environmental justice or sustainability. The nine members appointed by the mayor and speaker of the council should represent the geographic diversity of communities impacted by incarceration on Rikers Island or environmental justice communities. The commissioner of citywide administrative services shall serve as chairperson of the committee. The commissioner of correction, or such commissioner's designee, may participate as a non-voting member in the meetings of the advisory committee, for the purpose of providing operational information, up to and until August 31, 2027, or the date by which Rikers Island is fully transferred, whichever comes first. Members shall serve without compensation.

2. No later than 180 days after the effective date of this subdivision, the Rikers Island advisory committee shall hold its initial meeting, and thereafter shall meet at least quarterly, to evaluate and make recommendations regarding prospective uses of Rikers Island, both with regard to those portions of Rikers Island transferred to the commissioner of citywide administrative services pursuant to paragraph 1 of subdivision a of this section and with regard to the entirety of Rikers Island, for sustainability and resiliency purposes, including but not limited to renewable energy, wastewater treatment, organics removal, organic waste processing, and other purposes conforming to section 24-803 of this code. Such evaluations shall consider the potentially beneficial uses of existing buildings, structures, and facilities.

3. The advisory committee may make recommendations on prospective uses to the mayor and the speaker of the council at any time after the date of its initial meeting. Additionally, no later than three years after the date of its initial meeting, the advisory committee shall submit

recommendations to the mayor and the speaker of the council regarding prospective uses of Rikers Island that shall include no less than three options that the committee recommends be considered for further study or possible implementation.

§ 2. This local law takes 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 February 11, 2021 and approved by the Mayor on February 25, 2021.

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. 16 of 2021, Council Int. No. 1592-A of 2019) 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.

STEPHEN LOUIS, Acting Corporation Counsel.