

## Coney Island Rezoning – Union Labor Participation Agreement

July 21, 2009

**Coney North** (bounded by West 20th Street to the west, Stillwell Avenue to the east, Surf Avenue to the south and Mermaid Avenue to the north)

### Building Trades:

- HPD will include language in any Request for Proposals (“Coney Island North RFPs”) for the redevelopment of land owned by the City of New York in Coney North issued following ULURP approval and in the contract(s) with the developer(s) ultimately selected as a result thereof, requiring the developer(s) to use contractors that pay prevailing wage and hire workers from state-certified apprenticeship programs.
- Except as provided in the next paragraph, these requirements will apply to all non-residential construction and residential high-rise construction in Coney North. In this context “high-rise” construction refers to structures 13 stories and above.
- These requirements will not apply to buildings containing a significant amount of affordable housing. In this context a building shall be deemed to contain a “significant amount of affordable housing” if 50% or more of the units are deemed affordable, with “affordable” being defined as 165% of the Department of Housing & Urban Development Income Limit and below.
- We expect the Building Trades to publicly commit to meeting the hiring, training and apprenticeship goals contained in “Coney Island for All: A Platform for Equitable Development.”

### Building Service Workers:

- HPD will include language in any Coney Island North RFP(s) for the redevelopment of land owned by the City of New York in Coney North issued following ULURP approval and in the contract(s) with the developer(s) ultimately selected as a result thereof, requiring the developer(s) to pay prevailing wage for building service workers and security guards employed at the project site.
- This requirement will not apply to buildings containing a significant amount of affordable housing. In this context a building shall be deemed to contain a “significant amount of affordable housing” if 50% or more of the units are deemed affordable, with “affordable” being defined as 125% of the Department of Housing & Urban Development Income Limit and below.

### Retail:

- HPD will include language in any Coney Island North RFP(s) providing that HPD will view favorably redevelopment plans that maximize the number of retail jobs that meet the City’s living wage and health benefits standards (“living wage jobs”). The living wage is defined by Local Law 38 of 2002 as \$10.00 per hour as of July 1, 2006. In addition, living wage jobs require the employer either to provide health benefits, as defined in the Local Law, or in the alternative, to provide a supplement to the hourly wage of a value equal to or greater than \$1.50 per hour as of July 1, 2003. RFP respondents must explain how their proposed retail tenancing plan maximizes the number of jobs that meet these criteria.

**Coney East** (bounded by KeySpan Park to the west, the Aquarium to the east, Riegelmann Boardwalk to the south and the subway tracks to the north)

**Building Trades:**

- The New York City Economic Development Corporation ("NYCEDC") will include language in any Request for Proposals ("Coney Island East RFPs") for the permanent redevelopment of land owned by the City of New York in Coney East issued following ULURP approval and in the contract(s) with the developer(s) ultimately selected as a result thereof, requiring the developer(s) to use contractors that pay prevailing wage and hire workers from state-certified apprenticeship programs.
- These requirements will only apply to non-residential construction in Coney East. As used herein, "non-residential construction" shall mean a free-standing building which does not contain any residential units and which is intended only for the following uses or combination of uses: a hotel, a theater showing motion pictures (standard format or IMAX), a bowling alley or eating and drinking establishments contained within any of the foregoing.
- These requirements will not apply to the construction of any open or enclosed amusements.
- We expect the Building Trades to publicly commit to meeting the hiring, training and apprenticeship goals contained in "Coney Island for All: A Platform for Equitable Development."

**New York Hotel Trades Council:**

- NYCEDC will include language in any Coney Island East RFP(s) for the development of a hotel(s) on land owned by the City of New York in Coney East issued following ULURP approval and in the contract(s) with the developer(s) ultimately selected as a result thereof, requiring the developer(s) or their management companies, to pay the prevailing wage for all employees engaged in the operation of their hotel(s).

**Retail:**

- Except as provided in the next paragraph, NYCEDC will include language in any Coney Island East RFP(s) providing that NYCEDC will view favorably redevelopment plans that maximize the number of retail jobs that meet the City's living wage and health benefits standards ("living wage jobs"). The living wage is defined by Local Law 38 of 2002 as \$10.00 per hour as of July 1, 2006. In addition, living wage jobs require the employer either to provide health benefits, as defined in the Local Law, or in the alternative, to provide a supplement to the hourly wage of a value equal to or greater than \$1.50 per hour as of July 1, 2003. RFP respondents must explain how their proposed retail tenanting plan maximizes the number of jobs that meet these criteria.
- This provision will not apply to amusements (both open & enclosed) and other uses (e.g., arcades, billiards/bowling, ferris wheels, water parks, simulated gaming) in Use Group A or to small scale retail uses of under 500 square feet (e.g., bicycle rentals, beach equipment, candy stores).