The New York City Council Council Agenda

Stated Meeting

April 28, 2015

1:30 PM

Council Chambers - City Hall

1. Roll Call

2. Invocation

Delivered by: Rev. Dr. Barbara Austin-Lucas, Agape International Fellowship, 8712 Glenwood Road, Brooklyn, N.Y. 11236.

Motion to spread the invocation in full upon the record by Council Member Maisel.

3. Adoption of Minutes

Motion that the Minutes of the Stated Meeting of March 31, 2015 be adopted as printed by Council Member Cumbo.

4. Messages & Papers from the Mayor *None*

5. Communications from City, County & Borough

Offices

M 0277-2015

Transfer City funds between various agencies in FY'15 to implement changes to the City's expense budget. (MN-5)

Communication from the Office of Management & Budget – Transfer City funds between various agencies in Fiscal Year 2015 to implement changes to the City's expense budget, pursuant to Section 107(b) of the New York City Charter. (MN-5)

Preconsidered - Finance

M 0278-2015

Appropriate new revenues of \$1.074 billion in FY'15. (MN-6)

Communication from the Office of Management & Budget – Appropriate new revenues of \$1.074 billion in Fiscal Year 2015, pursuant to Section 107(e) of the New York City Charter. (MN-6)

Preconsidered - Finance

6. Petitions and Communications

None

7. Land Use Call-Ups

None

8. Communication from the Speaker

9. Discussion of General Orders

10. Reports of Special Committees

None

11. Reports of Standing Committees

Report of the Committee on Consumer Affairs

Int 0178-2014-A Price displays for second-hand automobiles.

A Local Law to amend the administrative code of the city of New York, in relation to price displays for second-hand automobiles

Amended and Coupled on GO

Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations

Int 0419-2014-A Comprehensive cultural plan.

A Local Law to amend the New York city charter, in relation to a comprehensive cultural plan.

Amended and Coupled on GO

Report of the Committee on Finance

Res 0665-2015

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

Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.

Preconsidered - Coupled on GO

Res 0675-2015

M 277 - Transfer City funds between various agencies in FY'15 to implement changes to the City's expense budget. (MN-5)

RESOLUTION APPROVING THE MODIFICATION (MN-5) OF UNITS OF APPROPRIATION AND THE TRANSFER OF CITY FUNDS BETWEEN AGENCIES PROPOSED BY THE MAYOR PURSUANT TO SECTION 107(b) OF THE

NEW YORK CITY CHARTER

Preconsidered - Coupled on GO

Res 0676-2015 M 278 - Appropriate new revenues of \$1.074 billion in FY'15.

(MN-6)

RESOLUTION APPROVING A MODIFICATION (MN-6) PURSUANT TO SECTION 107(e) OF THE CHARTER OF

THE CITY OF NEW YORK.

Preconsidered - Coupled on GO

Report of the Committee on Health

Int 0051-2014-B Requiring the department of health and mental hygiene to issue an annual report regarding hepatitis B and hepatitis C.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to issue an annual report regarding hepatitis B and hepatitis C *Amended and Coupled on GO*

Report of the Committee on Housing and Buildings

Int 0181-2014-A Notice requirements for hotel development plans.

A Local Law to amend the administrative code of the city of New York, in relation to notice requirements for hotel development plans

Amended and Coupled on GO

Report of the Committee on Land Use

Res 0677-2015 LU 205 - Zoning, Stairwells Text Amendment, Citiwide (N 150167 ZRY)

Application No. N 150167 ZRY submitted by the Department of City Planning pursuant to Section 200 of the New York

City Charter, for an amendment of the Zoning Resolution of the City of New York, pertaining to exempting floor space occupied by additional safety measures required by 2014 NYC Building Code from counting towards zoning floor area, Citywide, Council Districts 1-51.

Coupled on GO

Res 0678-2015

LU 208 - Zoning, Sidewalk café, 181 East 78th St, Manhattan (20155354TCM)

Application No. 20155354 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of PACAP, LLC, d/b/a Monte-Carlo NYC, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 181 East 78th Street, Borough of Manhattan, Community Board 8, Council District 4. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and Section 20-226 of the New York City Administrative Code. *Coupled on GO*

Res 0679-2015

LU 212 - Planning, New Roads Plaza, Bronx (C150197ZSX)

Application No. C 150196 HAX submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law of New York State and Section 197-c of the New York City Charter for an Urban Development Action Area designation and Project for property located at 986-996 Washington Avenue a.k.a. 489-493 East 164th Street, Borough of the Bronx, and for the disposition of such property, Community Board 3, Council District 17.

Coupled on GO

Res 0680-2015

LU 213 - Planning, New Roads Plaza, Bronx (C150197ZSX)

Application No. C 150197 ZSX submitted by New York City Department of Housing Preservation and Development

pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-902 of the Zoning Resolution to modify the floor area requirements to permit the allowable community facility floor area ratio to apply to a non-profit institution with sleeping accommodations in connection with a proposed 8-story building on property located at 986-996 Washington Avenue a.k.a. 489-493 East 164th Street, Borough of the Bronx, Community Board 3, Council District 17. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

Coupled on GO

Res 0681-2015

LU 214 - Planning, 1561 Walton Ave, Bronx (C150175HAX)

Application No. C 150175 HAX submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law of New York State and Section 197-c of the New York City Charter for an Urban Development Action Area designation and Project for property located at 1561 Walton Avenue, Borough of the Bronx, and for the disposition of such property, Community Board 4, Council District 14. *Coupled on GO*

Res 0682-2015

LU 215 - Planning, 1561 Walton Ave, Bronx (C150174PQX)

Application No. C 150174 PQX submitted by the New York City Department of Housing Preservation and Development pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 1561 Walton Avenue, Borough of the Bronx, Community Board 4, Council District 14. This application is subject to the review and action by the Land Use Committee only if appealed to the Council pursuant to 197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

Coupled on GO

12. General Orders Calendar

Res 0683-2015

LU 189 - Zoning, Special Clinton District, Manhattan (C140407 ZRM)

Application No. C 140407 ZRM submitted by 1818 Nadlan LLC pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, concerning Article IX, Chapter 6 (Special Clinton District), Borough of Manhattan, Community Board 4, Council District 3.

Coupled on GO

Res 0684-2015

LU 190 - Zoning, Special Clinton District, Manhattan (C 140408 ZSM)

Application No. C 140408 ZSM submitted by 1818 Nadlan LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution to allow a portion of the railroad or transit right-of-way to be included in the lot area in connection with a proposed residential building on property located at 505-513 West 43rd Street a.k.a. 506-512 West 44th Street within the Special Clinton District, Borough of Manhattan, Community Board 4, Council District 3. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

Coupled on GO

Res 0685-2015

LU 191 - Zoning, Special Clinton District, Manhattan (C 140409 ZSM)

Application No. C 140409 ZSM submitted by 1818 Nadlan LLC pursuant to Sections 197-c and 201 of the New York

City Charter for the grant of a special permit pursuant to Section 96-32(c) of the Zoning Resolution to modify the requirements for height, setback, permitted obstructions and planting in connection with a proposed residential building on property located at 505-513 West 43rd Street a.k.a. 506-512 West 44th Street within the Special Clinton District, Borough of Manhattan, Community Board 4, Council District 3. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

Coupled on GO

T2014-0002

Commissioner of Deeds Coupled on GO

Coupled on General Order Calendar

Consumer Affairs

Int 0178-2014-A Price displays for second-hand automobiles.

A and GO

Cultural Affairs, Libraries & Internatinal Intergroup Relations

Int 0419-2014-A Comprehensive cultural plan.

A and GO

Finance

Res 0665-2015

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

Preconsidered - GO

M 277 - Transfer City funds between various agencies in FY'15 to implement changes to the City's expense budget. (MN-5)

Preconsidered - GO

Res 0676-2015 M 278 - Appropriate new revenues of \$1.074 billion in FY'15.

(MN-6) Preconsidered - GO

Health

Res 0675-2015

Int 0051-2014-B Requiring the department of health and mental hygiene to issue an annual report regarding hepatitis B and hepatitis C.

A and GO

Housing and Buildings

Int 0181-2014-A Notice requirements for hotel development plans.

A and GO

Land Use

Res 0677-2015 LU 205 - Zoning, Stairwells Text Amendment, Citiwide (N

150167 ZRY)

GO

Res 0678-2015 LU 208 - Zoning, Sidewalk café, 181 East 78th St, Manhattan

(20155354TCM)

GO

Res 0679-2015 LU 212 - Planning, New Roads Plaza, Bronx (C150197ZSX)

GO

Res 0680-2015 LU 213 - Planning, New Roads Plaza, Bronx (C150197ZSX)

GO

Res 0681-2015 LU 214 - Planning, 1561 Walton Ave, Bronx (C150175HAX)

GO

Res 0682-2015 LU 215 - Planning, 1561 Walton Ave, Bronx (C150174PQX)

GO

General Order Calendar

Res 0683-2015 LU 189 - Zoning, Special Clinton District, Manhattan (C140407

ZRM)

GO

Res 0684-2015 LU 190 - Zoning, Special Clinton District, Manhattan (C

140408 ZSM)

GO

Res 0685-2015 LU 191 - Zoning, Special Clinton District, Manhattan (C

140409 ZSM)

GO

T2014-0002 Commissioner of Deeds

GO

13. Introduction & Reading of Bills

See Attached

14. Discussion of Resolutions

15. Resolutions

Res Declaring the City of New York a "TPP-Free Zone".

0576-2015-A

Resolution declaring the City of New York a "TPP-Free Zone" and urging Congress to oppose the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 and not grant President Obama "fast-track" authority over, or permission to sign, the Trans-Pacific Partnership free trade agreement. *Amended and Adopted by the Committee on State and Federal Legislation*

Res 0610-2015

Granting NYC the authority to set its own minimum wage.

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation granting New York City the authority to set its own minimum wage.

Adopted by the Committee on Civil Service and Labor

Res 0611-2015

Grant NYC the authority to enforce State worker protection laws.

Resolution calling upon the New York State Legislature to pass and the Governor to sign, legislation to grant the City of New York the authority to enforce State worker protection laws.

Adopted by the Committee on Civil Service and Labor

Res 0612-2015

Wage Theft Prevention Act. (A.5501)

Resolution calling upon the New York State Legislature to pass and the Governor to sign, A.5501, strengthening the provisions of the Wage Theft Prevention Act. *Adopted by the Committee on Civil Service and Labor*

Res 0615-2015-A

Paid Family Leave Act to provide support and security for NY's working families.

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, the Paid Family Leave Act to provide support and security for New York's working families *Amended and Adopted by the Committee on Civil Service and Labor*

Res 0638-2015

Recognizing this and every April as Autism Awareness Month in the City of NY.

Resolution recognizing this and every April as Autism Awareness Month in the City of New York.

Adopted by the Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services

Res 0648-2015

Recognizing this and every April as Organ Donation Awareness Month in the City of NY.

Resolution recognizing this and every April as Organ Donation Awareness Month in the City of New York *Adopted by the Committee on Health*

Res 0649-2015

Prohibition of differential pay based on gender. (A.6075/S.1)

Resolution calling upon the New York State Assembly to pass, and the Governor to sign A.6075, which would amend the labor law, in relation to the prohibition of differential pay based on gender.

Adopted by the Committee on Women's Issues

16. General Discussion

17. Extension of Remarks

INTRODUCTION AND READING OF BILLS

Int 0757-2015

By The Speaker (Council Member Mark-Viverito)

A Local Law to amend the administrative code of the city of New York, in relation to amending the definition of

harassment to include repeated buyout offers

Housing and Buildings

Int 0758-2015

By Council Member Barron

A Local Law to amend the administrative code of the city of

New York, in relation to requiring the commissioner of the department of correction to post a quarterly report regarding the department's grievance system.

Fire and Criminal Justice Services

Int 0759-2015

By Council Member Cabrera

A Local Law to amend the administrative code of the city of New York, in relation to requiring the departments of correction and health and mental hygiene to report on cases of injuries to inmates and staff in city jails, and to refer such cases to investigative agencies.

Fire and Criminal Justice Services

Int 0760-2015

By Council Member Crowley

A Local Law to amend the administrative code of the city of New York, in relation to the department of education associate degree programs.

Education

Int 0761-2015

By Council Members Crowley and Johnson

A Local Law to amend the administrative code of the city of New York, in relation to technical changes to certain pet shop requirements, as added by local laws 5 and 7 for the year 2015.

Preconsidered - Health

Int 0762-2015

By Council Members Cumbo and Rodriguez

A Local Law to amend the administrative code of the city of New York, in relation to distress signals for passengers in taxicabs, street hail liveries, and for-hire vehicles

Transportation

Res 0664-2015

By Council Member Eugene

Resolution calling upon the United States Congress and the New York State Legislature to pass and the President of the United States and Governor of the State of New York to sign, legislation to establish July 12th annually, as Haitian Day in

recognition of the historic contributions of Haitians to the United States of America

Cultural Affairs, Libraries and International Intergroup Relations

Int 0763-2015

By Council Members Ferreras, The Speaker (Council Member Mark-Viverito), The Public Advocate (Ms. James) and Garodnick

A Local Law to amend the administrative code of the city of New York, in relation to requiring the Commissioner of the department of correction to report on security indicators in city jails.

Fire and Criminal Justice Services

Int 0764-2015

By Council Members Ferreras and Chin (by request of the Mayor)

A Local Law to amend the administrative code of the city of New York, in relation to amending the district plan of the Lower East Side business improvement district to modify existing services for the district and to change the method of assessment upon which the district charge is based *Finance*

Int 0765-2015

By Council Members Ferreras and Johnson (by request of the Mayor)

A Local Law to amend the administrative code of the city of New York, in relation to amending the district plan of the Fashion Center business improvement district to change the method of assessment upon which the district charge is based *Finance*

Res 0665-2015

By Council Member Ferreras

Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.

Preconsidered - Finance

Res 0666-2015

By Council Member Ferreras

Resolution concerning amendments to the District Plan of the Lower East Side Business Improvement District that modify existing services for the district and change the method of assessment upon which the district charge is based, and setting the date, time and place for the public hearing of the local law authorizing such changes as set forth in the amended District Plan of the Lower East Side Business Improvement District. *Finance*

Res 0667-2015

By Council Member Ferreras

Resolution concerning an amendment to the District Plan of the Fashion Center Business Improvement District that provides for a change in the method of assessment upon which the district charge is based, and setting the date, time and place for the public hearing of the local law authorizing a change in the method of assessment upon which the district charge in the Fashion Center Business Improvement District is based.

Finance

Int 0766-2015

By Council Members Garodnick, Dromm and Ferreras

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of correction to post a quarterly report on the population demographics of the city's jails.

Fire and Criminal Justice Services

Int 0767-2015

By Council Members Garodnick, Dromm and Ferreras

A Local Law to amend the administrative code of the city of New York, in relation to the publication of the department of correction's policies on the use of force.

Fire and Criminal Justice Services

Int 0768-2015

By Council Members Garodnick, Dromm and Ferreras

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of correction to report on enhanced supervision housing.

Fire and Criminal Justice Services

Int 0769-2015

By Council Member Garodnick

A Local Law to amend the administrative code of the city of New York, in relation to altering the prohibition against certain forms of aggressive solicitation to include persons that sell tickets to places of interest, amusement or attractions in an aggressive manner.

Public Safety

Int 0770-2015

By Council Member Gibson

A Local Law to amend the administrative code of the city of New York, in relation to requiring that the department of correction establish a crisis intervention program.

Fire and Criminal Justice Services

Int 0771-2015

By Council Member Johnson

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to report on student health services.

Education

Int 0772-2015

By Council Members Johnson and Crowley

A Local Law to amend the administrative code of the city of New York, in relation to technical changes to certain pet shop requirements, as added by local laws 6 and 8 for the year 2015.

Preconsidered - Health

Int 0773-2015

By Council Members Kallos and Levin

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to provide data related student participation in free meals in school.

Education

Int 0774-2015

By Council Members Kallos and Levin

> A Local Law to amend the administrative code of the city of New York, in relation to requiring information regarding subsidized child care.

General Welfare

Int 0775-2015

By Council Members Koo and Greenfield

A Local Law to amend the administrative code of the city of New York, in relation to establishing a maximum period of time for the Landmarks Preservation Commission to take action on any item calendared for consideration of landmark status.

Land Use

Res 0668-2015

By Council Members Koslowitz, Mendez and Rosenthal

Resolution calling upon the State Legislature to pass and the Governor to sign, legislation that would make killing someone while driving and using a phone or handheld device a felony and seriously injuring someone while driving and using a phone or handheld device, a misdemeanor.

Transportation

Int 0776-2015

By Council Member Lander

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a citywide wildlife management plan.

Parks and Recreation

Res 0669-2015

By Council Member Levin

Resolution to amend rule 7.60 of the rules of the council in relation to allowing the submission of written and video testimony to public hearings through the council's website Rules, Privileges and Elections

Int 0777-2015

By Council Member Levine

A Local Law to amend the administrative code of the city of

New York, in relation to requiring the City to be responsible for sidewalks outside of buildings owned by or used exclusively by nonprofit organizations.

Governmental Operations

Int 0778-2015

By Council Members Mendez and Garodnick

A Local Law to amend the administrative code of the city of New York and the New York city charter, in relation to requiring the board of correction and the commissioners of the department of correction and department of investigation to submit quarterly reports regarding the investigations of excessive use of force by correction officers on inmates.

Fire and Criminal Justice Services

Res 0670-2015

By Council Member Miller

Resolution calling upon the MTA to allow riders travelling within New York City limits to pay a fare for commuter rail equal to that of a MetroCard ride on New York City Transit subways and buses; and allow for free transfers between commuter rail and New York City Transit subways and buses.

Transportation

Res 0671-2015

By Council Members Miller, Chin and Johnson

Resolution calling on the Governors and State Legislatures of New York and New Jersey to maintain the Port Authority Trans-Hudson (PATH) rail system's operation as a governmental entity.

Transportation

Int 0779-2015

By Council Member Rodriguez

A Local Law to amend the administrative code of the city of New York, in relation to providing certain parking privileges for press vehicles.

Transportation

Int 0780-2015

By Council Member Rosenthal

> A Local Law to amend the administrative code of the city of New York, in relation to requiring a color photograph of designated building janitors in buildings with multiple dwellings

Housing and Buildings

Int 0781-2015

By Council Member Ulrich

A Local Law to amend the administrative code of the city of New York, in relation to liability for the cost and expense of sidewalk repairs and for injuries resulting from failure to repair by the owner of a house of worship

Governmental Operations

Int 0782-2015

By Council Members Ulrich and Ferreras

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to provide notice of deaths to certain agencies and to require certain agencies to update records of program beneficiaries on a regular and continuous basis Health

Res 0672-2015

By Council Member Vallone

Resolution recognizing and commemorating June 21st as World Yoga Day in the City of New York. Health

Int 0783-2015

By Council Member Williams

A Local Law to amend the administrative code of the city of New York, in relation to the interest rate applied to unpaid charges for emergency repairs performed by the department of housing preservation and development.

Housing and Buildings

Res 0673-2015

By Council Member Williams

Resolution calling upon the New York State Legislature to pass and the Governor to sign A.4279/S.1710, which seeks to

amend the New York State Finance Law and Tax Law, in relation to establishing the police officer protection fund to be made available to the Division of Criminal Justice Services for the purpose of establishing and implementing a program to retrofit all patrol vehicles of the New York Police Department, and thereafter all patrol vehicles of the New York State Police, with bullet-proof glass.

Public Safety

Res 0674-2015

By Council Member Williams (by request of the Brooklyn Borough President)

Resolution calling upon the New York State legislature to pass and the Governor to sign, A.53/S.2291, also known as Nicholas' Law, which would amend the New York State Penal Law and the New York State General Business Law by requiring the safe storage of all guns not in the immediate possession or control of the gun owner.

Public Safety

LU 0216-2015

By Council Member Ferreras

277 Gates Avenue, Block 1974, Lot 51; Brooklyn, Community District No. 3, Council District No. 36.

Finance

LU 0217-2015

By Council Member Ferreras

Bensonhurst Housing for the Elderly, Block 6264, Lot 29; Brooklyn, Community District No. 11, Council District No. 44.

Finance

LU 0218-2015

By Council Member Greenfield

Application No. 20155529 HAM submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law of New York State for an Urban Development Action Area Project for property located at 222 East 13th Street, Borough of

Manhattan, Community Board 3, Council District 9. *Planning, Dispositions and Concessions*

LU 0219-2015

By Council Member Greenfield

Application No. 20155554 HAM submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of the Private Housing Finance Law for a real property tax exemption for properties identified as Block 2025, Lots 41,50, 52, and 53, and Block 2026, Lot 7, Borough of Manhattan, Community Board 10, Council District 9.

Planning, Dispositions and Concessions