

# The New York City Council

*City Hall  
New York, NY 10007*



## Meeting Minutes

**Wednesday, February 16, 2011**

**1:30 PM**

**Emigrant Savings Bank - 49-51 Chambers Street**

### **City Council**

*Christine C. Quinn, Speaker*

*Members: Maria del Carmen Arroyo, Charles Barron, Gale A. Brewer,  
Fernando Cabrera, Margaret S. Chin, Leroy G. Comrie, Jr., Elizabeth S. Crowley,  
Inez E. Dickens, Erik Martin Dilan, Daniel Dromm, Mathieu Eugene, Julissa Ferreras,  
Lewis A. Fidler, Helen D. Foster, Daniel R. Garodnick, James F. Gennaro,  
Vincent J. Gentile, Sara M. Gonzalez, David Greenfield, Daniel J. Halloran III,  
Vincent M. Ignizio, Robert Jackson, Letitia James, Peter A. Koo, G. Oliver Koppell,  
Karen Koslowitz, Brad S. Lander, Jessica S. Lappin, Stephen T. Levin, Melissa  
Mark-Viverito, Darlene Mealy, Rosie Mendez, Michael C. Nelson, James S. Oddo,  
Annabel Palma, Domenic M. Recchia, Jr., Diana Reyna, Joel Rivera,  
Ydanis A. Rodriguez, Deborah L. Rose, James Sanders, Jr., Larry  
B. Seabrook, Eric A. Ulrich, James Vacca, Peter F. Vallone, Jr., James G.  
Van Bramer, Albert Vann, Mark S. Weprin, Jumaane D. Williams and Ruben Wills*

*The President Pro Tempore (Council Member Rivera)*

1. Roll Call

**Present:**

Speaker Quinn, Arroyo, Barron, Brewer, Cabrera, Chin, Comrie Jr., Crowley, Dickens, Dilan, Dromm, Eugene, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran III, Ignizio, Jackson, James, Koo, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, Mendez, Nelson, Odde, Palma, Recchia Jr., Reyna, Rivera, Rodriguez, Rose, Sanders Jr., Seabrook, Ulrich, Vacca, Vallone Jr., Van Bramer, Vann, Weprin, Williams and Wills

*The presence of a quorum was announced by The President Pro Tempore (Council Member Rivera).*

2. Invocation

*The Invocation was delivered by: Reverend Katrina Marsh, Rivers of Living Waters, 1854 Amsterdam Avenue, New York, 10031.*

*Council Member Jackson moved to spread the Invocation in full upon the Record.*

3. Adoption of Minutes

*Council Member Mendez moved that the Minutes of the Stated Meeting of January 18, 2011 be adopted as printed.*

4. Messages & Papers from the Mayor

**M 0385-2011      Communication from the Mayor - Submitting the name of Nancy G. Chaffetz to the Council for its advice and consent regarding her reappointment to the New York City Civil Service Commission, Pursuant to Sections 31 and 813 of the City Charter.**

**This Mayor's Message was Referred to Comm by Council to the Committee on Rules, Privileges and Elections**

**M 0386-2011      Communication from the Mayor - Withdrawing the nomination of Rudy Washington (M 334) from the City Council for its advice and consent regarding his reappointment to the New York City Civil Service Commission.**

**This Mayor's Message was Rcvd, Ord, Prnt, Fld by Council**

**M 0387-2011      Communication from the Mayor - Withdrawing the nomination of Charles D. McFaul (M 335) from the City Council for its advice and consent regarding his appointment to the New York City Civil Service Commission.**

**This Mayor's Message was Rcvd, Ord, Prnt, Fld by Council**

## 5. Communications from City, County &amp; Borough Offices

**M 0392-2011** Pursuant to §3-212(e) of the New York City Administrative Code, the Council of the City of New York and the Mayor are empowered to jointly appoint five members to serve on the New York City Lobbying Commission. In addition, the Council and the Mayor jointly designate a Chair from among the Commission members. The Council will consider the appointment of Elisa Velazquez as a member of the New York City Lobbying Commission.

**Attachments:** Committee Report, Resolution, Hearing Transcript, Hearing Transcript - Stated Meeting 2-16-11

This Communication was Referred to Comm by Council to the Committee on Rules, Privileges and Elections

**M 0393-2011** Robert F. Nolan, Council candidate for designation and subsequent appointment by the Mayor to the New York City Health and Hospitals Corporation Board of Directors to serve for the remainder of a five-year term that will expire on March 20, 2012.

**Attachments:** Committee Report, Resolution, Hearing Transcript, Hearing Transcript - Stated Meeting 2-16-11

This Communication was Referred to Comm by Council to the Committee on Rules, Privileges and Elections

## 6. Petitions and Communications

*None.*

## 7. Land Use Call-Ups

**M 0388-2011** By The Speaker (Council Member Quinn): Pursuant to Rule 11.20(b) of the Council and Section 20-226 (g) or Section 20-225(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 133 Seventh Avenue South, Community Board 2, Application 20105332 TCM shall be subject to review by the Council.

**Attachments:** Hearing Transcript - Stated Meeting 2-16-11

A motion was made that this Land Use Call-Up be Approved, by Council approved by Consent Roll Call.

**M 0389-2011**      **By The Speaker (Council Member Quinn):**  
**Pursuant to Rule 11.20(b) of the Council and Section 20-226 (g) or Section 20-225(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 16-18 King Street, Community Board 2, Application 20115341 TCM shall be subject to review by the Council.**

**Attachments:**    Hearing Transcript - Stated Meeting 2-16-11

**A motion was made that this Land Use Call-Up be Approved, by Council approved by Consent Roll Call.**

**M 0390-2011**      **By Council Member Koppell:**  
**Pursuant to Rule 11.20(b) of the Council and Section 20-226 (g) or Section 20-225(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed/enclosed sidewalk café located at 3738 Riverdale Avenue, Community Board 8, Application 20115344 TCX shall be subject to review by the Council.**

**Attachments:**    Hearing Transcript - Stated Meeting 2-16-11

**A motion was made that this Land Use Call-Up be Approved, by Council approved by Consent Roll Call.**

**M 0391-2011**      **By Council Member Vallone:**  
**Pursuant to Rule 11.20(b) of the Council and Section 20-226 (g) or Section 20-225(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed/enclosed sidewalk café located at 42-21 Broadway, Community Board 1, Application 20115336 TCQ shall be subject to review by the Council.**

**Attachments:**    Hearing Transcript - Stated Meeting 2-16-11

**A motion was made that this Land Use Call-Up be Approved, by Council approved by Consent Roll Call.**

*The President Pro Tempore (Council Member Rivera) put the question whether the Council would agree with and adopt such motion which was decided in the affirmative by the following vote:*

Passed The Consent Agenda

**A motion was made that these files be approved by consent vote.**

**Affirmative:** 51 -

Speaker Quinn, Arroyo, Barron, Brewer, Cabrera, Chin, Comrie Jr., Crowley, Dickens, Dilan, Dromm, Eugene, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran III, Ignizio, Jackson, James, Koo, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, Mendez, Nelson, Oddo, Palma, Recchia Jr., Reyna, Rivera, Rodriguez, Rose, Sanders Jr., Seabrook, Ulrich, Vacca, Vallone Jr., Van Bramer, Vann, Weprin, Williams and Wills

*At this point, the President Pro Tempore (Council Member Rivera) declared that the aforementioned items were adopted and referred to the Committee on Land Use and to the appropriate Land Use Subcommittee.*

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 Finance

**Res 0673-2011 Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.**

**Attachments:** Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 2-16-11

**A motion was made that this Resolution be Approved, by Council approved by Consent Roll Call.**

Report of the Committee on Land Use

**LU 0238-2010**      **Application no. 20115223 HAK, an Urban Development Action Area Project located at 824 Monroe Street, Council District no. 41, Borough of Brooklyn. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development and pursuant to Section 696 of the General Municipal law for an exemption from real property taxes.**

**Attachments:** Land Use Calendar - Week of October 25 - October 29, 2010, Hearing Testimony - Planning 10-25-10, Hearing Transcript - Planning 10-25-10, Land Use Calendar - Week of November 8 - November 12, 2010, Land Use Calendar - Week of November 22 - November 26, 2010, Hearing Testimony - Planning 11-10-10, Hearing Transcript - Planning 11-10-10, Land Use Calendar - Week of December 6 - December 10, 2010, Hearing Transcript - Planning 11-15-10, Hearing Transcript - Planning 11-22-10, Hearing Transcript - Planning 12-6-10, Land Use Calendar - Week of January 10 - January 14, 2011, Hearing Testimony - Planning 1/11/11, Hearing Transcript - Planning 1-11-11, Land Use Calendar - Week of February 7 - February 11, 2011, Hearing Testimony - Planning 2/8/11, Hearing Transcript - Planning 2/8/11, Land Use Calendar - February 10, 2011, Committee Report, Resolution, Hearing Transcript - Land Use 2-10-11, Hearing Transcript - Stated Meeting 2-16-11

**A motion was made that this Land Use Application be Approved, by Council approved by Roll Call.**

**Affirmative:** 50 -

Speaker Quinn, Arroyo, Brewer, Cabrera, Chin, Comrie Jr., Crowley, Dickens, Dilan, Dromm, Eugene, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran III, Ignizio, Jackson, James, Koo, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, Mendez, Nelson, Oddo, Palma, Recchia Jr., Reyna, Rivera, Rodriguez, Rose, Sanders Jr., Seabrook, Ulrich, Vacca, Vallone Jr., Van Bramer, Vann, Weprin, Williams and Wills

**Negative:** 1 -

Barron

**Res 0678-2011**      **Resolution approving an Urban Development Action Area Project located at 824 Monroe Street (Block 1481, Lot 14), Borough of Brooklyn, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 238; 20115223 HAK).**

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 2-16-11

**A motion was made that this Resolution be Approved, by Council approved by Roll Call.**

**Affirmative:** 50 -

Speaker Quinn, Arroyo, Brewer, Cabrera, Chin, Comrie Jr., Crowley, Dickens, Dilan, Dromm, Eugene, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran III, Ignizio, Jackson, James, Koo, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, Mendez, Nelson, Oddo, Palma, Recchia Jr., Reyna, Rivera, Rodriguez, Rose, Sanders Jr., Seabrook, Ulrich, Vacca, Vallone Jr., Van Bramer, Vann, Weprin, Williams and Wills

**Negative:** 1 -

Barron

LU 0288-2011

**Application no. 20115241 TCM pursuant to Section 20-226(g) of the New York City Administrative Code, concerning the petition of C & O Coffee Shop Inc. to continue to maintain and operate an unenclosed sidewalk café at 28 Eighth Avenue, Borough of Manhattan Council District no. 3. 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 11.20(b) of the Council and Section 20-226(g) of the New York City Administrative Code.**

**Attachments:** Land Use Calendar - Week of February 7 - February 11, 2011, Hearing Transcript - Zoning 2/8/11, Hearing Testimony - Zoning 2/8/11, Land Use Calendar - February 10, 2011, Committee Report, Resolution, Hearing Transcript - Land Use 2-10-11, Hearing Transcript - Stated Meeting 2-16-11

**A motion was made that this Land Use Application be Approved, by Council approved by Consent Roll Call.**

Res 0679-2011

**Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 28 Eighth Avenue, Borough of Manhattan (20115241 TCM; L.U. No. 288).**

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 2-16-11

**A motion was made that this Resolution be Approved, by Council approved by Consent Roll Call.**

**LU 0289-2011**      **Application no. 20105632 TCM pursuant to Section 20-226(g) of the Administrative Code, concerning the petition of Sonny Lou Inc. to establish, maintain and operate an unenclosed sidewalk café at 253 Tenth Avenue, Borough of Manhattan, Council District no. 3. 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 11.20(b) of the Council and Section 20-226(g) of the New York City Administrative Code.**

**Attachments:** Land Use Calendar - Week of February 7 - February 11, 2011, Hearing Transcript - Zoning 2/8/11, Hearing Testimony - Zoning 2/8/11, Land Use Calendar - February 10, 2011, Committee Report, Resolution, Hearing Transcript - Land Use 2-10-11, Hearing Transcript - Stated Meeting 2-16-11

**A motion was made that this Land Use Application be Approved, by Council approved by Consent Roll Call.**

**Res 0680-2011**      **Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 253 Tenth Avenue, Borough of Manhattan (20105632 TCM; L.U. No. 289).**

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 2-16-11

**A motion was made that this Resolution be Approved, by Council approved by Consent Roll Call.**

**LU 0290-2011**      **Application no. 20115286 TCQ pursuant to Section 20-226(g) of the Administrative Code concerning the petition of Canz Suffolk 1 Inc. to establish, maintain and operate an unenclosed sidewalk café at 40-11 30th Avenue, Borough of Queens, Council District no. 22. 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 11.20 (b) of the Council and Section 20-226(g) of the New York City Administrative Code.**

**Attachments:** Land Use Calendar - Week of February 7 - February 11, 2011, Hearing Transcript - Zoning 2/8/11, Land Use Calendar - February 10, 2011, Committee Report, Resolution, Hearing Transcript - Land Use 2-10-11, Hearing Transcript - Stated Meeting 2-16-11

**A motion was made that this Land Use Application be Approved, by Council approved by Consent Roll Call.**

**Res 0681-2011**      **Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 40-11 30th Avenue, Borough of Queens (20115286 TCQ; L.U. No. 290).**

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 2-16-11

**A motion was made that this Resolution be Approved, by Council approved by Consent Roll Call.**



**LU 0303-2011**      **Application no. 20115323 TCM, pursuant to Section 20-226(g) of the Administrative Code of the City of New York, concerning the petition of Harlem Apple, LLC d.b.a Applebee's Neighborhood Grill & Bar to establish, maintain and operate an unenclosed sidewalk café located at 1 West 125th Street, Borough of Manhattan, Council District no. 9. 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(g) of the New York City Administrative Code.**

**Attachments:** Land Use Calendar - Week of February 7 - February 11, 2011, Hearing Transcript - Zoning 2/8/11, Hearing Testimony - Zoning 2/8/11, Land Use Calendar - February 10, 2011, Committee Report, Resolution, Hearing Transcript - Land Use 2-10-11, Hearing Transcript - Stated Meeting 2-16-11

**A motion was made that this Land Use Application be Approved, by Council approved by Consent Roll Call.**

**Res 0682-2011**      **Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 1 West 125th Street, Borough of Manhattan (20115323 TCM; L.U. No. 303).**

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 2-16-11

**A motion was made that this Resolution be Approved, by Council approved by Consent Roll Call.**

Report of the Committee on Rules, Privileges, and Elections

**M 0392-2011**      **Pursuant to §3-212(e) of the New York City Administrative Code, the Council of the City of New York and the Mayor are empowered to jointly appoint five members to serve on the New York City Lobbying Commission. In addition, the Council and the Mayor jointly designate a Chair from among the Commission members. The Council will consider the appointment of Elisa Velazquez as a member of the New York City Lobbying Commission.**

**Attachments:** Committee Report, Resolution, Hearing Transcript, Hearing Transcript - Stated Meeting 2-16-11

**A motion was made that this Communication be Approved, by Council approved by Consent Roll Call.**

**Res 0683-2011**      **RESOLUTION APPROVING THE APPOINTMENT BY THE COUNCIL, IN CONJUNCTION WITH THE MAYOR, OF ELISA VELAZQUEZ AS A MEMBER OF THE NEW YORK CITY LOBBYING COMMISSION.**

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 2-16-11

**A motion was made that this Resolution be Approved, by Council approved by Consent Roll Call.**

**M 0393-2011      Robert F. Nolan, Council candidate for designation and subsequent appointment by the Mayor to the New York City Health and Hospitals Corporation Board of Directors to serve for the remainder of a five-year term that will expire on March 20, 2012.**

**Attachments:**    Committee Report, Resolution, Hearing Transcript, Hearing Transcript - Stated Meeting 2-16-11

**A motion was made that this Communication be Approved, by Council approved by Consent Roll Call.**

**Res 0684-2011      RESOLUTION APPROVING THE DESIGNATION OF ROBERT F. NOLAN AS A MEMBER OF THE NEW YORK CITY HEALTH AND HOSPITALS CORPORATION BOARD OF DIRECTORS.**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 2-16-11

**A motion was made that this Resolution be Approved, by Council approved by Consent Roll Call.**

Report of the Committee on Transportation

**Int 0370-2010      A Local Law to amend the administrative code of the city of New York, in relation to pedestrian safety reporting.**

**Attachments:**    Int. No. 370 - 10/13/10, Committee Report 11/4/10, Hearing Testimony 11/4/10, Hearing Transcript 11/4/10, Committee Report 2/14/11, Fiscal Impact Statement, Committee Report - Stated Meeting 2/16/11, Fiscal Impact Statement, Mayor's Letter, Hearing Transcript - Stated Meeting 2-16-11

**A motion was made that this Introduction be Approved by Council approved by Consent Roll Call.**

**Enactment No: 2011/012**

**Int 0374-2010      A Local Law to amend the administrative code of the city of New York, in relation to requiring the compilation of bicycle crash data.**

**Attachments:**    Int. No. 374 - 10/13/10, Committee Report 11/4/10, Hearing Testimony 11/4/10, Hearing Transcript 11/4/10, Committee Report 2/14/11, Fiscal Impact Statement, Committee Report - Stated Meeting 2/16/11, Fiscal Impact Statement, Mayor's Letter, Hearing Transcript - Stated Meeting 2-16-11

**A motion was made that this Introduction be Approved by Council approved by Consent Roll Call.**

**Enactment No: 2011/013**

**Int 0377-2010      A Local Law to amend the administrative code of the city of New York, in relation to traffic study determinations.**

**Attachments:** Int. No. 377 - 10/13/10, Committee Report 11/4/10, Hearing Testimony 11-4-10, Hearing Transcript 11/4/10, Committee Report 2/14/11, Fiscal Impact Statement, Committee Report - Stated Meeting 2/16/11, Fiscal Impact Statement, Mayor's Letter, Hearing Transcript - Stated Meeting 2-16-11

**A motion was made that this Introduction be Approved by Council approved by Consent Roll Call.**

**Enactment No:** 2011/014

12. General Orders Calendar

**T2010-0002      Commissioner of Deeds**

**Attachments:** Hearing Transcript - Charter Meeting 1/6/10, Hearing Transcript - Stated Meeting 1/21/10, Hearing Transcript - Stated Meeting 2/3/10, Hearing Transcript - Stated Meeting 2/11/10, Hearing Transcript - Stated Meeting 3/3/10, Hearing Transcript - Stated Meeting 3/25/10, Hearing Transcript - Stated Meeting 4/14/10, Hearing Transcript - Stated Meeting 4/29/10, Hearing Transcript - Stated Meeting 5/12/10, Hearing Transcript - Stated Meeting 5/25/10, Hearing Transcript - Stated Meeting 6/9/10, Hearing Transcript - Stated Meeting 6/29/10, Hearing Transcript - Stated Meeting 7/29/10, Hearing Transcript - Stated Meeting 8/25/10, Hearing Transcript - Stated Meeting 9-16-10, Hearing Transcript - Stated Meeting 9-29-10, Hearing Transcript - Stated Meeting 10-13-10, Hearing Transcript - Stated Meeting 10-27-10, Hearing Transcript - Stated Meeting 11-17-10, Hearing Transcript - Stated Meeting 11-30-10, Hearing Transcript - Stated Meeting 12-8-10, Hearing Transcript - Stated Meeting 12-20-10, Hearing Transcript - Stated Meeting 1/5//11, Hearing Transcript - Stated Meeting 1-18-11, Hearing Transcript - Stated Meeting 2-2-11, Hearing Transcript - Stated Meeting 2-16-11

**A motion was made that this Commissioner of Deeds be Approved, by Council approved by Consent Roll Call.**

Coupled on General Order Calendar

Finance

**Res 0673-2011      Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.**

**Attachments:** Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 2-16-11

Land Use

- Res 0678-2011**      **Resolution approving an Urban Development Action Area Project located at 824 Monroe Street (Block 1481, Lot 14), Borough of Brooklyn, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 238; 20115223 HAK).**  
**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 2-16-11
- Res 0679-2011**      **Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 28 Eighth Avenue, Borough of Manhattan (20115241 TCM; L.U. No. 288).**  
**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 2-16-11
- Res 0680-2011**      **Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 253 Tenth Avenue, Borough of Manhattan (20105632 TCM; L.U. No. 289).**  
**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 2-16-11
- Res 0681-2011**      **Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 40-11 30th Avenue, Borough of Queens (20115286 TCQ; L.U. No. 290).**  
**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 2-16-11
- Res 0682-2011**      **Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 1 West 125th Street, Borough of Manhattan (20115323 TCM; L.U. No. 303).**  
**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 2-16-11
- Rules, Privileges, and Elections
- Res 0683-2011**      **RESOLUTION APPROVING THE APPOINTMENT BY THE COUNCIL, IN CONJUNCTION WITH THE MAYOR, OF ELISA VELAZQUEZ AS A MEMBER OF THE NEW YORK CITY LOBBYING COMMISSION.**  
**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 2-16-11
- Res 0684-2011**      **RESOLUTION APPROVING THE DESIGNATION OF ROBERT F. NOLAN AS A MEMBER OF THE NEW YORK CITY HEALTH AND HOSPITALS CORPORATION BOARD OF DIRECTORS.**  
**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 2-16-11

## Transportation

**Int 0370-2010      A Local Law to amend the administrative code of the city of New York, in relation to pedestrian safety reporting.**

**Attachments:** Int. No. 370 - 10/13/10, Committee Report 11/4/10, Hearing Testimony 11/4/10, Hearing Transcript 11/4/10, Committee Report 2/14/11, Fiscal Impact Statement, Committee Report - Stated Meeting 2/16/11, Fiscal Impact Statement, Mayor's Letter, Hearing Transcript - Stated Meeting 2-16-11

**Enactment No:** 2011/012

**Int 0374-2010      A Local Law to amend the administrative code of the city of New York, in relation to requiring the compilation of bicycle crash data.**

**Attachments:** Int. No. 374 - 10/13/10, Committee Report 11/4/10, Hearing Testimony 11/4/10, Hearing Transcript 11/4/10, Committee Report 2/14/11, Fiscal Impact Statement, Committee Report - Stated Meeting 2/16/11, Fiscal Impact Statement, Mayor's Letter, Hearing Transcript - Stated Meeting 2-16-11

**Enactment No:** 2011/013

**Int 0377-2010      A Local Law to amend the administrative code of the city of New York, in relation to traffic study determinations.**

**Attachments:** Int. No. 377 - 10/13/10, Committee Report 11/4/10, Hearing Testimony 11-4-10, Hearing Transcript 11/4/10, Committee Report 2/14/11, Fiscal Impact Statement, Committee Report - Stated Meeting 2/16/11, Fiscal Impact Statement, Mayor's Letter, Hearing Transcript - Stated Meeting 2-16-11

**Enactment No:** 2011/014

## General Order Calendar

**T2010-0002      Commissioner of Deeds**

**Attachments:** Hearing Transcript - Charter Meeting 1/6/10, Hearing Transcript - Stated Meeting 1/21/10, Hearing Transcript - Stated Meeting 2/3/10, Hearing Transcript - Stated Meeting 2/11/10, Hearing Transcript - Stated Meeting 3/3/10, Hearing Transcript - Stated Meeting 3/25/10, Hearing Transcript - Stated Meeting 4/14/10, Hearing Transcript - Stated Meeting 4/29/10, Hearing Transcript - Stated Meeting 5/12/10, Hearing Transcript - Stated Meeting 5/25/10, Hearing Transcript - Stated Meeting 6/9/10, Hearing Transcript - Stated Meeting 6/29/10, Hearing Transcript - Stated Meeting 7/29/10, Hearing Transcript - Stated Meeting 8/25/10, Hearing Transcript - Stated Meeting 9-16-10, Hearing Transcript - Stated Meeting 9-29-10, Hearing Transcript - Stated Meeting 10-13-10, Hearing Transcript - Stated Meeting 10-27-10, Hearing Transcript - Stated Meeting 11-17-10, Hearing Transcript - Stated Meeting 11-30-10, Hearing Transcript - Stated Meeting 12-8-10, Hearing Transcript - Stated Meeting 12-20-10, Hearing Transcript - Stated Meeting 1/5/11, Hearing Transcript - Stated Meeting 1-18-11, Hearing Transcript - Stated Meeting 2-2-11, Hearing Transcript - Stated Meeting 2-16-11

*The President Pro Tempore (Council Member Rivera) put the question whether the Council would agree with and adopt such reports, which were decided in the affirmative by the following vote:*

Passed The Consent Agenda

**A motion was made that these files be approved by consent vote.**

**Affirmative:** 51 -

Speaker Quinn, Arroyo, Barron, Brewer, Cabrera, Chin, Comrie Jr., Crowley, Dickens, Dilan, Dromm, Eugene, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran III, Ignizio, Jackson, James, Koo, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, Mendez, Nelson, Oddo, Palma, Recchia Jr., Reyna, Rivera, Rodriguez, Rose, Sanders Jr., Seabrook, Ulrich, Vacca, Vallone Jr., Van Bramer, Vann, Weprin, Williams and Wills

*The following files were removed from the General Order Calendar and voted separately:*

*LU No.238 & Res No. 678, 50-1-0.*

*See files for individual votes.*

13. Introduction & Reading of Bills  
See Attached
14. Discussion of Resolutions
15. Resolutions

**Res 0626-2011      Resolution calling upon the United States Congress to reinstate the privileges, formerly held by the Puerto Rican Resident Commissioner and other delegates, allowing them to vote on amendments and procedures in the Committee of the Whole.**

**Attachments:** Res. No. 626 - 1/18/11, Committee Report 2/10/11, Hearing Testimony 2/10/11, Hearing Transcript 2/10/11, Committee Report 2/14/11, Hearing Transcript 2/14/11, Committee Report - Stated Meeting 2/16/11, Hearing Transcript - Stated Meeting 2-16-11

*Pursuant to Rule 8.50 of the Council, The President Pro Tempore (Council Member Rivera) called for a voice vote. Hearing those in favor, the President Pro Tempore (Council Member Rivera) declared the Resolution to be adopted.*

*The following Council Member formally voted against this item: Council Member Halloran.*

*The following 4 Council Members formally abstained to vote on this item: Council Members Ignizio, Oddo, Ulrich and Vallone, Jr.*

*Adopted by the Council by voice-vote.*

**A motion was made that this Resolution be Approved, by Council approved by Voice Vote.**

**Res 0646-2011      Resolution authorizing the Council to join in an amicus brief to be filed with the United States Supreme Court in support of the Respondents in the litigation captioned McComish v. Bennett, for the purpose of supporting the Respondents' position that the Court should uphold the trigger funds provision of Arizona's campaign finance law.**

**Attachments:** Committee Report 2/11/11, Hearing Testimony 2/11/11, Committee Report 2/14/11, Hearing Transcript 2/14/11, Hearing Transcript - Stated Meeting 2-16-11

*Pursuant to Rule 8.50 of the Council, The President Pro Tempore (Council Member Rivera) called for a voice vote. Hearing those in favor, the President Pro Tempore (Council Member Rivera) declared the Resolution to be adopted.*

*The following Council Member formally voted against this item: Council Member Halloran.*

*The following 4 Council Members formally abstained to vote on this item: Council Members Ignizio, Koo, Oddo and Ulrich.*

*Adopted by the Council by voice-vote.*

**A motion was made that this Resolution be Approved, by Council approved by Voice Vote.**

16. General Discussion
17. Extension of Remarks

INTRODUCTION AND READING OF BILLS

**Res 0666-2011**      **Resolution calling upon the United States House of Representatives to vote against H.R. 358, a bill which will severely restrict women's right to access abortion and endanger women's lives by permitting health care providers to deny life saving care in emergencies.**

**Sponsors:**      By Council Members Arroyo, The Speaker (Council Member Quinn), Brewer, Chin, Dickens, Dromm, Ferreras, Foster, Jackson, James, Koppell, Koslowitz, Lander, Mark-Viverito, Mealy, Mendez, Nelson, Rose and Van Bramer

**Attachments:**      Res. No. 666 - 2/16/11

**This Resolution was Referred to Comm by Council to the Committee on Health**

**Int 0475-2011**      **A Local Law to amend the administrative code of the city of New York, in relation to evictions of elderly tenants.**

**Sponsors:**      By Council Members Barron, Dromm, Foster, Jackson, James, Mark-Viverito, Mealy, Palma, Recchia Jr., Rose, Seabrook, Vann and Williams

**This Introduction was Referred to Comm by Council to the Committee on Housing and Buildings**

**Int 0476-2011**      **A Local Law to amend the administrative code of the city of New York, in relation to providing operators of a motor vehicle an opportunity to pay the fine immediately.**

**Sponsors:**      By Council Members Barron, James, Mark-Viverito, Mealy, Palma, Seabrook and Williams

**This Introduction was Referred to Comm by Council to the Committee on Transportation**

**Res 0667-2011**      **Resolution calling upon the New York State Legislature to introduce, and the Governor to sign, legislation which would provide a tax credit to commercial building owners who lease space to small business owners.**

**Sponsors:**      By Council Members Brewer, Barron, Dickens, Dromm, Ferreras, Foster, Gentile, Jackson, James, Lander, Mark-Viverito, Mealy, Mendez, Palma, Rose, Seabrook, Williams and Halloran III

**This Resolution was Referred to Comm by Council to the Committee on Finance**



**Int 0477-2011      A Local Law to amend the administrative code of the City of New York, in relation to a tenants bill of rights.**

**Sponsors:** By Council Members Cabrera, Williams, Barron, Brewer, Chin, Dromm, Foster, Garodnick, Gonzalez, Greenfield, Jackson, James, Koppell, Koslowitz, Lander, Mark-Viverito, Mealy, Mendez, Palma, Rose, Seabrook, Vann, Wills and Rivera

**This Introduction was Referred to Comm by Council to the Committee on Housing and Buildings**

**Int 0478-2011      A Local Law to amend the administrative code of the city of New York, in relation to the recovery of relocation expenses incurred by the Department of Housing Preservation and Development pursuant to a vacate order.**

**Sponsors:** By Council Members Chin, Dromm, Ferreras, James, Lander, Mark-Viverito, Mealy, Mendez, Palma, Rose, Seabrook, Williams and Koo

**This Introduction was Referred to Comm by Council to the Committee on Housing and Buildings**

**Res 0668-2011      Resolution calling upon the New York State Legislature to pass A.4578 and S.2997, and the Governor to sign into law an act to amend the Vehicle and Traffic Law, in relation to establishing an intercity bus passenger service permit system in cities having a population of one million or more.**

**Sponsors:** By Council Members Chin, Brewer, Gentile, James, Lander, Mark-Viverito, Mealy, Mendez, Palma, Rose, Williams and Koo

**This Resolution was Referred to Comm by Council to the Committee on Transportation**

**Res 0669-2011      Resolution recognizing the importance of financial aid opportunities for students to pursue higher education and designating the month of February as "Financial Aid Awareness Month."**

**Sponsors:** By Council Members Comrie Jr., Barron, Chin, Dromm, Eugene, Ferreras, Fidler, Foster, Gennaro, Gonzalez, Jackson, James, Koslowitz, Mealy, Mendez, Palma, Recchia Jr., Rose, Seabrook, Williams and Koo

**This Resolution was Referred to Comm by Council to the Committee on Higher Education**

**Res 0670-2011**      **Resolution calling upon the United States House of Representatives to vote against H.R. 3, a bill which will raise taxes on millions of Americans and severely limit women's right to access abortion services.**

**Sponsors:**      By Council Members Ferreras, The Speaker (Council Member Quinn), Brewer, Chin, Comrie Jr., Dickens, Dromm, Foster, Jackson, James, Koppell, Koslowitz, Lander, Mark-Viverito, Mealy, Mendez, Palma, Nelson, Rose, Seabrook and Van Bramer

**Attachments:**      Res. No. 670 - 2/16/11

**This Resolution was Referred to Comm by Council to the Committee on Health**

**Res 0671-2011**      **Resolution calling on the New York State Legislature to pass legislation that would require that paper ballots be designed in a more user-friendly manner.**

**Sponsors:**      By Council Members Fidler, Dromm, Gennaro, Gentile, Gonzalez, Jackson, James, Koslowitz, Lander, Mark-Viverito, Mendez, Palma, Rose, Seabrook, Vann, Williams, Halloran III and Koo

**This Resolution was Referred to Comm by Council to the Committee on Governmental Operations**

**Int 0479-2011**      **A Local Law to amend the administrative code of the city of New York, in relation to requiring city contractors to post information concerning their employees' whistleblower protection rights as established by the New York State and Federal False Claims Acts.**

**Sponsors:**      By Council Members Garodnick, Barron, Brewer, Chin, Dromm, Ferreras, Fidler, Gennaro, Gentile, Jackson, James, Koppell, Lander, Mark-Viverito, Mealy, Mendez, Palma, Rose, Seabrook, Vann, Williams, Halloran III and Koo

**This Introduction was Referred to Comm by Council to the Committee on Contracts**

**Int 0480-2011**      **A Local Law to amend the New York city charter, in relation to the mayor's office of veterans' affairs and the establishment of veteran liaisons.**

**Sponsors:**      By Council Members Gentile, Eugene, Barron, Dromm, Fidler, Gonzalez, Jackson, James, Koppell, Mark-Viverito, Mendez, Recchia Jr., Rose, Sanders Jr., Seabrook, Van Bramer, Vann, Williams and Halloran III

**This Introduction was Referred to Comm by Council to the Committee on Veterans**

**Res 0672-2011**      **Resolution urging the United States House of Representatives to vote against H.R. 217, a bill that will restrict access to women's reproductive health services by severely restricting funding for family planning providers and the United States Senate to protect family planning funds and reject the total defunding of Planned Parenthood.**

**Sponsors:**      By Council Members Lappin, The Speaker (Council Member Quinn), Brewer, Chin, Dickens, Dromm, Ferreras, Foster, Jackson, James, Koppell, Koslowitz, Lander, Mark-Viverito, Mealy, Mendez, Nelson and Palma

**Attachments:**      Res. No. 672 - 2/16/11

**This Resolution was Referred to Comm by Council to the Committee on Health**

**Res 0673-2011**      **Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.**

**Sponsors:**      By Council Members Recchia Jr., Comrie Jr. and Gennaro

**Attachments:**      Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 2-16-11

**This Resolution was Referred to Comm by Council to the Committee on Finance**

**Int 0481-2011**      **A Local Law to amend the administrative code of the city of New York, in relation to the duties and obligations of property owners with respect to maintenance, repair or construction of sidewalks as part of government capital reconstruction projects.**

**Sponsors:**      By Council Members Vacca, Brewer, Chin, Dromm, Fidler, Foster, Gennaro, Koslowitz, Seabrook and Williams

**This Introduction was Referred to Comm by Council to the Committee on Transportation**

**Int 0482-2011**      **A Local Law to amend the administrative code of the city of New York, in relation to informing of removal of trees.**

**Sponsors:**      By Council Members Vacca, Dromm, Fidler, Foster, Gennaro, Gentile, Jackson, James, Mark-Viverito, Mealy, Nelson, Recchia Jr., Seabrook, Williams and Halloran III

**This Introduction was Referred to Comm by Council to the Committee on Parks and Recreation**

- Int 0483-2011**      **A Local Law to amend the administrative code of the City of New York, in relation to allowing for Press Vehicle Parking Permits.**
- Sponsors:**      By Council Members Vallone Jr., Vacca, Dromm, Gennaro, Seabrook, Williams and Koo
- This Introduction was Referred to Comm by Council to the Committee on Transportation
- Int 0484-2011**      **A Local Law to amend the administrative code of the city of New York, in relation to increasing civil penalties for owning or harboring a dangerous dog.**
- Sponsors:**      By Council Members Vallone Jr., Gonzalez, Koppell, Mealy, Palma, Nelson, Sanders Jr. and Seabrook
- This Introduction was Referred to Comm by Council to the Committee on Health
- Res 0674-2011**      **Resolution calling on the New York State Legislature to pass S.1075 and A.1929, an act to amend the retirement and social security law, in relation to forfeiture of pension rights or retirement benefits upon conviction of certain crimes related to public employment.**
- Sponsors:**      By Council Members Vallone Jr., Chin, Foster, Mendez, Nelson and Williams
- Attachments:**      Cover Sheet
- This Resolution was Referred to Comm by Council to the Committee on Civil Service and Labor
- Res 0675-2011**      **Resolution calling upon the United States Congress to pass and the President to sign the Preservation of Antibiotics for Medical Treatment Act, legislation that would prohibit the routine use of certain types of antibiotics in farm animals in an effort to reduce the spread of dangerous bacteria in humans.**
- Sponsors:**      By Council Members Vallone Jr., Brewer, Mealy, Williams and Koo
- This Resolution was Referred to Comm by Council to the Committee on Health

**Res 0676-2011**      **Resolution calling upon the United States Congress to pass the “Thomas J. Manton Prostate Cancer Early Detection and Treatment Act of 2009” (H.R. 4383), which would amend the Public Health Service Act and Title XIX of the Social Security Act to provide for a screening and treatment program for prostate cancer in the same manner as is provided for breast and cervical cancer.**

**Sponsors:**      By Council Members Vallone Jr., Brewer, Chin, Dromm, Eugene, Ferreras, Gennaro, Gentile, Jackson, Recchia Jr., Rose, Sanders Jr., Vann, Williams, Halloran III and Koo

**This Resolution was Referred to Comm by Council to the Committee on Health**

**Res 0677-2011**      **Resolution calling upon the United States Congress to pass H.R.4356, the “Downed Animal and Food Safety Protection Act,” which would amend the Humane Methods of Livestock Slaughter Act of 1958 to ensure the humane slaughter of non-ambulatory livestock, thus preventing such meat from entering the human food supply.**

**Sponsors:**      By Council Members Vallone Jr., Brewer, Rose, Williams and Koo

**This Resolution was Referred to Comm by Council to the Committee on Health**

**Int 0485-2011**      **A Local Law to amend the New York City charter, in relation to classification of depository banks.**

**Sponsors:**      By Council Members Vann, Recchia Jr., Mark-Viverito, Lander, Arroyo, Comrie Jr., Dickens, Ferreras, Fidler, Foster, Gonzalez, Jackson, Koppell, Koslowitz, Mendez, Reyna, Rivera, Rose, Sanders Jr., Seabrook, Van Bramer, Williams, Wills, Dromm and Koo

**This Introduction was Referred to Comm by Council to the Committee on Finance**

**LU 0319-2011**      **Application no. 20115463 HAM, approval of a termination of a prior exemption and the voluntary dissolution of the current owner for property located at Block 1837/Lot 21, Council District no. 8, Borough of Manhattan. This matter is subject to Council review and action pursuant to Article V of the New York Private Housing Finance Law, at the request of the New York City Department of Housing Preservation and Development.**

**Sponsors:**      By Council Member Comrie Jr.

**This Land Use Application was Referred to Comm by Council to the Committee on Land Use**

**This Land Use Application was Referred to Comm by Council to the Subcommittee on Planning, Dispositions and Concessions**

**LU 0320-2011**      **Uniform land use review procedure application no. C 110114 HUX pursuant to §197-c and §197-d of the Charter of the City of New York and §505 of the General Municipal Law concerning the approval of the second amendment to the Melrose Commons Urban Renewal Plan, Borough of the Bronx, Council District no. 16.**

**Sponsors:**      By Council Member Comrie Jr.

**This Land Use Application was Referred to Comm by Council to the Committee on Land Use**

**This Land Use Application was Referred to Comm by Council to the Subcommittee on Planning, Dispositions and Concessions**

**LU 0321-2011**      **Uniform land use review procedure application no. C 110115 ZMX pursuant to §197-c and §197-d of the New York City Charter, concerning an amendment to the Zoning Map Section no. 6a, Borough of the Bronx, Council District no. 16**

**Sponsors:**      By Council Member Comrie Jr.

**This Land Use Application was Referred to Comm by Council to the Committee on Land Use**

**This Land Use Application was Referred to Comm by Council to the Subcommittee on Planning, Dispositions and Concessions**

**LU 0322-2011**      **Uniform land use review procedure application no. C 110116 HAX, an Urban Development Action Area Designation and Project located at Block 2408/Lots 35, 41, 43-45,49, 50-53 and the disposition of such property, Borough of the Bronx, Council District no. 16. This matter is subject to Council Review and action pursuant to §197-c and §197-d of the New York City Charter and Article 16 of the General Municipal Law.**

**Sponsors:**      By Council Member Comrie Jr.

**This Land Use Application was Referred to Comm by Council to the Committee on Land Use**

**This Land Use Application was Referred to Comm by Council to the Subcommittee on Planning, Dispositions and Concessions**

**LU 0323-2011**      **Application no. 20115336 TCQ, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Sympatoch Café, Inc d.b.a Dandana to continue to maintain and operate an unenclosed sidewalk café located at 42-21 Broadway, Borough of Queens, Council District no. 22. 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 §20-226(g) of the New York City Administrative Code.**

**Sponsors:**      By Council Member Comrie Jr.

**This Land Use Application was Referred to Comm by Council to the Committee on Land Use**

**This Land Use Application was Referred to Comm by Council to the Subcommittee on Zoning and Franchises**

**LU 0324-2011**      **Application no. 20115344 TCX, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Salvatores of Soho, Inc. d.b.a Salvatores of Soho to establish, maintain and operate an unenclosed sidewalk café located at 3738 Riverdale Avenue, Borough of the Bronx, Council District no. 11. 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 §20-226(g) of the New York City Administrative Code.**

**Sponsors:**      By Council Member Comrie Jr.

**This Land Use Application was Referred to Comm by Council to the Committee on Land Use**

**This Land Use Application was Referred to Comm by Council to the Subcommittee on Zoning and Franchises**

**LU 0325-2011**      **Application no. C 110085 ZMX submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 1d and 3c, Council Districts 11 and 12.**

**Sponsors:**      By Council Member Comrie Jr.

**This Land Use Application was Referred to Comm by Council to the Committee on Land Use**

**This Land Use Application was Referred to Comm by Council to the Subcommittee on Zoning and Franchises**

**LU 0326-2011**      **Application no. C 110086 ZRX submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, concerning Appendix F (Inclusionary housing designated areas).**

**Sponsors:**      By Council Member Comrie Jr.

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

This Land Use Application was Referred to Comm by Council to the Subcommittee on Zoning and Franchises

**LU 0327-2011**      **Application no. 20105332 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Carabean LLC d.b.a Public House to establish, maintain and operate an unenclosed sidewalk café located at 133 Seventh Avenue South, Borough of Manhattan, Council District no.3. 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 §20-226(g) of the New York City Administrative Code.**

**Sponsors:**      By Council Member Comrie Jr.

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

This Land Use Application was Referred to Comm by Council to the Subcommittee on Zoning and Franchises

**LU 0328-2011**      **Application no. 20115341 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of New Mekong Restaurant Corp.. d.b.a Mekong Restaurant to continue to maintain and operate an unenclosed sidewalk café located at 16-18 King Street, Borough of Manhattan, Council District no. 3. 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 §20-226(g) of the New York City Administrative Code.**

**Sponsors:**      By Council Member Comrie Jr.

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

This Land Use Application was Referred to Comm by Council to the Subcommittee on Zoning and Franchises

*At this point the Speaker (Council Member Quinn) made the following announcements:*



*Whereupon on motion of the Speaker (Council Member Quinn), the President Pro Tempore (Council Member Rivera) adjourned to meet again on Wednesday, March 2, 2011.*

*MICHAEL McSWEENEY, City Clerk*

*Clerk of the Council*