

The New York City Council Council Agenda

Stated Meeting

January 07, 2009

1:30 PM

Council Chambers - City Hall

1. Roll Call

2. Invocation

Delivered by: Rev. Demetrius Carolina, Pastor, First Central Baptist Church, 117 Rev. Calvin Rice Place, Staten Island, N.Y. 10304.

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

3. Adoption of Minutes

None

4. Messages & Papers from the Mayor

None

5. Communications from City, County & Borough

Offices

M 1263-2009 **Submitting the Certification of Election of Elizabeth Crowley as the new Council Member of the 30th Councilmanic District, Queens County.**

Communication from the Board of Elections - Submitting the Certification of Election of Elizabeth Crowley as the new Council Member of the 30th Councilmanic District, Queens County.

Received, Ordered, Printed & Filed

M 1264-2009 **Certificate of the swearing in of Elizabeth Crowley, as the new Council Member of the 30th Council District, Queens County.**

Communication from the Office of the City Clerk – Submitting the Certificate of the swearing in of Elizabeth Crowley, as the new Council Member of the 30th Council District, Queens County.

THE ACTING CITY CLERK AND CLERK OF THE COUNCIL PERFORMS THE FORMAL CEREMONY OF THE ELECTED COUNCIL MEMBER ELIZABETH CROWLEY TAKING HER OATH OF OFFICE

Received, Ordered, Printed & Filed

M 1265-2009 **Judith D. Stupp, Queens County Republican Commissioner of Elections**

Communication from the Queens County Republican Party - Submitting for the Advice & Consent of the Council, the name of Judith D. Stupp, for reappointment as the Queens County Republican Commissioner of Elections, pursuant to Section 3 – 204 (2) of the Election Law.

Rules, Privileges and Elections

M 1266-2009 **James J. Sampel, Richmond County Democratic Commissioner of Elections**

Communication from the Democratic Committee of

Richmond County - Submitting for the Advice & Consent of the Council, the name of James J. Sampel, for reappointment as the Richmond County Democratic Commissioner of Elections, pursuant to Section 3 – 204 (2) of the Election Law.

Rules, Privileges and Elections

M 1267-2009

Base Station License, Dollar Express Car & Limousine, Inc.

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license Dollar Express Car & Limousine, Inc., Council District 24, pursuant to Section 19-511(i), of the administrative code of the city of New York.

Transportation

M 1268-2009

Base Station License, Safari Transportation, Inc.

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license Safari Transportation, Inc., Council District 36, pursuant to Section 19-511(i), of the administrative code of the city of New York.

Transportation

M 1269-2009

Base Station License, Xpress Trans & Multi Services, Inc.

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license Xpress Trans & Multi Services, Inc., Council District 7, pursuant to Section 19-511(i), of the administrative code of the city of New York.

Transportation

M 1270-2009

Base Station License, Easy Fast Car Service, Inc.

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Easy Fast Car Service, Inc., Council District 45, pursuant to Section 19-511(i), of the administrative code of

the city of New York.

Transportation

M 1271-2009 Base Station License, Heights Car & Limousine Service

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Heights Car & Limousine Service, Council District 33, pursuant to Section 19-511(i), of the administrative code of the city of New York.

Transportation

M 1272-2009 Base Station License, Jerusalem Car.Com, Inc.

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Jerusalem Car.Com, Inc., Council District 44, pursuant to Section 19-511(i), of the administrative code of the city of New York.

Transportation

M 1273-2009 Base Station License, La Mexicana Express, Inc.

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license La Mexicana Express, Inc., Council District 38, pursuant to Section 19-511(i), of the administrative code of the city of New York.

Transportation

M 1274-2009 Base Station License, Lower East Side Car Service, Corp.

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Lower East Side Car Service, Corp., Council District 2, pursuant to Section 19-511(i), of the administrative code of the city of New York.

Transportation

M 1275-2009 Base Station License, Olympus Transport Car Service, Inc.

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Olympus Transport Car Service, Inc., Council District 22, pursuant to Section 19-511(i), of the administrative code of the city of New York.

Transportation

M 1276-2009

Base Station License, Skyline Car & Limousine Service, Inc.

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Skyline Car & Limousine Service, Inc., Council District 12, pursuant to Section 19-511(i), of the administrative code of the city of New York.

Transportation

M 1277-2009

Base Station License, Duke Car & Limo Service

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal and relocation base station license Duke Car & Limo Service, Council Districts 32 and 24, pursuant to Section 19-511(i), of the administrative code of the city of New York.

Transportation

M 1278-2009

Base Station License, U.S. Express Car & Limousine, Inc.

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal and ownership change base station license U.S. Express Car & Limousine, Inc., Council District 39, pursuant to Section 19-511(i), of the administrative code of the city of New York.

Transportation

M 1279-2009

Base Station License, Flamingo Transportation & Limousine Services, Inc.

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a relocation base station license Flamingo Transportation & Limousine

Services, Inc., Council Districts 41 and 40, pursuant to Section 19-511(i), of the administrative code of the city of New York.

Transportation

6. Petitions and Communications

M 1280-2009

CM Joseph Addabbo, Jr. - Submitting his resignation as a member of the NYC Council effective December 31, 2008.

Communication from Council Member Joseph Addabbo, Jr. - Submitting his resignation as a member of the New York City Council effective December 31, 2008.

Received, Ordered, Printed & Filed

M 1281-2009

CM Michael E. McMahon - Submitting his resignation as a member of the NYC Council effective January 2, 2009.

Communication from Council Member Michael E. McMahon - Submitting his resignation as a member of the New York City Council effective January 2, 2009.

Received, Ordered, Printed & Filed

M 1282-2009

CM Hiram Monserrate - Submitting his resignation as a member of the NYC Council effective December 31, 2008.

Communication from Council Member Hiram Monserrate - Submitting his resignation as a member of the New York City Council effective December 31, 2008.

Received, Ordered, Printed & Filed

M 1283-2009

Motion to file certain State Legislative Resolutions and Mayor's Home Rule Messages.

Motion to file certain State Legislative Resolutions and Mayor's Home Rule Messages.

Received, Ordered, Printed & Filed

7. Land Use Call-Ups

M 1284-2009 New York City Economic Development Corporation and the Department of Small Business Services (070443 MMX)

By Council Member Arroyo:

Pursuant to Rule 11.20(c) of the Council and Section 197-d(b)(3) of the New York City Charter, the Council resolves that the action of the City Planning Commission on Uniform Land Use Review Procedure Applications no. C 070443 MMX, shall be subject to review by the Council.

Coupled on Call-Up Vote

M 1285-2009 ULURP, Site selection and acquisition of easements (Block 2543, p/o Lot 1 and Block 2583, p/o Lot 2) for use as a pedestrian and bicycle pathway (C080533 PCY)

By Council Members Arroyo and Mark-Viverito:

Pursuant to Rule 11.20b of the Council and Section 197-d(b)(3) of the New York City Charter, the Council resolves that the action of the City Planning Commission on Uniform Land Use Review Procedure Application no. C 080533 PCY, shall be subject to review by the Council.

Coupled on Call-Up Vote

M 1286-2009 ULURP, Site selection of property generally bounded by Rockaway Boulevard and North Boundary Road (Block 14260, p/o Lot 1) for use as evidence vehicle storage, Queens (20090087PSQ)

By Council Member Sanders:

Pursuant to Rule 11.20(c) of the Council and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Procedure Application no. 20090087 PSQ shall be subject to Council review.

Coupled on Call-Up Vote

M 1287-2009 Sidewalk café located at 560 Manhattan Ave, Brooklyn

(20085477TCK)

By Council Member Yassky:
Application no. 20085477 TCK, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Enid's Corporation, to continue to maintain and operate an enclosed sidewalk café located at 560 Manhattan Avenue, Borough of Brooklyn, Council District no. 33. 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.

Coupled on Call-Up Vote

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

Int 0909-2009 **Grace period for payment without interest of the installment of real property tax with respect to certain real property that is due and payable on January 1, 2009.**

A Local Law in relation to the grace period for payment without interest of the installment of real property tax with respect to certain real property that is due and payable on January 1, 2009.

Preconsidered - Coupled on GO with Message of Necessity

Int 0910-2009 **Change the date of submission by the Mayor of the preliminary budget from January 16, 2009 to not later than January 30, 2009, and would adjust other dates in the budget process accordingly.**

A Local Law in relation to the date of submission by the mayor of a preliminary management report and the date prior to which the council shall conduct public hearings and the date by which the council shall submit a report or reports pertaining thereto, the date of submission by the mayor of the preliminary certificate regarding debt and reserves and appropriations and expenditures for capital projects, the date of submission by the mayor of the preliminary budget, the date of publication by the director of the independent budget office of a report on revenues and expenditures, the date of submission by the community boards of statements in regard to the preliminary budget, the date of submission by the commissioner of finance of an estimate of the assessed valuation of real property and statement of real property taxes due, expected to be received, and uncollected, the date of submission by the mayor of a tax benefit report, the date of submission by the borough boards of statements on budget priorities, the date of submission by the council of estimates of the financial needs of the council, the date of submission by the borough presidents of proposed modifications of the preliminary budget, the date of publication by the director of the independent budget office of a report analyzing the preliminary budget, the date by which the council shall hold hearings and submit recommendations in regard to the preliminary budget, and the date of submission by the campaign finance board of estimates of the financial needs of the campaign finance board, relating to the fiscal year two thousand ten.

Preconsidered - Coupled on GO with Message of Necessity

Report of the Committee on Public Safety

Int 0516-2007-A **Requiring the police department to submit reports concerning**

the discharge of firearms to the council.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to submit reports concerning the discharge of firearms.

Amended and Coupled on GO

Report of the Committee on Rules, Privileges, and Elections

Res 1774-2009 **Resolution approving Membership Changes to Certain Committees.**

Resolution approving Membership Changes to Certain Committees.

Preconsidered - Coupled on GO

Res 1775-2009 **M 1252 - Lauvienska Polanco, Taxi and Limousine Commission**

RESOLUTION APPROVING THE RE-APPOINTMENT BY THE MAYOR OF LAUVIENSKA POLANCO AS A MEMBER OF THE NEW YORK CITY TAXI AND LIMOUSINE COMMISSION.

Coupled on GO

Res 1776-2009 **M 1253 - Elias Aroust , Taxi and Limousine Commission**

RESOLUTION APPROVING THE RE-APPOINTMENT BY THE MAYOR OF ELIAS AROUST AS A MEMBER OF THE NEW YORK CITY TAXI AND LIMOUSINE COMMISSION.

Coupled on GO

Res 1777-2009 **M 1255 - Gregory C. Soumas, NY County Democratic Commissioner of Elections**

RESOLUTION APPROVING THE RE-APPOINTMENT BY THE COUNCIL OF GREGORY C. SOUMAS AS THE NEW YORK COUNTY DEMOCRATIC COMMISSIONER OF ELECTIONS.

Coupled on GO

- Res 1778-2009** **M 1256 - Juan Carlos “J.C.” Polanco, NY County Democratic Commissioner of Elections**
- RESOLUTION APPROVING THE RE-APPOINTMENT BY THE COUNCIL OF JUAN CARLOS POLANCO AS THE BRONX COUNTY REPUBLICAN COMMISSIONER OF ELECTIONS.
- Coupled on GO*

12. General Orders Calendar

- T2006-0001** **Commissioner of Deeds**
- Commissioner of Deeds
- Coupled on GO*

Coupled on General Order Calendar

Finance

- Int 0909-2009** **Grace period for payment without interest of the installment of real property tax with respect to certain real property that is due and payable on January 1, 2009.**
- Preconsidered - GO with M / N*
- Int 0910-2009** **Change the date of submission by the Mayor of the preliminary budget from January 16, 2009 to not later than January 30, 2009, and would adjust other dates in the budget process accordingly.**
- Preconsidered - GO with M / N*

Public Safety

- Int 0516-2007-A** **Requiring the police department to submit reports concerning the discharge of firearms to the council.**

*A and GO***Rules, Privileges, and Elections**

- Res 1774-2009** **Resolution approving Membership Changes to Certain Committees.**
Preconsidered - GO
- Res 1775-2009** **M 1252 - Lauvienska Polanco, Taxi and Limousine Commission**
GO
- Res 1776-2009** **M 1253 - Elias Arout , Taxi and Limousine Commission**
GO
- Res 1777-2009** **M 1255 - Gregory C. Soumas, NY County Democratic Commissioner of Elections**
GO
- Res 1778-2009** **M 1256 - Juan Carlos "J.C." Polanco, NY County Democratic Commissioner of Elections**
GO

General Order Calendar

- T2006-0001** **Commissioner of Deeds**
GO

13. Introduction & Reading of Bills
See Attached

14. Discussion of Resolutions

15. Resolutons

None

16. General Discussion

17. Extension of Remarks

INTRODUCTION AND READING OF BILLS

Res 1771-2009 *By Council Members de Blasio, Brewer, Comrie Jr., Jackson, James, Liu, Mark-Viverito, Seabrook, Stewart, Weprin and Gerson*

Resolution calling upon the New York State Legislature to reintroduce and pass, and the Governor to sign, S. 7587 and A. 10615 of 2008, which would create 39 additional Family Court judgeships throughout New York State.

General Welfare

Int 0907-2009 *By Council Members Felder, Vacca, Barron, Comrie Jr., Fidler, Gentile, Jackson, James, Nelson, Sears, Weprin, Stewart, Palma, Yassky, Gerson, Koppell, Gennaro, White Jr., Liu and Eugene*

A Local Law to amend the administrative code of the city of New York, in relation to establishing a grace period for certain parking violations.

Transportation

Res 1772-2009 *By Council Members Foster, Avella, Barron, Brewer, Dilan, Jackson, James, Liu, Mark-Viverito and Sanders Jr.*

Resolution calling upon the New York State Congressional delegation to urge the President of the United States to issue an Executive Order that would ensure humane prisoner treatment and ban torture and cruel or degrading treatment of prisoners while in custody.

Cultural Affairs, Libraries & International Intergroup Relations

Int 0908-2009 *By Council Members Mealy, Fidler, Jackson, Mark-Viverito, Nelson, Sanders Jr., Seabrook and Gerson*

A Local Law to amend the administrative code of the city of New York, in relation to street cleaning and the collection and removal of solid waste and recyclable materials at street events.

Governmental Operations

Res 1773-2009

By Council Members Seabrook, Barron, Brewer, Comrie Jr., Dickens, Jackson, James, Liu, Mark-Viverito, Sanders Jr., Sears, Stewart, Weprin and White Jr.

Resolution calling upon the New York State legislature to pass and the Governor to sign A. 6807 and S. 3185 of 2009, which authorize political subdivisions to award public procurement contracts to participants of a minority and women owned business enterprise program at a cost premium not to exceed ten percent of the lowest bid.

Contracts

Int 0909-2009

By Council Members Weprin, Jackson, Comrie Jr., Dickens and Stewart (by request of the Mayor)

A Local Law in relation to the grace period for payment without interest of the installment of real property tax with respect to certain real property that is due and payable on January 1, 2009.

Preconsidered - Finance

Int 0910-2009

By Council Members Weprin and Comrie Jr. (by request of the Mayor)

A Local Law in relation to the date of submission by the mayor of a preliminary management report and the date prior to which the council shall conduct public hearings and the date by which the council shall submit a report or reports pertaining thereto, the date of submission by the mayor of the preliminary certificate regarding debt and reserves and appropriations and expenditures for capital projects, the date of submission by the mayor of the preliminary budget, the date of publication by the director of the independent budget office of a report on

revenues and expenditures, the date of submission by the community boards of statements in regard to the preliminary budget, the date of submission by the commissioner of finance of an estimate of the assessed valuation of real property and statement of real property taxes due, expected to be received, and uncollected, the date of submission by the mayor of a tax benefit report, the date of submission by the borough boards of statements on budget priorities, the date of submission by the council of estimates of the financial needs of the council, the date of submission by the borough presidents of proposed modifications of the preliminary budget, the date of publication by the director of the independent budget office of a report analyzing the preliminary budget, the date by which the council shall hold hearings and submit recommendations in regard to the preliminary budget, and the date of submission by the campaign finance board of estimates of the financial needs of the campaign finance board, relating to the fiscal year two thousand ten.

Preconsidered - Finance

LU 0957-2009

By Council Member Katz

Application no. C 0900087 PSQ submitted by the Police Department and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the site selection of property generally bounded by Rockaway Boulevard and North Boundary Road (Block 14260, p/o Lot 1) for use as evidence vehicle storage, Community District 13, Borough of Queens.

Landmarks, Public Siting and Maritime Uses

LU 0958-2009

By Council Member Katz

Application no. C 080533 PCY submitted by the Department of Transportation, the Department of Parks and Recreation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the site selection and acquisition of easements (Block 2543, p/o Lot 1

and Block 2583, p/o Lot 2) for use as a pedestrian and bicycle pathway, Community District 1, Borough of the Bronx and Community District 11, borough of Manhattan.

Landmarks, Public Siting and Maritime Uses

LU 0959-2009

By Council Member Katz

Application no. C 070443 MMX submitted by the New York City Economic Development Corporation and the Department of Small Business Services, pursuant to Section 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York Administrative Code for the amendment to the City Map, Community District 2, Borough of the Bronx. 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.

Landmarks, Public Siting and Maritime Uses

LU 0960-2009

By Council Member Katz

Application no. 20085477 TCK, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Enid's Corporation, to continue to maintain and operate an enclosed sidewalk café located at 560 Manhattan Avenue, Borough of Brooklyn, Council District no. 33. 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.

Zoning and Franchises