

The New York City Council

Council Agenda

Stated Meeting

October 17, 2011

1:30 PM

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

1. Roll Call

2. Invocation

*Delivered by Rabbi Gerald Sussman, Temple Emmanuel, 984
Post Avenue, Staten Island, New York 10302.*

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

3. Adoption of Minutes

*Motion that the Minutes of the Stated Meeting of September 21,
2011 be adopted as printed by Council Member Ignizio.*

4. Messages & Papers from the Mayor

M 0679-2011

Paula Berry, Waterfront Management Advisory Board

Communication from the Mayor - Submitting the name of

Paula Berry to the Council for its advice and consent regarding her appointment to the Waterfront Management Advisory Board, Pursuant to Sections 31 and 1303 of the City Charter.
Preconsidered - Rules, Privileges and Elections

M 0680-2011

Eric Goldstein, Waterfront Management Advisory Board

Communication from the Mayor - Submitting the name of Eric Goldstein to the Council for its advice and consent regarding her appointment to the Waterfront Management Advisory Board, Pursuant to Sections 31 and 1303 of the City Charter.

Preconsidered - Rules, Privileges and Elections

M 0681-2011

Michael Northrop, Waterfront Management Advisory Board

Communication from the Mayor - Submitting the name of Michael Northrop to the Council for its advice and consent regarding her appointment to the Waterfront Management Advisory Board, Pursuant to Sections 31 and 1303 of the City Charter.

Preconsidered - Rules, Privileges and Elections

M 0682-2011

Henry Wan, Waterfront Management Advisory Board

Communication from the Mayor - Submitting the name of Henry Wan to the Council for its advice and consent regarding her appointment to the Waterfront Management Advisory Board, Pursuant to Sections 31 and 1303 of the City Charter.

Preconsidered - Rules, Privileges and Elections

5. Communications from City, County & Borough Offices

6. Petitions and Communications

None

7. Land Use Call-Ups

- M 0683-2011 Sidewalk café, 409 West 13th St, Manhattan (20115845 TCM)**
- By Council Member Quinn:
Pursuant to Rule 11.20(b) of the Council and Sections 20-226 or 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 409 West 13th Street, Council District no. 3 Application no. 20115845 TCM, shall be subject to review by the Council.
Coupled on Call – Up Vote
- M 0684-2011 Sidewalk café, 591 Fort Washington Ave, Manhattan (20115782 TCM)**
- By Council Member Jackson:
Pursuant to Rule 11.20(b) of the Council and Sections 20-226 or 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 591 Ft. Washington Ave., Council District no. 7 Application no. 20115782 TCM, shall be subject to review by the Council.
Coupled on Call – Up Vote
- M 0685-2011 Sidewalk café, 5009 Broadway, Manhattan (20115835 TCM)**
- By Council Member Jackson:
Pursuant to Rule 11.20(b) of the Council and Sections 20-226 or 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 5009 Broadway, Council District no. 7 Application no. 20115835 TCM, shall be subject to review by the Council.
Coupled on Call – Up Vote
- M 0686-2011 Sidewalk café, 210 Prospect Park West, Brooklyn (20125018)**

TCK)

By Council Member Lander:

Pursuant to Rule 11.20(b) of the Council and Sections 20-226 or 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 210 Prospect Park Ave., Council District no. 39 Application no. 20125018 TCK, shall be subject to review by the Council.

Coupled on Call – Up Vote

M 0687-2011

ULURP, Amendment of the City Map (C 100469 MMK)

By Council Member Recchia

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. C 100469 MMK , a change to the city map, shall be subject to Council review.

Coupled on Call – Up Vote

M 0688-2011

Sidewalk café, 600 Metropolitan Ave, Brooklyn (20115843 TCK)

By Council Member Reyna:

Pursuant to Rule 11.20(b) of the Council and Sections 20-226 or 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 600 Metropolitan Ave., Council District no. 34 Application no. 20115843 TCK, shall be subject to review by the Council.

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 Education

Int 0155-2010-A **Requiring the chancellor of the city school district to submit to the council an annual report concerning school capacity and utilization.**

A Local Law to amend the New York city charter, in relation to requiring the chancellor of the city school district to submit to the council an annual report concerning school capacity and utilization.

Amended and Coupled on GO

Report of the Committee on Finance

Res 1084-2011 **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

Report of the Committee on Rules, Privileges, and Elections

Res 1085-2011 **M 646 - Dr. Susan Klitzman, Board of Health**

RESOLUTION APPROVING THE RE-APPOINTMENT BY

THE MAYOR OF SUSAN KLITZMAN AS A MEMBER OF
THE NEW YORK CITY BOARD OF HEALTH.

Coupled on GO

Res 1086-2011 **M 647 - Dr. Sixto Caro, Board of Health**

RESOLUTION APPROVING THE RE-APPOINTMENT BY
THE MAYOR OF DR. SIXTO CARO AS A MEMBER OF
THE NEW YORK CITY BOARD OF HEALTH.

Coupled on GO

Res 1087-2011 **M 648 - Elizabeth Knauer, Environmental Control Board**

RESOLUTION APPROVING THE APPOINTMENT BY
THE MAYOR OF ELIZABETH KNAUER AS A MEMBER
OF THE NEW YORK CITY ENVIRONMENTAL
CONTROL BOARD.

Coupled on GO

Res 1088-2011 **M 679 - Paula Berry, Waterfront Management Advisory Board**

RESOLUTION APPROVING THE APPOINTMENT BY
THE MAYOR OF PAULA BERRY AS A MEMBER OF
THE NEW YORK CITY WATERFRONT MANAGEMENT
ADVISORY BOARD.

Preconsidered - Coupled on GO

Res 1089-2011 **M 680 - Eric Goldstein, Waterfront Management Advisory
Board**

RESOLUTION APPROVING THE APPOINTMENT BY
THE MAYOR OF ERIC GOLDSTEIN AS A MEMBER OF
THE NEW YORK CITY WATERFRONT MANAGEMENT
ADVISORY BOARD.

Preconsidered - Coupled on GO

Res 1090-2011 **M 681 - Michael Northrop, Waterfront Management Advisory
Board**

RESOLUTION APPROVING THE APPOINTMENT BY
THE MAYOR OF MICHAEL NORTHROP AS A MEMBER

OF THE NEW YORK CITY WATERFRONT
MANAGEMENT ADVISORY BOARD.

Preconsidered - Coupled on GO

Res 1091-2011 **M 682 - Henry Wan, Waterfront Management Advisory Board**

RESOLUTION APPROVING THE APPOINTMENT BY
THE MAYOR OF HENRY WAN AS A MEMBER OF THE
NEW YORK CITY WATERFRONT MANAGEMENT
ADVISORY BOARD.

Preconsidered - Coupled on GO

12. General Orders Calendar

T2010-0002 **Commissioner of Deeds**
Coupled on GO

Coupled on General Order Calendar

Education

Int 0155-2010-A **Requiring the chancellor of the city school district to submit to
the council an annual report concerning school capacity and
utilization.**
A and GO

Finance

Res 1084-2011 **Approving the new designation and changes in the designation
of certain organizations to receive funding in the Expense
Budget.**
Preconsidered - GO

Rules, Privileges, and Elections

- Res 1085-2011** **M 646 - Dr. Susan Klitzman, Board of Health**
GO
- Res 1086-2011** **M 647 - Dr. Sixto Caro, Board of Health**
GO
- Res 1087-2011** **M 648 - Elizabeth Knauer, Environmental Control Board**
GO
- Res 1088-2011** **M 679 - Paula Berry, Waterfront Management Advisory Board**
Preconsidered - GO
- Res 1089-2011** **M 680 - Eric Goldstein, Waterfront Management Advisory Board**
Preconsidered - GO
- Res 1090-2011** **M 681 - Michael Northrop, Waterfront Management Advisory Board**
Preconsidered - GO
- Res 1091-2011** **M 682 - Henry Wan, Waterfront Management Advisory Board**
Preconsidered - GO

General Order Calendar

- T2010-0002** **Commissioner of Deeds**
GO

13. Introduction & Reading of Bills **See Attached**

14. Discussion of Resolutions

15. Resolutions

None

16. General Discussion

17. Extension of Remarks

INTRODUCTION AND READING OF BILLS

Int 0691-2011 *By Council Member Brewer*

A Local Law to amend the administrative code of the city of New York, in relation to reporting and posting online information pertaining to mobile food vendors.

Health

Res 1081-2011 *By Council Member Dromm*

Resolution calling upon the United States Senate to approve and President Barack Obama to ratify the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Optional Protocol to the ICESCR upon signature, with all due speed.

Cultural Affairs, Libraries & International Intergroup Relations

Res 1082-2011 *By Council Member Foster*

Resolution calling upon the Bloomberg Administration to eliminate all forms of three-quarter housing, including referrals made by City agencies.

General Welfare

Int 0692-2011 *By Council Member Garodnick*

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of consumer affairs to post and maintain renderings or drawings

for approved sidewalk cafés on the department's website.

Consumer Affairs

Int 0693-2011 *By Council Member Gennaro*

A Local Law to amend the administrative code of the city of New York, in relation to requiring the city to assume responsibility for cleaning sidewalks that abut certain retaining walls.

Sanitation and Solid Waste Management

Int 0694-2011 *By Council Members Gennaro and Garodnick*

A Local Law to amend the New York city charter, in relation to facilitating the development of geothermal energy.

Environmental Protection

Int 0695-2011 *By Council Member Lappin*

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting a taxicab from remaining in a taxi-stand line with their off duty light engaged.

Transportation

Res 1083-2011 *By Council Member Nelson*

Resolution calling on the U.S. House of Representatives and the U.S. Senate to pass H.R. 1879 and S.980 entitled "The United States Ferry System Investment Act," which would increase funding to the federal Ferry Boat Discretionary Grant Program.

Waterfronts

Int 0696-2011 *By Council Member Palma*

A Local Law to amend the administrative code of the city of New York, in relation to reporting on finger imaging of food stamp applicants.

General Welfare

Res 1084-2011 *By Council Member Recchia Jr.*

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

Preconsidered - Finance

LU 0497-2011 *By Council Member Comrie Jr.*

Application no. 20125124 HAM, In Rem Action no. 48, submitted by the Department of Finance and the Department of Housing Preservation and Development, pursuant to Section 11-412 of the Administrative Code for the conveyance of property and related tax exemptions located in Community Board 9, Council District no. 7, Borough of Manhattan.

Planning, Dispositions and Concessions

LU 0498-2011 *By Council Member Comrie Jr.*

Application no. 20125125 HAK, In Rem Actions no. 48 and no. 49, submitted by the Department of Finance and the Department of Housing Preservation and Development, pursuant to Section 11-412 of the Administrative Code and Article 16 of the General Municipal Law for the transfer and disposition of property and related tax exemptions located in Community Boards 3, 9, 10 and 11, Council Districts no. 2, 7, 8 and 9, Borough of Manhattan.

Planning, Dispositions and Concessions

LU 0499-2011 *By Council Member Comrie Jr.*

Application no. 20125161 HAK, an Urban Development Action Area Project located at 106 Hopkinson Avenue, 237 Sumpter Street, 220 McDougal Street, 2019 Fulton Street, 728 Madison Street, 766 Herkimer Street and 516 Crescent Street, Council Districts no. 41 and no. 42, 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 577 of the Private Housing Finance Law for a partial

tax exemption.

Planning, Dispositions and Concessions

LU 0500-2011

By Council Member Comrie Jr.

Application no. 20125162 HAM, an Urban Development Action Area Project located at 166 and 168-170 Mulberry Street, Council District no. 1, Borough of Manhattan. 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 577 of the Private Housing Finance Law for a partial tax exemption.

Planning, Dispositions and Concessions

LU 0501-2011

By Council Member Comrie Jr.

Application no. 20115782 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 187 Restaurant Corp. d.b.a. Taconia Mexican Grill, to establish, maintain and operate an unenclosed sidewalk café located at 591 Fort Washington Avenue, Borough of Manhattan, Council District no.7. 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

LU 0502-2011

By Council Member Comrie Jr.

Application no. 20115843 TCK, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 600 Metropolitan Corp. d.b.a. Alligator Lounge, to continue to maintain and operate an unenclosed sidewalk café located at 600 Metropolitan Avenue, Borough of Brooklyn, Council District no.34. 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

LU 0503-2011 *By Council Member Comrie Jr.*

Application no. 20115845 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 13th Street Entertainment, LLC d.b.a. Brasserie Beaumarchais, to continue to maintain and operate an unenclosed sidewalk café located at 409 West 13th 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.

Zoning and Franchises

LU 0504-2011 *By Council Member Comrie Jr.*

Application no. 20125018 TCK, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 210 PPW Restaurant, LLC d.b.a. The Double Windsor, to establish, maintain and operate an unenclosed sidewalk café located at 210 Prospect Park West, Borough of Brooklyn, Council District no.39. 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

LU 0505-2011 *By Council Member Comrie Jr.*

Application no. 20115835 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Hashi Sushi Fusion Inc. d.b.a. Hashi, to establish, maintain and operate an unenclosed sidewalk café located at 5009 Broadway, Borough of Manhattan, Council District no.7. 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

LU 0506-2011

By Council Member Comrie Jr.

Application no. C 100469 MMK by the Department of City Planning and Coney Island Holdings, L.L.C., pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment of the City Map, involving the modification of grades in West 21st Street between Surf Avenue and the Public Beach, and in Ocean Way between West 22nd Street and parachute Way, Community District, 13, Borough of Brooklyn, Council District no. 47. This application is subject to 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 vote of the Council pursuant to 197-d (b) (3) of the Charter.

Planning, Dispositions and Concessions