

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Wednesday, May 5, 2004

1:30 PM

Council Chambers - City Hall

City Council

A. Gifford Miller, Speaker

Members: Joseph P. Addabbo, Jr., Tony Avella, Maria Baez, Charles Barron, Tracy L. Boyland, Gale A. Brewer, Yvette D. Clarke, Leroy G. Comrie, Jr., Bill de Blasio, Erik Martin Dilan, Simcha Felder, Lewis A. Fidler, Helen D. Foster, Dennis P. Gallagher, James F. Gennaro, Vincent J. Gentile, Alan J. Gerson, Eric N. Gioia, Sara M. Gonzalez, Robert Jackson, Letitia James, Allan W. Jennings, Jr., Melinda R. Katz, G. Oliver Koppell, Andrew J. Lanza, John C. Liu, Margarita Lopez, Miguel Martinez, Michael E. McMahan, Hiram Monserrate, Eva S. Moskowitz, Michael C. Nelson, James Oddo, Annabel Palma, William Perkins, Madeline Provenzano, Christine C. Quinn, Domenic M. Recchia, Jr., Philip Reed, Diana Reyna, Joel Rivera, James Sanders, Jr., Larry B. Seabrook, Helen Sears, Jose M. Serrano, Kendall B. Stewart, Peter F. Vallone, Jr., Albert Vann, David I. Weprin and David Yassky

Public Advocate (Ms. Gotbaum)

1. Roll Call

Present:

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Boyland, Brewer, Clarke, Comrie Jr., de Blasio, Dilan, Felder, Fidler, Foster, Gallagher, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Jackson, James, Jennings Jr., Katz, Koppell, Lanza, Liu, Lopez, Martinez, McMahon, Monserrate, Moskowitz, Nelson, Oddo, Palma, Perkins, Provenzano, Quinn, Reed, Reyna, Rivera, Sanders Jr., Seabrook, Sears, Serrano, Stewart, Vallone Jr., Vann, Weprin and Yassky

Excused:

Recchia Jr.

The presence of a quorum was announced by the Public Advocate (Ms. Gotbaum)

2. Invocation

The Invocation was delivered by Reverend Henrietta Carter, Mariner's Temple Baptist Church, 3 Henry Street, New York, N.Y.

Council Member Gerson moved that the Invocation be spread in full upon the Minutes and adopted.

3. Adoption of Minutes

Council Member Jackson moved that the Minutes of the Stated Meeting of April 1, 2004 be adopted as printed.

4. Messages & Papers from the Mayor

M 0099-2004 Communication from the Mayor - Mayors veto and disapproval message of Introductory Number 179, in relation to littering to include all premises in the citywide routing system.

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 5/19, Mayor's Veto Message, Mayor's Veto Message - Cover

M 0100-2004 Communication from the Mayor - Submitting report reviewing the community district map, pursuant to section 2702 of the Charter.

M 0101-2004 Communication from the Mayor-Submitting the Expense Revenue Contract Budget, for Fiscal Year 2005, pursuant to Section 249 of the New York City Charter.

Attachments: Hearing Transcript - Stated Meeting 6/24, Hearing Transcript

M 0102-2004 Communication from the Mayor-Submitting the Executive Capital Budget for Fiscal Year 2005, pursuant to Section 249 of the New York City Charter.

Attachments: Hearing Transcript - Stated Meeting 6/24, Hearing Transcript

M 0103-2004 **Communication from the Mayor-Submitting the Proposed City Fiscal Year 2005 Community Development Program, the Proposed CFY'05 Budget, the Proposed Reallocations-the CD XXX Funds, Proposed CD XXXI Statement of Objectives and Budget, dated April 26, 2004.**

Attachments: Hearing Transcript - Stated Meeting 6/24, Hearing Transcript

M 0104-2004 **Communication from the Mayor-Submitting the Executive Budget Supporting Schedules, for Fiscal Year 2005, pursuant to Section 250 of the New York City Charter.**

Attachments: Hearing Transcript - Stated Meeting 6/24, Hearing Transcript

M 0105-2004 **Communication from the Mayor-Submitting the Capital Commitment Plan, Executive Budget, Fiscal Year 2005, Volumes I, II and III, pursuant to Section 219(d) of the New York City Charter.**

Attachments: Hearing Transcript - Stated Meeting 6/24, Hearing Transcript

M 0106-2004 **Communication from the Mayor-Submitting the Executive Budget -Geographic Reports for Expense Budget for Fiscal Year 2005.**

Attachments: Hearing Transcript - Stated Meeting 6/24, Hearing Transcript

M 0107-2004 **Communication from the Mayor-Submitting the Executive Capital Budget Fiscal Year 2005, Capital Project Detail Data, Citywide Volumes 1 and 2 and Volumes for the Five Boroughs, dated April 26, 2004 pursuant to the provisions of Sections 213 (4) & 219 (D) of the New York City Charter.**

Attachments: Hearing Transcript - Stated Meeting 6/24, Hearing Transcript

M 0108-2004 **Communication from the Mayor-Submitting the Budget Summary, Message of the Mayor and Summary of Reduction Program relative to the Executive Budget, Fiscal Year 2005, pursuant to Section 249 of the New York City Charter.**

Attachments: Hearing Transcript - Stated Meeting 6/24, Hearing Transcript

M 0109-2004 Communication from the Mayor - Submitting certificate setting forth the maximum amount of debt and reserves which the City, the NYC Transitional Finance Authority, the NYC Municipal Water Finance Authority, the NYS Dormitory Authority and the NYC Health and Hospitals Corporation may soundly incur for capital projects for Fiscal Year 2005 and the ensuing three fiscal years, and the maximum amount of appropriations and expenditures for capital projects which may soundly be made during each fiscal year, pursuant to Section 250 (16) of the NY City Charter.

Attachments: Hearing Transcript - Stated Meeting 6/24, Hearing Transcript

5. Communications from City, County & Borough Offices

M 0111-2004 Joel Shufro - Hazardous Substance Advisory Board

Attachments: Report and Resolution, Hearing Transcript, Hearing Transcript - Stated Meeting 5/5

M 0112-2004 Philip Weinberg - Hazardous Substance Advisory Board

Attachments: Resolution and Report, Hearing Transcript, Hearing Transcript - Stated Meeting 5/5

6. Petitions and Communications

7. Land Use Call-Ups

**M 0110-2004 By Council Member Perkins:
Pursuant to Rule 11.20(b) of the Council and Section 20-226(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Transportation approving an enclosed sidewalk café located at 161 Lenox Avenue, Borough of Manhattan, Council District no. 9, shall be subject to review by the Council. (Application no. 20045468 TCM.)**

Affirmative: 50 -

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Boyland, Brewer, Clarke, Comrie Jr., de Blasio, Dilan, Felder, Fidler, Foster, Gallagher, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Jackson, James, Jennings Jr., Katz, Koppell, Lanza, Liu, Lopez, Martinez, McMahon, Monserrate, Moskowitz, Nelson, Oddo, Palma, Perkins, Provenzano, Quinn, Reed, Reyna, Rivera, Sanders Jr., Seabrook, Sears, Serrano, Stewart, Vallone Jr., Vann, Weprin and Yassky

Excused: 1 -

Recchia Jr.

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 0138-2004 A Local Law to amend the administrative code of the city of New York, in relation to the dates of expiration of licenses and license plates for tow trucks and tow truck drivers.

Attachments: Committee Report 2/6, Hearing Transcript 2/6, Committee Report 5/3, Fiscal Impact Statement, Hearing Transcript 5/3, Local Law

Enactment No: 2004/014

Int 0143-2004 A Local Law to amend the administrative code of the city of New York, in relation to rates for arterial towers.

Attachments: Witness List 2/6, Committee Report 2/6, Hearing Transcript 2/6, Committee Report 5/3, Fiscal Impact Statement - A, Hearing Transcript 5/3, Local Law

Enactment No: 2004/015

Report of the Committee on Contracts

Int 0137-2004 A Local Law to amend the administrative code of the city of New York, in relation to the provision of equal employment benefits to the employees of city contractors.

Attachments: Committee Report 2/27, Hearing Transcript 2/27, Committee Report 4/16, Committee Report 5/5, Fiscal Impact Statement - B, Committee Report 6/28, Committee Report - Stated Meeting 6/28, Local Law, Hearing Transcript 4/16, Hearing Transcript - Stated Meeting 4/21, Hearing Transcript 5/5, Hearing Transcript - Stated Meeting 5/5, Hearing Transcript 6/28, Mayor's Veto Message - Cover, Mayor's Veto Message

Affirmative: 43 -

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Boyland, Brewer, Clarke, Comrie Jr., de Blasio, Dilan, Fidler, Foster, Gentile, Gerson, Gioia, Gonzalez, Jackson, James, Katz, Koppell, Lanza, Liu, Lopez, Martinez, McMahon, Monserrate, Moskowitz, Palma, Perkins, Provenzano, Quinn, Reed, Reyna, Rivera, Sanders Jr., Seabrook, Sears, Serrano, Stewart, Vann, Weprin and Yassky

Negative: 5 -

Felder, Gallagher, Gennaro, Oddo and Vallone Jr.

Excused: 1 -
Recchia Jr.

Abstain: 2 -
Jennings Jr. and Nelson

Enactment No: 2004/027

Report of the Committee on Economic Development

Res 0296-2004 **Resolution in support of thirteen applications for certification of eligibility to apply for New York State Wage Tax Credits under the Zone Equivalent Area provisions of the New York State Empire Zones Program.**

Attachments: Committee Report 4/23, Committee Report 5/4, Hearing Transcript 4/23, Hearing Transcript 5/4, Hearing Transcript - Stated Meeting 5/5

Report of the Committee on Education

Int 0188-2004 **A Local Law to amend the administrative code of the city of New York, in relation to prohibiting acts of harassment at schools.**

Attachments: Committee Report 4/26, Hearing Transcript 4/26, Fiscal Impact Statement, Committee Report 9/9, Hearing Transcript - Stated Meeting 6/28, Hearing Transcript 9/9, Local Law, Mayor's Veto Message - Cover, Mayor's Veto Message, Hearing Transcript - Stated Meeting 9/9/04

Enactment No: 2004/042

Report of the Committee on Finance

Int 0323-2004 **A Local Law to amend the administrative code of the city of New York, in relation to authorizing an increase in the amount to be expended in five business improvement districts.**

Attachments: Committee Report, Fiscal Impact Statement, Local Law, Hearing Transcript

Enactment No: 2004/010

Res 0298-2004 **Resolution concerning the establishment of the Madison/23rd/Flatiron/Chelsea Business Improvement District in the Borough of Manhattan and setting the date, time and place for the public hearing to hear all persons interested in the establishment of such district.**

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 5/5

Report of the Committee on Land Use

- LU 0034-2004** **Uniform Land Use Review Procedure application no. 020654 ZMX, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Bronx, Council District no. 18.**
- Attachments:** Hearing Transcript - Stated Meeting 5/5, Hearing Transcript 4/27, Hearing Transcript - Land Use 4/29
- Res 0339-2004** **Resolution approving the decision of the City Planning Commission on ULURP No. C 020654 ZMX, a Zoning Map change (L.U. No. 34).**
- Attachments:** Committee Report, Hearing Transcript - Stated Meeting 5/5
- LU 0054-2004** **Application no. 20045350 HAM, an Urban Development Action Area Project known as Marcus Garvey Park Homes, located in Community Board 10, Council District no. 9, 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 696 of the General Municipal Law for an exemption from real property taxes**
- Attachments:** Hearing Transcript 4/19, Hearing Transcript - Stated Meeting 5/5, Hearing Transcript 4/27, Hearing Transcript - Land Use 4/29
- Res 0340-2004** **Resolution approving an Urban Development Action Area Project located at 42 West 119th Street (Block 1717/Lot 53), 46 West 120th Street (Block 1718/Lot 55), 125 West 122nd Street (Block 1907/Lot 119), 127 West 123rd Street (Block 1908/Lot 19), 135 West 119th Street (Block 1904/Lot 15), 147 West 122nd Street (Block 1907/Lot 11), 158 West 123rd Street (Block 1907/Lot 157), and 225 West 113th Street (Block 1829/Lot 24), Manhattan, 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. 54; 20045350 HAM).**
- Attachments:** Committee Report, Hearing Transcript - Stated Meeting 5/5

- LU 0055-2004** **Application no. 20045352 HAK, an Urban Development Action Area Project known as PACC Community Homes, located in Community Board 3, Council District no. 36, 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:** Hearing Transcript 4/19, Hearing Transcript - Stated Meeting 5/5, Hearing Transcript 4/27, Hearing Transcript - Land Use 4/29
- Res 0341-2004** **Resolution approving an Urban Development Action Area Project located at 39 Monroe Street (Block 1985/Lot 58), 175 Herkimer Street (Block 1861/Lot 46), and 443 Classon Avenue (Block 1973/Lot 5), 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. 55; 20045352 HAK).**
- Attachments:** Committee Report, Hearing Transcript - Stated Meeting 5/5
- LU 0081-2004** **Zoning resolution amendment application no. N 030228 ZRY, pursuant to §197-d and §201 of the New York City Charter, relating to Article VII, Chapter 4.**
- Attachments:** Hearing Transcript 4/19, Hearing Transcript - Stated Meeting 5/5, Hearing Transcript 4/27, Hearing Transcript - Land Use 4/29
- Res 0342-2004** **Resolution approving the decision of the City Planning Commission on Application No. N 030228 ZRY, an amendment to the text of the Zoning Resolution relating to Article VII, Chapter 4 (Special Permits by the City Planning Commission), to modify the provisions of Section 74-48 concerning height and setback regulations for scientific research and development facilities in C6 Districts (L.U. No. 81).**
- Attachments:** Committee Report, Hearing Transcript - Stated Meeting 5/5

- LU 0082-2004** **Uniform land use review procedure application no. C 030229 ZSM, pursuant to §201 and §197-d of the Charter of the City of New York concerning a special permit under the Zoning Resolution in the Borough of Manhattan, Council District no. 10 to allow a scientific research and development facility**
- Attachments:** Hearing Transcript 4/19, Hearing Transcript - Stated Meeting 5/5, Hearing Transcript 4/27, Hearing Transcript - Land Use 4/29
- Res 0343-2004** **Resolution approving the decision of the City Planning Commission on ULURP No. C 030229 ZSM (L.U. No. 82), grant of a special permit pursuant to Section 74-48 of the Zoning Resolution to allow a scientific research and development facility and to allow the modification of the height setback regulations of Section 33-342.**
- Attachments:** Committee Report, Hearing Transcript - Stated Meeting 5/5
- LU 0083-2004** **Uniform land use review procedure application no. C 030230 PPM, pursuant to §197-c and §197-d of the New York City Charter concerning the removal of the floor area restriction on property located at West 165th Street and St. Nicholas Avenue, Borough of Manhattan, Council District no. 10.**
- Attachments:** Hearing Transcript 4/19, Hearing Transcript - Stated Meeting 5/5, Hearing Transcript 4/27, Hearing Transcript - Land Use 4/29
- Res 0344-2004** **Resolution approving the decision of the City Planning Commission on ULURP No. C 030230 PPM, for the removal of the floor area restriction on property located at West 165th Street and St. Nicholas Avenue (Block 2124/Lot 43), Manhattan (L.U. No. 83).**
- Attachments:** Committee Report, Hearing Transcript - Stated Meeting 5/5
- LU 0095-2004** **Application no. 20045381 HAK, an Urban Development Action Area Project located at 252 4th Avenue, 384 Bergen Street, 426 54th Street and 713 3rd Avenue, Council Districts no. 33, 38 and 39, 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:** Hearing Transcript 4/19, Hearing Transcript - Stated Meeting 5/5, Hearing Transcript 4/27, Hearing Transcript - Land Use 4/29

Res 0345-2004 Resolution approving an Urban Development Action Area Project located at 252 4th Avenue (Block 448/Lot 38), 384 Bergen Street (Block 932/Lot 17), 426 54th Street (Block 823/Lot 17), 713 Third Avenue, a/k/a 129 23rd Street (Block 645/Lot 67), 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. 95; 20045381 HAK).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 5/5

LU 0128-2004 Application no. 20045424 HAM, an Urban Development Action Area Project, located at 355 West 30th Street, Council District no. 3, 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.

Attachments: Hearing Transcript 4/19, Hearing Transcript - Stated Meeting 5/5, Hearing Transcript 4/27, Hearing Transcript - Land Use 4/29

Res 0346-2004 Resolution approving an Urban Development Action Area Project located at 355 West 30th Street (Block 754/Lot 11), Manhattan, 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. 128; 20045424 HAM).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 5/5

LU 0132-2004 The submission of a site plan by the New York City School Construction Authority, pursuant to §1732 of the New York State Public Authorities Law, for a school, 20045392 SCX, generally located at 50 Antin Place, Borough of the Bronx, Council District no. 13 (Non-ULURP no. 20045392 SCX)

Attachments: Hearing Transcript - Stated Meeting 5/5, Hearing Transcript 4/19, Hearing Transcript 4/27, Hearing Transcript - Land Use 4/29

Res 0347-2004 Resolution approving the site plan for a public school facility to be located at 50 Antin Place, the Bronx (Non-ULURP No. 20045392 SCX; L.U. No. 132).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 5/5

LU 0133-2004 **Uniform Land Use Review Procedure application no. 030289 ZMK, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Brooklyn, Council District no. 35.**

Attachments: Hearing Transcript 4/19, Hearing Transcript - Stated Meeting 5/5, Hearing Transcript 4/27, Hearing Transcript - Land Use 4/29

Res 0348-2004 **Resolution approving the decision of the City Planning Commission on ULURP No. C 030289 ZMK, a Zoning Map change (L.U. No. 133).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 5/5

Report of the Committee on Rules, Privileges, and Elections

M 0111-2004 **Joel Shufro - Hazardous Substance Advisory Board**

Attachments: Report and Resolution, Hearing Transcript, Hearing Transcript - Stated Meeting 5/5

Res 0349-2004 **RESOLUTION APPROVING THE RE-APPOINTMENT BY THE COUNCIL OF JOEL ARNOLD SHUFRO AS A MEMBER OF THE NEW YORK CITY HAZARDOUS SUBSTANCE ADVISORY BOARD.**

Attachments: Report and Resolution, Hearing Transcript - Stated Meeting 5/5

M 0112-2004 **Philip Weinberg - Hazardous Substance Advisory Board**

Attachments: Resolution and Report, Hearing Transcript, Hearing Transcript - Stated Meeting 5/5

Res 0350-2004 **RESOLUTION APPROVING THE RE-APPOINTMENT BY THE COUNCIL OF PHILIP WEINBERG AS A MEMBER OF THE NEW YORK CITY HAZARDOUS SUBSTANCE ADVISORY BOARD.**

Attachments: Report and Resolution, Hearing Transcript - Stated Meeting 5/5

Report of the Committee on State and Federal Legislation

SLR 0059-2004 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Skelos, S.2124-B, and Assembly Members DiNapoli, Hooper, Sidikman and Weisenberg, et al, A.6064-A, "AN ACT to amend the retirement and social security law, in relation to allowing the transfer of membership from the New York city police pension fund to the metropolitan transportation authority police pension fund".

Attachments: Agenda, Committee Report, Hearing Transcript, Fiscal Impact Statement, Hearing Transcript - Stated Meeting 5/5

SLR 0076-2004 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.6223, and Assembly Member Colton, A.9810, "AN ACT to amend the administrative code of the city of New York and the retirement and social security law, in relation to including a twenty-five year retirement program for members of the New York city employees' retirement system employed by the police department of the city of New York or by the office of the chief medical examiner of such city in the title evidence and property control specialist who are subject to articles 11 and 15 of the retirement and social security law".

Attachments: Agenda, Committee Report, Hearing Transcript, Fiscal Impact Statement, Hearing Transcript - Stated Meeting 5/5

SLR 0086-2004 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Veleva, S.5968, and Assembly Member Abbate, A.9484, "AN ACT to amend the retirement and social security law, in relation to benefits for certain peace officers in the city of New York who are injured in the performance of their duties".

Attachments: Agenda, Committee Report, Hearing Transcript, Fiscal Impact Statement, Hearing Transcript - Stated Meeting 5/5

SLR 0089-2004 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Paterson, S.5305-A, and Committee on Rules, A.8701-A, "AN ACT authorizing the city of New York to reconvey title of certain property to Gus Jenkins".

Attachments: Agenda, Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 5/5

SLR 0100-2004 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.6430-A, and Assembly Members Grannis, McLaughlin, Dinowitz, Grodenchik, Lafayette, Bing, Gianaris, O'Donnell, Weprin, Perry, Sanders and Stringer, et al, A.9610-B, "AN ACT to amend the real property tax law, in relation to partial abatement of real property taxes".

Attachments: Agenda 4/29, Committee Report 4/29, Agenda 5/5, Committee Report 5/5, Hearing Transcript 4/29, Hearing Transcript 5/5, Hearing Transcript - Stated Meeting 5/5

This SLR was Approved, by Council

SLR 0101-2004 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Paterson, S.5394-B, and Committee on Rules, A.8718-B, "AN ACT to establish the date of commencement of membership of certain individuals in the New York city employees' retirement system".

Attachments: Committee Report, Agenda, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 5/5

This SLR was Approved, by Council

12. General Orders Calendar

LU 0080-2004 Zoning resolution amendment application no. N 040197 ZRY, pursuant to Sections 197-d and 201 of the New York City Charter, relating to Sections 12-10 (Definitions) and 14-00 (Sidewalk Café Regulations).

Attachments: Hearing Transcript - Stated Meeting 4/21, Hearing Transcript 4/19, Hearing Transcript - Stated Meeting 5/5, Hearing Transcript - Land Use 4/21

Res 0351-2004 Resolution approving with a modification the decision of the City Planning Commission on Application No. N 040197 ZRY, an amendment to the text of the Zoning Resolution relating to Sections 12-10 (Definitions) and 14-00 (Sidewalk Café Regulations) establishing a new category of unenclosed sidewalk cafes, Small Sidewalk cafes, and permitting such cafes on selected streets in Manhattan where sidewalk cafes are prohibited (L.U. No. 80).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 5/5

LU 0109-2004 **Uniform land use review procedure application no. C 040121 PPM, pursuant to §197-c and §197-d of the New York City Charter concerning the disposition of two city-owned properties, located in Community Board 9, Borough of Manhattan, Council District no. 9. 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.**

Attachments: Hearing Transcript 4/19, Hearing Transcript - Stated Meeting 5/5, Hearing Transcript - Land Use 4/21

Res 0352-2004 **Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 040121 PPM, the disposition of two (2) city-owned properties located at 434 West 119th Street (Block 1962/Lot 35) and Riverside Drive (Block 2001/Lot 2), Manhattan (L.U. No. 109).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 5/5

T2004-0073 **Commissioner of Deeds**

Attachments: Hearing Transcript - Charter Meeting 1/7/04, Hearing Transcript - Stated Meeting 1/2/04, Hearing Transcript - Stated Meeting 2/4/04, Hearing Transcript - Stated Meeting 2/26/04, Hearing Transcript - Stated Meeting 3/10/04, Hearing Transcript - Stated Meeting 3/24/04, Hearing Transcript - Stated Meeting 4/1/04, Hearing Transcript - Stated Meeting 4/21/04, Hearing Transcript - Stated Meeting 5/5/04, Hearing Transcript - Stated Meeting 5/19/04, Hearing Transcript - Stated Meeting 6/7/04, Hearing Transcript - Stated Meeting 6/21/04, Hearing Transcript - Stated Meeting 6/22/04, Hearing Transcript - Stated Meeting 6/24/04, Hearing Transcript - Stated Meeting 6/28/04, Hearing Transcript - Stated Meeting 7/21/04, Hearing Transcript - Stated Meeting 8/12/04, Hearing Transcript - Stated Meeting 9/9/04, Hearing Transcript - Stated Meeting 9/28/04, Hearing Transcript - Stated Meeting 10/13/04, Hearing Transcript - Stated Meeting 10/27/04, Hearing Transcript - Stated Meeting 11/10/04, Hearing Transcript - Stated Meeting 11/23/04, Hearing Transcript - Stated Meeting 12/7/04, Hearing Transcript - Stated Meeting 12/15/04, Hearing Transcript - Charter Meeting, Hearing Transcript - Stated Meeting 1/19/05, Hearing Transcript - Stated Meeting 2/2/05, Hearing Transcript - Stated Meeting 2/16/05, Hearing Transcript - Stated Meeting 3/9/05, Hearing Transcript - Stated Meeting 4/20/05, Hearing Transcript - Stated Meeting 6/8/05, Hearing Transcript - Stated Meeting 10/11/05

Coupled on General Order Calendar

Contracts

Int 0137-2004 A Local Law to amend the administrative code of the city of New York, in relation to the provision of equal employment benefits to the employees of city contractors.

Attachments: Committee Report 2/27, Hearing Transcript 2/27, Committee Report 4/16, Committee Report 5/5, Fiscal Impact Statement - B, Committee Report 6/28, Committee Report - Stated Meeting 6/28, Local Law, Hearing Transcript 4/16, Hearing Transcript - Stated Meeting 4/21, Hearing Transcript 5/5, Hearing Transcript - Stated Meeting 5/5, Hearing Transcript 6/28, Mayor's Veto Message - Cover, Mayor's Veto Message

Enactment No: 2004/027

Economic Development

Res 0296-2004 Resolution in support of thirteen applications for certification of eligibility to apply for New York State Wage Tax Credits under the Zone Equivalent Area provisions of the New York State Empire Zones Program.

Attachments: Committee Report 4/23, Committee Report 5/4, Hearing Transcript 4/23, Hearing Transcript 5/4, Hearing Transcript - Stated Meeting 5/5

Finance

Int 0323-2004 A Local Law to amend the administrative code of the city of New York, in relation to authorizing an increase in the amount to be expended in five business improvement districts.

Attachments: Committee Report, Fiscal Impact Statement, Local Law, Hearing Transcript

Enactment No: 2004/010

Res 0298-2004 Resolution concerning the establishment of the Madison/23rd/Flatiron/Chelsea Business Improvement District in the Borough of Manhattan and setting the date, time and place for the public hearing to hear all persons interested in the establishment of such district.

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 5/5

Land Use

Res 0339-2004 Resolution approving the decision of the City Planning Commission on ULURP No. C 020654 ZMX, a Zoning Map change (L.U. No. 34).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 5/5

Res 0340-2004 Resolution approving an Urban Development Action Area Project located at 42 West 119th Street (Block 1717/Lot 53), 46 West 120th Street (Block 1718/Lot 55), 125 West 122nd Street (Block 1907/Lot 119), 127 West 123rd Street (Block 1908/Lot 19), 135 West 119th Street (Block 1904/Lot 15), 147 West 122nd Street (Block 1907/Lot 11), 158 West 123rd Street (Block 1907/Lot 157), and 225 West 113th Street (Block 1829/Lot 24), Manhattan, 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. 54; 20045350 HAM).

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Res 0341-2004 Resolution approving an Urban Development Action Area Project located at 39 Monroe Street (Block 1985/Lot 58), 175 Herkimer Street (Block 1861/Lot 46), and 443 Classon Avenue (Block 1973/Lot 5), 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. 55; 20045352 HAK).

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Res 0342-2004 Resolution approving the decision of the City Planning Commission on Application No. N 030228 ZRY, an amendment to the text of the Zoning Resolution relating to Article VII, Chapter 4 (Special Permits by the City Planning Commission), to modify the provisions of Section 74-48 concerning height and setback regulations for scientific research and development facilities in C6 Districts (L.U. No. 81).

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Res 0343-2004 Resolution approving the decision of the City Planning Commission on ULURP No. C 030229 ZSM (L.U. No. 82), grant of a special permit pursuant to Section 74-48 of the Zoning Resolution to allow a scientific research and development facility and to allow the modification of the height setback regulations of Section 33-342.

Attachments: Committee Report, Hearing Transcript - Stated Meeting 5/5

Res 0344-2004 Resolution approving the decision of the City Planning Commission on ULURP No. C 030230 PPM, for the removal of the floor area restriction on property located at West 165th Street and St. Nicholas Avenue (Block 2124/Lot 43), Manhattan (L.U. No. 83).

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Res 0345-2004 Resolution approving an Urban Development Action Area Project located at 252 4th Avenue (Block 448/Lot 38), 384 Bergen Street (Block 932/Lot 17), 426 54th Street (Block 823/Lot 17), 713 Third Avenue, a/k/a 129 23rd Street (Block 645/Lot 67), 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. 95; 20045381 HAK).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 5/5

Res 0346-2004 Resolution approving an Urban Development Action Area Project located at 355 West 30th Street (Block 754/Lot 11), Manhattan, 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. 128; 20045424 HAM).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 5/5

Res 0347-2004 Resolution approving the site plan for a public school facility to be located at 50 Antin Place, the Bronx (Non-ULURP No. 20045392 SCX; L.U. No. 132).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 5/5

Res 0348-2004 Resolution approving the decision of the City Planning Commission on ULURP No. C 030289 ZMK, a Zoning Map change (L.U. No. 133).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 5/5

Rules, Privileges, and Elections

Res 0349-2004 RESOLUTION APPROVING THE RE-APPOINTMENT BY THE COUNCIL OF JOEL ARNOLD SHUFRO AS A MEMBER OF THE NEW YORK CITY HAZARDOUS SUBSTANCE ADVISORY BOARD.

Attachments: Report and Resolution, Hearing Transcript - Stated Meeting 5/5

Res 0350-2004 RESOLUTION APPROVING THE RE-APPOINTMENT BY THE COUNCIL OF PHILIP WEINBERG AS A MEMBER OF THE NEW YORK CITY HAZARDOUS SUBSTANCE ADVISORY BOARD.

Attachments: Report and Resolution, Hearing Transcript - Stated Meeting 5/5

State and Federal Legislation

SLR 0059-2004 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Skelos, S.2124-B, and Assembly Members DiNapoli, Hooper, Sidikman and Weisenberg, et al, A.6064-A, "AN ACT to amend the retirement and social security law, in relation to allowing the transfer of membership from the New York city police pension fund to the metropolitan transportation authority police pension fund".

Attachments: Agenda, Committee Report, Hearing Transcript, Fiscal Impact Statement, Hearing Transcript - Stated Meeting 5/5

SLR 0076-2004 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.6223, and Assembly Member Colton, A.9810, "AN ACT to amend the administrative code of the city of New York and the retirement and social security law, in relation to including a twenty-five year retirement program for members of the New York city employees' retirement system employed by the police department of the city of New York or by the office of the chief medical examiner of such city in the title evidence and property control specialist who are subject to articles 11 and 15 of the retirement and social security law".

Attachments: Agenda, Committee Report, Hearing Transcript, Fiscal Impact Statement, Hearing Transcript - Stated Meeting 5/5

SLR 0086-2004 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Vellella, S.5968, and Assembly Member Abbate, A.9484, "AN ACT to amend the retirement and social security law, in relation to benefits for certain peace officers in the city of New York who are injured in the performance of their duties".

Attachments: Agenda, Committee Report, Hearing Transcript, Fiscal Impact Statement, Hearing Transcript - Stated Meeting 5/5

SLR 0089-2004 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Paterson, S.5305-A, and Committee on Rules, A.8701-A, “AN ACT authorizing the city of New York to reconvey title of certain property to Gus Jenkins”.**

Attachments: Agenda, Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 5/5

SLR 0100-2004 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.6430-A, and Assembly Members Grannis, McLaughlin, Dinowitz, Grodenchik, Lafayette, Bing, Gianaris, O’Donnell, Weprin, Perry, Sanders and Stringer, et al, A.9610-B, “AN ACT to amend the real property tax law, in relation to partial abatement of real property taxes”.**

Attachments: Agenda 4/29, Committee Report 4/29, Agenda 5/5, Committee Report 5/5, Hearing Transcript 4/29, Hearing Transcript 5/5, Hearing Transcript - Stated Meeting 5/5

SLR 0101-2004 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Paterson, S.5394-B, and Committee on Rules, A.8718-B, “AN ACT to establish the date of commencement of membership of certain individuals in the New York city employees’ retirement system”.**

Attachments: Committee Report, Agenda, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 5/5

General Order Calendar

Res 0351-2004 **Resolution approving with a modification the decision of the City Planning Commission on Application No. N 040197 ZRY, an amendment to the text of the Zoning Resolution relating to Sections 12-10 (Definitions) and 14-00 (Sidewalk Café Regulations) establishing a new category of unenclosed sidewalk cafes, Small Sidewalk cafes, and permitting such cafes on selected streets in Manhattan where sidewalk cafes are prohibited (L.U. No. 80).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 5/5

Res 0352-2004 **Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 040121 PPM, the disposition of two (2) city-owned properties located at 434 West 119th Street (Block 1962/Lot 35) and Riverside Drive (Block 2001/Lot 2), Manhattan (L.U. No. 109).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 5/5

T2004-0073 **Commissioner of Deeds**

Attachments: Hearing Transcript - Charter Meeting 1/7/04, Hearing Transcript - Stated Meeting 1/2/04, Hearing Transcript - Stated Meeting 2/4/04, Hearing Transcript - Stated Meeting 2/26/04, Hearing Transcript - Stated Meeting 3/10/04, Hearing Transcript - Stated Meeting 3/24/04, Hearing Transcript - Stated Meeting 4/1/04, Hearing Transcript - Stated Meeting 4/21/04, Hearing Transcript - Stated Meeting 5/5/04, Hearing Transcript - Stated Meeting 5/19/04, Hearing Transcript - Stated Meeting 6/7/04, Hearing Transcript - Stated Meeting 6/21/04, Hearing Transcript - Stated Meeting 6/22/04, Hearing Transcript - Stated Meeting 6/24/04, Hearing Transcript - Stated Meeting 6/28/04, Hearing Transcript - Stated Meeting 7/21/04, Hearing Transcript - Stated Meeting 8/12/04, Hearing Transcript - Stated Meeting 9/9/04, Hearing Transcript - Stated Meeting 9/28/04, Hearing Transcript - Stated Meeting 10/13/04, Hearing Transcript - Stated Meeting 10/27/04, Hearing Transcript - Stated Meeting 11/10/04, Hearing Transcript - Stated Meeting 11/23/04, Hearing Transcript - Stated Meeting 12/7/04, Hearing Transcript - Stated Meeting 12/15/04, Hearing Transcript - Charter Meeting, Hearing Transcript - Stated Meeting 1/19/05, Hearing Transcript - Stated Meeting 2/2/05, Hearing Transcript - Stated Meeting 2/16/05, Hearing Transcript - Stated Meeting 3/9/05, Hearing Transcript - Stated Meeting 4/20/05, Hearing Transcript - Stated Meeting 6/8/05, Hearing Transcript - Stated Meeting 10/11/05

The Public Advocate (Ms. Gotbaum) put the question whether the Council would agree with and adopt such reports which were decided in the affirmative by the following vote:

Affirmative: 50 -

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Boyland, Brewer, Clarke, Comrie Jr., de Blasio, Dilan, Felder, Fidler, Foster, Gallagher, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Jackson, James, Jennings Jr., Katz, Koppell, Lanza, Liu, Lopez, Martinez, McMahon, Monserrate, Moskowitz, Nelson, Oddo, Palma, Perkins, Provenzano, Quinn, Reed, Reyna, Rivera, Sanders Jr., Seabrook, Sears, Serrano, Stewart, Vallone Jr., Vann, Weprin and Yassky

Excused: 1 -

Recchia Jr.

The following files were removed from the General Order Calendar and voted separately: Int No. 137-B. See files for individual votes.

13. Introduction & Reading of Bills
 See Attached

14. Discussion of Resolutions

15. Resolutions

Res 0042-2004 Resolution calling upon the United States Congress to oppose the proposed federal temporary guest worker program and to support the passing of comprehensive immigration reform that includes permanent legalization and fair worker protection for immigrants.

Attachments: Committee Report 4/14, Committee Report 4/28, Hearing Transcript 4/28, Hearing Transcript 4/14, Hearing Transcript - Stated Meeting 5/5

Adopted by voice-vote. The following 6 Council Members formally voted against the passage of this item: Council Members Avella, Felder, Gallagher, Lanza, Vallone Jr. and Oddo.

Res 0165-2004 Resolution acknowledging the crucial role that grandparents in New York City play in raising grandchildren, and calling upon the appropriate Council committee to hold a hearing to further explore this issue.

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 5/5

Adopted by voice-vote unanimously.

Res 0199-2004 Resolution commending the New York State Assembly for passing A.9710, a bill that would increase the minimum wage to \$7.10, and calling upon the New York State Senate to pass the accompanying legislation, S.3291-C, and for the Governor to sign the bill into law.

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 5/5

Adopted by voice-vote. The following 3 Council Members formally abstained to vote on this item: Council Members Felder, Vallone Jr. and Oddo.

Res 0235-2004 Resolution calling upon the United States Government to initiate an immediate inquiry into the handling of the case of United States Army Chaplain, Captain James Y. Yee.

Attachments: Agenda, Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 5/5

Adopted by voice-vote. The following 2 Council Members formally voted against the passage of the item: Council Members Avella and Lanza. The following 2 Council Members formally abstained to vote on this item: Council Member Vallone Jr. and Oddo.

Res 0262-2004 **Resolution calling upon the New York State Division of Probation and Correctional Alternatives to distribute State Probation funding equitably, especially recognizing the disproportionate share of adult felons and juvenile delinquents supervised by the New York City Department of Probation who would otherwise be confined in State custody.**

Attachments: Committee Report 4/14, Committee Report 4/26, Committee Report 5/3, Hearing Transcript 4/26, Hearing Transcript 5/3, Hearing Transcript 4/14, Hearing Transcript - Stated Meeting 5/5

Adopted by voice-vote unanimously.

Res 0274-2004 **Resolution calling upon United States Attorney General John Ashcroft and the Department of Justice to reopen the case of Emmett Till, in light of the discovery of new information, for a complete and thorough investigation into his 1955 murder, and to move aggressively to indict the murderers of Emmett Till, and bring them to justice.**

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 4/21, Hearing Transcript - Stated Meeting 5/5

Adopted by voice-vote. The following Council Member formally abstained to vote on this item: Council Member Oddo.

Res 0294-2004 **Resolution calling upon the New York State Legislature to pass and the Governor to enact legislation permitting reciprocal, direct-to-consumer wine shipment in and out of New York State.**

Attachments: Agenda, Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 5/5

Adopted by voice-vote. The following Council Member formally abstained to vote on this item: Council Member Vallone, Jr.

- 16. General Discussion
- 17. Extension of Remarks

INTRODUCTION AND READING OF BILLS

- Res 0318-2004 Resolution designating the month of May 2004 as Security Officers Appreciation Month.**
- Sponsors:** By The Speaker (Speaker Miller) and Council Members Addabbo Jr., Baez, Clarke, Comrie Jr., Fidler, Gerson, Lopez, Martinez, Nelson, Rivera, Serrano, Stewart, Vann, Weprin, Yassky, Jackson, Gioia, Gentile, Gonzalez, Barron, Sanders Jr., Perkins, Seabrook, Katz, Reyna, Koppell, Foster, de Blasio, Monserrate, Gennaro, Brewer, James, Liu and The Public Advocate (Public Advocate Gotbaum)
- Attachments:** Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 5/19
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- Int 0347-2004 A Local Law to amend the administrative code of the city of New York, in relation to requiring that commercial shopping establishments that maintain a parking area of at least 200 spaces install, maintain and operate surveillance cameras in order to deter crime.**
- Sponsors:** By Council Members Avella, Fidler, Gentile, Gerson, Koppell, Lopez, Nelson, Rivera, Stewart, Gonzalez, Jackson and James
-
- Res 0319-2004 Resolution calling upon the Council of the City of New York to support the Kingsbridge Heights community in its efforts to play a decisive role in the utilization of the Kingsbridge Armory.**
- Sponsors:** By Council Members Baez, Barron, Brewer, Koppell, Lopez, Rivera, Sanders Jr., Seabrook and Jackson
-
- Res 0320-2004 Resolution in support of H.R. 141, sponsored by Congresswoman Barbara Lee, which would disavow the “doctrine of preemption.”**
- Sponsors:** By Council Members Barron, Lopez, Perkins, Seabrook and Vann
-
- Res 0321-2004 Resolution in support of H.R. 3919, sponsored by Congresswoman Barbara Lee, which would establish an Independent Commission on the 2004 Coup d’Etat in the Republic of Haiti.**
- Sponsors:** By Council Members Barron, Lopez, Martinez, Perkins, Sanders Jr., Seabrook and Stewart
-
- Res 0322-2004 Resolution in support of H.R. 3386, sponsored by Congresswoman Barbara Lee, which would provide assistance to combat infectious diseases and establish a comprehensive health infrastructure in the Republic of Haiti.**
- Sponsors:** By Council Members Barron, James, Lopez, Martinez, Sanders Jr., Stewart and Vann

Int 0348-2004 A Local Law to amend the New York city charter in relation to the timely and efficient procurement of client services.

Sponsors: By Council Members Boyland, Jackson, Barron, Clarke, Comrie Jr., Gennaro, Jennings Jr., Koppell, Lopez, Martinez, Perkins, The Speaker (Quinn), Sanders Jr., Yassky, Gerson, Brewer, Liu, Stewart, Vann, Weprin, Gonzalez and James

Attachments: Committee Report 5/4, Committee Report 5/19, Committee Report 5/19 Stated Meeting, Fiscal Impact Statement, Local Law, Hearing Transcript 5/4, Hearing Transcript 5/19

This Introduction was Referred to Comm by Council to the Committee on Contracts due back on 8/13/2004.

Enactment No: 2004/020

SLR 0099-2004 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Smith, S.6685, and Assembly Member Clark, A.10485, "AN ACT authorizing the city of New York to reconvey its interest in certain real property acquired by in rem tax foreclosure in the borough of Queens to former owner Tiberian Baptist Church, notwithstanding expiration of the two year period within which application may be made to the city to release its interest in property thus acquired; Block No. 10950, Lot No. 161 on tax map for the borough of Queens".

Sponsors: By Council Members Comrie Jr., Jennings Jr., Seabrook and Weprin

Attachments: Agenda, Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/7

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation due back on 10/4/2004.

Res 0323-2004 Resolution calling upon the appropriate committee of the Council to hold an oversight hearing on the implementation of a Communications Based Train Control system on the Canarsie Line and into the further intentions of the New York City Transit Authority regarding the continued assignment of trained conductors to trains in the City of New York.

Sponsors: By Council Members Fidler, Liu, Reyna, Dilan, Lopez, Barron, The Speaker (Quinn), Brewer, Jennings Jr., Katz, Nelson, Palma, Seabrook and Jackson

Attachments: Committee Report, January 13

Res 0324-2004 **Resolution offering the Council’s full support for the “Invisible No More!” campaign that is dedicated to winning home health aide contracts that mandate a Living Wage of \$10 an hour by 2006, health benefits for home health aides and their families, paid vacation time and sick leave.**

Sponsors: By Council Members Foster, Palma, Addabbo Jr., Baez, Barron, Boyland, Fidler, Gerson, James, Jennings Jr., Koppell, Lopez, Martinez, Monserrate, Perkins, Reed, Reyna, Rivera, Sanders Jr., Seabrook, Serrano, Vann, Weprin, Yassky, de Blasio, Gennaro, Liu, Comrie Jr., Gentile, Jackson, Clarke, The Speaker (Quinn), Stewart, Brewer, Gonzalez, Katz, Sears, The Speaker (Speaker Miller) and The Public Advocate (Public Advocate Gotbaum)

Attachments: Memo, Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting

Int 0349-2004 **A Local Law to amend the New York city charter in relation to the department of citywide administrative services.**

Sponsors: By Council Members Gentile, Jackson, Clarke, Comrie Jr., Gennaro, Gerson, Jennings Jr., Koppell, Lopez, Perkins, The Speaker (Quinn), Stewart, Yassky, Moskowitz, Boyland, Brewer, Liu, Nelson, Weprin and Gonzalez

Attachments: Committee Report 5/4, Committee Report 5/19, Committee Report 5/19 Stated Meeting, Fiscal Impact Statement, Local Law, Hearing Transcript 5/4, Hearing Transcript 5/19

This Introduction was Referred to Comm by Council to the Committee on Contracts due back on 8/13/2004.

Enactment No: 2004/021

Int 0350-2004 **A Local Law to amend the administrative code of the city of New York, in relation to requiring the Department of Education to provide personnel and disciplinary records to any nonpublic school that considers hiring a former or current Department of Education employee.**

Sponsors: By Council Members Gentile, Clarke, Comrie Jr., Gerson, Jennings Jr., Koppell, Martinez, Nelson, Perkins, Sanders Jr., Stewart, Weprin, Gonzalez, James and The Public Advocate (Public Advocate Gotbaum)

Int 0351-2004 A Local Law to amend to administrative code of the city of New York, in relation to the suspension of parking meter regulations on Sundays.

Sponsors: By Council Members Gentile, Barron, Brewer, Fidler, Foster, Jennings Jr., McMahon, Monserrate, Nelson, Recchia Jr., Reyna, Seabrook, Stewart, Yassky, Addabbo Jr., Baez, Gioia, James, Katz, Martinez, Palma, Perkins, Rivera, Vallone Jr., Vann, Weprin, Gonzalez, Clarke, Gennaro, Jackson, Boyland, de Blasio, Gerson, Comrie Jr., Gallagher, Oddo, The Public Advocate (Public Advocate Gotbaum) and Sanders Jr.

Attachments: Committee Report, Hearing Transcript

Res 0325-2004 Resolution calling upon the Metropolitan Transportation Authority to maintain weekend express service on the X27 and X28 lines running from Bay Ridge and Bensonhurst to Midtown Manhattan beyond the May 31, 2004 termination date.

Sponsors: By Council Members Gentile and Yassky

Int 0352-2004 A Local Law to amend the administrative code of the city of New York, in relation to multiple submissions of contractor information.

Sponsors: By Council Members Gonzalez, Jackson, Clarke, Comrie Jr., Gennaro, Jennings Jr., Koppell, Lopez, Martinez, Perkins, The Speaker (Quinn), Stewart, Yassky, Boyland, Gerson, Brewer, Fidler, Liu, Weprin and James

Attachments: Committee Report 5/4, Committee Report 5/19, Committee Report 5/19 Stated Meeting, Fiscal Impact Statement, Local Law, Hearing Transcript 5/4, Hearing Transcript 5/19

This Introduction was Referred to Comm by Council to the Committee on Contracts due back on 8/13/2004.

Enactment No: 2004/022

Int 0353-2004 A Local Law to amend the New York city charter, in relation to alternatives to competitive sealed bidding.

Sponsors: By Council Members Jackson, Clarke, Comrie Jr., Perkins, Stewart, Gerson, Weprin and Gonzalez (by request of the Mayor)

Attachments: Committee Report 5/4, Committee Report 5/19, Committee Report 5/19 Stated Meeting, Fiscal Impact Statement, Local Law, Hearing Transcript 5/4, Hearing Transcript 5/19

This Introduction was Referred to Comm by Council to the Committee on Contracts due back on 8/13/2004.

Enactment No: 2004/023

Int 0354-2004 **A Local Law to amend the administrative code of the city of New York, in relation to certain benefits and real property tax exemptions for housing development fund companies organized under article eleven of the private housing finance law.**

Sponsors: By Council Members Jackson, Perkins, Martinez, Dilan, Reyna, Brewer, Reed, Barron, Gerson, Lopez, Yassky and James

Res 0326-2004 **Resolution calling upon the Congress of the United States to pass H.R. 3444, introduced by Representative DeLauro, and S.2108, introduced by Senator Harkin, which would ensure that consumers receive information about the nutritional content of restaurant and vending machine food.**

Sponsors: By Council Members James, The Speaker (Quinn), Baez, Barron, Gerson, Lopez, Nelson, Palma, Perkins, Sanders Jr., Seabrook and Vann

Int 0355-2004 **A Local Law to amend the administrative code of the city of New York, in relation to the retention of candidates on eligible lists.**

Sponsors: By Council Members Jennings Jr., Avella, Comrie Jr., Jackson, Monserrate, Perkins, Sanders Jr., Clarke, Martinez, Seabrook, Stewart and James

Int 0356-2004 **A Local Law to amend the administrative code of the city of New York, in relation to increasing the penalties for failure to use a safety locking device and requiring that in certain circumstances law enforcement officers be required to use a safety locking device.**

Sponsors: By Council Members Jennings Jr., Reed, Sears, Barron, Moskowitz, Boyland, Seabrook, Stewart, Clarke, Perkins and James

Res 0327-2004 **Resolution calling upon the Board of Education to mandate that all school children in grade five or lower be required to remain at school until a parent or authorized person of responsible age picks them up.**

Sponsors: By Council Members Jennings Jr., Avella, Baez, Barron, Boyland, Brewer, Clarke, de Blasio, Dilan, Felder, Fidler, Foster, Gennaro, Gerson, Gioia, Katz, Koppell, Liu, Lopez, Martinez, McMahon, Monserrate, Nelson, Perkins, Provenzano, Reed, Reyna, Rivera, Seabrook, Sears, Stewart, Vann, Weprin, Yassky, Jackson, Gentile and Palma

- Int 0357-2004** **A Local Law to amend the administrative code of the city of New York, in relation to requiring the installation of a stop sign or traffic control signal at every intersection immediately adjacent to any high school or other school below high school level in New York City.**
- Sponsors:** By Council Members Lanza, Oddo, Gallagher, Liu, Addabbo Jr., Avella, Barron, Baez, Boyland, Clarke, Comrie Jr., Felder, Fidler, Foster, Gerson, Gioia, Jackson, Jennings Jr., Lopez, Monserrate, Nelson, Recchia Jr., Reed, Reyna, Rivera, Sears, Stewart, Vann, McMahon, Gentile, Katz, Palma, Sanders Jr., Seabrook, Vallone Jr., Weprin, Gonzalez, Gennaro and James
- Res 0328-2004** **Resolution calling on the New York City Police Department to accept electronic benefit transfer cards that have the cardholder's photograph as a valid form of identification.**
- Sponsors:** By Council Members Lopez, Barron, Brewer, Martinez, Palma, Perkins and Stewart
- Res 0329-2004** **Resolution supporting the families of the victims of Flight 587 in their efforts to establish a permanent memorial on a piece of land located at Beach Channel Drive and 126th Street in the Queens community of Belle Harbor to honor all those who died tragically on that flight on November 12, 2001.**
- Sponsors:** By Council Members Lopez, Barron, Boyland, Clarke, Koppell, Perkins, Seabrook, Sears and Vann
- Res 0330-2004** **Resolution calling upon the New York State Legislature to enact A.7018-A/S.3109-A, the New York State Cultural Development Areas Act, which creates the New York State cultural development program; provides for the designation of cultural development areas and provides for certain tax benefits within those areas.**
- Sponsors:** By Council Members Lopez, Gerson, Barron, Fidler, Gentile, James, Perkins, Seabrook, Sears and Liu
- Int 0358-2004** **A Local Law to amend the administrative code of the city of New York, in relation to the shipment of solid waste between boroughs and the alteration of solid waste management facilities.**
- Sponsors:** By Council Members McMahon, Brewer, Fidler, Reyna, Yassky, Gentile and James

- Int 0359-2004 A Local Law to amend to administrative code of the city of New York, in relation to suspending the activation of parking meters on Sundays.**
- Sponsors:** By Council Members Monserrate, Seabrook, Addabbo Jr., Baez, Barron, Boyland, Clarke, Jennings Jr., Katz, Martinez, Palma, Rivera, Weprin, Gonzalez, Jackson, James, Lopez, Stewart, Reyna, Comrie Jr., Arroyo, Sanders Jr., Foster, Dilan, Vann, Recchia Jr., de Blasio and Brewer
- Attachments:** Committee Report, Hearing Transcript
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- Int 0360-2004 A Local Law to amend the administrative code of the city of New York, in relation to emergency power in firehouses.**
- Sponsors:** By Council Members Moskowitz, Addabbo Jr., Baez, Brewer, Clarke, Gerson, Jennings Jr., Nelson, Yassky, Gentile, Jackson and James
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- Int 0361-2004 A Local Law to amend the administrative code of the city of New York, in relation to emergency power in police precincts.**
- Sponsors:** By Council Members Moskowitz, Addabbo Jr., Baez, Brewer, Boyland, Gerson, Jennings Jr., Nelson, Yassky, Gentile, Jackson and James
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- Res 0331-2004 Resolution urging the United States Congress and the President to repeal the 2003 tax breaks for wealthy Americans and large corporations, and restore funding for critical domestic priorities.**
- Sponsors:** By Council Members Perkins, Barron, James, Lopez, Monserrate, Stewart, Vann, Baez, Gerson, Palma, Rivera, Sanders Jr., Seabrook and Jackson
-
- Res 0332-2004 Resolution commemorating the 79th birthday of Malcolm X on May 19th, 2004.**
- Sponsors:** By Council Members Perkins, Baez, Barron, Clarke, Lopez, Palma, Sanders Jr., Seabrook, Serrano, Vann, Jackson, Stewart, Gonzalez, Liu, Monserrate and Martinez
- Attachments:** Hearing Transcript, Hearing Transcript - Stated Meeting 5/19
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- Res 0333-2004 Resolution calling upon the State Legislature to adopt A.3897/A.6251/S.680, which would restrict the consecutive number of hours that nurses are required to work, except in emergencies.**
- Sponsors:** By The Speaker (Quinn) and Council Members Clarke, Oddo, Sears, Stewart, Vann, Palma, Avella, Barron, Brewer, Boyland, Fidler, Gerson, Lopez, Nelson, Perkins, Rivera, Seabrook, Weprin and Jackson

Res 0334-2004 **Resolution calling upon the State Legislature to adopt A.8560-A/S.4713, which would establish a reporting system to monitor the supply and demand for registered professional nurses and establish minimum RN to patient ratios within a staffing system designed to promote quality health care.**

Sponsors: By The Speaker (Quinn) and Council Members Clarke, Oddo, Sears, Stewart, Vann, Palma, Addabbo Jr., Avella, Barron, Brewer, Boyland, Fidler, Gerson, Lopez, Nelson, Perkins, Rivera, Seabrook, Weprin and Jackson

Res 0335-2004 **Resolution calling upon the State Senate to adopt the "Nursing Care Quality Protection Act" (S.3255), which would provide the public with information regarding nursing staffing levels at hospitals and nursing homes and prohibit those who are not registered nurses (RNs) or licensed practical nurses (LPNs) from portraying themselves to the public as "nurses."**

Sponsors: By The Speaker (Quinn) and Council Members Clarke, Oddo, Sears, Stewart, Vann, Palma, Addabbo Jr., Avella, Barron, Brewer, Fidler, James, Lopez, Nelson, Perkins, Rivera, Weprin and Jackson

Int 0362-2004 **A Local Law to amend the New York city charter in relation to agencies that contract with not-for-profit organizations.**

Sponsors: By Council Members Recchia Jr., Jackson, Clarke, Comrie Jr., Gennaro, Gerson, Jennings Jr., Koppell, Liu, Lopez, Perkins, The Speaker (Quinn), Sanders Jr., Stewart, Yassky, Brewer, Boyland, Moskowitz, Weprin, Gonzalez and James

Attachments: Committee Report 5/4, Committee Report 5/19, Committee Report 5/19 Stated Meeting, Fiscal Impact Statement, Local Law, Hearing Transcript 5/4, Hearing Transcript 5/19, Hearing Transcript - Stated Meeting 5/19

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

Enactment No: 2004/024

Int 0363-2004 **A Local Law to amend the administrative code of the city of New York, in relation to newsracks.**

Sponsors: By Council Members Recchia Jr., Liu, Fidler, Nelson and Gentile

Attachments: Committee Report 6/14, Hearing Transcript 6/14, Committee Report 6/23, Hearing Transcript 6/23, Hearing Transcript - Stated Meeting 6/28, Fiscal Impact Statement - A, Local Law

Enactment No: 2004/036

- SLR 0100-2004** **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.6430-A, and Assembly Members Grannis, McLaughlin, Dinowitz, Grodenchik, Lafayette, Bing, Gianaris, O'Donnell, Weprin, Perry, Sanders and Stringer, et al, A.9610-B, "AN ACT to amend the real property tax law, in relation to partial abatement of real property taxes".**
- Sponsors:** By Council Members Rivera, Avella, Gentile, Sears and Weprin
- Attachments:** Agenda 4/29, Committee Report 4/29, Agenda 5/5, Committee Report 5/5, Hearing Transcript 4/29, Hearing Transcript 5/5, Hearing Transcript - Stated Meeting 5/5
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- SLR 0101-2004** **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Paterson, S.5394-B, and Committee on Rules, A.8718-B, "AN ACT to establish the date of commencement of membership of certain individuals in the New York city employees' retirement system".**
- Sponsors:** By Council Member Rivera
- Attachments:** Committee Report, Agenda, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 5/5
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- SLR 0102-2004** **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Marchi, Morahan, Padavan and Trunzo, S.2234-B, and Assembly Members Lavelle, Seddio and Weisenberg, et al, A.1349-C, "AN ACT to amend the administrative code of the city of New York, in relation to extending the benefits of the variable supplements fund to all New York city police officers, firefighters, housing police and transit police".**
- Sponsors:** By Council Members Rivera, Gentile, Jennings Jr., Monserrate and Seabrook
-
- SLR 0103-2004** **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Hassell-Thompson, S.7002, and Committee on Rules, A.10913, "AN ACT to authorize James M. James to transfer retirement service credit from the New York state and local employees' retirement system to the New York city employees' retirement system".**
- Sponsors:** By Council Members Rivera, Monserrate and Seabrook

SLR 0104-2004 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Veleva, S.4961-A, and Assembly Members Abbate and Klein, A.7187-A, "AN ACT to amend the retirement and social security law, in relation to refunding certain member contributions made pursuant to chapter 96 of the laws of 1995".**

Sponsors: By Council Member Rivera

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation due back on 9/23/2004.

SLR 0105-2004 **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Assembly Members A. Perry, Jacobs, McLaughlin, P. Rivera, Seddio, Heastie and A. Cohen, et al, A.5229, "AN ACT to amend the New York city charter, the vehicle and traffic law and the administrative code of the city of New York, in relation to the environmental control board adjudication of disputes concerning the blocking of a driveway; and providing for the repeal of such provisions upon expiration thereof".**

Sponsors: By Council Members Rivera and Fidler

Res 0336-2004 **Resolution requesting that the Congress of the United States and the New York State Legislature renew the Temporary Extended Unemployment Compensation (TEUC) program.**

Sponsors: By Council Members Seabrook, Barron, Gentile, Gerson, James, Jennings Jr., Lopez, Monserrate, Palma, Perkins and Jackson

Int 0364-2004 **A Local Law to amend the administrative code of the city of New York, in relation to increasing the penalties for drag racing.**

Sponsors: By Council Members Vallone Jr., Liu, Weprin, Addabbo Jr., Avella, Comrie Jr., Fidler, Gerson, Katz, Koppell, Monserrate, Nelson, Palma, Sanders Jr., Sears and Gennaro

Attachments: Committee Report 6/22, Hearing Transcript 6/22, Committee Report 9/27, Local Law, Hearing Transcript 9/27, Hearing Transcript - Stated Meeting 9/28/04

Enactment No: 2004/046

Res 0337-2004 Resolution calling upon the State Legislature to make drag racing a felony.

Sponsors: By Council Members Vallone Jr., Liu, Weprin, Avella, Fidler, Gerson, Koppell, Nelson, Sanders Jr. and Gennaro

Attachments: Committee Report, Hearing Transcript

Res 0338-2004 Resolution calling on the State Legislature to adopt more stringent legislation for punishing dangerous and deadly drivers, particularly in relation to drivers who cause death or serious injury due to intoxication or criminal negligence.

Sponsors: By Council Members Vallone Jr., Liu, Addabbo Jr., Avella, Clarke, Fidler, Gerson, Nelson, Sanders Jr., Sears, Weprin, Gennaro, Jackson, Reed, Foster, The Public Advocate (Public Advocate Gotbaum) and Oddo

Attachments: Committee Report 1/10/05, Committee Report 2/3/05, Hearing Transcript 1/10/05, Hearing Transcript 2/3/05, Hearing Transcript - Stated Meeting 2/16/05

Int 0365-2004 A Local Law to amend the administrative code of the city of New York, in relation to a cause of action against firearms manufacturers and dealers.

Sponsors: By Council Members Yassky, Moskowitz, Vann, Nelson, Stewart, Brewer, Boyland, Clarke, Comrie Jr., Fidler, Gentile, Koppell, Seabrook, Weprin, Jackson, Recchia Jr., Liu, Reed, Foster, Gerson and The Public Advocate (Public Advocate Gotbaum)

Attachments: Committee Report 11/15/04, Hearing Transcript 11/15/04, Committee Report 1/4/05, Hearing Transcript 1/4/05, Local Law, Hearing Transcript - Charter Meeting

Enactment No: 2005/007

LU 0141-2004 Application no. 20045500 HAM, an Urban Development Action Area Project located at 250 Manhattan Avenue, Council District no. 9, 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.

Sponsors: By Council Member Katz

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 5/19, Hearing Transcript 5/11

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 5/19, Hearing Transcript 5/11

LU 0142-2004 **Application no. 20045501 HAM, an Urban Development Action Area Project located at 208 East 122nd Street, Council District no. 11, 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.**

Sponsors: By Council Member Katz

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 5/19, Hearing Transcript 5/11

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 5/19, Hearing Transcript 5/11

LU 0143-2004 **Uniform land use review procedure application no. C 040314 HAM, an Urban Development Action Area Designation and Project located at 59-61 and 62-72 East 4th Street and 19 East 3rd Street, and the disposition of such property, Borough of Manhattan, Council District no. 2. 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 Katz

Attachments: Hearing Transcript 9/27

Attachments: Hearing Transcript 9/27

LU 0144-2004 **Application no. 20045468 TCM pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Smoke City Enterprises, LLC, to establish, maintain and operate an unenclosed sidewalk café located at 161 Lenox Avenue, 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 §20-226(g) of the New York City Administrative Code.**

Attachments: Hearing Transcript - Stated Meeting 6/7, Hearing Transcript 5/24, Hearing Transcript - Land Use 5/24

Sponsors: By Council Member Katz

Attachments: Hearing Transcript - Stated Meeting 6/7, Hearing Transcript 5/24, Hearing Transcript - Land Use 5/24

At this point the Speaker (Council Member Miller) made the following announcements

Whereupon on motion of the Speaker (Council Member Miller), the Acting Clerk of the Council (Mr. McSweeney) adjourned to meet again on Wednesday, May 19, 2004.

*MICHAEL McSWEENEY, Acting City Clerk
Clerk of the Council*