

The New York City Council

Council Agenda

Stated Meeting

April 30, 2012

1:30 PM

Council Chambers - City Hall

1. Roll Call

2. Invocation

Delivered by: Council Member Fernando Cabrera.

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

3. Adoption of Minutes

Motion that the Minutes of the Stated Meeting of March 28, 2012 be adopted as printed by Council Member Chin.

4. Messages & Papers from the Mayor

M 0798-2012

Mayor's Veto of Int. No. 18-A - Establishing a prevailing wage requirement for building service employees in city leased or financially assisted facilities.

Communication from the Mayor - Mayors veto and

disapproval message of Introductory Number 18-A, in relation to establishing a prevailing wage requirement for building service employees in city leased or financially assisted facilities.

Finance

5. Communications from City, County & Borough Offices

M 0799-2012 Base Station License, Samfort Car Service L.L.C.

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Samfort Car Service L.L.C., Council District 35, pursuant to Section 19-511(i), of the administrative code of the city of New York.

Transportation

M 0800-2012 Base Station License, One Cancun Car Service

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license One Cancun Car Service, Council District 48, pursuant to Section 19-511(i), of the administrative code of the city of New York.

Transportation

M 0802-2012 Michael M. McSweeney, re-appointment by the Council as City Clerk and Clerk of the Council.

Michael M. McSweeney, a candidate for re-appointment by the Council as City Clerk and Clerk of the Council pursuant to Section 48 of the New York City Charter.

Preconsidered - Rules, Privileges and Elections

6. Petitions and Communications

None

7. Land Use Call-Ups

M 0801-2012 Sidewalk café, 247 Dyckman St, Manhattan (20125338 TCM)

By Council Member Jackson:

Pursuant to Rule 11.20(b) of the Council and Section 20-226 (g) or Section 20-225(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed/enclosed sidewalk café located at 247 Dyckman Street, Borough of Manhattan, Committee Board no. 12, Application 20125338 TCM 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 Contracts

Int 0251-2010-A Requiring the payment of a living wage to employees employed on property developed by recipients of financial assistance for economic development.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the payment of a living wage to employees employed on property developed by recipients of financial assistance for economic development.

Amended and Coupled on GO

Report of the Committee on Finance

Int 0485-2011-A **Evaluation of depository banks.**

A Local Law to amend the New York City charter, in relation to the evaluation of depository banks.

Amended and Laid Over

Report of the Committee on Housing and Buildings

Int 0340-2010-A **Sun control devices.**

A Local Law to amend the New York city building code, in relation to sun control devices.

Amended and Coupled on GO

Report of the Committee on Land Use

Res 1322-2012 **LU 600 - Zoning, JetBlue Airways Corporation (N110223ZRQ)**

Application no. N 110223 ZRQ by the JetBlue Airways Corporation, pursuant to Sections 197-c and 201 of the New York City Charter for the Zoning Resolution of the City of New York, relating to Article XI, Chapter 7 to modify sign regulations within the Queens Plaza Sub district of the Special Long Island City Mixed Use District, in Community Districts 1 and 2, Borough of Queens, Council District 26.

Coupled on GO

Res 1323-2012 **LU 601 - Zoning, Impediments to green building features (N120132ZRY)**

Application no. N 120132 ZRY by the Department of City Planning, pursuant to Sections 197-c and 201 of the New York City Charter for the Zoning Resolution of the City of New York that would remove Zoning impediments to green building features that will help promote energy efficient building envelopes; renewable energy, stormwater detention,

reduction of carbon emissions and provide for a healthier New York City. To incorporate these goals, various Sections of the Zoning Resolution will be amended.

Coupled on GO

Report of the Committee on Rules, Privileges, and Elections

Res 1324-2012 **M 802 - Michael M. McSweeney, re-appointment by the Council as City Clerk and Clerk of the Council.**

RESOLUTION APPROVING THE RE-APPOINTMENT BY THE COUNCIL OF MICHAEL M. MCSWEENEY AS CITY CLERK AND CLERK OF THE COUNCIL.

Preconsidered - Coupled on GO

12. General Orders Calendar

Int 0658-2011-A **Waiver of public employee organizations' rights when submitting grievances to arbitration under the NYC collective bargaining law.**

A Local Law to amend the administrative code of the city of New York, in relation to the waiver of public employee organizations' rights when submitting grievances to arbitration under the New York city collective bargaining law.

Coupled on GO

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

Coupled on General Order Calendar

Contracts

Int 0251-2010-A **Requiring the payment of a living wage to employees employed**

on property developed by recipients of financial assistance for economic development.

A and GO

Housing and Buildings

Int 0340-2010-A Sun control devices.

A and GO

Land Use

**Res 1322-2012 LU 600 - Zoning, JetBlue Airways Corporation (N110223ZRQ)
*GO***

**Res 1323-2012 LU 601 - Zoning, Impediments to green building features
(N120132ZRY)
*GO***

Rules, Privileges, and Elections

**Res 1324-2012 M 802 - Michael M. McSweeney, re-appointment by the
Council as City Clerk and Clerk of the Council.
*Preconsidered - GO***

General Order Calendar

**Int 0658-2011-A Waiver of public employee organizations' rights when
submitting grievances to arbitration under the NYC collective
bargaining law.
*GO***

**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 0842-2012** *By Council Member Brewer*

A Local Law to amend the administrative code of the city of New York, in relation to requiring that all hotels in the city of New York provide their housekeeping staff with silent alarms for their protection.

Public Safety**Int 0843-2012** *By Council Member Brewer*

A Local Law to amend the administrative code of the city of New York, in relation to regulating sidewalk electric vehicle charging stands as revocable consents.

Transportation**Int 0844-2012** *By Council Member Brewer*

A Local Law to amend the administrative code of the city of New York, in relation to an electric vehicle charging stand pilot program.

Transportation

Res 1311-2012

By Council Member Chin

Resolution calling upon the New York State Legislature to enact and the Governor to sign A. 7707A-2011 and S. 6431-2011, which would prohibit the possession, sale, offer for sale, trade, or distribution of shark fins.

Environmental Protection

Int 0845-2012

By Council Member Comrie Jr.

A Local Law to amend the administrative code of the city of New York, in relation to allowing owners of landmarked properties to use the same or similar materials in maintenance of their property .

Land Use

Int 0846-2012

By Council Member Comrie Jr.

A Local Law to amend the administrative code of the city of New York, in relation to additional guidelines and procedures to the designation process for a landmark, interior landmark, scenic landmark and historic district.

Land Use

Int 0847-2012

By Council Member Crowley

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to report incidents of assaults on municipal employees on the department's website.

Public Safety

Int 0848-2012

By Council Members Crowley, Vacca and Lander

A Local Law to amend the administrative code of the city of New York, in relation to a transfer of jurisdiction over Hart Island from the department of corrections to the department of parks and recreation.

Fire and Criminal Justice Services

Res 1312-2012 *By Council Member Dickens*

Resolution calling upon the New York State Legislature to introduce, and the Governor to sign, legislation which would amend the Real Property Tax Law to allow owners of not-for-profit organizations to submit documentation other than the application prepared and mailed to such owner by the Department of Finance to prove such organizations are entitled to a property tax exemption.

Finance**Int 0849-2012** *By Council Member Lander*

A Local Law to amend the administrative code of the city of New York, in relation to requiring the landmarks preservation commission to allow denied requests for evaluation to be nominated to the landmarks preservation commission entire body for a vote.

Land Use**Int 0850-2012** *By Council Member Lander*

A Local Law to amend the administrative code of the city of New York, in relation to requiring the landmarks preservation commission to create a timeline for the designation process.

Land Use**Int 0851-2012** *By Council Member Lander*

A Local Law to amend the administrative code of the city of New York, in relation to waiving parks permit fees for schools and child day care centers and providing an online system for school permit applications.

Parks and Recreation**Res 1313-2012** *By Council Member Lander*

Resolution calling upon the New York City Department of Education's Office of School Food to increase the health of food options in school lunches and breakfasts by implementing the recommendations of the Brooklyn Food Coalition's

“Roadmap for Healthy, Sustainable School Food.”

Education

Res 1314-2012 *By Council Member Koppell*

Resolution calling upon the United States Congress to enact and the President to sign S.1872/H.R.3423, the Achieving a Better Life Experience (ABLE) Act of 2011, which amends the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

Mental Health, Mental Retardation, Alcoholism, Drug Abuse & Disability Services

Int 0852-2012 *By Council Member Mark-Viverito*

A Local Law to amend the administrative code of the city of New York, in relation to licensing car washes.

Civil Service and Labor

Res 1315-2012 *By Council Member Palma*

Resolution calling upon the New York State Legislature to pass and the Governor to sign A.9664/S.6493, legislation to ease the burden on licensed home care service agencies, certified home health agencies and consumer directed personal assisted programs.

Health

Res 1316-2012 *By Council Member Palma*

Resolution calling on the State Senate and State Assembly to pass and the Governor to sign S.4098/A.6275, which would provide that persons living with clinical/symptomatic HIV or AIDS who are receiving shelter assistance or an emergency shelter allowance shall not be required to pay more than 30% of household income towards shelter costs, including rent and utilities.

General Welfare

- Int 0853-2012** *By Council Member Vallone Jr.*
- A Local Law to amend the administrative code of the city of New York, in relation to the reuse or recycling of discarded carpeting from commercial units or buildings.
- Sanitation and Solid Waste Management***
- Res 1317-2012** *By Council Member Vallone Jr.*
- Resolution calling upon the New York State Legislature to pass and the Governor to sign legislation that would require the New York Public Library, the Brooklyn Public Library, and the Queens Borough Public Library to install surveillance cameras in all designated children's sections.
- Cultural Affairs, Libraries & International Intergroup Relations***
- Res 1318-2012** *By Council Member Vallone Jr.*
- Resolution in support of S.2000, which would amend the Criminal Procedure Law in order to limit plea bargains for individuals charged with a sex offense felony or a specified felony offense, and calling on the Assembly to pass a companion bill, and on the Governor to sign such legislation.
- Public Safety***
- Res 1325-2012** *By Council Member Vallone Jr.*
- Resolution calling upon the New York State Assembly to pass and the Governor to sign into law S.5260-C/A.7251-C, which would amend the Penal Law to establish the offense of fraudulent prescription, dispensing and procurement of non-controlled substance prescription medications and devices, and the offense of unlawful possession of non-controlled substance prescription medications and devices.
- Preconsidered - Public Safety***
- Res 1319-2012** *By Council Members Williams, The Speaker (Council Member Quinn), Seabrook, Palma, Rodriguez, Lappin, Chin and*

Mark-Viverito

Resolution in support of A9148, sponsored by the Speaker of the New York State Assembly, which would raise the state minimum wage, and calling upon the New York State Legislature to pass and the Governor to sign this legislation.

Civil Service and Labor

Res 1320-2012

By Council Members Wills and Palma

Resolution calling upon the New York State Senate and the New York State Assembly to pass and the Governor to sign A.4672B and S.641B, which would enhance the criminal penalties for assaulting an employee of a local social services district or juvenile detention agency while such employee is in the performance of his or her duties.

General Welfare

Res 1321-2012

By Council Member Wills

Resolution calling on the New York State Legislature and the Governor to amend the New York State Penal Law by increasing penalties for the unintentional discharge of a firearm resulting in an injury to an individual.

Public Safety

LU 0603-2012

By Council Member Comrie Jr.

Application no. 20125338 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Vida Café Inc. d.b.a. Mamajuana Cafe, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 247 Dyckman Street, Borough of Manhattan, Council District 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 0604-2012

By Council Member Comrie Jr.

Application no. N 120176 ZRM submitted by ERY Tenant LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article IX, Chapter 3 (Special Hudson Yards District), Council District 3.

Zoning and Franchises

LU 0605-2012

By Council Member Comrie Jr.

Application no. N 120171 ZRM submitted by the New York City Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article IX, Chapter 3 (Special Hudson Yards District), Council District 3.

Zoning and Franchises

LU 0606-2012

By Council Member Comrie Jr.

Application no. N 120166 ZRM submitted by Laight Street Project Owner, LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to the extension of a variance approved by the Board of Standards and Appeals concerning the modification of bulk regulations in the Special Tribeca Mixed Use District, Council District 1.

Zoning and Franchises

LU 0607-2012

By Council Member Comrie Jr.

Application no. 20125571 PNM, pursuant to § 1301 (2) (f) of the New York City Charter concerning the proposed maritime lease of a portion of the ground floor of the Battery Maritime Building between the Department of Small Business Services and the Governors Island Corporation a.k.a. The Trust for Governors Island, Council District 1.

Landmarks, Public Siting and Maritime Uses

LU 0608-2012

By Council Member Comrie Jr.

Application no. C 120164 HAX, application submitted by the Department of Housing Preservation and Development, an Urban Development Action Area Designation and Project located at 500/539 Union Avenue (Block 2582, lots 47,64 and 65) and the disposition of city owned property, Borough of the Bronx ,Community Board 1, Council District no. 17. 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.

Planning, Dispositions and Concessions

LU 0609-2012

By Council Member Comrie Jr.

Application no. C 120165 ZMX submitted by NYC Department of Housing, Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6c, changing from an R7-2 District to an R8X District property bounded by East 149th Street, Prospect Avenue, Southern Boulevard, East 147th Street, and Union Avenue and its southerly centerline prolongation, Borough of the Bronx, Council District 17.

Planning, Dispositions and Concessions

LU 0610-2012

By Council Member Comrie Jr.

Application no. 20125592 HAM submitted by the New York City Department of Housing Preservation and Development pursuant Article 16 of the General Municipal Law, an Urban Development Action Area Project located at 63-65 w. 137th Street, 119, 123, 125, 132 W. 133rd Street, 235-237 W. 116th Street, 229, 231 W. 121st Street (Block 1735, Lot 8, Block 1917, Lot 45, Block 1918, Lots 20, 21, 23, Block 1922, Lot 13, Block 1927, Lots 15, 16) in the Borough of the Bronx, Community Board 10, Council District no. 9.

Planning, Dispositions and Concessions