

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Tuesday, September 23, 2014

1:30 PM

Council Chambers - City Hall

City Council

Melissa Mark-Viverito, Speaker

Members: Maria Del Carmen Arroyo, Inez D. Barron, Fernando Cabrera, Margaret S. Chin, Andrew Cohen, Costa G. Constantinides, Robert E. Cornegy, Jr., Elizabeth S. Crowley, Laurie A. Cumbo, Chaim M. Deutsch, Inez E. Dickens, Daniel Dromm, Rafael L. Espinal, Jr., Mathieu Eugene, Julissa Ferreras-Copeland, Daniel R. Garodnick, Vincent J. Gentile, Vanessa L. Gibson, David G. Greenfield, Vincent M. Ignizio, Corey D. Johnson, Ben Kallos, Andy L. King, Peter A. Koo, Karen Koslowitz, Rory I. Lancman, Brad S. Lander, Stephen T. Levin, Mark Levine, Alan N. Maisel, Steven Matteo, Darlene Mealy, Carlos Menchaca, Rosie Mendez, I. Daneek Miller, Annabel Palma, Antonio Reynoso, Donovan J. Richards, Ydanis A. Rodriguez, Deborah L. Rose, Helen K. Rosenthal, Ritchie J. Torres, Mark Treyger, Eric A. Ulrich, James Vacca, Paul A. Vallone, James G. Van Bramer, Mark S. Weprin, Jumaane D. Williams and Ruben Wills

The Public Advocate (Ms. James)

1. Roll Call

Present: Speaker Mark-Viverito, Arroyo, Barron, Chin, Cohen, Constantinides, Cornegy Jr., Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal Jr., Eugene, Ferreras-Copeland, Garodnick, Gentile, Gibson, Greenfield, Ignizio, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Matteo, Mealy, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Van Bramer, Weprin, Williams and Wills

Absent: Cabrera

Medical: Rose

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

There were 49 Council Members marked present at this Stated Meeting.

2. Invocation

The Invocation was delivered by: Rabbi Andy Bachman, Senior Rabbi at Congregation Beth Elohim, 274 Garfield Place, Brooklyn, N.Y. 11215.

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

3. Adoption of Minutes

Council Member Matteo moved that the Minutes of the Stated Meeting of August 21, 2014 be adopted as printed.

4. Messages & Papers from the Mayor

M 0147-2014 **Communication from the Mayor – Submitting the Mayor’s Management Report, Fiscal 2014, dated September 2014, pursuant to Section 12 of the New York City Charter.**

Attachments: Hearing Transcript - Stated Meeting 9-23-14, Minutes of the Stated Meeting - September 23, 2014

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

5. Communications from City, County & Borough Offices

M 0148-2014 **Communication from the Office of Management & Budget – Pursuant to Section 107(b) of the New York City Charter, transfer City funds between various agencies in fiscal year 2015 to implement changes to the City’s expense budget. (MN -2)**

Attachments: Memorandum, Resolution, Committee Report, Hearing Transcript, Complete Package, Hearing Transcript - Stated Meeting 9-23-14, Minutes of the Stated Meeting - September 23, 2014

This Communication was Referred to Comm by Council to the Committee on Finance

M 0149-2014 Communication from the Human Resources Administration – Submitting HIV/AIDS Services Administration Quarterly Performance Report FY 14.3 (January-March 2014), pursuant to Section 21-128 (j) of the Administrative Code of the City of New York.

Attachments: Hearing Transcript - Stated Meeting 9-23-14, Communication from the Human Resources Administration, Minutes of the Stated Meeting - September 23, 2014

This Communication was Rcvd, Ord, Prnt, Fld by Council

6. Petitions and Communications

None

7. Land Use Call-Ups

**M 0150-2014 By Council Member Johnson:
Pursuant to Rule 11.20.b of the Council and §20-226 or §20-225 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 370 West 58th Street, Borough of Manhattan, Community Board No. 4, Application No. 20145392 TCM shall be subject to review by the Council.**

Attachments: Hearing Transcript - Stated Meeting 9-23-14, Minutes of the Stated Meeting - September 23, 2014

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

**M 0151-2014 By Council Member Mendez:
Pursuant to Rule 11.20.b of the Council and §20-226 or §20-225 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 403 East 12th Street, Borough of Manhattan, Community Board No. 3, Application No. 20145691 TCM shall be subject to review by the Council.**

Attachments: Hearing Transcript - Stated Meeting 9-23-14, Minutes of the Stated Meeting - September 23, 2014

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

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

Passed The Consent Agenda

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

Affirmative: 49 - Speaker Mark-Viverito, Arroyo, Barron, Chin, Cohen, Constantinides, Cornegy Jr., Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal Jr., Eugene, Ferreras-Copeland, Garodnick, Gentile, Gibson, Greenfield, Ignizio, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Matteo, Mealy, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Van Bramer, Weprin, Williams and Wills

Absent: 1 - Cabrera

Medical: 1 - Rose

At this point, the Public Advocate (Ms. James) declared that the aforementioned items were adopted and referred to the Committee on Land Use and to the appropriate Land Use Subcommittee.

8. Communication from the Speaker

9. Discussion of General Orders

10. Reports of Special Committees

None

11. Reports of Standing Committees

Report of the Committee on Finance

Res 0415-2014 Resolution concerning authorizing an increase in the amount to be expended annually in the Fordham Road Business Improvement District in the Borough of the Bronx, the extension of the Fordham Road Business Improvement District, and amendments to the District Plan of the Fordham Road Business Improvement District to change the method of assessment upon which the district charge is based, and setting the date, time and place for the public hearing of the local law authorizing such changes as set forth in the amended District Plan of the Fordham Road Business Improvement District.

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 9-23-14, City Planning Commission Report, Minutes of the Stated Meeting - September 23, 2014

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

Res 0416-2014 Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.

Attachments: Committee Report, Transparency Charts, Hearing Transcript, Hearing Transcript - Stated Meeting 9-23-14, Minutes of the Stated Meeting - September 23, 2014

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

M 0148-2014 Communication from the Office of Management & Budget – Pursuant to Section 107(b) of the New York City Charter, transfer City funds between various agencies in fiscal year 2015 to implement changes to the City’s expense budget. (MN -2)

Attachments: Memorandum, Resolution, Committee Report, Hearing Transcript, Complete Package, Hearing Transcript - Stated Meeting 9-23-14, Minutes of the Stated Meeting - September 23, 2014

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

Res 0423-2014 RESOLUTION APPROVING THE MODIFICATION (MN-2) OF UNITS OF APPROPRIATION AND THE TRANSFER OF CITY FUNDS BETWEEN AGENCIES PROPOSED BY THE MAYOR PURSUANT TO SECTION 107(b) OF THE NEW YORK CITY CHARTER.

Attachments: Memorandum, Committee Report, Hearing Transcript, Complete Package, Hearing Transcript - Stated Meeting 9-23-14, Minutes of the Stated Meeting - September 23, 2014

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

LU 0113-2014 Stammtisch HDFC, 279 Wyckoff Avenue, Brooklyn 11237, Block 3320, Lot 1, Council District No. 37.

Attachments: HPD Letter, Memorandum, Resolution, Hearing Transcript, Hearing Transcript - Stated Meeting 9-23-14, Minutes of the Stated Meeting - September 23, 2014

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

Res 0424-2014 Resolution approving a full exemption from real property taxes for property located at (Block 3320, Lot 1) Brooklyn, pursuant to Section 577 of the Private Housing Finance Law (L.U. No. 113).

Attachments: HPD Letter, Memorandum, Hearing Transcript, Hearing Transcript - Stated Meeting 9-23-14, Minutes of the Stated Meeting - September 23, 2014

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

Report of the Committee on Housing and Buildings

Int 0129-2014 A Local Law to amend the administrative code of the city of New York, in relation to remedies for breach of the duty of an owner to refrain from harassment of tenants.

Attachments: Int. No. 129 - 3/12/14, Committee Report 4/30/14, Hearing Testimony 4/30/14, Hearing Transcript 4/30/14, Committee Report 9/23/14, Hearing Transcript 9/23/14, Committee Report - Stated Meeting, Fiscal Impact Statement, Hearing Transcript - Stated Meeting 9-23-14, Mayor's Letter, Local Law 47, Minutes of the Stated Meeting - September 23, 2014

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

Enactment No: 2014/047

Int 0472-2014 A Local Law to amend the administrative code of the city of New York, the New York city plumbing code, the New York city building code, the New York city mechanical code, the New York city fuel gas code and local law number 71 for the year 2011, in relation to technical corrections and clarification of provisions of the New York city construction codes and, in relation thereto, repealing section 1107.5.6 of the New York city building code and section 7 of local law number 71 for the year 2011 and repealing and replacing section 301.6 of the New York city plumbing code, item 4 of section 314.2.3 of the New York city plumbing code, section 907.2.2 of the New York city building code, item 3 of section 1109.2 of the New York city building code, section 1609.7.3 of the New York city building code, section 1613.5.3 of the New York city building code, sections 1613.5.4 and 1613.5.5 of the New York city building code, table 1704.3 of the New York city building code, table 401.5 of the New York city mechanical code, Section 304.4.1 of the New York city fuel gas code and section 504.3.20 of the New York city fuel gas code.

Attachments: Int. No. 472 - 9/10/14, Committee Report 9/22/14, Hearing Testimony 9/22/14, Hearing Transcript 9/22/14, Committee Report 9/23/14, Hearing Transcript 9/23/14, Committee Report - Stated Meeting, Hearing Transcript - Stated Meeting 9-23-14, Fiscal Impact Statement, Mayor's Letter, Local Law 51, Minutes of the Stated Meeting - September 23, 2014

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

Enactment No: 2014/051

Int 0474-2014 **A Local Law to amend local law number 41 for the year 2012, local law number 79 for the year 2013, local law number 108 for the year 2013, local law number 110 for the year 2013, local law number 100 for the year 2013, local law number 101 for the year 2013, local law number 130 for the year 2013, local law number 141 for the year 2013, local law number 10 for the year 2014, local law number 12 for the year 2014, local law number 13 for the year 2014, local law number 17 for the year 2014 and local law number 18 for the year 2014, in relation to extending the effective date for the 2014 revisions to the New York city construction codes.**

Attachments: Committee Report 9/22/14, Hearing Testimony 9/22/14, Hearing Transcript 9/22/14, Committee Report 9/23/14, Hearing Transcript 9/23/14, Committee Report - Stated Meeting, Hearing Transcript - Stated Meeting 9-23-14, Fiscal Impact Statement, Mayor's Letter, Local Law 52, Minutes of the Stated Meeting - September 23, 2014

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

Enactment No: 2014/052

Report of the Committee on Land Use

LU 0110-2014 **Application no. 20145612 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 24 5th Avenue LLC, d/b/a/ Claudette for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 24 Fifth Avenue, Borough of Manhattan, Community District 2, Council District 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(e) of the New York City Administrative Code.**

Attachments: Land Use Calendar - Week of September 1, 2014 - September 5, 2014, Hearing Testimony - Zoning 9/3/14, Hearing Transcript - Zoning 9/3/14, Land Use Calendar - Week of September 15, 2014 - September 19, 2014, Hearing Testimony - Zoning 9-16-14, Hearing Transcript - Zoning 9/16/14, Land Use Calendar - September 18, 2014, Hearing Testimony - Land Use 9/18/14, Hearing Transcript - Land Use 9/18/14, Committee Report, Resolution, Hearing Transcript - Stated Meeting 9-23-14, Minutes of the Stated Meeting - September 23, 2014

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

Affirmative: 47 - Speaker Mark-Viverito, Arroyo, Barron, Chin, Cohen, Constantinides, Cornegy Jr., Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal Jr., Eugene, Ferreras-Copeland, Garodnick, Gibson, Greenfield, Ignizio, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Matteo, Mealy, Menchaca, Miller, Palma, Reynoso, Richards, Rodriguez, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Van Bramer, Weprin, Williams and Wills

Negative: 1 - Mendez

Abstain: 1 - Gentile

Absent: 1 - Cabrera

Medical: 1 - Rose

Res 0425-2014 Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 24 Fifth Avenue, Borough of Manhattan (20145612 TCM; L.U. No. 110).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 9-23-14, Minutes of the Stated Meeting - September 23, 2014

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

Affirmative: 47 - Speaker Mark-Viverito, Arroyo, Barron, Chin, Cohen, Constantinides, Cornegy Jr., Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal Jr., Eugene, Ferreras-Copeland, Garodnick, Gibson, Greenfield, Ignizio, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Matteo, Mealy, Menchaca, Miller, Palma, Reynoso, Richards, Rodriguez, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Van Bramer, Weprin, Williams and Wills

Negative: 1 - Mendez

Abstain: 1 - Gentile

Absent: 1 - Cabrera

Medical: 1 - Rose

Report of the Committee on Transportation

Int 0371-2014 A Local Law to amend the administrative code of the city of New York, in relation to civil penalties for leaving the scene of an incident without reporting.

Attachments: Int. No. 371 - 5/29/14, Committee Report 9/3/14, Hearing Testimony 9/3/14, Hearing Transcript 9/3/14, Committee Report 9/22/14, Hearing Transcript 9/22/14, Committee Report - Stated Meeting, Fiscal Impact Statement, Hearing Transcript - Stated Meeting 9-23-14, Mayor's Letter, Local Law 50, Minutes of the Stated Meeting - September 23, 2014

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

Enactment No: 2014/050

12. General Orders Calendar

T2014-0002 Commissioner of Deeds

Attachments: Hearing Transcript - Charter Meeting 1/8/14, Hearing Transcript - Charter Meeting 1/22/14, Hearing Transcript - Stated Meeting 1/22/14, Hearing Transcript - Stated Meeting 2-4-14, Hearing Transcript - Stated Meeting 2-26-14, Hearing Transcript - Stated Meeting 3-12-14, Hearing Transcript - Stated Meeting 3-26-14, Hearing Transcript - Stated Meeting 4-10-14, Hearing Transcript - Stated Meeting 4-29-14, Hearing Transcript - Stated Meeting 5-14-14, Hearing Transcript - Stated Meeting 5-29-14, Hearing Transcript - Stated Meeting 6-11-14, Hearing Transcript - Stated Meeting 6-26-14, Hearing Transcript - Stated Meeting 7-24-14, Hearing Transcript - Stated Meeting 8-21-14, Hearing Transcript - Stated Meeting 9-10-14, Hearing Transcript - Stated Meeting 9-23-14, Hearing Transcript - Stated Meeting 10-7-14, Hearing Transcript - Stated Meeting 10-22-14, Hearing Transcript - Stated Meeting 11-13-14, Hearing Transcript - Stated Meeting 11-25-14, Hearing Transcript - Stated Meeting 12-8-14, Hearing Transcript - Stated Meeting 12-17-14, Hearing Transcript - Stated Meeting 1-7-15, Hearing Transcript - Stated Meeting 1-22-15, Hearing Transcript - Stated Meeting 2-12-15, February 26, 2015 - Stated Meeting Agenda with Links to Files, March 11, 2015 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 2-26-15, Hearing Transcript - Stated Meeting 3-11-15, March 31, 2015 - Stated Meeting Agenda with Links to Files, April 16, 2015 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 3-31-15, April 28, 2015 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 4-16-15, Hearing Transcript - Stated Meeting 4-28-15, Hearing Transcript - Stated Meeting 5-14-15, Minutes of the Stated Meeting - April 16, 2015, May 27, 2015 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 5-27-15, June 10, 2015 - Stated Meeting Agenda with Links to Files, Minutes of the Stated Meeting - April 28, 2015, Minutes of the Stated Meeting - May 14, 2015, Minutes of the Stated Meeting - January 22, 2014, Minutes of the Stated Meeting - February 4, 2014, Minutes of the Stated Meeting - February 26, 2014, Minutes of the Stated Meeting - March 12, 2014, Minutes of the Stated Meeting - March 26, 2014, Minutes of the Stated Meeting - April 10, 2014, Minutes of the Stated Meeting - April 29, 2014, Minutes of the Stated Meeting - May 14, 2014, Minutes of the Stated Meeting - May 29, 2014, Minutes of the Stated Meeting - June 11, 2014, Minutes of the Stated Meeting - June 26, 2014, Minutes of the Stated Meeting - July 24, 2014, Minutes of the Stated Meeting - September 23, 2014

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

Coupled on General Order Calendar

Finance

Res 0415-2014 **Resolution concerning authorizing an increase in the amount to be expended annually in the Fordham Road Business Improvement District in the Borough of the Bronx, the extension of the Fordham Road Business Improvement District, and amendments to the District Plan of the Fordham Road Business Improvement District to change the method of assessment upon which the district charge is based, and setting the date, time and place for the public hearing of the local law authorizing such changes as set forth in the amended District Plan of the Fordham Road Business Improvement District.**

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 9-23-14, City Planning Commission Report, Minutes of the Stated Meeting - September 23, 2014

Res 0416-2014 **Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.**

Attachments: Committee Report, Transparency Charts, Hearing Transcript, Hearing Transcript - Stated Meeting 9-23-14, Minutes of the Stated Meeting - September 23, 2014

Res 0423-2014 **RESOLUTION APPROVING THE MODIFICATION (MN-2) OF UNITS OF APPROPRIATION AND THE TRANSFER OF CITY FUNDS BETWEEN AGENCIES PROPOSED BY THE MAYOR PURSUANT TO SECTION 107(b) OF THE NEW YORK CITY CHARTER.**

Attachments: Memorandum, Committee Report, Hearing Transcript, Complete Package, Hearing Transcript - Stated Meeting 9-23-14, Minutes of the Stated Meeting - September 23, 2014

Res 0424-2014 **Resolution approving a full exemption from real property taxes for property located at (Block 3320, Lot 1) Brooklyn, pursuant to Section 577 of the Private Housing Finance Law (L.U. No. 113).**

Attachments: HPD Letter, Memorandum, Hearing Transcript, Hearing Transcript - Stated Meeting 9-23-14, Minutes of the Stated Meeting - September 23, 2014

Housing and Buildings

Int 0129-2014 A Local Law to amend the administrative code of the city of New York, in relation to remedies for breach of the duty of an owner to refrain from harassment of tenants.

Attachments: Int. No. 129 - 3/12/14, Committee Report 4/30/14, Hearing Testimony 4/30/14, Hearing Transcript 4/30/14, Committee Report 9/23/14, Hearing Transcript 9/23/14, Committee Report - Stated Meeting, Fiscal Impact Statement, Hearing Transcript - Stated Meeting 9-23-14, Mayor's Letter, Local Law 47, Minutes of the Stated Meeting - September 23, 2014

Enactment No: 2014/047

Int 0472-2014 A Local Law to amend the administrative code of the city of New York, the New York city plumbing code, the New York city building code, the New York city mechanical code, the New York city fuel gas code and local law number 71 for the year 2011, in relation to technical corrections and clarification of provisions of the New York city construction codes and, in relation thereto, repealing section 1107.5.6 of the New York city building code and section 7 of local law number 71 for the year 2011 and repealing and replacing section 301.6 of the New York city plumbing code, item 4 of section 314.2.3 of the New York city plumbing code, section 907.2.2 of the New York city building code, item 3 of section 1109.2 of the New York city building code, section 1609.7.3 of the New York city building code, section 1613.5.3 of the New York city building code, sections 1613.5.4 and 1613.5.5 of the New York city building code, table 1704.3 of the New York city building code, table 401.5 of the New York city mechanical code, Section 304.4.1 of the New York city fuel gas code and section 504.3.20 of the New York city fuel gas code.

Attachments: Int. No. 472 - 9/10/14, Committee Report 9/22/14, Hearing Testimony 9/22/14, Hearing Transcript 9/22/14, Committee Report 9/23/14, Hearing Transcript 9/23/14, Committee Report - Stated Meeting, Hearing Transcript - Stated Meeting 9-23-14, Fiscal Impact Statement, Mayor's Letter, Local Law 51, Minutes of the Stated Meeting - September 23, 2014

Enactment No: 2014/051

Int 0474-2014 **A Local Law to amend local law number 41 for the year 2012, local law number 79 for the year 2013, local law number 108 for the year 2013, local law number 110 for the year 2013, local law number 100 for the year 2013, local law number 101 for the year 2013, local law number 130 for the year 2013, local law number 141 for the year 2013, local law number 10 for the year 2014, local law number 12 for the year 2014, local law number 13 for the year 2014, local law number 17 for the year 2014 and local law number 18 for the year 2014, in relation to extending the effective date for the 2014 revisions to the New York city construction codes.**

Attachments: Committee Report 9/22/14, Hearing Testimony 9/22/14, Hearing Transcript 9/22/14, Committee Report 9/23/14, Hearing Transcript 9/23/14, Committee Report - Stated Meeting, Hearing Transcript - Stated Meeting 9-23-14, Fiscal Impact Statement, Mayor's Letter, Local Law 52, Minutes of the Stated Meeting - September 23, 2014

Enactment No: 2014/052

Land Use

Res 0425-2014 **Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 24 Fifth Avenue, Borough of Manhattan (20145612 TCM; L.U. No. 110).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 9-23-14, Minutes of the Stated Meeting - September 23, 2014

Transportation

Int 0371-2014 **A Local Law to amend the administrative code of the city of New York, in relation to civil penalties for leaving the scene of an incident without reporting.**

Attachments: Int. No. 371 - 5/29/14, Committee Report 9/3/14, Hearing Testimony 9/3/14, Hearing Transcript 9/3/14, Committee Report 9/22/14, Hearing Transcript 9/22/14, Committee Report - Stated Meeting, Fiscal Impact Statement, Hearing Transcript - Stated Meeting 9-23-14, Mayor's Letter, Local Law 50, Minutes of the Stated Meeting - September 23, 2014

Enactment No: 2014/050

General Order Calendar

T2014-0002

Commissioner of Deeds

Attachments: Hearing Transcript - Charter Meeting 1/8/14, Hearing Transcript - Charter Meeting 1/22/14, Hearing Transcript - Stated Meeting 1/22/14, Hearing Transcript - Stated Meeting 2-4-14, Hearing Transcript - Stated Meeting 2-26-14, Hearing Transcript - Stated Meeting 3-12-14, Hearing Transcript - Stated Meeting 3-26-14, Hearing Transcript - Stated Meeting 4-10-14, Hearing Transcript - Stated Meeting 4-29-14, Hearing Transcript - Stated Meeting 5-14-14, Hearing Transcript - Stated Meeting 5-29-14, Hearing Transcript - Stated Meeting 6-11-14, Hearing Transcript - Stated Meeting 6-26-14, Hearing Transcript - Stated Meeting 7-24-14, Hearing Transcript - Stated Meeting 8-21-14, Hearing Transcript - Stated Meeting 9-10-14, Hearing Transcript - Stated Meeting 9-23-14, Hearing Transcript - Stated Meeting 10-7-14, Hearing Transcript - Stated Meeting 10-22-14, Hearing Transcript - Stated Meeting 11-13-14, Hearing Transcript - Stated Meeting 11-25-14, Hearing Transcript - Stated Meeting 12-8-14, Hearing Transcript - Stated Meeting 12-17-14, Hearing Transcript - Stated Meeting 1-7-15, Hearing Transcript - Stated Meeting 1-22-15, Hearing Transcript - Stated Meeting 2-12-15, February 26, 2015 - Stated Meeting Agenda with Links to Files, March 11, 2015 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 2-26-15, Hearing Transcript - Stated Meeting 3-11-15, March 31, 2015 - Stated Meeting Agenda with Links to Files, April 16, 2015 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 3-31-15, April 28, 2015 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 4-16-15, Hearing Transcript - Stated Meeting 4-28-15, Hearing Transcript - Stated Meeting 5-14-15, Minutes of the Stated Meeting - April 16, 2015, May 27, 2015 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 5-27-15, June 10, 2015 - Stated Meeting Agenda with Links to Files, Minutes of the Stated Meeting - April 28, 2015, Minutes of the Stated Meeting - May 14, 2015, Minutes of the Stated Meeting - January 22, 2014, Minutes of the Stated Meeting - February 4, 2014, Minutes of the Stated Meeting - February 26, 2014, Minutes of the Stated Meeting - March 12, 2014, Minutes of the Stated Meeting - March 26, 2014, Minutes of the Stated Meeting - April 10, 2014, Minutes of the Stated Meeting - April 29, 2014, Minutes of the Stated Meeting - May 14, 2014, Minutes of the Stated Meeting - May 29, 2014, Minutes of the Stated Meeting - June 11, 2014, Minutes of the Stated Meeting - June 26, 2014, Minutes of the Stated Meeting - July 24, 2014, Minutes of the Stated Meeting - September 23, 2014

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

Passed The Consent Agenda

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

Affirmative: 49 - Speaker Mark-Viverito, Arroyo, Barron, Chin, Cohen, Constantinides, Cornegy Jr., Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal Jr., Eugene, Ferreras-Copeland, Garodnick, Gentile, Gibson, Greenfield, Ignizio, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Matteo, Mealy, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Van Bramer, Weprin, Williams and Wills

Absent: 1 - Cabrera

Medical: 1 - Rose

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

LU 110 & Res 425, 47-1-1 (Negative: CM Mendez; Abstention: CM Gentile)

See files for individual votes.

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

Res 0380-2014 Resolution recognizing September as Ovarian Cancer Awareness Month in New York City.

Attachments: Res. No. 380 - 8/21/14, Committee Report 9/18/14, Hearing Testimony 9/18/14, Hearing Transcript 9/18/14, Committee Report 9/22/14, Hearing Transcript 9/22/14, Hearing Transcript - Stated Meeting 9-23-14, Minutes of the Stated Meeting - September 23, 2014

Pursuant to Rule 8.50 of the Council, the Public Advocate (Ms. James) called for a voice vote. Hearing no objections, the Public Advocate (Ms. James) declared the Resolution to be adopted.

Adopted unanimously by the Council by voice-vote.

A motion was made that this Resolution be Approved, by Council approved by voice vote.

16. General Discussion
17. Extension of Remarks

INTRODUCTION AND READING OF BILLS

Int 0477-2014 A Local Law to amend the administrative code of the city of New York, in relation to evictions of elderly tenants.

Sponsors: By Council Members Barron, Dromm, Arroyo, Chin, Constantinides, Dickens, Gentile, Johnson, Koo, Levine, Mendez, Rodriguez and Menchaca

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

Int 0478-2014 A Local Law to amend the administrative code of the city of New York, in relation to requiring photovoltaic systems for city-owned buildings.

Sponsors: By Council Members Constantinides and Kallos

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

Int 0479-2014 A Local Law to amend the New York city charter in relation to increasing the eligibility of projects for a waiver of the art commission's approval.

Sponsors: By Council Members Crowley, Chin and Gentile

This Introduction was Referred to Comm by Council to the Committee on Cultural Affairs, Libraries and International Intergroup Relations

Int 0480-2014 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 annually in the Fordham Road business improvement district, extension of the Fordham Road business improvement district, and amending the district plan of the Fordham Road business improvement district to change the method of assessment upon which the district charge is based.

Sponsors: By Council Members Ferreras-Copeland and Torres (by request of the Mayor)

Attachments: Res. No. 415, City Planning Commission Report, Committee Report 10/7/14, Hearing Testimony 10/7/14, Hearing Transcript 10/7/14, Committee Report 11/13/14, Hearing Testimony 11/13/14, Hearing Transcript 11/13/14 - Part 1, Hearing Transcript 11/13/14 - Part 2, Fiscal Impact Statement, Hearing Transcript - Stated Meeting 11-13-14, Local Law Assignment Letter, Local Law 68

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

Enactment No: 2014/068

Res 0415-2014 **Resolution concerning authorizing an increase in the amount to be expended annually in the Fordham Road Business Improvement District in the Borough of the Bronx, the extension of the Fordham Road Business Improvement District, and amendments to the District Plan of the Fordham Road Business Improvement District to change the method of assessment upon which the district charge is based, and setting the date, time and place for the public hearing of the local law authorizing such changes as set forth in the amended District Plan of the Fordham Road Business Improvement District.**

Sponsors: By Council Members Ferreras-Copeland and Torres

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 9-23-14, City Planning Commission Report, Minutes of the Stated Meeting - September 23, 2014

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

Res 0416-2014 **Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.**

Sponsors: By Council Member Ferreras-Copeland

Attachments: Committee Report, Transparency Charts, Hearing Transcript, Hearing Transcript - Stated Meeting 9-23-14, Minutes of the Stated Meeting - September 23, 2014

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

Int 0481-2014 **A Local Law to amend the administrative code of the City of New York, in relation to food allergy awareness in food service establishments.**

Sponsors: By Council Members Greenfield, Arroyo, Barron, Gentile, Koo, Rodriguez and Mendez

This Introduction was Referred to Comm by Council to the Committee on Health

Res 0417-2014 Resolution recognizing and commemorating January 13th as Korean American Day in the City of New York.

Sponsors: By Council Members Koo, Arroyo, Barron, Chin, Dickens, Gentile, Gibson, Johnson, Mendez, Richards, Vallone, Cohen, Van Bramer, Weprin, Crowley, Constantinides, Cabrera, Eugene, Kallos and Lander

Attachments: Committee Report 11/24/14, Hearing Testimony 11/24/14, Hearing Transcript 11/24/14, Committee Report 12/16/14, Hearing Transcript 12/16/14, Committee Report - Stated Meeting, Hearing Transcript - Stated Meeting 12-17-14

This Resolution was Referred to Comm by Council to the Committee on Cultural Affairs, Libraries and International Intergroup Relations

Res 0418-2014 Resolution calling upon the New York State Legislature and the Governor to expand the Compassionate Care Act, which legalized the medicinal use of marijuana.

Sponsors: By Council Members Levine, Arroyo, Barron, Chin, Johnson, Mendez, Richards, Rodriguez, Cohen and Menchaca

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

Int 0482-2014 A Local Law to amend the administrative code of the city of New York, in relation to banning the sale of products advertised or labeled as bluefin tuna.

Sponsors: By Council Members Maisel, Chin and Mendez

This Introduction was Referred to Comm by Council to the Committee on Consumer Affairs

Res 0419-2014 Resolution declaring May 25th as Missing Persons Day in New York City.

Sponsors: By Council Members Miller, Arroyo, Barron, Chin, Gentile, Gibson, Johnson, Koo, Mendez, Richards, Rodriguez, Vallone and Cohen

This Resolution was Referred to Comm by Council to the Committee on Public Safety

Res 0420-2014 Resolution calling on the New York State Legislature to pass S.7404/A.8961 and the Governor to sign such legislation into law, which would amend the New York State Executive Law in order to strengthen the State's efforts to find missing people, which includes both children and adults.

Sponsors: By Council Members Miller, Arroyo, Barron, Chin, Dickens, Gentile, Gibson, Johnson, Koo, Levine, Mendez, Richards, Rodriguez, Cohen and Ulrich

This Resolution was Referred to Comm by Council to the Committee on Public Safety

- Int 0483-2014** **A Local Law to amend the administrative code of the city of New York, in relation to the provision of e-mail notifications for construction project status updates.**
- Sponsors:** By Council Members Rosenthal, Barron, Chin, Gentile, Koo, Levine, Mendez, Rodriguez, Vallone and Ulrich
- This Introduction was Referred to Comm by Council to the Committee on Housing and Buildings**
- Res 0421-2014** **Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation that would require the Metropolitan Transportation Authority to notify the public of bed bug infestations in the subway and bus systems.**
- Sponsors:** By Council Members Treyger, Ulrich, Barron, Constantinides, Gibson, Johnson, Kallos, King, Koo, Mendez, Richards and Rodriguez
- This Resolution was Referred to Comm by Council to the Committee on Transportation**
- Int 0484-2014** **A Local Law to amend the administrative code of the city of New York, in relation to banning smoking in the common areas of all multiple dwellings.**
- Sponsors:** By Council Members Vacca, Barron, Constantinides, Gentile, Johnson, Kallos, Koo, Richards, Rodriguez, Vallone and Cohen
- This Introduction was Referred to Comm by Council to the Committee on Health**
- Int 0485-2014** **A Local Law to amend the administrative code of the city of New York, in relation to animal shelters.**
- Sponsors:** By Council Members Vallone, Johnson, Arroyo, Chin, Constantinides, Koo, Lancman, Levine, Mendez, Rodriguez, Vacca, Ferreras-Copeland, King, Cohen, Deutsch, Barron, Palma, Dromm, Koslowitz, Gentile, Dickens, Crowley, Torres, Espinal Jr., Cabrera, Cornegy Jr., Miller, Cumbo, Williams, Rosenthal, Richards, Eugene, Van Bramer, Reynoso, Levin and Ulrich
- Attachments:** Committee Report 2/25/15, Hearing Testimony 2/25/15, Hearing Transcript 2/25/15
- This Introduction was Referred to Comm by Council to the Committee on Health**
- Res 0422-2014** **Resolution calling upon the Governor of New York State to sign legislation extending the compliance period during which to obtain a tax abatement for solar electric generating systems.**
- Sponsors:** By Council Members Williams, Barron, Chin, Constantinides, Dickens, Koo, Levine, Mendez, Richards, Rodriguez and Ulrich
- This Resolution was Referred to Comm by Council to the Committee on Finance**

LU 0120-2014 Phipps Plaza South/KB25, East 25th Street, Between 1st and 2nd Avenues, Manhattan, Block 931, Lot 17, Council District No. 2.

Sponsors: By Council Member Ferreras-Copeland

Attachments: Speaker's Letter

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

LU 0121-2014 Application No. 20145691 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Hearth Restaurant Investors, LLC, d/b/a/ Hearth for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 403 East 12th Street, Borough of Manhattan, Community District 3, Council District 2. 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(e) of the New York City Administrative Code.

Sponsors: By Council Member Greenfield

Attachments: Land Use Calendar - Week of September 29, 2014 - October 3, 2014, Hearing Testimony - Zoning 9/30/14, Hearing Transcript - Zoning 9/30/14, Land Use Calendar - October 2, 2014, Hearing Transcript - Land Use 10/2/14, Committee Report, Resolution, Hearing Transcript - Stated Meeting 10-7-14

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

Attachments: Land Use Calendar - Week of September 29, 2014 - October 3, 2014, Hearing Testimony - Zoning 9/30/14, Hearing Transcript - Zoning 9/30/14, Land Use Calendar - October 2, 2014, Hearing Transcript - Land Use 10/2/14, Committee Report, Resolution, Hearing Transcript - Stated Meeting 10-7-14

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

LU 0122-2014 **Application No. 20145392 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Hot Bread of 58th Street, Inc., d/b/a/ European Bakery Café for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 370 West 58th Street, Borough of Manhattan, Community District 4, Council District 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(e) of the New York City Administrative Code.**

Sponsors: By Council Member Greenfield

Attachments: Land Use Calendar - Week of October 20, 2014 - October 24, 2014, Hearing Testimony - Zoning 10/20/14, Hearing Transcript - Zoning 10/20/14, Land Use Calendar - October 21, 2014, Hearing Transcript - Land Use 10/21/14, Committee Report, Resolution, Hearing Transcript - Stated Meeting 10-22-14

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

Attachments: Land Use Calendar - Week of October 20, 2014 - October 24, 2014, Hearing Testimony - Zoning 10/20/14, Hearing Transcript - Zoning 10/20/14, Land Use Calendar - October 21, 2014, Hearing Transcript - Land Use 10/21/14, Committee Report, Resolution, Hearing Transcript - Stated Meeting 10-22-14

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

LU 0123-2014 **Application No. 20155063 HAM by the New York City Department of Housing Preservation and Development for approval of a tax exemption, pursuant to Section 577 of the Private Housing Finance Law (PHFL), for the properties located at Block 1718/Lot 69, Block 1903/ Lot 29, Block 1904/Lots 33 and 59, Block 1906, Lot 64, Block 2026/Lots 20, 22, 23, 26, 27 and 29, Block 2031/Lot 18, Block 2032/Lot 43, Block 2036/Lot 61, Block 2045/Lots 96, 97 and 100, Block 2046/Lots 7 and 63; in the Borough of Manhattan, Community Council District 9. This matter is subject to Council review and action at the request of HPD and pursuant to Section 577 of the PHFL.**

Sponsors: By Council Member Greenfield

Attachments: Land Use Calendar - Week of September 29, 2014 - October 3, 2014, Hearing Testimony - Planning 9/30/14, Hearing Transcript - Planning 9/30/14, Land Use Calendar - October 2, 2014, Hearing Transcript - Land Use 10/2/14, Committee Report, Resolution, Hearing Transcript - Stated Meeting 10-7-14

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

Attachments: Land Use Calendar - Week of September 29, 2014 - October 3, 2014, Hearing Testimony - Planning 9/30/14, Hearing Transcript - Planning 9/30/14, Land Use Calendar - October 2, 2014, Hearing Transcript - Land Use 10/2/14, Committee Report, Resolution, Hearing Transcript - Stated Meeting 10-7-14

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

At this point the Speaker (Council Member Mark-Viverito) made the following announcements:

Whereupon on motion of the Speaker (Council Member Mark-Viverito), the Public Advocate (Ms. James) adjourned to meet again on Tuesday, October 7, 2014.

MICHAEL McSWEENEY, City Clerk

Clerk of the Council