

The New York City Council

Council Agenda

Stated Meeting

December 09, 2009

1:30 PM

Council Chambers - City Hall

1. Roll Call

2. Invocation

Delivered by: Rev. James B. Barnwell, Pastor, Mt. Olivet Baptist Church, 202-03 Hollis Avenue, Hollis, NY 11412.

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

3. Adoption of Minutes

Motion that the Minutes of the Stated Meeting of October 28, 2009 be adopted as printed by Council Member Nelson.

4. Messages & Papers from the Mayor

M 1688-2009

Mayors veto and disapproval message, Int. No. 662-A, clergy parking permits.

Communication from the Mayor - Mayors veto and

disapproval message of Introductory Number 662-A, in relation to clergy parking permits.

Transportation

M 1689-2009 **Mayors veto and disapproval message, Int. No. 907, establishing a grace period for certain parking violations.**

Communication from the Mayor - Mayors veto and disapproval message of Introductory Number 907, in relation to establishing a grace period for certain parking violations.

Transportation

5. Communications from City, County & Borough Offices

M 1690-2009 **Submitting projection of the City's debt-incurring power for Fiscal Years 2010-2013.**

Communication from the Comptroller – Submitting projection of the City's debt-incurring power for Fiscal Years 2010-2013, pursuant to Section 232 of the New York City Charter.

Received, Ordered, Printed and Filed

6. Petitions and Communications

None

7. Land Use Call-Ups

M 1691-2009 **Sidewalk Cafe, 636 Hudson Street, Manhattan (20105147TCM)**

By Council Member Katz

Application no. 20105147 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Rajmar Holdings, Inc. d/b/a Hudson Bar & Books to continue, to maintain and operate an unenclosed sidewalk

café located at 636 Hudson Street, Borough of Manhattan, Council District no. 3. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.

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 Environmental Protection

Int 0476-2006-A Benchmarking the energy and water efficiency of buildings.

A Local Law to amend the administrative code of the city of New York, in relation to benchmarking the energy and water efficiency of buildings.

Amended and Coupled on GO with Message of Necessity

Int 0564-2007-A Establishing a New York city energy code.

A Local Law to amend the administrative code of the city of New York, in relation to establishing a New York city energy code.

Amended and Coupled on GO with Message of Necessity

Int 0967-2009-A Requiring energy audits and retro-commissioning of base building systems of certain buildings and retro-fitting of certain city-owned buildings.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to requiring energy audits and retro-commissioning of base building systems of certain buildings and retro-fitting of certain city-owned buildings.

Amended and Coupled on GO with Message of Necessity

Int 0973-2009-A **Upgrading lighting systems and the installation of sub-meters in certain buildings.**

A Local Law to amend the administrative code of the city of New York, in relation to upgrading lighting systems and the installation of sub-meters in certain buildings.

Amended and Coupled on GO with Message of Necessity

Res 2289-2009 **NYS Environmental Quality Review Act setting forth findings of the Council concerning the environmental review conducted for Proposed Int. No. 476-A, Proposed Int. No 564-A, Proposed Int. No. 967-A and Proposed Int. No. 973-A.**

Resolution pursuant to the New York State Environmental Quality Review Act setting forth findings of the Council concerning the environmental review conducted for Proposed Int. No. 476-A, Proposed Int. No. 564-A, Proposed Int. No. 967-A and Proposed Int. No. 973-A.

Preconsidered - Coupled on GO

Report of the Committee on Land Use

LU 1227-2009 **ULURP, Broadway Traiangle, Brooklyn (C090413ZMK)**

Uniform Land Use Review Procedure application no. C 090413 ZMK pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Section No.13b, Borough of Brooklyn, Council District no. 34

Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter.

- LU 1228-2009** **ULURP, Broadway Triangle, Brooklyn (N090414ZRK)**
- Zoning resolution amendment application no. N 090414 ZRK, pursuant to Sections 197-d and 200 of the New York City Charter, respecting changes in the text of the Zoning Resolution, relating to Article II, Chapter 3, Sections 23-90, inclusive.
- Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter.*
- LU 1229-2009** **ULURP, Broadway Triangle Urban Renewal Plan, Brooklyn (C090415HUK)**
- Uniform land use review procedure, application no. C 090415 HUK pursuant to §197-c and §197-d of the Charter of the City of New York and §505 of the General Municipal Law concerning the approval of an amendment to the Broadway Triangle Urban Renewal Plan, Borough of Brooklyn, Council District no. 34.
- Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter.*
- LU 1230-2009** **ULURP, Broadway Triangle URA, Brooklyn (C090416HAK)**
- Uniform land use review procedure application no. C 090416 HAK, an Urban Development Action Area Designation and Project, located within the Broadway Triangle URA, and the disposition of such property, Borough Brooklyn, Council District no. 34. 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.
- Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter.*
- Res 2292-2009** **LU 1255 - Zoning, West 129th Street Realty I LLC and West 129th Street Realty II LLC, Manhattan (C080039ZMM)**

Application no. C 080039 ZMM submitted by West 129th Street Realty I LLC and West 129th Street Realty II LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section 6a, changing from an R7-2 District to an R7A District and changing from an M1-1 District to an R7A

Coupled on GO

Res 2293-2009

LU 1269 - ULURP, 371 Van Siclen Avenue, Brooklyn (C100024HAK)

Uniform land use review procedure application no. C 100014 HAK an Urban Development Action Area Designation and Project and the disposition of such property, located at 371 Van Siclen Avenue, Borough of Brooklyn, Council District no. 37. 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.

Coupled on GO

Report of the Committee on Parks and Recreation

Int 1083-2009-A Local representation on park conservancies.

A Local Law to amend the administrative code of the city of New York, in relation to requiring local representation on park conservancies.

Amended and Laid Over

12. General Orders Calendar

Res 2294-2009

LU 1244 - Zoning, FRESH Food Stores, Citywide (N090412ZRY)

Application no. N 090412 ZRY by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution relating

to Article VI, Chapter 3, concerning provisions related to the establishment of FRESH Food Stores.

Coupled on GO

T2006-0001 **Commissioner of Deeds**

Commissioner of Deeds
Coupled on GO

Coupled on General Order Calendar

Environmental Protection

- Int 0476-2006-A** **Benchmarking the energy and water efficiency of buildings.**
A and GO with M/N
- Int 0564-2007-A** **Establishing a New York city energy code.**
A and GO with M/N
- Int 0967-2009-A** **Requiring energy audits and retro-commissioning of base building systems of certain buildings and retro-fitting of certain city-owned buildings.**
A and GO with M/N
- Int 0973-2009-A** **Upgrading lighting systems and the installation of sub-meters in certain buildings.**
A and GO with M/N
- Res 2289-2009** **NYS Environmental Quality Review Act setting forth findings of the Council concerning the environmental review conducted for Proposed Int. No. 476-A, Proposed Int. No 564-A, Proposed Int. No. 967-A and Proposed Int. No. 973-A.**
Preconsidered - GO

Land Use

Res 2292-2009 **LU 1255 - Zoning, West 129th Street Realty I LLC and West
129th Street Realty II LLC, Manhattan (C080039ZMM)**
GO

Res 2293-2009 **LU 1269 - ULURP, 371 Van Sicken Avenue, Brooklyn
(C100024HAK)**
GO

General Order Calendar

Res 2294-2009 **LU 1244 - Zoning, FRESH Food Stores, Citywide
(N090412ZRY)**
GO

T2006-0001 **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 1103-2009 ***By Council Members Avella, Barron, Brewer, Comrie Jr., Dickens,***

Dilan, Felder, Ferreras, Foster, Gentile, Gerson, Gioia, Gonzalez, Ignizio, James, Liu, Mealy, Mendez, Mitchell, Nelson, Oddo, Palma, Recchia Jr., Rivera, Sanders Jr., Seabrook, Vacca, Ulrich and White Jr.

A Local Law in relation to the naming of 70 thoroughfares and public places, Ron Carey Avenue, Borough of Queens, Betty Pegen Way, Borough of Queens, Sol Soskin Way, Borough of Queens, Kenneth Jackson, Jr. Blvd., Borough of Brooklyn, Power Memorial Way, Borough of Manhattan, Morris R. Lee Place, Borough of Queens, John Hicks Way, Borough of Manhattan, Sugar Ray Robinson Way, Borough of Manhattan, Anthony Aristedes Delgado Way, Borough of Brooklyn, Thomas Joseph Sgroi A 9-11 Memorial Way, Borough of Brooklyn, Mitad del Mundo, Borough of Queens, Veterans Memorial Way, Borough of Brooklyn, Rev. Robert G. Lane Blvd., Borough of the Bronx, FF Alfred Ronaldson Place, Borough of the Bronx, Walter L. Johnson Corner Developer of Dyker Heights, Borough of Brooklyn, Rosemarie O' Keefe Way, Borough of Brooklyn, Hank Vogt Way, Borough of Brooklyn, Dr. Michael Brienza Way, Borough of Brooklyn, Hon. Thomas Tam Way, Borough of Manhattan, The Bowery Mission Way, Borough of Manhattan, Roger Laghezza Place, Borough of Queens, Nicolas A. Nowillo Place, Borough of Queens, Francesco "Frankie" Loccisano Way, Borough of Brooklyn, Dr. Jitendra Sukhadia Crossing, Borough of Staten Island, Benny A. Lyde Place, Borough of Brooklyn, Bernard L. Shapiro Boulevard, Borough of Queens, Janice Marie Knight Street, Borough of Brooklyn, Dr. Saul J. Farber Way, Borough of Manhattan, NYS Senator 1956-2006, Hon. John J. Marchi Way, Borough of Staten Island, Catherine Vanden-Heuvel Way, Borough of Staten Island, Elizabeth Stanton Way, Borough of Staten Island, Arthur F. Newcombe Sr. Way, Borough of Staten Island, FDNY Lt. John "Muzz" Murray Way, Borough of Staten Island, Corporal John C. Johnson, Sr. Road, Borough of Staten Island, Custodian Engineer Martin T. Cavanagh Way, Borough of Staten Island, Sergeant Gerald A. Johnson Corner, Borough of Staten Island, Carmine Narducci

Way, Borough of Staten Island, Bobby Smith Court, Borough of Staten Island, Curtis High School Association of Alumni & Friends, Borough of Staten Island, Michael Cocozza Way, Borough of Staten Island, Rabbi Dr. Joseph I. Singer Way, Borough of Brooklyn, Sheila Nelson Way, Borough of Brooklyn, P.O. Kevin M. Lee Way, Borough of Staten Island, Eugene S. Devlin III Way, Borough of Staten Island, Michael A. Primiano Way, Borough of Staten Island, Sal Somma Way, Borough of Staten Island, PV2 Isaac T. Cortes Way, Borough of the Bronx, Sister Jane Talbot Way, Borough of Brooklyn, Ken Siegelman Way, Borough of Brooklyn, Lance Corporal Alberto Francesconi Place, Borough of the Bronx, Supervising Fire Dispatcher Dennis Patrick O' Connell Place, Borough of the Bronx, Mr. Joseph Zinzi Place, Borough of the Bronx, J. Clifford Gadsden Place, Borough of Queens, Edith Copeland Baldwin Way, Borough of the Bronx, Detective Rudolph Winston Edwards, Sr. Way, Borough of the Bronx, Gloria D. Alexander Way, Borough of the Bronx, Dorothy Gomes Way, Borough of the Bronx, Christian Regenhard Way, Borough of the Bronx, Charles Carrocetto Corner, Borough of the Bronx, Port Authority Police Officer Dominick Pezzulo Triangle, Borough of the Bronx, Beverly Baxter Blvd., Borough of Queens, Sean Bell Way, Borough of Queens, Ghanwatti Boodram Way, Borough of Queens, Mike Lee Corner, Borough of Brooklyn, Burlingame Court, Borough of Queens, James Court, Borough of Queens, McKee Court, Borough of Queens, Calhoun Court, Borough of Queens, Moncrief Court, Borough of Queens, Lockwood Court, Borough of Queens and the repeal of sections 7 and 10 of local law number 46 for the year 2009, the repeal of sections 17 and 37 of local law number 48 for the year 2008 and the repeal of section 48 of local law number 64 for the year 2008.

Parks and Recreation

Int 1104-2009

By Council Member Dilan

A Local Law to amend the administrative code of the city of New York, in relation to benefits pursuant to section four

hundred twenty-one-a of the real property tax law.

Housing and Buildings

Res 2287-2009 *By Council Member Foster*

Resolution calling upon the Mayor and the New York City Department of Correction to end their involvement with United States department of Immigration and Customs Enforcement by refusing to allow Immigration and Customs Enforcement to have access to pre-trial detainees at Rikers Island and other Department of Correction facilities and declining to participate in the Secure Communities Program.

Immigration

Res 2288-2009 *By Council Member Garodnick and The Speaker (Speaker Quinn)*

Resolution urging the United States Senate to approve a health care reform bill that will not restrict women's reproductive health or burden their right to choose by forcing women to seek alternative or supplemental insurance to obtain an abortion.

Health

Res 2289-2009 *By Council Member Gennaro*

Resolution pursuant to the New York State Environmental Quality Review Act setting forth findings of the Council concerning the environmental review conducted for Proposed Int. No. 476-A, Proposed Int. No. 564-A, Proposed Int. No. 967-A and Proposed Int. No. 973-A.

Preconsidered - Environmental Protection

Int 1105-2009 *By Council Members Koppell and Palma*

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 and community development.

Contracts

Res 2290-2009 *By Council Member Mark-Viverito*

Resolution calling upon the New York State Assembly to pass A.5671, the New York State Senate to introduce and pass similar legislation, and the Governor to sign such legislation into law, amending the real property tax law in relation to the creation of a vacant land property classification.

Finance**Res 2291-2009** *By Council Member Stewart*

Resolution condemning the interrogation practices used by Immigration and Customs Enforcement officials on detainees housed in New York City Department of Corrections' facilities.

Immigration**Int 1106-2009** *By Council Member Weprin (by request of the Mayor)*

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 eight business improvement districts.

Finance**LU 1287-2009** *By Council Member Katz*

Application no.20105215 PPK, the exchange of city-owned property located at Application no.20105215 PPK, the exchange of city-owned property located at 250 Baltic Street for state-owned property located at 338 Forbell Street, Borough of Brooklyn, Council Districts no. 39 and 37. This matter is subject to Council review and action pursuant to §72-h of the General Municipal Law. for state-owned property located at 338 Forbell Street, Borough of Brooklyn, Council Districts no. 39 and 37. This matter is subject to Council review and action pursuant to §72-h of the General Municipal Law.

Landmarks, Public Siting and Maritime Uses

LU 1288-2009*By Council Member Katz*

Uniform land use review procedure application no. C 100067 HAK, an Urban Development Action Area Designation and Project, located at 1612 Park Place and 404A, 408, 414 and 416 Hopkinson Avenue, and the disposition of such property, Borough of Brooklyn, Council District no. 41. 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 1289-2009*By Council Member Katz*

Application no. 20105212 HAX, an Urban Development Action Area Project located at 1100 Elder Avenue, Council District no. 18, Borough of the Bronx. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development, and pursuant to Section 577 of the Private Housing Finance Law for an exemption from real property taxes.0000

Planning , Dispositions and Concessions

LU 1290-2009*By Council Member Katz*

Application no. 20105213 HAM, an Urban Development Action Area Project located at 342 East 100th Street, Council District no. 8, Borough of Manhattan. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development, and pursuant to Section 577 of the Private Housing Finance Law for an exemption from real property taxes.

Planning , Dispositions and Concessions

LU 1291-2009*By Council Member Katz*

Application no. 20105214 HAM, an Urban Development Action Area Project located at 310-312 West 122nd Street, 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 577 of the Private Housing Finance Law for an exemption from real property taxes.

Planning , Dispositions and Concessions

LU 1292-2009

By Council Member Katz

Application no. 20105203 HKQ (N 100137 HKQ), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.420, LP-2321) by the Landmarks Preservation Commission of the Herman A. Schleicher Mansion, located at 11-41 123rd Street (Block 3997, Lot 40) as an historic landmark, Council District no. 19.

Landmarks, Public Siting and Maritime Uses

LU 1293-2009

By Council Member Katz

Application no. 20105147 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Rajmar Holdings, Inc. d/b/a Hudson Bar & Books to continue, to maintain and operate an unenclosed sidewalk café located at 636 Hudson Street, Borough of Manhattan, Council District no. 3. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.

Zoning and Franchises