

# The New York City Council

*City Hall  
New York, NY 10007*



## Meeting Minutes

**Wednesday, February 6, 2013**

**1:30 PM**

**Council Chambers - City Hall**

### **City Council**

*Christine C. Quinn, Speaker*

*Members: Maria del Carmen Arroyo, Charles Barron, Gale A. Brewer, Fernando Cabrera, Margaret S. Chin, Leroy G. Comrie, Jr., Elizabeth S. Crowley, Inez E. Dickens, Erik Martin Dilan, Daniel Dromm, Mathieu Eugene, Julissa Ferreras, Lewis A. Fidler, Helen D. Foster, Daniel R. Garodnick, James F. Gennaro, Vincent J. Gentile, Sara M. Gonzalez, David Greenfield, Daniel J. Halloran III, Vincent M. Ignizio, Robert Jackson, Letitia James, Andy King, Peter A. Koo, G. Oliver Koppell, Karen Koslowitz, Brad S. Lander, Jessica S. Lappin, Stephen T. Levin, Melissa Mark-Viverito, Darlene Mealy, Rosie Mendez, Michael C. Nelson, James S. Oddo, Annabel Palma, Domenic M. Recchia, Jr., Diana Reyna, Joel Rivera, Ydanis A. Rodriguez, Deborah L. Rose, Eric A. Ulrich, James Vacca, Peter F. Vallone, Jr., James G. Van Bramer, Albert Vann, Mark S. Weprin, Jumaane D. Williams and Ruben Wills*

*The President Pro Tempore (Council Member Rivera)*

1. Roll Call

**Present:**

Speaker Quinn, Arroyo, Barron, Brewer, Cabrera, Chin, Comrie Jr., Crowley, Dickens, Dilan, Dromm, Eugene, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran III, Ignizio, Jackson, James, King, Koo, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, Mendez, Nelson, Oddo, Palma, Recchia Jr., Reyna, Rivera, Rose, Ulrich, Vacca, Vallone Jr., Van Bramer, Vann, Weprin, Williams and Wills

**Excused:**

Rodriguez

*The presence of a quorum was announced by The President Pro Tempore (Council Member Rivera).*

*There is presently one vacancy in the Council pending the swearing-in of the certified winner of the scheduled February 19, 2013 Special Election to be held in the 31st Council District, Queens.*

2. Invocation

*The Invocation was delivered by: Rev. Edison Bond, Citadel of Praise and Worship, 1700 Fulton Street, Brooklyn, N.Y. 11213.*

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

3. Adoption of Minutes

*Council Member Lappin moved that the Minutes of the Stated Meeting of December 18, 2012 and the Charter Meeting of January 9, 2013 be adopted as printed.*

4. Messages & Papers from the Mayor

**M 1032-2013      Communication from the Mayor - Submitting the name of Andrew Irving to the Council for its advice and consent regarding his re-appointment to the New York City Conflicts of Interest Board.**

**Attachments:**    Hearing Transcript - Stated Meeting 2-6-13

**This Mayor's Message was Referred to Comm by Council to the Committee on Rules, Privileges and Elections**

**M 1033-2013      Communication from the Mayor - Submitting Preliminary Expense Budget for Fiscal Year 2014, pursuant to Sections 225 and 236 of the New York City Charter.**

**Attachments:**    Hearing Transcript - Stated Meeting 2-6-13

**This Mayor's Message was Referred to Comm by Council to the Committee on Finance**

- M 1034-2013**      **Communication from the Mayor - Submitting Financial Plan Detail and Summary Book, Volumes I and II for Fiscal Years 2013-2017, pursuant to Sections 101 and 213 of the New York City Charter.**
- Attachments:**    Hearing Transcript - Stated Meeting 2-6-13
- This Mayor's Message was Referred to Comm by Council to the Committee on Finance
- M 1035-2013**      **Communication from the Mayor - Submitting Geographic Reports for Expense Budget for Fiscal Year 2014, pursuant to Sections 100 and 231 of the New York City Charter.**
- Attachments:**    Hearing Transcript - Stated Meeting 2-6-13
- This Mayor's Message was Referred to Comm by Council to the Committee on Finance
- M 1036-2013**      **Communication from the Mayor - Submitting Departmental Estimates Report, Volumes I, II, III, IV and V, for Fiscal Year 2014, pursuant to Sections 100, 212 and 231 of the New York City Charter.**
- Attachments:**    Hearing Transcript - Stated Meeting 2-6-13
- This Mayor's Message was Referred to Comm by Council to the Committee on Finance
- M 1037-2013**      **Communication from the Mayor - Submitting Contract Budget Report for Fiscal Year 2014, pursuant to Section 104 of the New York City Charter.**
- Attachments:**    Hearing Transcript - Stated Meeting 2-6-13
- This Mayor's Message was Referred to Comm by Council to the Committee on Finance
- M 1038-2013**      **Communication from the Mayor - Submitting the Preliminary Capital Budget, Fiscal Year 2014, pursuant to Section 213 and 236 of the New York City Charter.**
- Attachments:**    Hearing Transcript - Stated Meeting 2-6-13
- This Mayor's Message was Referred to Comm by Council to the Committee on Finance

- M 1039-2013**      **Communication from the Mayor - Submitting the Capital Commitment Plan, Fiscal Year 2014, Volumes 1, 2, & 3, and the Capital Commitment Plan, Fiscal Year 2012, Financial Summary, pursuant to Section 219 of the New York City Charter.**
- Attachments:**    Hearing Transcript - Stated Meeting 2-6-13
- This Mayor's Message was Referred to Comm by Council to the Committee on Finance
- M 1040-2013**      **Communication from the Mayor – Submitting the Preliminary Ten-Year Capital Strategy, Fiscal Year 2014-2023.**
- Attachments:**    Hearing Transcript - Stated Meeting 2-6-13
- This Mayor's Message was Referred to Comm by Council to the Committee on Finance
- M 1041-2013**      **Communication from the Mayor - Submitting Preliminary certificate setting forth the maximum amount of debt and reserves which the City, and the NYC Municipal Water Finance Authority, may soundly incur for capital projects for Fiscal Year 2014 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 2-6-13
- This Mayor's Message was Rcvd, Ord, Prnt, Fld by Council

5.      Communications from City, County & Borough Offices

- M 1042-2013**      **Communication from the Mayor – Transmitting proposed amendment to a maritime lease between the New York City Department of Small Business Services and Sea Travelers Realty Inc. d/b/a Sea Travelers Marina for certain city owned upland area and lands under water located in the Mill Basin area of Brooklyn, pursuant to Section 1301(2)(f) of the City Charter. This amendment would supersede the lease amendment adopted by the Council on September 12, 2012.**
- Attachments:**    Hearing Transcript - Stated Meeting 2-6-13
- This Communication was Referred to Comm by Council to the Subcommittee on Landmarks, Public Siting and Maritime Uses

## 6. Petitions and Communications

None

## 7. Land Use Call-Ups

M 1043-2013

**By The Speaker (Council Member Quinn):**

**Pursuant to Rule 11.20b 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 230 West 54th Street, Community Board No. 5, Application no. 20135250 TCM shall be subject to review by the Council.**

**Attachments:** Hearing Transcript - Stated Meeting 2-6-13

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

M 1044-2013

**By Council Member Reyna:**

**Pursuant to Rule 11.20b 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 50 Wyckoff Avenue, Community Board No. 4, Application no. 20135222 TCK shall be subject to review by the Council.**

**Attachments:** Hearing Transcript - Stated Meeting 2-6-13

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

*The President Pro Tempore (Council Member Rivera) 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 Quinn, Arroyo, Barron, Brewer, Cabrera, Chin, Comrie Jr., Crowley, Dickens, Dilan, Dromm, Eugene, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran III, Ignizio, Jackson, James, King, Koo, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, Mendez, Nelson, Oddo, Palma, Recchia Jr., Reyna, Rivera, Rose, Ulrich, Vacca, Vallone Jr., Van Bramer, Vann, Weprin, Williams and Wills

**Excused:** 1 -

Rodriguez

*At this point, the President Pro Tempore (Council Member Rivera) 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 Consumer Affairs

**Int 0985-2012      A Local Law in relation to underground power lines.**

**Attachments:** Int. No. 985 - 12/18/12, Committee Report 1/18/13, Hearing Testimony 1/18/13, Hearing Transcript 1/18/13, Committee Report 2/4/13, Hearing Transcript 2/4/13, Fiscal Impact Statement, Hearing Transcript - Stated Meeting 2-6-13

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

Report of the Committee on Environmental Protection

**Int 0075-2010      A Local Law to amend the administrative code of the city of New York, in relation to requiring city plantings to be stormwater tolerant so as to facilitate stormwater retention and filtration.**

**Attachments:** Int. No. 75 - 3/3/10, Committee Report 11/10/10, Hearing Testimony - Marielle Anzelone 11-10-10, Hearing Testimony 11/10/10, Hearing Transcript 11/10/10, Committee Report 2/5/13, Hearing Transcript 2/5/13, Fiscal Impact Statement, Hearing Transcript - Stated Meeting 2-6-13

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

**Int 0399-2010      A Local Law to amend the administrative code of the city of New York, in relation to increasing native biodiversity in public landscapes.**

**Attachments:** Int. No. 399 - 10/27/10, Committee Report 11/10/10, Hearing Testimony - Marielle Anzelone 11-10-10, Hearing Testimony 11/10/10, Hearing Transcript 11/10/10, Committee Report 2/5/13, Hearing Transcript 2/5/13, Fiscal Impact Statement, Hearing Transcript - Stated Meeting 2-6-13

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

**Int 0887-2012      A Local Law to amend the administrative code of the city of New York, in relation to the creation of a renewable energy systems web portal.**

**Attachments:** Int. No. 887 - 6/28/12, Committee Report 12/17/12, Hearing Testimony 12/17/12, Hearing Transcript 12/17/12, Committee Report 2/5/13, Hearing Transcript 2/5/13, Fiscal Impact Statement, Hearing Transcript - Stated Meeting 2-6-13

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

Report of the Committee on Land Use

**LU 0719-2012      Application no. 20135098 HAK, submitted by New York City Department of Housing Preservation and Development, subject to Council review and action pursuant to Article 16 of the General Municipal Law, for a proposed project approval modifying a previously approved Urban Action Development Area Project (Res 1034 of 2011) by adding 1416 Eastern Parkway Extension to the disposition area, creating a new project area, and approving a real property tax exemption for property located at 1416 Eastern Parkway Extension (Block 1475, Lot 39) and 1413 Pitkin Avenue (Block 1475, Lot 78) in the Borough of Brooklyn, Community Board 16, Council District 41.**

**Attachments:** Land Use Calendar - Week of October 1, 2012 - October 5, 2012, HearingTestimony-Planning-10-03-2012, Land Use Calendar - Week of October 22, 2012 - October 26, 2012, Hearing Transcript - Planning 10-3-12, Deferral of Planning Meeting - Scheduled for October 23, 2012, Land Use Calendar - Week of October 29, 2012 - November 2, 2012, Land Use Calendar - Week of November 26, 2012 - November 30, 2012, Hearing Transcript - Planning 10-4-12, Land Use Calendar - Week of December 3, 2012 - December 7, 2012, Land Use Calendar - Week of December 3, 2012 - December 7, 2012, Land Use Calendar - Week of December 10, 2012 - December 14, 2012, Hearing Testimony - Planning 11/26/12, Hearing Transcript - Planning 11-26-12, Deferral of Planning Meeting - Scheduled for December 13, 2012, Hearing Testimony - Planning 12/4/12, Land Use Calendar - Week of December 17, 2012 - December 21, 2012, Hearing Transcript - Planning 12-4-12, Hearing Transcript - Planning 12/17/12, Land Use Calendar - Week of January 28, 2013 - February 1, 2013, Deferral of Planning Meeting - Scheduled for January 29, 2013, Revised - Time Change for the Meetings, Land Use Calendar - January 31, 2013, Hearing Transcript - Planning 1-31-13, Hearing Transcript - Land Use 1-31-13, Committee Report, Resolution, Hearing Transcript - Stated Meeting 2-6-13

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

**Res 1656-2013** Resolution approving modification to a previously approved Urban Development Action Area Project located at 1413 Pitkin Avenue (Block 1475/Lot 78); Borough of Brooklyn, approving the disposition of real property located at 1416 Eastern Parkway Extension (Block 1475/Lot 39); Borough of Brooklyn; approving a tax exemption for the Project Area; and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Article 16 of the New York General Municipal Law (L.U. No. 719; 20135098 HAK).

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 2-6-13

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

**LU 0749-2013** Application No. C 120396 ZMM submitted by Durst Development L.L.C. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8c, changing an M1-5 district to a C6-2 district to facilitate a proposed mixed-use development on the property bounded by West 58th Street, Eleventh Avenue, West 57th Street and Twelfth Avenue, Borough of Manhattan, Community Board 4, Council District 6.

**Attachments:** Land Use Calendar - Week of January 14, 2013 - January 18, 2013, Land Use Calendar - Week of January 28, 2013 - February 1, 2013, Hearing Testimony - Zoning 1/17/13, Hearing Transcript - Zoning 1-17-13, Reconvening of Zoning Subcommittee Meeting 1-31-2013, Revised - Time Change for the Meetings, Land Use Calendar - January 31, 2013, Hearing Transcript - Zoning 1-29-13, Hearing Transcript - Zoning 1-31-13, Hearing Transcript - Land Use 1-31-13, Committee Report, Resolution, Hearing Transcript - Stated Meeting 2-6-13

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

**Res 1657-2013** Resolution approving the decision of the City Planning Commission on ULURP No. C 120396 ZMM, a Zoning Map amendment (L.U. No. 749).

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 2-6-13

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



**LU 0750-2013**      **Application No. C 120397 ZSM submitted by Durst Development L.L.C. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 74-743(a)(1) and 74-743(a)(2) of the Zoning Resolution to modify the applicable district bulk regulations for a proposed mixed-use development on the property bounded by West 58th Street, Eleventh Avenue, West 57th Street and Twelfth Avenue, Borough of Manhattan, Community Board 4, Council District 6. This application is subject to review and action by the Council only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by a vote of the Council pursuant to Charter Section 197-d(b)(3).**

**Attachments:** Land Use Calendar - Week of January 14, 2013 - January 18, 2013, Land Use Calendar - Week of January 28, 2013 - February 1, 2013, Hearing Testimony - Zoning 1/17/13, Hearing Transcript - Zoning 1-17-13, Reconvening of Zoning Subcommittee Meeting 1-31-2013, Revised - Time Change for the Meetings, Land Use Calendar - January 31, 2013, Hearing Transcript - Zoning 1-29-13, Hearing Transcript - Zoning 1-31-13, Hearing Transcript - Land Use 1-31-13, Committee Report, Resolution, Hearing Transcript - Stated Meeting 2-6-13

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

**Res 1658-2013**      **Resolution approving the decision of the City Planning Commission on ULURP No. C 120397 ZSM (L.U. No. 750), for the grant of a special permit pursuant to the following sections of the Zoning Resolution Section 74-743(a)(1) - to allow the distribution of total allowable floor area under the applicable district regulations without regard for zoning district lines; and Section 74-743(a)(2) - to allow the location of buildings without regard for the front wall height and initial setback requirements of Section 33-432, the tower requirements of Section 33-451, and the distance between building requirements of Section 23-711; in connection with a proposed mixed-use development, on property bounded by West 58th Street, Eleventh Avenue, West 57th Street, and Twelfth Avenue (Block 1105, Lots 1, 5, 14, 19, 29, 36, and 43), within a Large-Scale General Development, in C4-7 and C6-2 Districts, within the Special Clinton District (Other Areas (Northern Subarea C1)), Borough of Manhattan.**

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 2-6-13

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

**LU 0751-2013**      **Application No. C 120398 ZSM submitted by Durst Development L.L.C. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 13-561 of the Zoning Resolution to allow an enclosed attended accessory parking garage with a maximum capacity of 285 parking spaces on portions of the ground floor and mezzanine level of a proposed mixed-use development on the westerly portion of the property bounded by West 58th Street, Eleventh Avenue, West 57th Street and Twelfth Avenue, Borough of Manhattan, Community Board 4, Council District 6. This application is subject to review and action by the Council only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by a vote of the Council pursuant to Charter Section 197-d(b)(3).**

**Attachments:** Land Use Calendar - Week of January 14, 2013 - January 18, 2013, Land Use Calendar - Week of January 28, 2013 - February 1, 2013, Hearing Testimony - Zoning 1/17/13, Hearing Transcript - Zoning 1-17-13, Reconvening of Zoning Subcommittee Meeting 1-31-2013, Revised - Time Change for the Meetings, Land Use Calendar - January 31, 2013, Hearing Transcript - Zoning 1-29-13, Hearing Transcript - Zoning 1-31-13, Hearing Transcript - Land Use 1-31-13, Committee Report, Resolution, Hearing Transcript - Stated Meeting 2-6-13

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

**Res 1659-2013**      **Resolution approving the decision of the City Planning Commission on ULURP No. C 120398 ZSM (L.U. No. 751), for the grant of a special permit pursuant to Section 13-561 of the Zoning Resolution to allow an enclosed attended accessory parking garage with a maximum capacity of 285 spaces on portions of the ground floor and mezzanine level of a proposed mixed-use building on the westerly portion of property bounded by West 58th Street, Eleventh Avenue, West 57th Street, and Twelfth Avenue (Block 1105, Lots 1, 5, 14, 19, 29, 36, and 43), within a Large-Scale General Development, in C4-7 and C6-2 Districts, within the Special Clinton District (Other Areas (Northern Subarea C1)), Borough of Manhattan.**

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 2-6-13

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

**LU 0752-2013      Application no. 20135179 HKM (N 130097 HKM) pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the East Village/Lower East Side Historic District (List No. 460, LP-2446), Borough of Manhattan, Community Board 3, Council District 2.**

**Attachments:** Land Use Calendar - Week of January 28, 2013 - February 1, 2013, Revised - Time Change for the Meetings, Hearing Testimony - Landmarks 1/29/13, Hearing Transcript - Landmarks 1/29/31, Land Use Calendar - January 31, 2013, Hearing Transcript - Land Use 1-31-13, Committee Report, Resolution, Hearing Transcript - Stated Meeting 2-6-13

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

**Affirmative:** 48 -

Speaker Quinn, Arroyo, Barron, Brewer, Cabrera, Chin, Comrie Jr., Crowley, Dickens, Dilan, Dromm, Eugene, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran III, Jackson, James, King, Koo, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, Mendez, Nelson, Oddo, Palma, Recchia Jr., Reyna, Rivera, Rose, Ulrich, Vacca, Vallone Jr., Van Bramer, Vann, Weprin, Williams and Wills

**Negative:** 1 -

Ignizio

**Excused:** 1 -

Rodriguez

**Res 1660-2013      Resolution affirming the designation by the Landmarks Preservation Commission of the East Village/Lower East Side Historic District, Borough of Manhattan, Designation List No. 460, LP-2491 (L.U. No. 752; 20135179 HKM; N 130097 HKM).**

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 2-6-13

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

**Affirmative:** 48 -

Speaker Quinn, Arroyo, Barron, Brewer, Cabrera, Chin, Comrie Jr., Crowley, Dickens, Dilan, Dromm, Eugene, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran III, Jackson, James, King, Koo, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, Mendez, Nelson, Oddo, Palma, Recchia Jr., Reyna, Rivera, Rose, Ulrich, Vacca, Vallone Jr., Van Bramer, Vann, Weprin, Williams and Wills

**Negative:** 1 -

Ignizio

**Excused:** 1 -

Rodriguez

**LU 0753-2013**      **Application no. 20135162 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Naco NYC LLC, d/b/a El Toro Blanco, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 10 Downing Street, Borough of Manhattan, Community Board 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 January 28, 2013 - February 1, 2013, Reconvening of Zoning Subcommittee Meeting 1-31-2013, Revised - Time Change for the Meetings, Land Use Calendar - January 31, 2013, Hearing Transcript - Zoning 1-29-13, Hearing Transcript - Zoning 1-31-13, Hearing Transcript - Land Use 1-31-13, Committee Report, Resolution, Hearing Transcript - Stated Meeting 2-6-13

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

**Res 1661-2013**      **Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 10 Downing Street, Borough of Manhattan (20135162 TCM; L.U. No. 753).**

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 2-6-13

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

12.      General Orders Calendar

T2010-0002

**Commissioner of Deeds**

**Attachments:** Hearing Transcript - Charter Meeting 1/6/10, Hearing Transcript - Stated Meeting 1/21/10, Hearing Transcript - Stated Meeting 2/3/10, Hearing Transcript - Stated Meeting 2/11/10, Hearing Transcript - Stated Meeting 3/3/10, Hearing Transcript - Stated Meeting 3/25/10, Hearing Transcript - Stated Meeting 4/14/10, Hearing Transcript - Stated Meeting 4/29/10, Hearing Transcript - Stated Meeting 5/12/10, Hearing Transcript - Stated Meeting 5/25/10, Hearing Transcript - Stated Meeting 6/9/10, Hearing Transcript - Stated Meeting 6/29/10, Hearing Transcript - Stated Meeting 7/29/10, Hearing Transcript - Stated Meeting 8/25/10, Hearing Transcript - Stated Meeting 9-16-10, Hearing Transcript - Stated Meeting 9-29-10, Hearing Transcript - Stated Meeting 10-13-10, Hearing Transcript - Stated Meeting 10-27-10, Hearing Transcript - Stated Meeting 11-17-10, Hearing Transcript - Stated Meeting 11-30-10, Hearing Transcript - Stated Meeting 12-8-10, Hearing Transcript - Stated Meeting 12-20-10, Hearing Transcript - Stated Meeting 1/5/11, Hearing Transcript - Stated Meeting 1-18-11, Hearing Transcript - Stated Meeting 2-2-11, Hearing Transcript - Stated Meeting 2-16-11, Hearing Transcript - Stated Meeting 3-2-11, Hearing Transcript - Stated Meeting 3-23-11, Hearing Transcript - Stated Meeting 4-6-11, Hearing Transcript - Stated Meeting 4-28-11, Hearing Transcript - Stated Meeting 5-11-11, Hearing Transcript - Stated Meeting 5-26-11, Hearing Transcript - Stated Meeting 6-14-11, Hearing Transcript - Stated Meeting 6-28-11, Hearing Transcript - Stated Meeting 6-29-11, Hearing Transcript - Stated Meeting 7-28-11, Hearing Transcript - Stated Meeting 8-17-11, Hearing Transcript - Stated Meeting 9-8-11, Hearing Transcript - Stated Meeting 9-21-11, Hearing Transcript - Stated Meeting 10-5-11, Hearing Transcript - Stated Meeting 10-17-11, Hearing Transcript - Stated Meeting 11-3-11, Hearing Transcript - Stated Meeting 11-29-11, Hearing Transcript - Stated Meeting 12-19-11, Hearing Transcript - Stated Meeting 12-8-11, Hearing Transcript - Charter Meeting 1-4-12, Hearing Transcript - Stated Meeting 1-18-12, Hearing Transcript - Stated Meeting 2-1-12, Hearing Transcript - Stated Meeting 2-29-12, Hearing Transcript - Stated Meeting 3-14-12, Hearing Transcript - Stated Meeting 3-28-12, Hearing Transcript - Stated Meeting 4-18-12, Hearing Transcript - Stated Meeting 4/30/12, Hearing Transcript - Stated Meeting 5-15-12, Hearing Transcript - Stated Meeting 5-31-12, Hearing Transcript - Stated Meeting 6-13-12, Hearing Transcript - Stated Meeting 6-28-12, Hearing Transcript - Stated Meeting 7-25-12, Hearing Transcript - Stated Meeting 8-22-12, Hearing Transcript - Stated Meeting 9-12--12, Hearing Transcript - Stated Meeting 9-24--12, Hearing Transcript - Stated Meeting 10-11-12, Hearing Transcript - Stated Meeting 11-13-12, Hearing Transcript - Stated Meeting 11-27-12, Hearing Transcript - Stated Meeting 12-10-12, Hearing Transcript - Stated Meeting 12-18-12, Hearing Transcript - Charter Meeting 1-9-13, Hearing Transcript - Stated Meeting 2-6-13

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

Coupled on General Order Calendar

Consumer Affairs

**Int 0985-2012      A Local Law in relation to underground power lines.**

**Attachments:** Int. No. 985 - 12/18/12, Committee Report 1/18/13, Hearing Testimony 1/18/13, Hearing Transcript 1/18/13, Committee Report 2/4/13, Hearing Transcript 2/4/13, Fiscal Impact Statement, Hearing Transcript - Stated Meeting 2-6-13

Environmental Protection

**Int 0075-2010      A Local Law to amend the administrative code of the city of New York, in relation to requiring city plantings to be stormwater tolerant so as to facilitate stormwater retention and filtration.**

**Attachments:** Int. No. 75 - 3/3/10, Committee Report 11/10/10, Hearing Testimony - Marielle Anzelone 11-10-10, Hearing Testimony 11/10/10, Hearing Transcript 11/10/10, Committee Report 2/5/13, Hearing Transcript 2/5/13, Fiscal Impact Statement, Hearing Transcript - Stated Meeting 2-6-13

**Int 0399-2010      A Local Law to amend the administrative code of the city of New York, in relation to increasing native biodiversity in public landscapes.**

**Attachments:** Int. No. 399 - 10/27/10, Committee Report 11/10/10, Hearing Testimony - Marielle Anzelone 11-10-10, Hearing Testimony 11/10/10, Hearing Transcript 11/10/10, Committee Report 2/5/13, Hearing Transcript 2/5/13, Fiscal Impact Statement, Hearing Transcript - Stated Meeting 2-6-13

**Int 0887-2012      A Local Law to amend the administrative code of the city of New York, in relation to the creation of a renewable energy systems web portal.**

**Attachments:** Int. No. 887 - 6/28/12, Committee Report 12/17/12, Hearing Testimony 12/17/12, Hearing Transcript 12/17/12, Committee Report 2/5/13, Hearing Transcript 2/5/13, Fiscal Impact Statement, Hearing Transcript - Stated Meeting 2-6-13

Land Use

**Res 1656-2013** Resolution approving modification to a previously approved Urban Development Action Area Project located at 1413 Pitkin Avenue (Block 1475/Lot 78); Borough of Brooklyn, approving the disposition of real property located at 1416 Eastern Parkway Extension (Block 1475/Lot 39); Borough of Brooklyn; approving a tax exemption for the Project Area; and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Article 16 of the New York General Municipal Law (L.U. No. 719; 20135098 HAK).

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 2-6-13

**Res 1657-2013** Resolution approving the decision of the City Planning Commission on ULURP No. C 120396 ZMM, a Zoning Map amendment (L.U. No. 749).

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 2-6-13

**Res 1658-2013** Resolution approving the decision of the City Planning Commission on ULURP No. C 120397 ZSM (L.U. No. 750), for the grant of a special permit pursuant to the following sections of the Zoning Resolution Section 74-743(a)(1) - to allow the distribution of total allowable floor area under the applicable district regulations without regard for zoning district lines; and Section 74-743(a)(2) - to allow the location of buildings without regard for the front wall height and initial setback requirements of Section 33-432, the tower requirements of Section 33-451, and the distance between building requirements of Section 23-711; in connection with a proposed mixed-use development, on property bounded by West 58th Street, Eleventh Avenue, West 57th Street, and Twelfth Avenue (Block 1105, Lots 1, 5, 14, 19, 29, 36, and 43), within a Large-Scale General Development, in C4-7 and C6-2 Districts, within the Special Clinton District (Other Areas (Northern Subarea C1)), Borough of Manhattan.

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 2-6-13

**Res 1659-2013** Resolution approving the decision of the City Planning Commission on ULURP No. C 120398 ZSM (L.U. No. 751), for the grant of a special permit pursuant to Section 13-561 of the Zoning Resolution to allow an enclosed attended accessory parking garage with a maximum capacity of 285 spaces on portions of the ground floor and mezzanine level of a proposed mixed-use building on the westerly portion of property bounded by West 58th Street, Eleventh Avenue, West 57th Street, and Twelfth Avenue (Block 1105, Lots 1, 5, 14, 19, 29, 36, and 43), within a Large-Scale General Development, in C4-7 and C6-2 Districts, within the Special Clinton District (Other Areas (Northern Subarea C1)), Borough of Manhattan.

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 2-6-13

**Res 1660-2013** Resolution affirming the designation by the Landmarks Preservation Commission of the East Village/Lower East Side Historic District, Borough of Manhattan, Designation List No. 460, LP-2491 (L.U. No. 752; 20135179 HKM; N 130097 HKM).

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 2-6-13

**Res 1661-2013** Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 10 Downing Street, Borough of Manhattan (20135162 TCM; L.U. No. 753).

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 2-6-13

General Order Calendar



T2010-0002

**Commissioner of Deeds**

**Attachments:** Hearing Transcript - Charter Meeting 1/6/10, Hearing Transcript - Stated Meeting 1/21/10, Hearing Transcript - Stated Meeting 2/3/10, Hearing Transcript - Stated Meeting 2/11/10, Hearing Transcript - Stated Meeting 3/3/10, Hearing Transcript - Stated Meeting 3/25/10, Hearing Transcript - Stated Meeting 4/14/10, Hearing Transcript - Stated Meeting 4/29/10, Hearing Transcript - Stated Meeting 5/12/10, Hearing Transcript - Stated Meeting 5/25/10, Hearing Transcript - Stated Meeting 6/9/10, Hearing Transcript - Stated Meeting 6/29/10, Hearing Transcript - Stated Meeting 7/29/10, Hearing Transcript - Stated Meeting 8/25/10, Hearing Transcript - Stated Meeting 9-16-10, Hearing Transcript - Stated Meeting 9-29-10, Hearing Transcript - Stated Meeting 10-13-10, Hearing Transcript - Stated Meeting 10-27-10, Hearing Transcript - Stated Meeting 11-17-10, Hearing Transcript - Stated Meeting 11-30-10, Hearing Transcript - Stated Meeting 12-8-10, Hearing Transcript - Stated Meeting 12-20-10, Hearing Transcript - Stated Meeting 1/5/11, Hearing Transcript - Stated Meeting 1-18-11, Hearing Transcript - Stated Meeting 2-2-11, Hearing Transcript - Stated Meeting 2-16-11, Hearing Transcript - Stated Meeting 3-2-11, Hearing Transcript - Stated Meeting 3-23-11, Hearing Transcript - Stated Meeting 4-6-11, Hearing Transcript - Stated Meeting 4-28-11, Hearing Transcript - Stated Meeting 5-11-11, Hearing Transcript - Stated Meeting 5-26-11, Hearing Transcript - Stated Meeting 6-14-11, Hearing Transcript - Stated Meeting 6-28-11, Hearing Transcript - Stated Meeting 6-29-11, Hearing Transcript - Stated Meeting 7-28-11, Hearing Transcript - Stated Meeting 8-17-11, Hearing Transcript - Stated Meeting 9-8-11, Hearing Transcript - Stated Meeting 9-21-11, Hearing Transcript - Stated Meeting 10-5-11, Hearing Transcript - Stated Meeting 10-17-11, Hearing Transcript - Stated Meeting 11-3-11, Hearing Transcript - Stated Meeting 11-29-11, Hearing Transcript - Stated Meeting 12-19-11, Hearing Transcript - Stated Meeting 12-8-11, Hearing Transcript - Charter Meeting 1-4-12, Hearing Transcript - Stated Meeting 1-18-12, Hearing Transcript - Stated Meeting 2-1-12, Hearing Transcript - Stated Meeting 2-29-12, Hearing Transcript - Stated Meeting 3-14-12, Hearing Transcript - Stated Meeting 3-28-12, Hearing Transcript - Stated Meeting 4-18-12, Hearing Transcript - Stated Meeting 4/30/12, Hearing Transcript - Stated Meeting 5-15-12, Hearing Transcript - Stated Meeting 5-31-12, Hearing Transcript - Stated Meeting 6-13-12, Hearing Transcript - Stated Meeting 6-28-12, Hearing Transcript - Stated Meeting 7-25-12, Hearing Transcript - Stated Meeting 8-22-12, Hearing Transcript - Stated Meeting 9-12--12, Hearing Transcript - Stated Meeting 9-24--12, Hearing Transcript - Stated Meeting 10-11-12, Hearing Transcript - Stated Meeting 11-13-12, Hearing Transcript - Stated Meeting 11-27-12, Hearing Transcript - Stated Meeting 12-10-12, Hearing Transcript - Stated Meeting 12-18-12, Hearing Transcript - Charter Meeting 1-9-13, Hearing Transcript - Stated Meeting 2-6-13

*The President Pro Tempore (Council Member Rivera) 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 Quinn, Arroyo, Barron, Brewer, Cabrera, Chin, Comrie Jr., Crowley, Dickens, Dilan, Dromm, Eugene, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran III, Ignizio, Jackson, James, King, Koo, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, Mendez, Nelson, Oddo, Palma, Recchia Jr., Reyna, Rivera, Rose, Ulrich, Vacca, Vallone Jr., Van Bramer, Vann, Weprin, Williams and Wills

**Excused:** 1 -

Rodriguez

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

*LU No. 752 & Res No. 1660, 48-1-0 (Negative: Ignizio)*

*See files for individual votes.*

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

**Res 0982-2011      Resolution calling upon the United States Congress and the President of the United States to increase funding for research on stroke prevention and treatment.**

**Attachments:** Res. No. 982 - 8/17/11, Committee Report 12/12/12, Hearing Testimony 12/12/12, Hearing Transcript 12/12/12, Committee Report 2/5/13, Hearing Transcript 2/5/13, Hearing Transcript - Stated Meeting 2-6-13

*Pursuant to Rule 8.50 of the Council, the President Pro Tempore (Council Member Rivera) called for a voice vote. Hearing no objections, President Pro Tempore (Council Member Rivera) 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.**

**Res 1647-2013      Resolution commending Governor Cuomo and the New York State Legislature for enacting the New York Secure Ammunition and Firearms Enforcement (SAFE) Act of 2013 and urging other states to pass similar gun control legislation.**

**Attachments:**    Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 2-6-13

*Pursuant to Rule 8.50 of the Council, The President Pro Tempore (Council Member Rivera) called for a voice vote. Hearing those in favor, the President Pro Tempore (Council Member Rivera) declared the Resolution to be adopted.*

*The following Council Member formally voted against this item: Council Members Halloran.*

*The following 3 Council Members formally abstained to vote on this item: Council Members Ignizio, Ulrich and Oddo.*

*Adopted 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 0999-2013      A Local Law to amend the administrative code of the city of New York, in relation to parking permits for poll workers.**

**Sponsors:**      By Council Members Comrie Jr., Chin, Dickens, Dromm, King, Koslowitz, Palma, Rose, Williams and Wills

**This Introduction was Referred to Comm by Council to the Committee on Transportation**

**Int 1000-2013      A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of sanitation to collect and report data related to the unlawful posting of printed material.**

**Sponsors:**      By Council Members Dromm, Weprin, Brewer, Comrie Jr., Ferreras, Fidler, Jackson, Koo, Koppell, Koslowitz, Mendez, Palma, Rose, Van Bramer, Wills, Halloran III and Ulrich

**This Introduction was Referred to Comm by Council to the Committee on Sanitation and Solid Waste Management**

**Res 1647-2013      Resolution commending Governor Cuomo and the New York State Legislature for enacting the New York Secure Ammunition and Firearms Enforcement (SAFE) Act of 2013 and urging other states to pass similar gun control legislation.**

**Sponsors:**      By Council Members Gennaro, The Speaker (Council Member Quinn), Rose, Recchia Jr., Reyna, Brewer, Jackson, Koppell, Vann, Mealy, Ferreras, Koslowitz, Van Bramer, Levin, Arroyo, Chin, Comrie Jr., Fidler, James, Koo, Lappin, Mendez, Palma, Williams and Wills

**Attachments:**      Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 2-6-13

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

**Int 1001-2013      A Local Law to amend the administrative code of the city of New York, in relation to advance posting of temporary tow-away zones.**

**Sponsors:**      By Council Members Greenfield, Chin, Comrie Jr., Crowley, Fidler, Gennaro, Gentile, Jackson, Koo, Koppell, Koslowitz, Levin, Mendez, Palma, Recchia Jr., Rose, Vann, Williams and Wills

**This Introduction was Referred to Comm by Council to the Committee on Transportation**

**Int 1002-2013      A Local Law in relation to renaming one thoroughfare in the Borough of Queens, Ryan Court, and to amend the official map of the city of New York accordingly.**

**Sponsors:**      By Council Members Halloran III, Comrie Jr., James and Wills

**This Introduction was Referred to Comm by Council to the Committee on Parks and Recreation**

**Res 1648-2013      Resolution in support of granting the officers of the Co-op City Department of Public Safety peace officer status.**

**Sponsors:**      By Council Members King, The Speaker (Council Member Quinn), Arroyo, Cabrera, Comrie Jr., Dickens, Gennaro, James, Koo, Koslowitz, Palma, Rose, Williams, Wills and Halloran III

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

**Res 1649-2013      Resolution recognizing October 11 as the “Day of the Girl Child” in New York City.**

**Sponsors:**      By Council Members Koppell, Chin, Ferreras, Gennaro, James, Koo, Rose and Wills

**This Resolution was Referred to Comm by Council to the Committee on Women’s Issues**

**Res 1650-2013**      **Resolution calling upon the Environmental Protection Agency and President Obama to fully enforce the Clean Air Act by regulating greenhouse gases in order to avert the potentially catastrophic effects of climate change.**

**Sponsors:**      By Council Members Levin, Brewer, Chin, Dromm, Ferreras, Jackson, James, Koo, Koppell, Mendez, Palma, Recchia Jr., Rose, Williams and Wills

**This Resolution was Referred to Comm by Council to the Committee on Environmental Protection**

**Res 1651-2013**      **Resolution concerning amendments to the District Plan of the Hub Third Avenue Business Improvement District that add services and modify existing services in the district, add a capital improvement program in the district, change the method of assessment upon which the district charge is based, and increase the maximum total amount to be expended for improvements in the district, 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 Hub Third Avenue Business Improvement District.**

**Sponsors:**      By Council Members Recchia Jr., Arroyo and Wills

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

**Res 1652-2013**      **Resolution concerning an amendment to the District Plan of the Myrtle Avenue Business Improvement District that authorizes additional services and modifies existing services for the district, and setting the date, time and place for the public hearing of the local law authorizing additional services and modifying existing services for the district.**

**Sponsors:**      By Council Members Recchia Jr. and Wills

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

**Res 1653-2013**      **Resolution calling on the Federal Government to support H.R. 3086, the Fair Wages for Workers with Disabilities Act of 2011, which phases out the issuance of special wage certificates under the Fair Labor Standards Act of 1938.**

**Sponsors:**      By Council Members Rodriguez, Chin, Ferreras, James, Koppell, Rose and Wills

**This Resolution was Referred to Comm by Council to the Committee on Civil Service and Labor**

**Res 1654-2013**      **Resolution calling upon the New York State Legislature to amend the New York State General Business Law to classify price gouging as a class A misdemeanor.**

**Sponsors:**      By Council Members Vallone Jr., Fidler, Gentile, Jackson, King, Koo, Mendez, Nelson, Rose, Wills, Halloran III and Ulrich

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

**Res 1655-2013**      **Resolution calling upon the United States Congress to introduce and pass legislation that would amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to allow aid to be given to houses of worship affected by Hurricane Sandy.**

**Sponsors:**      By Council Members Vallone Jr., Recchia Jr., The Speaker (Council Member Quinn), Cabrera, Fidler, Comrie Jr., Greenfield, Reyna, Ferreras, Foster, Koppell, Vann, Chin, Crowley, Dickens, Gentile, James, Koo, Nelson, Rose, Van Bramer, Williams, Wills, Halloran III, Oddo and Ulrich

**Attachments:**      Committee Report 2/7/13

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

**LU 0761-2013**      **Application no. 20135320 PNK, pursuant to § 1301 (2) (f) of the New York City Charter concerning the proposed amendment to a maritime lease between the New York City Department of Small Business Services and Sea Travelers Realty, Inc. d/b/a Sea Travelers Marina for certain City-owned upland area and lands underwater located at 2875 Flatbush Avenue (Block 8591, parts of Lot 125 and 175), Borough of Brooklyn, Community Board 18, Council District 46.**

**Sponsors:**      By Council Member Comrie Jr.

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

**This Land Use Application was Referred to Comm by Council to the Subcommittee on Landmarks, Public Siting and Maritime Uses**

**LU 0762-2013**      **Application no. 20135250 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of On 54th LLC, d/b/a Café Americaia, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 230 West 54th Street, Borough of Manhattan, Community Board 5, 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 of the Administrative Code.**

**Sponsors:**      By Council Member Comrie Jr.

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

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

**LU 0763-2013**      **Application no. 20135222 TCK, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Heavy Woods LLC, d/b/a Heavy Woods, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 50 Wyckoff Avenue, Borough of Brooklyn, Community Board 4, Council District 34. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226 of the Administrative Code.**

**Sponsors:**      By Council Member Comrie Jr.

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

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

*At this point the Speaker (Council Member Quinn) made the following announcements:*

*Whereupon on motion of the Speaker (Council Member Quinn), the President Pro Tempore (Council Member Rivera) adjourned to meet again on Wednesday, February 27, 2013.*

*MICHAEL M. McSWEENEY, City Clerk*

*Clerk of the Council*