

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Thursday, April 29, 2010

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, 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, James Sanders, Jr., Larry
B. Seabrook, Eric A. Ulrich, James Vacca, Peter F. Vallone, Jr., James G.
Van Bramer, Albert Vann, Mark S. Weprin, Thomas White, Jr. and Jumaane D. Williams*

The President Pro Tempore (Council Member Rivera)

1. Roll Call

Present:

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

Excused:

Dickens, Dilan, Mealy, Mendez and Palma

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

2. Invocation

The Invocation was delivered by: Rev. Billy Yip, Chinese Herald Christian Crusade, 48 Allen Street, New York, N.Y. 10002.

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

3. Adoption of Minutes

Council Member Gentile moved that the Minutes of the Stated Meeting of March 3, 2010 be adopted as printed.

4. Messages & Papers from the Mayor

None

5. Communications from City, County & Borough Offices

None

6. Petitions and Communications

None

7. Land Use Call-Ups

M 0088-2010

Pursuant to Rule 11.20(b) of the Council and Section 20-226(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 533 Grand Street, Community Board 1, Application 20105403 TCK shall be subject to review by the Council.

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

M 0089-2010

By Council Member Reyna:

Pursuant to Rule 11.20(b) of the Council and Section 20-226(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 623 Grand Street, Community Board 1, Application 20105442 TCK shall be subject to review by the Council.

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: 46 -

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

Excused: 5 -

Dickens, Dilan, Mealy, Mendez and Palma

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 0182-2010 A Local Law to amend the administrative code of the city of New York, in relation to sound reproduction devices on sight-seeing buses.

Attachments: Committee Report 4/12/10, Hearing Testimony 4/12/10, Hearing Transcript 4/12/10, Committee Report 4/28/10, Fiscal Impact Statement

With Message of Necessity

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

Affirmative: 44 -

Arroyo, Brewer, Cabrera, Chin, Comrie Jr., Crowley, Dromm, Eugene, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran III, Ignizio, Jackson, James, Koo, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Nelson, Oddo, Speaker Quinn, Recchia Jr., Reyna, Rivera, Rodriguez, Rose, Sanders Jr., Seabrook, Ulrich, Vacca, Vallone Jr., Van Bramer, Vann, White Jr. and Williams

Negative: 2 -

Barron and Weprin

Excused: 5 -

Dickens, Dilan, Mealy, Mendez and Palma

Report of the Committee on Finance

Res 0206-2010 Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2008, Fiscal 2009 and Fiscal 2010 Expense Budgets.

Attachments: Committee Report

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

Report of the Committee on Juvenile Justice

Int 0037-2010 A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of juvenile justice to report on demographic data.

Attachments: Int. No. 37 - 2/11/10, Committee Report 4/21/10, Hearing Testimony 4/21/10, Committee Report 4/26/10, Fiscal Impact Statement

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

Int 0153-2010 **A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of juvenile justice to regularly report data concerning its use of physical restraint, mechanical restraint, and room confinement, injuries to children and allegations of child abuse and neglect.**

Attachments: Int. No. 153 - 4/14/10, Committee Report 4/21/10, Hearing Testimony 4/21/10, Committee Report 4/26/10, Fiscal Impact Statement

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

Report of the Committee on Land Use

Int 0099-2010 **A Local Law to amend the New York city charter, in relation to authorizing the department of transportation to extend the expiration date of the operating authority of certain unsubsidized private bus services.**

Attachments: Fiscal Impact Statement, Memo In Support, Agenda of the Land Use Committee - April 22, 2010, Fiscal Impact Statement

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

LU 0064-2010 **Application no. 20095372 TCM, pursuant to §20-225 (g) of the Administrative Code of the City of New York, concerning the petition of C.A.P. Restaurant Corp. d/b/a Sombrero, to construct, maintain and use an enclosed sidewalk café located at 303 West 48th 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.**

Attachments: Land Use Calendar - Week of April 5 - April 9, 2010, Land Use Calendar - Week of April 19 - April 23, 2010, Hearing Testimony - Zoning 4/7/10, Hearing Transcript - Zoning 4/7/10, Hearing Transcript - Zoning 4/8/10, Agenda of the Land Use Committee - April 22, 2010, Hearing Testimony - Zoning 4/20/10, Committee Report, Resolution

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

Res 0211-2010 **Resolution approving the petition for a revocable consent for an enclosed sidewalk café located at 303 West 48th Street, Borough of Manhattan (20095372 TCM; L.U. No. 64).**

Attachments: Committee Report

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

LU 0065-2010 **Application no. 20105281 TCQ, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 36-19 30th Ave. d/b/a El Greco, to establish maintain and operate an unenclosed sidewalk café located at 36-19 30th Ave., Borough of Queens, Council District no. 22. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.**

Attachments: Land Use Calendar - Week of April 5 - April 9, 2010, Land Use Calendar - Week of April 19 - April 23, 2010, Hearing Testimony - Zoning 4/7/10, Hearing Transcript - Zoning 4/7/10, Hearing Transcript - Zoning 4/8/10, Agenda of the Land Use Committee - April 22, 2010, Hearing Testimony - Zoning 4/20/10, Committee Report, Resolution

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

Res 0212-2010 **Resolution approving with modification the petition for a revocable consent for an unenclosed sidewalk café located at 36-19 30th Avenue, Borough of Queens (20105281 TCQ; L.U. No. 65).**

Attachments: Committee Report

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

LU 0067-2010 **Uniform land use review procedure application no. C 100162 HAK, an Urban Development Action Area Designation and Project located at 797-801 Knickerbocker Avenue and 295 Eldert Street, and the disposition of such property, 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.**

Attachments: Land Use Calendar - Week of April 19 - April 23, 2010, Agenda of the Land Use Committee - April 22, 2010, Hearing Testimony - Planning 4/2/10, Committee Report, Resolution

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

Res 0213-2010 Resolution approving the decision of the City Planning Commission on an application submitted by the New York City Department of Housing Preservation and Development, ULURP No. C 100162 HAK, approving the designation of property located at 295 Eldert Street (Block 3413, Lot 1) and 797, 799 and 801 Knickerbocker Avenue (Block 3413, Lots 2, 3, and 4), Borough of Brooklyn, as an Urban Development Action Area, approving the project for the area as an Urban Development Action Area Project, and approving the disposition of such property to a developer selected by the New York City Department of Housing Preservation and Development (L.U. No. 67; C 100162 HAK).

Attachments: Committee Report

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

LU 0068-2010 Uniform land use review procedure application no. C 100173 HAM, an Urban Development Action Area Designation and Project located at 302-304 East 2nd Street and the disposition of such property, Borough of Manhattan, Council District no. 2. This matter is subject to Council Review and action pursuant to §197-c and §197-d of the New York City Charter and Article 16 of the General Municipal Law.

Attachments: Land Use Calendar - Week of April 19 - April 23, 2010, Agenda of the Land Use Committee - April 22, 2010, Hearing Testimony - Planning 4/2/10, Committee Report, Resolution

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

Res 0214-2010 Resolution approving the decision of the City Planning Commission on an application submitted by the New York City Department of Housing Preservation and Development, ULURP No. C 100173 HAM, approving the designation of property located at 302-304 East 2nd Street (Block 372, Lot 49), Borough of Manhattan, as an Urban Development Action Area, approving the project for the area as an Urban Development Action Area Project, and approving the disposition of such property to a developer selected by the New York City Department of Housing Preservation and Development (L.U. No. 68; C 100173 HAM).

Attachments: Committee Report

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

LU 0079-2010 **Application no. 20105340 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 523 9th Avenue Inc. d/b/a Hell's Kitchen Café, to establish maintain and operate an unenclosed sidewalk café located at 523 9th Avenue, 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.**

Attachments: Land Use Calendar - Week of April 19 - April 23, 2010, Agenda of the Land Use Committee - April 22, 2010, Hearing Testimony - Zoning 4/20/10, Committee Report, Resolution

Filed pursuant to a Letter of Withdrawal.

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

Res 0215-2010 **Resolution approving a motion to file pursuant to withdrawal of the petition for a revocable consent for an unenclosed sidewalk café located at 523 Ninth Avenue, Borough of Manhattan (20105340 TCM; L.U. No. 79).**

Attachments: Committee Report

Filed pursuant to a Letter of Withdrawal.

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

LU 0081-2010 **Application no. 20105481 HHK pursuant to §7385 (6) of the of New York City Health and Hospital Enabling Act, regarding the approval of the lease of a parcel of land consisting of approximately 64,645 square feet on the Kings County Hospital Center campus, the "J" and "N" Buildings for use by CAMBA for low income and formerly homeless housing located at 451 Clarkson Ave, in the Borough of Brooklyn Council District no. 40.**

Attachments: Land Use Calendar - Week of April 19 - April 23, 2010, Agenda of the Land Use Committee - April 22, 2010, Hearing Testimony - Landmarks 4/20/10, Committee Report, Resolution

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

- Res 0216-2010** **Resolution approving the leasing of a 64,645 square foot parcel of land including the “J” and “N” Buildings on the campus of the Kings County Hospital Center, located at 451 Clarkson Avenue (Block 4829, Lot 1), Borough of Brooklyn (20105481 HHK; L.U. No. 81).**

Attachments: Committee Report

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

- LU 0082-2010** **Application no. C 060550 ZMQ submitted by Kew Point Associates, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section 14b, changing from an R6 District to a C4-4D District, changing from a C4-2 District to a C4-4D District and changing from a C-4-4 District to a C4-4D District.**

Attachments: Land Use Calendar - Week of April 19 - April 23, 2010, Agenda of the Land Use Committee - April 22, 2010, Hearing Testimony - Zoning 4/20/10, Committee Report, Resolution

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

- Res 0217-2010** **Resolution approving the decision of the City Planning Commission on ULURP No. C 060550 ZMQ, a Zoning Map amendment (L.U. No. 82).**

Attachments: Committee Report

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

Report of the Committee on State and Federal Legislation

- SLR 0001-2010** **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Savino, S.6784, and Assembly Member Abbate, A.9885, “AN ACT to amend the general municipal law, in relation to the training of fire officers in cities of one million or more”.**

Attachments: Committee Report, Fiscal Impact Statement

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

Affirmative: 45 -

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

Negative: 1 -

Fidler

Excused: 5 -

Dickens, Dilan, Mealy, Mendez and Palma

SLR 0002-2010 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Duane, S.4278, and Assembly Members Rosenthal and Kellner, A.6158-A, "AN ACT to amend the agriculture and markets law and the administrative code of the city of New York, in relation to establishing a New York city animal population control program and an animal population control fund; and to amend chapter 115 of the laws of 1894 relating to the better protection of lost and strayed animals and for securing the rights of owners thereof, in relation to licensing fees".

Attachments: Committee Report, Fiscal Impact Statement

A motion was made that this SLR 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

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 0182-2010 **A Local Law to amend the administrative code of the city of New York, in relation to sound reproduction devices on sight-seeing buses.**

Attachments: Committee Report 4/12/10, Hearing Testimony 4/12/10, Hearing Transcript 4/12/10, Committee Report 4/28/10, Fiscal Impact Statement

With Message of Necessity

Finance

Res 0206-2010 **Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2008, Fiscal 2009 and Fiscal 2010 Expense Budgets.**

Attachments: Committee Report

Juvenile Justice

Int 0037-2010 **A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of juvenile justice to report on demographic data.**

Attachments: Int. No. 37 - 2/11/10, Committee Report 4/21/10, Hearing Testimony 4/21/10, Committee Report 4/26/10, Fiscal Impact Statement

Int 0153-2010 **A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of juvenile justice to regularly report data concerning its use of physical restraint, mechanical restraint, and room confinement, injuries to children and allegations of child abuse and neglect.**

Attachments: Int. No. 153 - 4/14/10, Committee Report 4/21/10, Hearing Testimony 4/21/10, Committee Report 4/26/10, Fiscal Impact Statement

Land Use

Int 0099-2010 **A Local Law to amend the New York city charter, in relation to authorizing the department of transportation to extend the expiration date of the operating authority of certain unsubsidized private bus services.**

Attachments: Fiscal Impact Statement, Memo In Support, Agenda of the Land Use Committee - April 22, 2010, Fiscal Impact Statement

Res 0211-2010 Resolution approving the petition for a revocable consent for an enclosed sidewalk café located at 303 West 48th Street, Borough of Manhattan (20095372 TCM; L.U. No. 64).

Attachments: Committee Report

Res 0212-2010 Resolution approving with modification the petition for a revocable consent for an unenclosed sidewalk café located at 36-19 30th Avenue, Borough of Queens (20105281 TCQ; L.U. No. 65).

Attachments: Committee Report

Res 0213-2010 Resolution approving the decision of the City Planning Commission on an application submitted by the New York City Department of Housing Preservation and Development, ULURP No. C 100162 HAK, approving the designation of property located at 295 Eldert Street (Block 3413, Lot 1) and 797, 799 and 801 Knickerbocker Avenue (Block 3413, Lots 2, 3, and 4), Borough of Brooklyn, as an Urban Development Action Area, approving the project for the area as an Urban Development Action Area Project, and approving the disposition of such property to a developer selected by the New York City Department of Housing Preservation and Development (L.U. No. 67; C 100162 HAK).

Attachments: Committee Report

Res 0214-2010 Resolution approving the decision of the City Planning Commission on an application submitted by the New York City Department of Housing Preservation and Development, ULURP No. C 100173 HAM, approving the designation of property located at 302-304 East 2nd Street (Block 372, Lot 49), Borough of Manhattan, as an Urban Development Action Area, approving the project for the area as an Urban Development Action Area Project, and approving the disposition of such property to a developer selected by the New York City Department of Housing Preservation and Development (L.U. No. 68; C 100173 HAM).

Attachments: Committee Report

Res 0215-2010 Resolution approving a motion to file pursuant to withdrawal of the petition for a revocable consent for an unenclosed sidewalk café located at 523 Ninth Avenue, Borough of Manhattan (20105340 TCM; L.U. No. 79).

Attachments: Committee Report

Res 0216-2010 **Resolution approving the leasing of a 64,645 square foot parcel of land including the “J” and “N” Buildings on the campus of the Kings County Hospital Center, located at 451 Clarkson Avenue (Block 4829, Lot 1), Borough of Brooklyn (20105481 HHK; L.U. No. 81).**

Attachments: Committee Report

Res 0217-2010 **Resolution approving the decision of the City Planning Commission on ULURP No. C 060550 ZMQ, a Zoning Map amendment (L.U. No. 82).**

Attachments: Committee Report

State and Federal Legislation

SLR 0001-2010 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Savino, S.6784, and Assembly Member Abbate, A.9885, “AN ACT to amend the general municipal law, in relation to the training of fire officers in cities of one million or more”.**

Attachments: Committee Report, Fiscal Impact Statement

SLR 0002-2010 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Duane, S.4278, and Assembly Members Rosenthal and Kellner, A.6158-A, “AN ACT to amend the agriculture and markets law and the administrative code of the city of New York, in relation to establishing a New York city animal population control program and an animal population control fund; and to amend chapter 115 of the laws of 1894 relating to the better protection of lost and strayed animals and for securing the rights of owners thereof, in relation to licensing fees”.**

Attachments: Committee Report, Fiscal Impact Statement

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

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: 46 -

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

Excused: 5 -

Dickens, Dilan, Mealy, Mendez and Palma

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

Int No. 182 under a Message of Necessity, 44-2-0.

SLR No. 1, 45-1-0.

See files for individual votes.

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

Res 0039-2010 Resolution urging the United States Congress to reintroduce and pass legislation that would amend the Public Health Service Act with respect to facilitating the development of microbicides for preventing transmission of HIV and other diseases.

Attachments: Res. No. 39 - 2/11/10, Committee Report 4/13/10, Hearing Testimony 4/13/10, Hearing Transcript 4/13/10, Committee Report 4/27/10

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 2 Council Members formally voted against this item: Council Members Ignizio and Oddo.

The following 2 Council Members formally abstained to vote on this item: Council Members Halloran and Vallone, Jr.

Adopted by the Council by voice-vote.

A motion was made that this Resolution be Approved, by Council approved by Voice Vote.

Res 0080-2010 Resolution calling upon the United States Food and Drug Administration to reverse their longstanding prohibition on homosexual men donating blood.

Attachments: Res. No. 80 - 3/25/10, Committee Report 4/13/10, Hearing Testimony 4/13/10, Hearing Transcript 4/13/10, Committee Report 4/27/10

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 Members formally voted against this item: Council Members Ignizio..

The following Council Members formally abstained to vote on this item: Council Members Halloran, Koo and Oddo.

Adopted by the Council by voice-vote.

A motion was made that this Resolution be Approved, by Council approved by Voice Vote.

Res 0162-2010 Resolution calling upon the United States Congress to pass and President Obama to sign a just and humane comprehensive immigration reform bill in 2010.

Attachments: Res. No. 162 - 4/14/10, Committee Report 4/26/10

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 Members formally voted against this item: Council Members Halloran, Ignizio and Oddo.

The following Council Members formally abstained to vote on this item: Council Members Vallone, Jr.

Adopted by the Council by voice-vote.

A motion was made that this Resolution be Approved, by Council approved by Voice Vote.

Res 0201-2010 Resolution calling upon the New York State Legislature and Governor Paterson to develop a more equitable method of billing New York City for placement of its youth in state run facilities in order to allow the city to reinvest monies into alternative-to-placement programs.

Attachments: Committee Report 4/21/10, Hearing Testimony 4/21/10, Committee Report 4/26/10

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.

16. General Discussion

17. Extension of Remarks

INTRODUCTION AND READING OF BILLS

Int 0178-2010 A Local Law to amend the administrative code of the city of New York, in relation to the arraignment process.

Sponsors: By Council Member Barron

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

- Int 0179-2010** **A Local Law to amend the administrative code of the City of New York, in relation to street numbers.**
- Sponsors:** By Council Members Brewer and Levin
- This Introduction was Referred to Comm by Council to the Committee on Housing and Buildings
- Int 0180-2010** **A Local Law to amend the administrative code of the city of New York, in relation to requiring grocery stores over 5,000 square feet to provide an electrical plug for delivery food trucks.**
- Sponsors:** By Council Member Brewer
- This Introduction was Referred to Comm by Council to the Committee on Housing and Buildings
- Int 0181-2010** **A Local Law to amend the administrative code of the city of New York, in relation to securing personal information privacy.**
- Sponsors:** By Council Member Brewer
- This Introduction was Referred to Comm by Council to the Committee on Technology
- Int 0182-2010** **A Local Law to amend the administrative code of the city of New York, in relation to sound reproduction devices on sight-seeing buses.**
- Sponsors:** By Council Members Brewer, Levin, Chin, Jackson, James, Koppell, Lander, Rose, Sanders Jr. and Williams
- Attachments:** Committee Report 4/12/10, Hearing Testimony 4/12/10, Hearing Transcript 4/12/10, Committee Report 4/28/10, Fiscal Impact Statement
- This Introduction was Referred to Comm by Council to the Committee on Consumer Affairs
- Int 0183-2010** **A Local Law to amend the administrative code of the city of New York, in relation to audible pedestrian signals.**
- Sponsors:** By Council Member Brewer
- This Introduction was Referred to Comm by Council to the Committee on Transportation
- Int 0184-2010** **A Local Law to amend the administrative code of the city of New York, in relation to requiring trained pedestrian safety managers at constructions sites on or near city sidewalks.**
- Sponsors:** By Council Member Chin
- This Introduction was Referred to Comm by Council to the Committee on Transportation

Res 0191-2010 **Proposed authorizing resolution submitted by the Mayor pursuant to Section 363 of the Charter for the granting of franchises for installation of telecommunications equipment and facilities on, over and under the inalienable property of the City in connection with the provision of mobile telecommunications services.**

Sponsors: By Council Member Comrie Jr. (by request of the Mayor)

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

Int 0185-2010 **A Local Law to amend the administrative code of the city of New York, in relation to illegal signs.**

Sponsors: By Council Member Crowley

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

Res 0192-2010 **Resolution calling upon the New York City Department of Education to conduct a feasibility study on the acquisition of former Catholic school buildings as sites to house special public education programs, charter schools and traditional public schools.**

Sponsors: By Council Member Dickens

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

Res 0193-2010 **Resolution in support of naming a newly designated space at City College in honor of General Colin Powell as “The Colin L. Powell Hall.”**

Sponsors: By Council Member Dickens

This Resolution was Referred to Comm by Council to the Committee on Higher Education

Res 0194-2010 **Resolution commending the Schomburg Center for Research in Black Culture for its efforts in preserving materials documenting the experiences of people of African descent throughout the world and urging the New York Public Library to maintain the Schomburg Center as one of the preeminent research libraries in the City of New York.**

Sponsors: By Council Member Dickens

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

Res 0195-2010 **Resolution calling upon the New York State Legislature to pass A.1461, which would amend the public authorities law, in relation to establishing a no fare program for transportation on the New York City Transit Authority system, the Long Island Rail Road, and the Metro-North Commuter Railroad Company for senior citizens.**

Sponsors: By Council Member Dickens

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

Int 0186-2010 **A Local Law to amend the administrative code of the city of New York, in relation to professional certification by registered design professionals charged with a criminal offense.**

Sponsors: By Council Member Dilan

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

Int 0187-2010 **A Local Law to amend the administrative code of the city of New York, in relation to the dismissal of a notice of violation when access is denied to an owner to make repairs to or inspect a dwelling unit.**

Sponsors: By Council Member Dilan

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

Res 0196-2010 **Resolution calling upon the New York State Legislature to pass the "Dignity For All Students Act" (A.03661-C/S.01987B), a bill that would establish policies and procedures to provide all students in public schools with an environment free of harassment and discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, disability, sexual orientation, gender, or sex.**

Sponsors: By Council Member Dromm

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

Res 0197-2010 **Resolution urging Congress to pass the Uniting American Families Act and to consider the elements of the Uniting American Families Act when preparing a comprehensive immigration reform bill.**

Sponsors: By Council Member Dromm

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

- Int 0188-2010** **A Local Law to amend the administrative code of the city of New York, in relation to sales of cooperative apartments.**
- Sponsors:** By Council Members Fidler, Foster, Lander, Reyna, Williams, Seabrook, James, Cabrera and Chin
- This Introduction was Referred to Comm by Council to the Committee on Housing and Buildings
- Int 0189-2010** **A Local Law to amend the administrative code of the city of New York, in relation to comprehensive tracking of firefighting response times.**
- Sponsors:** By Council Member Fidler
- This Introduction was Referred to Comm by Council to the Committee on Fire and Criminal Justice Services
- Int 0190-2010** **A Local Law to amend the charter of the city of New York, in relation to public notice prior to the permanent removal of any emergency medical service station.**
- Sponsors:** By Council Member Fidler
- This Introduction was Referred to Comm by Council to the Committee on Fire and Criminal Justice Services
- Int 0191-2010** **A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to notify schools of crimes against children within 1,000 feet of certain schools.**
- Sponsors:** By Council Member Fidler
- This Introduction was Referred to Comm by Council to the Committee on Public Safety
- Int 0192-2010** **A Local Law to amend the administrative code of the city of New York, in relation to replacement cycles for taxicabs and repealing paragraph 3 of subdivision b of section 19-535.**
- Sponsors:** By Council Member Fidler
- This Introduction was Referred to Comm by Council to the Committee on Transportation
- Res 0198-2010** **Resolution calling upon the Metropolitan Transportation Authority and the Port Authority of New York and New Jersey to offer reduced toll fares for alternative fuel vehicles.**
- Sponsors:** By Council Member Fidler
- This Resolution was Referred to Comm by Council to the Committee on Transportation

- Res 0199-2010** **Resolution calling on the New York State Assembly to pass, and the New York State Senate to introduce and pass a companion bill to, A.01142, an act to amend the education law, in relation to establishing a tuition and fee remission program for veterans.**
- Sponsors:** By Council Member Fidler
- This Resolution was Referred to Comm by Council to the Committee on Veterans
- Int 0193-2010** **A Local Law to amend the New York City charter to require notification to the Council of emergency procurements.**
- Sponsors:** By Council Member Foster
- This Introduction was Referred to Comm by Council to the Committee on Contracts
- SLR 0002-2010** **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Duane, S.4278, and Assembly Members Rosenthal and Kellner, A.6158-A, "AN ACT to amend the agriculture and markets law and the administrative code of the city of New York, in relation to establishing a New York city animal population control program and an animal population control fund; and to amend chapter 115 of the laws of 1894 relating to the better protection of lost and strayed animals and for securing the rights of owners thereof, in relation to licensing fees".**
- Sponsors:** By Council Members Foster, Comrie Jr., Fidler, Jackson, Koppell and Koslowitz
- Attachments:** Committee Report, Fiscal Impact Statement
- This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation
- Int 0194-2010** **A Local Law to amend the administrative code of the city of New York, in relation to the use of clean heating oil in New York City.**
- Sponsors:** By Council Member Gennaro
- This Introduction was Referred to Comm by Council to the Committee on Environmental Protection
- Res 0200-2010** **Resolution designating the Newtown Pippin as the official apple of New York City.**
- Sponsors:** By Council Member Gennaro
- This Resolution was Referred to Comm by Council to the Committee on Cultural Affairs, Libraries and International Intergroup Relations

Int 0195-2010 **A Local Law to amend the New York city charter and the administrative code of the city of New York in relation to merging the department of juvenile justice and the administration for children's services, and to repeal chapter 28 of such charter and subparagraph iii of paragraph 5 of subdivision a of section 12-307 of such code in relation thereto.**

Sponsors: By Council Members Gonzalez and Palma (by request of the Mayor)

This Introduction was Referred to Comm by Council to the Committee on Juvenile Justice

Res 0201-2010 **Resolution calling upon the New York State Legislature and Governor Paterson to develop a more equitable method of billing New York City for placement of its youth in state run facilities in order to allow the city to reinvest monies into alternative-to-placement programs.**

Sponsors: By Council Members Gonzalez, Lander, Chin, Comrie Jr., Fidler, James, Levin, Rose, Sanders Jr., Vann and Williams

Attachments: Committee Report 4/21/10, Hearing Testimony 4/21/10, Committee Report 4/26/10

This Resolution was Referred to Comm by Council to the Committee on Juvenile Justice

Res 0202-2010 **Resolution calling upon the New York State Legislature to pass A.01291, which would amend the New York City Charter in relation to notification when the New York City Department of Education is considering the opening, closing and/or consolidation of a school.**

Sponsors: By Council Member Jackson

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

Int 0196-2010 **A Local Law to amend the administrative code of the city of New York in relation to requiring the department of correction to develop a discharge plan for adolescents leaving city jails.**

Sponsors: By Council Member James

This Introduction was Referred to Comm by Council to the Committee on Fire and Criminal Justice Services

Int 0197-2010 **A Local Law to amend the administrative code of the city of New York, in relation to requiring the commissioner of the department of correction to report on race and ethnicity, zip code of residence, precinct of arrest and charged offense of adolescents admitted to city jails.**

Sponsors: By Council Member James

This Introduction was Referred to Comm by Council to the Committee on Fire and Criminal Justice Services

Res 0203-2010 **Resolution calling upon the New York State Legislature to adopt Senate Bill No. S. 4387A and Assembly Bill A. 5287, proposed legislation that would establish educational standards regarding the management of pain, and require all health care practitioners to complete course work or training regarding pain management.**

Sponsors: By Council Member Koppell

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

Int 0198-2010 **A Local Law to amend the administrative code of the city of New York, in relation to providing a credit against the commercial rent or occupancy tax imposed by chapter 7 of title 11 of such code, to tenants who provide employer-provided child care.**

Sponsors: By Council Member Lappin

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

Res 0204-2010 **Resolution calling upon the City of New York to divest its assets from financial institutions that evade New York State's usury law.**

Sponsors: By Council Member Lappin

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

Res 0205-2010 **Resolution calling upon the federal government to institute a national usury law.**

Sponsors: By Council Member Lappin

This Resolution was Referred to Comm by Council to the Committee on Governmental Operations

- Int 0199-2010** **A Local Law to amend the administrative code of the city of New York, in relation to requiring that notices of violation issued by the department of sanitation be accompanied by a photograph of the alleged violation.**
- Sponsors:** By Council Member Nelson
- This Introduction was Referred to Comm by Council to the Committee on Sanitation and Solid Waste Management
- Int 0200-2010** **A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to make automated external defibrillators available to primary, intermediate and high schools that do not already receive such devices under any other provision of law.**
- Sponsors:** By Council Members Oddo, Ignizio and Koo
- This Introduction was Referred to Comm by Council to the Committee on Education
- Res 0206-2010** **Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2008, Fiscal 2009 and Fiscal 2010 Expense Budgets.**
- Sponsors:** By Council Members Recchia Jr. and Comrie Jr.
- Attachments:** Committee Report
- This Resolution was Referred to Comm by Council to the Committee on Finance
- Int 0201-2010** **A Local Law to amend the administrative code of the city of New York, in relation to rates for the towing of motor vehicles.**
- Sponsors:** By Council Members Reyna and Comrie Jr.
- This Introduction was Referred to Comm by Council to the Committee on Consumer Affairs
- Res 0207-2010** **Resolution calling upon the United States Congress to enact H.R. 4224, the “Together We Care Act of 2009,” which would establish a pilot program to train public housing residents as home health care aides and in home-based health care services to enable residents to provide covered home-based health care services to residents of public housing and residents of federally-assisted rental housing, who are elderly or persons with a disability.**
- Sponsors:** By Council Members Reyna and Mark-Viverito
- This Resolution was Referred to Comm by Council to the Committee on Public Housing

Int 0202-2010 **A Local Law to amend the administrative code of the City of New York, in relation to requiring the Fire Commissioner to send certain reports to the City Council.**

Sponsors: By Council Member Vacca

This Introduction was Referred to Comm by Council to the Committee on Fire and Criminal Justice Services

Int 0203-2010 **A Local Law to amend the administrative code of the city of New York, in relation to the submission of quarterly reports by the New York City Police Department detailing the number of summonses issued to trucks for traffic infractions.**

Sponsors: By Council Member Vacca

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

Res 0208-2010 **Resolution urging the State Legislature to ban the use of grille-guards/bull bars on the front of all motor vehicles that operate in the city of New York.**

Sponsors: By Council Member Vallone Jr.

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

Res 0209-2010 **Resolution calling upon the United States Census Bureau to extend its April 15, 2010 deadline for returning Census forms and to keep both its Question Assistance Centers and Be Counted Sites open for an additional 30 days.**

Sponsors: By Council Members Vann, Brewer and Reyna

Attachments: Committee Report 4/19/10, Hearing Testimony - 4/19/10

This Resolution was Referred to Comm by Council to the Committee on Community Development

Int 0204-2010 **A Local Law to amend the New York city charter, in relation to requiring the DOE to donate school lunches that have not been consumed.**

Sponsors: By Council Member Williams

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

Res 0210-2010 **Resolution calling on the United States government to make Haitian recipients of Temporary Protected Status eligible for federal public benefits.**

Sponsors: By Council Members Williams and Eugene

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

LU 0083-2010 **Application no. 20105554 HAX, an Urban Development Action Area Project located at 2023 Belmont Avenue, Council District no. 15, Borough 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 a partial tax exemption.**

Sponsors: By Council Member Comrie Jr.

Attachments: Land Use Calendar - Week of May 3 - May 7, 2010

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

Attachments: Land Use Calendar - Week of May 3 - May 7, 2010

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

LU 0084-2010 **Application no. 20105555 HAM, an Urban Development Action Area Project located at 420 East 73rd Street, Council District no. 5, Borough of Manhattan. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development.**

Sponsors: By Council Member Comrie Jr.

Attachments: Land Use Calendar - Week of May 3 - May 7, 2010

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

Attachments: Land Use Calendar - Week of May 3 - May 7, 2010

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

LU 0085-2010 **Application no. 20105556 HAM, an Urban Development Action Area Project located at 30 West 119th 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 a partial tax exemption.**

Sponsors: By Council Member Comrie Jr.

Attachments: Land Use Calendar - Week of May 3 - May 7, 2010

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

Attachments: Land Use Calendar - Week of May 3 - May 7, 2010

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

LU 0086-2010 **Application no. 20105442 TCK, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Ahshi.Global, Inc. d/b/a Willburg Café, to establish maintain and operate an unenclosed sidewalk café located at 623 Grand Avenue, Borough of Brooklyn, Council District no. 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(g) of the New York City Administrative Code.**

Sponsors: By Council Member Comrie Jr.

Attachments: Land Use Calendar - Week of May 3 - May 7, 2010

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

Attachments: Land Use Calendar - Week of May 3 - May 7, 2010

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

LU 0087-2010 **Application no. 20105403 TCK, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Fidel Corp. d/b/a Le Barricou, to establish maintain and operate an unenclosed sidewalk café located at 533 Grand Street, Borough of Brooklyn, Council District no. 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(g) of the New York City 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 0088-2010 **Application no. 20105413 HKM (N 100247 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.426, LP-2379) by the Landmarks Preservation Commission of the former Yale Club, located at 30-32 West 44th Street, as a historic landmark, Council District no.3.**

Sponsors: By Council Member Comrie Jr.

Attachments: Land Use Calendar - Week of May 3 - May 7, 2010

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

Attachments: Land Use Calendar - Week of May 3 - May 7, 2010

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

LU 0089-2010 **Application no. 20105414 HKM (N 100248 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.426, LP-2350) by the Landmarks Preservation Commission of the 143 Allen Street House, located at 143 Allen Street, as a historic landmark, Council District no. 1.**

Sponsors: By Council Member Comrie Jr.

Attachments: Land Use Calendar - Week of May 3 - May 7, 2010

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

Attachments: Land Use Calendar - Week of May 3 - May 7, 2010

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

LU 0090-2010 **Application no. C 070520 ZMK submitted by Jom Tob Gluck pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section 22c, by establishing within an existing R5 District a C1-3 District.**

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 Presisent Pro Tempore (Council Member Rivera) of the Council adjourned to meet again on Wednesday, May 12, 2010.

*MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council*