

THE COUNCIL THE CITY OF NEW YORK AGENDA



1. ROLL CALL

2. INVOCATION

Delivered by: Rev. Victor T. Hall, Sr. Pastor, Calvary Baptist Church, 110-10 Guy R. Brewer Blvd, Jamaica, NY 11433.

Motion to spread the invocation in full upon the record by **Council Member Miller**

3. ADOPTION OF MINUTES

Motion that the Minutes of the Stated Meeting of August 9, 2017 be adopted as printed by **Council Member Rose**

4. MESSAGES & PAPERS FROM THE MAYOR

[M 547](#)

Communication from the Mayor – Submitting the Mayor’s Management Report, Fiscal 2017, dated September 2017, pursuant to Section 12 of the New York City Charter.

Received, Ordered, Printed and Filed

5. COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

Preconsidered [M 548](#)

Communication from the Office of Management & Budget - Transfer City funds between various agencies in Fiscal Year 2018 to implement changes to the City's expense budget, pursuant to Section 107(b) of the New York City Charter. (MN-1).

Finance

Preconsidered [M 549](#)

Communication from the Office of Management & Budget - Resolution approving the modification of the Fiscal 2018 Capital Budget and Capital Program proposed by the Mayor pursuant to Section 216 of the Charter of the City of New York.

Finance

6. PETITIONS & COMMUNICATIONS

None

7. LAND USE CALL-UPS

M 550

By Council Member Rodriguez:

Pursuant to Rule 11.20(b) of the Council and §20-226 or §20-225 of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 200 Dyckman Street, Borough of Manhattan, Community Board 12, Application No. **20185034 TCM** shall be subject to review by the Council.

Coupled on Call-Up Vote

M 551

By Council Member Rose:

Pursuant to Rule 11.20(c) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the actions of the City Planning Commission on Uniform Land Use Review Procedure applications nos. **C 160174 ZSR** and **C 150359 MMR** shall be subject to Council review.

Coupled on Call-Up Vote

Roll Call

8. COMMUNICATION FROM THE SPEAKER

9. DISCUSSION OF GENERAL ORDERS

10. REPORT OF SPECIAL COMMITTEES

None

11. REPORTS OF STANDING COMMITTEES

Report of the Committee on Consumer Affairs

Int 1539-A

An Amended Local Law to amend the administrative code of the city of New York, in relation to the sale and financing of used automobiles by second-hand automobile dealers.

Amended and Coupled on GO

Int 1540-A

An Amended Local Law to amend the administrative code of the city of New York, in relation to requiring second-hand automobile dealers to post and distribute a bill of rights to consumers.

Amended and Coupled on GO

Report of the Committee on Contracts

Int 1292-A

An Amended Local Law to amend the New York city charter, in relation to the acceptance of electronic vouchers.

Amended and Coupled on GO

Report of the Committee on Finance

[Res 1639](#)

Resolution concerning the increase in the annual expenditure for the Times Square, 34th Street, 82nd Street, Flatbush Avenue, Downtown-Lower Manhattan, Kings Highway, Church Avenue, East Mid-Manhattan, Fordham Road, DUMBO, and SoHo Business Improvement Districts, and the setting of the date, time and place for the hearing of the local law increasing the annual expenditure for such districts.

Coupled on GO

Preconsidered [Res 1658](#)

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

Coupled on GO

Preconsidered [Res 1659](#)

Resolution approving the rescindment of a term and condition included in the Fiscal 2018 Expense Budget.

Coupled on GO

Preconsidered [M 548](#) & [Res 1661](#)

Communication from the Office of Management & Budget - Transfer City funds between various agencies in Fiscal Year 2018 to implement changes to the City's expense budget, pursuant to Section 107(b) of the New York City Charter. (MN-1).

Coupled on GO

Preconsidered [M 549](#) & [Res 1662](#)

Communication from the Office of Management & Budget - Resolution approving the modification of the Fiscal 2018 Capital Budget and Capital Program proposed by the Mayor pursuant to Section 216 of the Charter of the City of New York.

Coupled on GO

Preconsidered [L.U. 754](#) & [Res 1663](#)

Noonan Plaza, Block 2518, Lot 1; Bronx, Community Board No. 4, Council District No. 16.

Coupled on GO

Report of the Committee on Health

[Int 139-C](#)

An Amended Local Law to amend the administrative code of the city of New York, in relation to the regulation of non-tobacco smoking products, and to amend the fire code of the city of New York, and the New York city mechanical code, in relation to the operation of non-tobacco hookah establishments.

Amended and Coupled on GO

[Int 1075-A](#)

An Amended Local Law to amend the administrative code of the city of New York, in relation to requiring signage warning of the health risks associated with smoking shisha.

Amended and Coupled on GO

[Int 1076-A](#)

An Amended Local Law to amend the administrative code of the city of New York, in relation to prohibiting the sale of non-tobacco smoking products to minors and young adults, and to repeal subdivision f of section 17-713 and section 17-714 of the administrative code of the city of New York, relating to the sale of herbal cigarettes to individuals under eighteen years of age.

Amended and Coupled on GO

Report of the Committee on Housing and Buildings

[Int 934-A](#)

An Amended Local Law to amend the administrative code of the city of New York, in relation to the creation of a real time enforcement unit in the department of buildings.

Amended and Coupled on GO

[Int 1359-A](#)

An Amended Local Law to amend the administrative code of the city of New York, in relation to auditing buildings for compliance with the affordability requirements of the 421-a tax exemption program.

Amended and Coupled on GO

[Int 1366-A](#)

An Amended Local Law to amend the administrative code of the city of New York, in relation to auditing buildings for compliance with the rent registration requirements of the 421-a tax exemption program.

Amended and Coupled on GO

[Int 1447-C](#)

An Amended Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to construction site safety training and repealing section 3310.10.2 of the New York city building code.

Amended and Coupled on GO

Report of the Committee on Land Use

[L.U. 738](#) & [Res 1664](#)

Application No. **20185040 HAK** submitted by the Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property located at Block 5063, Lot 58, Borough of Brooklyn, Community Board 14, Council District 40.

Coupled on GO

[L.U. 739](#) & [Res 1665](#)

Application No. **20185042 HAQ** submitted by the Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for four properties located in the Borough of Queens, Community Districts 12 and 13, Council District 27.

Coupled on GO

L.U. 740 & Res 1666

Application No. **20185043 HAQ** submitted by the Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for eighteen properties located in the Borough of Queens, Community Boards 10 and 12, Council District 28.

Coupled on GO

L.U. 741 & Res 1667

Application No. **20185044 HAQ** submitted by the Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property located at Block 11479, Lot 29, Borough of Queens, Community Board 10, Council District 32.

Coupled on GO

L.U. 742 & Res 1668

Application No. **20185048 HAK** submitted by the Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property located at Block 1788, Lot 53, Borough of Brooklyn, Community Board 3, Council District 36.

Coupled on GO

L.U. 751 & Res 1669

Application No. **C 170382 ZSM** submitted by Broome Property Owner JV, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 13-45 and Section 13-451 of the Zoning Resolution to allow an automated accessory parking garage with a maximum capacity of 42 spaces in portions of a proposed mixed use building on property located at 100 Varick Street (Block 477, Lots 35, 42, 44, 46, 71-76 and 1001-1005), within the Special Hudson Square District, Borough of Manhattan, Community District 2, Council District 3. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

Coupled on GO

Preconsidered L.U. 756 & Res 1670

Application No. **20185065 HAM** submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for approval of an amendment to a previously approved real property tax exemption extending the period from 10 years to 20 years for property located at Block 1749, Lot 61, Block 1750, Lots 57 and 58, Block 1751, Lot 50, Block 1644, Lot 65, Block 1785, Lot 8, Block 1783, Lots 10 and 109, Block 1796, Lots 21 and 41, Block 1806, Lots 37 and 111, Block 1807, Lot 113, and Block 1796, Lot 4 (the "Exemption Area") in Community Districts 8 and 9, Borough of Manhattan, Council District 11.

Coupled on GO

Report of the Committee on Transportation

[Int 1031-A](#)

An Amended Local Law in relation to requiring the department of transportation to conduct a study of traffic congestion due to truck deliveries during daytime hours.

Amended and Coupled on GO

[Int 1375-A](#)

An Amended Local Law to amend the administrative code of the city of New York, in relation to requiring the department of transportation to provide notice of its approval of applications to open street segments or intersections that have been reconstructed or resurfaced within the previous five years.

Amended and Coupled on GO

12. GENERAL ORDER CALENDAR

[L.U. 733](#) & [Res 1671](#)

Application No. **C 170275 ZMM** submitted by the New York City Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6b, changing from an M1-2 District to an C6-3 District property bounded by East 127th Street, First Avenue, East 126th Street, and Second Avenue, in the Borough of Manhattan, Community District 11, Council District 8.

Coupled on GO

[L.U. 734](#) & [Res 1672](#)

Application No. **N 170276 ZRM** submitted by the New York City Economic Development Corporation, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F, for the purpose of establishing a Mandatory Inclusionary Housing area, in the Borough of Manhattan, Community District 11, Council District 8.

Coupled on GO

[L.U. 735](#) & [Res 1673](#)

Application No. **C 170093 MMM** submitted by The New York City Economic Development Corporation pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code for an amendment to the City Map involving: the elimination, discontinuance and closing of a portion of Second Avenue between East 126th Street and East 127th Street and the delineation of a sidewalk easement in the Borough of Manhattan, Community District 11, Council District 8.

Coupled on GO

[L.U. 736](#) & [Res 1674](#)

Application No. **C170278 PPM** submitted by the Department of Citywide Administrative Services (DCAS) pursuant to Section 197-c of the New York City Charter, for the disposition of one city-owned property located at 2460 Second Avenue (Block 1803, Lot 1), pursuant to zoning, Borough of Manhattan, Community District 11, Council District 8.

Coupled on GO

Commissioner of Deeds
Coupled on GO

COUPLED ON GENERAL ORDER CALENDAR

Consumer Affairs

[Int 1539-A](#) - Sale and financing of used automobiles by second-hand automobile dealers.

A and GO

[Int 1540-A](#) - Second-hand automobile dealers to post and distribute a bill of rights to consumers.

A and GO

Contracts

[Int 1292-A](#) - Acceptance of electronic vouchers.

A and GO

Finance

[Res 1639](#) - Increase in the annual expenditure and the setting of the date, time and place for the hearing of the local law increasing the annual expenditure for such districts.

GO

Preconsidered [Res 1658](#) - New designation and changes in the designation of certain organizations to receive funding in the Expense Budget.

GO

Preconsidered [Res 1659](#) - Resolution approving the rescindment of a term and condition included in the Fiscal 2018 Expense Budget.

GO

Preconsidered [M 548](#) & [Res 1661](#) - Transfer City funds between various agencies in Fiscal Year 2018 to implement changes to the City's expense budget, (MN-1).

GO

Preconsidered [M 549](#) & [Res 1662](#) - Resolution approving the modification of the Fiscal 2018 Capital Budget and Capital Program proposed by the Mayor.

GO

Preconsidered [L.U. 754](#) & [Res 1663](#) - Noonan Plaza, Block 2518, Lot 1; Bronx, Community Board No. 4, Council District No. 16.

GO

Health

[Int 139-C](#) - Non-tobacco smoking products, and to amend the fire code of the city of New York, and the New York city mechanical code, in relation to the operation of non-tobacco hookah establishments.

A and GO

[Int 1075-A](#) - Signage warning of the health risks associated with smoking shisha.

A and GO

[Int 1076-A](#) - Prohibiting the sale of non-tobacco smoking products to minors and young adults, and to repeal subdivision f of section 17-713 and section 17-714.

A and GO

Housing and Buildings

[Int 934-A](#) - Creation of a real time enforcement unit in the department of buildings.

A and GO

[Int 1359-A](#) - Auditing buildings for compliance with the affordability requirements of the 421-a tax exemption program.

A and GO

[Int 1366-A](#) - Auditing buildings for compliance with the rent registration requirements of the 421-a tax exemption program.

A and GO

[Int 1447-C](#) - Construction site safety training and repealing section 3310.10.2 of the New York city building code.

A and GO

Land Use

[L.U. 738 & Res 1664](#) - App. **20185040 HAK** Brooklyn, Community Board 14, Council District 40.

GO

[L.U. 739 & Res 1665](#) - App. **20185042 HAQ** Queens, Community Districts 12 and 13, Council District 27.

GO

[L.U. 740 & Res 1666](#) - App. **20185043 HAQ** Queens, Community Boards 10 and 12, Council District 28.

GO

[L.U. 741 & Res 1667](#) - App. **20185044 HAQ** Queens, Community Board 10, Council District 32.

GO

[L.U. 742 & Res 1668](#) - App. **20185048 HAK** Brooklyn, Community Board 3, Council District 36.

GO

[L.U. 751 & Res 1669](#) - App. **C 170382 ZSM** Manhattan, Community District 2, Council District 3.

GO

Preconsidered [L.U. 756 & Res 1670](#) - App. **20185065 HAM** Manhattan, Council District 11.

GO

Transportation

[Int 1031-A](#) - Department of transportation to conduct a study of traffic congestion due to truck deliveries during daytime hours.

A and GO

[Int 1375-A](#) - Department of transportation to provide notice of its approval of applications to open street segments or intersections that have been reconstructed or resurfaced within the previous five years.

A and GO

GENERAL ORDER CALENDAR

[L.U. 733 & Res 1671](#) - App. **C 170275 ZMM** Manhattan, Community District 11, Council District 8.

GO

[L.U. 734 & Res 1672](#) - App. **N 170276 ZRM** Manhattan, Community District 11, Council District 8.

GO

[L.U. 735](#) & [Res 1673](#) - App. **C 170093 MMM** Manhattan, Community District 11, Council District 8.

GO

[L.U. 736](#) & [Res 1674](#) - App. **C170278 PPM** Manhattan, Community District 11, Council District 8.

GO

Commissioner of Deeds

GO

Roll Call

13. INTRODUCTION & READING OF BILLS

See Attached

14. DISCUSSION OF RESOLUTIONS

15. RESOLUTIONS

None

16. GENERAL DISCUSSION

17. EXTENSION OF REMARKS

INTRODUCTION AND READING OF BILLS

[Int 1708](#)

By Council Members Constantinides, Johnson and Rosenthal:

A Local Law to amend the administrative code of the city of New York, in relation to the provision of nebulizers in schools.

Health

[Int 1709](#)

By Council Members Constantinides, Johnson and Rosenthal:

A Local Law to amend the administrative code of the city of New York, in relation to reporting on the prevalence of asthma and associated hospitalizations in the city.

Health

[Int 1710](#)

By Council Member Dromm:

A Local Law to amend the administrative code of the city of New York, in relation to backup of electronic information stored by city agencies.

Technology

Preconsidered [Res 1658](#)

By Council Member Ferreras-Copeland:

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

Finance

Preconsidered [Res 1659](#)

By Council Member Ferreras-Copeland:

Resolution approving the rescindment of a term and condition included in the Fiscal 2018 Expense Budget

Finance

[Res 1660](#)

By Council Member Gibson:

Resolution urging the Governor to sign into law A5667A/S4769A, in relation to gravity knives.

State and Federal Legislation

[Int 1711](#)

By Council Member Kallos:

A Local Law to amend the New York city charter, in relation to childcare services at public meetings.

General Welfare

[Int 1712](#)

By Council Member Lancman:

A Local Law to amend the administrative code of the city of New York, in relation to requiring the mayor's office of criminal justice to report on the disposition of criminal cases.

Public Safety

[Int 1713](#)

By Council Member Lander:

A Local Law to amend the New York city charter, in relation to establishing the office of civic engagement.

Governmental Operations

[Int 1714](#)

By Council Member Levin:

A Local Law to amend the administrative code of the city of New York, in relation to an educational continuity unit.

General Welfare

[Int 1715](#)

By Council Member Richards:

A Local Law to amend the administrative code of the city of New York, in relation to a solar power pilot program.

Environmental Protection

[Int 1716](#)

By Council Members Richards and Espinal:

A Local Law to amend the New York city building code, in relation to requiring that the roofs of certain new buildings be partially covered in plants or solar panels.

Housing and Buildings

[Int 1717](#)

By Council Member Salamanca:

A Local Law to amend the New York city charter, in relation to requiring attendance records of city agencies be kept at borough board meetings and community board meetings.

Governmental Operations

[Int 1718](#)

By Council Member Salamanca:

A Local Law to amend the administrative code of the city of New York, in relation to authorizing the landmarks preservation commission to administer a historic preservation grant program.

Land Use

[Int 1719](#)

By Council Member Salamanca:

A Local Law to amend the administrative code of the city of New York, in relation to parking signs near stadiums and arenas.

Transportation

[Int 1720](#)

By Council Member Treyger:

A Local Law in relation to the creation of a Hurricane Sandy recovery task force.

Recovery and Resiliency

Int 1721

By Council Members Williams and Lander:

A Local Law to amend the administrative code of the city of New York, in relation to amending the definition of harassment.

Housing and Buildings

Preconsidered L.U. 754

By Council Member Ferreras-Copeland:

Noonan Plaza, Block 2518, Lot 1; Bronx, Community Board No. 4, Council District No. 16.

Finance

Preconsidered L.U. 755

By Council Member Ferreras-Copeland:

Seagirt Apartments, Block 15610, Lot 1; Queens, Community District No. 14, Council District No. 31.

Finance

Preconsidered L.U. 756

By Council Member Greenfield:

Application No. **20185065 HAM** submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for approval of an amendment to a previously approved real property tax exemption extending the period from 10 years to 20 years for property located at Block 1749, Lot 61, Block 1750, Lots 57 and 58, Block 1751, Lot 50, Block 1644, Lot 65, Block 1785, Lot 8, Block 1783, Lots 10 and 109, Block 1796, Lots 21 and 41, Block 1806, Lots 37 and 111, Block 1807, Lot 113, and Block 1796, Lot 4 (the "Exemption Area") in Community Districts 8 and 9, Borough of Manhattan, Council District 11.

Planning, Dispositions & Concessions

Preconsidered L.U. 757

By Council Member Greenfield:

Application No. **C 170180(A) ZMQ** submitted by Stemmax Realty Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 10a, changing from an M1-1 District to an R7A District, Borough of Queens, Community District 7, Council District 20.

Zoning & Franchises

Preconsidered L.U. 758

By Council Member Greenfield:

Application No. **N 170181 ZRQ** submitted by Stemmax Realty Inc. pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Community District 7, Council District 20.

Zoning & Franchises

[L.U. 759](#)

By Council Member Greenfield:

Application No. **C 160174 ZSR** submitted by Josif A LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow large retail establishments (Use Group 6 and/or 10A uses) greater than 10,000 square feet within a proposed multi-building commercial development on property located at 534 South Avenue (Block 1707, Lots 1 and 5), in an M1-1 District, Borough of Staten Island, Community District 1, Council District 49. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

Zoning & Franchises

[L.U. 760](#)

By Council Member Greenfield:

Application No. **C 150359 MMR** submitted by Josif A LLC, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code for an amendment to the City Map including authorization for any acquisition or disposition of real property related thereto, Borough of Staten Island, Community District 1, Council District 49. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

Zoning & Franchises

[L.U. 761](#)

By Council Member Greenfield:

Application No. **C 150278 ZMK** submitted by Harrison Realty LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 13b, changing from an M3-1 District to R7A/C2-4, R7D/C2-4, and R8A/C2-4 Districts property located in the vicinity of Flushing Avenue and Union Avenue, Borough of Brooklyn, Community District 1, Council District 33.

Zoning & Franchises

[L.U. 762](#)

By Council Member Greenfield:

Application No. **N 150277 ZRK** submitted by Harrison Realty LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 1, Council District 33.

Zoning & Franchises

L.U. 763

By Council Member Greenfield:

Application No. **20185034 TCM** pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Francisco & Francisco Inc., d/b/a Pop and Pour, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 200 Dyckman Street, Borough of Manhattan, Community Board 12, Council District 10. 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 Section 20-226 of the New York City Administrative Code.

Zoning & Franchises