



# The New York City Council

City Hall  
New York, NY 10007

## Committee Green Sheet

### 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, Jumaane D. Williams and Ruben Wills*

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Thursday, June 28, 2012

8:00 PM

Council Chambers - City Hall

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## **Recessed Meeting of June 13, 2012 HELD ON June 28, 2012**

**The Acting President Pro Tempore will call the meeting to order.**

### **Roll Call**

**The Clerk will announce the presence of a quorum.**

**The Acting President Pro Tempore will adjourn the recessed meeting.**

## **STATED MEETING OF JUNE 28, 2012**

### **Roll Call**

### **Invocation**

### **Adoption of Minutes**

*Motion that the Minutes of the Stated Meeting of May 31, 2012 be adopted as printed by Council Member Rose.*

## **Messages & Papers from the Mayor**

**M 0839-2012**      Communication from the Mayor Withdrawing the names of Richard Stabile (M-822) and Kirk Tzanides (M-823) from consideration at this time for their reappointment to the New York City Tax Commission.

*Received, Ordered, Printed and Filed*

**M 0840-2012**      Communication from the Mayor - Submitting amended 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 2013 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.

*Received, Ordered, Printed and Filed*

## **Communications from City, County & Borough Offices**

**M 0841-2012**      Communication from the Office of Management & Budget - Transfer City funds between various agencies in Fiscal Year 2012 to implement changes to the City's expense budget, pursuant to Section 107(b) of the New York City Charter. (MN-4)

*Preconsidered - Finance*

**M 0842-2012**      Communication from the Office of Management & Budget - Appropriation of new revenues of \$1.483 billion in Fiscal Year 2012, pursuant to Section 107(e) of the New York City Charter. (MN-5)

*Preconsidered - Finance*

**M 0850-2012** Communication from the Department of Housing Preservation and Development - Submitting amendment to the subject property, 969 Putnam Avenue, Council District No. 41, Third Party Transfer Program, as submitted to the Council for review and contained in M-813.

*Received, Ordered, Printed and Filed*

**Petitions and Communications**

*None*

**Land Use Call-Ups**

**M 0843-2012** By The Speaker (Council Member Quinn):  
Pursuant to Rule 11.20(b) of the Council and Section 20-226(g) or 20-225(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed/enclosed sidewalk café located at 350 West 49th Street, CB 4, Application no. 20125449 TCM shall be subject to review by the Council.

*Coupled on Call – Up Vote*

**M 0844-2012** By The Speaker (Council Member Quinn):  
Pursuant to Rule 11.20(b) of the Council and Section 20-226(g) or 20-225(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed/enclosed sidewalk café located at 283 West 12th Street, CB 2, Application no. 20125561 TCM shall be subject to review by the Council.

*Coupled on Call – Up Vote*

**M 0845-2012** By The Speaker (Council Member Quinn):  
Pursuant to Rule 11.20(b) of the Council and Section

20-226(g) or 20-225(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed/enclosed sidewalk café located at 53 Gansevoort St., CB 2, Application no. 20125668 TCM shall be subject to review by the Council.

*Coupled on Call – Up Vote*

**M 0846-2012**

By The Speaker (Council Member Quinn):

Pursuant to Rule 11.20(b) of the Council and Section 20-226(g) or 20-225(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed/enclosed sidewalk café located at 27 1/2 Morton Street, CB 2, Application no. 20125796 TCM shall be subject to review by the Council.

*Coupled on Call – Up Vote*

**M 0847-2012**

By Council Member Jackson:

Pursuant to Rule 11.20(b) of the Council and Section 20-226(g) or Section 20-225(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed/enclosed sidewalk café located at 223 Dyckman Street, Community Board 12, Application 20125646 TCM shall be subject to review by the Council.

*Coupled on Call – Up Vote*

**M 0848-2012**

By Council Member Lander:

Pursuant to Rule 11.20(b) of the Council and Section 20-226(g) or Section 20-225(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed/enclosed sidewalk café located at Abilene – 442 Court Street, Community Board 6, Application 20125568 TCK shall be subject to review by the Council.

*Coupled on Call – Up Vote*

## **Communication from the Speaker**

### **Discussion of General Orders**

### **Reports of Special Committees**

*None*

### **Reports of Standing Committees**

## **Report of the Committee on Civil Service and Labor**

**Int 0658-2011-A** A Local Law to amend the administrative code of the city of New York, in relation to the waiver of public employee organizations' rights when submitting grievances to arbitration under the New York city collective bargaining law.

*Coupled on GO*

**M 0818-2012** Communication from the Mayor - Mayors veto and disapproval message of Introductory Number 658-A, in relation to the waiver of public employee organizations' rights when submitting grievances to arbitration under the New York city collective bargaining law.

*Coupled to be Filed*

## **Report of the Committee on Contracts**

**Int 0251-2010-A** A Local Law to amend the administrative code of the city of New York, in relation to requiring the payment of a living wage to employees employed on property developed by recipients of financial assistance for economic development.

*Coupled on GO*

- M 0816-2012**      Communication from the Mayor - Mayors veto and disapproval message of Introductory Number 251-A, in relation to requiring the payment of a living wage to employees employed on property developed by recipients of financial assistance for economic development.  
*Coupled to be Filed*

## **Report of the Committee on Finance**

- Int 0485-2011-A**      A Local Law to amend the New York City charter, in relation to the evaluation of depository banks.  
*Coupled on GO*
- M 0817-2012**      Communication from the Mayor - Mayors veto and disapproval message of Introductory Number 485-A, in relation to the evaluation of depository banks  
*Coupled to be Filed*
- Res 1398-2012**      RESOLUTION COMPUTING AND CERTIFYING BASE PERCENTAGE, CURRENT PERCENTAGE AND CURRENT BASE PROPORTION OF EACH CLASS OF REAL PROPERTY FOR FISCAL 2013 TO THE STATE BOARD OF REAL PROPERTY SERVICES PURSUANT TO SECTION 1803-a OF THE REAL PROPERTY TAX LAW  
*Preconsidered - Coupled on GO*
- Res 1399-2012**      RESOLUTION COMPUTING AND CERTIFYING ADJUSTED BASE PROPORTION OF EACH CLASS OF REAL PROPERTY FOR FISCAL 2013 TO THE STATE BOARD OF REAL PROPERTY SERVICES PURSUANT TO SECTION 1803-a OF THE REAL PROPERTY TAX LAW.  
*Preconsidered - Coupled on GO*
- Res 1400-2012**      Resolution approving the new designation and changes in the

designation of certain organizations to receive funding in the Expense Budget.

*Preconsidered - Coupled on GO*

**M 0803-2012** Communication from the Mayor - Submitting the Expense Revenue Contract Budget, for Fiscal Year 2013, pursuant to Section 249 of the New York City Charter.

*Coupled on GO*

**Res 1403-2012** RESOLUTION TO ADOPT A BUDGET APPROPRIATING THE AMOUNTS NECESSARY FOR THE SUPPORT OF THE GOVERNMENT OF THE CITY OF NEW YORK AND THE COUNTIES THEREIN AND FOR THE PAYMENT OF INDEBTEDNESS THEREOF, FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2012 AND ENDING ON JUNE 30, 2013 IN ACCORDANCE WITH THE PROVISIONS OF THE NEW YORK CITY CHARTER.

*Coupled on GO*

**Res 1404-2012** RESOLUTION TO ADOPT A CONTRACT BUDGET SETTING FORTH, BY AGENCY, CATEGORIES OF CONTRACTUAL SERVICES FOR WHICH APPROPRIATIONS HAD BEEN PROPOSED FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2012 AND ENDING ON JUNE 30, 2013, IN ACCORDANCE WITH THE PROVISIONS OF THE NEW YORK CITY CHARTER.

*Coupled on GO*

**M 0804-2012** Communication from the Mayor - Submitting the Executive Capital Budget for Fiscal Year 2013, pursuant to Section 249 of the New York City Charter.

*Coupled on GO*

**Res 1405-2012** RESOLUTION BY THE New York CITY COUNCIL PURSUANT TO SECTION 254 OF THE NEW YORK CITY

CHARTER, THAT THE CAPITAL BUDGET FOR FISCAL YEAR 2013 AND CAPITAL PROGRAM, BEING THE EXECUTIVE CAPITAL BUDGET FOR FISCAL YEAR 2013 AND PROGRAM AS SUBMITTED BY THE MAYOR AND BY THE BOROUGH PRESIDENTS PURSUANT TO SECTION 249 OF THE NEW YORK CITY CHARTER, INCLUDING RESCINDMENT OF AMOUNTS FROM PRIOR CAPITAL BUDGETS, BE AND THE SAME ARE HEREBY APPROVED IN ACCORDANCE WITH THE FOLLOWING SCHEDULE OF CHANGES (RESOLUTION A)

*Coupled on GO*

**Res 1406-2012**

RESOLUTION BY THE NEW YORK CITY COUNCIL PURSUANT TO SECTION 254 OF THE NEW YORK CITY CHARTER, THAT THE CAPITAL BUDGET FOR FISCAL YEAR 2013 AND CAPITAL PROGRAM FOR THE ENSUING THREE YEARS, AS SET FORTH IN THE EXECUTIVE CAPITAL BUDGET FOR THE FISCAL YEAR 2013 AND CAPITAL PROGRAM AS SUBMITTED BY THE MAYOR AS AUGMENTED BY THE BOROUGH PRESIDENTS PURSUANT TO SECTION 249 OF THE NEW YORK CITY CHARTER, AND AMENDED BY THE SCHEDULE OF CHANGES APPROVED UNDER RESOLUTION A, INCLUDING AMOUNTS REALLOCATED BY THE RESCINDMENT OF AMOUNTS FROM PRIOR CAPITAL BUDGET APPROPRIATIONS, IS HEREBY ADOPTED IN THE TOTAL AMOUNTS AS FOLLOWS. (RESOLUTION B)

*Coupled on GO*

**M 0805-2012**

Communication from the Mayor - Submitting the Proposed City Fiscal Year 2013 Community Development Program, the Proposed CFY'13 Budget, the Proposed Reallocations-the CD



XXXVIII Funds, Proposed CD XXXVIX Statement of Objectives and Budget, dated May 3, 2012.

*Coupled on GO*

**Res 1407-2012** RESOLUTION APPROVING THE FISCAL YEAR 2013 COMMUNITY DEVELOPMENT PROGRAM, REALLOCATION OF THIRTY EIGHT YEAR COMMUNITY DEVELOPMENT FUNDS, AND THE PROPOSED THIRTY NINTH YEAR COMMUNITY DEVELOPMENT PROGRAM.

*Coupled on GO*

**M 0812-2012** Communication from the Chancellor – Submitting an amendment to the five year Capital Plan FY 2010 – 2014.

*Coupled on GO*

**Res 1408-2012** RESOLUTION APPROVING, PURSUANT TO SECTION 2590-p OF THE STATE EDUCATION LAW AND PARAGRAPH(1)(a) OF THE MEMORANDUM OF UNDERSTANDING, DATED JUNE 29, 2010, AMONG THE MAYOR, THE SPEAKER AND THE CHANCELLOR, THE AMENDMENT TO THE FIVE YEAR EDUCATIONAL FACILITIES CAPITAL PLAN FOR 2010 - 2014 SUBMITTED BY THE CHANCELLOR.

*Coupled on GO*

**M 0849-2012** Report of the Committee on Finance in favor of approving a resolution of the Council of the City of New York fixing the tax rate for the Fiscal Year 2013, adopted June 28, 2012 upon the recommendation of the Committee on Finance of the Council.

*Preconsidered - Coupled on GO*

**Res 1409-2012** Resolution to provide the amounts necessary for the support of the Government of the City of New York and the counties

therein and for the payment of indebtedness thereof, for the Fiscal Year beginning on July 1, 2012 and ending on June 30, 2013 by the levy of taxes on the Real Property in the City of New York, in accordance with the provisions of the constitution of the State of New York, the Real Property Tax Law and the Charter of the City of New York.

*Preconsidered - Coupled on GO*

**M 0841-2012**

Communication from the Office of Management & Budget - Transfer City funds between various agencies in Fiscal Year 2012 to implement changes to the City's expense budget, pursuant to Section 107(b) of the New York City Charter. (MN-4)

*Preconsidered - Coupled on GO*

**Res 1410-2012**

RESOLUTION APPROVING THE MODIFICATION (MN-4) OF UNITS OF APPROPRIATION AND THE TRANSFER OF CITY FUNDS BETWEEN AGENCIES PROPOSED BY THE MAYOR PURSUANT TO SECTION 107(b) OF THE NEW YORK CITY CHARTER.

*Preconsidered - Coupled on GO*

**M 0842-2012**

Communication from the Office of Management & Budget - Appropriation of new revenues of \$1.483 billion in Fiscal Year 2012, pursuant to Section 107(e) of the New York City Charter. (MN-5)

*Preconsidered - Coupled on GO*

**Res 1411-2012**

RESOLUTION APPROVING A MODIFICATION PURSUANT TO SECTION 107(E) OF THE CHARTER OF THE CITY OF NEW YORK.

*Preconsidered - Coupled on GO*

**Res 1412-2012**

Resolution approving an exemption from real property taxes for property located at (Block 3420, Lots 43, 44, 45, 46, 47, &

48) Brooklyn, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 638)

*Preconsidered - Coupled on GO*

**Res 1413-2012** Resolution approving a partial exemption from real property taxes for property located at (Block 389, Lot 28) Manhattan, pursuant to Section 422 of the Real Property Tax Law (Preconsidered L.U. No. 639)

*Preconsidered - Coupled on GO*

**Res 1414-2012** Resolution approving an exemption from real property taxes for property located at (Block 1605, Lots 21, 23, 24, 25, & 26) Brooklyn, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 640)

*Preconsidered - Coupled on GO*

**Res 1415-2012** Resolution approving a partial exemption from real property taxes for property located at (Block 336, Lot 5) Manhattan, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 641)

*Preconsidered - Coupled on GO*

**M 0752-2012** Communication from the Mayor - Submitting Financial Plan Detail and Summary Book, Volumes I and II for Fiscal Years 2012-2016, pursuant to Sections 101 and 213 of the New York City Charter.

*Coupled to be Filed*

**Res 1416-2012** Communication from the Mayor - Submitting Financial Plan Detail and Summary Book, Volumes I and II for Fiscal Years 2012-2016, pursuant to Sections 101 and 213 of the New York City Charter.

*Coupled to be Filed*

**M 0753-2012** Communication from the Mayor - Submitting Preliminary

Expense Budget for Fiscal Year 2013, pursuant to Sections 225 and 236 of the New York City Charter.

*Coupled to be Filed*

**Res 1417-2012** Communication from the Mayor - Submitting Preliminary Expense Budget for Fiscal Year 2013, pursuant to Sections 225 and 236 of the New York City Charter.

*Coupled to be Filed*

**M 0754-2012** Communication from the Mayor - Submitting Geographic Reports for Expense Budget for Fiscal Year 2013, pursuant to Sections 100 and 231 of the New York City Charter.

*Coupled to be Filed*

**Res 1418-2012** Communication from the Mayor - Submitting Geographic Reports for Expense Budget for Fiscal Year 2013, pursuant to Sections 100 and 231 of the New York City Charter.

*Coupled to be Filed*

**M 0755-2012** Communication from the Mayor - Submitting Departmental Estimates Report, Volumes I, II, III, IV and V, for Fiscal Year 2013, pursuant to Sections 100, 212 and 231 of the New York City Charter.

*Coupled to be Filed*

**Res 1419-2012** Communication from the Mayor - Submitting Departmental Estimates Report, Volumes I, II, III, IV and V, for Fiscal Year 2013, pursuant to Sections 100, 212 and 231 of the New York City Charter.

*Coupled to be Filed*

**M 0756-2012** Communication from the Mayor - Submitting Contract Budget Report for Fiscal Year 2013, pursuant to Section 104 of the New York City Charter.

*Coupled to be Filed*

**Res 1420-2012** Communication from the Mayor - Submitting Contract Budget Report for Fiscal Year 2013, pursuant to Section 104 of the New York City Charter.

*Coupled to be Filed*

**M 0757-2012** Communication from the Mayor - Submitting the Preliminary Capital Budget, Fiscal Year 2013, pursuant to Section 213 and 236 of the New York City Charter.

*Coupled to be Filed*

**Res 1421-2012** Communication from the Mayor - Submitting the Preliminary Capital Budget, Fiscal Year 2013, pursuant to Section 213 and 236 of the New York City Charter.

*Coupled to be Filed*

**M 0758-2012** Communication from the Mayor - Submitting the Capital Commitment Plan, Fiscal Year 2013, Volumes 1, 2, & 3, and the Capital Commitment Plan, Fiscal Year 2011, Financial Summary, pursuant to Section 219 of the New York City Charter.

*Coupled to be Filed*

**Res 1422-2012** Communication from the Mayor - Submitting the Capital Commitment Plan, Fiscal Year 2013, Volumes 1, 2, & 3, and the Capital Commitment Plan, Fiscal Year 2011, Financial Summary, pursuant to Section 219 of the New York City Charter.

*Coupled to be Filed*

**M 0806-2012** Communication from the Mayor - Submitting the Executive Budget Supporting Schedules, for Fiscal Year 2013 pursuant to Section 250 of the New York City Charter.

*Coupled to be Filed*

**Res 1423-2012**      Communication from the Mayor - Submitting the Executive Budget Supporting Schedules, for Fiscal Year 2013 pursuant to Section 250 of the New York City Charter.

*Coupled to be Filed*

**M 0807-2012**      Communication from the Mayor - Submitting the Capital Commitment Plan, Executive Budget, Fiscal Year 2013, Volumes I, II and III, pursuant to Section 219(d) of the New York City Charter.

*Coupled to be Filed*

**Res 1424-2012**      Communication from the Mayor - Submitting the Capital Commitment Plan, Executive Budget, Fiscal Year 2013, Volumes I, II and III, pursuant to Section 219(d) of the New York City Charter.

*Coupled to be Filed*

**M 0808-2012**      Communication from the Mayor - Submitting the Executive Budget -Geographic Reports for Expense Budget for Fiscal Year 2013.

*Coupled to be Filed*

**Res 1425-2012**      Communication from the Mayor - Submitting the Executive Budget -Geographic Reports for Expense Budget for Fiscal Year 2013.

*Coupled to be Filed*

**M 0809-2012**      Communication from the Mayor - Submitting the Executive Capital Budget Fiscal Year 2013, Capital Project Detail Data, Citywide Volumes 1 and 2 and Volumes for the Five Boroughs, dated May 3, 2012 pursuant to the provisions of Sections 213 (4) & 219 (D) of the New York City Charter.

*Coupled to be Filed*

**Res 1426-2012**      Communication from the Mayor - Submitting the Executive Capital Budget Fiscal Year 2013, Capital Project Detail Data, Citywide Volumes 1 and 2 and Volumes for the Five Boroughs, dated May 3, 2012 pursuant to the provisions of Sections 213 (4) & 219 (D) of the New York City Charter.  
*Coupled to be Filed*

**M 0810-2012**      Communication from the Mayor - Submitting the Budget Summary, Message of the Mayor and Summary of Reduction Program relative to the Executive Budget, Fiscal Year 2013, pursuant to Section 249 of the New York City Charter.  
*Coupled to be Filed*

**Res 1427-2012**      Communication from the Mayor - Submitting the Budget Summary, Message of the Mayor and Summary of Reduction Program relative to the Executive Budget, Fiscal Year 2013, pursuant to Section 249 of the New York City Charter.  
*Coupled to be Filed*

## **Report of the Committee on Land Use**

**Res 1428-2012**      Resolution approving the decision of the City Planning Commission on Application No. N 120144 ZRM, for an amendment of the Zoning Resolution of the City of New York, concerning Article XIII, Chapter 2 (Special Enhanced Commercial District) along Broadway, Amsterdam and Columbus Avenues, Borough of Manhattan (L.U. No. 611).  
*Coupled on GO*

**Res 1429-2012**      Resolution approving the decision of the City Planning Commission on ULURP No. C 120145 ZMM, a Zoning Map amendment (L.U. No. 612).  
*Coupled on GO*

**LU 0621-2012** Application no. C 120195 ZMQ submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Sections Nos. 14b, 14d, 17c, 18a & 18c. Council Districts 28, 29, 30 and 32.

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

## **General Orders Calendar**

**T2010-0002** Commissioner of Deeds  
*Coupled on GO*

## **Coupled on General Order Calendar**

## **Civil Service and Labor**

**Int 0658-2011-A** A Local Law to amend the administrative code of the city of New York, in relation to the waiver of public employee organizations' rights when submitting grievances to arbitration under the New York city collective bargaining law.  
*GO*

**M 0818-2012** Communication from the Mayor - Mayors veto and disapproval message of Introductory Number 658-A, in relation to the waiver of public employee organizations' rights when submitting grievances to arbitration under the New York city collective bargaining law.  
*Filed*

## **Contracts**

**Int 0251-2010-A** A Local Law to amend the administrative code of the city of



New York, in relation to requiring the payment of a living wage to employees employed on property developed by recipients of financial assistance for economic development.

***GO***

**M 0816-2012** Communication from the Mayor - Mayors veto and disapproval message of Introductory Number 251-A, in relation to requiring the payment of a living wage to employees employed on property developed by recipients of financial assistance for economic development.

***Filed***

## **Finance**

**Int 0485-2011-A** A Local Law to amend the New York City charter, in relation to the evaluation of depository banks.

***GO***

**M 0817-2012** Communication from the Mayor - Mayors veto and disapproval message of Introductory Number 485-A, in relation to the evaluation of depository banks

***Filed***

**Res 1398-2012** RESOLUTION COMPUTING AND CERTIFYING BASE PERCENTAGE, CURRENT PERCENTAGE AND CURRENT BASE PROPORTION OF EACH CLASS OF REAL PROPERTY FOR FISCAL 2013 TO THE STATE BOARD OF REAL PROPERTY SERVICES PURSUANT TO SECTION 1803-a OF THE REAL PROPERTY TAX LAW

***Preconsidered - GO***

**Res 1399-2012** RESOLUTION COMPUTING AND CERTIFYING ADJUSTED BASE PROPORTION OF EACH CLASS OF REAL PROPERTY FOR FISCAL 2013 TO THE STATE

BOARD OF REAL PROPERTY SERVICES PURSUANT TO  
SECTION 1803-a OF THE REAL PROPERTY TAX LAW.

*Preconsidered - GO*

**Res 1400-2012** Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.

*Preconsidered - GO*

**M 0803-2012** Communication from the Mayor - Submitting the Expense Revenue Contract Budget, for Fiscal Year 2013, pursuant to Section 249 of the New York City Charter.

*GO*

**Res 1403-2012** RESOLUTION TO ADOPT A BUDGET APPROPRIATING THE AMOUNTS NECESSARY FOR THE SUPPORT OF THE GOVERNMENT OF THE CITY OF NEW YORK AND THE COUNTIES THEREIN AND FOR THE PAYMENT OF INDEBTEDNESS THEREOF, FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2012 AND ENDING ON JUNE 30, 2013 IN ACCORDANCE WITH THE PROVISIONS OF THE NEW YORK CITY CHARTER.

*GO*

**Res 1404-2012** RESOLUTION TO ADOPT A CONTRACT BUDGET SETTING FORTH, BY AGENCY, CATEGORIES OF CONTRACTUAL SERVICES FOR WHICH APPROPRIATIONS HAD BEEN PROPOSED FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2012 AND ENDING ON JUNE 30, 2013, IN ACCORDANCE WITH THE PROVISIONS OF THE NEW YORK CITY CHARTER.

*GO*

**M 0804-2012** Communication from the Mayor - Submitting the Executive Capital Budget for Fiscal Year 2013, pursuant to Section 249

of the New York City Charter.

***GO***

**Res 1405-2012**

RESOLUTION BY THE New York CITY COUNCIL PURSUANT TO SECTION 254 OF THE NEW YORK CITY CHARTER, THAT THE CAPITAL BUDGET FOR FISCAL YEAR 2013 AND CAPITAL PROGRAM, BEING THE EXECUTIVE CAPITAL BUDGET FOR FISCAL YEAR 2013 AND PROGRAM AS SUBMITTED BY THE MAYOR AND BY THE BOROUGH PRESIDENTS PURSUANT TO SECTION 249 OF THE NEW YORK CITY CHARTER, INCLUDING RESCINDMENT OF AMOUNTS FROM PRIOR CAPITAL BUDGETS, BE AND THE SAME ARE HEREBY APPROVED IN ACCORDANCE WITH THE FOLLOWING SCHEDULE OF CHANGES (RESOLUTION A)

***GO***

**Res 1406-2012**

RESOLUTION BY THE NEW YORK CITY COUNCIL PURSUANT TO SECTION 254 OF THE NEW YORK CITY CHARTER, THAT THE CAPITAL BUDGET FOR FISCAL YEAR 2013 AND CAPITAL PROGRAM FOR THE ENSUING THREE YEARS, AS SET FORTH IN THE EXECUTIVE CAPITAL BUDGET FOR THE FISCAL YEAR 2013 AND CAPITAL PROGRAM AS SUBMITTED BY THE MAYOR AS AUGMENTED BY THE BOROUGH PRESIDENTS PURSUANT TO SECTION 249 OF THE NEW YORK CITY CHARTER, AND AMENDED BY THE SCHEDULE OF CHANGES APPROVED UNDER RESOLUTION A, INCLUDING AMOUNTS REALLOCATED BY THE RESCINDMENT OF AMOUNTS FROM PRIOR CAPITAL BUDGET APPROPRIATIONS, IS HEREBY ADOPTED IN THE TOTAL AMOUNTS AS FOLLOWS. (RESOLUTION B)

***GO***

**M 0805-2012**      Communication from the Mayor - Submitting the Proposed City Fiscal Year 2013 Community Development Program, the Proposed CFY'13 Budget, the Proposed Reallocations-the CD XXXVIII Funds, Proposed CD XXXVIX Statement of Objectives and Budget, dated May 3, 2012.

***GO***

**Res 1407-2012**      RESOLUTION APPROVING THE FISCAL YEAR 2013 COMMUNITY DEVELOPMENT PROGRAM, REALLOCATION OF THIRTY EIGHT YEAR COMMUNITY DEVELOPMENT FUNDS, AND THE PROPOSED THIRTY NINTH YEAR COMMUNITY DEVELOPMENT PROGRAM.

***GO***

**M 0812-2012**      Communication from the Chancellor – Submitting an amendment to the five year Capital Plan FY 2010 – 2014.

***GO***

**Res 1408-2012**      RESOLUTION APPROVING, PURSUANT TO SECTION 2590-p OF THE STATE EDUCATION LAW AND PARAGRAPH(1)(a) OF THE MEMORANDUM OF UNDERSTANDING, DATED JUNE 29, 2010, AMONG THE MAYOR, THE SPEAKER AND THE CHANCELLOR, THE AMENDMENT TO THE FIVE YEAR EDUCATIONAL FACILITIES CAPITAL PLAN FOR 2010 - 2014 SUBMITTED BY THE CHANCELLOR.

***GO***

**M 0849-2012**      Report of the Committee on Finance in favor of approving a resolution of the Council of the City of New York fixing the tax rate for the Fiscal Year 2013, adopted June 28, 2012 upon the recommendation of the Committee on Finance of the

Council.

*Preconsidered - GO*

**Res 1409-2012** Resolution to provide the amounts necessary for the support of the Government of the City of New York and the counties therein and for the payment of indebtedness thereof, for the Fiscal Year beginning on July 1, 2012 and ending on June 30, 2013 by the levy of taxes on the Real Property in the City of New York, in accordance with the provisions of the constitution of the State of New York, the Real Property Tax Law and the Charter of the City of New York.

*Preconsidered - GO*

**M 0841-2012** Communication from the Office of Management & Budget - Transfer City funds between various agencies in Fiscal Year 2012 to implement changes to the City's expense budget, pursuant to Section 107(b) of the New York City Charter. (MN-4)

*Preconsidered - GO*

**Res 1410-2012** RESOLUTION APPROVING THE MODIFICATION (MN-4) OF UNITS OF APPROPRIATION AND THE TRANSFER OF CITY FUNDS BETWEEN AGENCIES PROPOSED BY THE MAYOR PURSUANT TO SECTION 107(b) OF THE NEW YORK CITY CHARTER.

*Preconsidered - GO*

**M 0842-2012** Communication from the Office of Management & Budget - Appropriation of new revenues of \$1.483 billion in Fiscal Year 2012, pursuant to Section 107(e) of the New York City Charter. (MN-5)

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**Res 1411-2012** RESOLUTION APPROVING A MODIFICATION PURSUANT TO SECTION 107(E) OF THE CHARTER OF

## THE CITY OF NEW YORK.

*Preconsidered - GO*

**Res 1412-2012** Resolution approving an exemption from real property taxes for property located at (Block 3420, Lots 43, 44, 45, 46, 47, & 48) Brooklyn, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 638)

*Preconsidered - GO*

**Res 1413-2012** Resolution approving a partial exemption from real property taxes for property located at (Block 389, Lot 28) Manhattan, pursuant to Section 422 of the Real Property Tax Law (Preconsidered L.U. No. 639)

*Preconsidered - GO*

**Res 1414-2012** Resolution approving an exemption from real property taxes for property located at (Block 1605, Lots 21, 23, 24, 25, & 26) Brooklyn, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 640)

*Preconsidered - GO*

**Res 1415-2012** Resolution approving a partial exemption from real property taxes for property located at (Block 336, Lot 5) Manhattan, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 641)

*Preconsidered - GO*

**M 0752-2012** Communication from the Mayor - Submitting Financial Plan Detail and Summary Book, Volumes I and II for Fiscal Years 2012-2016, pursuant to Sections 101 and 213 of the New York City Charter.

*Filed*

**Res 1416-2012** Communication from the Mayor - Submitting Financial Plan Detail and Summary Book, Volumes I and II for Fiscal Years

2012-2016, pursuant to Sections 101 and 213 of the New York City Charter.

*Filed*

**M 0753-2012** Communication from the Mayor - Submitting Preliminary Expense Budget for Fiscal Year 2013, pursuant to Sections 225 and 236 of the New York City Charter.

*Filed*

**Res 1417-2012** Communication from the Mayor - Submitting Preliminary Expense Budget for Fiscal Year 2013, pursuant to Sections 225 and 236 of the New York City Charter.

*Filed*

**M 0754-2012** Communication from the Mayor - Submitting Geographic Reports for Expense Budget for Fiscal Year 2013, pursuant to Sections 100 and 231 of the New York City Charter.

*Filed*

**Res 1418-2012** Communication from the Mayor - Submitting Geographic Reports for Expense Budget for Fiscal Year 2013, pursuant to Sections 100 and 231 of the New York City Charter.

*Filed*

**M 0755-2012** Communication from the Mayor - Submitting Departmental Estimates Report, Volumes I, II, III, IV and V, for Fiscal Year 2013, pursuant to Sections 100, 212 and 231 of the New York City Charter.

*Filed*

**Res 1419-2012** Communication from the Mayor - Submitting Departmental Estimates Report, Volumes I, II, III, IV and V, for Fiscal Year 2013, pursuant to Sections 100, 212 and 231 of the New York City Charter.

*Filed*

**M 0756-2012** Communication from the Mayor - Submitting Contract Budget Report for Fiscal Year 2013, pursuant to Section 104 of the New York City Charter.

*Filed*

**Res 1420-2012** Communication from the Mayor - Submitting Contract Budget Report for Fiscal Year 2013, pursuant to Section 104 of the New York City Charter.

*Filed*

**M 0757-2012** Communication from the Mayor - Submitting the Preliminary Capital Budget, Fiscal Year 2013, pursuant to Section 213 and 236 of the New York City Charter.

*Filed*

**Res 1421-2012** Communication from the Mayor - Submitting the Preliminary Capital Budget, Fiscal Year 2013, pursuant to Section 213 and 236 of the New York City Charter.

*Filed*

**M 0758-2012** Communication from the Mayor - Submitting the Capital Commitment Plan, Fiscal Year 2013, Volumes 1, 2, & 3, and the Capital Commitment Plan, Fiscal Year 2011, Financial Summary, pursuant to Section 219 of the New York City Charter.

*Filed*

**Res 1422-2012** Communication from the Mayor - Submitting the Capital Commitment Plan, Fiscal Year 2013, Volumes 1, 2, & 3, and the Capital Commitment Plan, Fiscal Year 2011, Financial Summary, pursuant to Section 219 of the New York City Charter.

*Filed*



**M 0806-2012** Communication from the Mayor - Submitting the Executive Budget Supporting Schedules, for Fiscal Year 2013 pursuant to Section 250 of the New York City Charter.

*Filed*

**Res 1423-2012** Communication from the Mayor - Submitting the Executive Budget Supporting Schedules, for Fiscal Year 2013 pursuant to Section 250 of the New York City Charter.

*Filed*

**M 0807-2012** Communication from the Mayor - Submitting the Capital Commitment Plan, Executive Budget, Fiscal Year 2013, Volumes I, II and III, pursuant to Section 219(d) of the New York City Charter.

*Filed*

**Res 1424-2012** Communication from the Mayor - Submitting the Capital Commitment Plan, Executive Budget, Fiscal Year 2013, Volumes I, II and III, pursuant to Section 219(d) of the New York City Charter.

*Filed*

**M 0808-2012** Communication from the Mayor - Submitting the Executive Budget -Geographic Reports for Expense Budget for Fiscal Year 2013.

*Filed*

**Res 1425-2012** Communication from the Mayor - Submitting the Executive Budget -Geographic Reports for Expense Budget for Fiscal Year 2013.

*Filed*

**M 0809-2012** Communication from the Mayor - Submitting the Executive Capital Budget Fiscal Year 2013, Capital Project Detail Data,

Citywide Volumes 1 and 2 and Volumes for the Five Boroughs, dated May 3, 2012 pursuant to the provisions of Sections 213 (4) & 219 (D) of the New York City Charter.

*Filed*

**Res 1426-2012** Communication from the Mayor - Submitting the Executive Capital Budget Fiscal Year 2013, Capital Project Detail Data, Citywide Volumes 1 and 2 and Volumes for the Five Boroughs, dated May 3, 2012 pursuant to the provisions of Sections 213 (4) & 219 (D) of the New York City Charter.

*Filed*

**M 0810-2012** Communication from the Mayor - Submitting the Budget Summary, Message of the Mayor and Summary of Reduction Program relative to the Executive Budget, Fiscal Year 2013, pursuant to Section 249 of the New York City Charter.

*Filed*

**Res 1427-2012** Communication from the Mayor - Submitting the Budget Summary, Message of the Mayor and Summary of Reduction Program relative to the Executive Budget, Fiscal Year 2013, pursuant to Section 249 of the New York City Charter.

*Filed*

## **Land Use**

**Res 1428-2012** Resolution approving the decision of the City Planning Commission on Application No. N 120144 ZRM, for an amendment of the Zoning Resolution of the City of New York, concerning Article XIII, Chapter 2 (Special Enhanced Commercial District) along Broadway, Amsterdam and Columbus Avenues, Borough of Manhattan (L.U. No. 611).

**GO**

**Res 1429-2012** Resolution approving the decision of the City Planning Commission on ULURP No. C 120145 ZMM, a Zoning Map amendment (L.U. No. 612).

*GO*

## **General Order Calendar**

**T2010-0002** Commissioner of Deeds

*GO*

## **Introduction & Reading of Bills**

**See Attached**

## **Discussion of Resolutions**

## **Resolutions**

**Res 0687-2011-A** Resolution calling on the New York City Congressional Delegation and President Barack Obama to prevent cuts to the Community Services Block Grant Program.

*Amended and Adopted by the Committee on Youth Services*

## **General Discussion**

## **Extension of Remarks**

## **INTRODUCTION AND READING OF BILLS**

**Res 1390-2012** Resolution authorizing the Speaker to file or join amicus briefs on behalf of the Council in the litigation captioned Windsor v. United States, currently on appeal in the United States Court of Appeals for the Second Circuit, for the purpose of supporting the plaintiff's position that section 3 of the Defense of

Marriage Act, which defines the terms “marriage” and “spouse” under federal law to mean only heterosexual unions and individuals, is unconstitutional.

***Civil Rights***

**Res 1391-2012** Resolution calling upon the New York State legislature to pass, and the Governor to enact, legislation to create an approval process whereby community boards and the New York City Council have the power to veto siting of transitional housing for the homeless.

***General Welfare***

**Int 0882-2012** A Local Law to amend the New York city charter, in relation to the use of school property.

***Education***

**Int 0883-2012** A Local Law to amend the New York city charter, in relation to the use of school property by private groups or individuals on the basis of religious content or expression or for the purpose of worship services.

***Education***

**Int 0884-2012** A Local Law in relation to the naming of the David Dinkins - Willis Avenue Bridge.

***Parks and Recreation***

**Int 0885-2012** A Local Law to amend the New York city fire code, in relation to construction site fire safety managers.

***Housing and Building***

**Int 0886-2012** A Local Law to amend the administrative code of the city of New York, in relation to making available optional HIV/AIDS tests to students at city university of New York campuses.

***Health***

**Res 1392-2012** Resolution calling upon the State of New York to collect unpaid vehicle tolls by suspending or preventing the renewal of the registration of vehicles with excessive unpaid E-Z Pass balances, until the tolls due on such accounts are paid.

*Transportation*

**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.

*Environmental Protection*

**Res 1393-2012** Resolution calling upon the New York State Legislature and the Governor to require full background checks, including fingerprinting, of private school employees either by order of the State Department of Education, or by law, or both.

*Education*

**Res 1394-2012** Resolution calling upon the New York State Education Department, the New York State Legislature, and the Governor to re-examine public school accountability systems and to develop a system based on multiple forms of assessment which do not require extensive standardized testing.

*Education*

**Res 1395-2012** Resolution calling upon the New York City Department of Education to institute a moratorium on school closings and forced “co-locations” in existing schools for a period of at least one year, effective July 1, 2014, in order to study the impact of these policies on all New York City communities, and in particular whether such policies are having a disparate impact on low-income communities, communities of color, disabled students and homeless students.

*Education*

**Res 1396-2012** Resolution opposing the issuance of Personnel Orders 2012/1

and 2012/2 regarding grading certain titles of City workers.

*Civil Service and Labor*

**Int 0888-2012** A Local Law to amend the administrative code of the city of New York, in relation to the theft of manhole covers.

*Sanitation and Solid Waste Management*

**Int 0889-2012** A Local Law to amend the administrative code of the city of New York, in relation to the unlawful removal or acceptance of recyclable material.

*Sanitation and Solid Waste Management*

**Res 1397-2012** Resolution calling upon the state and federal government to reimburse New York City for ambulance transport fees incurred by individuals unable to pay for such services.

*Fire and Criminal Justice Services*

**Int 0890-2012** A Local Law to amend the New York city charter, in relation to the district service cabinet.

*Governmental Operations*

**Int 0891-2012** A Local Law to amend the New York city charter, in relation to requiring the mayor to submit an annual report on poverty.

*Community Developmen*

**Int 0892-2012** A Local Law to amend the New York city charter, in relation to the publication of certain information related to the administration of the section eight program by the department of housing preservation and development.

*Housing and Buildings*

**Int 0893-2012** A Local Law to amend the administrative code of the city of New York, in relation to the acceptance of recyclable containers in bulk using a motor vehicle.

*Sanitation and Solid Waste Management*

- Int 0894-2012** A Local Law to amend the administrative code of the city of New York, in relation to the recovery of refrigerants from appliances.  
*Sanitation and Solid Waste Management*
- Res 1398-2012** RESOLUTION COMPUTING AND CERTIFYING BASE PERCENTAGE, CURRENT PERCENTAGE AND CURRENT BASE PROPORTION OF EACH CLASS OF REAL PROPERTY FOR FISCAL 2013 TO THE STATE BOARD OF REAL PROPERTY SERVICES PURSUANT TO SECTION 1803-a OF THE REAL PROPERTY TAX LAW  
*Preconsidered - Finance*
- Res 1399-2012** RESOLUTION COMPUTING AND CERTIFYING ADJUSTED BASE PROPORTION OF EACH CLASS OF REAL PROPERTY FOR FISCAL 2013 TO THE STATE BOARD OF REAL PROPERTY SERVICES PURSUANT TO SECTION 1803-a OF THE REAL PROPERTY TAX LAW.  
*Preconsidered - Finance*
- Res 1400-2012** Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.  
*Preconsidered - Finance*
- Res 1401-2012** Resolution calling on the Governor to sign A10095/S7446, which would permit the body piercing of minors only with written parental consent.  
*Health*
- Int 0895-2012** A Local Law to amend the administrative code of the city of New York in relation to required signage regarding application processing and fair hearings at job centers, food stamp centers, and Medicaid offices.

***General Welfare***

**Res 1402-2012** Resolution calling on the New York City Police Department and the Department of Correction to adhere to their current strip search procedures.

***Public Safety***

**LU 0638-2012** 21-31 Schaeffer Apartments, Block 3420, Lots 43, 44, 45, 46, 47 and 48, Brooklyn, Community Dist. No. 4, Council District No. 37.

***Preconsidered - Finance***

**LU 0639-2012** Access House, Block 389, Lot 28, Manhattan, Community District No. 3, Council District No. 2.

***Preconsidered - Finance***

**LU 0640-2012** Kosciuszko Street Apartments, Block 1605, Lots 21, 23, 24, 25 & 26, Brooklyn, Community District No. 3, Council District No. 36.

***Preconsidered - Finance***

**LU 0641-2012** UJC Bialystoker Synagogue Houses, Block 336, Lot 5, Manhattan, Community District No. 3, Council District No.1.

***Preconsidered - Finance***

**LU 0642-2012** Application no. 20125568 TCK, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Leahlala LLC, d/b/a Abilene, to continue to maintain and operate an unenclosed sidewalk café located at 442 Court Street, Borough of Brooklyn, Council District no.39. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.

***Zoning and Franchises***



**LU 0643-2012** Application no. 20125449 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Aura, LLC, d/b/a Mickey Spillane's Kitchen, to establish, maintain and operate an unenclosed sidewalk café located at 350 West 49th Street, Borough of Manhattan, Council District no. 3. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.

***Zoning and Franchises***

**LU 0644-2012** Application no. 20125561 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Smorgas Chef West Village LLC, d/b/a Smorgas, to continue to maintain and operate an unenclosed sidewalk café located at 283 West 12th Street, Borough of Manhattan, Council District no.3. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.

***Zoning and Franchises***

**LU 0645-2012** Application no. 20125646 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Vida Mexicana Inc, d/b/a Papisito Mexican Grill, to continue to maintain and operate an unenclosed sidewalk café located at 223 Dyckman Street, Borough of Manhattan, Council District no.7. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.

***Zoning and Franchises***

**LU 0646-2012** Application no. 20125668 TCM, pursuant to §20-226 of the

Administrative Code of the City of New York, concerning the petition of Villa Pacri, d/b/a Villa Pacri, to continue to maintain and operate an unenclosed sidewalk café located at 53 Gansevoort Street Borough of Manhattan, Council District no.3. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.

***Zoning and Franchises***

**LU 0647-2012** Application no. 20125796 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Zossima, Inc. d/b/a Doma Na Rohu, to establish, maintain and operate an unenclosed sidewalk café located at 27 ½ Morton Street, Borough of Manhattan, Council District no. 3. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.

***Zoning and Franchises***

**LU 0648-2012** Application no. 20125797 HHM, pursuant to §7385 of the Health and Hospital Corporation Enabling Act, concerning the sublease between the New York City Health and Hospitals Corporation and MetroHealth Homes Housing Development Fund Corporation, Borough of Manhattan, Community District 11, Council District 8.

***Landmarks, Public Siting and Maritime Uses***

**LU 0649-2012** Application no. 20125693 HKM (N 120298 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the Barbizon Hotel for Women located at 140 East 63rd Street (Block 1397 Lot 1501-1588) (List No.454 LP-2495),

Council District no. 4, as an historic landmark .

*Landmarks, Public Siting and Maritime Uses*

**LU 0650-2012**

Uniform land use review procedure application no. C 120161 HAX, an Urban Development Action Area Designation and Project located at 439 Brook Avenue (Block 2292, Lot 49) and 457-467 East 147th Street (Block 2992, Lot 50), and the disposition of city owned property, Borough of the Bronx, Council District no. 17. This matter is subject to Council Review and action pursuant to §197-c and §197-d of the New York City Charter and Article 16 of the General Municipal Law.

*Planning, Dispositions and Concessions*