

The New York City Council
Recessed Meeting of June 8, 2005

Council Agenda

Stated Meeting

June 20, 2005

3:30 PM

Council Chambers - City Hall

- 1. The Public Advocate (Ms. Gotbaum) called the Meeting to order.**
- 2. Roll Call**
- 3. The Clerk (Mr. Robles) announced the presence of a quorum.**
- 4. Supplemental Messages & Papers from the Mayor**

M 0589-2005

Mayor' Veto Int 584-A - Expenditure of payments in lieu of taxes and requiring a monthly report on the collection and use of all such payments to NYC.

Communication for the Mayor - Mayor's veto and disapproval message of Introductory Number 584-A, in relation to the

expenditure of payments in lieu of taxes and requiring a monthly report on the collection and use of all such payments to the City of New York.

Finance

M 0590-2005 Mayor's Veto Res. No. 1022 - LU 468 - ULURP, 91st Street, Manhattan (050173PCM)

Communication for the Mayor - Mayor's veto and disapproval message of Resolution Number 1022, Resolution disapproving the decision of the City Planning Commission on ULURP No. C 050173 PCM (L.U. No. 468).

Land Use

M 0591-2005 Mayor's Veto Res. No. 1023 - LU 469 - ULURP, 1824 Shore Parkway, Brooklyn (050175PSK)

Communication for the Mayor - Mayor's veto and disapproval message of Resolution Number 1023, Resolution disapproving the decision of the City Planning Commission on ULURP No. C 050175 PSK (L.U. No. 469)

Land Use

M 0592-2005 Mayor's Veto Res. No. 1024 - LU 470 - ULURP, 488 Hamilton Avenue, Brooklyn (050176PSK)

Communication for the Mayor - Mayor's veto and disapproval message of Resolution Number 1024, Resolution disapproving the decision of the City Planning Commission on ULURP No. C 050176 PSK (L.U. No. 470)

Land Use

M 0593-2005 Conforming the unincorporated tax to the general corporation tax.

Communication from the Mayor - "AN ACT to amend the administrative code of the city of New York, in relation to conforming the unincorporated business tax to the general corporation tax with respect to the source of receipts from personal services and the inclusion of rented tangible personal

property in the property allocation factor, and making formula allocation the preferred method for taxpayers subject to the unincorporated business tax, and allowing certain existing partnerships to continue to use the books and records allocation method for a seven-year period; makes technical corrections relating thereto; and to repeal certain provisions of such code relating to the unincorporated business pertaining to leveraged buy-out transactions.” A.8434 / S.5568

Preconsidered - State and Federal Legislation

M 0594-2005

Relating to the imposition of certain taxes in NYC.

Communication from the Mayor - “AN ACT to amend the tax law, the administrative code of the city of New York, chapter 877 of the laws of 1975, chapter 880 of the laws of 1975, chapter 884 of the laws of 1975, and chapter 882 of the laws of 1977, all relating to the imposition of certain taxes in the city of New York, in relation to postponing the expiration of certain tax rates and taxes in the city of New York.” A.8780 / S.5617

Preconsidered - State and Federal Legislation

M 0595-2005

Calculating contributions to NYCERS.

Communication from the Mayor - “AN ACT to amend the administrative code of the city of New York, in relation to the rate of regular interest used in the actuarial valuation of liabilities for the purpose of calculating contributions to the New York city employees' retirement system, the New York city teachers' retirement system, the police pension fund, subchapter two, the fire department pension fund, subchapter two and the board of education retirement system of such city by public employers and other obligors required to make employer contributions to such retirement systems, and the crediting of special interest and additional interest to members of such retirement systems, and the allowance of supplementary interest on the funds of such retirement systems.” A.8811 / S.5672

*Preconsidered - State and Federal Legislation***M 0596-2005****Industrial business zones.**

Communication from the Mayor - "AN ACT to amend the administrative code of the city of New York, in relation to tax credits for eligible businesses that relocate to industrial business zones in the city of New York, the creation of an industrial business zone boundary commission, and the designation, amendment and repeal of such zones." A.8774 / S.5596

*Preconsidered - State and Federal Legislation***M 0597-2005****Limiting assessment increases attributable to additions to or improvements of certain class two properties in NYC.
(A.7011-A)**

Communication from the Mayor - "AN ACT to amend the real property tax law, in relation to limiting assessment increases attributable to additions to or improvements of certain class two properties in the city of New York."
A.7011-A

*State and Federal Legislation***M 0598-2005****Increasing the combined household income limit for eligibility for a senior citizen rent increase exemption (SCRIE)**

Communication from the Mayor - "AN ACT to amend the real property tax law, in relation to increasing the combined household income limit for eligibility for a senior citizen rent increase exemption (SCRIE) and for a municipal tax abatement for rent-controlled and rent regulated property occupied by senior citizens." A.6590-B / S.5465-A

*State and Federal Legislation***M 0599-2005****Temporary investments by local governments, in relation to extending the expiration of the provisions thereof.**

Communication from the Mayor - "AN ACT to amend chapter 130 of the laws of 1998 amending the general

municipal law relating to temporary investments by local governments, in relation to extending the expiration of the provisions thereof.” A.8779 / S.5382

State and Federal Legislation

M 0600-2005

Exempting certain clothing and footwear sales and uses from local sales and compensating use taxes imposed in or by any city having a population of one million or more.

Communication from the Mayor - “AN ACT to amend the tax law, in relation to exempting certain clothing and footwear sales and uses from local sales and compensating use taxes imposed in or by any city having a population of one million or more.” A.8813 / S.5663

State and Federal Legislation

5. Supplemental Communications from City, County & Borough Offices

None

6. Supplemental Petitions and Communications

None

7. Supplemental Land Use Call-Ups

None

8. Supplemental Communication from the Speaker

None

9. Supplemental Discussion of General Orders

10. Supplemental Reports of Special Committees

None

11. Reports of Standing Committees

Report of the Committee on Finance

Res 1072-2005 **M 579 - Transfer City funds between various units of appropriation within the Department of Education expense budget in FY'05 (MN - 5)**

RESOLUTION APPROVING THE MODIFICATION (MN-5) OF UNITS OF APPROPRIATION AND THE TRANSFER OF CITY FUNDS BETWEEN AGENCIES PROPOSED BY THE MAYOR PURSUANT TO SECTION 107(b) OF THE CHARTER OF THE CITY OF NEW YORK.

Coupled on GO

Res 1033-2005 **LU 507 - 920 Metcalf Avenue, Bronx, Community District 9**

Resolution approving a partial exemption from real property taxes for property located at 920 Metcalf Avenue (Block 3659, Lot 1), the Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 507).

Preconsidered - Coupled on GO

Report of the Committee on State and Federal Legislation

SLR 0004-2005 **In Rem, George Black, Brooklyn**

State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Dilan S.1081 and Assembly Member Robinson A.2014, "AN ACT authorizing the city of New York to reconvey its interest in certain real property acquired by in rem tax foreclosure in the borough of Brooklyn to former owner George Black, or if he is deceased, to the person or persons who would have inherited

said property from him or to their successor in interest, notwithstanding expiration of the two year period within which application may be made to the city to release its interest in property thus acquired; Block No. 1762, Lot No. 62 on tax map for the borough of Brooklyn.”

Coupled on GO

SLR 0019-2005 Amend the retirement and social security law, in relation to eligibility of uniformed personnel of NYC correction dept. for ordinary disability benefits

State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Maltese S.1958 and Assembly Member Seminerio A.3866, “AN ACT to amend the retirement and social security law, in relation to eligibility of uniformed personnel of the New York city department of correction for ordinary disability benefits.”

Coupled on GO

SLR 0024-2005 AN ACT, to reconvey its interest in certain real property, acquired through in rem tax foreclosure, in Brooklyn to Elva McZeal Tenants Association Development Fund Corp.

State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Sampson S.2158, “An Act authorizing the city of New York to reconvey its interest in certain real property acquired by in rem tax foreclosure in the borough of Brooklyn to former owner Elva McZeal Tenants Association Development Fund Corporation, not withstanding expiration of the two year period within which application may be made to the city to release its interest in property thus acquired; Block No. 3785 Lots No.1 and No.75 on the tax map of the borough of Brooklyn.”

Coupled on GO

SLR 0049-2005 In rem, Elva McZeal Tenants Association Development Fund Corp

State Legislation Resolution requesting the New York State

Legislature to pass a bill introduced by Assembly Member Gordon A.6463, “An Act authorizing the city of New York to reconvey its interest in certain real property acquired by in rem tax foreclosure in the borough of Brooklyn to former owner Elva McZeal Tenants Association Development Fund Corporation, notwithstanding expiration of the two year period within which application may be made to the city to release its interest in property thus acquired; Block No. 3785 Lots No.1 and No.75 on the tax map of the borough of Brooklyn.”

Coupled on GO

SLR 0075-2005

In rem tax foreclose in Queens, Former owner Siraj Wahhaj

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Smith, S.2706 and Assembly Member Scarborough, A.5541 “AN ACT authorizing its interest in certain real property acquired in rem tax foreclosure in the borough of Queens to former owner Siraj Wahhaj, notwithstanding expiration of the two year period within which application may be made to the city to release its interest in property thus acquired; Block No. 12332, Lot No. 154 on tax map for the borough of Queens”.

Coupled on GO

SLR 0093-2005

Amend the retirement and social security law, to deputy sheriffs members of NYCERS.

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.2519, and Assembly Member Abbate, A.7243, “AN ACT to amend the retirement and social security law, in relation to deputy sheriffs members of the New York City employees’ retirement system”.

Coupled on GO

SLR 0097-2005

Accept application for final medical review from Barry Kimmel.

State Legislation Resolution requesting the New York State

Legislature to pass bills introduced by Senator Krueger, S.2522, and Assembly Member Gottfried, A.6535, "AN ACT to authorize the New York city employees' retirement system to accept an application for a Final Medical Review from Barry Kimmel".

Coupled on GO

SLR 0099-2005 Establishing the right of retirees to pay back loans

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Golden, S.5152, and Assembly Member Abbate, A.8126, "AN ACT to amend the administrative code of the city of New York, the education law and the retirement and social security law, in relation to establishing the right of retirees to pay back loans".

Coupled on GO

SLR 0105-2005 Establishment of a 25/55 retirement program for members of NYCERS employed as mortuary/quality assurance.

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by the Senate Committee on Rules, S.5437, and Assembly Member Abbate, A.8245, "AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to the establishment of a twenty-five year/age fifty-five retirement program for members of the New York city employees' retirement system employed as a mortuary/quality assurance member subject to articles 11 and 15 of the retirement and social security law".

Coupled on GO

SLR 0106-2005 Suspension of employees of the parks department in cities with population million or more.

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by the Senate Committee on Rules, S.5487, and Assembly Member Abbate, A.8314, "AN ACT to amend the civil service law, in relation to

suspension of employees of the department of parks in cities having a population of one million or more”.

Coupled on GO

SLR 0112-2005 Reducing the general corp., unincorporated business and banking corp. tax rates.

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Krueger, S.5706, and Assembly Member O’Donnell, A.8899, “AN ACT to amend the tax law and the administrative code of the city of New York, in relation to reducing the general corporation, unincorporated business, and banking corporation tax rates”.

Preconsidered - Coupled on GO

SLR 0113-2005 Property tax law, in relation to adusted base proportions.

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Padavan, Golden, Maltese and Marchi, S.5750, and Assembly Members McLaughlin, Farrell, Bing, Carrozza and Lavelle A.8896, “AN ACT to amend the real property tax law, in relation to the determination of adjusted base proportions in special assessing units which are cities for the fiscal year 2006”.

Preconsidered - Coupled on GO

SLR 0114-2005 Exempting certain clothing and footwear sales from taxes.

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.5663, and the Assembly Committee on Rules, A.8813, “AN ACT to amend the tax law, in relation to exempting certain clothing and footwear sales and uses from local sales and compensating use taxes imposed in or by any city having a population of one million or more”.

Preconsidered - Coupled on GO

SLR 0115-2005 Amend the real property tax law.

State Legislation Resolution requesting the New York State

Legislature to pass bills introduced by Senator Golden, S.5465-A, and Assembly Members Wright, Benedetto, Benjamin, Boyland, Lavelle, O'Donnell, Pheffer, Rivera, and Colton, A.6590-B, "AN ACT to amend the real property tax law, in relation to increasing the combined household income limit for eligibility for senior citizen rent increase exemption (SCRIE) and for a municipal tax abatement for rent-controlled and rent regulated property occupied by senior citizens".

Preconsidered - Coupled on GO

SLR 0116-2005 Companies in eligible growth industries.

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Padavan and Golden, S.5694, and Assembly Member Weprin, A.8861, "AN ACT to amend the general city law, chapter 772 of the laws of 1966 relating to enabling any city with a population of one million or more to raise tax revenue, and the administrative code of the city of New York, in relation to increasing the relocation and employment assistance program credit for companies in eligible growth industries".

Preconsidered - Coupled on GO

SLR 0117-2005 Open driveway act.

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.4081-A, and Assembly Member Perry, A.1445-A, "AN ACT to amend the New York city charter, the vehicle and traffic law and the administrative code of the city of New York, in relation to the "open driveway act" regarding the environmental control board adjudication of disputes concerning the blocking of a driveway; and providing for the repeal of such provisions upon expiration thereof".

Preconsidered - Coupled on GO

SLR 0118-2005 Leasing of certain parkland and demapping of certain streets for development of a professional baseball stadium.

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by the Senate Committee on Rules, S.5818, and the Assembly Committee on Rules, A.8932, “AN ACT authorizing the leasing of certain parkland and demapping of certain streets for development of a professional baseball stadium and associated facilities in and in the vicinity of Macombs Dam Park and John Mullaly Park in the borough of the Bronx in the city of New York, and to authorize the state to dispose of certain surplus lands to the city of New York to provide for new park facilities”.

Preconsidered - Coupled on GO

SLR 0119-2005 Impairments of health presumed accidental or incurred in the performance of duty.

State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Maltese S. 2516-A and Assembly Member Cymbrowitz A.5273-A, “An Act to amend the general municipal law, in relation to certain impairments of health presumed accidental or incurred in the performance of duty.”

Preconsidered - Coupled on GO

SLR 0120-2005 AN ACT, in relation to the employment of retired NYC police personnel.

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.3972, and Assembly Members Abbate, Colton, Cymbrowitz, Pheffer, Seddio and Weisenberg, A.6381, “AN ACT to amend the retirement and social security law, in relation to the employment of retired New York city police personnel”.

Preconsidered - Coupled on GO

SLR 0121-2005 Optional age 55 improved benefit retirement program.

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.2310, and Assembly Member Gianaris, A.8031, “AN ACT

to amend the retirement and social security law, in relation to the optional age fifty-five improved benefit retirement program for certain New York city members”.

Preconsidered - Coupled on GO

SLR 0122-2005 Tier one retroactive membership for Lawrence Gerson.

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senate Committee on Rules, S.5671, and Assembly Member Farrell, A.8792, “AN ACT authorizing Lawrence Gerson to file for retroactive membership in Tier 1 of the New York state and local employees’ retirement system”.

Preconsidered - Coupled on GO

SLR 0123-2005 Maintenance and repair of state arterial highways.

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.3170, and Assembly Member Grannis, A.6483, “AN ACT to amend the highway law, in relation to liability of the state with respect to maintenance and repair of state arterial highways”.

Preconsidered - Coupled on GO

SLR 0124-2005 Temporary investments by local governments, in relation to extending the expiration of the provisions thereof.

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.5382, and Assembly Member Farrell, A.8779, “AN ACT to amend chapter 130 of the laws of 1998 amending the general municipal law relating to temporary investments by local governments, in relation to extending the expiration of the provisions thereof”.

Preconsidered - Coupled on GO

SLR 0125-2005 Providing special accidental death benefits and accidental death benefits to registered domestic partners of deceased members of the NYC police pension fund, subchapter two, the

NYC fire department pension fund.

State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senators Duane, Andrews, Dilan, Hassell-Thompson, Krueger, Montgomery, Oppenheimer, Parker, Sabini, Sampson and Schneiderman, S.5157, "AN ACT to amend the general municipal law, the administrative code of the city of New York, the retirement and social security law and the education law, in relation to providing special accidental death benefits and accidental death benefits to registered domestic partners of deceased members of the New York city police pension fund, subchapter two, the New York city fire department pension fund, subchapter two, the New York city employees' retirement system, the New York city teachers' retirement system and the board of education retirement system of the city of New York".

Preconsidered - Coupled on GO

SLR 0126-2005**Expansion and improvement of the Gun Hill Road subway station.**

State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Assembly Member Heastie, A.4407, "AN ACT authorizing the city of New York to discontinue the use as parkland a portion of real property in the borough of the Bronx and to use such property, as well as property under the jurisdiction of the city of New York department of transportation, for expansion and improvement of the Gun Hill Road subway station, in and around the intersection of White Plains Road and Gun Hill Road in exchange for the dedication of certain other land in the borough of the Bronx for park purposes".

Preconsidered - Coupled on GO

SLR 0127-2005**Limiting assessment increases attributable to additons or improvements.**

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Padavan and

Golden, S.5620, and Assembly Member Wright, A.8723, “AN ACT to amend the real property tax law, in relation to limiting assessment increases attributable to additions to or improvements of certain class two properties in the city of New York”.

Preconsidered - Coupled on GO

SLR 0128-2005 Suspension of employees of the department of correction.

State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Maltese S.1955-A and Assembly Member Seminerio A.3869-A, “AN ACT to amend the civil service law, in relation to suspension of employees of the department of correction in cities having a population of one million or more.”

Preconsidered - Coupled on GO

SLR 0129-2005 Income tax rate for incomes in excess of five hundred thousand dollars.

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Paterson, S.5828, and Assembly Member Espaillat, A.8915, “AN ACT to amend the tax law, in relation to the extension of the top personal income tax rate for incomes in excess of five hundred thousand dollars a year or more and the dedication of such revenue to class size reduction in a city having a population of one million or more”.

Preconsidered - Coupled on GO

SLR 0130-2005 Grant Anthony J. Cuomo performance of duty disability retirement benefits and health insurance coverage.

State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Saland, S.5823, “AN ACT to grant Anthony J. Cuomo performance of duty disability retirement benefits and health insurance coverage, as a result of injuries and disabilities incurred in action while serving in Iraq as a member of the Naval

Reserve”.

Preconsidered - Coupled on GO

SLR 0131-2005 Increasing earned income tax credit.

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.5459-A, and Assembly Member Cymbrowitz, A.8375-A, “AN ACT to amend the tax law, in relation to increasing the earned income tax credit against the personal income tax for residents of a city having a population of one million or more”.

Preconsidered - Coupled on GO

SLR 0141-2005 Convey certain land in Queens to NYC Dept. of parks and recreation.

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.5457-A, and Assembly Members Clark and Weprin, A.8421-A, “AN ACT to authorize the commissioner of general services to convey certain land in Queens county to the city of New York department of parks and recreation”.

Preconsidered - Coupled on GO

M 0593-2005 Conforming the unincorporated tax to the general corporation tax.

Communication from the Mayor - “AN ACT to amend the administrative code of the city of New York, in relation to conforming the unincorporated business tax to the general corporation tax with respect to the source of receipts from personal services and the inclusion of rented tangible personal property in the property allocation factor, and making formula allocation the preferred method for taxpayers subject to the unincorporated business tax, and allowing certain existing partnerships to continue to use the books and records allocation method for a seven-year period; makes technical corrections relating thereto; and to repeal certain provisions

of such code relating to the unincorporated business pertaining to leveraged buy-out transactions.” A.8434 / S.5568

Preconsidered - Coupled on GO

M 0594-2005

Relating to the imposition of certain taxes in NYC.

Communication from the Mayor - “AN ACT to amend the tax law, the administrative code of the city of New York, chapter 877 of the laws of 1975, chapter 880 of the laws of 1975, chapter 884 of the laws of 1975, and chapter 882 of the laws of 1977, all relating to the imposition of certain taxes in the city of New York, in relation to postponing the expiration of certain tax rates and taxes in the city of New York.” A.8780 / S.5617

Preconsidered - Coupled on GO

M 0595-2005

Calculating contributions to NYCERS.

Communication from the Mayor - “AN ACT to amend the administrative code of the city of New York, in relation to the rate of regular interest used in the actuarial valuation of liabilities for the purpose of calculating contributions to the New York city employees' retirement system, the New York city teachers' retirement system, the police pension fund, subchapter two, the fire department pension fund, subchapter two and the board of education retirement system of such city by public employers and other obligors required to make employer contributions to such retirement systems, and the crediting of special interest and additional interest to members of such retirement systems, and the allowance of supplementary interest on the funds of such retirement systems.” A.8811 / S.5672

Preconsidered - Coupled on GO

M 0596-2005

Industrial business zones.

Communication from the Mayor - “AN ACT to amend the administrative code of the city of New York, in relation to tax credits for eligible businesses that relocate to industrial

business zones in the city of New York, the creation of an industrial business zone boundary commission, and the designation, amendment and repeal of such zones.” A.8774 / S.5596

Preconsidered - Coupled on GO

12. Supplemental General Orders Calendar

Coupled on General Order Calendar

Finance

Res 1072-2005 **M 579 - Transfer City funds between various units of appropriation within the Department of Education expense budget in FY'05 (MN - 5)**
GO

Res 1033-2005 **LU 507 - 920 Metcalf Avenue, Bronx, Community District 9**
Preconsidered - GO

State and Federal Legislation

SLR 0004-2005 **In Rem, George Black, Brooklyn**
GO

SLR 0019-2005 **Amend the retirement and social security law, in relation to eligibility of uniformed personnel of NYC correction dept. for ordinary disability benefits**
GO

SLR 0024-2005 **AN ACT, to reconvey its interest in certain real property, acquired through in rem tax foreclosure, in Brooklyn to Elva McZeal Tenants Association Development Fund Corp.**
GO

- SLR 0049-2005** **In rem, Elva McZeal Tenants Association Development Fund Corp**
GO
- SLR 0075-2005** **In rem tax foreclose in Queens, Former owner Siraj Wahhaj**
GO
- SLR 0093-2005** **Amend the retirement and social security law, to deputy sheriffs members of NYCERS.**
GO
- SLR 0097-2005** **Accept application for final medical review from Barry Kimmel.**
GO
- SLR 0099-2005** **Establishing the right of retirees to pay back loans**
GO
- SLR 0105-2005** **Establishment of a 25/55 retirement program for members of NYCERS employed as mortuary/quality assurance.**
GO
- SLR 0106-2005** **Suspension of employees of the parks department in cities with population million or more.**
GO
- SLR 0112-2005** **Reducing the general corp., unincorporated business and banking corp. tax rates.**
Preconsidered - GO
- SLR 0113-2005** **Property tax law, in relation to adusted base proportions.**
Preconsidered - GO
- SLR 0114-2005** **Exempting certain clothing and footwear sales from taxes.**
Preconsidered - GO
- SLR 0115-2005** **Amend the real property tax law.**
Preconsidered - GO

- SLR 0116-2005** **Companies in eligible growth industries.**
Preconsidered - GO
- SLR 0117-2005** **Open driveway act.**
Preconsidered - GO
- SLR 0118-2005** **Leasing of certain parkland and demapping of certain streets
for development of a professional baseball stadium.**
Preconsidered - GO
- SLR 0119-2005** **Impairments of health presumed accidental or incurred in the
performance of duty.**
Preconsidered - GO
- SLR 0120-2005** **AN ACT, in relation to the employment of retired NYC police
personnel.**
Preconsidered - GO
- SLR 0121-2005** **Optional age 55 improved benefit retirement program.**
Preconsidered - GO
- SLR 0122-2005** **Tier one retroactive membership for Lawrence Gerson.**
Preconsidered - GO
- SLR 0123-2005** **Maintenance and repair of state arterial highways.**
Preconsidered - GO
- SLR 0124-2005** **Temporary investments by local governments, in relation to
extending the expiration of the provisions thereof.**
Preconsidered - GO
- SLR 0125-2005** **Providing special accidental death benefits and accidental
death benefits to registered domestic partners of deceased
members of the NYC police pension fund, subchapter two, the
NYC fire department pension fund.**
Preconsidered - GO
- SLR 0126-2005** **Expansion and improvement of the Gun Hill Road subway**

station.

Preconsidered - GO

SLR 0127-2005 **Limiting assessment increases attributable to additions or improvements.**

Preconsidered - GO

SLR 0128-2005 **Suspension of employees of the department of correction.**

Preconsidered - GO

SLR 0129-2005 **Income tax rate for incomes in excess of five hundred thousand dollars.**

Preconsidered - GO

SLR 0130-2005 **Grant Anthony J. Cuomo performance of duty disability retirement benefits and health insurance coverage.**

Preconsidered - GO

SLR 0131-2005 **Increasing earned income tax credit.**

Preconsidered - GO

SLR 0141-2005 **Convey certain land in Queens to NYC Dept. of parks and recreation.**

Preconsidered - GO

M 0593-2005 **Conforming the unincorporated tax to the general corporation tax.**

Preconsidered - GO

M 0594-2005 **Relating to the imposition of certain taxes in NYC.**

Preconsidered - GO

M 0595-2005 **Calculating contributions to NYCERS.**

Preconsidered - GO

M 0596-2005 **Industrial business zones.**

Preconsidered - GO

Roll Call

13. **Supplemental Introduction & Reading of Bills**
See Attached
14. **Supplemental Discussion of Resolutions**
15. **Supplemental Resolutions**
16. **Supplemental General Discussion**
17. **Supplemental Extension of Remarks**

INTRODUCTION AND READING OF BILLS

SLR 0112-2005 *By The Speaker (Speaker Miller) and Council Member Rivera*
State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Krueger, S.5706, and Assembly Member O'Donnell, A.8899, "AN ACT to amend the tax law and the administrative code of the city of New York, in relation to reducing the general corporation, unincorporated business, and banking corporation tax rates".
Preconsidered - State and Federal Legislation

SLR 0113-2005 *By The Speaker (Speaker Miller) and Council Member Rivera*
State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Padavan, Golden, Maltese and Marchi, S.5750, and Assembly Members McLaughlin, Farrell, Bing, Carrozza and Lavelle A.8896, "AN ACT to amend the real property tax law, in relation to the determination of adjusted base proportions in special assessing

units which are cities for the fiscal year 2006”.

Preconsidered - State and Federal Legislation

SLR 0114-2005

By The Speaker (Speaker Miller) and Council Member Rivera

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.5663, and the Assembly Committee on Rules, A.8813, “AN ACT to amend the tax law, in relation to exempting certain clothing and footwear sales and uses from local sales and compensating use taxes imposed in or by any city having a population of one million or more”.

Preconsidered - State and Federal Legislation

SLR 0115-2005

By The Speaker (Speaker Miller) and Council Member Rivera

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Golden, S.5465-A, and Assembly Members Wright, Benedetto, Benjamin, Boyland, Lavelle, O’Donnell, Pheffer, Rivera, and Colton, A.6590-B, “AN ACT to amend the real property tax law, in relation to increasing the combined household income limit for eligibility for senior citizen rent increase exemption (SCRIE) and for a municipal tax abatement for rent-controlled and rent regulated property occupied by senior citizens”.

Preconsidered - State and Federal Legislation

SLR 0116-2005

By The Speaker (Speaker Miller) and Council Members Rivera and Weprin

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Padavan and Golden, S.5694, and Assembly Member Weprin, A.8861, “AN ACT to amend the general city law, chapter 772 of the laws of 1966 relating to enabling any city with a population of one million or more to raise tax revenue, and the administrative code of the city of New York, in relation to increasing the relocation and employment assistance program credit for companies in eligible growth industries”.

Preconsidered - State and Federal Legislation**Res 1026-2005** *By Council Member Addabbo Jr.*

Resolution calling upon the appropriate committee of the Council to hold hearings and report on the status of the electric power supply to City residents and businesses and to ensure that the demand for electricity is satisfied by the appropriate electric utility companies.

Environmental Protection**SLR 0117-2005** *By Council Members Fidler, Rivera and Stewart*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.4081-A, and Assembly Member Perry, A.1445-A, "AN ACT to amend the New York city charter, the vehicle and traffic law and the administrative code of the city of New York, in relation to the "open driveway act" regarding the environmental control board adjudication of disputes concerning the blocking of a driveway; and providing for the repeal of such provisions upon expiration thereof".

Preconsidered - State and Federal Legislation**SLR 0118-2005** *By Council Members Foster and Rivera*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by the Senate Committee on Rules, S.5818, and the Assembly Committee on Rules, A.8932, "AN ACT authorizing the leasing of certain parkland and demapping of certain streets for development of a professional baseball stadium and associated facilities in and in the vicinity of Macombs Dam Park and John Mullaly Park in the borough of the Bronx in the city of New York, and to authorize the state to dispose of certain surplus lands to the city of New York to provide for new park facilities".

Preconsidered - State and Federal Legislation**Res 1027-2005** *By Council Members Gentile and James*

Resolution calling upon Governor Pataki to sign A.6579/S.5410, legislation which would amend the State labor law to compensate at the prevailing wage those performing certain off-site fabrication work in connection with a public works project.

Contracts

Res 1028-2005

By Council Member Lopez

Resolution finding that enactment of Proposed Int. No. 398-A does not have a significant adverse impact on the environment and is consistent with the state environmental quality review act.

Preconsidered - Mental Health, Mental Retardation, Alcoholism, Drug Abuse & Disability Services and Transportation

Res 1029-2005

By Council Members Perkins, James, Koppell and Reed

Resolution celebrating the fortieth anniversary of the Voting Rights Act and calling on Congress to reauthorize the special provisions of the Voting Rights Act that are due to expire in 2007.

Governmental Operations

Res 1030-2005

By Council Members Recchia Jr. and James

Resolution commemorating the 85th Anniversary of Deno's Wonder Wheel, located in Brooklyn's Coney Island Amusement area.

Cultural Affairs, Libraries & International Intergroup Relations

SLR 0119-2005

By Council Members Rivera and Monserrate

State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Maltese S. 2516-A and Assembly Member Cymbrowitz A.5273-A, "An Act to amend the general municipal law, in relation to certain impairments of health presumed accidental or incurred in the performance of duty."

Preconsidered - State and Federal Legislation

SLR 0120-2005 *By Council Members Rivera, Fidler and Monserrate*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.3972, and Assembly Members Abbate, Colton, Cymbrowitz, Pheffer, Seddio and Weisenberg, A.6381, “AN ACT to amend the retirement and social security law, in relation to the employment of retired New York city police personnel”.

Preconsidered - State and Federal Legislation

SLR 0121-2005 *By Council Member Rivera*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.2310, and Assembly Member Gianaris, A.8031, “AN ACT to amend the retirement and social security law, in relation to the optional age fifty-five improved benefit retirement program for certain New York city members”.

Preconsidered - State and Federal Legislation

SLR 0122-2005 *By Council Member Rivera*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senate Committee on Rules, S.5671, and Assembly Member Farrell, A.8792, “AN ACT authorizing Lawrence Gerson to file for retroactive membership in Tier 1 of the New York state and local employees’ retirement system”.

Preconsidered - State and Federal Legislation

SLR 0123-2005 *By Council Member Rivera*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.3170, and Assembly Member Grannis, A.6483, “AN ACT to amend the highway law, in relation to liability of the state with respect to maintenance and repair of state arterial highways”.

Preconsidered - State and Federal Legislation

SLR 0124-2005 *By Council Member Rivera*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.5382, and Assembly Member Farrell, A.8779, “AN ACT to amend chapter 130 of the laws of 1998 amending the general municipal law relating to temporary investments by local governments, in relation to extending the expiration of the provisions thereof”.

Preconsidered - State and Federal Legislation

SLR 0125-2005 *By Council Members Rivera, The Speaker (Speaker Quinn) and Monserrate*

State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senators Duane, Andrews, Dilan, Hassell-Thompson, Krueger, Montgomery, Oppenheimer, Parker, Sabini, Sampson and Schneiderman, S.5157, “AN ACT to amend the general municipal law, the administrative code of the city of New York, the retirement and social security law and the education law, in relation to providing special accidental death benefits and accidental death benefits to registered domestic partners of deceased members of the New York city police pension fund, subchapter two, the New York city fire department pension fund, subchapter two, the New York city employees’ retirement system, the New York city teachers’ retirement system and the board of education retirement system of the city of New York”.

Preconsidered - State and Federal Legislation

SLR 0126-2005 *By Council Member Rivera*

State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Assembly Member Heastie, A.4407, “AN ACT authorizing the city of New York to discontinue the use as parkland a portion of real property in the borough of the Bronx and to use such property, as well as property under the jurisdiction of the city of New York department of transportation, for expansion and improvement

of the Gun Hill Road subway station, in and around the intersection of White Plains Road and Gun Hill Road in exchange for the dedication of certain other land in the borough of the Bronx for park purposes”.

Preconsidered - State and Federal Legislation

SLR 0127-2005 *By Council Member Rivera*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Padavan and Golden, S.5620, and Assembly Member Wright, A.8723, “AN ACT to amend the real property tax law, in relation to limiting assessment increases attributable to additions to or improvements of certain class two properties in the city of New York”.

Preconsidered - State and Federal Legislation

SLR 0128-2005 *By Council Member Rivera*

State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Maltese S.1955-A and Assembly Member Seminerio A.3869-A, “AN ACT to amend the civil service law, in relation to suspension of employees of the department of correction in cities having a population of one million or more.”

Preconsidered - State and Federal Legislation

SLR 0129-2005 *By Council Member Rivera*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Paterson, S.5828, and Assembly Member Espaillat, A.8915, “AN ACT to amend the tax law, in relation to the extension of the top personal income tax rate for incomes in excess of five hundred thousand dollars a year or more and the dedication of such revenue to class size reduction in a city having a population of one million or more”.

Preconsidered - State and Federal Legislation

SLR 0130-2005 *By Council Member Rivera*

State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Saland, S.5823, "AN ACT to grant Anthony J. Cuomo performance of duty disability retirement benefits and health insurance coverage, as a result of injuries and disabilities incurred in action while serving in Iraq as a member of the Naval Reserve".

Preconsidered - State and Federal Legislation

SLR 0131-2005 *By Council Member Rivera*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.5459-A, and Assembly Member Cymbrowitz, A.8375-A, "AN ACT to amend the tax law, in relation to increasing the earned income tax credit against the personal income tax for residents of a city having a population of one million or more".

Preconsidered - State and Federal Legislation

SLR 0132-2005 *By Council Member Rivera*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Golden and Spano, S.5150-A, and Assembly Member Abbate, A.7618-A, "AN ACT to amend the administrative code of the city of New York, in relation to the establishment of a twenty year retirement program for members of the New York city employees' retirement system employed as fire alarm dispatchers; and to amend the retirement and social security law, in relation to the establishment of twenty year retirement programs for such members who are subject to articles 11 and 15 of such law".

State and Federal Legislation

SLR 0133-2005 *By Council Member Rivera*

State Legislation Resolution requesting the New York State

Legislature to pass bills introduced by Senator Maltese, S.5589, and Assembly Member Abbate, A.8704, “AN ACT to amend the administrative code of the city of New York, in relation to terminal leave”.

State and Federal Legislation

SLR 0134-2005

By Council Member Rivera

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Marchi, S.5569, and Assembly Member Nolan, A.8434, “AN ACT to amend the administrative code of the city of New York, in relation to conforming the unincorporated business tax to the general corporation tax with respect to the source of receipts from personal services and the inclusion of rented tangible personal property in the property allocation factor, and making formula allocation the preferred method for taxpayers subject to the unincorporated business tax, and allowing certain existing partnerships to continue to use the books and records allocation method for a seven-year period; makes technical corrections relating thereto; and to repeal certain provisions of such code relating to the unincorporated business pertaining to leveraged buy-out transactions”.

State and Federal Legislation

SLR 0135-2005

By Council Member Rivera

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by the Senate Committee on Rules, S.5617, and Assembly Member Farrell, A.8780, “AN ACT to amend the tax law, the administrative code of the city of New York, chapter 877 of the laws of 1975, chapter 880 of the laws of 1975, chapter 884 of the laws of 1975, and chapter 882 of the laws of 1977, all relating to the imposition of certain taxes in the city of New York, in relation to postponing the expiration of certain tax rates and taxes in the city of New York”.

State and Federal Legislation

SLR 0136-2005 *By Council Member Rivera*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.4779, and Assembly Member O'Donnell, A.8181, "AN ACT to amend the general municipal law, chapter 130 of the laws of 1998, amending the general municipal law relating to temporary investments by local governments and chapter 406 of the laws of 1999, amending the tax law and other laws relating to sales and compensating use taxes, in relation to temporary investments by local governments and the effective dates relating thereto".

State and Federal Legislation

SLR 0137-2005 *By Council Member Rivera*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Marchi, S.4817, and Assembly Member Grannis, A.8426, "AN ACT to amend the New York city charter, in relation to the right of the commissioner of finance of the city of New York to seek judicial review of decisions of the New York city tax appeals tribunal".

State and Federal Legislation

SLR 0138-2005 *By Council Member Rivera*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.5357, and Assembly Member Lafayette, A.8038, "AN ACT to amend the vehicle and traffic law and the administrative code of the city of New York, in relation to increasing the number of intersections where traffic-control signal photo violation-monitoring systems may be installed and operated, and reporting upon the use of such systems and relating to the civil liability of vehicle owners for traffic-control signal violations".

State and Federal Legislation

SLR 0139-2005 *By Council Member Rivera*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.5596, and Assembly Member Nolan, A.8774, “AN ACT to amend the administrative code of the city of New York, in relation to tax credits for eligible businesses that relocate to industrial business zones in the city of New York, the creation of an industrial business zone boundary commission, and the designation, amendment and repeal of such zones”.

State and Federal Legislation**SLR 0140-2005** *By Council Member Rivera*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by the Senate Committee on Rules, S.5672, and Assembly Member Abbate, A.8811, “AN ACT to amend the administrative code of the city of New York, in relation to the rate of regular interest used in the actuarial valuation of liabilities for the purpose of calculating contributions to the New York city employees’ retirement system, the New York city teachers’ retirement system, the police pension fund, subchapter two, the fire department pension fund, subchapter two and the board of education retirement system of such city by public employers and other obligors required to make employer contributions to such retirement systems, and the crediting of special interest and additional interest to members of such retirement systems, and the allowance of supplementary interest on the funds of such retirement systems”.

State and Federal Legislation**Res 1031-2005** *By Council Member Vallone Jr.*

Resolution calling on the New York State Legislature to adopt legislation requiring unlicensed drivers and drivers with a suspended or revoked license to be fingerprinted.

Transportation

Res 1032-2005 *By Council Member Vallone Jr.*

Resolution calling on the State Legislature to amend the penal law and criminal procedure law to allow prosecutors to charge both intentional murder and depraved indifference murder for the same crime.

Public Safety

SLR 0141-2005 *By Council Members Weprin and Rivera*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.5457-A, and Assembly Members Clark and Weprin, A.8421-A, "AN ACT to authorize the commissioner of general services to convey certain land in Queens county to the city of New York department of parks and recreation".

Preconsidered - State and Federal Legislation

LU 0507-2005 *By Council Member Weprin*

Land Use Application - 920 Metcalf Avenue, Bronx, Community District 9

Preconsidered - Finance

LU 0508-2005 *By Council Member Katz*

Zoning resolution amendment application no. 050117 ZRM, pursuant to §197-d and §200 of the New York City Charter, concerning changes in the text of the zoning resolution, Borough of Manhattan, Council District no. 4, relating: Article VIII, Chapter 1 (Special Midtown District and Subdistricts) concerning Appendix A: Map 1 (Special Midtown District and Subdistricts) and Map 2 (Retail and Streetwall Continuity)

Zoning and Franchises