

# The New York City Council

## Council Agenda

### Stated Meeting

October 07, 2014

1:30 PM

### Council Chambers - City Hall

**1. Roll Call**

**2. Invocation**

*Delivered by: Rev. Dr. Demetrius S. Carolina, First Central Baptist Church, 117 Wright Street, Staten Island, N.Y. 10304.*

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

**3. Adoption of Minutes**

*Motion that the Minutes of the Stated Meeting of September 10, 2014 be adopted as printed by Council Member Miller.*

**4. Messages & Papers from the Mayor**

*None*

**5. Communications from City, County & Borough Offices**

**M 0152-2014      DEP - Submitting the NYC Department of Environmental Protection's Hazardous Materials Management 2014 Annual Report.**

Communication from the Department of Environmental Protection – Submitting the NYC Department of Environmental Protection's Hazardous Materials Management 2014 Annual Report, pursuant to Section 24-715 of the Administrative Code.

*Received, Ordered, Printed and Filed*

## **6.      Petitions and Communications**

*None*

## **7.      Land Use Call-Ups**

**M 0153-2014      Zoning, Halletts Point Peninsula, Queens (140323 (A) ZSQ, C 140324(A) ZSQ, C 130384 MMQ, N 140325 ZAQ, N 140329(A) ZRQ and C 140322 ZMQ)**

By the Chair of the Land Use Committee Council Member Greenfield:

Pursuant to Rule 11.20(c) of the Council Rules, Section 197-d (b)(3) of the New York City Charter and Section 62-822(a) of the New York City Zoning Resolution, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Review Procedure (ULURP) application nos. C 140323 (A) ZSQ, C 140324(A) ZSQ, C 130384 MMQ and non-ULURP Application nos. N 140325 ZAQ shall be subject to Council review. These items are related to Application nos. N 140329(A) ZRQ and C 140322 ZMQ which are subject to Council review pursuant to Section 197-d(b)(1) of the New York City Charter.

## **8.      Communication from the Speaker**

## 9. Discussion of General Orders

## 10. Reports of Special Committees

*None*

## 11. Reports of Standing Committees

### Report of the Committee on Finance

**Res 0428-2014**      **Approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.**

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

*Preconsidered - Coupled on GO*

**Res 0435-2014**      **LU 124 - Renewal Housing Development Fund Company**

Resolution approving an exemption from real property taxes for property located at (Block 3174, Lot 24; Block 3276, Lot 36; Block 3283, Lot 37; Block 3293, Lot 135; Block 3300, Lots 27, 23 & 11) the Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 124).

*Preconsidered - Coupled on GO*

**Res 0436-2014**      **LU 125 - Presbyterian HDFC of Queens, Block 1900, Lot 161; Block 1932, Lot 9; and the intervening demapped parcel Queens.**

Resolution approving a full exemption from real property taxes for property located at (Block 1900, Lot 161; Block 1932, Lot 9; and the intervening demapped parcel) the Bronx, pursuant to Section 577 of the Private Housing Finance Law

---

(Preconsidered L.U. No. 125).  
*Preconsidered - Coupled on GO*

## Report of the Committee on Land Use

**Res 0437-2014      LU 114 - Zoning, Sidewalk Cafe, 282 Bowery, Manhattan  
(20155008 TCM)**

Application no. 20155008 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Friendly Foods LLC, d/b/a/ Cherche Midi for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 282 Bowery, Borough of Manhattan, Community District 2, Council District 1. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(e) of the New York City Administrative Code.

*Coupled on GO*

**LU 0115-2014      Zoning, 19 East Houston St, SoHo Cast-Iron Historic District,  
Manhattan (C 140300 ZSM)**

Application no. C 140300 ZSM submitted by MC 19 East Houston, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-712(a) of the Zoning Resolution to modify the use regulations of Section 42-14(D)(2)(b) to allow uses permitted under Section 32-15 (Use Group 6 uses) below the floor level of the second story of a proposed 6-story commercial building on a zoning lot which, as of December 15, 2003, has not more than 20% of its lot area occupied by existing buildings, located at 19 East Houston Street (Block 511, Lot 19), in an M1-5B District, within the SoHo Cast-Iron Historic District. This application is subject to the review and action by the Land Use Committee only if appealed to the Council pursuant to 197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

---

*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.*

**LU 0116-2014      Zoning, 19 East Houston St, SoHo Cast-Iron Historic District, Manhattan (C 140301 ZSM)**

Application no. C 140301 ZSM submitted by MC 19 East Houston, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-712(b) of the Zoning Resolution to modify the height and setback requirements of Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks) to facilitate the development of a 6-story commercial building on a zoning lot which, as of December 15, 2003, has not more than 20% of its lot area occupied by existing buildings, located at 19 East Houston Street (Block 511, Lot 19), in an M1-5B District, within the SoHo Cast-Iron Historic District, Borough of Manhattan, Community Board 2, Council District 1. This application is subject to the review and action by the Land Use Committee only if appealed to the Council pursuant to 197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

*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.*

**Res 0438-2014      LU 117 - Zoning, 19 East Houston St, SoHo Cast-Iron Historic District, Manhattan (C 140302 ZSM)**

Application no. C 140302 ZSM submitted by MC 19 East Houston, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow large retail establishments (Use Group 6 and/or 10A uses) with no limitation on floor area per establishment on the cellar, ground floor, second floor and third floor of a proposed 6-story commercial development, on property located at 19 East Houston Street (Block 511, Lot 19), in an M1-5B

---

District, within the SoHo Cast-Iron Historic District, Borough of Manhattan, Community Board 2, Council District 1. This application is subject to the review and action by the Land Use Committee only if appealed to the Council pursuant to 197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

*Coupled to be Filed Pursuant to Letter of Withdrawal*

**LU 0118-2014      Zoning, 19 East Houston St, Manhattan (C 140299 PPM)**

Application no. C 140299 PPM submitted by the NYC Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for disposition of one city-owned property located at 19 East Houston Street, (Block 511, Lot 19), pursuant to zoning. This application is subject to the review and action by the Land Use Committee only if appealed to the Council pursuant to 197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

*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.*

**Res 0439-2014      LU 119 - Planning, 161-79 86th Ave, Queens (C 155020 HAQ)**

Application No. C 155020 HAQ by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for approval of Urban Development Action Area and Project for property located at 161-79 86th Avenue (Block 9774 Lots 165, 166, 167), Borough of Queens, Community Board 8, Council District 24.

*Coupled on GO*

**Res 0440-2014      LU 121 - Zoning, Sidewalk Cafe, 403 East 12th St, Manhattan (20145691 TCM)**

Application No. 20145691 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the

---

petition of Hearth Restaurant Investors, LLC, d/b/a/ Hearth for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 403 East 12th Street, Borough of Manhattan, Community District 3, Council District 2. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(e) of the New York City Administrative Code.  
*Coupled on GO*

**Res 0441-2014      LU 123 - Planning, Approval of a tax exemption. (20155063 HAM)**

Application No. 20155063 HAM by the New York City Department of Housing Preservation and Development for approval of a tax exemption, pursuant to Section 577 of the Private Housing Finance Law (PHFL), for the properties located at Block 1718/Lot 69, Block 1903/ Lot 29, Block 1904/Lots 33 and 59, Block 1906, Lot 64, Block 2026/Lots 20, 22, 23, 26, 27 and 29, Block 2031/Lot 18, Block 2032/Lot 43, Block 2036/Lot 61, Block 2045/Lots 96, 97 and 100, Block 2046/Lots 7 and 63; in the Borough of Manhattan, Community Council District 9. This matter is subject to Council review and action at the request of HPD and pursuant to Section 577 of the PHFL.  
*Coupled on GO*

## **Report of the Committee on Transportation**

**Int 0295-2014-A      Requiring certain qualified transportation benefits.**

A Local Law to amend the administrative code of the city of New York, in relation to requiring certain qualified transportation benefits.  
*Amended and Coupled on GO*

**Int 0466-2014-A      Reducing the citywide speed limit to twenty-five miles per hour.**

A Local Law to amend the administrative code of the city of

---

New York, in relation to reducing the citywide speed limit to twenty-five miles per hour.  
*Amended and Coupled on GO*

## 12. General Orders Calendar

T2014-0002      Commissioner of Deeds  
*Coupled on GO*

### Coupled on General Order Calendar

## Finance

Res 0428-2014      Approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.  
*Preconsidered - GO*

Res 0435-2014      LU 124 - Renewal Housing Development Fund Company  
*Preconsidered - GO*

Res 0436-2014      LU 125 - Presbyterian HDFC of Queens, Block 1900, Lot 161; Block 1932, Lot 9; and the intervening demapped parcel Queens.  
*Preconsidered - GO*

## Land Use

Res 0437-2014      LU 114 - Zoning, Sidewalk Cafe, 282 Bowery, Manhattan (20155008 TCM)  
*GO*

Res 0438-2014      LU 117 - Zoning, 19 East Houston St, SoHo Cast-Iron Historic District, Manhattan (C 140302 ZSM)  
*Filed*



- Res 0439-2014**      **LU 119 - Planning, 161-79 86th Ave, Queens (C 155020 HAQ)**  
***GO***
- Res 0440-2014**      **LU 121 - Zoning, Sidewalk Cafe, 403 East 12th St, Manhattan**  
**(20145691 TCM)**  
***GO***
- Res 0441-2014**      **LU 123 - Planning, Approval of a tax exemption. (20155063**  
**HAM)**  
***GO***

## **Transportation**

- Int 0295-2014-A**      **Requiring certain qualified transportation benefits.**  
***A and GO***
- Int 0466-2014-A**      **Reducing the citywide speed limit to twenty-five miles per hour.**  
***A and GO***

## **General Order Calendar**

- T2014-0002**              **Commissioner of Deeds**  
***GO***

### **13. Introduction & Reading of Bills**

**See Attached**

### **14. Discussion of Resolutions**

### **15. Resolutions**

- Res**                      **Supporting the Justice for Jazz Artists Campaign.**

---

**0207-2014-A**

Resolution supporting the Justice for Jazz Artists Campaign which seeks through collective bargaining to improve the lives of musicians working in New York City's jazz clubs by addressing workplace issues, including providing retirement security.

*Amended and Adopted by the Committee on Cultural Affairs, Libraries & Internatinal Intergroup Relations*

## **16. General Discussion**

## **17. Extension of Remarks**

### **INTRODUCTION AND READING OF BILLS**

**Int 0486-2014** *By The Speaker (Council Member Mark-Viverito) and Council Members Dromm, Menchaca and Espinal Jr.*

A Local Law to amend the administrative code of the city of New York, in relation to persons not to be detained by the department of correction.

*Immigration*

**Int 0487-2014** *By The Speaker (Council Member Mark-Viverito) and Council Members Dromm, Menchaca and Espinal Jr.*

A Local Law to amend the administrative code of the city of New York, in relation to persons not to be detained by the police department.

*Immigration*

**Res 0426-2014** *By Council Members Cohen and Rosenthal*

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation eliminating the sunset provisions related to income threshold increases for the senior citizen rent increase exemption and disability rent

---

increase exemption programs.

***Aging***

**Int 0488-2014** *By Council Member Constantinides*

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the sale of flavored electronic cigarettes.

***Health***

**Res 0427-2014** *By Council Members Crowley, Barron, Constantinides, Cumbo, Mealy and Gibson*

Resolution urging Congress to pass and President Obama to sign S. 2692/H.R. 5354, also known as the Campus Accountability and Safety Act.

***Women's Issues***

**Int 0489-2014** *By Council Members Ferreras and Kallos*

A Local Law to amend the administrative code of the city of New York, in relation to notices of violation.

***Finance***

**Res 0428-2014** *By Council Member Ferreras*

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

***Preconsidered - Finance***

**Res 0429-2014** *By Council Members Gibson and Cumbo*

Resolution recognizing October as Domestic Violence Awareness Month in the City of New York.

***Women's Issues***

**Int 0490-2014** *By Council Member Greenfield*

A Local Law to amend the administrative code of the city of New York, in relation to the removal of snow and ice from

sidewalks.

***Sanitation and Solid Waste Management***

**Int 0491-2014** *By Council Member Johnson*

A Local Law to amend the administrative code of the city of New York, in relation to amending sex designation on birth records.

***Health***

**Int 0492-2014** *By Council Member Johnson*

A Local Law to amend the administrative code of the city of New York, in relation to reporting and an advisory board on gender marker change requirement.

***Health***

**Int 0493-2014** *By Council Member Kallos*

A Local Law to amend the New York city charter, in relation to expanding agency based voter registration to additional city agencies.

***Governmental Operations***

**Res 0430-2014** *By Council Member King*

Resolution calling on the New York State Legislature to pass and the Governor to sign, legislation to repeal the Criminal Procedure Law Article 240 and replace it with a law mandating early, open, and automatic pre-trial discovery.

***Courts and Legal Services***

**Int 0494-2014** *By Council Members Lancman and Vallone*

A Local Law to amend the administrative code of the city of New York, in relation to discrimination against persons accompanied by a police dog.

***Civil Rights***

**Int 0495-2014** *By Council Members Levin, Reynoso, Palma, Arroyo, Miller, Levine and Chin*

A Local Law to amend the administrative code of the city of New York, in relation to reducing permitted capacity at putrescible and non-putrescible solid waste transfer stations in overburdened districts.

***Sanitation and Solid Waste Management***

**Int 0496-2014** *By Council Member Matteo*

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting damage to houses of religious worship.

***Public Safety***

**Res 0431-2014** *By Council Member Menchaca*

Resolution calling upon the New York City Police Department to implement increased street safety-related training for all officers.

***Public Safety***

**Int 0497-2014** *By Council Member Rosenthal*

A Local Law to amend the administrative code of the city of New York and the New York City Charter, in relation to the interest rate and discount rate recommendations provided by the New York City Banking Commission.

***Finance***

**Int 0498-2014** *By Council Members Rosenthal and Kallos*

A Local Law to amend the administrative code of the city of New York, in relation to conflicts of interest in city contracts.

***Contracts***

**Int 0499-2014** *By Council Members Rosenthal and Levine*

A Local Law to amend the administrative code of the city of New York, in relation to restrictions on motor vehicle traffic on the central park loop drive.

***Transportation***

---

**Res 0432-2014** *By Council Member Treyger*

Resolution calling upon the New York City Department of Education to offer gluten-free meal options for students at all New York City public schools.

***Education***

**Res 0433-2014** *By Council Member Treyger*

Resolution calling upon the United States Congress to enact and the President to sign S.313/H.R.647, the Achieving a Better Life Experience (ABLE) Act of 2013, which would amend the Internal Revenue Code of 1986 to provide for the favorable tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

***Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services***

**Int 0500-2014** *By Council Member Vallone*

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to provide the public with 9-1-1 information cards.

***Public Safety***

**Int 0501-2014** *By Council Member Williams*

A Local Law to amend the administrative code of the city of New York, in relation to providing legal counsel for tenants with disabilities who are subject to eviction, ejection or foreclosure proceedings.

***Housing and Buildings***

**Res 0434-2014** *By Council Member Wills*

Resolution calling on the Offices of the United States Attorney General to establish protocols to investigate and determine whether their intervention is appropriate whenever local law enforcement officials are accused of committing a homicide or a violent act.

---

***Public Safety***

**LU 0124-2014**      *By Council Member Ferreras*

Renewal Housing Development Fund Company, Block 3174, Lot 24, Block 3276, Lot 36, Block 3283, Lot 37, Block 3293, Lot 135, Block 3300, Lots 27, 23 and 11, Bronx, Community District No. 7, Council Districts No. 14 and 15.

***Preconsidered - Finance***

**LU 0125-2014**      *By Council Member Ferreras*

Presbyterian HDFC of Queens, Block 1900, Lot 161; Block 1932, Lot 9; and the intervening demapped parcel Queens, Community District No.4, Council District No. 21.

***Preconsidered - Finance***

**LU 0126-2014**      *By Council Member Greenfield*

Application No. C 140323(A) ZSQ an application submitted by 2030 Astoria Developers, LLC pursuant to Sections 197-c and 201 of the New York City Charter for special permits pursuant to Zoning Resolution: (i) Section 74-743(a)(1) to allow distribution of floor area without regard for zoning lot lines; (ii) Section 74-743(a)(2) to modify requirements of Section 23-711 (Standard minimum distance between buildings), Section 23-47 (Minimum required rear yards), and Section 23-85 (Inner court regulations); and (iii) Section 74-743(a)(6) to modify requirements of Section 23-86 (Minimum distance between legally required windows and walls or lot lines), to facilitate a mixed-use large scale general development on the Halletts Point Peninsula, Borough of Queens, Community District 1, Council District 22. This application is subject to the review and action by the Land Use Committee only if appealed to the Council pursuant to 197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

***Zoning and Franchises***

**LU 0127-2014***By Council Member Greenfield*

Application No. C 140324(A) ZSQ submitted by 2030 Astoria Developers, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to the Section 62-836 of the Zoning Resolution to modify requirements of Section 62-340 (Height and Setback Regulations On Waterfront Blocks), to facilitate a mixed-use large scale general development on the Halletts Point Peninsula, Borough of Queens, Community District 1, Council District 22. This application is subject to the review and action by the Land Use Committee only if appealed to the Council pursuant to 197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

***Zoning and Franchises*****LU 0128-2014***By Council Member Greenfield*

Application No. C 140322 ZMQ submitted by 2030 Astoria Developers, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 9a, changing an M1-1 to an R7-3 with C2-4 overlay, changing an R6 to an R7A with C2-4 overlay, and changing an R6 to an R6B District, to facilitate a mixed-use large scale general development on the Halletts Point Peninsula, Borough of Queens, Community District 1, Council District 22.

***Zoning and Franchises*****LU 0129-2014***By Council Member Greenfield*

Application No. N 140329(A) ZRQ an application submitted by 2030 Astoria Developers, LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article II Chapter 3 and Appendix F, relating to Inclusionary Housing, to facilitate a mixed-use large scale general development on the Halletts Point Peninsula, in the Borough of Queens, Community District 1.



---

***Zoning and Franchises*****LU 0130-2014** *By Council Member Greenfield*

Application No. N 140325 ZAQ submitted by 2030 Astoria Developers, LLC for the grant of an authorization pursuant to Sections 62-822(a) of the Zoning Resolution to modify the requirements of Section 62-50 (General Requirements for Visual Corridors and Waterfront Public Access Areas) in connection with a mixed-use large scale general development on the Halletts Point Peninsula, Borough of Queens, Community District 1, Council District 22. This application is subject to review of the Council only if called up by a vote of the Council pursuant to 62-822(a) of the NYC Zoning Resolution.

***Zoning and Franchises*****LU 0131-2014** *By Council Member Greenfield*

Application No. C 130384 MMQ submitted by 2030 Astoria Developers LLC pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map to (a) establish 4th Street between 26th Avenue to the edge of a proposed waterfront esplanade and (b) to eliminate 8th Street from 27th Avenue to the U.S. Pierhead and Bulkhead line, including authorization for any acquisition or disposition of real property related thereto, in the Borough of Queens, Community District 1, Council District 22. This application is subject to the review and action by the Land Use Committee only if appealed to the Council pursuant to 197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

***Zoning and Franchises*****LU 0132-2014** *By Council Member Greenfield*

Application No. 20155018 HKK (N 150068 HKK) pursuant to Section 3020 of the New York City Charter, concerning the designation by the Landmarks Preservation Commission of the

Ridgewood Lodge No. 710, Free and Accepted Masons, 1054 Bushwick Avenue, a/k/a 1122 Gates Avenue, (Designation List 473/LP-2541), Borough of Brooklyn, Community Board 4, Council District 34.

*Landmarks, Public Siting and Maritime Uses*

**LU 0133-2014**

*By Council Member Greenfield*

Application No. 20155113 HAM by the New York City Department of Housing Preservation and Development for approval of a tax exemption, pursuant to Section 577 of the Private Housing Finance Law (PHFL), for the properties located at 3603 Broadway (Block 2095, Lot 31) and 3605 Broadway (Block 2095, Lot 32), Borough of Manhattan, Community Board 9, Council District 7. This matter is subject to Council review and action at the request of HPD and pursuant to Section 577 of the PHFL.

*Planning, Dispositions and Concessions*