

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Wednesday, February 2, 2005

1:30 PM

Council Chambers - City Hall

City Council

A. Gifford Miller, Speaker

Members: Joseph P. Addabbo, Jr., Tony Avella, Maria Baez, Charles Barron, Tracy L. Boyland, Gale A. Brewer, Yvette D. Clarke, Leroy G. Comrie, Jr., Bill de Blasio, Erik Martin Dilan, Simcha Felder, Lewis A. Fidler, Helen D. Foster, Dennis P. Gallagher, James F. Gennaro, Vincent J. Gentile, Alan J. Gerson, Eric N. Gioia, Sara M. Gonzalez, Robert Jackson, Letitia James, Allan W. Jennings, Jr., Melinda R. Katz, G. Oliver Koppell, Andrew J. Lanza, John C. Liu, Margarita Lopez, Miguel Martinez, Michael E. McMahon, Hiram Monserrate, Eva S. Moskowitz, Michael C. Nelson, James Oddo, Annabel Palma, William Perkins, Madeline Provenzano, Christine C. Quinn, Domenic M. Recchia, Jr., Philip Reed, Diana Reyna, Joel Rivera, James Sanders, Jr., Larry B. Seabrook, Helen Sears, Kendall B. Stewart, Peter F. Vallone, Jr., Albert Vann, David I. Weprin and David Yassky

The Public Advocate (Ms. Gotbaum)

1. Roll Call

Present,

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Boyland, Brewer, Clarke, Comrie Jr., Dilan, de Blasio, Felder, Fidler, Foster, Gallagher, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Jackson, James, Jennings Jr., Katz, Lanza, Liu, Martinez, McMahon, Monserrate, Moskowitz, Nelson, Oddo, Palma, Perkins, Provenzano, Quinn, Recchia Jr., Reed, Reyna, Rivera, Sanders Jr., Seabrook, Sears, Stewart, Vallone Jr., Vann, Weprin and Yassky

Excused,

Koppell and Lopez

The presence of a quorum was announced by The Public Advocate (Ms. Gotbaum).

2. Invocation

Delivered by: Father James P. Hayes, St. Andrews R.C. Church, Cardinal Hayes Place, New York, NY 10007.

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

3. Adoption of Minutes

Motion that the Minutes of the Stated Meetings of December 15, 2004 and January 5, 2005 be adopted and printed by Council Member Martinez.

4. Messages & Papers from the Mayor

M 0426-2005

Communication from the Mayor - Submitting Financial Plan Detail and Summary Book, Volumes I and II for Fiscal Years 2005-2009, pursuant to Sections 101 and 213 of the New York City Charter.

Attachments: Hearing Transcript - Stated Meeting 2/2/05

This Mayor's Message was Referred to Comm by Council to the Committee on Finance

M 0427-2005

Communication from the Mayor - Submitting Preliminary Expense Budget for Fiscal Year 2006, pursuant to Sections 225 and 236 of the New York City Charter.

Attachments: Hearing Transcript - Stated Meeting 2/2/05

This Mayor's Message was Referred to Comm by Council to the Committee on Finance

M 0428-2005 Communication from the Mayor - Submitting Geographic Reports for Expense Budget for Fiscal Year 2006, pursuant to Sections 100 and 231 of the New York City Charter.

Attachments: Hearing Transcript - Stated Meeting 2/2/05

This Mayor's Message was Referred to Comm by Council to the Committee on Finance

M 0429-2005 Communication from the Mayor - Submitting Departmental Estimates Report, Volumes I, II, III, IV and V, for Fiscal Year 2006, pursuant to Sections 100, 212 and 231 of the New York City Charter.

Attachments: Hearing Transcript - Stated Meeting 2/2/05

This Mayor's Message was Referred to Comm by Council to the Committee on Finance

M 0430-2005 Communication from the Mayor - Submitting Contract Budget Report for Fiscal Year 2006, pursuant to Section 104 of the New York City Charter.

Attachments: Hearing Transcript - Stated Meeting 2/2/05

This Mayor's Message was Referred to Comm by Council to the Committee on Finance

M 0431-2005 Communication from the Mayor - Submitting the Preliminary Capital Budget, Fiscal Year 2006, pursuant to Section 213 and 236 of the New York City Charter.

Attachments: Hearing Transcript - Stated Meeting 2/2/05

This Mayor's Message was Referred to Comm by Council to the Committee on Finance

M 0432-2005 Communication from the Mayor - Submitting the Capital Commitment Plan, Fiscal Year 2006, Volumes 1, 2, & 3, and the Capital Commitment Plan, Fiscal Year 2005, Financial Summary, pursuant to Section 219 of the New York City Charter.

Attachments: Hearing Transcript - Stated Meeting 2/2/05

This Mayor's Message was Referred to Comm by Council to the Committee on Finance

M 0433-2005 Communication from the Mayor – Submitting the Preliminary Ten-Year Capital Strategy, Fiscal Year 2006-2015.

Attachments: Hearing Transcript - Stated Meeting 2/2/05

This Mayor's Message was Referred to Comm by Council to the Committee on Finance

M 0434-2005 Communication from the Mayor – Submitting Preliminary certificate on capital debt and obligations, Pursuant to Section 235 of the New York City Charter.

Attachments: Hearing Transcript - Stated Meeting 2/2/05

This Mayor's Message was Rcvd, Ord, Prnt, Fld by Council

5. Communications from City, County & Borough Offices

M 0435-2005 Communication from the Democratic Party of Brooklyn – Recommending the name of Jeannette Gadson to the Council regarding her appointment to the New York City Board of Elections, pursuant to the provisions of Section 3-204 of the New York State Election Law.

Attachments: Resolution, Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 2/2/05

This Communication was Referred to Comm by Council to the Committee on Rules, Privileges and Elections

M 0437-2005 Marcia Renee Brown, M.D., Council candidate for appointment as a member to the New York City Health and Hospitals Corporation Board of Directors.

Attachments: Committee Report and Resolution, Hearing Transcript, Hearing Transcript - Stated Meeting 2/2/05

This Communication was Referred to Comm by Council to the Committee on Rules, Privileges and Elections

M 0438-2005 Paul Angelo Vallone, Council candidate for appointment as a member to the New York City Board of Correction.

Attachments: Committee Report and Resolution, Hearing Transcript, Hearing Transcript - Stated Meeting 2/2/05

This Communication was Referred to Comm by Council to the Committee on Rules, Privileges and Elections

6. Petitions and Communications

7. Land Use Call-Ups

M 0436-2005

By Council Member Quinn:

Pursuant to Rule 11.20(b) of the Council and Section 20-226(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Transportation approving an enclosed sidewalk café located at 165 West 4th street, Borough of Manhattan, Council District no. 3., shall be subject to review by the Council. (Application no. 20045618 TCM.)

Attachments: Hearing Transcript - Stated Meeting 2/2/05

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

Affirmative, 48 -

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Boyland, Brewer, Clarke, Comrie Jr., Dilan, de Blasio, Felder, Fidler, Foster, Gallagher, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Jackson, James, Jennings Jr., Katz, Lanza, Liu, Martinez, McMahon, Monserrate, Moskowitz, Nelson, Oddo, Palma, Perkins, Provenzano, Quinn, Recchia Jr., Reed, Reyna, Rivera, Sanders Jr., Seabrook, Sears, Stewart, Vallone Jr., Vann, Weprin and Yassky

Excused, 2 -

Koppell and Lopez

At this point, the Public Advocate (Ms. Gotbaum) declared that the above aforementioned item was adopted and referred to the Committee on Land Use and to the appropriate Land Use subcommittee.

8. Communication from the Speaker

9. Discussion of General Orders

10. Reports of Special Committees

11. Reports of Standing Committees

Report of the Committee on Consumer Affairs

Int 0176-2004

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

Attachments: Committee Report 12/2/04, Hearing Transcript 12/2/04, Committee Report 1/31/05, Local Law, Hearing Transcript - Stated Meeting 2/2/05

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

Enactment No: 2005/015

Int 0177-2004 **A Local Law to amend the administrative code of the city of New York, in relation to requiring institutions that provide payday loan or grant services and that conduct business with the city or its agencies, to provide clear and conspicuous disclosure of interest rates and other charges in advertisements.**

Attachments: Committee Report 12/2/04, Hearing Transcript 12/2/04, Committee Report 1/31/05, Local Law, Hearing Transcript - Stated Meeting 2/2/05

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

Enactment No: 2005/016

Report of the Committee on Finance

Int 0282-2004 **A Local Law to amend the administrative code of the city of New York, in relation to the extension of the Madison Avenue business improvement district.**

Attachments: Committee Report 4/21/04, Hearing Transcript 4/21/04, Hearing Transcript 12/7/04, Local Law, Hearing Transcript 11/10/04, Hearing Transcript 2/2/05, Hearing Transcript - Stated Meeting 2/2/05

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

Enactment No: 2005/017

Res 0767-2005 **Resolution concerning the establishment of the 161st Street Business Improvement District in the Borough of the Bronx and setting the date, time and place for the public hearing to hear all persons interested in the establishment of such district.**

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 2/2/05

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

LU 0397-2005 **Section 202 Supportive Housing Program for the Elderly Ozzie Wilson Residence Brooklyn, Community District No. 4.**

Attachments: Memo, Resolution, Hearing Transcript

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

Res 0805-2005 **Resolution approving a partial exemption from real property taxes for property located at 567 - 575 Central Avenue (Block 3417, Lots 1, 2, 3, 4, and 5), 186 - 190 Eldert Street (Block 3417, Lots 6, 7, and 8) and 159 Covert Street (Block 3417, Lot 56), Brooklyn, pursuant to Section 422 of the Real Property Tax Law (Preconsidered L.U. No. 397).**

Attachments: Memo, Hearing Transcript - Stated Meeting 2/2/05

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

Report of the Committee on Housing and Buildings

Res 0388-2004 **Resolution granting additional real property tax exemptions for certain affordable housing developments.**

Attachments: Committee Report 10/28/04, Resolution Attachment, Committee Report 1/31/05, Hearing Transcript 10/28/04, Hearing Transcript 1/31/05, Hearing Transcript - Stated Meeting 2/2/05

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

Report of the Committee on Land Use

LU 0289-2004 **Uniform Land Use Review Procedure application no. C 050050 ZMM pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Manhattan, Council District no. 3.**

Attachments: Hearing Transcript - Land Use - 1/27/05, Hearing Transcript - Planning - 1/25/05

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

Res 0806-2005 **Resolution approving the decision of the City Planning Commission on ULURP No. C 050050 ZMM, a Zoning Map change (L.U. No. 289).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

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

LU 0290-2004 **Zoning resolution amendment application no. N 050051 ZRM, pursuant to Sections 197-d and 201 of the New York City Charter, for an amendment to Sections 96-40 and 96-80 concerning open space requirements in the Special Clinton District.**

Attachments: Hearing Transcript - Land Use - 1/27/05, Hearing Transcript - Planning - 1/25/05

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

Res 0807-2005 **Resolution approving the decision of the City Planning Commission on Application No. N 050051 ZRM, amendments to the text of the Zoning Resolution concerning Article IX, Chapter 6 (Special Clinton District), relating to the creation of a new Section 96-40 (Modification of General Large Scale Requirements), to permit the modification of open space requirements within general large-scale developments, Manhattan (L.U. No. 290).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

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

LU 0291-2004 **Uniform land use review procedure application no. C 050052 ZSM, pursuant to §197-c and §197-d of the Charter of the City of New York concerning a special permit under Section 74-681(a) of the Zoning Resolution in the Borough of Manhattan, Council District no. 3 to facilitate a general large-scale development. This application is subject to 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 vote of the Council pursuant to §197-d(b)(3) of the Charter.**

Attachments: Hearing Transcript - Land Use - 1/27/05, Hearing Transcript - Planning - 1/25/05

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

Res 0808-2005 **Resolution approving the decision of the City Planning Commission on ULURP No. C 050052 ZSM (L.U. No. 291), grant of a special permit pursuant to Section 74-681(a)(1) of the Zoning Resolution to permit portions of a railroad right-of-way which will be completely covered over by a permanent platform to be included in the lot area for the development of two mixed buildings, within a general large-scale development, Manhattan.**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

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

LU 0292-2004 **Uniform land use review procedure application no. C 050053 ZSM, pursuant to §197-c and §197-d of the Charter of the City of New York concerning a special permit under Sections 74-743(a)(1), 74-743(a)(2), 96-40 and 74-743 the Zoning Resolution in the Borough of Manhattan, Council District no. 3 to modify the maximum building height requirements to facilitate a general large-scale development. This application is subject to 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 vote of the Council pursuant to §197-d(b)(3) of the Charter.**

Attachments: Hearing Transcript - Land Use - 1/27/05, Hearing Transcript - Planning - 1/25/05

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

Res 0809-2005 **Resolution approving the decision of the City Planning Commission on ULURP No. C 050053 ZSM (L.U. No. 292), grant with conditions of a special permit pursuant to Sections 74-743, 74-743(a)(1), 74-743(a)(2), and 96-40, to allow for distribution of floor area across zoning lot lines and modification of height, setback, minimum distance between buildings, open space, and yard regulations in a proposed general large-scale development.**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

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

LU 0293-2004 Uniform land use review procedure application no. C 050054 ZSM, pursuant to §197-c and §197-d of the Charter of the City of New York concerning a special permit under 74-744(b) of the Zoning Resolution in the Borough of Manhattan, Council District no. 3 to modify the maximum building height requirements to facilitate a commercial building development. This application is subject to 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 vote of the Council pursuant to §197-d(b)(3) of the Charter.

Attachments: Hearing Transcript - Land Use - 1/27/05, Hearing Transcript - Planning - 1/25/05

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

Res 0810-2005 Resolution approving the decision of the City Planning Commission on ULURP No. C 050054 ZSM (L.U. No. 293), grant with conditions of a special permit pursuant to Section 74-744(b) of the Zoning Resolution to permit residential and non-residential uses to be arranged within a building without regard for the regulations set forth in Section 32-42 (Location within Buildings).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

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

LU 0294-2004 Uniform land use review procedure application no. C 050055 HAM, an Urban Development Action Area Designation and Project, located at 500, 502, 506-510 West 53rd Street, and the disposition of such property, Borough of Manhattan, Council District no. 3. This matter is subject to Council Review and action pursuant to §197-c and §197-d of the New York City Charter and Article 16 of the General Municipal Law.

Attachments: Hearing Transcript - Land Use - 1/27/05, Hearing Transcript - Planning - 1/25/05

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

Res 0811-2005 **Resolution approving the decision of the City Planning Commission on an application submitted by the Department of Housing Preservation and Development, ULURP No. C 050055 HAM, approving the designation of 500, 502, 506-510 West 53rd Street (Sites 8 and 9C) within the Clinton Urban Renewal Area (Block 1080/ p/o Lot 25, Block 1081/Lots 39 and p/o 29), Manhattan, as an Urban Development Action Area, approving the project for the area as an Urban Development Action Area Project, and approving the disposition of such property to a developer selected by the Department of Housing Preservation and Development (L.U. No. 294; C 050055 HAM).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

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

LU 0348-2004 **Application no. 20055106 HAK, an Urban Development Action Area Project, known as Nehemiah Homes at Gateway Estates, located in Community Board 5, Council Districts no. 42 and 46, Borough of Brooklyn. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development and pursuant to Section 696 of the General Municipal Law for an exemption from real property taxes.**

Attachments: Hearing Transcript - Planning - 11/30/04, Hearing Transcript - Land Use - 1/27/05, Hearing Transcript - Planning - 1/25/05

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

Res 0812-2005 **Resolution approving an Urban Development Action Area Project located at Linwood, Essex & Erskine Streets, Montauk, Milford, Logan & Fountain Places; Old Vandalia & Fountain Streets; Vandalia Avenue; Erskine & Elton Places. Bordered to the north by Flatlands Avenue, to the east by Fountain Avenue and Erskine Street, to the south by Gateway Center, to the west by Elton Street (Block 4449/Part of Lot 1; Block 4450/Lot 1; Block 4586/Part of Lot 1; and Block 4452/Part of Lot 170); Brooklyn, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 348; 20055106 HAK).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

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

LU 0363-2004 **Uniform land use review procedure application no. 040143 PQK, pursuant to §197-c and §197-d of the New York City Charter, concerning the acquisition of real property located at 741 Flushing Avenue, Borough of Brooklyn, Council District no. 34, for use as a day care center and senior center. This application is subject to 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 vote of the Council pursuant to §197-d(b)(3) of the Charter.**

Attachments: Hearing Transcript - Land Use - 1/27/05, Hearing Transcript - Landmarks - 1/25/05, Hearing Transcript - Landmarks - 1/27/05

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

Res 0813-2005 **Resolution approving the decision of the City Planning Commission on ULURP No. C 040143 PQK (L.U. No. 363), for the acquisition of property located at 741 Flushing Avenue (Block 2276/Lot 37), Brooklyn, for the continued use as a day care center and senior center.**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

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

LU 0365-2005 **Application no. 20055125 HAX, an Urban Development Action Area Project located at 1105 College Avenue, Council District no. 16, Borough of the Bronx. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development.**

Attachments: Hearing Transcript - Land Use - 1/27/05, Hearing Transcript - Planning - 1/25/05

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

Res 0814-2005 **Resolution approving an Urban Development Action Area Project located at 1105 College Avenue (Block 2438/Lot 85), the Bronx, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 365; 20055125 HAX).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

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

LU 0366-2005 **Application no. 20055126 HAM, an Urban Development Action Area Project located at 517, 519 and 521 West 157th Street, Council District no. 7, Borough of Manhattan. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development.**

Attachments: Hearing Transcript - Land Use - 1/27/05, Hearing Transcript - Planning - 1/25/05

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

Res 0815-2005 **Resolution approving an Urban Development Action Area Project located at 517 West 157 Street (Block 2116/Lot 47), 519 West 157 Street (Block 2116/Lot 48), 521 West 157 Street (Block 2116/Lot 49), Manhattan, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 366; 20055126 HAM).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

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

LU 0367-2005 **Application no. 20055127 HAM, an Urban Development Action Area Project located at 539 West 144th Street, Council District no. 7, Borough of Manhattan. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development and pursuant to Section 696 of the General Municipal Law for an exemption from real property taxes.**

Attachments: Hearing Transcript - Land Use - 1/27/05, Hearing Transcript - Planning - 1/25/05

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

Res 0816-2005 **Resolution approving an Urban Development Action Area Project located at 539 West 144th Street (Block 2076/Lot 17), Manhattan, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 367; 20055127 HAM).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

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

LU 0368-2005 **Application no. 20055128 HAM, an Urban Development Action Area Project located at 765 St. Nicholas Avenue, Council District no. 7, Borough of Manhattan. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development and pursuant to Section 696 of the General Municipal Law for an exemption from real property taxes.**

Attachments: Hearing Transcript - Land Use - 1/27/05, Hearing Transcript - Planning - 1/25/05

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

- Res 0817-2005** **Resolution approving an Urban Development Action Area Project located at 765 St. Nicholas Avenue (Block 2063/Lot 32), Manhattan, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 368; 20055128 HAM).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

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

- LU 0376-2005** **Application no. 20045674 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Indus Valley, to establish, maintain and operate an unenclosed sidewalk café located at 2636 Broadway, 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.**

Attachments: Hearing Transcript - Zoning - 1/26/05, Hearing Transcript - Land Use - 1/27/05

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

- Res 0818-2005** **Resolution approving the petition for a revocable consent for an enclosed sidewalk café located at 2636 Broadway, Manhattan (20045674 TCM; L.U. No. 376).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

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

- LU 0384-2005** **Uniform Land Use Review Procedure application no. C 040251 ZMK pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Brooklyn, Council District no. 43.**

Attachments: Hearing Transcript - Zoning - 1/26/05, Hearing Transcript - Land Use - 1/27/05

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

- Res 0819-2005** **Resolution approving the decision of the City Planning Commission on ULURP No. C 040251 ZMK, a Zoning Map change (L.U. No. 384).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

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

- LU 0394-2005** **Landmarks Preservation Commission designation no. DL – 357, LP – 2154, pursuant to §3020 of the New York City Charter, concerning the designation of the 35-34 Bell Boulevard, located at northwest corner of Bell Boulevard and 3a6th Avenue, Borough of Queens, Council District no. 19, as a landmark. (Non-ULURP no. 20055122 HKQ).**

Attachments: Hearing Transcript - Land Use - 1/27/05, Hearing Transcript - Landmarks - 1/25/05

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

- Res 0820-2005** **Resolution affirming the designation by the Landmarks Preservation Commission of 35-34 Bell Boulevard (Block 6169/Lot 21), Queens, Designation List No. 357, LP-2154 (L.U. No. 394; 20055122 HKQ; N 050151 HKQ).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

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

- LU 0395-2005** **Landmarks Preservation Commission designation no. DL – 357, LP – 2157, pursuant to §3020 of the New York City Charter, concerning the designation of the Hamilton-Holly House , located at 4 St Mark's Place, Borough of Manhattan, Council District no. 2, as a landmark. (Non-ULURP no. 20055119 HKM).**

Attachments: Hearing Transcript - Land Use - 1/27/05, Hearing Transcript - Landmarks - 1/25/05

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

- Res 0821-2005** **Resolution affirming the designation by the Landmarks Preservation Commission of the Hamilton-Holly House located at 4 St. Mark's Place (Block 463/Lot 11), Manhattan, Designation List No. 357, LP-2157 (L.U. No. 395; 20055119 HKM; N 050150 HKM).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

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

- LU 0398-2005** **Zoning resolution amendment application no. 050093 ZRY, pursuant to §197-d and §200 of the New York City Charter, concerning changes in the text of the zoning resolution, Citywide, relating: to Article X, Chapter 5 (Special Natural Area District).**

Attachments: Hearing Transcript - Zoning - 1/26/05, Hearing Transcript - Land Use - 1/27/05

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

- Res 0822-2005** **Resolution approving the decision of the City Planning Commission on Application No. N 050093 ZRY, an amendment to the text of the Zoning Resolution relating to Article X, Chapter 5 (Special Natural Area District) (L.U. No. 398).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

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

Report of the Committee on Rules, Privileges, and Elections

- M 0422-2005** **Communication from the Mayor - Submitting the name of Susan Grossman to the Council for its advice and consent regarding her appointment to the New York City Tax Commission, Pursuant to Sections 31 and 153 of the City Charter.**

Attachments: Committee Report, Hearing Transcript - Stated Meeting - 1/19/05, Hearing Transcript

A motion was made that this Mayor's Message be Approved, by Council approved by consent Roll Call.

- Res 0823-2005** **RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF SUSAN FLORENCE GROSSMAN AS A MEMBER OF THE NEW YORK CITY TAX COMMISSION.**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

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

M 0437-2005 **Marcia Renee Brown, M.D., Council candidate for appointment as a member to the New York City Health and Hospitals Corporation Board of Directors.**

Attachments: Committee Report and Resolution, Hearing Transcript, Hearing Transcript - Stated Meeting 2/2/05

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

Res 0824-2005 **RESOLUTION APPROVING THE DESIGNATION OF MARCIA RENEE BROWN, M.D. AS A MEMBER OF THE NEW YORK CITY HEALTH AND HOSPITALS CORPORATION BOARD OF DIRECTORS.**

Attachments: Committee Report and Resolution, Hearing Transcript - Stated Meeting 2/2/05

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

M 0438-2005 **Paul Angelo Vallone, Council candidate for appointment as a member to the New York City Board of Correction.**

Attachments: Committee Report and Resolution, Hearing Transcript, Hearing Transcript - Stated Meeting 2/2/05

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

Affirmative, 47 -

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Boyland, Brewer, Clarke, Comrie Jr., Dilan, de Blasio, Felder, Fidler, Foster, Gallagher, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Jackson, James, Jennings Jr., Katz, Lanza, Liu, Martinez, McMahon, Monserrate, Moskowitz, Nelson, Oddo, Palma, Perkins, Provenzano, Quinn, Recchia Jr., Reed, Reyna, Rivera, Sanders Jr., Seabrook, Sears, Stewart, Vann, Weprin and Yassky

Excused, 2 -

Koppell and Lopez

Recused, 1 -

Vallone Jr.

Res 0825-2005 **RESOLUTION APPROVING THE APPOINTMENT OF PAUL ANGELO VALLONE AS A MEMBER OF THE NEW YORK CITY BOARD OF CORRECTION.**

Attachments: Committee Report and Resolution, Hearing Transcript - Stated Meeting 2/2/05

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

Affirmative, 47 -

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Boyland, Brewer, Clarke, Comrie Jr., Dilan, de Blasio, Felder, Fidler, Foster, Gallagher, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Jackson, James, Jennings Jr., Katz, Lanza, Liu, Martinez, McMahon, Monserrate, Moskowitz, Nelson, Oddo, Palma, Perkins, Provenzano, Quinn, Recchia Jr., Reed, Reyna, Rivera, Sanders Jr., Seabrook, Sears, Stewart, Vann, Weprin and Yassky

Excused, 2 -

Koppell and Lopez

Recused, 1 -

Vallone Jr.

Res 0826-2005 RESOLUTION APPROVING THE APPOINTMENT OF PAUL ANGELO VALLONE AS A MEMBER OF THE NEW YORK CITY BOARD OF CORRECTION.

Attachments: Committee Report and Resolution, Hearing Transcript - Stated Meeting 2/2/05

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

Affirmative, 47 -

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Boyland, Brewer, Clarke, Comrie Jr., Dilan, de Blasio, Felder, Fidler, Foster, Gallagher, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Jackson, James, Jennings Jr., Katz, Lanza, Liu, Martinez, McMahon, Monserrate, Moskowitz, Nelson, Oddo, Palma, Perkins, Provenzano, Quinn, Recchia Jr., Reed, Reyna, Rivera, Sanders Jr., Seabrook, Sears, Stewart, Vann, Weprin and Yassky

Excused, 2 -

Koppell and Lopez

Recused, 1 -

Vallone Jr.

12. General Orders Calendar

Int 0127-2004 A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to track and report deaths of homeless persons in the city of New York.

Attachments: Committee Report 2/12/04, Hearing Transcript 2/12/04, Committee Report 6/9/05, Committee Report 6/24/04, Hearing Transcript - Stated Meeting 8/12/04, Hearing Transcript - Stated Meeting 9/9/04, Hearing Transcript - Stated Meeting 9/28/04, Hearing Transcript - Stated Meeting 10/13/04, Hearing Transcript - Stated Meeting 10/27/04, Hearing Transcript - Stated Meeting 11/10/04, Hearing Transcript - Stated Meeting 11/23/04, Hearing Transcript - Charter Meeting, Hearing Transcript - Stated Meeting - 12/7/04, Hearing Transcript - Stated Meeting - 1/19/05, Hearing Transcript - Stated Meeting 2/2/05, Hearing Transcript - Stated Meeting 2/16/05, Hearing Transcript - Stated Meeting 3/9/05

This Introduction was Laid Over by Council

Enactment No: 2005/063

Int 0403-2004 A Local Law to amend the administrative code of the city of New York, in relation to civil penalties for failure to maintain landmark or historic district improvements.

Attachments: Hearing Transcript - Landmarks - 10/20/04, Hearing Transcript - Landmarks - 11/30/04, Hearing Transcript - Landmarks - 12/13/04, Local Law, Hearing Transcript - Land Use - 10/21/04, Hearing Transcript - Stated Meeting 10/27/04, Hearing Transcript - Stated Meeting 11/10/04, Hearing Transcript - Stated Meeting 11/23/04, Hearing Transcript - Land Use - 1/13/05, Hearing Transcript - Stated Meeting - 1/19/05, Hearing Transcript - Stated Meeting 2/2/05

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

Affirmative, 47 -

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Boyland, Brewer, Clarke, Comrie Jr., de Blasio, Felder, Fidler, Foster, Gallagher, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Jackson, James, Jennings Jr., Katz, Lanza, Liu, Martinez, McMahon, Monserrate, Moskowitz, Nelson, Oddo, Palma, Perkins, Provenzano, Quinn, Recchia Jr., Reed, Reyna, Rivera, Sanders Jr., Seabrook, Sears, Stewart, Vallone Jr., Vann, Weprin and Yassky

Excused, 2 -

Koppell and Lopez

Abstain, 1 -

Dilan

Enactment No: 2005/018

T2004-0073

Commissioner of Deeds

Attachments: Hearing Transcript - Charter Meeting 1/7/04, Hearing Transcript - Stated Meeting 1/2/04, Hearing Transcript - Stated Meeting 2/4/04, Hearing Transcript - Stated Meeting 2/26/04, Hearing Transcript - Stated Meeting 3/10/04, Hearing Transcript - Stated Meeting 3/24/04, Hearing Transcript - Stated Meeting 4/1/04, Hearing Transcript - Stated Meeting 4/21/04, Hearing Transcript - Stated Meeting 5/5/04, Hearing Transcript - Stated Meeting 5/19/04, Hearing Transcript - Stated Meeting 6/7/04, Hearing Transcript - Stated Meeting 6/21/04, Hearing Transcript - Stated Meeting 6/22/04, Hearing Transcript - Stated Meeting 6/24/04, Hearing Transcript - Stated Meeting 6/28/04, Hearing Transcript - Stated Meeting 7/21/04, Hearing Transcript - Stated Meeting 8/12/04, Hearing Transcript - Stated Meeting 9/9/04, Hearing Transcript - Stated Meeting 9/28/04, Hearing Transcript - Stated Meeting 10/13/04, Hearing Transcript - Stated Meeting 10/27/04, Hearing Transcript - Stated Meeting 11/10/04, Hearing Transcript - Stated Meeting 11/23/04, Hearing Transcript - Stated Meeting 12/7/04, Hearing Transcript - Stated Meeting 12/15/04, Hearing Transcript - Charter Meeting, Hearing Transcript - Stated Meeting 1/19/05, Hearing Transcript - Stated Meeting 2/2/05, Hearing Transcript - Stated Meeting 2/16/05, Hearing Transcript - Stated Meeting 3/9/05, Hearing Transcript - Stated Meeting 4/20/05, Hearing Transcript - Stated Meeting 6/8/05, Hearing Transcript - Stated Meeting 10/11/05

A motion was made that this Commissioner of Deeds be Approved, by Council approved by consent Roll Call.

Coupled on General Order Calendar

Consumer Affairs

Int 0176-2004

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

Attachments: Committee Report 12/2/04, Hearing Transcript 12/2/04, Committee Report 1/31/05, Local Law, Hearing Transcript - Stated Meeting 2/2/05

Enactment No: 2005/015

Int 0177-2004

A Local Law to amend the administrative code of the city of New York, in relation to requiring institutions that provide payday loan or grant services and that conduct business with the city or its agencies, to provide clear and conspicuous disclosure of interest rates and other charges in advertisements.

Attachments: Committee Report 12/2/04, Hearing Transcript 12/2/04, Committee Report 1/31/05, Local Law, Hearing Transcript - Stated Meeting 2/2/05

Enactment No: 2005/016

Finance

Int 0282-2004 A Local Law to amend the administrative code of the city of New York, in relation to the extension of the Madison Avenue business improvement district.

Attachments: Committee Report 4/21/04, Hearing Transcript 4/21/04, Hearing Transcript 12/7/04, Local Law, Hearing Transcript 11/10/04, Hearing Transcript 2/2/05, Hearing Transcript - Stated Meeting 2/2/05

Enactment No: 2005/017

Res 0767-2005 Resolution concerning the establishment of the 161st Street Business Improvement District in the Borough of the Bronx and setting the date, time and place for the public hearing to hear all persons interested in the establishment of such district.

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 2/2/05

Res 0805-2005 Resolution approving a partial exemption from real property taxes for property located at 567 - 575 Central Avenue (Block 3417, Lots 1, 2, 3, 4, and 5), 186 - 190 Eldert Street (Block 3417, Lots 6, 7, and 8) and 159 Covert Street (Block 3417, Lot 56), Brooklyn, pursuant to Section 422 of the Real Property Tax Law (Preconsidered L.U. No. 397).

Attachments: Memo, Hearing Transcript - Stated Meeting 2/2/05

Housing and Buildings

Res 0388-2004 Resolution granting additional real property tax exemptions for certain affordable housing developments.

Attachments: Committee Report 10/28/04, Resolution Attachment, Committee Report 1/31/05, Hearing Transcript 10/28/04, Hearing Transcript 1/31/05, Hearing Transcript - Stated Meeting 2/2/05

Land Use

Res 0806-2005 Resolution approving the decision of the City Planning Commission on ULURP No. C 050050 ZMM, a Zoning Map change (L.U. No. 289).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

Res 0807-2005 Resolution approving the decision of the City Planning Commission on Application No. N 050051 ZRM, amendments to the text of the Zoning Resolution concerning Article IX, Chapter 6 (Special Clinton District), relating to the creation of a new Section 96-40 (Modification of General Large Scale Requirements), to permit the modification of open space requirements within general large-scale developments, Manhattan (L.U. No. 290).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

Res 0808-2005 Resolution approving the decision of the City Planning Commission on ULURP No. C 050052 ZSM (L.U. No. 291), grant of a special permit pursuant to Section 74-681(a)(1) of the Zoning Resolution to permit portions of a railroad right-of-way which will be completely covered over by a permanent platform to be included in the lot area for the development of two mixed buildings, within a general large-scale development, Manhattan.

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

Res 0809-2005 Resolution approving the decision of the City Planning Commission on ULURP No. C 050053 ZSM (L.U. No. 292), grant with conditions of a special permit pursuant to Sections 74-743, 74-743(a)(1), 74-743(a)(2), and 96-40, to allow for distribution of floor area across zoning lot lines and modification of height, setback, minimum distance between buildings, open space, and yard regulations in a proposed general large-scale development.

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

Res 0810-2005 Resolution approving the decision of the City Planning Commission on ULURP No. C 050054 ZSM (L.U. No. 293), grant with conditions of a special permit pursuant to Section 74-744(b) of the Zoning Resolution to permit residential and non-residential uses to be arranged within a building without regard for the regulations set forth in Section 32-42 (Location within Buildings).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

Res 0811-2005 Resolution approving the decision of the City Planning Commission on an application submitted by the Department of Housing Preservation and Development, ULURP No. C 050055 HAM, approving the designation of 500, 502, 506-510 West 53rd Street (Sites 8 and 9C) within the Clinton Urban Renewal Area (Block 1080/ p/o Lot 25, Block 1081/Lots 39 and p/o 29), Manhattan, as an Urban Development Action Area, approving the project for the area as an Urban Development Action Area Project, and approving the disposition of such property to a developer selected by the Department of Housing Preservation and Development (L.U. No. 294; C 050055 HAM).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

Res 0812-2005 Resolution approving an Urban Development Action Area Project located at Linwood, Essex & Erskine Streets, Montauk, Milford, Logan & Fountain Places; Old Vandalia & Fountain Streets; Vandalia Avenue; Erskine & Elton Places. Bordered to the north by Flatlands Avenue, to the east by Fountain Avenue and Erskine Street, to the south by Gateway Center, to the west by Elton Street (Block 4449/Part of Lot 1; Block 4450/Lot 1; Block 4586/Part of Lot 1; and Block 4452/Part of Lot 170); Brooklyn, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 348; 20055106 HAK).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

Res 0813-2005 Resolution approving the decision of the City Planning Commission on ULURP No. C 040143 PQQ (L.U. No. 363), for the acquisition of property located at 741 Flushing Avenue (Block 2276/Lot 37), Brooklyn, for the continued use as a day care center and senior center.

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

Res 0814-2005 Resolution approving an Urban Development Action Area Project located at 1105 College Avenue (Block 2438/Lot 85), the Bronx, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 365; 20055125 HAX).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

Res 0815-2005 Resolution approving an Urban Development Action Area Project located at 517 West 157 Street (Block 2116/Lot 47), 519 West 157 Street (Block 2116/Lot 48), 521 West 157 Street (Block 2116/Lot 49), Manhattan, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 366; 20055126 HAM).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

Res 0816-2005 Resolution approving an Urban Development Action Area Project located at 539 West 144th Street (Block 2076/Lot 17), Manhattan, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 367; 20055127 HAM).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

Res 0817-2005 Resolution approving an Urban Development Action Area Project located at 765 St. Nicholas Avenue (Block 2063/Lot 32), Manhattan, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 368; 20055128 HAM).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

Res 0818-2005 Resolution approving the petition for a revocable consent for an enclosed sidewalk café located at 2636 Broadway, Manhattan (20045674 TCM; L.U. No. 376).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

Res 0819-2005 **Resolution approving the decision of the City Planning Commission on ULURP No. C 040251 ZMK, a Zoning Map change (L.U. No. 384).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

Res 0820-2005 **Resolution affirming the designation by the Landmarks Preservation Commission of 35-34 Bell Boulevard (Block 6169/Lot 21), Queens, Designation List No. 357, LP-2154 (L.U. No. 394; 20055122 HKQ; N 050151 HKQ).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

Res 0821-2005 **Resolution affirming the designation by the Landmarks Preservation Commission of the Hamilton-Holly House located at 4 St. Mark's Place (Block 463/Lot 11), Manhattan, Designation List No. 357, LP-2157 (L.U. No. 395; 20055119 HKM; N 050150 HKM).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

Res 0822-2005 **Resolution approving the decision of the City Planning Commission on Application No. N 050093 ZRY, an amendment to the text of the Zoning Resolution relating to Article X, Chapter 5 (Special Natural Area District) (L.U. No. 398).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

Rules, Privileges, and Elections

Res 0823-2005 **RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF SUSAN FLORENCE GROSSMAN AS A MEMBER OF THE NEW YORK CITY TAX COMMISSION.**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 2/2/05

Res 0824-2005 **RESOLUTION APPROVING THE DESIGNATION OF MARCIA RENEE BROWN, M.D. AS A MEMBER OF THE NEW YORK CITY HEALTH AND HOSPITALS CORPORATION BOARD OF DIRECTORS.**

Attachments: Committee Report and Resolution, Hearing Transcript - Stated Meeting 2/2/05

Res 0825-2005 RESOLUTION APPROVING THE APPOINTMENT OF PAUL ANGELO VALLONE AS A MEMBER OF THE NEW YORK CITY BOARD OF CORRECTION.

Attachments: Committee Report and Resolution, Hearing Transcript - Stated Meeting 2/2/05

Res 0826-2005 RESOLUTION APPROVING THE APPOINTMENT OF PAUL ANGELO VALLONE AS A MEMBER OF THE NEW YORK CITY BOARD OF CORRECTION.

Attachments: Committee Report and Resolution, Hearing Transcript - Stated Meeting 2/2/05

General Order Calendar

Int 0403-2004 A Local Law to amend the administrative code of the city of New York, in relation to civil penalties for failure to maintain landmark or historic district improvements.

Attachments: Hearing Transcript - Landmarks - 10/20/04, Hearing Transcript - Landmarks - 11/30/04, Hearing Transcript - Landmarks - 12/13/04, Local Law, Hearing Transcript - Land Use - 10/21/04, Hearing Transcript - Stated Meeting 10/27/04, Hearing Transcript - Stated Meeting 11/10/04, Hearing Transcript - Stated Meeting 11/23/04, Hearing Transcript - Land Use - 1/13/05, Hearing Transcript - Stated Meeting - 1/19/05, Hearing Transcript - Stated Meeting 2/2/05

Enactment No: 2005/018

T2004-0073

Commissioner of Deeds

Attachments: Hearing Transcript - Charter Meeting 1/7/04, Hearing Transcript - Stated Meeting 1/2/04, Hearing Transcript - Stated Meeting 2/4/04, Hearing Transcript - Stated Meeting 2/26/04, Hearing Transcript - Stated Meeting 3/10/04, Hearing Transcript - Stated Meeting 3/24/04, Hearing Transcript - Stated Meeting 4/1/04, Hearing Transcript - Stated Meeting 4/21/04, Hearing Transcript - Stated Meeting 5/5/04, Hearing Transcript - Stated Meeting 5/19/04, Hearing Transcript - Stated Meeting 6/7/04, Hearing Transcript - Stated Meeting 6/21/04, Hearing Transcript - Stated Meeting 6/22/04, Hearing Transcript - Stated Meeting 6/24/04, Hearing Transcript - Stated Meeting 6/28/04, Hearing Transcript - Stated Meeting 7/21/04, Hearing Transcript - Stated Meeting 8/12/04, Hearing Transcript - Stated Meeting 9/9/04, Hearing Transcript - Stated Meeting 9/28/04, Hearing Transcript - Stated Meeting 10/13/04, Hearing Transcript - Stated Meeting 10/27/04, Hearing Transcript - Stated Meeting 11/10/04, Hearing Transcript - Stated Meeting 11/23/04, Hearing Transcript - Stated Meeting 12/7/04, Hearing Transcript - Stated Meeting 12/15/04, Hearing Transcript - Charter Meeting, Hearing Transcript - Stated Meeting 1/19/05, Hearing Transcript - Stated Meeting 2/2/05, Hearing Transcript - Stated Meeting 2/16/05, Hearing Transcript - Stated Meeting 3/9/05, Hearing Transcript - Stated Meeting 4/20/05, Hearing Transcript - Stated Meeting 6/8/05, Hearing Transcript - Stated Meeting 10/11/05

A motion was made that these files be approved by consent vote.

Affirmative, 48 -

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Boyland, Brewer, Clarke, Comrie Jr., Dilan, de Blasio, Felder, Fidler, Foster, Gallagher, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Jackson, James, Jennings Jr., Katz, Lanza, Liu, Martinez, McMahon, Monserrate, Moskowitz, Nelson, Oddo, Palma, Perkins, Provenzano, Quinn, Recchia Jr., Reed, Reyna, Rivera, Sanders Jr., Seabrook, Sears, Stewart, Vallone Jr., Vann, Weprin and Yassky

Excused, 2 -

Koppell and Lopez

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

Int No. 403-B, M 438 & Res 825 & Res 826.

See files for individual votes.

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

Res 0138-2004 Resolution calling upon the United States Congress to pass and the President to enact legislation to amend the current federal banking laws in order to allow states to better guard consumers from the potential risks of payday loans.

Attachments: Committee Report 12/2/04, Hearing Transcript 12/2/04, Committee Report 1/31/05, Hearing Transcript - Stated Meeting 2/2/05

Pursuant to Rule 8.50 of the Council, the Public Advocate (Ms. Gotbaum) called for a voice vote. Hearing no objections, the Public Advocate (Ms. Gotbaum) declared the Resolution to be adopted

Adopted unanimously by the Council by voice-vote.

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

Affirmative,

Excused,

Koppell and Lopez

Res 0246-2004 Resolution calling upon the Metropolitan Transportation Authority and its subsidiaries to stop the practice of leasing advertising space to businesses providing payday loan services, and in the alternative, calling upon the Metropolitan Transportation Authority to require payday loan companies to disclose pertinent information in their advertisements.

Attachments: Committee Report 12/2/04, Hearing Transcript 12/2/04, Committee Report 1/31/05, Hearing Transcript - Stated Meeting 2/2/05

Pursuant to Rule 8.50 of the Council, the Public Advocate (Ms. Gotbaum) called for a voice vote. Hearing no objections, the Public Advocate (Ms. Gotbaum) declared the Resolution to be adopted.

Adopted unanimously by the Council by voice-vote.

This Resolution was Approved, by Council

Res 0653-2004 **Resolution calling upon the Mayor and the State to negotiate and reach a firm agreement with respect to the Summer Youth Employment Program in advance of the budget process so that youth participate in the SYEP at maximum possible enrollment levels, keeping in mind that as recently as two summers ago there was sufficient funding for the employment of 37,869 young people; and further calling upon the Mayor to include requisite funding in the Preliminary and Executive Budget proposals, in order to ensure the timely and effective implementation of the SYEP.**

Attachments: Committee Report 11/22/04, Committee Report 1/20/05, Hearing Transcript 1/20/05, Hearing Transcript 11/22/04, Hearing Transcript - Stated Meeting 2/2/05

Pursuant to Rule 8.50 of the Council, the Public Advocate (Ms. Gotbaum) called for a voice vote. Hearing no objections, the Public Advocate (Ms. Gotbaum) declared the Resolution to be adopted.

Adopted unanimously by the Council by voice-vote.

This Resolution was Approved, by Council

Res 0669-2004 **Resolution calling upon all relevant City agencies to use their funding and regulatory power to support and encourage the provision of affordable high-speed Internet service and computer purchases for the benefit of residents of affordable housing.**

Attachments: Committee Report 11/22/04, Committee Report 1/28/05, Hearing Transcript 11/22/05, Hearing Transcript 1/28/05, Hearing Transcript - Stated Meeting 2/2/05

Pursuant to Rule 8.50 of the Council, the Public Advocate (Ms. Gotbaum) called for a voice vote. Hearing no objections, the Public Advocate (Ms. Gotbaum) declared the Resolution to be adopted.

Adopted unanimously by the Council by voice-vote.

This Resolution was Approved, by Council

- 16. General Discussion
- 17. Extension of Remarks

INTRODUCTION AND READING OF BILLS

Res 0792-2005 Resolution calling upon the Mayor, the Chancellor of the Department of Education and government officials to protect the First Amendment rights of students.

Sponsors: By Council Members Barron, Baez, Clarke, Comrie Jr., Liu, Martinez, Palma and Vann

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

Res 0793-2005 Resolution recognizing February 9, 2005 as National Girls and Women in Sports Day.

Sponsors: By Council Members Boyland, Baez, Barron, Clarke, Comrie Jr., Fidler, Gennaro, Gentile, Gerson, Gonzalez, James, Katz, Liu, McMahon, Nelson, Palma, The Speaker (Speaker Quinn), Recchia Jr., Sanders Jr., Stewart, Vann and Weprin

This Resolution was Referred to Comm by Council to the Committee on Women's Issues

Res 0794-2005 Resolution calling upon New York State to implement a policy of self-declaration of income to facilitate and expedite the enrollment of 1.3 million uninsured New Yorkers who are eligible for Medicaid.

Sponsors: By Council Members Foster, Baez, Barron, Clarke, Comrie Jr., Gerson, Gonzalez, Jennings Jr., Katz, Palma, The Speaker (Speaker Quinn), Stewart and Vann

This Resolution was Referred to Comm by Council to the Committee on General Welfare

Res 0795-2005 Resolution calling upon the Governor and New York State Legislature to execute the Memorandum of Understanding required for the implementation of the landmark 2003 New York State Brownfield Cleanup Program and distribution of funding through the Brownfield Opportunity Areas Program.

Sponsors: By Council Members Gennaro, Baez, Barron, de Blasio, Dilan, Foster, Gonzalez, Koppell, Martinez, McMahon, Palma, Reyna, Avella, Brewer, Clarke, Comrie Jr., Fidler, Gentile, Gerson, James, Katz, Liu, Nelson, The Speaker (Speaker Quinn), Sanders Jr., Vann, Weprin and Moskowitz

Attachments: Committee Report 2/28, Hearing Transcript 2/28, Committee Report 3/9, Hearing Transcript 3/9, Hearing Transcript - Stated Meeting 3/9/05

This Resolution was Referred to Comm by Council to the Committee on Environmental Protection

Int 0548-2005 A Local Law to amend the administrative code of the city of New York, in relation to improper disposal of recyclable material at one- and two-family dwellings.

Sponsors: By Council Members Gentile, Brewer, Comrie Jr., Dilan, Gonzalez, Katz, Koppell, Martinez, Nelson, Weprin, Stewart, James, Recchia Jr., Addabbo Jr., Gerson, Yassky, Oddo and The Public Advocate (Public Advocate Gotbaum)

Attachments: Committee Report, Hearing Transcript

This Introduction was Referred to Comm by Council to the Committee on Sanitation and Solid Waste Management

Int 0549-2005 A Local Law to amend the administrative code of the city of New York, in relation to the display of current vehicle registration.

Sponsors: By Council Members Gentile, Clarke, Comrie Jr., Fidler, Gennaro, Gonzalez, Jennings Jr., Koppell, Nelson, Sears, Weprin and Oddo

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

Res 0796-2005 Resolution calling upon the New York State Legislature to amend the public authorities law to provide for a minimum staffing level of one conductor and one operator on trains operated in passenger service on lines in the New York City transit system that travel through tunnels, under a body of water, or over a bridge; or during instances when trains in passenger service are composed of more than four cars, or are greater than three hundred sixty feet in length, or are able to carry a passenger load of more than 750 persons.

Sponsors: By Council Members Liu, Fidler, Dilan, Reyna, Addabbo Jr., Avella, Barron, Clarke, Comrie Jr., Foster, Gennaro, Gentile, Gerson, Gonzalez, James, Jennings Jr., Martinez, McMahon, Monserrate, Nelson, Palma, The Speaker (Speaker Quinn), Recchia Jr., Vann, Weprin, Sears and Oddo

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 3/9/05

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

Int 0550-2005 **A Local Law to amend the New York city charter, in relation to requiring the New York city department of education to report on the number of temporary and non-standard classrooms in use in the public school system.**

Sponsors: By Council Members Martinez, Moskowitz, Barron, Brewer, Comrie Jr., Dilan, Fidler, Gennaro, Gentile, Gerson, Gonzalez, Jennings Jr., Koppell, Liu, Monserrate, Nelson, Palma, The Speaker (Speaker Quinn), Recchia Jr., Sanders Jr., Stewart, Weprin, de Blasio, Jackson, Seabrook, Addabbo Jr. and The Public Advocate (Public Advocate Gotbaum)

Attachments: Committee Report 6/15/05, Witness List 6/15/05, Class Size & Building Use - Handout 6/15/05, Hearing Transcript 6/15/05, Committee Report 10/31/05, Committee Report 11/10/05, Committee Report 11/29/05

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

Enactment No: 2005/122

Int 0551-2005 **A Local Law to amend the administrative code of the city of New York, in relation to staffing five firefighters on all engines and ladders.**

Sponsors: By Council Members McMahon, Clarke, Fidler, Gerson, Gallagher, Katz, Koppell, Addabbo Jr., Avella, Baez, Barron, Brewer, Comrie Jr., Gennaro, Gentile, Gioia, Gonzalez, James, Jennings Jr., Liu, Monserrate, Nelson, The Speaker (Speaker Quinn), Recchia Jr. and Vallone Jr.

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

Int 0552-2005 **A Local Law to amend the administrative code of the city of New York, in relation to the purchase of green cleaning and other custodial products.**

Sponsors: By Council Members Moskowitz, The Speaker (Speaker Miller), Gennaro, The Speaker (Speaker Quinn), Baez, Brewer, Comrie Jr., Fidler, Gentile, Gerson, Koppell, Liu, Martinez, Nelson, Recchia Jr., Reed, Sears, Stewart, Weprin, de Blasio, James, Barron, Perkins, McMahon, Reyna, Monserrate, Vallone Jr., Yassky, Gioia, Sanders Jr., Katz, Lopez and Palma

Attachments: Change of Committee Assignment Memo, Committee Report 2/15/05, Hearing Transcript 2/15/05, Committee Report 9/26/05, Committee Report 12/20/05, Fiscal Impact Statement - A

This Introduction was Referred to Comm by Council to the Committee on Environmental Protection

Enactment No: 2005/123

Res 0797-2005 Resolution calling upon the Federal Government to set poverty levels that reflect the high cost of living in New York City.

Sponsors: By Council Members Moskowitz, Avella, Baez, Brewer, Comrie Jr., Fidler, Gennaro, Gerson, James, Koppell, Liu, Martinez, Nelson, Oddo, The Speaker (Speaker Quinn), Reed, Sanders Jr., Sears and Weprin

This Resolution was Referred to Comm by Council to the Committee on General Welfare

Res 0798-2005 Resolution commemorating the 60th anniversary of the liberation of the Auschwitz Concentration Camp in Poland on January 27, 1945.

Sponsors: By Council Members Nelson, The Speaker (Speaker Miller), Fidler, Weprin, Felder, Katz, Gennaro, Recchia Jr., Gerson, Avella, Brewer, Clarke, Comrie Jr., Foster, Gentile, Gioia, Gonzalez, Koppell, Liu, McMahon, The Speaker (Speaker Quinn), Reed, Sanders Jr., Vann, Perkins, Vallone Jr. and The Public Advocate (Public Advocate Gotbaum)

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 2/16/05

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

Res 0799-2005 Resolution encouraging the Metropolitan Transportation Authority (MTA) to provide additional rides on New York City Student Metrocards and to extend the valid time limits of such cards to allow students to participate in school-related and after-school activities.

Sponsors: By Council Members Perkins, Addabbo Jr., Avella, Baez, Barron, Brewer, Comrie Jr., Dilan, Fidler, Foster, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Jennings Jr., Liu, Martinez, Reed, Sanders Jr., Weprin and Moskowitz

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

Int 0553-2005 A Local Law to amend the administrative code of the city of New York, in relation to demolition work without a permit.

Sponsors: By Council Members Recchia Jr., Clarke, Comrie Jr., Fidler, Gentile, Gerson, Gonzalez, James, Koppell, Martinez, McMahon, Nelson, Stewart and Weprin

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

Res 0800-2005 **Resolution calling upon the New York State Legislature to provide all “line of duty” benefits to the domestic partners of New York City police officers.**

Sponsors: By Council Members Sears, Avella, Baez, Comrie Jr., Fidler, Gerson, Gonzalez, Liu, McMahon, The Speaker (Speaker Quinn), Weprin and Moskowitz

This Resolution was Referred to Comm by Council to the Committee on Civil Service and Labor

Int 0554-2005 **A Local Law to amend the administrative code of the city of New York, in relation to requiring the New York City Housing Authority, in consultation with the New York City Police Department, to install video security cameras at each housing development operated by the Housing Authority.**

Sponsors: By Council Members Vallone Jr., Reyna, Baez, Comrie Jr., Dilan, Fidler, Foster, Gennaro, Gerson, Gioia, Gonzalez, James, Jennings Jr., Koppell, Liu, Martinez, McMahon, Nelson, The Speaker (Speaker Quinn), Stewart, Vann and Weprin

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

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

Int 0555-2005 **A Local Law to amend the administrative code of the city of New York, in relation to requiring the New York City Police Department to make crime statistics at each housing development operated by the New York City Housing Authority available through its web site, as well as to make other crime information at such housing developments available to the Council.**

Sponsors: By Council Members Vallone Jr., Reyna, Baez, Brewer, Comrie Jr., Fidler, Foster, Gennaro, Gerson, Gioia, Gonzalez, James, Jennings Jr., Koppell, Liu, Martinez, McMahon, Nelson, Reed, Sanders Jr., Vann and Weprin

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

Int 0556-2005 A Local Law to amend the administrative code of the city of New York, in relation to the possession and sale of graffiti instruments.

Sponsors: By Council Members Vallone Jr., Brewer, Comrie Jr., Fidler, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Koppell, Liu, Martinez, McMahon, Nelson, Sears, Stewart, Weprin and Oddo

Attachments: Committee Report 2/15/05, Hearing Transcript 2/15/05, Committee Report 12/12/05

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

Enactment No: 2005/124

Int 0557-2005 A Local Law to amend the administrative code of the city of New York, in relation to making it a crime to knowingly transfer the HIV virus to another individual.

Sponsors: By Council Members Vallone Jr., Addabbo Jr., Comrie Jr., Gennaro, Gonzalez, Koppell, Martinez, Nelson, Recchia Jr. and Sanders Jr.

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

Res 0801-2005 Resolution urging the New York State Legislature to make it a felony to intentionally transmit the Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome (HIV/AIDS) to another individual.

Sponsors: By Council Members Vallone Jr., Comrie Jr., Gennaro, Koppell, Nelson and Sanders Jr.

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

Res 0802-2005 Resolution calling upon the State Legislature to address the legal loopholes that allow dangerous and deadly drivers to drive under the influence of drugs, drive with a suspended or revoked license, or leave the scene of an accident without facing adequate punishment.

Sponsors: By Council Members Vallone Jr., Clarke, Comrie Jr., Fidler, Foster, Gennaro, Gentile, Gerson, Gonzalez, Koppell, Liu, McMahon, Nelson, Recchia Jr., Reed, Sanders Jr., Sears and Weprin

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

Res 0803-2005 Resolution urging federal and state lawmakers to establish regulations that ensure guns and ammunition designed to penetrate body armor and bulletproof vests are not able to circulate within the United States.

Sponsors: By Council Members Vallone Jr., Brewer, Comrie Jr., Fidler, Gennaro, Gentile, Gerson, Gonzalez, Jennings Jr., Koppell, Liu, McMahon, Nelson, The Speaker (Speaker Quinn), Recchia Jr., Sears, Vann and Weprin

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

Res 0804-2005 Resolution in support of a posthumous presidential pardon of former boxing great John Arthur “Jack” Johnson for his racially-motivated conviction in 1913 and calling upon President George W. Bush to exercise his constitutional authority to grant a pardon in this case.

Sponsors: By Council Members Vann, Seabrook, The Speaker (Speaker Miller), Avella, Baez, Barron, Clarke, Comrie Jr., Fidler, Foster, Gennaro, James, Jennings Jr., Katz, Koppell, Liu, McMahon, Monserrate, Nelson, The Speaker (Speaker Quinn), Reed, Sanders Jr., Weprin, Recchia Jr., Brewer, Perkins and The Public Advocate (Public Advocate Gotbaum)

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 2/16/05

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

Int 0558-2005 A Local Law to amend the administrative code of the city of New York, in relation to unlawful real estate solicitations.

Sponsors: By Council Members Weprin, Rivera, Gentile, Avella, Clarke, Fidler, Gennaro, Gonzalez, James, Koppell, Liu, Nelson, Reed, Stewart, Odde, Katz, Brewer, Comrie Jr., Yassky, Gerson and Recchia Jr.

Attachments: Committee Report

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

LU 0397-2005 Section 202 Supportive Housing Program for the Elderly Ozzie Wilson Residence Brooklyn, Community District No. 4.

Sponsors: By Council Member Weprin

Attachments: Memo, Resolution, Hearing Transcript

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

LU 0398-2005 Zoning resolution amendment application no. 050093 ZRY, pursuant to §197-d and §200 of the New York City Charter, concerning changes in the text of the zoning resolution, Citywide, relating: to Article X, Chapter 5 (Special Natural Area District).

Sponsors: By Council Member Katz

Attachments: Hearing Transcript - Zoning - 1/26/05, Hearing Transcript - Land Use - 1/27/05

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

Attachments: Hearing Transcript - Zoning - 1/26/05, Hearing Transcript - Land Use - 1/27/05

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

LU 0399-2005 Landmarks Preservation Commission designation no. DL – 358, LP – 2155, pursuant to §3020 of the New York City Charter, concerning the designation of the Douglaston Hill Historic District, located at generally bounded by 43rd Avenue, 243rd Street, 42nd Avenue, 240th Street, Depew Avenue, 40th Avenue and 242nd Street, Borough of Queens, Council District no. 19, as a landmark. (Non-ULURP no. 20055133 HKQ).

Sponsors: By Council Member Katz

Attachments: Hearing Transcript - Landmarks

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

Attachments: Hearing Transcript - Landmarks

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

LU 0400-2005 **Application no. 20045618 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition Facosull Corp., d/d/a Four Faced Liar, to establish, maintain and operate an unenclosed sidewalk café located at 165 West 4th 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.**

Sponsors: By Council Member Katz

Attachments: Hearing Transcript - Zoning - 2/28/05, Hearing Transcript - Zoning - 2/10/05,
Hearing Transcript - Land Use - 3/2/05

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

Attachments: Hearing Transcript - Zoning - 2/28/05, Hearing Transcript - Zoning - 2/10/05,
Hearing Transcript - Land Use - 3/2/05

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

At this point the Speaker (Council Member Miller) made the following announcements:

Whereupon on motion of the Speaker (Council Member Miller), the Clerk of the Council adjourned to meet again on Febuary 16, 2005.

VICTOR L. ROBLES, City Clerk
Clerk of the Council