

# The New York City Council

## Council Agenda

### Stated Meeting

May 15, 2012

1:30 PM

### Council Chambers - City Hall

**1. Roll Call**

**2. Invocation**

*Delivered by: Minister Joel Youngblood, Mt. Pisgah Baptist Church, 760 Dekalb Avenue, Brooklyn, NY 11216.*

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

**3. Adoption of Minutes**

*Motion that the Minutes of the Stated Meeting of April 18, 2012 be adopted as printed by Council Member Foster.*

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

**M 0803-2012**      **Submitting the Expense Revenue Contract Budget, for FY'13.**  
Communication from the Mayor - Submitting the Expense Revenue Contract Budget, for Fiscal Year 2013, pursuant to

Section 249 of the New York City Charter.

*Finance*

**M 0804-2012      Submitting the Executive Capital Budget for FY'13.**

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

*Finance*

**M 0805-2012      Submitting the Proposed City FY'13 Community Development Program, the Proposed CFY'12 Budget, the Proposed Reallocations-the CD XXXVIII Funds, Proposed CD XXXVIX Statement of Objectives and Budget, dated May 3, 2012.**

Communication from the Mayor - Submitting the Proposed City Fiscal Year 2013 Community Development Program, the Proposed CFY'12 Budget, the Proposed Reallocations-the CD XXXVIII Funds, Proposed CD XXXVIX Statement of Objectives and Budget, dated May 3, 2012.

*Finance*

**M 0806-2012      Submitting the Executive Budget Supporting Schedules, for FY'13.**

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

*Finance*

**M 0807-2012      Submitting the Capital Commitment Plan, Executive Budget, FY'13, Volumes I, II and III.**

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

*Finance*

**M 0808-2012      Submitting the Executive Budget -Geographic Reports for**

**Expense Budget for FY'13.**

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

*Finance*

**M 0809-2012**

**Submitting the Executive Capital Budget FY'13, Capital Project Detail Data, Citywide Volumes 1 and 2 and Volumes for the Five Boroughs, dated May 3, 2012.**

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

*Finance*

**M 0810-2012**

**Submitting the Budget Summary, Message of the Mayor and Summary of Reduction Program relative to the Executive Budget, FY'13.**

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

*Finance*

**M 0811-2012**

**Submitting certificate setting forth the maximum amount of debt and reserves which the City, and the NYC Municipal Water Finance Authority, may soundly incur for capital projects for FY'13.**

Communication from the Mayor - Submitting certificate setting forth the maximum amount of debt and reserves which the City, and the NYC Municipal Water Finance Authority, may soundly incur for capital projects for Fiscal Year 2013 and the ensuing three fiscal years, and the maximum amount of appropriations and expenditures for capital projects which may soundly be made during each fiscal year, pursuant to Section

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250 (16) of the New York City Charter.

*Received, Ordered, Printed and Filed*

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

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

Communication from the Chancellor – Submitting an amendment to the five year Capital Plan FY 2010 – 2014.

*Finance*

**M 0813-2012** Submitting Third Party Transfer Program Brooklyn, In Rem Action No. 51,

Communication from the Department of Finance - Submitting Third Party Transfer Program Brooklyn, In Rem Action No. 51, Community Districts No. 2,3,5,6,8,9,17 Council Districts No. 35, 36,39,40,41,42.

*Housing and Buildings*

## 6. Petitions and Communications

*None*

## 7. Land Use Call-Ups

**M 0814-2012** Sidewalk café, 103 Greenwich Ave, Manhattan (20125425 TCM)

By The Speaker (Council Member Quinn):  
Pursuant to Rule 11.20(b) of the Council and Section 20-226(g) or 20-225(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed/enclosed sidewalk café located at 103 Greenwich Avenue, CB 2, Application no. 20125425 TCM shall be subject to review by

the Council.

*Coupled on Call – Up Vote*

**M 0815-2012 Sidewalk café, 235 West 12th St, Manhattan (20115529TCM)**

By The Speaker (Council Member Quinn):

Pursuant to Rule 11.20(b) of the Council and Section 20-226(g) or 20-225(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed/enclosed sidewalk café located at 235 West 12th Street, CB 2, Application no. 20115529 TCM shall be subject to review by the Council.

*Coupled on Call – Up Vote*

**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**

**Int 0018-2010-A Establishing a prevailing wage requirement for building service employees in city leased or financially assisted facilities.**

A Local Law to amend the administrative code of the city of New York in relation to establishing a prevailing wage requirement for building service employees in city leased or financially assisted facilities.

*Coupled on GO*

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**M 0798-2012**      **Mayor's Veto of Int. No. 18-A - Establishing a prevailing wage requirement for building service employees in city leased or financially assisted facilities.**

Communication from the Mayor - Mayors veto and disapproval message of Introductory Number 18-A, in relation to establishing a prevailing wage requirement for building service employees in city leased or financially assisted facilities.

*Coupled to be Filed*

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

**Res 1333-2012**      **LU 552 - UDAPP, 92 West Tremont Ave, Bronx (C120107HAX)**

Uniform land use review procedure application no. C 120107 HAX, an Urban Development Action Area Designation and Project located at 92 West Tremont Avenue and the disposition of city owned property, Borough of the Bronx, Council District no. 16. 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.

*Coupled on GO*

**Res 1334-2012**      **LU 590 - Authorizing franchises for cable television services. (20125458)**

Application no. 20125458, Authorizing franchises for cable television services.

*Coupled on GO*

**Res 1335-2012**      **LU 595 - Zoning, Amendment of the Zoning Map (C120108ZMK)**

Application no. C 120108 ZMK submitted by NYC Department of Small Business Services pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section Nos.29a and 29c,

Council District 46.

*Coupled on GO*

**Res 1336-2012**

**LU 596 - Zoning, Amendment to City Map, Brooklyn (C070512MMK)**

Application no. C 070512 MMK submitted by the Department of Small Business Services pursuant to Sections 1302, 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code for an amendment to the City Map, Borough of Brooklyn, Community District 18, Council District no. 46. 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.

*Coupled on GO*

**Res 1337-2012**

**LU 597 - Zoning, 2875 Flatbush Ave, Brooklyn (C120111 PPK)**

Application no. C 120111 PPK submitted by the NYC Department of Small Business Services (DSBS), pursuant to Section 197-c of the New York City Charter, for Disposition to the New York City Economic Development Corporation (EDC) of city-owned property located at 2875 Flatbush Avenue (Block 8591, p/o Lot 125, and p/o Lot 175), which includes the disposition of an easement over p/o Lot 100 and a restriction prohibiting Use Group 16 on Block 8591, p/o Lot 100 and p/o Lot 125, Borough Brooklyn, Community District 18, Council District 46. 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.

*Coupled on GO*

**Res 1338-2012**

**LU 598 - Zoning, Mill Basin, Four Sparrow Marsh Park and Flatbush Ave, Brooklyn (N120109ZAK)**

Application no. N 120109 ZAK submitted by NYC Department of Small Business Services for the grant of an authorization pursuant to Section 62-822(a)(1) of the Zoning Resolution to modify the location requirements of Sections 62-511(Location of Visual corridors) and 62-56(Requirement's for Upland Connections) and the minimum dimension requirements of Section 62-53 (Requirements for Shore Public Walkways); in connection with a proposed waterfront zoning lot subdivision, on property bounded by Mill Basin, Four Sparrow Marsh Park, and Flatbush Avenue (Block 8591, Lots 125, 175, 980 and p/o Lot 100) in a C3 and C8-1 Districts, Borough of Brooklyn, Community District 18, Council District 46. 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.

*Coupled on GO*

**Res 1339-2012**

**LU 599 - Zoning, Amendment to Zoning Map (C090466ZMQ)**

Application no. C 090466 ZMQ submitted by ADC Builders & Developers pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 19a, Council District 27.

*Coupled on GO*

**Res 1340-2012**

**LU 602 - Sidewalk café, 7 Ninth Ave, Manhattan (20125364 TCM)**

Application no. 20125364 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Serafina Meatpacking LLC., d.b.a. Serafina, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 7 Ninth Avenue, Borough of Manhattan, Council District 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.

*Coupled on GO*

**Res 1341-2012**      **LU 607 - Landmarks, Battery Maritime Building (20125571 PNM)**

Application no. 20125571 PNM, pursuant to § 1301 (2) (f) of the New York City Charter concerning the proposed maritime lease of a portion of the ground floor of the Battery Maritime Building between the Department of Small Business Services and the Governors Island Corporation a.k.a. The Trust for Governors Island, Council District 1.

*Coupled on GO*

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

**Int 0784-2012-A**      **Allowing for transfer of muni-meter time.**

A Local Law to amend the administrative code of the city of New York, in relation to allowing for transfer of muni-meter time.

*Amended and Coupled on GO*

## **12. General Orders Calendar**

**Int 0485-2011-A**      **Evaluation of depository banks.**

A Local Law to amend the New York City charter, in relation to the evaluation of depository banks.

*Coupled on GO*

**T2010-0002**      **Commissioner of Deeds**

*Coupled on GO*

## **Coupled on General Order Calendar**

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## Finance

- Int 0018-2010-A**      **Establishing a prevailing wage requirement for building service employees in city leased or financially assisted facilities.**  
*GO*
- M 0798-2012**      **Mayor's Veto of Int. No. 18-A - Establishing a prevailing wage requirement for building service employees in city leased or financially assisted facilities.**  
*Filed*

## Land Use

- Res 1334-2012**      **LU 590 - Authorizing franchises for cable television services.**  
**(20125458)**  
*GO*
- Res 1333-2012**      **LU 552 - UDAPP, 92 West Tremont Ave, Bronx (C120107HAX)**  
*GO*
- Res 1335-2012**      **LU 595 - Zoning, Amendment of the Zoning Map**  
**(C120108ZMK)**  
*GO*
- Res 1336-2012**      **LU 596 - Zoning, Amendment to City Map, Brooklyn**  
**(C070512MMK)**  
*GO*
- Res 1337-2012**      **LU 597 - Zoning, 2875 Flatbush Ave, Brooklyn (C120111 PPK)**  
*GO*
- Res 1338-2012**      **LU 598 - Zoning, Mill Basin, Four Sparrow Marsh Park and**  
**Flatbush Ave, Brooklyn (N120109ZAK)**  
*GO*
- Res 1339-2012**      **LU 599 - Zoning, Amendment to Zoning Map (C090466ZMQ)**  
*GO*

**Res 1340-2012**      **LU 602 - Sidewalk café, 7 Ninth Ave, Manhattan (20125364  
TCM)  
GO**

**Res 1341-2012**      **LU 607 - Landmarks, Battery Maritime Building (20125571  
PNM)  
GO**

## **Transportation**

**Int 0784-2012-A**      **Allowing for transfer of muni-meter time.  
A and GO**

## **General Order Calendar**

**Int 0485-2011-A**      **Evaluation of depository banks.  
GO**

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

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

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

### **15. Resolutions**

**Res 1226-2012-A**      **Village Voice Media to stop accepting adult services  
advertisements on its online classified site, Backpage.com**  
  
Resolution calling on Village Voice Media to stop accepting  
adult services advertisements on its online classified site,

Backpage.com, because it serves as a platform to traffic minors and adult victims for sex.

*Amended and Adopted by the Committee on Women's Issues*

**Res 1319-2012-A**                      **Raise the state minimum wage. (A.9148/S.6413)**

Resolution in support of A.9148/S.6413, which would raise the state minimum wage, and calling upon the New York State Legislature to pass and the Governor to sign this legislation.

*Amended and Adopted by the Committee on Civil Service and Labor*

## **16.      General Discussion**

## **17.      Extension of Remarks**

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

**Int 0854-2012**                      *By Council Member Arroyo*

A Local Law to amend the New York City Charter, in relation to records maintained by the office of the chief medical examiner.

*Health*

**Res 1326-2012**                      *By Council Member Dickens*

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, S.1155/A.5222, legislation that would amend the New York State Education Law in relation to charter school locations in New York City.

*Education*

**Res 1327-2012**                      *By Council Members Dilan and Jackson*

Resolution calling on the New York State Legislature to pass and the Governor to sign A.9824/S.7247, legislation which

would amend the State Education Law to require school districts to provide supplemental educational services to low-income students in failing schools.

***Education***

**Int 0855-2012**      *By Council Member James*

A Local Law to amend the administrative code of the city of New York, in relation to increasing the penalty for the class B misdemeanor of counterfeiting a parking permit.

***Transportation***

**Res 1328-2012**      *By Council Member James*

Resolution in support of the Fairness in Foreclosures Act of 2011, H.R. 3566.

***Community Development***

**Int 0856-2012**      *By Council Member Lander*

A Local Law to amend the administrative code of the city of New York, in relation to an annual report on park maintenance and capital expenditures.

***Parks and Recreation***

**Int 0857-2012**      *By Council Members Lander and Sanders Jr.*

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting discrimination based on one's consumer credit history.

***Civil Rights***

**Res 1329-2012**      *By Council Members Levin, James and Dilan*

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, Senate bill S.741-A, and its Assembly companion bill A.6394-A, in relation to the Rent Guidelines Board.

***Housing and Buildings***

**Res 1330-2012**      *By Council Member Levin*

Resolution calling on the New York State Legislature to pass and the Governor to sign A.9861/S.7015, legislation which would amend the State Education Law enabling New York City to require that all 5 year old children in the City attend kindergarten.

***Education***

**Int 0858-2012**      *By Council Member Mark-Viverito*

A Local Law to amend the administrative code of the city of New York in relation to technical and minor amendments to the local law establishing a prevailing wage requirement for building service employees in city leased or financially assisted facilities.

***Finance***

**Res 1331-2012**      *By Council Member Rose*

Resolution condemning the passage of Amendment 1 in the State of North Carolina.

***Civil Rights***

**Int 0859-2012**      *By Council Member Vallone Jr.*

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to submit to the council reports of crime in all parks and playgrounds within the City that are greater than one acre in size.

***Public Safety***

**Int 0860-2012**      *By Council Member Vallone Jr.*

A Local Law to amend the administrative code of the city of New York, in relation to exempting certain vehicles from purchasing muni-meter time.

***Transportation***

**Res 1332-2012**      *By Council Members Vallone Jr. and Vacca*

Resolution calling upon the New York State Legislature to enact and for the Governor to sign into law A.9219/S.6416, which would give authority to the New York Police Department to enforce Vehicle and Traffic Law Section 1146, regardless of whether the police officer witnessed the incident.

***Transportation***

**Int 0861-2012**

*By Council Member Williams*

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to requiring hotel developers to present their plans to affected community boards.

***Housing and Buildings***

**LU 0611-2012**

*By Council Member Comrie Jr.*

Application no. N 120144 ZRM submitted by the New York City Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article XIII, Chapter 2 (Special Enhanced Commercial District), along Broadway, Amsterdam and Columbus avenues Council District 6, 8 and 9.

***Zoning and Franchises***

**LU 0612-2012**

*By Council Member Comrie Jr.*

Application no. C 120145 ZMM submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Sections Nos. 5d & 8c. Council District 6, 8 and 9.

***Zoning and Franchises***

**LU 0613-2012**

*By Council Member Comrie Jr.*

Application no. C 110077 ZMR submitted by Jhong Uhk Kim pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 33c. Council District 51.

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***Zoning and Franchises***

**LU 0614-2012**      *By Council Member Comrie Jr.*

Application no. C 110078 ZRR submitted by Jhong Uhk Kim pursuant to Sections 197-cand 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, concerning the Special South Richmond Development District (Article X, Chapter7), Appendix A, relating to the modification of the arterial setback plan. Council District 51.

***Zoning and Franchises***

**LU 0615-2012**      *By Council Member Comrie Jr.*

Application no. 20125425 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 103 GW12 LLC., d.b.a. Monument Lane, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 103 Greenwich Avenue, Borough of Manhattan, Council District 3. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.

***Zoning and Franchises***

**LU 0616-2012**      *By Council Member Comrie Jr.*

Application no. 20115529TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Franco-American Restaurant Investment Group, Inc. , d.b.a. The Tea Set, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 235 West 12th Street, Borough of Manhattan, Council District 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.



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*Zoning and Franchises*