

The New York City Council

Council Agenda

Stated Meeting

May 31, 2012

1:30 PM

Council Chambers - City Hall

1. Roll Call

2. Invocation

Delivered by: Father Michael Perry, Our Lady of Refuge Catholic Church, 2020 Foster Avenue, Brooklyn, NY 11210.

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

3. Adoption of Minutes

Motion that the Minutes of the Stated Meeting of April 30, 2012 be adopted as printed by Council Member Mendez.

4. Messages & Papers from the Mayor

M 0816-2012

Requiring the payment of a living wage to employees employed on property developed by recipients of financial assistance for economic development.

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

Contracts

M 0817-2012 **Evaluation of depository banks.**

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

Finance

M 0818-2012 **Waiver of public employee organizations' rights when submitting grievances to arbitration under the NYC collective bargaining law.**

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

Civil Service and Labor

5. Communications from City, County & Borough Offices

M 0819-2012 **Transmitting recommendations of the interest rate to be charged for FY'13 for non-payment of taxes on real estate, and for non-payment of water and sewer rents.**

Communication from the New York City Banking Commission - Transmitting recommendations of the interest rate to be charged for Fiscal Year 2013 for non-payment of taxes on real estate, and for non-payment of water and sewer rents and transmitting recommendation of the discount rate to be allowed for early payment of real estate taxes for Fiscal

Year 2013, pursuant to the City Charter.

Finance

M 0820-2012 Arva R. Rice, Equal Employment Practices Commission

Arva R. Rice - Candidate for re-appointment by the Council to the New York City Equal Employment Practices Commission pursuant to § 830 of the New York City Charter.

Preconsidered - Rules, Privileges and Elections

M 0821-2012 Malini Cadambi Daniel, Equal Employment Practices Commission

Malini Cadambi Daniel - Candidate for re-appointment by the Council to the New York City Equal Employment Practices Commission pursuant to § 830 of the New York City Charter.

Preconsidered - Rules, Privileges and Elections

6. Petitions and Communications

None

7. Land Use Call-Ups

None

8. Communication from the Speaker

9. Discussion of General Orders

10. Reports of Special Committees

None

11. Reports of Standing Committees

Report of the Committee on Finance

Res 1354-2012 LU 617 - St. Francis Apartments, Bronx

Resolution approving an exemption from real property taxes for property located at (Block 2287, Lot 46) Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No.)

Preconsidered - Coupled on GO

Res 1355-2012 LU 618 - George Hardy Apartments, Bronx

Resolution approving an exemption from real property taxes for property located at (Block 2281, Lot 21) Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No.)

Preconsidered - Coupled on GO

Res 1356-2012 LU 619 - 1520 Sedgwick Avenue, Bronx

Resolution approving an exemption from real property taxes for property located at (Block 2280, Lot 17) Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No.)

Preconsidered - Coupled on GO

Res 1357-2012 LU 620 - Crotona V, Bronx

Resolution approving an exemption from real property taxes for property located at (Blocks 3002, 3010, and Lots 25 and 21, respectively) Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No.)

Preconsidered - Coupled on GO

Report of the Committee on Governmental Operations

Int 0479-2011-A Requiring city contractors and subcontractors to post information concerning their employees' reporting of fraud, false claims, criminality or corruption and their whistleblower

protection rights.

A Local Law to amend the administrative code of the city of New York, in relation to requiring city contractors and subcontractors to post information concerning their employees' reporting of fraud, false claims, criminality or corruption and their whistleblower protection rights.

Amended and Coupled on GO

Int 0816-2012-A Extending whistleblower protection for officers and employees of city contractors and subcontractors.

A Local Law to amend the administrative code of the city of New York, in relation to extending whistleblower protection for officers and employees of city contractors and subcontractors.

Amended and Coupled on GO

Int 0828-2012-A New York city false claims act.

A Local Law to amend the administrative code of the city of New York, in relation to the New York city false claims act.

Amended and Coupled on GO

Report of the Committee on Land Use

Res 1358-2012 LU 603 - Sidewalk café, 247 Dyckman St, Manhattan (20125338 TCM)

Application no. 20125338 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Vida Café Inc. d.b.a. Mamajuana Cafe, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 247 Dyckman Street, Borough of Manhattan, Council District 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.

*Coupled on GO***Res 1359-2012 LU 604 - Zoning, Special Hudson Yards District (N 120176 ZRM)**

Application no. N 120176 ZRM submitted by ERY Tenant LLC 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 IX, Chapter 3 (Special Hudson Yards District), Council District 3.

*Coupled on GO***Res 1360-2012 LU 605 - Zoning, Special Hudson Yards District (N 120171 ZRM)**

Application no. N 120171 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 IX, Chapter 3 (Special Hudson Yards District), Council District 3.

*Coupled on GO***Res 1361-2012 LU 606 - Zoning, Laight Street Project Owner (N 120166 ZRM)**

Application no. N 120166 ZRM submitted by Laight Street Project Owner, LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to the extension of a variance approved by the Board of Standards and Appeals concerning the modification of bulk regulations in the Special Tribeca Mixed Use District, Council District 1.

*Coupled on GO***Res 1362-2012 LU 608 - UDAAP, 500/539 Union Ave, Bronx (C 120164 HAX)**

Application no. C 120164 HAX, application submitted by the Department of Housing Preservation and Development, an Urban Development Action Area Designation and Project located at 500/539 Union Avenue (Block 2582, lots 47,64

and 65) and the disposition of city owned property, Borough of the Bronx ,Community Board 1, Council District no. 17. This matter is subject to Council Review and action pursuant to §197-c and §197-d of the New York City Charter and Article 16 of the General Municipal Law.

Coupled on GO

Res 1363-2012 LU 609 - Amendment of Zoning Map, Bronx (C 120165 ZMX)

Application no. C 120165 ZMX submitted by NYC Department of Housing, Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6c, changing from an R7-2 District to an R8X District property bounded by East 149th Street, Prospect Avenue, Southern Boulevard, East 147th Street, and Union Avenue and its southerly centerline prolongation, Borough of the Bronx, Council District 17.

Coupled on GO

Res 1364-2012 LU 610 - UDAAP, 63-65 w. 137th St, Bronx (20125592 HAM)

Application no. 20125592 HAM submitted by the New York City Department of Housing Preservation and Development pursuant Article 16 of the General Municipal Law, an Urban Development Action Area Project located at 63-65 w. 137th Street, 119, 123, 125, 132 W. 133rd Street, 235-237 W. 116th Street, 229, 231 W. 121st Street (Block 1735, Lot 8, Block 1917, Lot 45, Block 1918, Lots 20, 21, 23, Block 1922, Lot 13, Block 1927, Lots 15, 16) in the Borough of the Bronx, Community Board 10, Council District no. 9.

Coupled on GO

Report of the Committee on Rules, Privileges, and Elections

Res 1365-2012 M 820 - Arva R. Rice, Equal Employment Practices Commission

RESOLUTION APPROVING THE RE-APPOINTMENT BY THE COUNCIL OF ARVA R. RICE AS A MEMBER OF THE EQUAL EMPLOYMENT PRACTICES COMMISSION.

Preconsidered - Coupled on GO

Res 1366-2012

M 821 - Malini Cadambi Daniel, Equal Employment Practices Commission

RESOLUTION APPROVING THE RE-APPOINTMENT BY THE COUNCIL OF MALINI CADAMBI DANIEL AS A MEMBER OF THE EQUAL EMPLOYMENT PRACTICES COMMISSION.

Preconsidered - Coupled on GO

Report of the Committee on State and Federal Legislation

SLR 0015-2012

**Discontinue use of and convey certain park land.
(S.2513/A.4874)**

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Gianaris, S.2513, and Assembly Member Simotas, A.4874, "AN ACT to authorize the city of New York to discontinue use of and convey certain park land".

Preconsidered - Coupled on GO

SLR 0016-2012

**Training of fire officers in cities of one million or more.
(S.6436/A.9367-A)**

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Golden, S.6436, and Assembly Member Abbate, A.9367-A, "AN ACT to amend the general municipal law, in relation to training of fire officers in cities of one million or more".

Preconsidered - Coupled on GO

12. General Orders Calendar

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

Coupled on General Order Calendar

Finance

Res 1354-2012 **LU 617 - St. Francis Apartments, Bronx**
Preconsidered - GO

Res 1355-2012 **LU 618 - George Hardy Apartments, Bronx**
Preconsidered - GO

Res 1356-2012 **LU 619 - 1520 Sedgwick Avenue, Bronx**
Preconsidered - GO

Res 1357-2012 **LU 620 - Crotona V, Bronx**
Preconsidered - GO

Governmental Operations

Int 0479-2011-A **Requiring city contractors and subcontractors to post information concerning their employees' reporting of fraud, false claims, criminality or corruption and their whistleblower protection rights.**
A and GO

Int 0816-2012-A **Extending whistleblower protection for officers and employees of city contractors and subcontractors.**
A and GO

Int 0828-2012-A **New York city false claims act.**
A and GO

Land Use

- Res 1358-2012** **LU 603 - Sidewalk café, 247 Dyckman St, Manhattan
(20125338 TCM)
GO**
- Res 1359-2012** **LU 604 - Zoning, Special Hudson Yards District (N 120176
ZRM)
GO**
- Res 1360-2012** **LU 605 - Zoning, Special Hudson Yards District (N 120171
ZRM)
GO**
- Res 1361-2012** **LU 606 - Zoning, Laight Street Project Owner (N 120166
ZRM)
GO**
- Res 1362-2012** **LU 608 - UDAAP, 500/539 Union Ave, Bronx (C 120164 HAX)
GO**
- Res 1363-2012** **LU 609 - Amendment of Zoning Map, Bronx (C 120165 ZMX)
GO**
- Res 1364-2012** **LU 610 - UDAAP, 63-65 w. 137th St, Bronx (20125592 HAM)
GO**

Rules, Privileges, and Elections

- Res 1365-2012** **M 820 - Arva R. Rice, Equal Employment Practices
Commission
*Preconsidered - GO***
- Res 1366-2012** **M 821 - Malini Cadambi Daniel, Equal Employment Practices
Commission
*Preconsidered - GO***

State and Federal Legislation

- SLR 0015-2012 Discontinue use of and convey certain park land.
(S.2513/A.4874)
Preconsidered - GO
- SLR 0016-2012 Training of fire officers in cities of one million or more.
(S.6436/A.9367-A)
Preconsidered - GO

General Order Calendar

- T2010-0002 Commissioner of Deeds
GO

13. Introduction & Reading of Bills See Attached

14. Discussion of Resolutions

15. Resolutions

- Res Rent Guidelines Board (S.741-B/A.6394-B)
1329-2012-A

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

Amended and Adopted by the Committee on Housing and Buildings

- Res 1342-2012 Reauthorize an adequately funded Farm Bill that creates a

strong and healthy food system.

Resolution calling on the United States House of Representatives and the United States Senate to pass and for the President to reauthorize an adequately funded Farm Bill that creates a strong and healthy food system.

Preconsidered - Adopted by the Committee on Health

16. General Discussion

17. Extension of Remarks

INTRODUCTION AND READING OF BILLS

Int 0862-2012 *By Council Member Barron*

A Local Law to amend the administrative code of the city New York, in relation to requiring the department of environmental protection to notify water customers who ware owners of class 2 properties, by mail, of large charges that could indicate a potential leak.

Environmental Protection

Int 0863-2012 *By Council Member Brewer*

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting employment discrimination based on an individual's actual or perceived status as a caregiver.

Civil Rights

Int 0864-2012 *By Council Members Brewer and Vacca*

A Local Law to amend the administrative code of the city of New York, in relation to special parking for accessible for-hire vehicles.

Transportation

Res 1342-2012 *By Council Members Brewer, Arroyo, Foster, Koslowitz, Palma, The Speaker (Council Member Quinn), Barron, Cabrera, Chin, Comrie Jr., Dickens, Dilan, Dromm, Eugene, Ferreras, Fidler, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Jackson, James, Koppell, Lander, Lappin, Levin, Mark-Viverito, Mendez, Nelson, Recchia Jr., Reyna, Rodriguez, Rose, Sanders Jr., Vacca, Van Bramer, Vann, Weprin, Williams, Wills and Halloran III*

Resolution calling on the United States House of Representatives and the United States Senate to pass and for the President to reauthorize an adequately funded Farm Bill that creates a strong and healthy food system.

Preconsidered - Health

Res 1343-2012 *By Council Member Brewer*

Resolution calling upon the New York State Legislature to pass and the Governor to sign into law legislation that would amend the State Election Law to modernize and streamline the procedures for the election night canvass and the reporting of unofficial election results.

Governmental Operations

Int 0865-2012 *By Council Member Crowley*

A Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to requiring photoelectric smoke detectors in residential buildings.

Housing and Buildings

Res 1344-2012 *By Council Members Crowley and Dromm*

Resolution calling upon the U.S. government to provide a remedy to the Guatemalan victims of medical experimentation conducted by the U.S. Public Health Service from 1946 to 1953.

Cultural Affairs, Libraries & International Intergroup Relations

Res 1345-2012 *By Council Members Eugene and Koppell*

Resolution calling for the creation of veterans treatment courts in every county in New York City, including the counties of the Bronx, New York and Richmond, to serve and address the increasing needs of the growing veteran population in the City.

Mental Health, Mental Retardation, Alcoholism, Drug Abuse & Disability Services

Res 1346-2012

By Council Members Ferreras, Fidler, Vallone Jr., Halloran III and Gonzalez

Resolution calling upon the New York State Legislature to pass and the Governor to enact A. 9804/S.7212, also known as the "Trafficking Victims Protection and Justice Act."

Women's Issues

Int 0866-2012

By Council Members Fidler, Gonzalez and Ferreras

A Local Law to amend the administrative code of the city of New York, in relation to reporting data related to sexually exploited youth.

Youth Services

SLR 0015-2012

By Council Member Foster

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Gianaris, S.2513, and Assembly Member Simotas, A.4874, "AN ACT to authorize the city of New York to discontinue use of and convey certain park land".

Preconsidered - State and Federal Legislation

SLR 0016-2012

By Council Member Foster

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Golden, S.6436, and Assembly Member Abbate, A.9367-A, "AN ACT to amend the general municipal law, in relation to training of fire officers in cities of one million or more".

Preconsidered - State and Federal Legislation

Int 0867-2012

By Council Member Gennaro

A Local Law to amend the administrative code of the city of New York, in relation to the creation of an environmental hazard remediation licensing program.

Environmental Protection

Int 0868-2012

By Council Member Gentile

A Local Law to amend the administrative code of the city of New York, in relation to parking meter suspension.

Transportation

Res 1347-2012

By Council Member Gentile

Resolution calling upon the New York State Legislature to pass and the Governor to sign S.6294-A/A.9084-A, legislation that would prohibit public funding to facilities providing aversive interventions, including but not limited to electric shock therapy, and would remove such facilities from any registry of approved schools.

Education

Int 0869-2012

By Council Member Greenfield

A Local Law to amend the administrative code of the city of New York, in relation to requiring all persons to wear a helmet while operating a bicycle.

Transportation

Res 1348-2012

By Council Member Jackson

Resolution in support of S.2051/H.R.3826, the Student Loan Affordability Act, which would prevent the current student loan interest rate of 3.4 percent from doubling to 6.8 percent on July 1, 2012.

Higher Education

Res 1349-2012

By Council Member Jackson

Resolution calling upon the New York State Legislature to

amend the New York Dream Act (A. 6829-C/S. 4179-C) to provide benefits to any children of a professional immigrant recruited to serve the United States through public service at the local, state, or federal level, regardless of their age at the time of arrival or at the time of application for benefits.

Immigration

Res 1350-2012 *By Council Member Jackson*

Resolution calling upon the United States Congress to pass and the President to sign into law the Weekend Voting Act, which would move federal congressional and presidential elections from Tuesdays to Saturday and Sunday.

Governmental Operations

Res 1351-2012 *By Council Member Koslowitz*

Resolution calling on the New York State Legislature to pass A.9869 and S.6868, which directs the State to reimburse the City of New York for the health insurance and supplemental benefits of New York City Off-Track Betting Corporation retirees.

Civil Service and Labor

Res 1352-2012 *By Council Member Lappin*

Resolution calling upon employers in New York City to hire more workers over 55 years of age.

Civil Service and Labor

Int 0870-2012 *By Council Member Mark-Viverito*

A Local Law to amend the administrative code of the city of New York, in relation to making police data machine-readable.

Public Safety

Res 1353-2012 *By Council Member Reyna*

Resolution calling upon the New York State Legislature to amend the State Education Law, to change from mayoral control to municipal control of the New York City public

school system.

Education

Int 0871-2012 *By Council Members Vallone Jr. and Vacca*

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the consumption of alcoholic beverages by minors at private residences.

Public Safety

LU 0617-2012 *By Council Member Recchia Jr.*

St. Francis Apartments, Block 2287, Lot 46, Bronx, Council District No. 8.

Preconsidered - Finance

LU 0618-2012 *By Council Member Recchia Jr.*

George Hardy Apartments, Block 2281, Lot 21, Bronx, Council District No. 8.

Preconsidered - Finance

LU 0619-2012 *By Council Member Recchia Jr.*

1520 Sedgwick Avenue, Block 2280, Lot 17, Bronx, Council District 16.

Preconsidered - Finance

LU 0620-2012 *By Council Member Recchia Jr.*

Crotona V, Block 3002, Lot 25, Block 3010, Lot 21, Bronx, Council District 15.

Preconsidered - Finance

LU 0621-2012 *By Council Member Comrie Jr.*

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

Zoning and Franchises

LU 0622-2012 *By Council Member Comrie Jr.*

Application no. 20125554 HKM (N 120263 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of 32 Dominick Street (Block 578, Lot 64) (List No.453, LP-2480), Borough of Manhattan, Community District 2, Council District 3.

Landmarks, Public Siting and Maritime Uses

LU 0623-2012 *By Council Member Comrie Jr.*

Application no. 20125555 HKM (N 120264 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of 34 Dominick Street (Block 578, Lot 63) (List No.453, LP-2481), Borough of Manhattan, Community District 2, Council District 3.

Landmarks, Public Siting and Maritime Uses

LU 0624-2012 *By Council Member Comrie Jr.*

Application no. 20125556 HKM (N 120265 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of 36 Dominick Street (Block 578, Lot 62) (List No.453, LP-2482), Borough of Manhattan, Community District 2, Council District 3.

Landmarks, Public Siting and Maritime Uses

LU 0625-2012 *By Council Member Comrie Jr.*

Application no. 20125557 HKM (N 120266 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the Dennison and Lydia Wood House located at 310 Spring Street (Block 594, Lot 34) (List No.453, LP-2486), Borough of Manhattan, Community District 2, Council District 3.

Landmarks, Public Siting and Maritime Uses

LU 0626-2012 *By Council Member Comrie Jr.*

Application no. 20125695 HAM, an Urban Development Action Area Project located at 315 East 103rd Street and 330 East 104th Street Community Board 11, Council District no. 8, Borough of Manhattan. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law and Section 694, at the request of the New York City Department of Housing Preservation and Development and pursuant to Section 577 of the Private Housing Finance Law for an exemption from real property taxes.

Planning, Dispositions and Concessions

LU 0627-2012 *By Council Member Comrie Jr.*

Application no. 20125696 HAM, an Urban Development Action Area Project located at 165 West 80th Street, Community Board 7, Council District no. 6, Borough of Manhattan. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law and Section 694, at the request of the New York City Department of Housing Preservation and Development and pursuant to Section 577 of the Private Housing Finance Law for an exemption from real property taxes.

Planning, Dispositions and Concessions

LU 0628-2012 *By Council Member Comrie Jr.*

Application no. 20125697 HAX, submitted by New York City Department of Housing Preservation and Development, subject to Council review and action pursuant to Article V of the Private Housing Finance Law, for conformity, conveyance, a voluntary dissolution, termination of a prior tax and a new tax exemption for property located at Block 2757, Lots 10,24,28; Block 2750, Lot 20; Block 2724, Lots 5, 103; in

the Borough of the Bronx, Community Board 2, Council
District 17.

Planning, Dispositions and Concessions