

The New York City Council

CHARTER MEETING

Council Agenda

Stated Meeting

January 09, 2013

12:00 PM

Council Chambers - City Hall

1. Roll Call

2. Invocation

*Delivered by: Rev. Richard J. Ahlemeyer, Pastor, St. Camillus,
99-15 Rockaway Beach Blvd, Rockaway Park, NY 11694.*

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

3. Adoption of Minutes

None

4. Messages & Papers from the Mayor

None

5. Communications from City, County & Borough Offices

None

6. Petitions and Communications

M 1026-2013 Council Member James Sanders, Jr. - Submitting his resignation as a member of the NYC Council effective January 1, 2013.

Communication from Council Member James Sanders, Jr. - Submitting his resignation as a member of the New York City Council effective January 1, 2013.

Received, Ordered, Printed & Filed

7. Land Use Call-Ups

M 1027-2013 Zoning, West 58th St, Eleventh Ave, West 57th St and Twelfth Ave, Manhattan (120396 ZMM, 120397 ZSM and 120398 ZSM)

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

Pursuant to Rule 11.20(c) of the Council and Section 197-d (b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Review Procedure Application Nos. C 120397 ZSM and C 120398 ZSM shall be subject to Council review. These items are related to Uniform Land Use Review Procedure Application No. C 120396 ZMM.

Coupled on Call-Up Vote

M 1028-2013 Sidewalk café, 10 Downing St, Manhattan (20135162 TCM)

By The Speaker (Council Member Quinn):

Pursuant to Rule 11.20b of the Council and §20-226 or §20-225 of the New York City Administrative Code, the

Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 10 Downing Street, Community Board No. 2, Application no. 20135162 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 Consumer Affairs

Int 0992-2013 Stoop line stands.

A Local Law to amend the administrative code of the city of New York, in relation to stoop line stands.

Preconsiderd - Coupled on GO

Report of the Committee on Finance

Int 0995-2013 Budget Extender

A Local Law in relation to the date of submission by the mayor of a preliminary management report and the date prior to which the council shall conduct public hearings and the date by which the council shall submit a report or reports pertaining thereto, the date of submission by the director of management and budget and the director of city planning of a draft ten-year

capital strategy, the date of submission by the city planning commission of a report on the draft ten-year capital strategy, the date of submission by the mayor of the preliminary certificate regarding debt and reserves and appropriations and expenditures for capital projects, the date of submission by the mayor of the preliminary budget, the date of publication by the director of the independent budget office of a report on revenues and expenditures, the date of submission by the community boards of statements in regard to the preliminary budget, the date of submission by the commissioner of finance of an estimate of the assessed valuation of real property and statement of real property taxes due, expected to be received, and uncollected, the date of submission by the mayor of a tax benefit report, the date of submission by the borough boards of statements on budget priorities, the date of submission by the council of estimates of the financial needs of the council, the date of submission by the borough presidents of proposed modifications of the preliminary budget, the date of publication by the director of the independent budget office of a report analyzing the preliminary budget, the date by which the council shall hold hearings and submit recommendations in regard to the preliminary budget, and the date of submission by the campaign finance board of estimates of the financial needs of the campaign finance board, relating to the fiscal year two thousand fourteen.

Preconsiderd - Coupled on GO with a Message of Necessity

Report of the Committee on Housing and Buildings

Int 0967-2012 **Issuance of orders for repairs to buildings.**

A Local Law to amend the administrative code of the city of New York, in relation to the issuance of orders for repairs to buildings.

Coupled on GO

Report of the Committee on Rules, Privileges, and

Elections

- Res 1632-2013** **Amending Rule 7.00 of the Rules of the Council in relation to Standing Committees.**
- Resolution amending Rule 7.00 of the Rules of the Council in relation to Standing Committees.
Preconsiderd - Coupled on GO
- Res 1639-2013** **Approving Membership Changes to Certain Standing Committees, a Subcommittee and Chairs.**
- Resolution approving Membership Changes to Certain Standing Committees, a Subcommittee and Chairs.
Preconsiderd - Coupled on GO

12. General Orders Calendar

- Int 0702-2011-A** **Requiring that all gas stations post road signs displaying the total selling price of gasoline and/or diesel motor fuel.**
- A Local Law to amend the administrative code of the city of New York, in relation to requiring that all gas stations post road signs displaying the total selling price of gasoline and/or diesel motor fuel and that such road signs and any other sign, poster or placard advertising the price of gasoline and/or diesel motor fuel disclose the total selling price for cash and credit or debit card purchases.
Laid Over
- T2010-0002** **Commissioner of Deeds**
Coupled on GO

Coupled on General Order Calendar

Consumer Affairs

Int 0992-2013 **Stoop line stands.**
GO

Finance

Int 0995-2013 **Budget Extender**
Preconsidered - GO with M/N

Housing and Buildings

Int 0967-2012 **Issuance of orders for repairs to buildings.**
GO

Rules, Privileges, and Elections

Res 1632-2013 **Amending Rule 7.00 of the Rules of the Council in relation to
Standing Committees.**
Preconsidered - GO

Res 1639-2013 **Approving Membership Changes to Certain Standing
Committees, a Subcommittee and Chairs.**
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 1352-2012 **Employers in NYC to hire more workers over 55 years of age.**
Resolution calling upon employers in New York City to hire more workers over 55 years of age.
Adopted by the Committee on Civil Service and Labor

Res 1633-2013 **President's Interagency Task Force to Reduce Gun Violence to support the Gun Trafficking Prevention Act and the Fix Gun Checks Act in its final report.**
Resolution calling on the President's Interagency Task Force to Reduce Gun Violence to support the Gun Trafficking Prevention Act and the Fix Gun Checks Act in its final report.
Preconsiderd - Adopted by the Committee on Finance

16. General Discussion

17. Extension of Remarks

INTRODUCTION AND READING OF BILLS

Res 1632-2013 *By The Speaker (Council Member Quinn) and Council Member Greenfield*
Resolution amending Rule 7.00 of the Rules of the Council in relation to Standing Committees.
Preconsidered - Rules, Privileges, and Elections

Res 1633-2013 *By The Speaker (Council Member Quinn) and Council Members Williams, Cabrera, Vallone Jr. and Dickens*
Resolution calling on the President's Interagency Task Force to Reduce Gun Violence to support the Gun Trafficking Prevention Act and the Fix Gun Checks Act in its final report.

Preconsidered - Finance**Res 1634-2013***By Council Member Chin*

Resolution concerning an amendment to the District Plan of the Downtown-Lower Manhattan Business Improvement District that provides for a change in the method of assessment upon which the district charge is based, and setting the date, time and place for the public hearing of the local law authorizing a change in the method of assessment upon which the district charge in the Downtown-Lower Manhattan Business Improvement District is based.

Finance**Res 1635-2013***By Council Members Ferreras, Lappin, Mendez, Arroyo and The Speaker (Council Member Quinn)*

Resolution commemorating the 40th anniversary of Roe v. Wade and calling on the United States Congress to support funding for comprehensive reproductive health care.

Women's Issues**Int 0991-2013***By Council Member Greenfield*

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to replacing references to “mental retardation” with references to “developmental disability”.

Committee on Mental Health, Developmental Disability, Alcoholism, Drug Abuse and Disability Services**Int 0992-2013***By Council Member Greenfield*

A Local Law to amend the administrative code of the city of New York, in relation to stoop line stands.

Preconsidered - Consumer Affairs**Int 0993-2013***By Council Member Jackson*

A Local Law to amend the administrative code of the city of New York, in relation to notification to property owners of

requests for evaluation for landmark status.

Governmental Operations

Res 1636-2013

By Council Member Lappin

Resolution in support of the New York Congressional delegation's request for the Federal Emergency Management Agency to extend the deadline for small businesses to apply for physical disaster loans.

Small Business

Int 0994-2013

By Council Members Oddo and Ulrich

A Local Law to amend the administrative code of the City of New York, in relation to creating a civil penalty for any individual who is convicted of fraud or property related crimes that occur in a mandatory evacuation zone during a mandatory evacuation period.

Public Safety

Int 0995-2013

By Council Member Recchia Jr. (by request of the Mayor)

A Local Law in relation to the date of submission by the mayor of a preliminary management report and the date prior to which the council shall conduct public hearings and the date by which the council shall submit a report or reports pertaining thereto, the date of submission by the director of management and budget and the director of city planning of a draft ten-year capital strategy, the date of submission by the city planning commission of a report on the draft ten-year capital strategy, the date of submission by the mayor of the preliminary certificate regarding debt and reserves and appropriations and expenditures for capital projects, the date of submission by the mayor of the preliminary budget, the date of publication by the director of the independent budget office of a report on revenues and expenditures, the date of submission by the community boards of statements in regard to the preliminary budget, the date of submission by the commissioner of finance of an estimate of the assessed valuation of real property and

statement of real property taxes due, expected to be received, and uncollected, the date of submission by the mayor of a tax benefit report, the date of submission by the borough boards of statements on budget priorities, the date of submission by the council of estimates of the financial needs of the council, the date of submission by the borough presidents of proposed modifications of the preliminary budget, the date of publication by the director of the independent budget office of a report analyzing the preliminary budget, the date by which the council shall hold hearings and submit recommendations in regard to the preliminary budget, and the date of submission by the campaign finance board of estimates of the financial needs of the campaign finance board, relating to the fiscal year two thousand fourteen.

Preconsidered - Finance

Int 0996-2013

By Council Member Recchia Jr. (by request of the Mayor)

A Local Law to amend the administrative code of the city of New York, in relation to amending the district plan of the Downtown-Lower Manhattan business improvement district to change the method of assessment upon which the district charge is based.

Finance

Res 1637-2013

By Council Member Reyna

Resolution calling upon the New York City Department of Education to take full advantage of the Community Eligibility Option offered by the United States Department of Agriculture, in order to enable all eligible schools to provide universal free meal service to all students.

Education

Int 0997-2013

By Council Member Rivera

A Local Law to amend the administrative code of the city of New York, in relation to permissible double parking adjacent to schools.

Transportation

Res 1638-2013 *By Council Member Vallone Jr.*

Resolution calling on the New York State Legislature to pass and the Governor to sign A.9917A/S.6730A, relating to updating and clarifying animal cruelty laws in New York.

Health

LU 0749-2013 *By Council Member Comrie Jr.*

Application No. C 120396 ZMM submitted by Durst Development L.L.C. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8c, changing an M1-5 district to a C6-2 district to facilitate a proposed mixed-use development on the property bounded by West 58th Street, Eleventh Avenue, West 57th Street and Twelfth Avenue, Borough of Manhattan, Community Board 4, Council District 6.

Zoning and Franchises

LU 0750-2013 *By Council Member Comrie Jr.*

Application No. C 120397 ZSM submitted by Durst Development L.L.C. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 74-743(a)(1) and 74-743(a)(2) of the Zoning Resolution to modify the applicable district bulk regulations for a proposed mixed-use development on the property bounded by West 58th Street, Eleventh Avenue, West 57th Street and Twelfth Avenue, Borough of Manhattan, Community Board 4, Council District 6. This application is subject to review and action by the Council only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by a vote of the Council pursuant to Charter Section 197-d(b)(3).

Zoning and Franchises

LU 0751-2013 *By Council Member Comrie Jr.*

Application No. C 120398 ZSM submitted by Durst Development L.L.C. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 13-561 of the Zoning Resolution to allow an enclosed attended accessory parking garage with a maximum capacity of 285 parking spaces on portions of the ground floor and mezzanine level of a proposed mixed-use development on the westerly portion of the property bounded by West 58th Street, Eleventh Avenue, West 57th Street and Twelfth Avenue, Borough of Manhattan, Community Board 4, Council District 6. This application is subject to review and action by the Council only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by a vote of the Council pursuant to Charter Section 197-d(b)(3).

Zoning and Franchises

LU 0752-2013

By Council Member Comrie Jr.

Application no. 20135179 HKM (N 130097 HKM) pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the East Village/Lower East Side Historic District (List No. 460, LP-2446), Borough of Manhattan, Community Board 3, Council District 2.

Landmarks, Public Siting and Maritime Uses

LU 0753-2013

By Council Member Comrie Jr.

Application no. 20135162 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Naco NYC LLC, d/b/a El Toro Blanco, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 10 Downing Street, Borough of Manhattan, Community Board 2, 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(e) of the New York City Administrative Code.

Zoning and Franchises