

**The New York City Council**  
**Council Agenda**  
**Stated Meeting**

**September 23, 2014**

**1:30 PM**

**Council Chambers - City Hall**

**1. Roll Call**

**2. Invocation**

*Delivered by: Rabbi Andy Bachman, Senior Rabbi at  
Congregation Beth Elohim located at 274 Garfield Ave Pl.  
Brooklyn N.Y. 11215.*

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

**3. Adoption of Minutes**

*Motion that the Minutes of the Stated Meeting of August 21, 2014  
be adopted as printed by Council Member Matteo.*

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

**M 0147-2014**      **Submitting the Mayor's Management Report, Fiscal 2014,  
dated September 2014.**

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Communication from the Mayor – Submitting the Mayor’s Management Report, Fiscal 2014, dated September 2014, pursuant to Section 12 of the New York City Charter.

*Received, Ordered, Printed and Filed*

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

**M 0148-2014**      **Transfer City funds between various agencies in FY'15 to implement changes to the City’s expense budget. (MN -2)**

Communication from the Office of Management & Budget – Pursuant to Section 107(b) of the New York City Charter, transfer City funds between various agencies in fiscal year 2015 to implement changes to the City’s expense budget. (MN -2)

*Preconsidered - Finance*

**M 0149-2014**      **Submitting HIV/AIDS Services Administration Quarterly Performance Report FY 14.3 (January-March 2014).**

Communication from the Human Resources Administration – Submitting HIV/AIDS Services Administration Quarterly Performance Report FY 14.3 (January-March 2014), pursuant to Section 21-128 (j) of the Administrative Code of the City of New York.

*Received, Ordered, Printed and Filed*

## **6. Petitions and Communications**

*None*

## **7. Land Use Call-Ups**

**M 0150-2014**      **Zoning, Sidewalk Cafe, 370 West 58th St, Manhattan (20145392 TCM)**

By Council Member Johnson:

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Pursuant to Rule 11.20.b 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 370 West 58th Street, Borough of Manhattan, Community Board No. 4, Application No. 20145392 TCM shall be subject to review by the Council.

*Coupled on Call-Up Vote*

**M 0151-2014      Zoning, Sidewalk Cafe, 403 East 12th St, Manhattan  
(20145691 TCM)**

By Council Member Mendez:

Pursuant to Rule 11.20.b 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 403 East 12th Street, Borough of Manhattan, Community Board No. 3, Application No. 20145691 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**

**Res 0415-2014      Fordham Road BID**

Resolution concerning authorizing an increase in the amount to be expended annually in the Fordham Road Business Improvement District in the Borough of the Bronx, the extension of the Fordham Road Business Improvement District, and amendments to the District Plan of the Fordham Road Business Improvement District to change 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 such changes as set forth in the amended District Plan of the Fordham Road Business Improvement District.

*Preconsidered - Coupled on GO*

**Res 0416-2014**      **Approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.**

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

*Preconsidered - Coupled on GO*

**Res 0423-2014**      **M 148 - Transfer City funds between various agencies in FY'15 to implement changes to the City's expense budget. (MN -2)**

RESOLUTION APPROVING THE MODIFICATION (MN-2) OF UNITS OF APPROPRIATION AND THE TRANSFER OF CITY FUNDS BETWEEN AGENCIES PROPOSED BY THE MAYOR PURSUANT TO SECTION 107(b) OF THE NEW YORK CITY CHARTER.

*Preconsidered - Coupled on GO*

**Res 0424-2014**      **LU 113 - Stammtisch HDFC, 279 Wyckoff Avenue, Brooklyn.**

Resolution approving a full exemption from real property taxes for property located at (Block 3320, Lot 1) Brooklyn, pursuant to Section 577 of the Private Housing Finance Law (L.U. No. 113).

*Preconsidered - Coupled on GO*

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## Report of the Committee on Housing and Buildings

**Int 0129-2014-A Remedies for breach of the duty of an owner to refrain from harassment of tenants.**

A Local Law to amend the administrative code of the city of New York, in relation to remedies for breach of the duty of an owner to refrain from harassment of tenants.

*Amended and Coupled on GO*

**Int 0472-2014-A Technical corrections and clarification of provisions of the NYC construction codes.**

A Local Law to amend the administrative code of the city of New York, the New York city plumbing code, the New York city building code, the New York city mechanical code, the New York city fuel gas code and local law number 71 for the year 2011, in relation to technical corrections and clarification of provisions of the New York city construction codes and, in relation thereto, repealing section 1107.5.6 of the New York city building code and section 7 of local law number 71 for the year 2011 and repealing and replacing section 301.6 of the New York city plumbing code, item 4 of section 314.2.3 of the New York city plumbing code, section 907.2.2 of the New York city building code, item 3 of section 1109.2 of the New York city building code, section 1609.7.3 of the New York city building code, section 1613.5.3 of the New York city building code, sections 1613.5.4 and 1613.5.5 of the New York city building code, table 1704.3 of the New York city building code, table 401.5 of the New York city mechanical code, Section 304.4.1 of the New York city fuel gas code and section 504.3.20 of the New York city fuel gas code.

*Amended and Coupled on GO*

**Int 0474-2014 Revisions to the NYC construction codes.**

A Local Law to amend local law number 41 for the year 2012, local law number 79 for the year 2013, local law number 108 for the year 2013, local law number 110 for the year 2013,

local law number 100 for the year 2013, local law number 101 for the year 2013, local law number 130 for the year 2013, local law number 141 for the year 2013, local law number 10 for the year 2014, local law number 12 for the year 2014, local law number 13 for the year 2014, local law number 17 for the year 2014 and local law number 18 for the year 2014, in relation to extending the effective date for the 2014 revisions to the New York city construction codes.

*Coupled on GO*

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

**Res 0425-2014      LU 110 - Zoning, Sidewalk café, 24 Fifth Ave, Manhattan (20145612 TCM)**

Application no. 20145612 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 24 5th Avenue LLC, d/b/a/ Claudette for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 24 Fifth Avenue, Borough of Manhattan, Community District 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.

*Coupled on GO*

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

**Int 0371-2014-A      Civil penalties for leaving the scene of an incident without reporting.**

A Local Law to amend the administrative code of the city of New York, in relation to civil penalties for leaving the scene of an incident without reporting.

*Amended and Coupled on GO*

## 12. General Orders Calendar

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

### **Coupled on General Order Calendar**

#### **Finance**

**Res 0415-2014**      **Fordham Road BID**  
*Preconsidered - GO*

**Res 0416-2014**      **Approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.**  
*Preconsidered - GO*

**Res 0423-2014**      **M 148 - Transfer City funds between various agencies in FY'15 to implement changes to the City's expense budget. (MN -2)**  
*Preconsidered - GO*

**Res 0424-2014**      **LU 113 - Stammtisch HDFC, 279 Wyckoff Avenue, Brooklyn.**  
*Preconsidered - GO*

#### **Housing and Buildings**

**Int 0129-2014-A**      **Remedies for breach of the duty of an owner to refrain from harassment of tenants.**  
*A and GO*

**Int 0472-2014-A**      **Technical corrections and clarification of provisions of the NYC construction codes.**  
*A and GO*

**Int 0474-2014**      **Revisions to the NYC construction codes.**

*GO*

## Land Use

Res 0425-2014      LU 110 - Zoning, Sidewalk café, 24 Fifth Ave, Manhattan  
(20145612 TCM)  
*GO*

## Transportation

Int 0371-2014-A      Civil penalties for leaving the scene of an incident without  
reporting.  
*A and GO*

## General Order Calendar

T2014-0002      Commissioner of Deeds  
*GO*

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

### 14. Discussion of Resolutions

### 15. Resolutions

Res  
0380-2014-A      Recognizing September as Ovarian Cancer Awareness Month  
in NYC.  
Resolution recognizing September as Ovarian Cancer  
Awareness Month in New York City.  
*Amended and Adopted by the Committee on Health*



## 16. General Discussion

## 17. Extension of Remarks

### INTRODUCTION AND READING OF BILLS

**Int 0477-2014** *By Council Members Barron and Dromm*

A Local Law to amend the administrative code of the city of New York, in relation to evictions of elderly tenants.

*Housing and Buildings*

**Int 0478-2014** *By Council Member Constantinides*

A Local Law to amend the administrative code of the city of New York, in relation to requiring photovoltaic systems for city-owned buildings.

*Housing and Buildings*

**Int 0479-2014** *By Council Member Crowley*

A Local Law to amend the New York city charter in relation to increasing the eligibility of projects for a waiver of the art commission's approval.

*Cultural Affairs, Libraries and International Intergroup Relations*

**Int 0480-2014** *By Council Members Ferreras and Torres (by request of the Mayor)*

A Local Law to amend the administrative code of the city of New York, in relation to authorizing an increase in the amount to be expended annually in the Fordham Road business improvement district, extension of the Fordham Road business improvement district, and amending the district plan of the Fordham Road business improvement district to change the method of assessment upon which the district charge is based.

*Finance*

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**Res 0415-2014** *By Council Members Ferreras and Torres*

Resolution concerning authorizing an increase in the amount to be expended annually in the Fordham Road Business Improvement District in the Borough of the Bronx, the extension of the Fordham Road Business Improvement District, and amendments to the District Plan of the Fordham Road Business Improvement District to change 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 such changes as set forth in the amended District Plan of the Fordham Road Business Improvement District.

***Preconsidered - Finance***

**Res 0416-2014** *By Council Member Ferreras*

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

***Preconsidered - Finance***

**Int 0481-2014** *By Council Member Greenfield*

A Local Law to amend the administrative code of the City of New York, in relation to food allergy awareness in food service establishments.

***Health***

**Res 0417-2014** *By Council Member Koo*

Resolution recognizing and commemorating January 13th as Korean American Day in the City of New York.

***Cultural Affairs, Libraries and International Intergroup Relations***

**Res 0418-2014** *By Council Member Levine*

Resolution calling upon the New York State Legislature and the Governor to expand the Compassionate Care Act, which legalized the medicinal use of marijuana.

***Health***

**Int 0482-2014**

*By Council Member Maisel*

A Local Law to amend the administrative code of the city of New York, in relation to banning the sale of products advertised or labeled as bluefin tuna.

***Consumer Affairs***

**Res 0419-2014**

*By Council Member Miller*

Resolution declaring May 25th as Missing Persons Day in New York City.

***Public Safety***

**Res 0420-2014**

*By Council Member Miller*

Resolution calling on the New York State Legislature to pass S.7404/A.8961 and the Governor to sign such legislation into law, which would amend the New York State Executive Law in order to strengthen the State's efforts to find missing people, which includes both children and adults.

***Public Safety***

**Int 0483-2014**

*By Council Member Rosenthal*

A Local Law to amend the administrative code of the city of New York, in relation to the provision of e-mail notifications for construction project status updates.

***Housing and Buildings***

**Res 0421-2014**

*By Council Members Treyger and Ulrich*

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation that would require the Metropolitan Transportation Authority to notify the public of bed bug infestations in the subway and bus systems.

***Transportation***

**Int 0484-2014**

*By Council Member Vacca*

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

New York, in relation to banning smoking in the common areas of all multiple dwellings.

***Health***

**Int 0485-2014** *By Council Members Vallone and Johnson*

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

***Health***

**Res 0422-2014** *By Council Member Williams*

Resolution calling upon the Governor of New York State to sign legislation extending the compliance period during which to obtain a tax abatement for solar electric generating systems.

***Finance***

**LU 0120-2014** *By Council Member Greenfield*

Phipps Plaza South/KB25, East 25th Street, Between 1st and 2nd Avenues, Manhattan, Block 931, Lot 17, Council District No. 2.

***Finance***

**LU 0121-2014** *By Council Member Greenfield*

Application No. 20145691 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Hearth Restaurant Investors, LLC, d/b/a/ Hearth for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 403 East 12th Street, Borough of Manhattan, Community District 3, Council District 2. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(e) of the New York City Administrative Code.

***Zoning and Franchises***

**LU 0122-2014** *By Council Member Greenfield*

Application No. 20145392 TCM, pursuant to §20-226 of the

Administrative Code of the City of New York, concerning the petition of Hot Bread of 58th Street, Inc., d/b/a/ European Bakery Café for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 370 West 58th Street, Borough of Manhattan, Community District 4, 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***

**LU 0123-2014**

*By Council Member Greenfield*

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

***Planning, Dispositions and Concessions***