

# The New York City Council

## Council Agenda

### Stated Meeting

May 05, 2004

1:30 PM

### Council Chambers - City Hall

**1. Roll Call**

**2. Invocation**

*Delivered by: Reverend Henrietta Carter, Mariner's Temple Baptist Church, 3 Henry Street, New York.*

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

**3. Adoption of Minutes**

*Motion that the Minutes of the Stated Meeting of April 1, 2004 be adopted and printed by Council Member Jackson.*

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

**M 0099-2004**

**Mayor's Veto, Int 179 - Littering to include all premises in the citywide routing system.**

Communication from the Mayor - Mayors veto and

disapproval message of Introductory Number 179, in relation to littering to include all premises in the citywide routing system.

***Sanitation and Solid Waste Management***

**M 0100-2004**      **Submitting report reviewing the community district map, pursuant to section 2702 of the Charter.**

Communication from the Mayor - Submitting report reviewing the community district map, pursuant to section 2702 of the Charter.

***Governmental Operations***

**M 0101-2004**      **Submitting the Expense Revenue Contract Budget, for FY'05.**

Communication from the Mayor-Submitting the Expense Revenue Contract Budget, for Fiscal Year 2005, pursuant to Section 249 of the New York City Charter.

***Finance***

**M 0102-2004**      **Submitting the Executive Capital Budget for FY'05.**

Communication from the Mayor-Submitting the Executive Capital Budget for Fiscal Year 2005, pursuant to Section 249 of the New York City Charter.

***Finance***

**M 0103-2004**      **Submitting the Proposed City FY'05 Community Development Program, the Proposed CFY'05 Budget, the Proposed Reallocations-the CD XXX Funds, Proposed CD XXXI Statement of Objectives and Budget, dated April 26, 2004.**

Communication from the Mayor-Submitting the Proposed City Fiscal Year 2005 Community Development Program, the Proposed CFY'05 Budget, the Proposed Reallocations-the CD XXX Funds, Proposed CD XXXI Statement of Objectives and Budget, dated April 26, 2004.

***Finance***

**M 0104-2004**      **Submitting the Executive Budget Supporting Schedules, for**

**FY'05.**

Communication from the Mayor-Submitting the Executive Budget Supporting Schedules, for Fiscal Year 2005, pursuant to Section 250 of the New York City Charter.

***Finance*****M 0105-2004 Submitting the Capital Commitment Plan, Executive Budget, FY'05, Volumes I, II and III.**

Communication from the Mayor-Submitting the Capital Commitment Plan, Executive Budget, Fiscal Year 2005, Volumes I, II and III, pursuant to Section 219(d) of the New York City Charter.

***Finance*****M 0106-2004 Submitting the Executive Budget -Geographic Reports for Expense Budget for FY'05.**

Communication from the Mayor-Submitting the Executive Budget -Geographic Reports for Expense Budget for Fiscal Year 2005.

***Finance*****M 0107-2004 Submitting the Executive Capital Budget FY'05, Capital Project Detail Data, Citywide Volumes 1 and 2 and Volumes for the Five Boroughs, dated April 26, 2004.**

Communication from the Mayor-Submitting the Executive Capital Budget Fiscal Year 2005, Capital Project Detail Data, Citywide Volumes 1 and 2 and Volumes for the Five Boroughs, dated April 26, 2004 pursuant to the provisions of Sections 213 (4) & 219 (D) of the New York City Charter.

***Finance*****M 0108-2004 Submitting the Budget Summary, Message of the Mayor and Summary of Reduction Program relative to the Executive Budget, FY'05.**

Communication from the Mayor-Submitting the Budget Summary, Message of the Mayor and Summary of Reduction

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Program relative to the Executive Budget, Fiscal Year 2005, pursuant to Section 249 of the New York City Charter.

*Finance*

**M 0109-2004      Submitting the amended certificate setting forth the maximum amount of debt and reserves.**

Communication from the Mayor - Submitting certificate setting forth the maximum amount of debt and reserves which the City, the NYC Transitional Finance Authority, the NYC Municipal Water Finance Authority, the NYS Dormitory Authority and the NYC Health and Hospitals Corporation may soundly incur for capital projects for Fiscal Year 2005 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 250 (16) of the NY City Charter.

*Finance*

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

**M 0111-2004      Joel Shufro - Hazardous Substance Advisory Board**

Joel Shufro - Hazardous Substance Advisory Board  
*Preconsidered - Rules, Privileges and Elections*

**M 0112-2004      Philip Weinberg - Hazardous Substance Advisory Board**

Philip Weinberg - Hazardous Substance Advisory Board  
*Preconsidered - Rules, Privileges and Elections*

## **6.      Petitions and Communications**

*None*

## **7.      Land Use Call-Ups**

**M 0110-2004 Sidewalk Cafe, 161 Lenox Avenue, Manhattan  
(20045468TCM)**

By Council Member Perkins:  
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 161 Lenox Avenue, Borough of Manhattan, Council District no. 9, shall be subject to review by the Council. (Application no. 20045468 TCM.)

## **Roll Call**

### **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 0138-2004 Dates of expiration of licenses and license plates for tow trucks and tow truck drivers.**

A Local Law to amend the administrative code of the city of New York, in relation to the dates of expiration of licenses and license plates for tow trucks and tow truck drivers.

*Adopted and Laid Over*

**Int 0143-2004-A      In relation to rates for arterial towers.**

A Local Law to amend the administrative code of the city of New York, in relation to rates for arterial towers.

*Amended and Laid Over*

## **Report of the Committee on Contracts**

**Int 0137-2004-B      Equal employment benefits to the employees of city contractors.**

A Local Law to amend the administrative code of the city of New York, in relation to the provision of equal employment benefits to the employees of city contractors.

*Amended and Coupled on GO*

## **Report of the Committee on Economic Development**

**Res  
0296-2004-A      NYS Wage Tax Credits under the Zone Equivalent Areas  
Provisions of the NYS Empire Zone Program.**

Resolution in support of thirteen applications for certification of eligibility to apply for New York State Wage Tax Credits under the Zone Equivalent Area provisions of the New York State Empire Zones Program.

*Amended and Coupled on GO*

## **Report of the Committee on Education**

**Int 0188-2004-A      Prohibiting acts of harassment at schools.**

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting acts of harassment at schools.

*Amended and Laid Over*

## **Report of the Committee on Finance**

**Int 0323-2004      Authorizing an increase in the amount to be expended in five**

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**business improvement districts.**

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 in five business improvement districts.

*Coupled on GO*

**Res  
0298-2004-A**

**Establishment of the Madison/23rd/Flatiron/Chelsea Business Improvement District.**

Resolution concerning the establishment of the Madison/23rd/Flatiron/Chelsea Business Improvement District in the Borough of Manhattan and setting the date, time and place for the public hearing to hear all persons interested in the establishment of such district.

*Amended and Coupled on GO*

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

**Res 0339-2004**

**LU 34 - ULURP, 1024 White Plains Rd., Bronx (020654ZMX)**

Resolution approving the decision of the City Planning Commission on ULURP No. C 020654 ZMX, a Zoning Map change (L.U. No. 34).

*Coupled on GO*

**Res 0340-2004**

**LU 54 - UDAAP, Marcus Garvey Park Homes, Manhattan (20045350HAM)**

Resolution approving an Urban Development Action Area Project located at 42 West 119th Street (Block 1717/Lot 53), 46 West 120th Street (Block 1718/Lot 55), 125 West 122nd Street (Block 1907/Lot 119), 127 West 123rd Street (Block 1908/Lot 19), 135 West 119th Street (Block 1904/Lot 15), 147 West 122nd Street (Block 1907/Lot 11), 158 West 123rd Street (Block 1907/Lot 157), and 225 West 113th Street (Block 1829/Lot 24), 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. 54; 20045350 HAM).

*Coupled on GO*

**Res 0341-2004 LU 55 - UDAAP, PACC Community Homes, Brooklyn (20045352HAK)**

Resolution approving an Urban Development Action Area Project located at 39 Monroe Street (Block 1985/Lot 58), 175 Herkimer Street (Block 1861/Lot 46), and 443 Classon Avenue (Block 1973/Lot 5), 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. 55; 20045352 HAK).

*Coupled on GO*

**Res 0342-2004 LU 81 - Zoning reso., Audubon IV, CityWide (N030228ZRY)**

Resolution approving the decision of the City Planning Commission on Application No. N 030228 ZRY, an amendment to the text of the Zoning Resolution relating to Article VII, Chapter 4 (Special Permits by the City Planning Commission), to modify the provisions of Section 74-48 concerning height and setback regulations for scientific research and development facilities in C6 Districts (L.U. No. 81).

*Coupled on GO*

**Res 0343-2004 LU 82 - ULURP, Audubon IV, Manhattan (C030229ZSM)**

Resolution approving the decision of the City Planning Commission on ULURP No. C 030229 ZSM (L.U. No. 82), grant of a special permit pursuant to Section 74-48 of the Zoning Resolution to allow a scientific research and development facility and to allow the modification of the height setback regulations of Section 33-342.

*Coupled on GO*



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**Res 0344-2004 LU 83 - ULURP, W.165th St. & St. Nicholas Ave., Manhattan (C030230PPM)**

Resolution approving the decision of the City Planning Commission on ULURP No. C 030230 PPM, for the removal of the floor area restriction on property located at West 165th Street and St. Nicholas Avenue (Block 2124/Lot 43), Manhattan (L.U. No. 83).

*Coupled on GO*

**Res 0345-2004 LU 95 - UDAAP, 252 4th Ave., 384 Bergen St., 426 54th St. & 713 3rd Ave., Brooklyn (20045381HAK)**

Resolution approving an Urban Development Action Area Project located at 252 4th Avenue (Block 448/Lot 38), 384 Bergen Street (Block 932/Lot 17), 426 54th Street (Block 823/Lot 17), 713 Third Avenue, a/k/a 129 23rd Street (Block 645/Lot 67), 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. 95; 20045381 HAK).

*Coupled on GO*

**Res 0346-2004 LU 128 - UDAAP, 355 W. 30th St., Manhattan (20045424HAM)**

Resolution approving an Urban Development Action Area Project located at 355 West 30th Street (Block 754/Lot 11), 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. 128; 20045424 HAM).

*Coupled on GO*

**Res 0347-2004 LU 132 - Landmarks, 50 Antin Place, Bronx (20045392SCX)**

Resolution approving the site plan for a public school facility to be located at 50 Antin Place, the Bronx (Non-ULURP No. 20045392 SCX; L.U. No. 132).

*Coupled on GO*

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**Res 0348-2004 LU 133 - ULURP, Gold Street Rezoning, Brooklyn  
(030289ZMK)**

Resolution approving the decision of the City Planning Commission on ULURP No. C 030289 ZMK, a Zoning Map change (L.U. No. 133).

*Coupled on GO*

## **Report of the Committee on Rules, Privileges, and Elections**

**Res 0349-2004 M 111 - Joel Shufro - Hazardous Substance Advisory Board**

RESOLUTION APPROVING THE RE-APPOINTMENT BY THE COUNCIL OF JOEL ARNOLD SHUFRO AS A MEMBER OF THE NEW YORK CITY HAZARDOUS SUBSTANCE ADVISORY BOARD.

*Preconsidered - Coupled on GO*

**Res 0350-2004 M 112 - Philip Weinberg - Hazardous Substance Advisory Board**

RESOLUTION APPROVING THE RE-APPOINTMENT BY THE COUNCIL OF PHILIP WEINBERG AS A MEMBER OF THE NEW YORK CITY HAZARDOUS SUBSTANCE ADVISORY BOARD.

*Preconsidered - Coupled on GO*

## **Report of the Committee on State and Federal Legislation**

**SLR 0059-2004 Allowing the transfer of membership from the New York city police pension fund to the mta police pension fund (S.2124-B, A.6064-A)**

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Skelos, S.2124-B, and Assembly Members DiNapoli, Hooper, Sidikman and Weisenberg, et al, A.6064-A, "AN ACT to

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amend the retirement and social security law, in relation to allowing the transfer of membership from the New York city police pension fund to the metropolitan transportation authority police pension fund”.

*Coupled on GO*

**SLR 0076-2004 Including a twenty-five year retirement program for members of the New York city employees' retirement system employed by the police department (S.6223, A.9810)**

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.6223, and Assembly Member Colton, A.9810, “AN ACT to amend the administrative code of the city of New York and the retirement and social security law, in relation to including a twenty-five year retirement program for members of the New York city employees’ retirement system employed by the police department of the city of New York or by the office of the chief medical examiner of such city in the title evidence and property control specialist who are subject to articles 11 and 15 of the retirement and social security law”.

*Coupled on GO*

**SLR 0086-2004 Benefits for certain peace officers in the city of New York who are injured in the performance of their duties (S.5968, A.9484)**

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Velella, S.5968, and Assembly Member Abbate, A.9484, “AN ACT to amend the retirement and social security law, in relation to benefits for certain peace officers in the city of New York who are injured in the performance of their duties”.

*Coupled on GO*

**SLR 0089-2004 Reconvey title of certain property to Gus Jenkins (S.5305-A, A.8701-A)**

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Paterson,

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S.5305-A, and Committee on Rules, A.8701-A, “AN ACT authorizing the city of New York to reconvey title of certain property to Gus Jenkins”.

*Coupled on GO*

**SLR 0100-2004      Partial abatement of real property taxes (S.6430-A, A.9610-B)**

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.6430-A, and Assembly Members Grannis, McLaughlin, Dinowitz, Grodenchik, Lafayette, Bing, Gianaris, O’Donnell, Weprin, Perry, Sanders and Stringer, et al, A.9610-B, “AN ACT to amend the real property tax law, in relation to partial abatement of real property taxes”.

*Preconsidered - Coupled on GO*

**SLR 0101-2004      Establish the date of commencement of membership of certain individuals (S.5394-B, A.8718-B)**

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Paterson, S.5394-B, and Committee on Rules, A.8718-B, “AN ACT to establish the date of commencement of membership of certain individuals in the New York city employees’ retirement system”.

*Preconsidered - Coupled on GO*

## **12.      General Orders Calendar**

**Res 0351-2004      LU 80 - Zoning Reso., Sidewalk Cafe Text Amendment, CityWide (N040197ZRY)**

Resolution approving with a modification the decision of the City Planning Commission on Application No. N 040197 ZRY, an amendment to the text of the Zoning Resolution relating to Sections 12-10 (Definitions) and 14-00 (Sidewalk Café Regulations) establishing a new category of unenclosed sidewalk cafes, Small Sidewalk cafes, and permitting such

cafes on selected streets in Manhattan where sidewalk cafes are prohibited (L.U. No. 80).

*Coupled on GO*

**Res 0352-2004**      **LU 109 - ULURP, 434 W 119th St & 235A 12th Ave,  
Manhattan (C040121PPM)**

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 040121 PPM, the disposition of two (2) city-owned properties located at 434 West 119th Street (Block 1962/Lot 35) and Riverside Drive (Block 2001/Lot 2), Manhattan (L.U. No. 109).

*Coupled on GO*

**T2004-0073**      **Commissioner of Deeds**

Commissioner of Deeds

*Coupled on GO*

## **Coupled on General Order Calendar**

## **Contracts**

**Int 0137-2004-B**      **Equal employment benefits to the employees of city contractors.  
*A and GO***

## **Economic Development**

**Res**                      **NYS Wage Tax Credits under the Zone Equivalent Areas**  
**0296-2004-A**      **Provisions of the NYS Empire Zone Program.**  
***GO***

## **Finance**

**Int 0323-2004**      **Authorizing an increase in the amount to be expended in five  
business improvement districts.**

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*GO*

**Res 0298-2004-A**      **Establishment of the Madison/23rd/Flatiron/Chelsea Business Improvement District.**  
*A and GO*

## Land Use

**Res 0339-2004**      **LU 34 - ULURP, 1024 White Plains Rd., Bronx (020654ZMX)**  
*GO*

**Res 0340-2004**      **LU 54 - UDAAP, Marcus Garvey Park Homes, Manhattan (20045350HAM)**  
*GO*

**Res 0341-2004**      **LU 55 - UDAAP, PACC Community Homes, Brooklyn (20045352HAK)**  
*GO*

**Res 0342-2004**      **LU 81 - Zoning reso., Audubon IV, CityWide (N030228ZRY)**  
*GO*

**Res 0343-2004**      **LU 82 - ULURP, Audubon IV, Manhattan (C030229ZSM)**  
*GO*

**Res 0344-2004**      **LU 83 - ULURP, W.165th St. & St. Nicholas Ave., Manhattan (C030230PPM)**  
*GO*

**Res 0345-2004**      **LU 95 - UDAAP, 252 4th Ave., 384 Bergen St., 426 54th St. & 713 3rd Ave., Brooklyn (20045381HAK)**  
*GO*

**Res 0346-2004**      **LU 128 - UDAAP, 355 W. 30th St., Manhattan (20045424HAM)**  
*GO*

**Res 0347-2004**      **LU 132 - Landmarks, 50 Antin Place, Bronx (20045392SCX)**

*GO*

**Res 0348-2004**      **LU 133 - ULURP, Gold Street Rezoning, Brooklyn  
(030289ZMK)**  
*GO*

## **Rules, Privileges, and Elections**

**Res 0349-2004**      **M 111 - Joel Shufro - Hazardous Substance Advisory Board**  
*Preconsidered - GO*

**Res 0350-2004**      **M 112 - Philip Weinberg - Hazardous Substance Advisory  
Board**  
*Preconsidered - GO*

## **State and Federal Legislation**

**SLR 0059-2004**      **Allowing the transfer of membership from the New York city  
police pension fund to the mta police pension fund (S.2124-B,  
A.6064-A)**  
*GO*

**SLR 0076-2004**      **Including a twenty-five year retirement program for members  
of the New York city employees' retirement system employed by  
the police department (S.6223, A.9810)**  
*GO*

**SLR 0086-2004**      **Benefits for certain peace officers in the city of New York who  
are injured in the performance of their duties (S.5968, A.9484)**  
*GO*

**SLR 0089-2004**      **Reconvey title of certain property to Gus Jenkins (S.5305-A,  
A.8701-A)**  
*GO*

**SLR 0100-2004**      **Partial abatement of real property taxes (S.6430-A, A.9610-B)**

*Preconsidered - GO*

- SLR 0101-2004**      **Establish the date of commencement of membership of certain individuals (S.5394-B, A.8718-B)**  
*Preconsidered - GO*

## **General Order Calendar**

- Res 0351-2004**      **LU 80 - Zoning Reso., Sidewalk Cafe Text Amendment, CityWide (N040197ZRY)**  
*GO*
- Res 0352-2004**      **LU 109 - ULURP, 434 W 119th St & 235A 12th Ave, Manhattan (C040121PPM)**  
*GO*
- T2004-0073**      **Commissioner of Deeds**  
*GO*

## **Roll Call**

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

**See Attached**

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

### **15. Resolutions**

- Res 0042-2004**      **Congress to oppose the proposed federal temporary guest worker program and to support the passing of comprehensive immigration reform.**
- Resolution calling upon the United States Congress to oppose the proposed federal temporary guest worker program and to



support the passing of comprehensive immigration reform that includes permanent legalization and fair worker protection for immigrants.

*Adopted by the Committee on Immigration*

**Res 0165-2004      Acknowledging the crucial role that grandparents in NYC play in raising grandchildren.**

Resolution acknowledging the crucial role that grandparents in New York City play in raising grandchildren, and calling upon the appropriate Council committee to hold a hearing to further explore this issue.

*Adopted by the Committee on Aging*

**Res 0199-2004      Increasing the state minimum wage from \$5.15 to \$7.10 per hour.**

Resolution commending the New York State Assembly for passing A.9710, a bill that would increase the minimum wage to \$7.10, and calling upon the New York State Senate to pass the accompanying legislation, S.3291-C, and for the Governor to sign the bill into law.

*Adopted by the Committee on Civil Service and Labor*

**Res 0235-2004      Inquiry into the handling of the case of United States Army Chaplain, Captain James Y. Yee.**

Resolution calling upon the United States Government to initiate an immediate inquiry into the handling of the case of United States Army Chaplain, Captain James Y. Yee.

*Adopted by the Committee on State and Federal Legislation*

**Res 0262-2004      NYS Division of Probation and Correctional Alternatives to distribute State Probation funding equitably.**

Resolution calling upon the New York State Division of Probation and Correctional Alternatives to distribute State Probation funding equitably, especially recognizing the disproportionate share of adult felons and juvenile delinquents supervised by the New York City Department of Probation

who would otherwise be confined in State custody.

*Adopted by the Committee on Fire and Criminal Justice Services*

**Res  
0274-2004-A**

**US Attorney General John Ashcroft and the Dep't of Justice to  
reopen the case of Emmett Till.**

Resolution calling upon United States Attorney General John Ashcroft and the Department of Justice to reopen the case of Emmett Till, in light of the discovery of new information, for a complete and thorough investigation into his 1955 murder, and to move aggressively to indict the murderers of Emmett Till, and bring them to justice.

*Adopted by the Committee on Cultural Affairs, Libraries &  
International Intergroup Relations*

**Res 0294-2004**

**Enact legislation permitting reciprocal, direct-to-consumer wine  
shipment in and out of NYS.**

Resolution calling upon the New York State Legislature to pass and the Governor to enact legislation permitting reciprocal, direct-to-consumer wine shipment in and out of New York State.

*Adopted by the Committee on State and Federal Legislation*

## **16. General Discussion**

## **17. Extension of Remarks**

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

**Res 0318-2004**

*By The Speaker (Speaker Miller) and Council Members Addabbo Jr., Baez, Clarke, Comrie Jr., Fidler, Gerson, Lopez, Martinez, Nelson, Rivera, Serrano, Stewart, Vann, Weprin, Yassky, Jackson, Gioia, Gentile, Gonzalez, Barron, Sanders Jr., Perkins, Seabrook, Katz, Reyna, Koppell, Foster, de Blasio, Monserrate, Gennaro, Brewer, James, Liu and The Public Advocate (Public Advocate Gotbaum)*

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Resolution designating the month of May 2004 as Security Officers Appreciation Month.

*Cultural Affairs, Libraries & International Intergroup Relations*

**Int 0347-2004**

*By Council Members Avella, Fidler, Gentile, Gerson, Koppell, Lopez, Nelson, Rivera, Stewart, Gonzalez, Jackson and James*

A Local Law to amend the administrative code of the city of New York, in relation to requiring that commercial shopping establishments that maintain a parking area of at least 200 spaces install, maintain and operate surveillance cameras in order to deter crime.

*Public Safety*

**Res 0319-2004**

*By Council Members Baez, Barron, Brewer, Koppell, Lopez, Rivera, Sanders Jr., Seabrook and Jackson*

Resolution calling upon the Council of the City of New York to support the Kingsbridge Heights community in its efforts to play a decisive role in the utilization of the Kingsbridge Armory.

*Economic Development*

**Res 0320-2004**

*By Council Members Barron, Lopez, Perkins, Seabrook and Vann*

Resolution in support of H.R. 141, sponsored by Congresswoman Barbara Lee, which would disavow the "doctrine of preemption."

*State and Federal Legislation*

**Res 0321-2004**

*By Council Members Barron, Lopez, Martinez, Perkins, Sanders Jr., Seabrook and Stewart*

Resolution in support of H.R. 3919, sponsored by Congresswoman Barbara Lee, which would establish an Independent Commission on the 2004 Coup d'Etat in the Republic of Haiti.

*State and Federal Legislation*

**Res 0322-2004**

*By Council Members Barron, James, Lopez, Martinez, Sanders Jr.,*

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*Stewart and Vann*

Resolution in support of H.R. 3386, sponsored by Congresswoman Barbara Lee, which would provide assistance to combat infectious diseases and establish a comprehensive health infrastructure in the Republic of Haiti.

***State and Federal Legislation***

**Int 0348-2004**

*By Council Members Boyland, Jackson, Barron, Clarke, Comrie Jr., Gennaro, Jennings Jr., Koppell, Lopez, Martinez, Perkins, The Speaker (Speaker Quinn), Sanders Jr., Yassky, Gerson, Brewer, Liu, Stewart, Vann, Weprin, Gonzalez and James*

A Local Law to amend the New York city charter in relation to the timely and efficient procurement of client services.

***Preconsidered - Contracts***

**SLR 0099-2004**

*By Council Members Comrie Jr., Jennings Jr., Seabrook and Weprin*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Smith, S.6685, and Assembly Member Clark, A.10485, "AN ACT authorizing the city of New York to reconvey its interest in certain real property acquired by in rem tax foreclosure in the borough of Queens to former owner Tiberian Baptist Church, notwithstanding expiration of the two year period within which application may be made to the city to release its interest in property thus acquired; Block No. 10950, Lot No. 161 on tax map for the borough of Queens".

***State and Federal Legislation***

**Res 0323-2004**

*By Council Members Fidler, Liu, Reyna, Dilan, Lopez, Barron, The Speaker (Speaker Quinn), Brewer, Jennings Jr., Katz, Nelson, Palma, Seabrook and Jackson*

Resolution calling upon the appropriate committee of the Council to hold an oversight hearing on the implementation of a Communications Based Train Control system on the Canarsie Line and into the further intentions of the New York

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City Transit Authority regarding the continued assignment of trained conductors to trains in the City of New York.

***Transportation***

**Res 0324-2004**

*By Council Members Foster, Palma, Addabbo Jr., Baez, Barron, Boyland, Fidler, Gerson, James, Jennings Jr., Koppell, Lopez, Martinez, Monserrate, Perkins, Reed, Reyna, Rivera, Sanders Jr., Seabrook, Serrano, Vann, Weprin, Yassky, de Blasio, Gennaro, Liu, Comrie Jr., Gentile, Jackson, Clarke, The Speaker (Speaker Quinn), Stewart, Brewer, Gonzalez, Katz, Sears, The Speaker (Speaker Miller) and The Public Advocate (Public Advocate Gotbaum)*

Resolution offering the Council's full support for the "Invisible No More!" campaign that is dedicated to winning home health aide contracts that mandate a Living Wage of \$10 an hour by 2006, health benefits for home health aides and their families, paid vacation time and sick leave.

***Health***

**Int 0349-2004**

*By Council Members Gentile, Jackson, Clarke, Comrie Jr., Gennaro, Gerson, Jennings Jr., Koppell, Lopez, Perkins, The Speaker (Speaker Quinn), Stewart, Yassky, Moskowitz, Boyland, Brewer, Liu, Nelson, Weprin and Gonzalez*

A Local Law to amend the New York city charter in relation to the department of citywide administrative services.

***Preconsidered - Contracts***

**Int 0350-2004**

*By Council Members Gentile, Clarke, Comrie Jr., Gerson, Jennings Jr., Koppell, Martinez, Nelson, Perkins, Sanders Jr., Stewart, Weprin, Gonzalez, James and The Public Advocate (Public Advocate Gotbaum)*

A Local Law to amend the administrative code of the city of New York, in relation to requiring the Department of Education to provide personnel and disciplinary records to any nonpublic school that considers hiring a former or current Department of Education employee.

***Education***

**Int 0351-2004** *By Council Members Gentile, Barron, Brewer, Fidler, Foster, Jennings Jr., McMahon, Monserrate, Nelson, Recchia Jr., Reyna, Seabrook, Stewart, Yassky, Addabbo Jr., Baez, Gioia, James, Katz, Martinez, Palma, Perkins, Rivera, Vallone Jr., Vann, Weprin, Gonzalez, Clarke, Gennaro, Jackson, Boyland, de Blasio, Gerson, Comrie Jr., Gallagher, Oddo, The Public Advocate (Public Advocate Gotbaum) and Sanders Jr.*

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

***Transportation***

**Res 0325-2004** *By Council Members Gentile and Yassky*

Resolution calling upon the Metropolitan Transportation Authority to maintain weekend express service on the X27 and X28 lines running from Bay Ridge and Bensonhurst to Midtown Manhattan beyond the May 31, 2004 termination date.

***Transportation***

**Int 0352-2004** *By Council Members Gonzalez, Jackson, Clarke, Comrie Jr., Gennaro, Jennings Jr., Koppell, Lopez, Martinez, Perkins, The Speaker (Speaker Quinn), Stewart, Yassky, Boyland, Gerson, Brewer, Fidler, Liu, Weprin and James*

A Local Law to amend the administrative code of the city of New York, in relation to multiple submissions of contractor information.

***Preconsidered - Contracts***

**Int 0353-2004** *By Council Members Jackson, Clarke, Comrie Jr., Perkins, Stewart, Gerson, Weprin and Gonzalez (by request of the Mayor)*

A Local Law to amend the New York city charter, in relation to alternatives to competitive sealed bidding.

***Preconsidered - Contracts***

**Int 0354-2004** *By Council Members Jackson, Perkins, Martinez, Dilan, Reyna, Brewer, Reed, Barron, Gerson, Lopez, Yassky and James*

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A Local Law to amend the administrative code of the city of New York, in relation to certain benefits and real property tax exemptions for housing development fund companies organized under article eleven of the private housing finance law.

***Housing and Buildings***

**Res 0326-2004**

*By Council Members James, The Speaker (Speaker Quinn), Baez, Barron, Gerson, Lopez, Nelson, Palma, Perkins, Sanders Jr., Seabrook and Vann*

Resolution calling upon the Congress of the United States to pass H.R. 3444, introduced by Representative DeLauro, and S.2108, introduced by Senator Harkin, which would ensure that consumers receive information about the nutritional content of restaurant and vending machine food.

***Health***

**Int 0355-2004**

*By Council Members Jennings Jr., Avella, Comrie Jr., Jackson, Monserrate, Perkins, Sanders Jr., Clarke, Martinez, Seabrook, Stewart and James*

A Local Law to amend the administrative code of the city of New York, in relation to the retention of candidates on eligible lists.

***Civil Service and Labor***

**Int 0356-2004**

*By Council Members Jennings Jr., Reed, Sears, Barron, Moskowitz, Boyland, Seabrook, Stewart, Clarke, Perkins and James*

A Local Law to amend the administrative code of the city of New York, in relation to increasing the penalties for failure to use a safety locking device and requiring that in certain circumstances law enforcement officers be required to use a safety locking device.

***Public Safety***

**Res 0327-2004**

*By Council Members Jennings Jr., Avella, Baez, Barron, Boyland, Brewer, Clarke, de Blasio, Dilan, Felder, Fidler, Foster, Gennaro, Gerson, Gioia, Katz, Koppell, Liu, Lopez, Martinez, McMahon,*

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*Monserate, Nelson, Perkins, Provenzano, Reed, Reyna, Rivera, Seabrook, Sears, Stewart, Vann, Weprin, Yassky, Jackson, Gentile and Palma*

Resolution calling upon the Board of Education to mandate that all school children in grade five or lower be required to remain at school until a parent or authorized person of responsible age picks them up.

***Education***

**Int 0357-2004**

*By Council Members Lanza, Oddo, Gallagher, Liu, Addabbo Jr., Avella, Barron, Baez, Boyland, Clarke, Comrie Jr., Felder, Fidler, Foster, Gerson, Gioia, Jackson, Jennings Jr., Lopez, Monserate, Nelson, Recchia Jr., Reed, Reyna, Rivera, Sears, Stewart, Vann, McMahon, Gentile, Katz, Palma, Sanders Jr., Seabrook, Vallone Jr., Weprin, Gonzalez, Gennaro and James*

A Local Law to amend the administrative code of the city of New York, in relation to requiring the installation of a stop sign or traffic control signal at every intersection immediately adjacent to any high school or other school below high school level in New York City.

***Transportation***

**Res 0328-2004**

*By Council Members Lopez, Barron, Brewer, Martinez, Palma, Perkins and Stewart*

Resolution calling on the New York City Police Department to accept electronic benefit transfer cards that have the cardholder's photograph as a valid form of identification.

***General Welfare***

**Res 0329-2004**

*By Council Members Lopez, Barron, Boyland, Clarke, Koppell, Perkins, Seabrook, Sears and Vann*

Resolution supporting the families of the victims of Flight 587 in their efforts to establish a permanent memorial on a piece of land located at Beach Channel Drive and 126th Street in the Queens community of Belle Harbor to honor all those who died tragically on that flight on November 12, 2001.

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



**Res 0330-2004**

*By Council Members Lopez, Gerson, Barron, Fidler, Gentile, James, Perkins, Seabrook, Sears and Liu*

Resolution calling upon the New York State Legislature to enact A.7018-A/S.3109-A, the New York State Cultural Development Areas Act, which creates the New York State cultural development program; provides for the designation of cultural development areas and provides for certain tax benefits within those areas.

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

**Int 0358-2004**

*By Council Members McMahon, Brewer, Fidler, Reyna, Yassky, Gentile and James*

A Local Law to amend the administrative code of the city of New York, in relation to the shipment of solid waste between boroughs and the alteration of solid waste management facilities.

***Sanitation and Solid Waste Management***

**Int 0359-2004**

*By Council Members Monserrate, Seabrook, Addabbo Jr., Baez, Barron, Boyland, Clarke, Jennings Jr., Katz, Martinez, Palma, Rivera, Weprin, Gonzalez, Jackson, James, Lopez, Stewart, Reyna, Comrie Jr., Arroyo, Sanders Jr., Foster, Dilan, Vann, Recchia Jr., de Blasio and Brewer*

A Local Law to amend to administrative code of the city of New York, in relation to suspending the activation of parking meters on Sundays.

***Transportation***

**Int 0360-2004**

*By Council Members Moskowitz, Addabbo Jr., Baez, Brewer, Clarke, Gerson, Jennings Jr., Nelson, Yassky, Gentile, Jackson and James*

A Local Law to amend the administrative code of the city of New York, in relation to emergency power in firehouses.

***Fire and Criminal Justice Services***

**Int 0361-2004**

*By Council Members Moskowitz, Addabbo Jr., Baez, Brewer,*

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*Boyland, Gerson, Jennings Jr., Nelson, Yassky, Gentile, Jackson and James*

A Local Law to amend the administrative code of the city of New York, in relation to emergency power in police precincts.

***Public Safety***

**Res 0331-2004**

*By Council Members Perkins, Barron, James, Lopez, Monserrate, Stewart, Vann, Baez, Gerson, Palma, Rivera, Sanders Jr., Seabrook and Jackson*

Resolution urging the United States Congress and the President to repeal the 2003 tax breaks for wealthy Americans and large corporations, and restore funding for critical domestic priorities.

***State and Federal Legislation***

**Res 0332-2004**

*By Council Members Perkins, Baez, Barron, Clarke, Lopez, Palma, Sanders Jr., Seabrook, Serrano, Vann, Jackson, Stewart, Gonzalez, Liu, Monserrate and Martinez*

Resolution commemorating the 79th birthday of Malcolm X on May 19th, 2004.

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

**Res 0333-2004**

*By The Speaker (Speaker Quinn) and Council Members Clarke, Oddo, Sears, Stewart, Vann, Palma, Avella, Barron, Brewer, Boyland, Fidler, Gerson, Lopez, Nelson, Perkins, Rivera, Seabrook, Weprin and Jackson*

Resolution calling upon the State Legislature to adopt A.3897/A.6251/S.680, which would restrict the consecutive number of hours that nurses are required to work, except in emergencies.

***Health***

**Res 0334-2004**

*By The Speaker (Speaker Quinn) and Council Members Clarke, Oddo, Sears, Stewart, Vann, Palma, Addabbo Jr., Avella, Barron, Brewer, Boyland, Fidler, Gerson, Lopez, Nelson, Perkins, Rivera, Seabrook, Weprin and Jackson*

Resolution calling upon the State Legislature to adopt

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A.8560-A/S.4713, which would establish a reporting system to monitor the supply and demand for registered professional nurses and establish minimum RN to patient ratios within a staffing system designed to promote quality health care.

***Health***

**Res 0335-2004**

*By The Speaker (Speaker Quinn) and Council Members Clarke, Oddo, Sears, Stewart, Vann, Palma, Addabbo Jr., Avella, Barron, Brewer, Fidler, James, Lopez, Nelson, Perkins, Rivera, Weprin and Jackson*

Resolution calling upon the State Senate to adopt the "Nursing Care Quality Protection Act" (S.3255), which would provide the public with information regarding nursing staffing levels at hospitals and nursing homes and prohibit those who are not registered nurses (RNs) or licensed practical nurses (LPNs) from portraying themselves to the public as "nurses."

***Health***

**Int 0362-2004**

*By Council Members Recchia Jr., Jackson, Clarke, Comrie Jr., Gennaro, Gerson, Jennings Jr., Koppell, Liu, Lopez, Perkins, The Speaker (Speaker Quinn), Sanders Jr., Stewart, Yassky, Brewer, Boyland, Moskowitz, Weprin, Gonzalez and James*

A Local Law to amend the New York city charter in relation to agencies that contract with not-for-profit organizations.

***Preconsidered - Contracts***

**Int 0363-2004**

*By Council Members Recchia Jr., Liu, Fidler, Nelson and Gentile*

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

***Transportation***

**SLR 0100-2004**

*By Council Members Rivera, Avella, Gentile, Sears and Weprin*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.6430-A, and Assembly Members Grannis, McLaughlin, Dinowitz, Grodenchik, Lafayette, Bing, Gianaris, O'Donnell,

Weprin, Perry, Sanders and Stringer, et al, A.9610-B, “AN ACT to amend the real property tax law, in relation to partial abatement of real property taxes”.

*Preconsidered - State and Federal Legislation*

**SLR 0101-2004** *By Council Member Rivera*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Paterson, S.5394-B, and Committee on Rules, A.8718-B, “AN ACT to establish the date of commencement of membership of certain individuals in the New York city employees’ retirement system”.

*Preconsidered - State and Federal Legislation*

**SLR 0102-2004** *By Council Members Rivera, Gentile, Jennings Jr., Monserrate and Seabrook*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Marchi, Morahan, Padavan and Trunzo, S.2234-B, and Assembly Members Lavelle, Seddio and Weisenberg, et al, A.1349-C, “AN ACT to amend the administrative code of the city of New York, in relation to extending the benefits of the variable supplements fund to all New York city police officers, firefighters, housing police and transit police”.

*State and Federal Legislation*

**SLR 0103-2004** *By Council Members Rivera, Monserrate and Seabrook*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Hassell-Thompson, S.7002, and Committee on Rules, A.10913, “AN ACT to authorize James M. James to transfer retirement service credit from the New York state and local employees’ retirement system to the New York city employees’ retirement system”.

*State and Federal Legislation*

**SLR 0104-2004** *By Council Member Rivera*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Velella, S.4961-A, and Assembly Members Abbate and Klein, A.7187-A, "AN ACT to amend the retirement and social security law, in relation to refunding certain member contributions made pursuant to chapter 96 of the laws of 1995".

***State and Federal Legislation*****SLR 0105-2004** *By Council Members Rivera and Fidler*

State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Assembly Members A. Perry, Jacobs, McLaughlin, P. Rivera, Seddio, Heastie and A. Cohen, et al, A.5229, "AN ACT to amend the New York city charter, the vehicle and traffic law and the administrative code of the city of New York, in relation to the environmental control board adjudication of disputes concerning the blocking of a driveway; and providing for the repeal of such provisions upon expiration thereof".

***State and Federal Legislation*****Res 0336-2004** *By Council Members Seabrook, Barron, Gentile, Gerson, James, Jennings Jr., Lopez, Monserrate, Palma, Perkins and Jackson*

Resolution requesting that the Congress of the United States and the New York State Legislature renew the Temporary Extended Unemployment Compensation (TEUC) program.

***General Welfare*****Int 0364-2004** *By Council Members Vallone Jr., Liu, Weprin, Addabbo Jr., Avella, Comrie Jr., Fidler, Gerson, Katz, Koppell, Monserrate, Nelson, Palma, Sanders Jr., Sears and Gennaro*

A Local Law to amend the administrative code of the city of New York, in relation to increasing the penalties for drag racing.

***Public Safety***

**Res 0337-2004** *By Council Members Vallone Jr., Liu, Weprin, Avella, Fidler, Gerson, Koppell, Nelson, Sanders Jr. and Gennaro*

Resolution calling upon the State Legislature to make drag racing a felony.

**Public Safety**

**Res 0338-2004** *By Council Members Vallone Jr., Liu, Addabbo Jr., Avella, Clarke, Fidler, Gerson, Nelson, Sanders Jr., Sears, Weprin, Gennaro, Jackson, Reed, Foster, The Public Advocate (Public Advocate Gotbaum) and Oddo*

Resolution calling on the State Legislature to adopt more stringent legislation for punishing dangerous and deadly drivers, particularly in relation to drivers who cause death or serious injury due to intoxication or criminal negligence.

**Public Safety**

**Int 0365-2004** *By Council Members Yassky, Moskowitz, Vann, Nelson, Stewart, Brewer, Boyland, Clarke, Comrie Jr., Fidler, Gentile, Koppell, Seabrook, Weprin, Jackson, Recchia Jr., Liu, Reed, Foster, Gerson and The Public Advocate (Public Advocate Gotbaum)*

A Local Law to amend the administrative code of the city of New York, in relation to a cause of action against firearms manufacturers and dealers.

**Public Safety**

**LU 0141-2004** *By Council Member Katz*

Application no. 20045500 HAM, an Urban Development Action Area Project located at 250 Manhattan Avenue, Council District no. 9, 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.

**Planning, Dispositions and Concessions**

**LU 0142-2004** *By Council Member Katz*

Application no. 20045501 HAM, an Urban Development Action Area Project located at 208 East 122nd Street, Council District no. 11, 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.

***Planning, Dispositions and Concessions***

**LU 0143-2004**

*By Council Member Katz*

Uniform land use review procedure application no. C 040314 HAM, an Urban Development Action Area Designation and Project located at 59-61 and 62-72 East 4th Street and 19 East 3rd Street, and the disposition of such property, Borough of Manhattan, Council District no. 2. 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.

***Planning, Dispositions and Concessions***

**LU 0144-2004**

*By Council Member Katz*

Application no. 20045468 TCM pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Smoke City Enterprises, LLC, to establish, maintain and operate an unenclosed sidewalk café located at 161 Lenox Avenue, Borough of Manhattan, Council District no. 9. 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***