

The New York City Council

Council Agenda

Stated Meeting

October 11, 2005

1:30 PM

Council Chambers - City Hall

1. Roll Call

2. Invocation

*Delivered by: Rabbi Marjorie Slome, West End Temple, 147-02
Newport Ave., NY 11694.*

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

3. Adoption of Minutes

4. Messages & Papers from the Mayor

None

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

None

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 Education****Int 0464-2004-A Provision of language assistance services.**

A Local Law to amend the administrative code of the city of New York, in relation to the provision of language assistance services by the Department of Education.

Amended and Laid Over

Report of the Committee on Finance**Int 0692-2005 Amend the district plan of the Metrotech Area business improvement district.**

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

Coupled on GO**Int 0669-2005 Suspending the activation of parking meters on Sundays.**

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

Coupled on GO

M 0665-2005 Mayor's Veto Message of Int. No. 669, Suspending the activation of parking meters on Sundays.

Communication for the Mayor - Mayor's veto and disapproval message of Introductory Number 669, in relation to suspending the activation of parking meters on Sundays.

Coupled to be Filed

Report of the Committee on Health**Int 0468-2004-A Assessing a fee in certain service industries in order to establish a city program to provide health care for workers.**

A Local Law to amend the administrative code of the city of New York, in relation to requiring employers in the grocery industry to make prevailing health care expenditures on behalf of their employees.

Coupled on GO

M 0671-2005 Mayor's Veto of Int. No. 468-A - Assessing a fee in certain service industries in order to establish a city program to provide health care for workers.

Communication for the Mayor - Mayor's veto and disapproval message of Introductory Number 468-A, in relation to requiring employers in the grocery industry to make prevailing health care expenditures on behalf of their employees.

Coupled to be Filed

Report of the Committee on Land Use

- Res 1200-2005** **LU 544 - ULURP, Commercial Overlay Elimination, Staten Island (050453ZMR)**
- Resolution approving the decision of the City Planning Commission on ULURP No. C 050453 ZMR, a Zoning Map change (L.U. No. 544).
Coupled on GO
- Res 1201-2005** **LU 545 - ULURP, Commercial Overlay Elimination, Staten Island (050454ZMR)**
- Resolution approving the decision of the City Planning Commission on ULURP No. C 050454 ZMR, a Zoning Map change (L.U. No. 545).
Coupled on GO
- LU 0546-2005** **ULURP, Commercial Overlay Elimination, Staten Island (050455ZMR)**
- Uniform Land Use Review Procedure application no. 050455 ZMR, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Staten Island, Council District nos. 49,50,51.
Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter.
- Res 1202-2005** **LU 548 - ULURP, Morris Park Rezoning, Bronx (050442ZMX)**
- Resolution approving the decision of the City Planning Commission on ULURP No. C 050442 ZMX, a Zoning Map change (L.U. No. 548).
Coupled on GO
- Res 1203-2005** **LU 550 - School Construction, Jamaica Ave. & Richmond St., Queens (Non-ULURP no. 20065023SCK)**
- Resolution approving the site plan for a primary/intermediate public school facility to be located at the southwest corner of Jamaica Avenue and Richmond Street in the Cypress Hills area

of Brooklyn (Block 4102, Lots 19, 27, 33, 35 and 36),
Brooklyn (Non-ULURP No. 20065023 SCK; L.U. No. 550).
Coupled on GO

**Res 1204-2005 LU 554 - ULURP, 871 and 875 East 179th St., Bronx
(C050527HAX)**

Resolution approving the decision of the City Planning Commission on an application submitted by the Department of Housing Preservation and Development, ULURP No. C 050527 HAX, approving the designation of 871 and 875 East 179th Street (Block 3123, Lots 77 and 76), as an Urban Development Action Area, approving the project for the area as an Urban Development Action Area Project, and approving the disposition of such property to a developer selected by the Department of Housing Preservation and Development (L.U. No. 554; C 050527 HAX).

Coupled on GO

**Res 1205-2005 LU 560 - UDAAP, 254 East 125th Street, Manhattan
(20065052HAM)**

Resolution approving an Urban Development Action Area Project located at 254 East 125th Street (Block 1789/Lot 29), 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. 560; 20065052 HAM).

Coupled on GO

**Res 1206-2005 LU 572 - ULURP, Far West Village Rezoning, Manhattan
(060006ZMM)**

Resolution approving the decision of the City Planning Commission on ULURP No. C 060006 ZMM, a Zoning Map change (L.U. No. 572).

Coupled on GO

Res 1207-2005 LU 579 - ULURP, 764 E 176th St., Bronx (030370ZMX)

Resolution approving the decision of the City Planning Commission on ULURP No. C 030370 ZMX, a Zoning Map change (L.U. No. 579).

Coupled on GO

Res 1208-2005

LU 580 - UDAAP, 81 West 172nd St., Bronx (20065057HAX)

Resolution approving an Urban Development Action Area Project located at 81 West 172nd Street (Block 2872/Lot 218), the Bronx, 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. 580; 20065057 HAX).

Coupled on GO

Res 1209-2005

LU 584 - Sidewalk Cafe, 106-03 Metropolitan Ave., Queens (20055640TCQ)

Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 106-03 Metropolitan Avenue, Queens (20055640 TCQ; L.U. No. 584).

Coupled on GO

Res 1210-2005

LU 602 - ULURP, 801 Neill Avenue, Bronx (20065071HAX)

Resolution approving a motion to file pursuant to withdrawal of an application for a Project located at 801 Neill Avenue (Block 4290/Lot 8), the Bronx, pursuant to the Private Housing Finance Law (L.U. No. 602; 20065071 HAX)

Coupled to be Filed Pursuant to Letter of Withdrawal

Res 1211-2005

LU 603 - ULURP, Ocean Dreams, Brooklyn (050393ZMK)

Resolution approving the decision of the City Planning Commission on ULURP No. C 050393 ZMK, a Zoning Map change (L.U. No. 603).

Coupled on GO

Res 1212-2005

LU 609 - ULURP, Riverdale on Hudson Rezoning, Bronx (050480ZMX)

Resolution approving the decision of the City Planning Commission on ULURP No. C 050480 ZMX, a Zoning Map change (L.U. No. 609).

Coupled on GO

Report of the Committee on State and Federal Legislation

SLR 0143-2005 **Suspend the sales and compensating use tax in Dec, Jan, Feb imposed on fuel oil.**

State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Golden, S.5984, "AN ACT to amend the tax law, in relation to enabling a city of one million or more to suspend for December, January and February the sales and compensating use tax imposed on fuel oil used for residential heating purposes and natural gas used for residential purposes".

Preconsidered - Coupled on GO

Report of the Committee on Transportation

Int 0699-2005 **Licensing of stoop line stands contingent upon certification that such stand does not obstruct pedestrian traffic.**

A Local Law to amend the administrative code of the city of New York, in relation to licensing of stoop line stands contingent upon certification that such stand does not obstruct pedestrian traffic.

Adopted and Laid Over

M 0672-2005 **Mayor's Veto of Int. No. 699 - Licensing of stoop line stands contingent upon certification that such stand does not obstruct pedestrian traffic.**

Communication for the Mayor - Mayor's veto and disapproval message of Introductory Number 699, in relation to licensing of stoop line stands contingent upon certification that such

stand does not obstruct pedestrian traffic.

Filed and Laid Over

12. General Orders Calendar

Int 0521-2004-A In relation to procurement

A Local Law to amend the New York City Charter, in relation to procurement.

Laid Over

T2004-0073 Commissioner of Deeds

Commissioner of Deeds

Coupled on GO

Coupled on General Order Calendar

Finance

Int 0692-2005 Amend the district plan of the Metrotech Area business improvement district.

GO

Int 0669-2005 Suspending the activation of parking meters on Sundays.

GO

M 0665-2005 Mayor's Veto Message of Int. No. 669, Suspending the activation of parking meters on Sundays.

Filed

Health

Int 0468-2004-A Assessing a fee in certain service industries in order to establish a city program to provide health care for workers.

GO

M 0671-2005 **Mayor's Veto of Int. No. 468-A - Assessing a fee in certain service industries in order to establish a city program to provide health care for workers.**

Filed

Land Use

Res 1200-2005 **LU 544 - ULURP, Commercial Overlay Elimination, Staten Island (050453ZMR)**
GO

Res 1201-2005 **LU 545 - ULURP, Commercial Overlay Elimination, Staten Island (050454ZMR)**
GO

Res 1202-2005 **LU 548 - ULURP, Morris Park Rezoning, Bronx (050442ZMX)**
GO

Res 1203-2005 **LU 550 - School Construction, Jamaica Ave. & Richmond St., Queens (Non-ULURP no. 20065023SCK)**
GO

Res 1204-2005 **LU 554 - ULURP, 871 and 875 East 179th St., Bronx (C050527HAX)**
GO

Res 1205-2005 **LU 560 - UDAAP, 254 East 125th Street, Manhattan (20065052HAM)**
GO

Res 1206-2005 **LU 572 - ULURP, Far West Village Rezoning, Manhattan (060006ZMM)**
GO

Res 1207-2005 **LU 579 - ULURP, 764 E 176th St., Bronx (030370ZMX)**
GO

- Res 1208-2005** **LU 580 - UDAAP, 81 West 172nd St., Bronx (20065057HAX)**
GO
- Res 1209-2005** **LU 584 - Sidewalk Cafe, 106-03 Metropolitan Ave., Queens**
(20055640TCQ)
GO
- Res 1210-2005** **LU 602 - ULURP, 801 Neill Avenue, Bronx (20065071HAX)**
Filed
- Res 1211-2005** **LU 603 - ULURP, Ocean Dreams, Brooklyn (050393ZMK)**
GO
- Res 1212-2005** **LU 609 - ULURP, Riverdale on Hudson Rezoning, Bronx**
(050480ZMX)
GO

State and Federal Legislation

- SLR 0143-2005** **Suspend the sales and compensating use tax in Dec, Jan, Feb**
imposed on fuel oil.
Preconsidered - GO

General Order Calendar

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

13. Introduction & Reading of Bills

See Attached

14. Discussion of Resolutions

15. Resolutions

None

16. General Discussion

17. Extension of Remarks

INTRODUCTION AND READING OF BILLS

Int 0730-2005 *By Council Members Addabbo Jr., Comrie Jr., Fidler, Gonzalez, Jennings Jr., Liu, McMahon, Nelson, Palma, Recchia Jr., Stewart, Sanders Jr., Jackson and The Public Advocate (Public Advocate Gotbaum) (by request of the Mayor)*

A Local Law to amend the administrative code of the city of New York, in relation to health insurance coverage for the surviving spouse or domestic partner and children of certain deceased department of transportation workers.

Civil Service and Labor

Int 0731-2005 *By Council Members Comrie Jr., Liu, Jackson, Fidler, Nelson, Stewart and Weprin*

A Local Law to amend the administrative code of the city of New York, in relation to establishing a citywide stoop line stand task force.

Transportation

Res 1193-2005 *By Council Members Gentile, Barron, Comrie Jr., Fidler, James, Jennings Jr., Koppell, Liu, McMahon, Nelson, Palma, Recchia Jr., Stewart, Weprin and Jackson*

Resolution calling upon the Department of Consumer Affairs, in response to the disruption of Hurricanes Katrina and Rita, to examine the necessity of declaring gasoline in temporary short supply in order to protect consumers from price gouging and for the New York State Attorney General to vigilantly

continue investigating instances of potential price gouging.

Consumer Affairs

Res 1194-2005

By Council Members Gentile, Barron, Comrie Jr., Fidler, James, Jennings Jr., Nelson, Palma, Recchia Jr., Stewart, Weprin and Jackson

Resolution calling upon President Bush to continue utilizing the Strategic Petroleum Reserve to mitigate the rising price of fuel caused by Hurricanes Katrina and Rita, and to compel him to consider alternative methods to help alleviate the concern over possible record-high winter fuel costs.

Consumer Affairs

Res 1195-2005

By Council Members James, Barron, Clarke, Comrie Jr., Fidler, McMahon, Palma, Recchia Jr., Sears, Weprin and Jackson

Resolution commemorating the life and mourning the death of Constance Baker Motley.

Cultural Affairs, Libraries & International Intergroup Relations

Int 0732-2005

By Council Members McMahon, Gentile, Oddo, Avella, Fidler, Liu, Nelson, Recchia Jr. and Gallagher

A Local Law to authorize the levy and collection of real property taxes at rates that are ten percent below the rates for fiscal year 2006 adopted on June 30, 2005.

Finance

Int 0733-2005

By Council Members Recchia Jr., James, Liu and Palma

A Local Law to amend the New York City Charter in relation to the addition of various City siting categories subject to the uniform land use review procedure.

Land Use

Res 1196-2005

By Council Members Rivera, Barron, Gonzalez and Palma

Resolution calling upon the New York State Legislature to adopt legislation that would require that all preparatory procedures necessary for laser hair removal be performed

under the direct supervision of a physician properly trained and licensed in such hair removal procedure.

Health

SLR 0143-2005 *By Council Members Rivera, Weprin, McMahon, Sears, Gentile, Fidler, Comrie Jr., Gonzalez, Jennings Jr., Liu, Nelson and The Public Advocate (Public Advocate Gotbaum)*

State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Golden, S.5984, "AN ACT to amend the tax law, in relation to enabling a city of one million or more to suspend for December, January and February the sales and compensating use tax imposed on fuel oil used for residential heating purposes and natural gas used for residential purposes".

Preconsidered - State and Federal Legislation

Res 1197-2005 *By Council Members Sears, Barron, Liu, Weprin and Jackson*

Resolution in support of H. Res. 313, which urges the President to authorize the transfer of ownership of one of the bells taken from the town of Balangiga on the island of Samar, Philippines in 1901, and currently displayed at F.E. Warren Air Force Base in Wyoming, to the people of the Philippines.

Cultural Affairs, Libraries & International Intergroup Relations

Res 1198-2005 *By Council Members Vallone Jr., Gonzalez, James, Liu and Palma*

Resolution denouncing the use of fur by all clothing makers and the inhumane manner in which the animals used for fur are killed.

Consumer Affairs

Int 0734-2005 *By Council Members Yassky, Brewer, James, Liu, Palma and Seabrook*

A Local Law to amend the administrative code of the city of New York, in relation to replacement cycles for taxicabs.

Transportation

Int 0735-2005

By Council Members Yassky, Brewer, Fidler, Liu, Palma and Stewart

A Local Law to amend the administrative code of the city of New York, in relation to the taxi and limousine commission license fee for compressed natural gas and certain hybrid-electric vehicles.

Transportation

Res 1199-2005

By Council Members Yassky, Barron, Brewer, James and Palma

Resolution calling upon the United States Senate to reject the nomination of Harriet Miers an Associate Justice to the Supreme Court of the United States.

State and Federal Legislation

LU 0610-2005

By Council Member Katz

Uniform Land Use Review Procedure application no. 050190 ZMQ, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Queens, Council District no. 24.

Zoning and Franchises

LU 0611-2005

By Council Member Katz

Uniform Land Use Review Procedure application no. 050145 ZMR, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Staten Island, Council District no. 51.

Zoning and Franchises