

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Friday, June 27, 2003

2:00 PM

Recessed Meeting of June 25, 2003

Council Chambers - City Hall

City Council

A. Gifford Miller, Speaker

Members: Joseph P. Addabbo, Jr., Tony Avella, Maria Baez, Charles Barron, Tracy L. Boyland, Gale A. Brewer, Yvette D. Clarke, Leroy G. Comrie, James E. Davis, Bill de Blasio, Erik Martin Dilan, Pedro Espada, Jr., Simcha Felder, Lewis A. Fidler, Helen D. Foster, Dennis P. Gallagher, James F. Gennaro, Vincent J. Gentile, Alan J. Gerson, Eric N. Gioia, Sara M. Gonzalez, Robert Jackson, Allan W. Jennings, Melinda R. Katz, G. Oliver Koppell, Andrew J. Lanza, John C. Liu, Margarita Lopez, Miguel Martinez, Michael E. McMahon, Hiram Monserrate, Eva S. Moskowitz, Michael C. Nelson, James Oddo, William Perkins, Madeline Provenzano, Christine C. Quinn, Philip Reed, Domenic M. Recchia, Jr., Diana Reyna, Joel Rivera, James Sanders, Larry B. Seabrook, Helen Sears, Jose M. Serrano, Kendall B. Stewart, Peter F. Vallone, Jr., Albert Vann, David I. Weprin, David Yassky.

Recessed Meeting of June 25, 2003 held on Friday, June 27, 2003.

1. The Public Advocate (Ms. Gotbaum) called the meeting to order.
2. Roll Call

Present:

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Boyland, Brewer, Clarke, Comrie Jr., Davis, Dilan, Espada Jr., Felder, Fidler, Foster, Gallagher, Gennaro, Gerson, Gentile, Gioia, Gonzalez, Jennings Jr., Katz, Koppell, de Blasio, Lanza, Liu, Lopez, Martinez, McMahon, Monserrate, Moskowitz, Perkins, Provenzano, Quinn, Recchia Jr., Reed, Reyna, Rivera, Seabrook, Sears, Serrano, Stewart, Vallone Jr., Vann, Weprin, Yassky and Oddo

Excused:

Jackson, Nelson and Sanders Jr.

3. The Clerk (Mr. Victor L. Robles) announced the presence of a quorum.

1. Adoption of Minutes
None.
2. Supplemental Messages & Papers from the Mayor

M 0668-2003 Communication from the Mayor - Submitting the amended 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 2004 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.

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

3. Supplemental Communications from City, County & Borough Offices

M 0669-2003 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 2003 to implement changes to the City's expense budget. (MN - 5)

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

M 0670-2003 Communication from the Office of Management & Budget - Pursuant to Section 107(e) of the New York City Charter, appropriate new revenues of \$932,157,519 million in fiscal year 2003. (MN - 6)

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

4. Petitions and Communications

None.

5. Land Use Call-Ups

None.

6. Communication from the Speaker

7. Discussion of General Orders

8. Reports of Special Committees

None.

9. Supplemental Reports of Standing Committees

Supplemental Report of the Committee on Finance

Int 0473-2003 A Local Law to amend the administrative code of the city of New York, in relation to lobbyist registration fees and certain city clerk fees.

Attachments: Hearing Transcript, Local Law, Committee Report, Hearing Transcript - Stated Meeting 6/27, Fiscal Impact Statement

Enactment No: 2003/046

Int 0474-2003 A Local Law to amend the administrative code of the city of New York, in relation to the imposition of a real property tax surcharge on certain class one properties.

Attachments: Hearing Transcript, Local Law, Hearing Transcript - Stated Meeting 6/27

Affirmative: 45 -

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Boyland, Brewer, Clarke, Comrie Jr., Davis, Dilan, Espada Jr., Felder, Fidler, Foster, Gennaro, Gerson, Gentile, Gioia, Gonzalez, Jennings Jr., Katz, Koppell, de Blasio, Liu, Lopez, Martinez, McMahon, Monserrate, Moskowitz, Perkins, Provenzano, Quinn, Recchia Jr., Reed, Reyna, Rivera, Seabrook, Sears, Serrano, Stewart, Vallone Jr., Vann, Weprin and Yassky

Negative: 3 -

Gallagher, Lanza and Oddo

Excused: 3 -

Jackson, Nelson and Sanders Jr.

Enactment No: 2003/047

Int 0496-2003 A Local Law to amend the administrative code of the city of New York, in relation to the public sale of taxicab licenses.

Attachments: Committee Report, Hearing Transcript, Local Law, Hearing Transcript - Stated Meeting 6/27, Fiscal Impact Statement - A

With Message of Necessity

Enactment No: 2003/051

Int 0520-2003 A Local Law to amend the administrative code of the city of New York, in relation to extending for four years the time to apply for certain benefits under the industrial and commercial incentive program and in relation to the boundaries of the new construction exemption area.

Attachments: Hearing Transcript, Local Law, Committee Report, Hearing Transcript - Stated Meeting 6/27, Fiscal Impact Statement

With Message of Necessity

Enactment No: 2003/048

Int 0521-2003 A Local Law to amend the administrative code of the city of New York, in relation to disallowing deductions under the unincorporated business tax for certain payments to related parties and to repeal subdivision (n) of section 11-501 of the administrative code of the city of New York relating thereto.

Attachments: Hearing Transcript, Local Law, Committee Report, Hearing Transcript - Stated Meeting 6/27, Fiscal Impact Statement

With Message of Necessity

Enactment No: 2003/053

Res 0972-2003 Resolution computing and certifying base percentage, current percentage and current base proportion of each class of real property for Fiscal 2004 to the State Board of Real Property Services pursuant to Section 1803-a, Real Property Tax Law.

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

Affirmative: 45 -

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Boyland, Brewer, Clarke, Comrie Jr., Davis, Dilan, Espada Jr., Felder, Fidler, Foster, Gennaro, Gerson, Gentile, Gioia, Gonzalez, Jennings Jr., Katz, Koppell, de Blasio, Liu, Lopez, Martinez, McMahon, Monserrate, Moskowitz, Perkins, Provenzano, Quinn, Recchia Jr., Reed, Reyna, Rivera, Seabrook, Sears, Serrano, Stewart, Vallone Jr., Vann, Weprin and Yassky

Negative: 3 -

Gallagher, Lanza and Oddo

Excused: 3 -

Jackson, Nelson and Sanders Jr.

Res 0973-2003 Resolution computing and certifying adjusted base proportion of each class of Real Property for Fiscal 2004 to the State Board of Real Property Services pursuant to Section 1803-a, Real Property Tax Law.

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

Affirmative: 45 -

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Boyland, Brewer, Clarke, Comrie Jr., Davis, Dilan, Espada Jr., Felder, Fidler, Foster, Gennaro, Gerson, Gentile, Gioia, Gonzalez, Jennings Jr., Katz, Koppell, de Blasio, Liu, Lopez, Martinez, McMahon, Monserrate, Moskowitz, Perkins, Provenzano, Quinn, Recchia Jr., Reed, Reyna, Rivera, Seabrook, Sears, Serrano, Stewart, Vallone Jr., Vann, Weprin and Yassky

Negative: 3 -

Gallagher, Lanza and Oddo

Excused: 3 -

Jackson, Nelson and Sanders Jr.

M 0412-2003 Communication from the Mayor - Submitting Financial Plan Summary Book, Volumes I and II for Fiscal Years 2003-2007, pursuant to Sections 101 and 213 of the New York City Charter.

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

M 0413-2003 Communication from the Mayor - Submitting Preliminary Expense Budget for Fiscal Year 2004, pursuant to Sections 225 and 226 of the New York City Charter.

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

M 0414-2003 Communication from the Mayor - Submitting Contract Budget Report for Fiscal Year 2004, pursuant to Section 104 of the New York City Charter.

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

- M 0415-2003** **Communication from the Mayor - Submitting Geographic Reports for Expense Budget for Fiscal Year 2004, pursuant to Sections 100 and 231 of the New York City Charter.**
Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27
- M 0416-2003** **Communication from the Mayor - Submitting Departmental Estimates Report, Volumes I, II, III, IV and V, for Fiscal Year 2004, pursuant to Sections 100, 212 and 231 of the New York City Charter.**
Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27
- M 0417-2003** **Communication from the Mayor - Submitting the Preliminary Capital Budget, Fiscal Year 2004, pursuant to Sections 213 and 236 of the New York City Charter.**
Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27
- M 0418-2003** **Communication from the Mayor - Submitting the Capital Commitment Plan, Fiscal Year 2004, Volumes 1, 2 & 3, and the Capital Commitment Plan, Fiscal Year 2003, Financial Summary, pursuant to Section 219 of the New York City Charter.**
Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27
- M 0536-2003** **Communication from the Mayor-Submitting the Expense Revenue Contract Budget, for Fiscal Year 2004, pursuant to Section 249 of the New York City Charter.**
Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

Res 0974-2003 **RESOLUTION TO ADOPT A BUDGET APPROPRIATING THE AMOUNTS NECESSARY FOR THE SUPPORT OF THE GOVERNMENT OF THE CITY OF NEW YORK AND THE COUNTIES THEREIN AND FOR THE PAYMENT OF INDEBTEDNESS THEREOF, FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2003 AND ENDING ON JUNE 30, 2004 IN ACCORDANCE WITH THE PROVISIONS OF THE CHARTER OF THE CITY OF NEW YORK (PART A); TO ADOPT A CONTRACT BUDGET SETTING FORTH, BY AGENCY, CATEGORIES OF CONTRACTUAL SERVICES FOR WHICH APPROPRIATIONS HAD BEEN PROPOSED FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2003 AND ENDING ON JUNE 30, 2004, IN ACCORDANCE WITH THE PROVISIONS OF THE CHARTER OF THE CITY OF NEW YORK (PART B); TO PROVIDE THE AMOUNTS NECESSARY FOR THE SUPPORT OF THE GOVERNMENT OF THE CITY OF NEW YORK AND THE COUNTIES THEREIN AND FOR THE PAYMENT OF INDEBTEDNESS THEREOF, FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2003 AND ENDING ON JUNE 30, 2004 BY THE LEVY OF TAXES ON THE REAL PROPERTY IN THE CITY OF NEW YORK, IN ACCORDANCE WITH THE PROVISIONS OF THE CONSTITUTION OF THE STATE OF NEW YORK, THE REAL PROPERTY TAX LAW AND THE CHARTER OF THE CITY OF NEW YORK (PART C) AND SETTING FORTH AN EFFECTIVE DATE FOR THE PROVISIONS OF THIS RESOLUTION (PART D)**

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

M 0537-2003 **Communication from the Mayor-Submitting the Executive Capital Budget for Fiscal Year 2004, pursuant to Section 249 of the New York City Charter.**

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

Res 0975-2003 **RESOLUTION BY THE NEW YORK CITY COUNCIL PURSUANT TO SECTION 254 OF THE NEW YORK CITY CHARTER, THAT THE CAPITAL BUDGET FOR FISCAL YEAR 2004 AND CAPITAL PROGRAM, BEING THE EXECUTIVE CAPITAL BUDGET FOR FISCAL YEAR 2004 AND PROGRAM AS SUBMITTED BY THE MAYOR ON APRIL 15, 2003, AND BY THE BOROUGH PRESIDENTS PURSUANT TO SECTION 249 OF THE NEW YORK CITY CHARTER, INCLUDING RESCINDMENT OF AMOUNTS FROM PRIOR CAPITAL BUDGETS, BE AND THE SAME ARE HEREBY APPROVED IN ACCORDANCE WITH THE FOLLOWING SCHEDULE OF CHANGES (RESOLUTION A)**

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

Res 0976-2003 **RESOLUTION BY THE NEW YORK CITY COUNCIL PURSUANT TO SECTION 254 OF THE NEW YORK CITY CHARTER, THAT THE CAPITAL BUDGET FOR FISCAL YEAR 2004 AND CAPITAL PROGRAM FOR THE ENSUING THREE YEARS, AS SET FORTH IN THE EXECUTIVE CAPITAL BUDGET FOR THE FISCAL YEAR 2004 AND CAPITAL PROGRAM AS SUBMITTED BY THE MAYOR ON APRIL 15, 2003, AS AUGMENTED BY THE BOROUGH PRESIDENTS PURSUANT TO SECTION 249 OF THE NEW YORK CITY CHARTER, AND AMENDED BY THE SCHEDULE OF CHANGES APPROVED UNDER RESOLUTION A, INCLUDING AMOUNTS REALLOCATED BY THE RESCINDMENT OF AMOUNTS FROM PRIOR CAPITAL BUDGET APPROPRIATIONS, IS HEREBY ADOPTED IN THE TOTAL AMOUNTS AS FOLLOWS. (RESOLUTION B)**

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

M 0538-2003 **Communication from the Mayor-Submitting the Proposed City Fiscal Year 2004 Community Development Program, the Proposed CFY'04 Budget, the Proposed Reallocations-the CD XXIX Funds, Proposed CD XXX Statement of Objectives and Budget, dated April 15, 2003.**

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

- Res 0977-2003** **RESOLUTION APPROVING THE FISCAL YEAR 2004 COMMUNITY DEVELOPMENT PROGRAM, REALLOCATION OF TWENTY-NINTH YEAR COMMUNITY DEVELOPMENT FUNDS, AND THE PROPOSED THIRTIETH YEAR COMMUNITY DEVELOPMENT PROGRAM.**
- Attachments:** Hearing Transcript, Hearing Transcript - Stated Meeting 6/27
- M 0539-2003** **Communication from the Mayor-Submitting the Executive Budget Supporting Schedules, Volume I-V, for Fiscal Year 2004, pursuant to Section 250 of the New York City Charter.**
- Attachments:** Hearing Transcript, Hearing Transcript - Stated Meeting 6/27
- M 0540-2003** **Communication from the Mayor-Submitting the Capital Commitment Plan, Executive Budget, Fiscal Year 2004, Volumes I, II and III, pursuant to Section 219(d) of the New York City Charter.**
- Attachments:** Hearing Transcript, Hearing Transcript - Stated Meeting 6/27
- M 0541-2003** **Communication from the Mayor-Submitting the Executive Budget - Geographic Reports for Expense Budget for Fiscal Year 2004.**
- Attachments:** Hearing Transcript, Hearing Transcript - Stated Meeting 6/27
- M 0542-2003** **Communication from the Mayor-Submitting the Executive Capital Budget Fiscal Year 2004, Capital Project Detail Data, Citywide Volumes 1 and 2 and Volumes for the Five Boroughs, dated April 17, 2003 pursuant to the provisions of Sections 213 (4) & 219 (D) of the New York City Charter.**
- Attachments:** Hearing Transcript, Hearing Transcript - Stated Meeting 6/27
- M 0543-2003** **Communication from the Mayor-Submitting the Budget Summary, Message of the Mayor and Summary of Reduction Program relative to the Executive Budget, Fiscal Year 2004, pursuant to Section 249 of the New York City Charter.**
- Attachments:** Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

M 0661-2003 **Communication from the Mayor - Submitting the 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 2004 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.**

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

M 0668-2003 **Communication from the Mayor - Submitting the amended 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 2004 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.**

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

Res 0978-2003 **RESOLUTION CONCURRING IN A COMMUNICATION FROM THE MAYOR TRANSMITTING THE AMENDED CERTIFICATE SETTING FORTH THE MAXIMUM AMOUNT OF DEBT & RESERVES WHICH THE CITY, THE NYC TRANSITIONAL FINANCE AUTHORITY, THE NYC MUNICIPAL WATER FINANCE AUTHORITY, THE NYS DORMITORY AUTHORITY & THE NYC HEALTH & HOSPITALS CORPORATION MAY SOUNDLY INCUR FOR CAPITAL PROJECTS FOR FISCAL YEAR 2004 & THE ENSUING THREE FISCAL YEARS, & THE MAXIMUM AMOUNT OF APPROPRIATIONS & EXPENDITURES FOR CAPITAL PROJECTS WHICH MAY SOUNDLY BE MADE DURING EACH FISCAL YEAR, PURSUANT TO SECTION 250 (16) OF THE NY CITY CHARTER.**

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

M 0669-2003 **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 2003 to implement changes to the City's expense budget. (MN - 5)**

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

Res 0979-2003 **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 2003 to implement changes to the City's expense budget. (MN - 5)**

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

M 0670-2003 **Communication from the Office of Management & Budget - Pursuant to Section 107(e) of the New York City Charter, appropriate new revenues of \$932,157,519 million in fiscal year 2003. (MN - 6)**

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

Res 0980-2003 **Communication from the Office of Management & Budget - Pursuant to Section 107(e) of the New York City Charter, appropriate new revenues of \$932,157,519 million in fiscal year 2003. (MN - 6)**

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

Report of the Committee on General Welfare

Int 0500-2003 **A Local Law to amend the charter and administrative code of the city of New York with respect to transferring functions of the department of employment and the administration for children's services to the department of social services, the department of small business services and the department of youth and community development, and to repeal chapter 73 of the charter.**

Attachments: Memo In Support, Committee Report 6/13, Committee Report 6/27, Hearing Transcript 6/27, Local Law, Hearing Transcript 6/13, Hearing Transcript - Stated Meeting 6/27, Fiscal Impact Statement - A

with Message of Necessity

Enactment No: 2003/052

Res 0844-2003 **Resolution calling upon the United States Congress to pass and President Bush to sign legislation that would facilitate naturalization of members of the United States military and immediate relatives of citizen soldiers killed in action.**

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

Report of the Committee on Sanitation and Solid Waste Mangement

Int 0485-2003 **A Local Law to amend the administrative code of the city of New York, in relation to the frequency of collection of designated recyclable materials and in relation to the collection of glass and yard waste.**

Attachments: Committee Report 6/19, Committee Report 6/27, Local Law, Hearing Transcript 6/19, Hearing Transcript 6/27, Hearing Transcript - Stated Meeting 6/27, Fiscal Impact Statement - A

with Message of Necessity

Enactment No: 2003/050

Report of the Committee on Standards and Ethics

Int 0064-2002 **A Local Law to amend the administrative code of the city of New York, in relation to the annual disclosure of financial interests by certain officers and employees of the city of New York.**

Attachments: Committee Report, Local Law, Hearing Transcript, Hearing Transcript - Stated Meeting 6/27, Fiscal Impact Statement - A

with Message of Necessity

Enactment No: 2003/043

Report of the Committee on Transportation

Int 0193-2002 **A Local Law to amend the administrative code of the city of New York, in relation to the liability of property owners for injuries caused by unsafe conditions on sidewalks.**

Attachments: Committee Report 11/12/02, Hearing Transcript 11/12/02, Committee Report 6/27/03, Hearing Transcript 6/27/03, Local Law, Hearing Transcript - Stated Meeting 6/27, Fiscal Impact Statement

Enactment No: 2003/049

Int 0522-2003 **A Local Law to amend the administrative code of the city of New York, in relation to liability insurance for injuries caused by unsafe conditions on sidewalks and payments for uncompensated medical expenses in connection with such injuries.**

Attachments: Committee Report, Hearing Transcript, Local Law, Hearing Transcript - Stated Meeting 6/27, Fiscal Impact Statement
with Message of Necessity

Enactment No: 2003/054

12. Supplemental General Orders Calendar

Int 0393-2003 **A Local Law to amend the administrative code of the city of New York, in relation to the definition of fill material.**

Attachments: Committee Report 6/10/03, Committee Report 6/18/03, Local Law, Hearing Transcript, Hearing Transcript 6/10/03, Hearing Transcript - Stated Meeting 6/27, Fiscal Impact Statement - A

Enactment No: 2003/045

Int 0399-2003 **A Local Law to amend the administrative code of the city of New York, in relation to creating an adopt-a-park program.**

Attachments: Committee Report 5/5/03, Committee Report 6/16/03, Committee Report 6/20/03, Fiscal Impact Statement - A, Hearing Transcript 5/5/03, Hearing Transcript 6/16/03, Hearing Transcript 6/20/03, Hearing Transcript - Stated Meeting 8/19, Local Law

Enactment No: 2003/055

Int 0410-2003 **A Local Law to amend the administrative code of the city of New York, in relation to applications for redetermination of senior citizen rent increase exemption benefits where there is a permanent reduction in income.**

Attachments: Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 8/19, Local Law

Enactment No: 2003/056

Res 0960-2003 **Resolution finding that enactment of Proposed Int. No. 393-A does not have a significant adverse impact on the environment and is consistent with the state environmental quality review act.**

Attachments: Notice of Negative Declaration, Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

T1999-86 **Commissioner of Deeds**

Coupled on Supplemental General Order Calendar

Finance

Int 0473-2003 A Local Law to amend the administrative code of the city of New York, in relation to lobbyist registration fees and certain city clerk fees.

Attachments: Hearing Transcript, Local Law, Committee Report, Hearing Transcript - Stated Meeting 6/27, Fiscal Impact Statement

Enactment No: 2003/046

Int 0474-2003 A Local Law to amend the administrative code of the city of New York, in relation to the imposition of a real property tax surcharge on certain class one properties.

Attachments: Hearing Transcript, Local Law, Hearing Transcript - Stated Meeting 6/27

Enactment No: 2003/047

Int 0496-2003 A Local Law to amend the administrative code of the city of New York, in relation to the public sale of taxicab licenses.

Attachments: Committee Report, Hearing Transcript, Local Law, Hearing Transcript - Stated Meeting 6/27, Fiscal Impact Statement - A
with Message of Necessity

Enactment No: 2003/051

Int 0520-2003 A Local Law to amend the administrative code of the city of New York, in relation to extending for four years the time to apply for certain benefits under the industrial and commercial incentive program and in relation to the boundaries of the new construction exemption area.

Attachments: Hearing Transcript, Local Law, Committee Report, Hearing Transcript - Stated Meeting 6/27, Fiscal Impact Statement
with Message of Necessity

Enactment No: 2003/048

Int 0521-2003 **A Local Law to amend the administrative code of the city of New York, in relation to disallowing deductions under the unincorporated business tax for certain payments to related parties and to repeal subdivision (n) of section 11-501 of the administrative code of the city of New York relating thereto.**

Attachments: Hearing Transcript, Local Law, Committee Report, Hearing Transcript - Stated Meeting 6/27, Fiscal Impact Statement

with Message of Necessity

Enactment No: 2003/053

Res 0972-2003 **Resolution computing and certifying base percentage, current percentage and current base proportion of each class of real property for Fiscal 2004 to the State Board of Real Property Services pursuant to Section 1803-a, Real Property Tax Law.**

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

Preconsidered

Res 0973-2003 **Resolution computing and certifying adjusted base proportion of each class of Real Property for Fiscal 2004 to the State Board of Real Property Services pursuant to Section 1803-a, Real Property Tax Law.**

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

Preconsidered

M 0412-2003 **Communication from the Mayor - Submitting Financial Plan Summary Book, Volumes I and II for Fiscal Years 2003-2007, pursuant to Sections 101 and 213 of the New York City Charter.**

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

M 0413-2003 **Communication from the Mayor - Submitting Preliminary Expense Budget for Fiscal Year 2004, pursuant to Sections 225 and 226 of the New York City Charter.**

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

M 0414-2003 **Communication from the Mayor - Submitting Contract Budget Report for Fiscal Year 2004, pursuant to Section 104 of the New York City Charter.**

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

- M 0415-2003** **Communication from the Mayor - Submitting Geographic Reports for Expense Budget for Fiscal Year 2004, pursuant to Sections 100 and 231 of the New York City Charter.**
- Attachments:** Hearing Transcript, Hearing Transcript - Stated Meeting 6/27
- M 0416-2003** **Communication from the Mayor - Submitting Departmental Estimates Report, Volumes I, II, III, IV and V, for Fiscal Year 2004, pursuant to Sections 100, 212 and 231 of the New York City Charter.**
- Attachments:** Hearing Transcript, Hearing Transcript - Stated Meeting 6/27
- M 0417-2003** **Communication from the Mayor - Submitting the Preliminary Capital Budget, Fiscal Year 2004, pursuant to Sections 213 and 236 of the New York City Charter.**
- Attachments:** Hearing Transcript, Hearing Transcript - Stated Meeting 6/27
- M 0418-2003** **Communication from the Mayor - Submitting the Capital Commitment Plan, Fiscal Year 2004, Volumes 1, 2 & 3, and the Capital Commitment Plan, Fiscal Year 2003, Financial Summary, pursuant to Section 219 of the New York City Charter.**
- Attachments:** Hearing Transcript, Hearing Transcript - Stated Meeting 6/27
- M 0536-2003** **Communication from the Mayor-Submitting the Expense Revenue Contract Budget, for Fiscal Year 2004, pursuant to Section 249 of the New York City Charter.**
- Attachments:** Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

Res 0974-2003 **RESOLUTION TO ADOPT A BUDGET APPROPRIATING THE AMOUNTS NECESSARY FOR THE SUPPORT OF THE GOVERNMENT OF THE CITY OF NEW YORK AND THE COUNTIES THEREIN AND FOR THE PAYMENT OF INDEBTEDNESS THEREOF, FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2003 AND ENDING ON JUNE 30, 2004 IN ACCORDANCE WITH THE PROVISIONS OF THE CHARTER OF THE CITY OF NEW YORK (PART A); TO ADOPT A CONTRACT BUDGET SETTING FORTH, BY AGENCY, CATEGORIES OF CONTRACTUAL SERVICES FOR WHICH APPROPRIATIONS HAD BEEN PROPOSED FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2003 AND ENDING ON JUNE 30, 2004, IN ACCORDANCE WITH THE PROVISIONS OF THE CHARTER OF THE CITY OF NEW YORK (PART B); TO PROVIDE THE AMOUNTS NECESSARY FOR THE SUPPORT OF THE GOVERNMENT OF THE CITY OF NEW YORK AND THE COUNTIES THEREIN AND FOR THE PAYMENT OF INDEBTEDNESS THEREOF, FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2003 AND ENDING ON JUNE 30, 2004 BY THE LEVY OF TAXES ON THE REAL PROPERTY IN THE CITY OF NEW YORK, IN ACCORDANCE WITH THE PROVISIONS OF THE CONSTITUTION OF THE STATE OF NEW YORK, THE REAL PROPERTY TAX LAW AND THE CHARTER OF THE CITY OF NEW YORK (PART C) AND SETTING FORTH AN EFFECTIVE DATE FOR THE PROVISIONS OF THIS RESOLUTION (PART D)**

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

M 0537-2003 **Communication from the Mayor-Submitting the Executive Capital Budget for Fiscal Year 2004, pursuant to Section 249 of the New York City Charter.**

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

Res 0975-2003 RESOLUTION BY THE NEW YORK CITY COUNCIL PURSUANT TO SECTION 254 OF THE NEW YORK CITY CHARTER, THAT THE CAPITAL BUDGET FOR FISCAL YEAR 2004 AND CAPITAL PROGRAM, BEING THE EXECUTIVE CAPITAL BUDGET FOR FISCAL YEAR 2004 AND PROGRAM AS SUBMITTED BY THE MAYOR ON APRIL 15, 2003, AND BY THE BOROUGH PRESIDENTS PURSUANT TO SECTION 249 OF THE NEW YORK CITY CHARTER, INCLUDING RESCINDMENT OF AMOUNTS FROM PRIOR CAPITAL BUDGETS, BE AND THE SAME ARE HEREBY APPROVED IN ACCORDANCE WITH THE FOLLOWING SCHEDULE OF CHANGES (RESOLUTION A)

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

Res 0976-2003 RESOLUTION BY THE NEW YORK CITY COUNCIL PURSUANT TO SECTION 254 OF THE NEW YORK CITY CHARTER, THAT THE CAPITAL BUDGET FOR FISCAL YEAR 2004 AND CAPITAL PROGRAM FOR THE ENSUING THREE YEARS, AS SET FORTH IN THE EXECUTIVE CAPITAL BUDGET FOR THE FISCAL YEAR 2004 AND CAPITAL PROGRAM AS SUBMITTED BY THE MAYOR ON APRIL 15, 2003, AS AUGMENTED BY THE BOROUGH PRESIDENTS PURSUANT TO SECTION 249 OF THE NEW YORK CITY CHARTER, AND AMENDED BY THE SCHEDULE OF CHANGES APPROVED UNDER RESOLUTION A, INCLUDING AMOUNTS REALLOCATED BY THE RESCINDMENT OF AMOUNTS FROM PRIOR CAPITAL BUDGET APPROPRIATIONS, IS HEREBY ADOPTED IN THE TOTAL AMOUNTS AS FOLLOWS. (RESOLUTION B)

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

M 0538-2003 Communication from the Mayor-Submitting the Proposed City Fiscal Year 2004 Community Development Program, the Proposed CFY'04 Budget, the Proposed Reallocations-the CD XXIX Funds, Proposed CD XXX Statement of Objectives and Budget, dated April 15, 2003.

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

- Res 0977-2003** **RESOLUTION APPROVING THE FISCAL YEAR 2004 COMMUNITY DEVELOPMENT PROGRAM, REALLOCATION OF TWENTY-NINTH YEAR COMMUNITY DEVELOPMENT FUNDS, AND THE PROPOSED THIRTIETH YEAR COMMUNITY DEVELOPMENT PROGRAM.**
- Attachments:** Hearing Transcript, Hearing Transcript - Stated Meeting 6/27
- M 0539-2003** **Communication from the Mayor-Submitting the Executive Budget Supporting Schedules, Volume I-V, for Fiscal Year 2004, pursuant to Section 250 of the New York City Charter.**
- Attachments:** Hearing Transcript, Hearing Transcript - Stated Meeting 6/27
- M 0540-2003** **Communication from the Mayor-Submitting the Capital Commitment Plan, Executive Budget, Fiscal Year 2004, Volumes I, II and III, pursuant to Section 219(d) of the New York City Charter.**
- Attachments:** Hearing Transcript, Hearing Transcript - Stated Meeting 6/27
- M 0541-2003** **Communication from the Mayor-Submitting the Executive Budget - Geographic Reports for Expense Budget for Fiscal Year 2004.**
- Attachments:** Hearing Transcript, Hearing Transcript - Stated Meeting 6/27
- M 0542-2003** **Communication from the Mayor-Submitting the Executive Capital Budget Fiscal Year 2004, Capital Project Detail Data, Citywide Volumes 1 and 2 and Volumes for the Five Boroughs, dated April 17, 2003 pursuant to the provisions of Sections 213 (4) & 219 (D) of the New York City Charter.**
- Attachments:** Hearing Transcript, Hearing Transcript - Stated Meeting 6/27
- M 0543-2003** **Communication from the Mayor-Submitting the Budget Summary, Message of the Mayor and Summary of Reduction Program relative to the Executive Budget, Fiscal Year 2004, pursuant to Section 249 of the New York City Charter.**
- Attachments:** Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

M 0661-2003 **Communication from the Mayor - Submitting the 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 2004 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.**

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

M 0668-2003 **Communication from the Mayor - Submitting the amended 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 2004 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.**

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

Res 0978-2003 **RESOLUTION CONCURRING IN A COMMUNICATION FROM THE MAYOR TRANSMITTING THE AMENDED CERTIFICATE SETTING FORTH THE MAXIMUM AMOUNT OF DEBT & RESERVES WHICH THE CITY, THE NYC TRANSITIONAL FINANCE AUTHORITY, THE NYC MUNICIPAL WATER FINANCE AUTHORITY, THE NYS DORMITORY AUTHORITY & THE NYC HEALTH & HOSPITALS CORPORATION MAY SOUNDLY INCUR FOR CAPITAL PROJECTS FOR FISCAL YEAR 2004 & THE ENSUING THREE FISCAL YEARS, & THE MAXIMUM AMOUNT OF APPROPRIATIONS & EXPENDITURES FOR CAPITAL PROJECTS WHICH MAY SOUNDLY BE MADE DURING EACH FISCAL YEAR, PURSUANT TO SECTION 250 (16) OF THE NY CITY CHARTER.**

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

M 0669-2003 **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 2003 to implement changes to the City's expense budget. (MN - 5)**

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

Res 0979-2003 **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 2003 to implement changes to the City's expense budget. (MN - 5)**

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

M 0670-2003 **Communication from the Office of Management & Budget - Pursuant to Section 107(e) of the New York City Charter, appropriate new revenues of \$932,157,519 million in fiscal year 2003. (MN - 6)**

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

Res 0980-2003 **Communication from the Office of Management & Budget - Pursuant to Section 107(e) of the New York City Charter, appropriate new revenues of \$932,157,519 million in fiscal year 2003. (MN - 6)**

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

General Welfare

Int 0500-2003 **A Local Law to amend the charter and administrative code of the city of New York with respect to transferring functions of the department of employment and the administration for children's services to the department of social services, the department of small business services and the department of youth and community development, and to repeal chapter 73 of the charter.**

Attachments: Memo In Support, Committee Report 6/13, Committee Report 6/27, Hearing Transcript 6/27, Local Law, Hearing Transcript 6/13, Hearing Transcript - Stated Meeting 6/27, Fiscal Impact Statement - A

with Message of Necessity

Enactment No: 2003/052

Res 0844-2003 **Resolution calling upon the United States Congress to pass and President Bush to sign legislation that would facilitate naturalization of members of the United States military and immediate relatives of citizen soldiers killed in action.**

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

Sanitation and Solid Waste Management

Int 0485-2003 **A Local Law to amend the administrative code of the city of New York, in relation to the frequency of collection of designated recyclable materials and in relation to the collection of glass and yard waste.**

Attachments: Committee Report 6/19, Committee Report 6/27, Local Law, Hearing Transcript 6/19, Hearing Transcript 6/27, Hearing Transcript - Stated Meeting 6/27, Fiscal Impact Statement - A

with Message of Necessity

Enactment No: 2003/050

Standards and Ethics

Int 0064-2002 **A Local Law to amend the administrative code of the city of New York, in relation to the annual disclosure of financial interests by certain officers and employees of the city of New York.**

Attachments: Committee Report, Local Law, Hearing Transcript, Hearing Transcript - Stated Meeting 6/27, Fiscal Impact Statement - A

with Message of Necessity

Enactment No: 2003/043

Transportation

Int 0193-2002 **A Local Law to amend the administrative code of the city of New York, in relation to the liability of property owners for injuries caused by unsafe conditions on sidewalks.**

Attachments: Committee Report 11/12/02, Hearing Transcript 11/12/02, Committee Report 6/27/03, Hearing Transcript 6/27/03, Local Law, Hearing Transcript - Stated Meeting 6/27, Fiscal Impact Statement

Enactment No: 2003/049

Int 0522-2003 A Local Law to amend the administrative code of the city of New York, in relation to liability insurance for injuries caused by unsafe conditions on sidewalks and payments for uncompensated medical expenses in connection with such injuries.

Attachments: Committee Report, Hearing Transcript, Local Law, Hearing Transcript - Stated Meeting 6/27, Fiscal Impact Statement
with Message of Necessity

Enactment No: 2003/054

Supplemental General Order Calendar

Int 0393-2003 A Local Law to amend the administrative code of the city of New York, in relation to the definition of fill material.

Attachments: Committee Report 6/10/03, Committee Report 6/18/03, Local Law, Hearing Transcript, Hearing Transcript 6/10/03, Hearing Transcript - Stated Meeting 6/27, Fiscal Impact Statement - A

Enactment No: 2003/045

Res 0960-2003 Resolution finding that enactment of Proposed Int. No. 393-A does not have a significant adverse impact on the environment and is consistent with the state environmental quality review act.

Attachments: Notice of Negative Declaration, Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

T1999-86 Commissioner of Deeds

The Public Advocate (Ms. Gotbaum) put the question whether the Council would agree with and adopt such reports which were decided in the affirmative by the following vote:

Affirmative: 48 -

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Boyland, Brewer, Clarke, Comrie Jr., Davis, Dilan, Espada Jr., Felder, Fidler, Foster, Gallagher, Gennaro, Gerson, Gentile, Gioia, Gonzalez, Jennings Jr., Katz, Koppell, de Blasio, Lanza, Liu, Lopez, Martinez, McMahon, Monserrate, Moskowitz, Perkins, Provenzano, Quinn, Recchia Jr., Reed, Reyna, Rivera, Seabrook, Sears, Serrano, Stewart, Vallone Jr., Vann, Weprin, Yassky and Oddo

Excused: 3 -

Jackson, Nelson and Sanders Jr.

The following files were removed from the General Order Calendar and voted separately: Int No. 474, Res No. 972 and Res No. 973. See files for individual votes.

At this point, the Public Advocate (Ms. Gotbaum) declared that the Executive Expense and Revenue Budget, the Executive Capital Budget for the Fiscal Year 2004 and the Capital Program for the three succeeding fiscal years, all as modified, in accordance with section 120 (b) and section 222A of the New York City Charter, are hereby adopted on Friday, June 27, 2003 at 4:34 p.m.

11. Introduction & Reading of Bills
See Attached
12. Discussion of Resolutions
13. Resolutions
None.
14. General Discussion
15. Extension of Remarks

SUPPLEMENTAL INTRODUCTION AND READING OF BILLS

Res 0971-2003 Resolution calling upon Governor George Pataki and the Lower Manhattan Development Corporation to recognize and honor the valiant and selfless efforts of the uniformed rescue workers who fell on September 11, 2001, by listing them together, in the context within which they gave their lives, by department, including rank, badge number, and unit.

Sponsors: By Council Members Koppell, Avella, Clarke, Comrie Jr., Espada Jr., Foster, Seabrook and Weprin

Int 0522-2003 A Local Law to amend the administrative code of the city of New York, in relation to liability insurance for injuries caused by unsafe conditions on sidewalks and payments for uncompensated medical expenses in connection with such injuries.

Sponsors: By Council Members Liu, Gonzalez, Reyna, Sears and Comrie Jr. (by request of the Mayor)

Attachments: Committee Report, Hearing Transcript, Local Law, Hearing Transcript - Stated Meeting 6/27, Fiscal Impact Statement

Enactment No: 2003/054

SLR 0117-2003 State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Committee on Rules, A.8409-A, "AN ACT to allow certain persons to buy back certain time with the cultural institutions retirement system".

Sponsors: By Council Members Rivera, Comrie Jr. and Seabrook

Res 0972-2003 **Resolution computing and certifying base percentage, current percentage and current base proportion of each class of real property for Fiscal 2004 to the State Board of Real Property Services pursuant to Section 1803-a, Real Property Tax Law.**

Sponsors: By Council Member Weprin

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

Res 0973-2003 **Resolution computing and certifying adjusted base proportion of each class of Real Property for Fiscal 2004 to the State Board of Real Property Services pursuant to Section 1803-a, Real Property Tax Law.**

Sponsors: By Council Member Weprin

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

At this point the Speaker (Council Member Miller) made the following announcements

Whereupon on motion of the Speaker (Council Member Miller), the Clerk of the Council adjourned to meet again on Wednesday, July 23, 2003.

*VICTOR L. ROBLES, City Clerk
Clerk of the Council*