

The New York City Council

City Hall
New York, NY 10007



Meeting Minutes

Wednesday, March 23, 2005

1:30 PM

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, Jr., Bill de Blasio, Maria del Carmen Arroyo, Erik Martin Dilan, 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, Letitia James, Allan W. Jennings, Jr., 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, Annabel Palma, William Perkins, Madeline Provenzano, Christine C. Quinn, Domenic M. Recchia, Jr., Philip Reed, Diana Reyna, Joel Rivera, James Sanders, Jr., Larry B. Seabrook, Helen Sears, Kendall B. Stewart, Peter F. Vallone, Jr., Albert Vann, David I. Weprin and David Yassky

The President Pro Tem (The Deputy Majority Leader, Council Member Perkins)

1. Roll Call

Present,

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

Excused,

Nelson, Provenzano and Gotbaum

The presence of a quorum was announced by The President Pro Tem (Council Member Perkins)

2. Invocation

The Invocation was delivered by: Rabbi Jonathan Glass, Civic Center Synagogue, 49 White Street, New York, New York 10013.

Council Member Felder moved to spread the Invocation in full upon the Record.

3. Adoption of Minutes

None.

4. Messages & Papers from the Mayor

M 0445-2005 Communication for the Mayor - Mayor's veto and disapproval message of Introductory Number 346-A, in relation to creating civil penalties and a private right of action for false or fraudulent claims.

This Mayor's Message was Referred to Comm by Council to the Committee on Governmental Operations

5. Communications from City, County & Borough Offices

M 0446-2005 Communication from the Office of Management & Budget – Submitting a Capital Budget modification for Fiscal Year 2005 to transfer funds between various agencies.

Attachments: Committee Report, Resolution, Memorandum, Hearing Transcript

This Communication was Referred to Comm by Council to the Committee on Finance

- M 0447-2005 Communication from the Office of Management & Budget - Amendment to the Fiscal Year 2005 Capital Budget, pursuant to Section 216 of the New York City Charter.**
- Attachments:** Committee Report, Memorandum, Resolution, Hearing Transcript
- This Communication was Referred to Comm by Council to the Committee on Finance**
- M 0448-2005 Communication from the Office of Management & Budget -Transfer of city funds between various agencies in fiscal year 2005, pursuant to Section 107(b) of the New York City Charter. (MN-3)**
- Attachments:** Memorandum, Committee Report, Resolution, Hearing Transcript
- This Communication was Referred to Comm by Council to the Committee on Finance**
- M 0449-2005 Communication from the Office of Management & Budget - Appropriation of revenues in Fiscal Year 2005, pursuant to Section 107(e) of the New York City Charter. (MN - 4)**
- Attachments:** Committee Report, Memorandum, Resolution, Hearing Transcript
- This Communication was Referred to Comm by Council to the Committee on Finance**
- M 0455-2005 The Operating Budget of the Council of The City of New York - Fiscal Year 2006.**
- Attachments:** Committee Report, Hearing Transcript
- This Communication was Referred to Comm by Council to the Committee on Finance**
- M 0456-2005 Schedule Detailing the Lump-Sum OTPS Unit of Appropriation of the Operating Budget of the Council of the City of New York.**
- Attachments:** Hearing Transcript
- This Communication was Referred to Comm by Council to the Committee on Finance**

6. Petitions and Communications
7. Land Use Call-Ups

M 0450-2005 **By the Chair of the Land Use Committee Council Member Katz Pursuant to Rule 11.20(c) of the Council and Section 197-d (b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Procedure Application Number 040415 MMK, an amendment to the City Map special permit shall be subject to Council review. This application is related to application number 050110 (A) ZRK which is subject to Council review pursuant to Section 197-d of the New York City Charter.**

A motion was made that this Land Use Call-Up be Approved, by Council approved by consent Roll Call.

M 0451-2005 **By the Chair of the Land Use Committee Council Member Katz Pursuant to Rule 11.20(c) of the Council and Section 197-d (b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Procedure Application Number 040416 MMK, an amendment to the City Map special permit shall be subject to Council review. This application is related to application number 050110 (A) ZRK which is subject to Council review pursuant to Section 197-d of the New York City Charter.**

A motion was made that this Land Use Call-Up be Approved, by Council approved by consent Roll Call.

M 0452-2005 **By the Chair of the Land Use Committee Council Member Katz Pursuant to Rule 11.20(c) of the Council and Section 197-d (b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Procedure Application Number 040417 MMK, an amendment to the City Map special permit shall be subject to Council review. This application is related to application number 050110 (A) ZRK which is subject to Council review pursuant to Section 197-d of the New York City Charter.**

A motion was made that this Land Use Call-Up be Approved, by Council approved by consent Roll Call.

M 0453-2005 **By the Chair of the Land Use Committee Council Member Katz Pursuant to Rule 11.20(c) of the Council and Section 197-d (b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Procedure Application Number 040418 MMK, an amendment to the City Map special permit shall be subject to Council review. This application is related to application number 050110 (A) ZRK which is subject to Council review pursuant to Section 197-d of the New York City Charter.**

A motion was made that this Land Use Call-Up be Approved, by Council approved by consent Roll Call.

M 0454-2005 **By the Chair of the Land Use Committee Council Member Katz: Pursuant to Rule 11.20(c) of the Council and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Procedure Application no. C 050073 ZSM, a special permit, shall be subject to Council review.**

A motion was made that this Land Use Call-Up be Approved, by Council approved by consent Roll Call.

The President Pro Tem (Council Member Perkins) put the question whether the Council would agree with and adopt such motion which was decided in the affirmative by the following vote:

A motion was made that these files be approved by consent vote.

Affirmative, 49 -

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

Excused, 2 -

Nelson and Provenzano

At this point, the Speaker (Council Member Miller) voted affirmative on the General Orders and had to leave the Meeting; he delegated his podium to the Majority Leader (Council Member Rivera) as Acting Speaker for the rest of the proceedings.

8. Communication from the Speaker
9. Discussion of General Orders

10. Reports of Special Committees

None.

11. Reports of Standing Committees

Report of the Committee on Finance

Int 0578-2005 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 one business improvement district and one special assessment district.

Attachments: Committee Report, Hearing Transcript

A motion was made that this Introduction be Approved by Council approved by consent Roll Call.

Enactment No: 2005/030

M 0446-2005 Communication from the Office of Management & Budget – Submitting a Capital Budget modification for Fiscal Year 2005 to transfer funds between various agencies.

Attachments: Committee Report, Resolution, Memorandum, Hearing Transcript

A motion was made that this Communication be Approved, by Council approved by consent Roll Call.

Res 0893-2005 RESOLUTION APPROVING THE MODIFICATION OF THE FISCAL 2005 CAPITAL BUDGET AND THE CAPITAL PROGRAM PROPOSED BY THE MAYOR PURSUANT TO SECTION 216 OF THE CHARTER OF THE CITY OF NEW YORK.

Attachments: Committee Report, Memorandum

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

M 0447-2005 Communication from the Office of Management & Budget - Amendment to the Fiscal Year 2005 Capital Budget, pursuant to Section 216 of the New York City Charter.

Attachments: Committee Report, Memorandum, Resolution, Hearing Transcript

A motion was made that this Communication be Approved, by Council approved by consent Roll Call.

- Res 0894-2005 RESOLUTION APPROVING THE MODIFICATION OF THE FISCAL 2005 CAPITAL BUDGET AND THE CAPITAL PROGRAM PROPOSED BY THE MAYOR PURSUANT TO SECTION 216 OF THE CHARTER OF THE CITY OF NEW YORK.**

Attachments: Committee Report, Memorandum

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

- M 0448-2005 Communication from the Office of Management & Budget -Transfer of city funds between various agencies in fiscal year 2005, pursuant to Section 107(b) of the New York City Charter. (MN-3)**

Attachments: Memorandum, Committee Report, Resolution, Hearing Transcript

A motion was made that this Communication be Approved, by Council approved by consent Roll Call.

- Res 0895-2005 RESOLUTION APPROVING THE MODIFICATION (MN-3) OF UNITS OF APPROPRIATION AND THE TRANSFER OF CITY FUNDS BETWEEN AGENCIES PROPOSED BY THE MAYOR PURSUANT TO SECTION 107(b) OF THE CHARTER OF THE CITY OF NEW YORK.**

Attachments: Committee Report, Memorandum

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

- M 0449-2005 Communication from the Office of Management & Budget - Appropriation of revenues in Fiscal Year 2005, pursuant to Section 107(e) of the New York City Charter. (MN - 4)**

Attachments: Committee Report, Memorandum, Resolution, Hearing Transcript

A motion was made that this Communication be Approved, by Council approved by consent Roll Call.

- Res 0896-2005 RESOLUTION APPROVING A MODIFICATION PURSUANT TO SECTION 107(E) OF THE CHARTER OF THE CITY OF NEW YORK.**

Attachments: Committee Report, Memorandum

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

**M 0455-2005 The Operating Budget of the Council of The City of New York -
Fiscal Year 2006.**

Attachments: Committee Report, Hearing Transcript

A motion was made that this Communication be Approved, by Council approved by consent Roll Call.

**Res 0897-2005 Resolution approving the Fiscal Year 2006 Operating Budget of the
Council of the City of New York.**

Attachments: Committee Report

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

**M 0456-2005 Schedule Detailing the Lump-Sum OTPS Unit of Appropriation of
the Operating Budget of the Council of the City of New York.**

Attachments: Hearing Transcript

A motion was made that this Communication be Approved, by Council approved by consent Roll Call.

**Res 0898-2005 RESOLUTION APPROVING FOR FISCAL YEAR 2006 THE
SCHEDULE DETAILING THE LUMP SUM OTHER THAN
PERSONAL SERVICE UNIT OF APPROPRIATION OF THE
OPERATING BUDGET OF THE COUNCIL OF THE CITY OF NEW
YORK.**

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

Report of the Committee on Housing and Buildings

**Int 0149-2004 A Local Law to amend the administrative code of the city of New
York, in relation to maintenance of records regarding the issuance
of alteration permits for cellular telephone antennas and
equipment.**

Attachments: Hearing Transcript 4/30/04, Committee Report 2/15/05, Hearing Transcript
2/15/05, Committee Report 3/22/05, Hearing Transcript 3/22/05

A motion was made that this Introduction be Approved by Council approved by Roll Call.

Affirmative, 45 -

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

Excused, 2 -

Nelson and Provenzano

Abstain, 4 -

Brewer, Comrie Jr., Rivera and Sanders Jr.

Enactment No: 2005/028

Report of the Committee on Land Use

Int 0423-2004 A Local Law to amend the administrative code of the city of New York, in relation to the regulation of outdoor advertising and repealing sections 5, 6, 7 and 8 of local law 14 for the year 2001 in relation thereto.

Attachments: Hearing Transcript - Land Use - 10/21/04, Hearing Transcript - Land Use - 3/2/05

This Introduction was Laid Over by Council

Enactment No: 2005/031

Int 0606-2005 A Local Law to amend the New York city charter, in relation to authorizing the department of transportation to extend the date of the operating authority of certain subsidized private bus services.

Attachments: Memo In Support, Hearing Transcript

A motion was made that this Introduction be Approved by Council approved by consent Roll Call.

Enactment No: 2005/027

Res 0519-2004 Proposed authorizing resolution submitted by the Mayor pursuant to Section 363 of the Charter for the granting of franchises for installation of telecommunications equipment and facilities on, over and under the inalienable property of the City in connection with the provision of telecommunications services.

Attachments: Hearing Transcript - Zoning - 11/3/04, Hearing Transcript - Zoning - 3/15/05

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

LU 0322-2004 **Uniform land use review procedure application no. C 050121 HAK, an Urban Development Action Area Designation and Project, located at 1536, 1538, 1542, 1613, 1607 and 1599 Broadway, and the disposition of 1536 and 1538 Broadway, Borough of Brooklyn, Council Districts no. 37 and 41. 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.**

Attachments: Hearing Transcript - Planning - 2/28/05, Hearing Transcript - Planning - 3/15/05

A motion was made that this Land Use Application be Approved, by Council approved by consent Roll Call.

Res 0899-2005 **Resolution approving the decision of the City Planning Commission on an application submitted by the Department of Housing Preservation and Development, ULURP No. C 050121 HAK, approving the designation of 1536, 1538 and 1542 Broadway (Block 1492, Lots 15-17) and 1613, 1607 and 1599 Broadway (Block 3408/Lots 1-3), Brooklyn, as an Urban Development Action Area, approving the project for the area as an Urban Development Action Area Project, and approving the disposition of 1536 and 1538 Broadway (Block 1492/Lots 15 and 16) and 1599 Broadway (Block 3408/Lot 3) to a developer selected by the Department of Housing Preservation and Development (L.U. No. 322; C 050121 HAK).**

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

LU 0349-2004 **Application no. 20055107 HAK, an Urban Development Action Area Project located at 2966 Fulton Street, Council District no. 37, Borough of Brooklyn. 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.**

Attachments: Hearing Transcript - Planning - 11/30/04, Hearing Transcript - Planning - 2/28/05, Hearing Transcript - Planning - 2/8/05, Hearing Transcript - Planning - 1/25/05, Hearing Transcript - Planning - 3/15/05

A motion was made that this Land Use Application be Approved, by Council approved by consent Roll Call.

Res 0900-2005 **Resolution approving an Urban Development Action Area Project located at 2966 Fulton Street (Block 3954/Lot 19), 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. 349; 20055107 HAK).**

Attachments: Committee Report

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

LU 0350-2004 **Application no. 20055108 HAK, an Urban Development Action Area Project, located at 117 Quincy Street and 709 Halsey Street, Council Districts no. 36 and 41, Borough of Brooklyn. 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 and pursuant to Section 696 of the General Municipal Law for an exemption from real property taxes.**

Attachments: Hearing Transcript - Planning - 11/30/04, Hearing Transcript - Planning - 2/28/05, Hearing Transcript - Planning - 2/8/05, Hearing Transcript - Planning - 1/25/05, Hearing Transcript - Planning - 3/15/05

A motion was made that this Land Use Application be Approved, by Council approved by consent Roll Call.

Res 0901-2005 **Resolution approving an Urban Development Action Area Project located at 117 Quincy Street (Block 1971/Lot 54) and 709 Halsey Street (Block 1663/Lot 65), 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. 350; 20055108 HAK).**

Attachments: Committee Report

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

LU 0385-2005 **Application no. 20055156 HAK, an Urban Development Action Area Project located at 128 29th Street, Council District no. 38, Borough of Brooklyn. 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 and pursuant to Section 577 of the Private Housing Finance Law for an exemption from real property taxes.**

Attachments: Hearing Transcript - Planning - 2/28/05, Hearing Transcript - Planning - 2/8/05, Hearing Transcript - Planning - 1/25/05, Hearing Transcript - Planning - 3/15/05

A motion was made that this Land Use Application be Approved, by Council approved by consent Roll Call.

Res 0902-2005 **Resolution approving an Urban Development Action Area Project located at 128 29th Street (Block 668/Lot 14), 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. 385; 20055156 HAK).**

Attachments: Committee Report

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

LU 0393-2005 **Application no. 20055165 HAM, an Urban Development Action Area Project located at 537 West 144th Street, Council District no. 7, 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 and pursuant to Section 577 of the Private Housing Finance Law for an exemption from real property taxes.**

Attachments: Hearing Transcript - Planning - 2/28/05, Hearing Transcript - Planning - 2/8/05, Hearing Transcript - Planning - 1/25/05, Hearing Transcript - Planning - 3/15/05

A motion was made that this Land Use Application be Approved, by Council approved by consent Roll Call.

Res 0903-2005 **Resolution approving an Urban Development Action Area Project located at 537 West 144th Street (Block 2076/Lot 18), 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. 393; 20055165 HAM).**

Attachments: Committee Report

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

LU 0403-2005 **Application no. 20055239 HAM, an Urban Development Action Area Project located at 518 West 135th Street, Council District no. 7, 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 and pursuant to Section 577 of the Private Housing Finance Law for an exemption from real property taxes.**

Attachments: Hearing Transcript - Planning - 2/28/05, Hearing Transcript - Planning - 3/15/05

A motion was made that this Land Use Application be Approved, by Council approved by consent Roll Call.

Res 0904-2005 **Resolution approving an Urban Development Action Area Project located at 518 West 135th Street (Block 1988/Lot 52), 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. 403; 20055239 HAM).**

Attachments: Committee Report

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

LU 0404-2005 **Application no. 20055240 HAM, an Urban Development Action Area Project located at 246 West 116th Street, 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.**

Attachments: Hearing Transcript - Planning - 2/28/05, Hearing Transcript - Planning - 3/15/05

A motion was made that this Land Use Application be Approved, by Council approved by consent Roll Call.

Res 0905-2005 **Resolution approving an Urban Development Action Area Project located at 246 West 116th Street (Block 1831/Lot 56), 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. 404; 20055240 HAM).**

Attachments: Committee Report

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

LU 0407-2005 **Application no. 20055170 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Gadberry Pizza, Inc., d/b/a Bleeker Street Pizza, to establish, maintain and operate an unenclosed sidewalk café located at 69-71 Seventh Ave. South, Borough of Manhattan, Council District no. 3. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.**

Attachments: Hearing Transcript - Zoning - 2/28/05, Hearing Transcript - Zoning - 3/15/05

A motion was made that this Land Use Application be Filed by Council approved by consent Roll Call.

Res 0906-2005 **Resolution approving a motion to file pursuant to withdrawal of the petition for a revocable consent for an unenclosed sidewalk café located at 69-71 Seventh Avenue South, Manhattan (20055170 TCM; L.U. No. 407).**

Attachments: Committee Report

A motion was made that this Resolution be Filed by Council approved by consent Roll Call.

- LU 0417-2005** **Zoning resolution amendment application no. 050133 ZRK, pursuant to §197-d and §200 of the New York City Charter, concerning changes in the text of the zoning resolution, Borough of Brooklyn, Council District no. 43, relating: modification to the Special Bay Ridge District.**

Attachments: Hearing Transcript - Land Use, Hearing Transcript - Zoning

A motion was made that this Land Use Application be Approved, by Council approved by consent Roll Call.

- Res 0907-2005** **Resolution approving the decision of the City Planning Commission on Application No. N 050133 ZRK, amendments to the text of the Zoning Resolution relating to Article XI, Chapter 4 (Special Bay Ridge District) (L.U. No. 417).**

Attachments: Committee Report

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

- LU 0418-2005** **Uniform Land Use Review Procedure application no. 050134(A) ZMK, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Brooklyn, Council District no. 43.**

Attachments: Hearing Transcript - Land Use, Hearing Transcript - Zoning

A motion was made that this Land Use Application be Approved, by Council approved by consent Roll Call.

- Res 0908-2005** **Resolution approving the decision of the City Planning Commission on ULURP No. C 050134**

Attachments: Committee Report

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

Report of the Committee on Parks and Recreation

- Int 0462-2004** **A Local Law to amend the administrative code of the city of New York, in relation to posting beach inspection results, and to repeal section 18-131 of the administrative code of the city of New York, as enacted by local law number 14 for the year 1991.**

Attachments: Committee Report 2/14, Hearing Transcript 2/14, Committee Report 3/23, Hearing Transcript 3/23, Fiscal Impact Statement

A motion was made that this Introduction be Approved by Council approved by consent Roll Call.

Enactment No: 2005/029

Report of the Committee on Rules, Privileges, and Elections

M 0442-2005 Communication from the Mayor - Submitting the name of Angela Mariana Freyre to the Council for its advice and consent regarding her reappointment to the New York City Conflicts of Interest Board, Pursuant to Section 2602 of the City Charter.

Attachments: Resolution, Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 3/9/05

A motion was made that this Mayor's Message be Approved, by Council approved by consent Roll Call.

Res 0909-2005 RESOLUTION APPROVING THE RE-APPOINTMENT BY THE MAYOR OF ANGELA MARIANA FREYRE AS A MEMBER OF THE NEW YORK CITY CONFLICTS OF INTEREST BOARD.

Attachments: Committee Report

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

M 0443-2005 Communication from the Mayor - Submitting the name of Andrew Irving to the Council for its advice and consent regarding his appointment to the New York City Conflicts of Interest Board, Pursuant to Section 2602 of the City Charter.

Attachments: Resolution, Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 3/9/05

A motion was made that this Mayor's Message be Approved, by Council approved by consent Roll Call.

Res 0910-2005 RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF ANDREW IRVING AS A MEMBER OF THE NEW YORK CITY CONFLICTS OF INTEREST BOARD.

Attachments: Committee Report

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

12. General Orders Calendar

Int 0127-2004 A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to track and report deaths of homeless persons in the city of New York.

Attachments: Committee Report 2/12/04, Hearing Transcript 2/12/04, Committee Report 6/9/05, Committee Report 6/24/04, Hearing Transcript - Stated Meeting 8/12/04, Hearing Transcript - Stated Meeting 9/9/04, Hearing Transcript - Stated Meeting 9/28/04, Hearing Transcript - Stated Meeting 10/13/04, Hearing Transcript - Stated Meeting 10/27/04, Hearing Transcript - Stated Meeting 11/10/04, Hearing Transcript - Stated Meeting 11/23/04, Hearing Transcript - Charter Meeting, Hearing Transcript - Stated Meeting - 12/7/04, Hearing Transcript - Stated Meeting - 1/19/05, Hearing Transcript - Stated Meeting 2/2/05, Hearing Transcript - Stated Meeting 2/16/05, Hearing Transcript - Stated Meeting 3/9/05

This Introduction was Re-referred to Committee by Council to the Committee on Health

Enactment No: 2005/063

T2004-0073 Commissioner of Deeds

Attachments: Hearing Transcript - Charter Meeting 1/7/04, Hearing Transcript - Stated Meeting 1/2/04, Hearing Transcript - Stated Meeting 2/4/04, Hearing Transcript - Stated Meeting 2/26/04, Hearing Transcript - Stated Meeting 3/10/04, Hearing Transcript - Stated Meeting 3/24/04, Hearing Transcript - Stated Meeting 4/1/04, Hearing Transcript - Stated Meeting 4/21/04, Hearing Transcript - Stated Meeting 5/5/04, Hearing Transcript - Stated Meeting 5/19/04, Hearing Transcript - Stated Meeting 6/7/04, Hearing Transcript - Stated Meeting 6/21/04, Hearing Transcript - Stated Meeting 6/22/04, Hearing Transcript - Stated Meeting 6/24/04, Hearing Transcript - Stated Meeting 6/28/04, Hearing Transcript - Stated Meeting 7/21/04, Hearing Transcript - Stated Meeting 8/12/04, Hearing Transcript - Stated Meeting 9/9/04, Hearing Transcript - Stated Meeting 9/28/04, Hearing Transcript - Stated Meeting 10/13/04, Hearing Transcript - Stated Meeting 10/27/04, Hearing Transcript - Stated Meeting 11/10/04, Hearing Transcript - Stated Meeting 11/23/04, Hearing Transcript - Stated Meeting 12/7/04, Hearing Transcript - Stated Meeting 12/15/04, Hearing Transcript - Charter Meeting, Hearing Transcript - Stated Meeting 1/19/05, Hearing Transcript - Stated Meeting 2/2/05, Hearing Transcript - Stated Meeting 2/16/05, Hearing Transcript - Stated Meeting 3/9/05, Hearing Transcript - Stated Meeting 4/20/05, Hearing Transcript - Stated Meeting 6/8/05, Hearing Transcript - Stated Meeting 10/11/05

A motion was made that this Commissioner of Deeds be Approved, by Council approved by consent Roll Call.

Coupled on General Order Calendar

Finance

- Int 0578-2005** **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 one business improvement district and one special assessment district.**
- Attachments:** Committee Report, Hearing Transcript
- Enactment No: 2005/030
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- Res 0893-2005** **RESOLUTION APPROVING THE MODIFICATION OF THE FISCAL 2005 CAPITAL BUDGET AND THE CAPITAL PROGRAM PROPOSED BY THE MAYOR PURSUANT TO SECTION 216 OF THE CHARTER OF THE CITY OF NEW YORK.**
- Attachments:** Committee Report, Memorandum
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- Res 0894-2005** **RESOLUTION APPROVING THE MODIFICATION OF THE FISCAL 2005 CAPITAL BUDGET AND THE CAPITAL PROGRAM PROPOSED BY THE MAYOR PURSUANT TO SECTION 216 OF THE CHARTER OF THE CITY OF NEW YORK.**
- Attachments:** Committee Report, Memorandum
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- Res 0895-2005** **RESOLUTION APPROVING THE MODIFICATION (MN-3) OF UNITS OF APPROPRIATION AND THE TRANSFER OF CITY FUNDS BETWEEN AGENCIES PROPOSED BY THE MAYOR PURSUANT TO SECTION 107(b) OF THE CHARTER OF THE CITY OF NEW YORK.**
- Attachments:** Committee Report, Memorandum
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- Res 0896-2005** **RESOLUTION APPROVING A MODIFICATION PURSUANT TO SECTION 107(E) OF THE CHARTER OF THE CITY OF NEW YORK.**
- Attachments:** Committee Report, Memorandum
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- Res 0897-2005** **Resolution approving the Fiscal Year 2006 Operating Budget of the Council of the City of New York.**
- Attachments:** Committee Report
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- Res 0898-2005** **RESOLUTION APPROVING FOR FISCAL YEAR 2006 THE SCHEDULE DETAILING THE LUMP SUM OTHER THAN PERSONAL SERVICE UNIT OF APPROPRIATION OF THE OPERATING BUDGET OF THE COUNCIL OF THE CITY OF NEW YORK.**

Housing and Buildings

Int 0149-2004 A Local Law to amend the administrative code of the city of New York, in relation to maintenance of records regarding the issuance of alteration permits for cellular telephone antennas and equipment.

Attachments: Hearing Transcript 4/30/04, Committee Report 2/15/05, Hearing Transcript 2/15/05, Committee Report 3/22/05, Hearing Transcript 3/22/05

Enactment No: 2005/028

Land Use

Int 0606-2005 A Local Law to amend the New York city charter, in relation to authorizing the department of transportation to extend the date of the operating authority of certain subsidized private bus services.

Attachments: Memo In Support, Hearing Transcript

Enactment No: 2005/027

Res 0519-2004 Proposed authorizing resolution submitted by the Mayor pursuant to Section 363 of the Charter for the granting of franchises for installation of telecommunications equipment and facilities on, over and under the inalienable property of the City in connection with the provision of telecommunications services.

Attachments: Hearing Transcript - Zoning - 11/3/04, Hearing Transcript - Zoning - 3/15/05

Res 0899-2005 Resolution approving the decision of the City Planning Commission on an application submitted by the Department of Housing Preservation and Development, ULURP No. C 050121 HAK, approving the designation of 1536, 1538 and 1542 Broadway (Block 1492, Lots 15-17) and 1613, 1607 and 1599 Broadway (Block 3408/Lots 1-3), Brooklyn, as an Urban Development Action Area, approving the project for the area as an Urban Development Action Area Project, and approving the disposition of 1536 and 1538 Broadway (Block 1492/Lots 15 and 16) and 1599 Broadway (Block 3408/Lot 3) to a developer selected by the Department of Housing Preservation and Development (L.U. No. 322; C 050121 HAK).

Res 0900-2005 Resolution approving an Urban Development Action Area Project located at 2966 Fulton Street (Block 3954/Lot 19), 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. 349; 20055107 HAK).

Attachments: Committee Report

Res 0901-2005 Resolution approving an Urban Development Action Area Project located at 117 Quincy Street (Block 1971/Lot 54) and 709 Halsey Street (Block 1663/Lot 65), 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. 350; 20055108 HAK).

Attachments: Committee Report

Res 0902-2005 Resolution approving an Urban Development Action Area Project located at 128 29th Street (Block 668/Lot 14), 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. 385; 20055156 HAK).

Attachments: Committee Report

Res 0903-2005 Resolution approving an Urban Development Action Area Project located at 537 West 144th Street (Block 2076/Lot 18), 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. 393; 20055165 HAM).

Attachments: Committee Report

Res 0904-2005 Resolution approving an Urban Development Action Area Project located at 518 West 135th Street (Block 1988/Lot 52), 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. 403; 20055239 HAM).

Attachments: Committee Report

Res 0905-2005 **Resolution approving an Urban Development Action Area Project located at 246 West 116th Street (Block 1831/Lot 56), 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. 404; 20055240 HAM).**

Attachments: Committee Report

Res 0906-2005 **Resolution approving a motion to file pursuant to withdrawal of the petition for a revocable consent for an unenclosed sidewalk café located at 69-71 Seventh Avenue South, Manhattan (20055170 TCM; L.U. No. 407).**

Attachments: Committee Report

Res 0907-2005 **Resolution approving the decision of the City Planning Commission on Application No. N 050133 ZRK, amendments to the text of the Zoning Resolution relating to Article XI, Chapter 4 (Special Bay Ridge District) (L.U. No. 417).**

Attachments: Committee Report

Res 0908-2005 **Resolution approving the decision of the City Planning Commission on ULURP No. C 050134**

Attachments: Committee Report

Parks and Recreation

Int 0462-2004 **A Local Law to amend the administrative code of the city of New York, in relation to posting beach inspection results, and to repeal section 18-131 of the administrative code of the city of New York, as enacted by local law number 14 for the year 1991.**

Attachments: Committee Report 2/14, Hearing Transcript 2/14, Committee Report 3/23, Hearing Transcript 3/23, Fiscal Impact Statement

Enactment No: 2005/029

Rules, Privileges, and Elections

Res 0909-2005 **RESOLUTION APPROVING THE RE-APPOINTMENT BY THE MAYOR OF ANGELA MARIANA FREYRE AS A MEMBER OF THE NEW YORK CITY CONFLICTS OF INTEREST BOARD.**

Attachments: Committee Report

Res 0910-2005 **RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR
OF ANDREW IRVING AS A MEMBER OF THE NEW YORK CITY
CONFLICTS OF INTEREST BOARD.**

Attachments: Committee Report

General Order Calendar

T2004-0073 **Commissioner of Deeds**

Attachments: Hearing Transcript - Charter Meeting 1/7/04, Hearing Transcript - Stated Meeting 1/2/04, Hearing Transcript - Stated Meeting 2/4/04, Hearing Transcript - Stated Meeting 2/26/04, Hearing Transcript - Stated Meeting 3/10/04, Hearing Transcript - Stated Meeting 3/24/04, Hearing Transcript - Stated Meeting 4/1/04, Hearing Transcript - Stated Meeting 4/21/04, Hearing Transcript - Stated Meeting 5/5/04, Hearing Transcript - Stated Meeting 5/19/04, Hearing Transcript - Stated Meeting 6/7/04, Hearing Transcript - Stated Meeting 6/21/04, Hearing Transcript - Stated Meeting 6/22/04, Hearing Transcript - Stated Meeting 6/24/04, Hearing Transcript - Stated Meeting 6/28/04, Hearing Transcript - Stated Meeting 7/21/04, Hearing Transcript - Stated Meeting 8/12/04, Hearing Transcript - Stated Meeting 9/9/04, Hearing Transcript - Stated Meeting 9/28/04, Hearing Transcript - Stated Meeting 10/13/04, Hearing Transcript - Stated Meeting 10/27/04, Hearing Transcript - Stated Meeting 11/10/04, Hearing Transcript - Stated Meeting 11/23/04, Hearing Transcript - Stated Meeting 12/7/04, Hearing Transcript - Stated Meeting 12/15/04, Hearing Transcript - Charter Meeting, Hearing Transcript - Stated Meeting 1/19/05, Hearing Transcript - Stated Meeting 2/2/05, Hearing Transcript - Stated Meeting 2/16/05, Hearing Transcript - Stated Meeting 3/9/05, Hearing Transcript - Stated Meeting 4/20/05, Hearing Transcript - Stated Meeting 6/8/05, Hearing Transcript - Stated Meeting 10/11/05

The President Pro Tem (Council Member Perkins) put the question whether the Council would agree with and adopt such reports, which were decided in the affirmative by the following vote:

A motion was made that these files be approved by consent vote.

Affirmative, 49 -

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

Excused, 2 -

Nelson and Provenzano

*The following files were removed from the General Order Calendar and voted separately:
Int 149-A.*

See files for individual votes.

- 13. Introduction & Reading of Bills
See Attached
- 14. Discussion of Resolutions
- 15. Resolutons

Res 0856-2005 Resolution mourning the death and celebrating the life of Peter Zvi Malkin, the man who captured Adolph Eichmann.

Attachments: Committee Report, Hearing Transcript

Pursuant to Rule 8.50 of the Council, the President Pro Tem (Council Member Perkins) called for a voice vote. Hearing no objections, the President Pro Tem (Council Member Perkins) declared the Resolution to be adopted.

Adopted unanimously by the Council by voice-vote.

A motion was made that this Resolution be Approved, by Council approved by Voice Vote.

- 16. General Discussion
- 17. Extension of Remarks

INTRODUCTION AND READING OF BILLS

Int 0600-2005 A Local Law to amend the administrative code of the city of New York, in relation to domestic partnerships.

Sponsors: By The Speaker (Speaker Miller) and The Speaker (Speaker Quinn),
Council Members de Blasio, Lopez, Reed, Brewer, Gerson, James, Sears,
Baez, Clarke, Katz, Koppell, Martinez, McMahon, Palma, Rivera, Sanders
Jr., Weprin, Perkins, Recchia Jr., Gioia, Liu, Jackson, Moskowitz,
Seabrook, Fidler, Foster, Avella, Arroyo, Yassky, Reyna, Barron, Gentile
and The Public Advocate (Public Advocate Gotbaum)

This Introduction was Referred to Comm by Council to the Committee on General Welfare

Res 0885-2005 Resolution calling upon the New York State Legislature to enact a commuter tax and direct funds to the Metropolitan Transportation Authority to alleviate its budget deficit.

Sponsors: By The Speaker (Speaker Miller) and Council Members Liu, Addabbo Jr., Barron, Comrie Jr., Fidler, Foster, Gennaro, Gentile, Gerson, Gonzalez, James, Koppell, Martinez, McMahon, Palma, The Speaker (Speaker Quinn), Sanders Jr., Stewart, Vann and Weprin

This Resolution was Referred to Comm by Council to the Committee on State and Federal Legislation

Int 0601-2005 A Local Law to amend the administrative code of the City of New York, in relation to the preservation of hotels.

Sponsors: By Council Members Addabbo Jr., Barron, de Blasio, Boyland, Brewer, Clarke, Dilan, Foster, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Jackson, James, Liu, Martinez, McMahon, Monserrate, Nelson, Palma, Perkins, The Speaker (Speaker Quinn), Recchia Jr., Sanders Jr., Seabrook, Sears, Stewart, Vann, Weprin and Reed

Attachments: Change of Committee Assignment Memo

This Introduction was Referred to Comm by Council to the Committee on Housing and Buildings

Int 0602-2005 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 deceased uniformed correctional and sanitation workers.

Sponsors: By Council Members Addabbo Jr., Baez, Comrie Jr., Fidler, Gerson, Gonzalez, James, Jennings Jr., Martinez, McMahon, Monserrate, Palma, Recchia Jr., Sanders Jr., Stewart, Weprin, Seabrook, Koppell, Perkins and The Public Advocate (Public Advocate Gotbaum) (by request of the Mayor)

Attachments: Committee Report, Hearing Transcript

This Introduction was Referred to Comm by Council to the Committee on Civil Service and Labor

Enactment No: 2005/034

Res 0886-2005 Resolution urging the New York State Department of Correctional Services to adopt the New York City Department of Correction model of discharge planning.

Sponsors: By Council Members Clarke, Barron, Comrie Jr., Gonzalez, James, Palma, The Speaker (Speaker Quinn), Sanders Jr. and Stewart

This Resolution was Referred to Comm by Council to the Committee on Fire and Criminal Justice Services

Res 0887-2005 Resolution calling upon the Food and Drug Administration to prohibit the sale of the drug Adderall.

Sponsors: By Council Members Clarke, Barron, Comrie Jr. and Stewart

This Resolution was Referred to Comm by Council to the Committee on Health

Res 0888-2005 Resolution urging Governor Pataki and the New York State legislature to pass a budget for 2005-2006 that does not include the Flexible Fund for Family Services in the form proposed by the Governor and that adds a minimum of \$300 million funding for core social services statewide.

Sponsors: By Council Members de Blasio, Brewer, Comrie Jr., Fidler, Foster, Gennaro, Gerson, Gonzalez, Liu, Martinez, Palma, The Speaker (Speaker Quinn), Sanders Jr., Stewart, Vann and Weprin

This Resolution was Referred to Comm by Council to the Committee on General Welfare

Res 0889-2005 Resolution calling upon the Sanitation Department to sponsor a Tool Loan Program that stores tools year-round in the offices of participating elected officials, community boards, and community organizations that are loaned for short periods to residents and groups as part of an ongoing campaign to keep our neighborhoods clean and beautiful.

Sponsors: By Council Members Foster, Avella, Barron, Clarke, Comrie Jr., Gonzalez, James, Koppell, Martinez, Palma, Sanders Jr. and Weprin

This Resolution was Referred to Comm by Council to the Committee on Sanitation and Solid Waste Management

Int 0603-2005 A Local Law to amend the administrative code of the city of New York, in relation to claims by owners of private property who have sustained damage caused by city-owned infrastructure.

Sponsors: By Council Members Gennaro, Vallone Jr., Addabbo Jr., Avella, Barron, Clarke, Fidler, Gerson, Jennings Jr., Liu, Martinez, McMahon, The Speaker (Speaker Quinn), Reed, Sears, Stewart and Weprin

This Introduction was Referred to Comm by Council to the Committee on Governmental Operations

Int 0604-2005 **A Local Law to amend the New York city charter, in relation to regularly updated online performance measures and statistics on city agencies.**

Sponsors: By Council Members Gioia, Barron, Brewer, Comrie Jr., Gennaro, Gerson, James, Koppell, Liu, Martinez, McMahon, Palma, The Speaker (Speaker Quinn), Reed, Rivera, Sanders Jr., Weprin, Seabrook, Addabbo Jr. and The Public Advocate (Public Advocate Gotbaum)

Attachments: Committee Report

This Introduction was Referred to Comm by Council to the Committee on Governmental Operations

Int 0605-2005 **A Local Law to amend the administrative code of the city of New York, in relation to area limitations on benefits pursuant to section four hundred twenty-one-a of the real property tax law relating to building services.**

Sponsors: By Council Members Jackson, Palma, Addabbo Jr., Arroyo, Avella, Baez, Barron, Brewer, Clarke, Comrie Jr., de Blasio, Gennaro, Gentile, Gerson, Gioia, Gonzalez, James, Jennings Jr., Koppell, Martinez, McMahon, Monserrate, Perkins, The Speaker (Speaker Quinn), Recchia Jr., Sanders Jr., Weprin, Lopez, Seabrook, Stewart, Vann, Boyland, Dilan and Rivera

Attachments: Committee Report

This Introduction was Referred to Comm by Council to the Committee on Housing and Buildings

Int 0606-2005 **A Local Law to amend the New York city charter, in relation to authorizing the department of transportation to extend the date of the operating authority of certain subsidized private bus services.**

Sponsors: By Council Members Katz and Comrie Jr. (by request of the Mayor)

Attachments: Memo In Support, Hearing Transcript

This Introduction was Referred to Comm by Council to the Committee on Land Use

Enactment No: 2005/027

Int 0607-2005 A Local Law to amend the administrative code of the city of New York, in relation to the exemption from taxes of certain multiple dwellings for certain lead based paint activities.

Sponsors: By Council Members Martinez, Provenzano, The Speaker (Speaker Miller), Perkins, Clarke, Foster, Jennings Jr., The Speaker (Speaker Quinn), Vann, Reyna, Reed, Stewart, Comrie Jr., Katz, Arroyo, Rivera, Fidler, Jackson and Oddo

Attachments: Committee Report 4/22/05, Committee Report 6/24/05, Local Law

This Introduction was Referred to Comm by Council to the Committee on Housing and Buildings

Enactment No: 2005/074

Res 0890-2005 Resolution calling upon Congress and the President to maintain federal funding of the Community Services Block Grant (CSBG) and to renew our nation's commitment to combat poverty, ameliorate racial and ethnic inequality and empower low-income communities.

Sponsors: By Council Members Martinez, Fidler, Reyna, The Speaker (Speaker Miller), de Blasio, Baez, Brewer, Clarke, Comrie Jr., Foster, Gennaro, Gerson, Gonzalez, James, Jennings Jr., Katz, Liu, McMahon, Palma, The Speaker (Speaker Quinn), Recchia Jr., Rivera, Sanders Jr., Sears, Vann, Weprin, Felder and Arroyo

Attachments: Committee Report

This Resolution was Referred to Comm by Council to the Committee on Youth Services

Res 0891-2005 Resolution calling upon the New York State Assembly to adopt legislation reinstating the death penalty in New York.

Sponsors: By Council Members Oddo, Gallagher, Lanza, Avella and Fidler

This Resolution was Referred to Comm by Council to the Committee on General Welfare

Res 0892-2005 Resolution calling upon the New York State Legislature to pass legislation that will expand the number of senior citizens who would be eligible to participate in the Senior Citizen Rent Increase Exemption (SCRIE) program.

Sponsors: By The Public Advocate (Public Advocate Gotbaum) and Council Members Baez, Avella, Brewer, Clarke, Comrie Jr., Fidler, Foster, Gennaro, Gentile, Gerson, Gonzalez, James, Jennings Jr., Katz, Koppell, Liu, Martinez, Palma, The Speaker (Speaker Quinn), Recchia Jr., Rivera, Sanders Jr., Vann and Weprin

This Resolution was Referred to Comm by Council to the Committee on Aging

Int 0608-2005 A Local Law to amend the administrative code of the city of New York, in relation to the licensing of large retail stores.

Sponsors: By The Speaker (Speaker Quinn) and Council Members Addabbo Jr., Palma, Recchia Jr., Sanders Jr., Gioia, James, Nelson, Reyna, Martinez, Fidler, Gerson, Barron, de Blasio, Koppell, Comrie Jr., Brewer, Clarke, McMahon, Monserrate and Weprin

Attachments: Cover Sheet

This Introduction was Referred to Comm by Council to the Committee on Consumer Affairs

SLR 0024-2005 State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Sampson S.2158, "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 Brooklyn to former owner Elva McZeal Tenants Association Development Fund Corporation, 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. 3785 Lots No.1 and No.75 on the tax map of the borough of Brooklyn."

Sponsors: By Council Members Rivera and Stewart

Attachments: Agenda, Committee Report

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

SLR 0025-2005 State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Stavisky S.2268 and Assembly Member McLaughlin A.4558, "AN ACT to amend the New York City charter, in relation to the confidentiality of information obtained by a city employee in the course of official duties."

Sponsors: By Council Members Rivera, Monserrate, Fidler, Liu and Weprin

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

SLR 0026-2005 **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Marchi S.2458 and Assembly Member Lavelle A.4978, “AN ACT to amend the administrative code of the city of New York, in relation to extending the benefits of the variable supplements fund for housing police and transit police members of the New York city employees’ retirement system.”**

Sponsors: By Council Members Rivera, Vallone Jr., Fidler, Monserrate, Weprin and Gentile

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

SLR 0027-2005 **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Assembly Member Pheffer A.4683, “An Act to amend the retirement and social security law, in relation to establishing a procedure for medical review in correction member disability cases.”**

Sponsors: By Council Members Rivera and Fidler

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

SLR 0028-2005 **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Assembly Member Stringer A.777, “An ACT to amend the administrative code of the city of New York and the education law, in relation to reporting certain structural problems to the New York City Department of Buildings and penalties for noncompliance by licensed engineers.”**

Sponsors: By Council Members Rivera and Liu

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

SLR 0029-2005 **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Assembly Member Stringer A.1390, “An ACT to amend the vehicle and traffic law, in relation to stopping at the exits of parking garages in cities with a population of one million or more.”**

Sponsors: By Council Members Rivera and Liu

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

SLR 0030-2005 **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Assembly Member Stringer A.1594, “An ACT to amend the administrative code of the city of New York, in relation to liability insurance coverage for taxicabs and liveries, safety training for delinquent taxi drivers, and requiring taxis to display the taxi and limousine commission’s complaint number on their bumpers.”**

Sponsors: By Council Member Rivera

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

SLR 0031-2005 **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Assembly Member Stringer A.1403, “An ACT to amend the administrative code of the city of New York, in relation to providing for a demonstration program for the fitting of taxicabs to accommodate the disabled.”**

Sponsors: By Council Members Rivera and Weprin

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

SLR 0032-2005 **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Assembly Members Stringer and Pheffer A.854, “An ACT to amend the administrative code of the city of New York, in relation to penalties for building code violations.”**

Sponsors: By Council Members Rivera and Weprin

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

SLR 0033-2005 **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Assembly Member Stringer A.1104, “An ACT to amend the administrative code of the city of New York, in relation to the regulation of commercial bicyclists.”**

Sponsors: By Council Member Rivera

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

SLR 0034-2005 State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Assembly Member Stringer A.1099, “An ACT to amend the administrative code of the city of New York, in relation to requiring child safety seats in taxicabs and liveries.”

Sponsors: By Council Member Rivera

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

SLR 0035-2005 State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Assembly Member Dinowitz A.1255, “An ACT to amend the administrative code of the city of New York and the vehicle and traffic law, in relation to allowing citizens to issue tickets to designated officers and appointed employees of the parking violation bureau.”

Sponsors: By Council Member Rivera

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

Int 0609-2005

A Local Law in relation to the date of issuance and publication by the Mayor of a ten-year capital strategy, the date of submission by the Mayor of the proposed executive budget and budget message, the date of submission by the Borough Presidents of recommendations in response to the Mayor's executive budget, the date of publication of a report by the director of the independent budget office analyzing the executive budget, the date by which the Council hearings pertaining to the executive budget shall conclude, the date by which if the expense budget has not been adopted, the expense budget and tax rate adopted as modified for the current fiscal year shall be deemed to have been extended for the new fiscal year until such time as a new expense budget has been adopted, the date by which if a capital budget and a capital program have not been adopted, the unutilized portion of all prior capital appropriations shall be deemed reappropriated, the date of submission by the Mayor of an estimate of the probable amount of receipts, the date by which any person or organization may submit an official alternative estimate of revenues, the date by which if the Council has not fixed the tax rates for the ensuing fiscal year, the commissioner of finance shall be authorized to complete the assessment rolls using estimated rates, and related matters, relating to the fiscal year two thousand six.

Sponsors: By Council Members Weprin, Comrie Jr. and Stewart (by request of the Mayor)

Attachments: Committee Report

This Introduction was Referred to Comm by Council to the Committee on Finance

Enactment No: 2005/035

Int 0610-2005

A Local Law to amend the administrative code of the city of New York, in relation to area eligibility limitations on benefits pursuant to section four hundred twenty-one-a of the real property tax law within the borough of Brooklyn.

Sponsors: By Council Members Yassky, Reyna, Gennaro, James, Koppell, McMahon and Palma

This Introduction was Referred to Comm by Council to the Committee on Housing and Buildings

Int 0611-2005 **A Local Law to amend the administrative code of the city of New York, in relation to limiting the issuance of notices of violations for litter during certain times to mixed use buildings.**

Sponsors: By Council Members Yassky, James, Palma, Stewart, Vann, Weprin, Felder and The Public Advocate (Public Advocate Gotbaum)

Attachments: Committee Report

This Introduction was Referred to Comm by Council to the Committee on Sanitation and Solid Waste Management

Int 0612-2005 **A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to ensure regular cleaning and maintenance of all public school bathrooms, and to post inspection forms recording the performance of such cleaning and maintenance in such bathrooms.**

Sponsors: By Council Members Yassky, Addabbo Jr., Brewer, James, Jennings Jr., Koppell, Moskowitz, Palma, Sanders Jr., Stewart, Vann and Weprin

This Introduction was Referred to Comm by Council to the Committee on Education

LU 0423-2005 **Application no. 20055417 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Café Focaccia, Inc., d/b/a Focaccia Florentino, to continue to maintain and operate an unenclosed sidewalk café located at 1166 First Avenue, Borough of Manhattan, Council District no. 5. 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.**

Sponsors: By Council Member Katz

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

This Land Use Application was Referred to Comm by Council to the Subcommittee on Zoning and Franchises

LU 0424-2005 **Zoning resolution amendment application no. 050110(A) ZRK, pursuant to §197-d and §200 of the New York City Charter, concerning changes in the text of the zoning resolution, Borough of Brooklyn, Council District nos. 33 and 34, relating: Article VI, Chapter 2 (Special Regulations apply in the Waterfront Area); Article XII, Chapter 3 (Special Mixed Use District) specifying a special Mixed Use District (MX-8) and the elimination of Article IX, Chapter 7 (Special Northside Mixed Use District) and Article X, Chapter 8 (Special Franklin Street Mixed Use District)**

Sponsors: By Council Member Katz

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

This Land Use Application was Referred to Comm by Council to the Subcommittee on Zoning and Franchises

LU 0425-2005 **Uniform Land Use Review Procedure application no. 050111(A) ZMK, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Brooklyn, Council District nos. 33 and 34**

Sponsors: By Council Member Katz

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

This Land Use Application was Referred to Comm by Council to the Subcommittee on Zoning and Franchises

LU 0426-2005 **Uniform land use review procedure, application no. C 040415 MMK, pursuant to §197-c and §197-d of the New York City Charter, changes to the City Map, Borough of Brooklyn, Council District nos. 33 and 34. This application is subject to Council review and action only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called-up by a vote of the Council pursuant to §197-d(b)(3) of the Charter and §11.20 of the Rules of the Council.**

Sponsors: By Council Member Katz

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

This Land Use Application was Referred to Comm by Council to the Subcommittee on Zoning and Franchises

LU 0427-2005 Uniform land use review procedure, application no. C 040416 MMK, pursuant to §197-c and §197-d of the New York City Charter, changes to the City Map, Borough of Brooklyn, Council District nos. 33 and 34. This application is subject to Council review and action only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called-up by a vote of the Council pursuant to §197-d(b)(3) of the Charter and §11.20 of the Rules of the Council.

Sponsors: By Council Member Katz

Attachments: Hearing Transcript - Land Use 5/2/05

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

Attachments: Hearing Transcript - Land Use 5/2/05

This Land Use Application was Referred to Comm by Council to the Subcommittee on Zoning and Franchises

LU 0428-2005 Uniform land use review procedure, application no. C 040417 MMK, pursuant to §197-c and §197-d of the New York City Charter, changes to the City Map, Borough of Brooklyn, Council District nos. 33 and 34. This application is subject to Council review and action only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called-up by a vote of the Council pursuant to §197-d(b)(3) of the Charter and §11.20 of the Rules of the Council.

Sponsors: By Council Member Katz

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

This Land Use Application was Referred to Comm by Council to the Subcommittee on Zoning and Franchises

LU 0429-2005 Uniform land use review procedure, application no. C 040418 MMK, pursuant to §197-c and §197-d of the New York City Charter, changes to the City Map, Borough of Brooklyn, Council District nos. 33 and 34. This application is subject to Council review and action only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called-up by a vote of the Council pursuant to §197-d(b)(3) of the Charter and §11.20 of the Rules of the Council.

Sponsors: By Council Member Katz

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

This Land Use Application was Referred to Comm by Council to the Subcommittee on Zoning and Franchises

LU 0430-2005 **Uniform land use review procedure application no. C 050304 HAK, an Urban Development Action Area Designation and Project tentatively known as Cypress Plaza, located in Community Board 5, and the disposition of property, Borough of Brooklyn, Council District no. 37. 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.**

Sponsors: By Council Member Katz

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

This Land Use Application was Referred to Comm by Council to the Subcommittee on Planning, Dispositions and Concessions

LU 0431-2005 **Uniform land use review procedure application no. C 050305 HAK, an Urban Development Action Area Designation and Project tentatively known as Anchor – Broadway Site 8, located in Community Board 16, and the disposition of such property, Borough of Brooklyn, Council District no. 41. 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.**

Sponsors: By Council Member Katz

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

This Land Use Application was Referred to Comm by Council to the Subcommittee on Planning, Dispositions and Concessions

LU 0432-2005 **Application no. 20055208 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Caliente Cab Rest. Co., Inc., d/b/a Caliente Cab Co., to continue to maintain and operate an unenclosed sidewalk café located at 61 Seventh Avenue South, Borough of Manhattan, Council District no. 3. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.**

Sponsors: By Council Member Katz

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

This Land Use Application was Referred to Comm by Council to the Subcommittee on Zoning and Franchises

LU 0433-2005 **Application no. 20055423 HAK, an Urban Development Action Area Project located at 289, 287, 285, 281 and 277 MacDougal Street, Council District no. 37, Borough of Brooklyn. 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 and pursuant to Section 696 of the General Municipal Law for an exemption from real property taxes.**

Sponsors: By Council Member Katz

Attachments: Hearing Transcript - Planning 5/3/05

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

Attachments: Hearing Transcript - Planning 5/3/05

This Land Use Application was Referred to Comm by Council to the Subcommittee on Planning, Dispositions and Concessions

LU 0434-2005 **Application no. 20055424 HAK, an Urban Development Action Area Project located at 887, 889 and 891 Greene Avenue, Council District no. 36, Borough of Brooklyn. 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 and pursuant to Section 696 of the General Municipal Law for an exemption from real property taxes.**

Sponsors: By Council Member Katz

Attachments: Hearing Transcript - Planning 5/3/05

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

Attachments: Hearing Transcript - Planning 5/3/05

This Land Use Application was Referred to Comm by Council to the Subcommittee on Planning, Dispositions and Concessions

LU 0435-2005 **Application no. 20055425 HAK, an Urban Development Action Area Project located at 173, 171, 169, 165, 239, 237, 235, 233 and 231 Skillman Street, Council District no. 34, Borough of Brooklyn. 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 and pursuant to Section 696 of the General Municipal Law for an exemption from real property taxes.**

Sponsors: By Council Member Katz

Attachments: Hearing Transcript - Planning 5/3/05

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

Attachments: Hearing Transcript - Planning 5/3/05

This Land Use Application was Referred to Comm by Council to the Subcommittee on Planning, Dispositions and Concessions

LU 0436-2005 **Application no. 20055426 HAM, an Urban Development Action Area Project located at 2228 Seventh 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.**

Sponsors: By Council Member Katz

Attachments: Hearing Transcript - Planning 5/3/05

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

Attachments: Hearing Transcript - Planning 5/3/05

This Land Use Application was Referred to Comm by Council to the Subcommittee on Planning, Dispositions and Concessions

LU 0437-2005 **Application no. 20055187 TCM, pursuant to §20-22(5) of the Administrative Code of the City of New York, concerning the petition of C&C First. Avenue Corp., d/b/a Bar Coastal, to continue and operate an enclosed sidewalk café located 1495 First Avenue, Borough of Manhattan, Council District no. 5. 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 §20-22(5)(g) of the New York City Administrative Code.**

Sponsors: By Council Member Katz

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

This Land Use Application was Referred to Comm by Council to the Subcommittee on Zoning and Franchises

At this point the Majority Leader (Council Member Rivera) made the following announcements:

Whereupon on motion of the Majority Leader (Council Member Rivera) , the Clerk of the Council adjourned to meet again on Tuesday, April 12, 2005

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