



Legislation Text

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Int. No. 42

By Council Members Provenzano, Comrie, Foster, Jackson, Katz, Liu, McMahon, Monserrate, Nelson, Reed, Seabrook, Stewart, Lanza and Gallagher; also Council Members Addabbo Jr., Martinez, Quinn and Oddo

A Local Law to amend the charter of the city of New York, in relation to notice to borough presidents, council members and community boards regarding public hearings on acquisition or disposition of real property by the city.

Be it enacted by the Council as follows:

Section 1. Paragraph one of subdivision b of section 384 of the charter of the city of New York is hereby amended to read as follows:

1. The mayor may authorize the sale or lease only for the highest marketable price or rental, at public auction or by sealed bids and after advertisement for at least thirty days in the City Record, of any real property belonging to the city or any interest therein. No such sale or lease shall be authorized until a public hearing has been held with respect to such sale or lease after the publication of notice in the City Record and mailing of such notice to the borough presidents, council members and community boards in whose district the real property is located at least thirty days in advance of such hearing. No such lease shall run for a term longer than ninety-nine years. Any conveyance or lease may provide for the restriction of the use of such real property.

§2. Paragraph a of section 824 of such charter is hereby amended to read as follows:

(a) to purchase, lease, condemn or otherwise acquire real property for the city, subject to the approval of the mayor, and to sell, lease, exchange or otherwise dispose of real property of the city, subject to the requirements of section three hundred eighty-four and subject to review and approval either pursuant to section one hundred ninety-five, if applicable, or pursuant to sections one hundred ninety-seven-c and one hundred ninety-seven-d. No such purchase, lease, condemnation or other acquisition shall be authorized until a public hearing has been held with respect to such acquisition after the publishing of notice in the City Record and

mailing of such notice to the borough presidents, council members and community boards in whose district the real property is located at least ten days but not more than thirty days in advance of such hearing; provided, however, that in the case of an acquisition by purchase or condemnation, no such hearing shall be required if a public hearing is held with respect to such purchase or condemnation pursuant to any other requirement of law, provided that in such case notice of such public hearing shall be mailed to the borough presidents, council members and community boards in whose district the real property is located at least ten days but not more than thirty days in advance of such hearing, unless otherwise provided by law. In the case of a lease in which the city is to be the tenant, the notice for the hearing required in this subdivision shall include a statement of the location and proposed use of the premises, and the term and annual rent of the proposed lease.

Before submitting an application pursuant to section one hundred ninety-seven-c for an acquisition or a disposition pursuant to this section, the commissioner shall take into consideration the criteria for location of city facilities established pursuant to section two hundred three. If two years, not including time spent in litigation, have elapsed between (1) the final approval of a disposition or acquisition pursuant to section one hundred ninety-seven-c and section one hundred ninety-seven-d and (2) execution of an agreement in connection with such disposition or acquisition, a public hearing shall be held on the proposed acquisition or disposition after the publishing of notice in the City Record and mailing of such notice to the borough presidents, council members and community boards in whose district the real property is located at least forty-five days in advance of such hearing;

§3. This local law shall take effect immediately.