

SUPPLEMENT TO
THE CITY RECORD

THE COUNCIL —STATED MEETING OF
WEDNESDAY, SEPTEMBER 12, 2012

THE COUNCIL

Minutes of the Proceedings for the
STATED MEETING

of
Wednesday, September 12, 2012, 2:45 p.m.

The President Pro Tempore (Council Member Rivera)
Acting Presiding Officer

Council Members

Christine C. Quinn, Speaker

Maria del Carmen Arroyo	David G. Greenfield	James S. Oddo
Charles Barron	Daniel J. Halloran III	Domenic M. Recchia, Jr.
Gale A. Brewer	Vincent M. Ignizio	Diana Reyna
Margaret S. Chin	Robert Jackson	Joel Rivera
Elizabeth S. Crowley	Letitia James	Ydanis A. Rodriguez
Daniel Dromm	Peter A. Koo	Deborah L. Rose
Mathieu Eugene	Karen Koslowitz	Eric A. Ulrich
Julissa Ferreras	Bradford S. Lander	James Vacca
Lewis A. Fidler	Jessica S. Lappin	Peter F. Vallone, Jr.
Helen D. Foster	Stephen T. Levin	Albert Vann
Daniel R. Garodnick	Melissa Mark-Viverito	James G. Van Bramer
James F. Gennaro	Darlene Mealy	Mark S. Weprin
Vincent J. Gentile	Rosie Mendez	Jumaane D. Williams
Sara M. Gonzalez	Michael C. Nelson	Ruben Wills

Excused: Council Members Cabrera (Jury Duty), Comrie, Dickens (Medical), Dilan, Koppell, Palma, and Sanders.

There is presently one vacancy in the Council (12th Council District, The Bronx) pending the certified results of a Special Election to be held on Tuesday, November 6, 2012.

The Majority Leader (Council Member Rivera) assumed the Chair as the President Pro Tempore and Acting Presiding Officer.

After being informed by the City Clerk and Clerk of the Council (Mr. McSweeney), the presence of a quorum was announced by the President Pro Tempore (Council Member Rivera).

There were 43 Council Members marked present at this Stated Meeting held in the Council Chambers of City Hall, N.Y., N.Y. 10007.

INVOCATION

The Invocation was delivered by Rev. Darren Ferguson, Mt. Carmel Baptist Church of Arverne, 348 Beach 71st Street, Arverne, NY 11692.

Let us pray.

Creator of all things,
we come before you
with our heads bowed
and our hearts humbled,
and we ask for you to touch
each and every member of this Council.
We ask for you to guide their minds
and guide their hearts as they contemplate
the things that are best for our city.
We ask you, oh creator,
that you would bless them with wisdom
and with insight and with compassion.
We ask oh God
that you would continue to bless them
and not just bless them within these chambers,
but bless them in their homes
and in their communities
and as they walk and talk
with their families and their children.
We ask you to continue
to bless our city.
We ask you to help us stem
the tide of violence
that has erupted in our city,
and as we walk and talk in our city,
let us be beacons of light
to let the city know
that someone does seek its welfare.
We thank you, and it's in
your mighty and matchless name we pray.
Amen.

At this point, Council Member Foster moved to spread the Invocation in full upon the Record.

At this point, the Speaker (Council Member Quinn) asked for a Moment of Silence in memory of the following individuals:

U.S. Ambassador to Libya, J. Christopher Stevens, , and three other Americans were killed in a rocket and gunfire attack on the U.S. Consulate in Benghazi. Prior to serving as ambassador to Libya, he was the Libyan envoy to the rebel movement that overthrew Gaddafi in 2011. Ambassador Stevens was the first U.S. ambassador to be killed in an attack since 1979. The Speaker (Council Member Quinn) offered the Council's thoughts and prayers to his family and the family of the other three Americans killed.

Diane Rivera, 55, sister of the Majority Leader (Council Member Rivera), passed away on August 31, 2012 in her New Jersey home with her husband Paul and her mother at her side following a long battle with ALS. Ms. Rivera was also the sister of State Assembly Member Naomi Rivera and daughter of State Assembly Member Jose Rivera. After being diagnosed with the disease in 2007, Ms. Rivera became an advocate for those suffering with ALS. She also volunteered her time as well as raised money and funds for many causes. The Speaker (Council Member Quinn) offered the Council's thoughts and prayers to the Majority Leader (Council Member Rivera), Ms. Rivera's husband, her parents, and her entire family.

ADOPTION OF MINUTES

Council Member Wills moved that the Minutes of the Stated Meeting of June 28, 2012 be adopted as printed.

MESSAGES & PAPERS FROM THE MAYOR

M-881

Communication from the Mayor - Submitting the name of Susan Bellinson to the Council for its advice and consent regarding her re-appointment to the Waterfront Management Advisory Board, Pursuant to Sections 31 and 1303 of the City Charter.

August 28, 2012

The Honorable Christine C. Quinn
Council Speaker
City Hall
New York, NY 10007

Dear Speaker Quinn:

Pursuant to Sections 31 and 1303 of the City Charter, I am pleased to present the name of Susan Bellinson to the City Council for advice and consent regarding her reappointment to the Waterfront Management Advisory Board.

Ms. Bellinson's reappointment will be for a full three-year term expiring on August 31, 2015. Thank you for reviewing this reappointment.

Sincerely,

Michael R. Bloomberg
Mayor

Referred to the Committee on Rules, Privileges and Elections.

M-882

Communication from the Mayor - Submitting the name of Paula Berry to the Council for its advice and consent regarding her re-appointment to the Waterfront Management Advisory Board, Pursuant to Sections 31 and 1303 of the City Charter.

August 28, 2012

The Honorable Christine C. Quinn
Council Speaker
City Hall
New York, NY 10007

Dear Speaker Quinn:

Pursuant to Sections 31 and 1303 of the City Charter, I am pleased to present the name of Paula Berry to the City Council for advice and consent regarding her reappointment to the Waterfront Management Advisory Board.

Ms. Berry's reappointment will be for a full three-year term that will expire on August 31, 2015. Thank you for reviewing this reappointment.

Sincerely,

Michael R. Bloomberg
Mayor

Referred to the Committee on Rules, Privileges and Elections.

M-883

Communication from the Mayor - Submitting the name of Henry Wan to the Council for its advice and consent regarding his re-appointment to the Waterfront Management Advisory Board, Pursuant to Sections 31 and 1303 of the City Charter.

August 28, 2012

The Honorable Christine C. Quinn
Council Speaker
City Hall
New York, NY 10007

Dear Speaker Quinn:

Pursuant to Sections 31 and 1303 of the City Charter, I am pleased to present the name of Henry Wan to the City Council for advice and consent regarding his reappointment to the Waterfront Management Advisory Board.

Mr. Wan's reappointment will be for a full three-year term that will expire on August 31, 2015. Thank you for reviewing this reappointment.

Sincerely,

Michael R. Bloomberg
Mayor

Referred to the Committee on Rules, Privileges and Elections.

M-884

Communication from the Mayor - Submitting the name of Susan Grossman to the Council for its advice and consent regarding her re-appointment to the New York City Tax Commission, Pursuant to Sections 31 and 153 of the City Charter.

August 23, 2012

The Honorable Christine C. Quinn
Council Speaker
City Hall
New York, NY 10007

Dear Speaker Quinn:

Pursuant to Sections 31 and 153 of the City Charter, I am pleased to present the name of Susan Grossman to the City Council for advice and consent regarding her reappointment to the New York City Tax Commission.

Ms. Grossman is a graduate of City College, Fordham University, and the Benjamin Cardozo School of Law. She is a resident of Manhattan and a former Assistant Deputy Comptroller and Counsel in the Office of the State Deputy Comptroller for the City of New York. When reappointed to the Tax Commission, her new term will expire January 6, 2018.

Thank you for considering the reappointment of Susan Grossman.

Sincerely,

Michael R. Bloomberg
Mayor

Referred to the Committee on Rules, Privileges and Elections.

M-885

Communication from the Mayor - Mayors veto and disapproval message of Introductory Number 730-A, in relation to the disclosure of information regarding certain construction projects.

(The following is the text of the Mayor's Veto and Disapproval Message for Int No. 730-A:)

August 24, 2012

Michael McSweeney
City Clerk of the Council

141 Worth Street
New York, NY 10013

Dear Mr. McSweeney:
Transmitted herewith is the bill disapproved by the Mayor. The bill is as follows:

Introductory Number 730-A

A local law to amend the administrative code of the city New York, in relation to the disclosure of information regarding certain construction projects.

Sincerely,

Patrick A. Wehle



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

August 24, 2012

Hon. Michael McSweeney
City Clerk and Clerk of the Council
141 Worth Street
New York, NY 10013

Dear Mr. McSweeney:

Pursuant to Section 37 of the New York City Charter, I hereby disapprove Introductory Number 730-A, which would amend the Administrative Code of the City of New York "in relation to the disclosure of information regarding certain construction projects."

Introductory Number 730-A would require the Department of Housing Preservation and Development (HPD) to report on its website extensive information about affordable housing development projects that receive City financial assistance. By imposing an unnecessary layer of red tape on developers of affordable housing in New York City, it would threaten the creation of much-needed affordable housing for New Yorkers. More importantly, the bill would also mandate that developers report to HPD detailed wage information for the individual employees of all developers, contractors and subcontractors engaged on affordable housing projects. This requirement, while purporting to promote transparency, is, in actuality, an indirect effort to pressure contractors to hire union workers. The City's housing program, which serves critical public needs, should not be subverted in this way. It is inconsistent with this Administration's priorities to allow wages to be manipulated at the cost of constructing the maximum number of affordable units that we can finance. Finally, the bill is legally flawed as it seeks to legislate in areas in which such authority is reserved to the State.

Creation and preservation of affordable housing in New York City has been a top priority for this Administration since I took office. The New Housing Marketplace Plan set a goal of financing the creation or preservation of 165,000 units of affordable housing by the end of fiscal year 2014. One of the greatest accomplishments of this Administration has been our ability to meet that goal with limited City dollars and rapidly shrinking contributions from the State and federal governments by creatively leveraging public resources with those of the private market. This plan has not only financed the development of thousands of new homes for New York City's most vulnerable populations, but has also revitalized neighborhoods, created jobs and economic growth, and made New York City a safer place for a growing population. Continuing to create and preserve affordable housing remains a crucial objective for the City, and any unnecessary interference or divergence of funds has a direct impact on the amount of affordable units produced. Introductory Number 730-A is a prime example of such interference. It will serve as an impediment to local developers applying for loans to finance affordable housing

projects because of the administrative burden of compiling and verifying the wage data required by this bill. This in all likelihood will discourage developers and contractors from participating on future affordable housing development projects. Developers of affordable housing and the contractors that often work with these developers are a specialized group who know how to work within the confines of limited financing and high levels of regulation to produce this vital resource for New York City residents. Furthermore, the vast majority of HPD's affordable housing development is awarded through a competitive process. For these reasons, any reduction in the number of interested developers competing for a project could limit the number of projects worked on in a given year and lead to higher costs and rents, thereby limiting the number of affordable units produced.

The administrative costs imposed by the bill will have the most damaging impact on smaller, locally-based developers and contractors that do not have the resources to hire new staff to manage these reporting requirements. The bill will wreak particular havoc on minority and women-owned businesses (MWBE). Should these small MWBE developers and contractors be unable to apply for City affordable housing projects, the work will most likely be awarded to larger non-locally based developers who are more likely to hire workers who live outside the City. This could result in more New York City tax dollars being spent to create jobs for non-residents. We estimate that over 140,000 jobs have been created as a result of the New Housing Marketplace Plan. Introductory Number 730-A will increase the likelihood that more of these jobs will go to residents outside the City.

While Introductory Number 730-A purports to increase the transparency of affordable housing development in New York City, it imposes onerous and costly reporting requirements without any significant improvement in government transparency. For example, it requires HPD to collect wage data for every employee of each developer, contractor and subcontractor associated with each housing development project on a quarterly basis. But, other than for projects subject to prevailing wage laws, HPD plays no role in reviewing wages and has no legal authority to remedy wage violations. However, by forcing HPD to warehouse these documents, the bill will lead to the generation of numerous Freedom of Information Law requests seeking production of this data, which will result in the need to hire more staff to attend to these requests. Again, HPD costs will be incurred with no benefit to the public or to the City's housing stock.

The requirement that HPD provide extensive information online on housing development projects and update that information every six months for the duration of construction places a tremendous burden on agency resources by diverting attention from the agency's core mission of financing the development and preservation of affordable housing. Furthermore, HPD has recently begun to provide a substantial amount of pertinent closing information online, so requiring more, like what is required by Introductory Number 730-A, would task HPD with more work without providing any real benefit to the public. All three of HPD's major funding sources were dramatically reduced by Congress over the last two federal fiscal years, resulting in an annual loss of nearly \$94 million from HPD's capital and expense budgets. Since March 2009, the agency's headcount has been cut by twenty-three percent. Mandating expensive reporting requirements of dubious value on an agency coping with drastic cuts to its funding and personnel could not happen at a more inopportune time.

In addition to raising these very important policy concerns, Introductory Number 730-A is legally deficient. This bill requires wage reporting by every developer for each person

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employed on the project by the developer or any covered contractor, and penalizes contractors who fail to report these wages by prohibiting HPD from including them on a prequalified list of contractors or subcontractors. The goal of the wage reporting requirement in this bill is evidently to pressure developers to hire union workers for these jobs and pay union-scale wages. For this reason, this bill is not merely about reporting information to a City agency in an effort to increase transparency. Rather, this bill, through new administrative requirements, seeks to affect the wages paid to workers employed on housing development projects, an area that has been exclusively reserved to State regulation.

Article 19 of the State Labor Law, the Minimum Wage Act, establishes a comprehensive regulatory scheme to set a minimum wage, investigate the adequacy of such wage, and recommend variations for employees in certain occupations. Indeed, this article also includes a provision that requires employers to maintain records detailing the hours worked by, and wages paid to, employees covered by the minimum wage. The Court of Appeals has held unequivocally that Article 19 acts to pre-empt any local legislation in the field of wage regulation.

That Introductory Number 730-A seeks to pursue the improper goal of wage regulation through a reporting requirement does not ameliorate the legal problem. State law, dating back to the 1930s, operates to pre-empt local legislation in this area. To the extent the City Council has sought to evade this problem by imposing an onerous reporting requirement, and consequences for failing to comply with those requirements, the doctrine of field preemption does not permit such circumvention. Article 19 not only pre-empts the field of wage regulation, but also includes a reporting requirement that vitiates any local effort to impose a similar requirement.

The legal problems with Introductory Number 730-A are not confined to the effect of Article 19 of the Labor Law. The affordable housing projects that are the subject of this bill are governed by the Private Housing Finance Law, which gives plenary authority to HPD to supervise and administer these projects. The Private Housing Finance Law generally gives no role to the City Council in the administration of these projects. Because Introductory Number 730-A seeks to provide the City Council with such a role, the Private Housing Finance Law pre-empts such legislation.

My Administration has sought to work with the Council to strike the proper balance between increasing the transparency of City operations and creating the affordable housing units the residents of this City so desperately need. In seeking to promote the former goal, this bill will impede the latter goal, which is a result I cannot support.

Accordingly, I hereby disapprove Introductory Number 730-A.

Sincerely,

Michael R. Bloomberg
Mayor

Cc: The Honorable Christine C. Quinn

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Referred to the Committee on Housing and Buildings.

LAND USE CALL UPS

M-886

By the Chair of the Land Use Committee Council Member Comrie:

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 Review Procedure Application no. C 120228 ZSM, C 120229 ZSM, C 120231 ZSM, C 120233 ZSM, C 120234 ZSM, C 120235 ZSM, C 120237 PQM, C 120245 PPM and C 120156 MMM shall be subject to Council review. These items are related to Uniform Land Use Review Procedure Application nos. C 120226 ZMM, N 120227 ZRM and N 120236 HAM, which are subject to Council review pursuant to Section 197-d of the New York City Charter.

Coupled on Call – Up Vote

M-887

By The Speaker (Council Member Quinn):

Pursuant to Rule 11.20b of the Council and §20-226 or §20-225(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 131 Seventh Avenue South, Community Board No. 2, Application no. 20125783 TCM shall be subject to review by the Council.

Coupled on Call – Up Vote

M-888

By The Speaker (Council Member Quinn):

Pursuant to Rule 11.20b of the Council and §20-226 or §20-225(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 10 Little West 12th Street, Community Board No. 2, Application no. 20125808 TCM shall be subject to review by the Council.

Coupled on Call – Up Vote

M-889

By Council Member Chin:

Pursuant to Rule 11.20b of the Council and §20-226 or §20-225(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 86 Kenmare Street, Community Board No. 2, Application no. 20125776 TCM shall be subject to review by the Council.

Coupled on Call – Up Vote

LAND USE CALL UP VOTE

The President Pro Tempore (Council Member Rivera) put the question whether the Council would agree with and adopt such motions which were decided in the affirmative by the following vote:

Affirmative –Arroyo, Barron, Brewer, Chin, Crowley, Dromm, Eugene, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran, Ignizio, Jackson, James, Koo, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, Mendez, Nelson, Recchia, Reyna, Rodriguez, Rose, Ulrich, Vacca, Vallone Jr., Van Bramer, Vann, Weprin, Williams, Wills, Oddo, Rivera and the Speaker (Council Member Quinn) – 43.

At this point, the President Pro Tempore (Council Member Rivera) declared the aforementioned items **adopted** and referred these items to the Committee on Land Use and to the appropriate Land Use subcommittee.

REPORTS OF THE STANDING COMMITTEES

Report of the Committee on Housing and Buildings

Report for Int. No. 404-A

Report of the Committee on Housing and Buildings in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to fines for illegal conversions of dwelling units from permanent residences.

The Committee on Housing and Buildings, to which the annexed amended proposed local law was referred on November 17, 2010 (Minutes, page 4807), respectfully

REPORTS:

Introduction

On September 12, 2012, the Committee on Housing and Buildings, chaired by Council Member Erik Martin Dilan, will conduct a hearing on Proposed Int. No. 404-A, A Local Law to amend the administrative code of the city of New York, in relation to fines for illegal conversions of dwelling units from permanent residences. This bill would create a specific violation in our Administrative Code (Ad. Code) for the illegal conversion of a permanent residential unit and would require that a repeat violation issued for the same unit or building or if the violation relates to more than one unit in a particular building be classified as an immediately hazardous violation. On December 13, 2011, the Committee conducted an initial hearing on this legislation and heard testimony from representatives of the Mayor's Office of Special Enforcement (OSE), the Department of Buildings (DOB), tenant advocates, representatives of the real estate industry and other interested parties.

Background

In July 2010, after years of collaboration by elected officials, advocates, and the Illegal Hotels Working Group, the New York State Legislature took action to combat the dangerous practice of using permanent residential dwelling units as short-stay hotels by defining the term permanent residence as occupancy by a natural person or family for 30 consecutive days or longer thereby precluding the use of such units at hotels.¹ Between May 2011, when the state law took effect and June 2012, the Mayor's Office of Special Enforcement, the office responsible for coordinating inspections of illegal hotels, received over one thousand 311 complaints related to illegal hotels and conducted 871 inspections based on such complaints.² As a result of these inspections, 2,587 violations related to the illegal use of permanent residential dwelling units as short-term facilities were issued.³ These numbers show that despite the State's actions, illegal hotels continue to thrive in New York City.

The illegal conversion of permanent residential units exposes visitors and building residents to very serious safety risks. Our Building and Fire Codes require certain safety standards for legally operating short-term stay facilities- safeguards that most illegal hotels do not offer. Some of these requirements include a secondary means of egress, clearly marked exit paths and the installation of sprinklers in certain locations. Also certain amenities and security standards are required to be in place for short-term stay facilities that permanent dwellings do not offer such as concierge services or security staff to handle the flow of temporary guests. Illegal hotels can also have a detrimental impact on the quality of life of permanent residential occupants that reside in the buildings where these illegal uses exist by increasing short-term visitor traffic, creating a greater likelihood of nuisance issues, safety concerns and public health risks, such as bed bugs. Additionally, such illegal use of a permanent apartment directly threatens the City's already strained permanent housing stock by narrowing the market for this housing. Initial Findings from the 2011 Housing Vacancy Survey conducted by the Department of Housing Preservation and Development indicate that the City continues to suffer from a housing crisis with an apartment vacancy rate of just 3.12%.

Despite these safety risks and concerns, there are indications that a significant economic incentive exists for individuals who choose to temporarily rent out their permanent residential units as illegal hotels and that these rentals help address financial needs.⁴ Recognizing these economic realities and the emerging technology supporting these practices, identifying ways that these occupancies can be allowed to legally operate should be considered so long as such occupancies protect visitors and maintain the availability of the City's permanent residential housing stock.

for the Lower Ma_____

¹ See Section 1 of Chapter 225 of the Laws of 2010. The State Law does allow permanent residential occupants to have house guests, lawful boarders, roomers or lodgers. Visitors are also allowed to stay in a permanent residential dwelling without the presence of a permanent occupant so long as there is no monetary compensation given to the permanent occupant.

² Statistics provided by the Mayor's Office of Special Enforcement. One file with Committee Staff.

³ Violations issued for such illegal conversions vary depending on the conditions observed by an inspector, but may include: Section 28-118.3.2 of the Ad. Code (changes inconsistent with Certificate of Occupancy); Section 28-301.1 of the Ad. Code (failure to provide required number of egresses); Section BC 903.2.7 (failure to provide automatic sprinkler system).

⁴ See http://www.nypost.com/p/entertainment/take_my_bedroom_please_tUelqgFd5Fj8ATM7SJuPNL

Proposed Int. No. 404-A

Proposed Int. No. 404-A takes into account the amendments made by the State Legislature under Chapter 225 of the Laws of 2010, and would add to the Ad. Code a section prohibiting the illegal conversion of dwelling units from permanent residences. Proposed Int. 404 No. 404-A also sets the penalties associated with the illegal conversion of a dwelling unit by requiring that more than one violation in a building or a subsequent violation for the same dwelling unit be classified as immediately hazardous.

Bill section one provides the Legislative Findings and Intent.

Bill section two amends section 28-201.2.1 of the Ad. Code by adding a new item 16 to the list of specified immediately hazardous violations. New item 16 would specify as immediately hazardous the illegal conversion of more than one unit or a subsequent illegal conversion at the same dwelling unit or multiple dwelling. Immediately hazardous violations of the Building Code are subject to a penalty range of \$1,000 to \$25,000.⁵ A separate additional civil penalty may also be imposed of no more than \$1,000 for each day that the violation remains uncorrected.⁶

Bill section three amends article 210 of chapter two of section 28-210 of the Ad. Code by adding a new section 28-210.3 titled "Illegal conversions of dwelling units from permanent residences." Pursuant to the provisions of this new section, dwelling units within "class A" multiple-dwellings as defined in section 27-2004 of the Ad. Code;⁷ dwelling units within occupancy group J-2 as defined in section 27-265 of the Ad. Code;⁸ or dwelling units within occupancy group R-2 as described in section 310.1.2 of the New York City Building Code,⁹ may only be used for permanent residence purposes as required pursuant to subparagraph (a) of paragraph 8 of subdivision a of Section 27-2004.¹⁰ It would be considered unlawful for any person or entity who owns or occupies a multiple dwelling or a dwelling unit which is classified for permanent residence purposes to use or occupy, offer or permit the use or occupancy or to convert for use or to occupancy such multiple dwelling or dwelling unit for such purposes other than permanent residence purposes. For the purpose of new section 28-210.3 of the Ad. Code a conversion in the use of a dwelling unit may occur irrespective of whether any physical changes have actually been made to such dwelling unit. The provisions of such new section 28-210.3 shall not be construed to prohibit lawful accessory uses permitted pursuant to the Zoning Resolution or the lawful conversion of dwellings in accordance with applicable law.¹¹

Bill section four provides that the provisions of this bill would take effect 60 days after enactment and would mandate the Commissioner of Buildings to take any measures necessary to implement its provisions prior to the effective date.

Amendments to Int. 404

- Amendments were made to the Legislative Intent section of the bill for clarity purposes and to include information from the most recent housing vacancy survey.
- The terms "to hotels" was removed from the title of the bill and from the title of section 28-210.3 to reflect the prohibition on the conversion of permanent residential dwellings to any other use, not just a hotel use.
- Technical amendments were made throughout the bill.

(The following is the text of the Fiscal Impact Statement for Int. No. 404-A:)

for the Lower Ma_____

⁵ Section 28-202.1 of the Ad. Code

⁶ *Id.*

⁷ Pursuant to Section 27-2004 of the Ad. Code, "class A" multiple-dwellings are defined as "the residence or home of three or more families living independently of each other," which are occupied "for permanent residence purposes."

⁸ Pursuant to Section 27-265 of the Ad. Code, buildings in occupancy group J-2 are "buildings with three or more dwelling units that are occupied for permanent residence purposes."

⁹ Pursuant to Section 310.1.2 of the New York City Building Code, buildings in occupancy group R-2 are "buildings or portions thereof containing sleeping units or more than two dwelling units that are occupied, as a rule, for shelter and sleeping accommodation on a long-term basis for a month or more at a time," such as "apartment houses...non-transient apartment hotels and "class A multiple-dwellings Section 27-2004 of the *New York City Housing Maintenance Code* and Section 4 of the New York State Multiple Dwelling Law."

¹⁰ Subparagraph (a) of paragraph 8 of subdivision a of Section 27-2004 of the Ad. Code requires that "class A" multiple-dwellings may only be used for the "permanent residence purposes" of "the same natural person or family for thirty consecutive days or more."

¹¹ See Chapter I of Article I of the Zoning Resolution of the City of New York. Accessory use is "a use conducted on the same zoning lot as the principal use to which it is related (whether located within the same or an accessory building or other structure or as an accessory use of land" such as off-site accessory parking facilities.



THE COUNCIL OF THE CITY OF NEW YORK
 FINANCE DIVISION
 PRESTON NIBLACK, DIRECTOR
 FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 404-A
 COMMITTEE: Housing and Buildings

TITLE: To amend the administrative code of the city of New York, in relation to fines for illegal conversions of dwelling units from permanent residences.

SPONSOR: Council Members Brewer, Cabrera, Foster, Gentile, Koppell, Lappin, Palma, Reyna, Williams, Rodriguez, Dromm, Mealy, Mendez, Mark-Viverito, Rivera, Jackson, Dickens, Garodnick, Vann, Lander, James and Chin

SUMMARY OF LEGISLATION: This legislation would set the fines classification for certain illegal conversions of Class A buildings, occupancy group J-2, and occupancy group R-2 multiple dwelling units. Violations that involve more than one dwelling unit or a second or subsequent violation by the same person at the same dwelling unit or multiple dwelling. The violation will be considered immediately hazardous, which comes with an Environmental Control Board penalty ranging from \$1,000-\$25,000.

EFFECTIVE DATE: This local law would take effect sixty days after its enactment, except that the commissioner of buildings would take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2013

FISCAL IMPACT STATEMENT:

	Effective FY13	FY Succeeding Effective FY14	Full Fiscal Impact FY13
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: There would be no impact on revenues from the enactment of this legislation. The fines are meant to deter, not generate revenues.

IMPACT ON EXPENDITURES: There would be no expenditures from the enactment of this legislation. The Department of Buildings would use existing staff and resources to implement this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: New York City Finance Division

SOURCE OF INFORMATION: New York City Council Finance Division
 New York City Department of Buildings

ESTIMATE PREPARED BY: Ralph P. Hernandez, Principal Legislative Financial Analyst

Nathan Toth, Deputy Director

Date Submitted to Council: **INT. 404 WAS INTRODUCED BY COUNCIL AND REFERRED TO THE HOUSING AND BUILDINGS COMMITTEE ON NOVEMBER 17, 2010. THE COMMITTEE HELD A HEARING ON DECEMBER 13, 2011, AND THE LEGISLATION WAS LAID OVER BY THE COMMITTEE. PROPOSED INTRO 404-A WOULD BE VOTED BY THE COMMITTEE ON SEPTEMBER 12, 2012.**

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 404-A:)

Int. No. 404-A

By Council Members Brewer, Cabrera, Foster, Gentile, Koppell, Lappin, Palma, Reyna, Williams, Rodriguez, Dromm, Mealy, Mendez, Mark-Viverito, Rivera, Jackson, Dickens, Garodnick, Vann, Lander, James, Chin, Barron, Gennaro and Koo.

A Local Law to amend the administrative code of the city of New York, in relation to fines for illegal conversions of dwelling units from permanent residences.

Be it enacted by the Council as follows:

Section 1. Legislative Findings and Intent. The Council finds that apartments within residential buildings have been converted to uses contrary to their intended purpose, most notably as short-stay hotel rooms, particularly in certain neighborhoods. These practices occur despite existing prohibitions in the City's Zoning Resolution and Administrative Code which creates significant health and safety concerns for occupants of illegally converted apartments within residential buildings and for other residents of these buildings. Furthermore, selected initial findings from the 2011 Housing and Vacancy Survey found a citywide rental vacancy rate of 3.12% which constitutes a ground for a "declaration of emergency" in terms of the lack of available apartments (Section 3 of Chapter 576 of the Laws of 1974 authorizing the extension of rent regulation). The Council also finds that the use of apartments for purposes such as short-stay hotel rooms drives down the already extremely limited supply of housing, including rent-regulated apartments, and places additional pressures on an extremely tight rental market. Moreover, this illegal practice denies permanent tenants the quiet enjoyment of their homes.

While the Council recognizes that the use of property for purposes such as legal hotels and their related businesses are a significant sector of New York City's economy and provide wages and benefits to a large number of workers in New York City, there is an equally strong recognition of the need to discourage illegal conversions and thereby maintain needed rental apartments for permanent tenants. This legislation will increase fines for those who illegally convert residential units and buildings.

§2. Section 28-201.2.1 of title 28 of the administrative code of the city of New York is amended by adding a new item 16 to read as follows:

16. A violation of section 28-210.3 that involves more than one dwelling unit or a second or subsequent violation of section 28-210.3 by the same person at the same dwelling unit or multiple dwelling.

§3. Article 210 of chapter two of title 28 of the administrative code of the city of New York, as added by local law number 33 for the year 2007, is amended by adding a new section 28-210.3 to read as follows:

§28-210.3 Illegal conversions of dwelling units from permanent residences. Except as otherwise provided in subdivision 16 of section 67 of the multiple dwelling law and section 120 of the multiple dwelling law, dwelling units within (i) a class A multiple dwelling as defined in section 27-2004 of the administrative code, (ii) occupancy group J-2 as described in section 27-265 of the administrative code or (iii) occupancy group R-2 as described in section 310.1.2 of the New York city building code shall be used only for permanent residence purposes as required pursuant to subparagraph a of paragraph eight of subdivision a of section 27-2004 of the administrative code. It shall be unlawful for any person or entity who owns or occupies a multiple dwelling or dwelling unit classified for permanent residence purposes to use or occupy, offer or permit the use or occupancy or to convert for use or occupancy such multiple dwelling or dwelling unit for other than permanent residence purposes. For the purposes of this section a conversion in use of a dwelling unit may occur irrespective of whether any physical changes have been made to such dwelling unit. The provisions of this section shall not be construed to prohibit lawful accessory uses permitted pursuant to the zoning resolution or the lawful conversion of dwellings in accordance with applicable law.

§4. This local law shall take effect sixty days after its enactment, except that the commissioner of buildings shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

ERIK MARTIN DILAN Chairperson; JOEL RIVERA, GALE A. BREWER, ROBERT JACKSON, LETITIA JAMES, MELISSA MARK-VIVERITO, ELIZABETH CROWLEY, BRADFORD S. LANDER, JUMAANE D. WILLIAMS; Committee on Housing and Buildings, September 12, 2012.

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Reports of the Committee on Land Use

Report for L.U. No. 627

Report of the Committee on Land Use in favor of filing, pursuant to a letter of withdrawal Application no. 20125696 HAM, an Urban Development Action Area Project located at 165 West 80th Street, Community Board 7, Council District no. 6, Borough of Manhattan. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law and Section 694, 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.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on May 31, 2012 (Minutes, page 1794), respectfully

REPORTS:

SUBJECT

Proposal subject to Council review and action pursuant to the Urban Development Action Area Act, Article 16 of the New York General Municipal Law, at the request of the Department of Housing Preservation and Development ("HPD"),

<u>ADDRESS</u>	<u>BLOCK/LOT</u>	<u>NON-ULURP NO.</u>	<u>L.U. NO.</u>	<u>PROGRAM PROJECT</u>
165 West 80 th Street Manhattan	1211/7	20125696 HAM	627	Multifamily Preservation Loan

By submission dated August 28, 2012 and submitted to the City Council on August 29, 2012, the New York City Department of Housing Preservation and Development withdrew the application.

SUBCOMMITTEE RECOMMENDATION

Date: September 5, 2012

The Subcommittee recommends that the Land Use Committee approve the motion to file pursuant to withdrawal of the application by the New York City Department of Housing Preservation and Development.

In Favor:	Against:	Abstain:
Levin Gonzalez Koo	None	None

COMMITTEE ACTION

DATE: September 6, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Comrie Barron Jackson Vann Arroyo Garodnick Lappin Vacca Koo Lander Levin Weprin Ignizio	None	None

In connection herewith, Council Members Comrie and Levin offered the following resolution:

Res. No. 1498

Resolution approving motion to file pursuant to withdrawal of application for an Urban Development Action Area Project located at 165 West 80th Street (Block 1211, Lot 7), Borough of 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. 627; 20125696 HAM).

By Council Members Comrie and Levin.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on May 7, 2012 its request dated

Garodnick
Lappin
Vacca
Koo
Lander
Levin
Weprin
Ignizio

In connection herewith, Council Members Comrie and Lander offered the following resolution:

Res. No. 1502

Resolution affirming the amended designation by the Landmarks Preservation Commission of the Martha Washington Hotel located at 30 East 30th Street (aka 27-31 East 29th Street) (Tax Map Block 859, Lot 26 in part), Borough of Manhattan, Designation List No. 456-A, LP-2428 (L.U. No. 670; 20125795 HKM; N 120413 HKM).

By Council Members Comrie and Lander.

WHEREAS, the Landmarks Preservation Commission filed with the Council on June 22, 2012 a copy of its designation dated June 12, 2012 as amended on June 19, 2012 (the "Amended Designation"), of the Martha Washington Hotel located at 30 East 30th Street (aka 27-31 East 29th Street), Community District 5, Borough of Manhattan as a landmark and Tax Map Block 859, Lot 26 in part, as its landmark site pursuant to Section 3020 of the New York City Charter;

WHEREAS, the Designation is subject to review by the Council pursuant to Section 3020 of the City Charter;

WHEREAS, the City Planning Commission submitted to the Council on August 10, 2012, its report on the Designation dated July 25, 2012 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on September 5, 2012; and

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Amended Designation;

RESOLVED:

Pursuant to Section 3020 of the City Charter, and on the basis of the information and materials contained in the Designation and the Report, the Council affirms the Amended Designation.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, CHARLES BARRON, ROBERT JACKSON, ALBERT VANN, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, JESSICA S. LAPPIN, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, VINCENT M. IGNIZIO; Committee on Land Use, September 6, 2012

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 671

Report of the Committee on Land Use in favor of approving Application no. 20125794 HKQ (N 120410 HKQ), pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the Firehouse, Engine Company 305, Hook and Ladder Company 151, located at 111-02 Queens Boulevard (Block 3294, Lot 20) (List No. 456 LP No. 2522), Borough of Queens, Community Board 6, Council District 29, as an historic landmark.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on August 22, 2012 (Minutes, page 3388), respectfully

REPORTS:

SUBJECT

QUEENS CB - 6

20125794 HKQ (N 120410 HKQ)

Designation by the Landmarks Preservation Commission (List No. 456/LP No. 2522), pursuant to Section 3020 of the New York City Charter, of the landmark designation of Firehouse, Engine Company 305, Hook and Ladder Company 151 located at 111-02 Queens Boulevard (aka 111-02 to 111-04 Queens Boulevard, 111-50 75th Avenue) (Tax Map Block 3294, Lot 20), as an historic landmark.

PUBLIC HEARING

DATE: September 5, 2012

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: September 5, 2012

The Subcommittee recommends that the Land Use Committee affirm the designation.

In Favor:	Against:	Abstain:
Lander	None	None
Sanders		
Arroyo		
Halloran		

COMMITTEE ACTION

DATE: September 6, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Comrie	None	None
Barron		
Jackson		
Vann		
Arroyo		
Garodnick		
Lappin		
Vacca		
Koo		
Lander		
Levin		
Weprin		
Ignizio		

In connection herewith, Council Members Comrie and Lander offered the following resolution:

Res. No. 1503

Resolution affirming the designation by the Landmarks Preservation Commission of the Firehouse, Engine Company 305, Hook & Ladder Company 151, located at 111-02 Queens Boulevard (aka 111-02 to 111-04 Queens Boulevard, 111-50 75th Avenue) (Tax Map Block 3294, Lot 20), Borough of Queens, Designation List No. 456, LP-2522 (L.U. No. 671; 20125794 HKQ; N 120410 HKQ).

By Council Members Comrie and Lander.

WHEREAS, the Landmarks Preservation Commission filed with the Council on June 22, 2012 a copy of its designation dated June 12, 2012 (the "Designation"), of the Firehouse, Engine Company 305, Hook & Ladder Company 151, located at 111-02 Queens Boulevard (aka 111-02 to 111-04 Queens Boulevard, 111-50 75th Avenue), Community District 6, Borough of Queens as a landmark and Tax Map Block 3294, Lot 20, as its landmark site pursuant to Section 3020 of the New York City Charter;

WHEREAS, the Designation is subject to review by the Council pursuant to Section 3020 of the City Charter;

WHEREAS, the City Planning Commission submitted to the Council on August 10, 2012, its report on the Designation dated August 8, 2012 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on September 5, 2012; and

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Designation;

RESOLVED:

Pursuant to Section 3020 of the City Charter, and on the basis of the information and materials contained in the Designation and the Report, the Council affirms the Designation.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, CHARLES BARRON, ROBERT JACKSON, ALBERT VANN, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, JESSICA S. LAPPIN, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, VINCENT M. IGNIZIO; Committee on Land Use, September 6, 2012

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 672

Report of the Committee on Land Use in favor of approving Application No. C 110218 ZMR submitted by The Marco Savo Irrevocable Trust, The Gino Savo Irrevocable Trust, and The Leonello Savo Jr. Irrevocable Trust and The Anthony Savo Irrevocable Trust pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 32d, Borough of Staten Island, Community Board 3, Council District 51.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on August 22, 2012 (Minutes, page 3389), respectfully

REPORTS:

SUBJECT

STATEN ISLAND CB - 3 C 110218 ZMR

City Planning Commission decision approving the application submitted by The Marco Savo Irrevocable Trust, The Gino Savo Irrevocable Trust, and The Leonello Savo Jr. Irrevocable Trust and The Anthony Savo Irrevocable Trust pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 32d, by changing an M1-1 District to a C8-2 District property bounded by Veterans' Road West, a line 475 feet easterly of Waunner Street, a line 490 feet northerly of Veterans' Road West and its easterly prolongation, and a line passing through a point at an angle 125 degrees to the northerly street line of Veterans' Road distant 695 feet easterly (as measured along the street line) from the point of intersection of the northerly street line of Veterans' Road West, and the easterly street line of Waunner Street, as shown on a diagram (for illustrative purposes only), dated April 9, 2012.

INTENT

To facilitate the development of a new 70,000 square foot food store in the Charleston section of Staten Island.

PUBLIC HEARING

DATE: September 6, 2012

Witnesses in Favor: One Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: September 6, 2012

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission.

In Favor: Weprin, Comrie, Vann, Garodnick, Lappin, Vacca, Ignizio
Against: None
Abstain: None

COMMITTEE ACTION

DATE: September 6, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor: Comrie, Barron, Jackson, Vann, Arroyo, Garodnick, Lappin, Vacca, Koo, Lander, Levin, Weprin, Ignizio
Against: None
Abstain: None

In connection herewith, Council Members Comrie and Weprin offered the following resolution:

Res. No. 1504

Resolution approving the decision of the City Planning Commission on ULURP No. C 110218 ZMR, a Zoning Map amendment (L.U. No. 672).

By Council Members Comrie and Weprin.

WHEREAS, the City Planning Commission filed with the Council on August 10, 2012 its decision dated August 8, 2012 (the "Decision"), on the application submitted by The Marco Savo Irrevocable Trust, The Gino Savo Irrevocable Trust, The Leonello Savo Jr. Irrevocable Trust, and the Anthony Savo Irrevocable Trust, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map to facilitate the development of a new 70,000 square foot food store in the Charleston section of Staten Island's Community District 3, Borough of Staten Island (ULURP No. C 110218 ZMR) (the "Application");

WHEREAS, the Application is related to Application C 110219 ZSR (L.U. No. 673), a special permit pursuant to Section 74-743 of the Zoning Resolution to modify yard requirements to allow a 35-foot high 2-story portion of a building within the 20-foot required rear yard of a large-scale general development;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 6, 2012;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the conditional negative declaration (CEQR No. 11DCP149R) issued on August 8, 2012 (the "Conditional Negative Declaration");

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment subject to the terms of the Conditional Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 110218 ZMR, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 32d, by changing an M1-1 District to a C8-2 District property bounded by Veterans' Road West, a line 475 feet easterly of Waunner Street, a line 490 feet northerly of Veterans' Road West and its easterly prolongation, and a line passing through a point at an angle 125 degrees to the northerly street line of Veterans' Road distant 695 feet easterly (as measured along the street line) from the point of intersection of the northerly street line of Veterans' Road West, and the easterly street line of Waunner Street, as shown on a diagram (for illustrative purposes only), dated April 9, 2012, Community District 3, Borough of Staten Island.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, CHARLES BARRON, ROBERT JACKSON, ALBERT VANN, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, JESSICA S. LAPPIN, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, VINCENT M. IGNIZIO; Committee on Land Use, September 6, 2012

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 673

Report of the Committee on Land Use in favor of approving Application No. C 110219 ZSR submitted by The Marco Savo Irrevocable Trust, The Gino Savo Irrevocable Trust, and The Leonello Savo Jr. Irrevocable Trust and The Anthony Savo Irrevocable Trust pursuant to Sections 197-c and 201 of the New York City Charter for a special permit pursuant to Section 74-743(a)(2) to modify the requirements of Section 33-26 (Minimum Required Rear Yard) to allow a 35-foot high 2-story portion of a building within the 20-foot required rear yard, in connection with a proposed commercial development, within a large-scale general development on the northerly side of Veterans' Road West 475 feet easterly of Waunner Street, in a C8-2 District, within the Special South Richmond Development District, Borough of Staten Island, Community Board 3, Council District 51. This application is subject to review and action by the Land Use Committee 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.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on August 22, 2012 (Minutes, page 3389), respectfully

REPORTS:

SUBJECT

STATEN ISLAND CB - 3

C 110219 ZSR

City Planning Commission decision approving the application submitted by The Marco Savo Irrevocable Trust, The Gino Savo Irrevocable Trust, and The Leonello Savo Jr. Irrevocable Trust and The Anthony Savo Irrevocable Trust pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743(a)(2) to modify the requirements of Section 33-26 (Minimum Required Rear Yard) to allow a 35-foot high 2-story portion of a building within the 20-foot required rear yard, in connection with a proposed commercial development, within a large-scale general development on the northerly side of Veterans' Road West 475 feet easterly of Waunner Street, in a C8-2 District, within the Special South Richmond Development District.

INTENT

To facilitate the development of a new 70,000 square foot food store in the Charleston section of Staten Island.

PUBLIC HEARING

DATE: September 6, 2012

Witnesses in Favor: One
None

Witnesses Against:

SUBCOMMITTEE RECOMMENDATION

DATE: September 6, 2012

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission.

In Favor:	Against:	Abstain:
Weprin	None	None
Comrie		
Vann		
Garodnick		
Lappin		
Vacca		
Ignizio		

COMMITTEE ACTION

DATE: September 6, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Comrie	None	None
Barron		
Jackson		
Vann		
Arroyo		
Garodnick		
Lappin		
Vacca		
Koo		
Lander		
Levin		
Weprin		
Ignizio		

In connection herewith, Council Members Comrie and Weprin offered the following resolution:

Res. No. 1505

Resolution approving the decision of the City Planning Commission on ULURP No. C 110219 ZSR (L.U. No. 673), for the grant of a special permit pursuant to Section 74-743(a)(2) to modify the requirements of Section 33-26 (Minimum Required Rear Yard) to allow a 35-foot high 2-story portion of a building within the 20-foot required rear yard, in connection with a proposed commercial development, within a large-scale general development on the northerly side of Veterans' Road West 475 feet easterly of Waunner Street, in a C8-2 District, within the Special South Richmond Development District, Borough of Staten Island.

By Council Members Comrie and Weprin.

WHEREAS, the City Planning Commission filed with the Council on August 10, 2012 its decision dated August 8, 2012 (the "Decision"), on the application submitted by the The Marco Savo Irrevocable Trust, The Gino Savo Irrevocable Trust, The Leonello Savo Jr. Irrevocable Trust, and the Anthony Savo Irrevocable Trust, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-743(a)(2) to modify the requirements of Section 33-26 (Minimum Required Rear Yard) to allow a 35-foot high 2-story portion of a building within the 20-foot required rear yard, in connection with a proposed commercial development, within a large-scale general development on the northerly side of Veterans' Road West 475 feet easterly of Waunner Street, in a C8-2 District, within the Special South Richmond Development District (ULURP No. C 110219 ZSR), Community District 3, Borough of Staten Island (the "Application");

WHEREAS, the Application is related to Application C 110218 ZMR (L.U. No. 672), an amendment of the Zoning Map to change an M1-1 District to a C8-2 District;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(3) of the City Charter;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the conditional negative declaration (CEQR No. 10DCP001K) issued on July 25, 2012 (the "Conditional Negative Declaration");

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment subject to the terms of the Conditional Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 100041 ZMK, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 13b,

- E. changing from an M1-2 District to an R6A District property bounded by Middleton Street, Union Avenue, Lorimer Street, and Marcy Avenue and;
- F. changing from an M3-1 District to an R7A District property bounded by Lorimer Street, Union Avenue, Wallabout Street, and Marcy Avenue and;
- G. establishing within a proposed R7A District a C4-2 District bounded by Lorimer Street, a line 150 feet northeasterly of Marcy Avenue, Walton Street, and Marcy Avenue;

as shown in a diagram (for illustrative purposes only) dated March 26, 2012 and subject to the conditions of CEQR Declaration E-282, Community District 1, Borough of Brooklyn.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, CHARLES BARRON, ROBERT JACKSON, ALBERT VANN, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, JESSICA S. LAPPIN, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, VINCENT M. IGNIZIO; Committee on Land Use, September 6, 2012

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 675

Report of the Committee on Land Use in favor of approving Application No. N 100042 ZRK submitted by Walton Realty Associates pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning a proposed Zoning Text Amendment which will make the Inclusionary Housing Program applicable in a proposed R7A/C2-4 district to facilitate the development of two seven-story buildings with 69 residential units with 14 affordable apartments on 59 Walton Street, Borough of Brooklyn, in Community Board 1, Council District 33.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on August 22, 2012 (Minutes, page 3390), respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 1

N 100042 ZRK

City Planning Commission decision approving the application submitted by Walton Realty Associates pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Appendix F (Inclusionary Housing Designated Areas) in Brooklyn's Community District 1.

INTENT

To facilitate the development of two seven-story residential buildings with 69 residential units with 14 affordable apartments on Walton Street in Brooklyn.

PUBLIC HEARING

DATE: September 6, 2012

Witnesses in Favor: Two
None

Witnesses Against:

SUBCOMMITTEE RECOMMENDATION

DATE: September 6, 2012

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission.

In Favor:	Against:	Abstain:
Weprin	None	None
Comrie		
Vann		
Garodnick		
Lappin		
Vacca		
Ignizio		

COMMITTEE ACTION

DATE: September 6, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Comrie	None	None
Barron		
Jackson		
Vann		
Arroyo		
Garodnick		
Lappin		
Vacca		
Koo		
Lander		
Levin		
Weprin		
Ignizio		

In connection herewith, Council Members Comrie and Weprin offered the following resolution:

Res. No. 1507

Resolution approving the decision of the City Planning Commission on Application No. N 100042 ZRK, for an amendment of the Zoning Resolution of the City of New York, concerning Appendix F (Inclusionary Housing Designated Areas) in Community District 1, Borough of Brooklyn (L.U. No. 675).

By Council Members Comrie and Weprin.

WHEREAS, the City Planning Commission filed with the Council on August 2, 2012 its decision dated July 25, 2012 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by Walton Realty Associates for an amendment to the text of the Zoning Resolution of the City of New York to make the Inclusionary Housing Program applicable in a proposed R7A/C2-4 district to facilitate the development of two seven-story buildings with 69 residential units with 14 affordable apartments on Walton Street in Community District 1, (Application No. N 100042 ZRK), (the "Application");

WHEREAS, the Application is related to ULURP Application C 100041 ZMK (L.U. 674), an amendment to the Zoning Map, changing three blocks from M1-2 and M3-1 to R6A and R7A districts with a C2-4 overlay along Marcy Avenue on Block 2245;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 6, 2012;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the conditional negative declaration (CEQR No. 10DCP001K) issued on July 25, 2012 (the “Conditional Negative Declaration”);

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment subject to the terms of the Conditional Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, N 100042 ZRK, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

APPENDIX F

Inclusionary Housing Designated Areas

The boundaries of #Inclusionary Housing designated areas# are shown on the maps listed in this APPENDIX F. The #Residence Districts# listed for such areas shall include #Commercial Districts# where #residential buildings# or the #residential# portion of #mixed buildings# are governed by the #bulk# regulations of such #Residence Districts#. Where #Inclusionary Housing designated areas# are mapped in #Commercial Districts#, the residential district equivalent has instead been specified for each map.

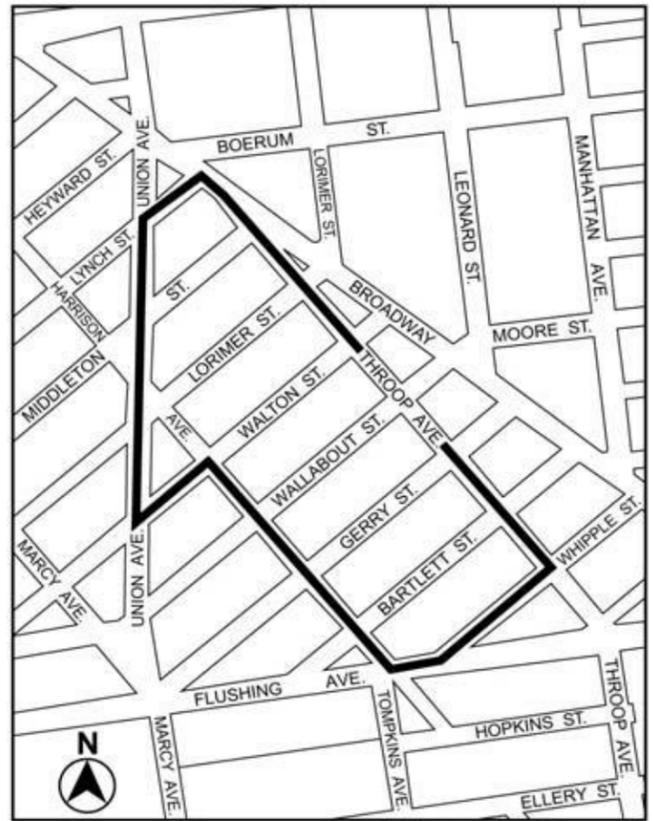
Brooklyn, Community District 1

In Waterfront Access Plan BK-1 and in the R6, R6A, R6B, R7A, R7-3 and R8 Districts within the areas shown on the following Maps 1, 2, 3 and 4:

**EXISTING
(TO BE DELETED)**

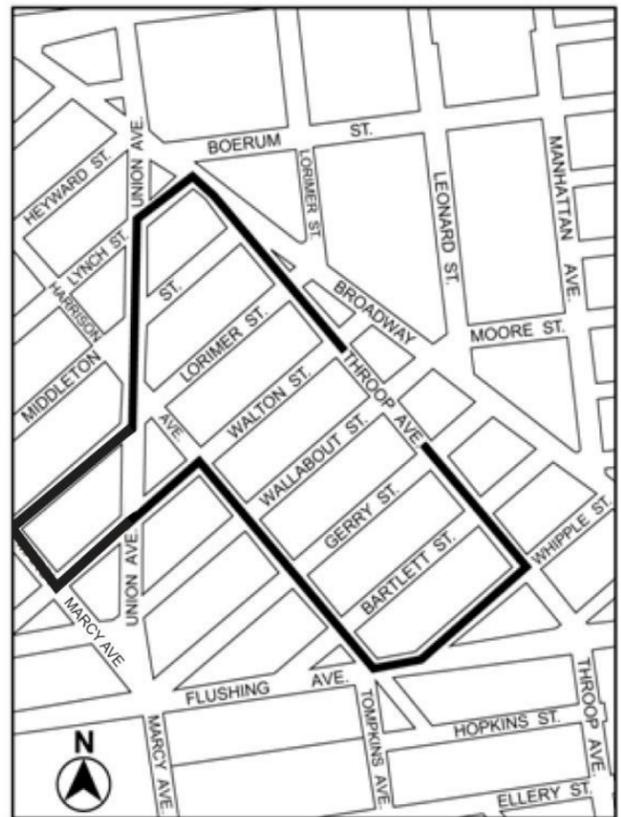
Map 4 (12/21/09)

Portion of Community District 1, Brooklyn



**PROPOSED
(TO REPLACE EXISTING)**

Map 4 (xx/xx/xx)



Portion of Community District 1, Brooklyn

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, CHARLES BARRON, ROBERT JACKSON, ALBERT VANN, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, JESSICA S. LAPPIN, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, VINCENT M. IGNIZIO; Committee on Land Use, September 6, 2012

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by the New York City Department of Housing Preservation and Development to facilitate the disposition of eight single-family homes through HPD's Tenant Ownership Program (the "Disposition"), Community District 3 (ULURP No. C 060496 HAR) (the "Application");

WHEREAS, the Application is related to Applications C 060494 MMR (L.U. No. 677), an amendment to the City Map involving the elimination of a portion of Wolfe's Pond Park, the extinguishment of various record streets, the establishment of Cornelia Avenue; the adjustment of legal grades and authorization for any acquisition or disposition of real property; and C 060495 ZMR (L.U. No. 678), a Zoning Map amendment changing from an R1-2 and an R3-2 districts to an R3X District and establishing an R3X District on portion of a demapped park;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, the Application and Decision are subject to review and action by the Council pursuant to Article 16 of the General Municipal Law of New York State;

WHEREAS, by letter dated August 1, 2012 and submitted to the Council on August 7, 2012 the New York City Department of Housing Preservation and Development submitted its request respecting the Application;

WHEREAS, upon due notice, the Council held a public hearing on the Application and Decision on September 6, 2012;

WHEREAS, the Council has considered the land use and financial implications and other policy issues relating to the Application;

WHEREAS, the Council has considered the relevant environmental review (CEQR No. 10HPD006R) and the Negative Declaration which was issued on October 27, 2011;

RESOLVED:

The Council finds that the action described herein shall have no significant impact on the environment.

Pursuant to Section 197-d of the New York City Charter, on the basis of the Decision and Application and based on the environmental determination and the consideration described in the report C 060496 HAR, incorporated by reference herein, the Council approves the Decision of the City Planning Commission.

The Council finds that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the City of New York and that a designation of the Project as an urban development action area project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law.

The Council approves the designation of the Disposition Area as an urban development action area pursuant to Section 693 of the General Municipal Law.

The Council approves the Project as an urban development action area project pursuant to Section 694 of the General Municipal Law.

The Council approves the disposition of such property to a developer selected by the Department of Housing Preservation and Development.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, CHARLES BARRON, ROBERT JACKSON, ALBERT VANN, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, JESSICA S. LAPPIN, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, VINCENT M. IGNIZIO; Committee on Land Use, September 6, 2012

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 682

Report of the Committee on Land Use in favor of approving Application no. 20135039 PNK, pursuant to § 1301 (2) (f) of the New York City Charter concerning the proposed amendment to a maritime lease between the New York City Department of Small Business Services and Sea Travelers Realty, Inc. d/b/a Sea Travelers Marina for certain City-owned upland area and lands underwater located at 2875 Flatbush Avenue (Block 8591, parts of Lot 125 and 175), Borough of Brooklyn, Community Board 18, Council District 46.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on August 22, 2012 (Minutes, page 3393), respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 18

20135039 PNK

Application pursuant to §1301 (2) (f) of the New York City Charter concerning the proposed amendment to a maritime lease between the New York City Department of Small Business Services and Sea Travelers Realty, Inc. d/b/a Sea Travelers Marina for certain City-owned upland area and lands underwater located at 2875 Flatbush Avenue (Block 8591, parts of Lot 125 and 175), Borough of Brooklyn, Community Board 18, Council District 46.

This application (L.U. No. 682) concerns the same subject matter as Mayoral Communication M. 875.

INTENT

To amend a lease agreement between the City of New York and Sea Travelers Realty, Inc.

PUBLIC HEARING

DATE: September 5, 2012

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: September 5, 2012

The Subcommittee recommends that the Land Use Committee approve the Lease Amendment.

In Favor:	Against:	Abstain:
Lander	None	
None		
Sanders		
Arroyo		
Halloran		

COMMITTEE ACTION

DATE: September 6, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Comrie	None	None
Barron		
Jackson		
Vann		
Arroyo		
Garodnick		
Lappin		
Vacca		
Koo		
Lander		
Levin		
Weprin		
Ignizio		

In connection herewith, Council Members Comrie and Lander offered the following resolution:

Res. No. 1512

Resolution approving the Lease Amendment for certain City-owned upland area and lands underwater located at 2875 Flatbush Avenue (Block 8591, parts of Lot 125 and 175) in the Mill Basin area, for continued use as a Marina, Borough of Brooklyn (20135039 PNK; L.U. No. 682).

By Council Members Comrie and Lander.

WHEREAS, The City of New York Department of Small Business Services filed with the Council on August 20, 2012, pursuant to Sections 1301(2)(f) of the New York City Charter, a lease amendment between the City of New York Department of Small Business Services, as landlord, and Sea Travelers Realty, Inc., d.b.a. Sea Travelers Marina, as tenant, for certain City-owned upland area and lands underwater located at 2875 Flatbush Avenue (Block 8591, parts of Lot 125 and 175) in the Mill Basin area of Brooklyn, upon terms and conditions set forth in the lease amendment, a copy of which is attached hereto (the "Lease Amendment"), Community District 18, Borough of Brooklyn;

WHEREAS, the Lease Amendment is subject to review and action by the Council pursuant to Section 1301(2)(f) of the New York City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Lease Amendment on September 5, 2012;

WHEREAS, the Council has considered the land use and financial implications and other policy issues relating to the Lease Amendment;

RESOLVED:

The Council finds that the action described herein shall have no significant impact on the environment.

Pursuant to Section 1301(2)(f) of the New York City Charter, the Council approves the Lease Amendment and upon the terms and conditions set forth in the Lease Amendment by the New York City Department of Small Business Services, a copy of which is attached hereto.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, CHARLES BARRON, ROBERT JACKSON, ALBERT VANN, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, JESSICA S. LAPPIN, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, VINCENT M. IGNIZIO; Committee on Land Use, September 6, 2012

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 683

Report of the Committee on Land Use in favor of approving Application no. 20135040 PNO, pursuant to Section 72-h of New York General Municipal Law, for the proposed disposition of real property known as the Mt. Hayden Property, Green County, State of New York, from the City of New York, by and through the New York City Department of Environmental Protection to the State of New York by the New York State Department of Environmental Conservations.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on August 22, 2012 (Minutes, page 3393), respectfully

REPORTS:

SUBJECT

20135040 PNO

Application pursuant to Section 72-h of New York General Municipal Law, for the proposed disposition of real property known as the Mt. Hayden Property, Green County, State of New York, from the City of New York, by and through the New York City Department of Environmental Protection to the State of New York by the New York State Department of Environmental Conservation.

This application (L.U. No. 683) concerns the same subject matter as Communication M. 876.

INTENT

To transfer City Ownership of real property in Green County, New York to New York State.

PUBLIC HEARING

DATE: September 5, 2012

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: September 5, 2012

The Subcommittee recommends that the Land Use Committee approve the Disposition.

In Favor:	Against:	Abstain:
Levin	None	
None		
Gonzalez		
Koo		

COMMITTEE ACTION

DATE: September 6, 2012

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Comrie	None	
None		
Barron		
Jackson		
Vann		
Arroyo		
Garodnick		
Lappin		
Vacca		
Koo		
Lander		
Levin		
Weprin		
Ignizio		

In connection herewith, Council Members Comrie and Levin offered the following resolution:

Res. No. 1513

Resolution approving the disposition of real property known as the Mt. Hayden Property located in the Town of Windham, County of Greene, State of New York, to the State of New York Department of Environmental Conservation (NYSDEC) (20135040 PNO; L.U. No. 683).

By Council Members Comrie and Levin.

WHEREAS, the New York City Department of Environmental Protection ("DEP"), filed with the Council on August 20, 2012, pursuant to Section 72-h of the General Municipal Law, notice of the Mayor's authorization dated June 29, 2012 of the disposition of real property located in the Town of Windham, County of Greene known as the Mt. Hayden Property to the State of New York Department of Environmental Conservation (NYSDEC), and upon terms and conditions set forth in the Mayor's resolution authorizing the disposition, a copy of which is attached hereto (the "Disposition");

WHEREAS, the Disposition is subject to review and action by the Council pursuant to Section 72-h of the New York State General Municipal Law;

WHEREAS, upon due notice, the Council held a public hearing on the Disposition on September 5, 2012;

WHEREAS, the Council has considered policy issues relating to the Disposition; and

WHEREAS, the Council has considered the relevant environmental issues and the Negative Declaration issued on October 1, 2009 (SEQR No. 2009-SLM-4-279);

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment.

Pursuant to Section 72-h of the General Municipal Law, the Council approves the Disposition and upon the terms and conditions set forth in the Mayor's resolution authorizing the Disposition, a copy of which is attached hereto.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, CHARLES BARRON, ROBERT JACKSON, ALBERT VANN, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, JESSICA S. LAPPIN, JAMES VACCA, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, VINCENT M. IGNIZIO; Committee on Land Use, September 6, 2012

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

GENERAL ORDER CALENDAR

Resolution approving various persons Commissioners of Deeds

By the Presiding Officer –

Resolved, that the following named persons be and hereby are appointed Commissioners of Deeds for a term of two years:

Approved New Applicant's Report

<u>Name</u>	<u>Address</u>	<u>District #</u>
Nichole Richards	521 East 82 nd Street #2A New York, N.Y. 10028	5
Ethan DeAngelo	2860 Buhre Avenue #2M Bronx, N.Y. 10461	13
Rebecca Argueta-Vizhnay	349 East 159 th Street Bronx, N.Y. 10451	17
Susanne Marchetti	36-40 171 st Street Auburndale, N.Y. 11358	19
Shakina Griffith	153-30 89 th Avenue #1116 Queens, N.Y. 11432	24
Matthew R. Arthur	104-40 Queens Blvd Queens, N.Y. 11375	29
Mercedes Jaramillo	80-88 88 th Avenue Queens, N.Y. 11421	32
Stephanie Mleczkowski	87 Newel Street Brooklyn, N.Y. 11222	33
Eve Dockery	253 Lexington Avenue Brooklyn, N.Y. 11216	36

Approved New Applicants and Reapplicants

<u>Name</u>	<u>Address</u>	<u>District #</u>
Jeanette Rivera-Soto	345 East 94 th Street 148C New York, N.Y. 10128	4
Joseph J. Velardi	60 West 75 th Street #2C New York, N.Y. 10023	6
Milagros E. Melendez	4305 Broadway #1 New York, N.Y. 10033	7
Michael S. Lopez	1809 3 rd Avenue #11B New York, N.Y. 10029	8
Andrea M. Santos	57 East 97 th Street #3 New York, N.Y. 10029	8

Tonya Bumpars	250 West 131 st Street #5A New York, N.Y. 10027	9
Tina Johnson	159-70 Harlem River Drive #13D New York, N.Y. 10039	9
Lorna Story	3265 Bainbridge Avenue #A13 Bronx, N.Y. 10467	11
Jewel Crawford	100 Debs Place #19G Bronx, N.Y. 10475	12
Carmen Rosa	120 Benchley Place #21E Bronx, N.Y. 10475	12
Sursattie Ketwaroo	1432 Glover Street Bronx, N.Y. 10462	13
Mary Jane McNulty	3006 Middletown Road Bronx, N.Y. 10461	13
Patrick McNulty	3006 Middletown Road Bronx, N.Y. 10461	13
Carol Piceala	900 Lydig Avenue #6J Bronx, N.Y. 10462	13
Marilyn Pino	1544 Ohm Avenue Bronx, N.Y. 10465	13
Rosita Ford	1775-85 Walton Avenue #4B Bronx, N.Y. 10453	14
Derrick Fulton	201 West Kingsbridge Road #3J Bronx, N.Y. 10463	14
Jose Luis Rivera	1700 Hoe Avenue #2C Bronx, N.Y. 10460	15
Michelle Florence Green	1133 Ogden Avenue #22R Bronx, N.Y. 10452	16
Angel Quinones	3970 3 rd Avenue #N1007 Bronx, N.Y. 10457	16
Michelle Rene Smith	280-300 East 161 st Street #6Y Bronx, N.Y. 10451	16
Mercedes Alcivar	729 Prospect Avenue #1B Bronx, N.Y. 10455	17
Divina Dunlap	942 Avenue St. John #4D Bronx, N.Y. 10455	17
Ralph C. Johnson	985 Anderson Avenue # IB Bronx, N.Y. 10452	17
Rosana Martinez	533 Tinton Avenue #34 Bronx, N.Y. 10455	17
Loretta Montgomery	1000 Freeman Street #1C Bronx, N.Y. 10459	17
May Johnson	788 Metcalf Avenue #B Bronx, N.Y. 10473	18
Jose M. Jorge	2248 Story Avenue Bronx, N.Y. 10473	18
Carmela Kaatz	1240 Commonwealth Avenue Bronx, N.Y. 10472	18
Evelis Otero	451-A Effingham Avenue Bronx, N.Y. 10473	18
Joanne M. Palmer	1500 Noble Avenue #14C Bronx, N.Y. 10460	18
Cassandra Wilson	1651 Metropolitan Avenue #2D Bronx, N.Y. 10462	18
Debr Ann Perrone	12-20 152 nd Street Queens, N.Y. 11357	18
Helen Tsourakis	43-12 25 th Avenue Astoria, N.Y. 11103	22
Lyudmila Safiyeva	83-38 Smedley Street Briarwood, N.Y. 11435	24
Jack Tennyson	194-44 111 th Road Queens, N.Y. 11412	27
Brandy C. Youman	116-22 168 th Street Jamaica, N.Y. 11433	27
Hilda McKeithen	163-49 130 th Avenue #2F Queens, N.Y. 11434	28
Thomas Lane	111-20 76 th Road #4D Forrest Hills, N.Y. 11375	29
Roman Solonyy	85-04 63 rd Drive #5J	29

Adele Zukor	Queens, N.Y. 11374 85-49 67 th Road	29
Rosemary Galarza	Queens, N.Y. 11374 54-41 Almeda Avenue #H6C	31
Rosemary Espinal	Queens, N.Y. 11692 202 Green Street #4	33
Valentin Lopez	Brooklyn, N.Y. 11222 3 Seigel Court	34
Bianca E. Hatcher	Brooklyn, N.Y. 11206 1601 President Street	35
Katrina Go Iston-Bowers	Brooklyn, N.Y. 11213 1140 Dean Street #5	36
Rebecca A. Hailey	Brooklyn, N.Y. 11216 644 Park Avenue #3A	36
Luz Rodriguez	Brooklyn, N.Y. 11206 360 Stone Avenue #5D	37
Karen Hamilton	Brooklyn, N.Y. 11212 174 Hancock Street #1	38
Dolores Henry	Brooklyn, N.Y. 11216 125 Lenox Road #1B	40
Tasha Jones	Brooklyn, N.Y. 11226 25 Stratford Road #B4	40
Shirley Swift	Brooklyn, N.Y. 11218 980 East 94 th Street	42
Grace Cama	Brooklyn, N.Y. 11236 901 80 th Street #4M	43
Xiao J. Deng	Brooklyn, N.Y. 11228 1765 61 st Street Bsmt	44
Inga Toell	Brooklyn, N.Y. 11204 202 Quenton Road #7A	44
Darryl K. Taylor	Brooklyn, N.Y. 11223 5115 Avenue L	45
Abby E. Adler	Brooklyn, N.Y. 11234 501-B Surf Avenue #18M	47
David E. Elmaleh	Brooklyn, N.Y. 11224 1801 Ocean Avenue #73	48
Yekaterina Zaprudskiy	Brooklyn, N.Y. 11230 1075 Sheepshead Bay Road #4E	48
Billie L. Rawls	Brooklyn, N.Y. 11229 247 Westwood Avenue #6A	49
Marc E. Scollar	Staten Island, N.Y. 10314 1031 Victory Blvd	49
Gideon Davis	Staten Island, N.Y. 10301 18 Dewhurst Street	50
Charles M. Greinsky	Staten Island, N.Y. 10314 120 Vista Avenue	50
Donald Pellach	Staten Island, N.Y. 10304 424 Klondike Avenue	50
Stuart Brenker	Staten Island, N.Y. 10314 767 Klondike Avenue	51
Mary Teresa Dipaoli	Staten Island, N.Y. 10314 315 Fairbanks Avenue	51
Aurora Russo	Staten Island, N.Y. 10306 30 Crown Place	51
Gail M. Temborski	Staten Island, N.Y. 10312 63 Ashton Drive	51

On motion of the Speaker (Council Member Quinn), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

ROLL CALL ON GENERAL ORDERS FOR THE DAY
(Items Coupled on General Order Calendar)

- (1) **Int 404-A -** Fines for illegal conversions of dwelling units from permanent residences.
- (2) **L.U. 627 & Res 1498 -** App. **20125696 HAM**, 165 West 80th Street, Community Board 7, Council District no. 6, Borough of Manhattan (Coupled to be Filed pursuant to a Letter of Withdrawal).

- (3) **L.U. 666 & Res 1499 -** App. **20125792 HKX (N 120408 HKX)**, 618 East 138th Street (aka 618-620 East 138th Street) (Block 2550, Lot 28) (List No. 456 LP-2520), Borough of the Bronx, Community Board 1, Council District 8
- (4) **L.U. 667 & Res 1500 -** App. **20125793 HKX (N 120409 HKX)**, 330 East 150th Street, (Block 2331, Lot 33) (List No. 456 LP-2521), Borough of the Bronx, Community Board 1, Council District 17.
- (5) **L.U. 668 & Res 1501 -** App. **20125790 HKM (N 120411 HKM)**, 12 West 44th Street (Block 1259, Lot 47) (List No.456a LP-2428), Borough of Manhattan, Community Board 5, Council District 3.
- (6) **L.U. 670 & Res 1502 -** App. **20125795 HKM (N 120413 HKM)**, 30 East 30th Street (Block 859, Lot 26) (List No.456a LP-2428), Borough of Manhattan, Community District 5. Council District 2.
- (7) **L.U. 671 & Res 1503 -** App. **20125794 HKQ (N 120410 HKQ)**, 111-02 Queens Boulevard (Block 3294, Lot 20) (List No. 456 LP No. 2522), Borough of Queens, Community Board 6, Council District 29, as an historic landmark.
- (8) **L.U. 672 & Res 1504 -** App. **C 110218 ZMR**, amendment of the Zoning Map, Section No. 32d, Borough of Staten Island, Community Board 3, Council District 51.
- (9) **L.U. 673 & Res 1505 -** App. **C 110219 ZSR**, Veterans' Road West 475 feet easterly of Waunner Street, in a C8-2 District, Community Board 3, Council District 51.
- (10) **L.U. 674 & Res 1506 -** App. **C 100041 ZMK**, amendment of the Zoning Map, Section No. 13b, Borough of Brooklyn, Community Board 1, Council District 33.
- (11) **L.U. 675 & Res 1507 -** App. **N 100042 ZRK**, 59 Walton Street, Borough of Brooklyn, in Community Board 1, Council District 33.
- (12) **L.U. 676 & Res 1508 -** App. **C 110390 ZMK**, amendment of the Zoning Map, Section No. 12d, Borough of Brooklyn, Community Board 1, Council District 33.
- (13) **L.U. 677 & Res 1509 -** App. **C 060494 MMR**, amendment to the City Map involving the elimination of a portion of Wolfe's Pond Park north of Hylan Boulevard and west of Luten Avenue; the establishment of Cornelia Avenue north of Hylan Boulevard; the extinguishment of various record streets between Hylan Boulevard and Eylandt Street west of Luten Avenue; and the adjustment of legal grades necessitated thereby, including authorization for any acquisition or disposition of real property related thereto, Borough of Staten Island, Community Board 3, Council District 51.
- (14) **L.U. 678 & Res 1510 -** App. **C 060495 ZMR**, amendment of the Zoning Map, Section No. 33b, Borough of Staten Island, Community Board 3, Council District 51.
- (15) **L.U. 679 & Res 1511 -** App. **C 060496 HAR**, 272-286 Cornelia Avenue (Block 6631, part of Lot 1), and the disposition of city owned property, Borough of Staten Island, Community Board 3, Council District 51.
- (16) **L.U. 682 & Res 1512 -** App. **20135039 PNK**, 2875 Flatbush Avenue (Block 8591, parts of Lot 125 and 175), Borough of Brooklyn, Community Board 18, Council District 46.
- (17) **L.U. 683 & Res 1513 -** App. **20135040 PNO**, pursuant to Section 72-h of New York General Municipal Law, for the proposed disposition of real property known as the Mt. Hayden Property, Green County, State of New York, from the City of New York.
- (18) **Resolution approving various persons Commissioners of Deeds.**

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

Affirmative – Arroyo, Barron, Brewer, Chin, Crowley, Dromm, Eugene, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran, Ignizio, Jackson, James, Koo, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, Mendez, Nelson, Recchia, Reyna, Rodriguez, Rose, Ulrich, Vacca, Vallone, Jr., Van Bramer, Vann, Weprin, Williams, Wills, Oddo, Rivera, and the Speaker (Council Member Quinn) – **43**.

The General Order vote recorded for this Stated Meeting was 43-0-0 as shown above with the exception of the votes for the following legislative items:

The following was the vote recorded for **Int No. 404-A**:

Affirmative – Arroyo, Barron, Brewer, Chin, Crowley, Dromm, Eugene, Ferreras, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Jackson, James, Koo, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, Mendez, Nelson, Recchia, Reyna, Rodriguez, Rose, Ulrich, Vacca, Vallone, Jr., Van Bramer, Vann, Weprin, Williams, Wills, Rivera, and the Speaker (Council Member Quinn) – **38**.

Negative - Fidler, Greenfield, Halloran, Ignizio and Oddo – **5**.

The following Introductions were sent to the Mayor for his consideration and approval: Int No. 404-A.

INTRODUCTION AND READING OF BILLS

Res. No. 1491

Resolution calling on the American Psychological and American Psychiatric Associations to immediately pass resolutions declaring the practice of “curative therapy,” also known as “reparative” or “conversion” therapy, or any attempt to change, alter, or “correct” a person’s sexual orientation, to be unethical.

By Council Members Dromm, Arroyo, Brewer, Chin, James and Lander.

Whereas, The Williams Institute recently estimated that 3.5% of the adults in the United States identify as gay, lesbian, or bisexual, and more than 19 million people in the United States have had a same-sex sexual experience; and

Whereas, The American Psychiatric Association began removing homosexuality from the Diagnostic and Statistical Manual of Mental Disorders (“DSM”) in 1973 and completely removed homosexuality from the DSM in 1986; and

Whereas, The World Health Organization removed homosexuality from the International Classification of Diseases in 1990; and

Whereas, Despite the fact that homosexuality is not an illness and therefore cannot be cured, certain practitioners have nonetheless attempted to “cure” homosexuality using a variety of techniques, many of which are often performed on children; and

Whereas, Both the American Medical Association and the American Academy of Pediatrics oppose the use of so-called reparative or conversion therapy; and

Whereas, The Pan American Health Organization has found that reparative therapy contributes to the stigmatization of homosexuality, which leads to bullying and trauma, and in May 2012 condemned such treatment as a “a serious threat to the health and well-being-even the lives-of affected people”; and

Whereas, The American Psychological Association passed a resolution in 2009 stating that the practice of curative therapy can cause depression and suicide attempts; and

Whereas, In May 2012, the California State Senate passed a bill banning so-called curative therapy for any patient under 18 years of age; and

Whereas, Health care professionals who participate in such discredited therapies should be subject to sanctions for violating the ethics and standards of their professions; now, therefore, be it

Resolved, That the Council of the City of New York calls on the American Psychological and American Psychiatric Associations to immediately pass resolutions declaring the practice of “curative therapy,” also known as “reparative” or “conversion” therapy, or any attempt to change, alter, or “correct” a person’s sexual orientation, to be unethical.

Referred to the Committee on Mental Health, Mental Retardation, Alcoholism, Drug Abuse and Disability Services.

Int. No. 924

By Council Members Greenfield, Eugene, Fidler, Gonzalez, James, Koo, Recchia, Rose, Williams, Halloran and Ulrich.

A Local Law to amend the administrative code of the City of New York, in relation to food allergy awareness in food service establishments.

Be it enacted by the Council as follows:

Section 1. Section 17-195 of title seventeen of the administrative code of the city of New York is amended to read as follows:

§ 17-195. Food allergy posters. a. Definitions. 1. "Covered languages" shall mean Chinese, English, Korean, Russian and Spanish, and any other language determined by the department.

2. "Food service establishment" shall have the meaning as such term is defined in section 81.03 of the health code of the city of New York, except that it shall apply exclusively to restaurants *and catering halls* where food is sold and space is designated specifically as an eating area.

b. The department shall create a poster containing information on food allergy to be posted in food service establishments, *including, but not limited to, warnings if food contains eggs, fish, milk, peanuts, tree nuts, shellfish, soy or wheat as ingredients*. Such poster shall be printed in the covered languages and shall be made available by the department to food service establishments.

c. Every food service establishment shall post, in accordance with the rules of the department, the poster containing information on food allergy created by the department pursuant to subdivision b of this section in a conspicuous location accessible to all employees involved in the preparation of food and the service of food *and shall also post in a conspicuous location accessible to all patrons of such establishment*.

d. The department may charge a fee to cover printing, postage and handling expenses in connection with making the poster available to food service establishments.

e. Any food service establishment that violates subdivision c of this section or any of the rules promulgated thereunder shall be liable for a civil penalty not to exceed one hundred dollars for each violation.

§ 2. This local law shall take effect ninety days after its enactment into law.

Referred to the Committee on Health.

Int. No. 925

By Council Members Jackson, Arroyo, Brewer, Chin, Dromm, Eugene, Fidler, Gentile, James, Koo, Lander, Recchia, Rose, Williams and Lappin.

A Local Law to amend the New York city charter, in relation to requiring the department of education to provide data regarding the provision of arts instructional requirements.

Be it enacted by the Council as follows:

Section 1. Legislative findings and intent. The Council finds that arts education is an essential element of every child’s education. The benefits of arts education are well documented and studies have shown that a comprehensive arts education helps students learn more effectively in other areas of the school curriculum including math, science, reading and writing, score higher on the Scholastic Aptitude Test (SAT) and achieve higher levels of academic success in college. In the early grades, the study of dance, music, and visual arts enriches student learning across the entire curriculum. As students move from elementary to middle school, the arts become an important vehicle for self-expression. Finally at the high school level, students can pursue the study of a particular art form in greater depth and consider the options available for advanced study.

§2. Chapter 20 of the New York city charter is amended by adding a new section 530-f to read as follows:

§530-f *Instructional arts requirements data.*

a. “*Instructional arts requirement*” shall mean the regulations promulgated by the New York state commissioner of education.

b. *Not later than November 30th 2013 and on an annual basis thereafter, the department of education shall submit to the council and post on the department's website, data regarding the provision of instructional arts requirements in schools. Such report shall include, but not be limited to:*

1. *The total number and percentage of students grades five through twelve who have;*

i. *completed all state requirements for arts instruction including the number and percentage who have been promoted to the next grade level;*

ii. *completed at least seventy-five percent of all state requirements for arts instruction including the number and percentage who have been promoted to the next grade level;*

iii. *completed at least fifty percent of all state requirements for arts instruction including the number and percentage who have been promoted to the next grade*

level; and

iv. completed less than fifty percent of all state requirements for arts instruction including the number and percentage who have been promoted to the next grade level.

2. The total number and percentage of english language learners in grades five through twelve who have;

i. completed all state requirements for arts instruction including the number and percentage who have been promoted to the next grade level;

ii. completed at least seventy-five percent of all state requirements for arts instruction including the number and percentage who have been promoted to the next grade level;

iii. completed at least fifty percent of all state requirements for arts instruction including the number and percentage who have been promoted to the next grade level; and

iv. completed less than fifty percent of all state requirements for arts instruction including the number and percentage who have been promoted to the next grade level;

3. The total number and percentage of special education students in grades five through twelve who have;

i. completed all state requirements for arts instruction including the number and percentage who have been promoted to the next grade level;

ii. completed at least seventy-five percent of all state requirements for arts instruction including the number and percentage who have been promoted to the next grade level;

iii. completed at least fifty percent of all state requirements for arts instruction including the number and percentage who have been promoted to the next grade level; and

iv. completed less than fifty percent of all state requirements for arts instruction including the number and percentage who have been promoted to the next grade level.

4. The total number of full-time certified arts instructors on staff for grades five through twelve including but not limited to their areas of arts certification.

5. The total number of part-time certified arts instructors on staff for grades five through twelve including but not limited to their areas of arts certification.

c. Data shall include demographic information regarding the racial and ethnic composition of the school.

d. All information required to be reported by this section shall be aggregated citywide, as well as disaggregated by city council district, community school district and school.

e. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of student information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If a category contains between 0 and 9 students, or allows another category to be narrowed to between 0 and 9 students, the number shall be replaced with a symbol.

§2. This local law shall take effect ninety days after its enactment into law.

Referred to the Committee on Education.

Res. No. 1492

Resolution calling on the New York State Assembly to pass A.9475, the New York State Senate to pass companion bill S.6855, and the Governor to sign such legislation into law, which would establish a pilot program to house incarcerated adults close to the primary residence of their minor children.

By Council Members Jackson, Chin, Dromm, Gentile, Gonzalez, James, Lander, Rose and Williams.

Whereas, The New York State Department of Corrections and Community Supervision (“DOCCS”) is responsible for confinement and habilitation of approximately 56,000 prisoners each year; and

Whereas, Prisoners are currently housed in one of DOCCS’ 60 correctional facilities located throughout New York State; and

Whereas, According to DOCCS’ annual *Under Custody Report*, on January 1, 2011, 59.5% of all New York State prison inmates were parents; and

Whereas, According to the Correctional Association of New York, nearly 80,000 children have a parent in a New York State prison; and

Whereas, Inmates are often placed in prisons far from their minor children, making it difficult for children to visit them; and

Whereas, Furthermore, DOCCS eliminated its longstanding free bus service to correctional facilities throughout the state in July 2011, which offered transportation to family members and friends of incarcerated individuals; and

Whereas, A.9475, currently pending in the New York State Assembly, and companion bill S.6855, currently pending in the New York State Senate, seek to amend the New York State Correction Law by establishing a pilot program that would house incarcerated adults close to the primary residence of their minor children; and

Whereas, A.9475/S.6855 would permit the implementation of the pilot program

in a facility of DOCCS’ choosing, which would house prisoners who voluntarily agree to participate in the program; and

Whereas, Additionally, A.9475/S.6855 would require an independent, academic analysis to determine the effectiveness of the pilot program and require DOCCS to submit an annual report to the New York State Legislature and the Governor regarding the efficacy of the pilot program as well as recommendations, if warranted, for expansion and improvement of the program; and

Whereas, Such pilot program would afford easier access to incarcerated parents, help reduce the strain of separation between prisoner and child and promote family interaction between incarcerated adults and their minor children; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Assembly to pass A.9475, the New York State Senate to pass companion bill S.6855, and the Governor to sign such legislation into law, which would establish a pilot program to house incarcerated adults close to the primary residence to their minor children.

Referred to the Committee on Fire and Criminal Justice Services.

Res. No. 1493

Resolution calling upon the New York State Liquor Authority to improve public and police access to liquor license information by posting online the Method of Operation stipulations for each and every liquor license issued by the state.

By Council Members Jackson, Chin, Dromm, Fidler, Gentile, James, Koo, Rose and Williams.

Whereas, The New York State Liquor Authority (SLA) is responsible for issuing liquor licenses to all manufactures, wholesale distributors and retail sellers of alcoholic beverages in New York State, and enforces the Alcoholic Beverage Control Law; and

Whereas, When considering an application for such a license in New York City, the SLA reviews the recommendations of the affected Community Board wherein a proposed licensee will be located; and

Whereas, Community Boards include specific operating stipulations in their recommendations which have usually been negotiated with the proposed licensee, including issues relating to hours of operation, allowable noise level, security provisions and the use of outdoor space; and

Whereas, The SLA usually incorporates these stipulations into the license’s Method of Operation, which is legally enforceable and determines how a licensee must operate; and

Whereas, The SLA often depends on notification from Community Boards and members of the public when a licensee is not complying with its Method of Operation; and

Whereas, Currently neither police officers responding to a complaint nor Community Boards can get immediate access to the Method of Operation, while a member of the public must submit a request for information under the Freedom of Information Law in order to access information about the Method of Operation; and

Whereas, This process is slow and burdensome, and hinders the ability of the police and the community to help enforce the Method of Operation; and

Whereas, Posting the license’s Method of Operation online would allow local police officers to know immediately if a licensee was breaking its operating rules when responding to a complaint, and would allow Community Boards and the public to help the SLA enforce State liquor laws; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Liquor Authority to improve public and police access to liquor license information by posting online the Method of Operation stipulations for each and every liquor license issued by the state.

Referred to the Committee on Governmental Operations.

Int. No. 926

By Council Members Lappin, Garodnick, Brewer, Fidler, James, Koo, Lander, Recchia, Halloran and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to extending the biotechnology credit against the general corporation tax, and the unincorporated business tax.

Be it enacted by the Council as follows:

Section 1. Subparagraph 8 of paragraph a of subdivision o of section 11-503 of the administrative code of the city of New York, as amended by local law number 67 for the year 2009, is amended to read as follows:

(8) The credit allowed under this subdivision shall only be allowed for taxable years beginning on or after January first, two thousand ten and before January first, two thousand [thirteen] *sixteen*.

§2. Subparagraph 8 of paragraph a of subdivision 21 of section 11-604 of the administrative code of the city of New York, as amended by local law number 67 for

the year 2009, is amended to read as follows:

(8) The credit allowed under this subdivision shall only be allowed for taxable years beginning on or after January first, two thousand ten and before January first, two thousand [thirteen] *sixteen*.

§ 3. This local law shall take effect immediately and, if it shall have become a law after December 31, 2012, shall be retroactive to and deemed to have been in full force and effect as of December 31, 2012.

Referred to the Committee on Finance.

Res. No. 1494

Resolution in support of pending legislation in the New York State Legislature intended to create comprehensive gun control laws by: (i) establishing a 10 day waiting period for the purchase of any firearm; (ii) creating universal background checks by requiring that all gun sales in New York State be conducted by a dealer in firearms; (iii) regulating firearms dealers and ammunition sellers and creating strong record retention policies in New York State; (iv) prohibiting the purchase of more than one firearm during any 30 day period; and (v) requiring persons possessing a firearm to hold a firearms safety certificate.

By Council Member Lappin, The Speaker (Council Member Quinn) and Council Members Arroyo, Brewer, Chin, Dromm, Fidler, Gentile, James, Koo, Lander, Mark-Viverito, Nelson, Recchia, Rose and Williams.

Whereas, According to the National Center for Injury Prevention and Control, firearms are used to kill over thirty thousand people in the United States every year, including more than one thousand in New York State; and

Whereas, Several recent mass shootings, which have resulted in the death and injury of many innocent Americans, highlight the need for greater gun control; and

Whereas, On January 8, 2011, outside of a supermarket in Tucson, Arizona, a gunman used a Glock 19 semi-automatic handgun equipped with a large-capacity ammunition magazine to kill 6 people and wound 13 individuals, including Congresswoman Gabrielle Giffords; and

Whereas, On July 20, 2012, inside a movie theatre in Aurora, Colorado, a heavily armed gunman killed 12 people and injured 58 others when he ran to the front of the movie theatre, set off two smoke devices, and began shooting at the crowd using an AR-15 assault rifle, a Remington shotgun, and a .40-caliber Glock handgun; and

Whereas, Tragedy struck again on August 5, 2012 in Oak Creek, Wisconsin, when a gunman entered a Sikh Temple and shot and killed six people; and

Whereas, Gun violence also occurs far too often on the streets of New York City; and

Whereas, In just the past few weeks several people in the City, many of them children and young adults, have been injured and killed by guns; and

Whereas, On August 13, 2012 four teenagers were wounded in a shooting at a playground in Brooklyn; and

Whereas, Two shopkeepers in Brooklyn were shot and killed on July 6, 2012 and August 2, 2012, respectively; and

Whereas, Six people were shot, including two-year-old Ariyanna Prince, on July 29, in a drive-by shooting in Brooklyn; and

Whereas, Kemar Brooks, a 14-year-old boy, was found dead on July 27, 2012 in a public park in the Bronx after being shot; and

Whereas, Five people were shot on July 25 at a basketball tournament in Harlem; and

Whereas, Lloyd Morgan Jr., only four years old, was killed and others were injured when, on July 22, gunmen exchanged fire following a basketball tournament in the Bronx; and

Whereas, On July 4, 2012, twenty-one year old Matt Shaw was shot and killed a few blocks from his mother's house in East Harlem; and

Whereas, These horrific acts and others like them demonstrate that more needs to be done to protect the lives of innocent Americans from senseless gun violence; and

Whereas, While gun violence needs to be addressed on all levels of government and in all states, New York legislators can take action to make sure that New York's laws are as strong as possible; and

Whereas, State Senator Michael N. Gianaris has introduced several bills in the New York State Legislature that impose new regulations and requirements regarding gun sales and ownership in an effort to address gun violence; and

Whereas, These bills have the potential to greatly strengthen current gun laws and close existing loopholes in state law; and

Whereas, Federal law requires anyone engaged in the business of selling firearms to obtain a federal firearms license; and

Whereas, Generally, all federal firearms licensees ("FFLs") must initiate a background check prior to transferring a firearm to a prospective buyer; and

Whereas, The purpose of conducting a background check is to ensure that the prospective buyer does not have a prior criminal history or is in anyway unfit to carry a firearm; and

Whereas, Under current federal law, to check the prospective buyer's background an FFL must contact the Federal Bureau of Investigation ("FBI"), which conducts a background check through the National Instant Criminal Background

Check System ("NICS"); and

Whereas, In the event that the FBI is not able to complete an NICS background check within three business days, the FFL may transfer the firearm to the purchaser by default without having thoroughly assessed his or her fitness to own the firearm; and

Whereas, S.7835 would amend the New York State General Business Law by establishing a 10 day waiting period for the purchase of a firearm for most buyers with the exception of police officers and other individuals specified by the law; and

Whereas, S.7835 would give law enforcement officials more time to perform a thorough background check on the prospective buyers and provide a "cooling off" period to help guard against impulsive acts of violence; and

Whereas, S.7835 would make any FFL who sells a firearm, or any person who takes possession of a firearm from an FFL, before the 10 day waiting period expires, guilty of a class A misdemeanor, and

Whereas, Unfortunately, under current law there is another way to avoid having one's background checked prior to purchasing a firearm; and

Whereas, Since the background check requirement only applies to FFLs, the law creates a private sale loophole where private sellers that are not "engaged in the business of selling firearms" can transfer a firearm without being required to conduct a background check; and

Whereas, As a result, nearly 40% of all firearm sales nationwide are conducted by a private seller; and

Whereas, These exceptions result in a large number of firearm sales where background checks are not legally required and where criminals and other prohibited persons can gain easy access to firearms; and

Whereas, To ensure that firearms are only purchased by those who are eligible to do so it is necessary to implement a system of universal background checks where every sale, regardless of who the seller is and whether or not her or she is an FFL, triggers a background check requirement; and

Whereas, S.7836 creates universal background checks by requiring that all gun sales in New York State be conducted by a dealer in firearms; and

Whereas, S.7836 requires that if neither the seller nor purchaser is a dealer in firearms then the firearm must be delivered to a dealer in firearms who will be responsible for processing the background check prior to sale in accordance with all federal and state laws, including the proposed 10 day waiting period pursuant to S.7835; and

Whereas, Any person who sells a firearm without properly conducting a background check would be guilty of a class A misdemeanor; and

Whereas, In addition to the importance of background checks, it is equally important that all firearms and ammunitions sales are properly recorded to ensure accountability; and

Whereas, S.7837 would amend the New York State General Business Law to regulate firearms dealers and ammunition sellers and create strong record retention policies in New York State; and

Whereas, The bill would require all those in the business of selling, leasing, or transferring firearms or ammunition to be issued a dealer permit by the New York State Division of Criminal Justice Services, and would create a framework for obtaining such a permit; and

Whereas, The bill would additionally require permit holders to retain detailed records of sales, transfers and leases for a period of 10 years and require that such records be electronically transmitted to the Division of Criminal Justice Services; and

Whereas, The bill would require dealers to safely secure firearms in specific ways; and

Whereas, Under the bill, inventory of firearms would be required to be performed twice a year and any loss or theft of ammunition would have to be reported within 48 hours of the loss or theft; and

Whereas, Those who violate the provisions regulating firearms dealers and ammunition sellers would face a penalty of a class A misdemeanor; and

Whereas, While background checks prior to sales and proper record retention are essential, to further defend against guns falling into the wrong hands, New York State needs to prevent gun traffickers from buying guns in bulk and reselling them to prohibited purchasers; and

Whereas, S.7834 would amend the New York State Penal Law by creating the crime of unlawful procurement of a firearm, a class A misdemeanor, when an individual purchases or takes possession of more than one firearm from any dealer in firearms during any 30 day period or when a dealer in firearms sells or transfers a firearm to any person who has purchased or taken possession of a firearm during the previous 30 days; and

Whereas, S.7834 would set forth exceptions for law enforcement officials who act within the course and scope of their employment; and

Whereas, Finally, New York State should also ensure that gun owners know how to safely use and store their firearms; and

Whereas, S.7844 would require individuals seeking to possess a firearm to obtain a firearms safety certificate, which would be valid for two years and may be renewed; and

Whereas, Much like a driving test before one can drive a car, S.7844 would require an applicant to submit an application, complete a firearms safety course which includes at least five hours of classroom instruction, pass a written examination, and show proof of a firearms safety certificate issued in his or her name before such an individual could legally possess a firearm in New York State; and

Whereas, S.7844 makes possession of a firearm by a person who is not a holder of a valid firearms safety certificate a class A misdemeanor; and

Whereas, New York State legislators, having a duty to protect the welfare of

New Yorkers, should enact these stringent gun control laws and regulations, while ensuring that law abiding citizens retain their constitutional rights, in order to effectively reduce the incidence of gun-related crime and gun violence; now, therefore, be it

Resolved, That the Council of the City of New York supports pending legislation in the New York State Legislature intended to create comprehensive gun control laws by: (i) establishing a 10 day waiting period for the purchase of any firearm; (ii) creating universal background checks by requiring that all gun sales in New York State be conducted by a dealer in firearms; (iii) regulating firearms dealers and ammunition sellers and creating strong record retention policies in New York State; (iv) prohibiting the purchase of more than one firearm during any 30 day period; and (v) requiring persons possessing a firearm to hold a firearms safety certificate

Referred to the Committee on Public Safety.

Int. No. 927

By Council Members Recchia, Chin, Dromm, Fidler, Gentile, James, Koo, Nelson, Rose, Vacca, Vallone Jr., Williams, Halloran and Ulrich.

A Local Law to amend the New York city charter, in relation to notification to community boards of pilot programs.

Be it enacted by the Council as follows:

Section 1. Subdivision e of section 2800 of the New York city charter is amended to read as follows:

e. 1. Each agency shall furnish promptly to each community board on request any information or assistance necessary for the board's work. Each agency shall also report periodically to each board on its service activities, programs and operations within the community district, *including any pilot programs.*

2. *Not less than sixty days prior to the initiation of a pilot program within one or more community districts, an agency shall provide written notification of the scope and anticipated duration of such pilot program to the community board of each such district by facsimile, regular mail, electronic mail, or by personal service to the district manager for such community board. For the purposes of this subdivision, a "pilot program" shall mean any program or activity conducted by an agency within one or more community districts as a test or trial prior to initiating such program or activity in other community districts or on a citywide basis.*

§ 2. This local law shall take effect ninety days after its enactment.

Referred to the Committee on Governmental Operations.

Int. No. 928

By Council Members Recchia, Dromm, Fidler, Gentile, James, Koo, Rose and Dickens.

A Local Law to amend the administrative code of the city of New York, in relation to the reinstatement of certain master plumber licenses.

Be it enacted by the Council as follows:

Section 1. Section 28-401.13 of the administrative code of the city of New York, as added by local law number 33 for the year 2007, is amended by adding a new subsection 28-401.13.1 to read as follows:

§28-401.13.1. *Reinstatement of a master plumber license which expired prior to the effective date of local law 33 for the year 2007. For a period of two years, commencing on the effective date of this local law, the commissioner may reinstate an individual's master plumber license which expired prior to the effective date of local law 33 for the year 2007, without examination, upon the individual's demonstration to the commissioner of continued competence in the respective trade and satisfaction of any applicable continuing education requirements. Prior to the effective date of this local law, the department shall inform by mail all individuals whose licenses expired prior to the effective date of local law 33 for the year 2007 of the opportunity to reinstate such license as provided pursuant to this section.*

§2. This local law shall take effect one hundred eighty days from its enactment, except that the commissioner of buildings shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 929

By Council Members Vacca, Garodnick, James, Koo, Rose, Halloran and Ulrich.

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

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-538 to read as follows:

19-538. *Posting of fares. The commission shall require that one rate of fare decal be placed on each exterior rear door of any vehicle authorized to accept a street hail.*

§ 2. This local law shall take effect immediately.

Referred to the Committee on Transportation.

Int. No. 930

By Council Members Vacca, Fidler, James, Koo, Lander, Rose and Halloran.

A Local Law to amend the administrative code of the city of New York, in relation to reporting of data regarding taxi and for hire vehicle inspections by the taxi and limousine commission.

Be it enacted by the Council as follows:

Section 1. Section 2302 of the New York city charter is amended to read as follows:

§ 2302. Reports of commission. *a. All proceedings of the commission and all documents and records in its possession shall be public records and the commission shall make an annual report to the city council on or before the second Monday of January in each year. Such annual report shall contain information regarding complaints received by the commission from the public, including, but not limited to, complaints of overcharging, as well as enforcement actions undertaken by the commission, whether the enforcement action was dismissed or settled, or if a penalty was imposed by the commission on the subject of the enforcement action. The information regarding enforcement actions shall include, but not be limited to, enforcement actions relating to illegal street hails, unlicensed vehicles, overcharging, and toll lane infractions. The complaint and enforcement action information shall be disaggregated by the type of license held by the person or entity who is the subject of the complaint or action and the month during which the complaint was received or enforcement action undertaken. Enforcement actions shall be further disaggregated by the subject matter of the action and geographic location. Complaint information shall be further disaggregated to the extent practicable by the subject matter of the complaint. In addition to inclusion in the commission's annual report, the disaggregated complaint and enforcement information shall be posted on the commission's website updated no less than monthly. Information shall be published in a manner that does not identify the individual parties involved in the actions reported upon in this section. The chairman of the city council committee on transportation may at any time direct the commission or the chairman of the commission to appear before the committee to give testimony pertaining thereto, and to furnish to the members of the council any reports deemed necessary.*

b. The commission shall make a quarterly report to the city council on or before the second Monday of March, June, September and December in each year. Each such quarterly report shall contain information for the immediately preceding quarter regarding the average wait time by drivers to secure a vehicle inspection at assigned inspection facility as required under the rules of the commission. Such report shall also disclose any instance when the wait for an inspection exceeds four weeks. All information shall be disaggregated by vehicle type.

§ 2. This local law shall take effect sixty days after its enactment into law.

Referred to the Committee on Transportation.

Int. No. 931

By Council Members Vacca, Chin, Eugene, Fidler, Gentile, Gonzalez, James, Koo, Mark-Viverito, Nelson, Recchia, Rose, Williams and Halloran.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of environmental protection to notify the public of upcoming water board hearings, meetings and special meetings.

Be it enacted by the Council as follows:

Section 1. Legislative findings and intent. The Council finds it in the best interests of the City to require that the Department of Environmental Protection post notices on all water bills of the dates of all upcoming planned public hearings, meetings and special meetings with sufficient time to permit the public to attend and create an email alert system for individuals who have expressed an interest in being rapidly notified of any upcoming meetings.

§2. Subchapter 4 of chapter 3 of title 24 of the administrative code of the city of

New York is amended by adding a new section 24-367 to read as follows:

§24-367 *Information about New York city water board public meetings.* a. *Information about any public hearing, meeting or special meeting of the New York city water board, to the extent any such information is known to the department, shall be included in the water bills issued by the department prior to such public hearing or meeting or special meeting.*

b. *The department shall allow persons to subscribe to an email alert system that will provide information and updates about any public hearing, meeting or special meeting of the New York city water board, to the extent any such information is known to the department. The department shall send email notifications regarding the board's upcoming public hearings, meetings and special meetings to interested parties who provide the department with an email address for this purpose. The department shall provide opportunities for city residents to provide an email address to the department for this purpose and shall maintain a database of all such email addresses. Each email notification shall consist of all pertinent information related to such significant date and include links to the board's website to access relevant forms, materials and other additional information, and shall, to the extent possible, be available in English, Spanish, Chinese, Korean, and any other languages as the department determines to be necessary and appropriate.*

c. *The department shall provide opportunities for city residents to provide an email address through the following means, provided that in all instances the department shall expressly state the purpose for which it is collecting email addresses:*

1. *via the department's website;*
2. *by collecting email addresses at public hearings and events and any other events or meetings the department deems appropriate; and*
3. *by any other means as determined by the department that would facilitate the collection of email addresses of prospective voters.*

d. *The department shall provide all email recipients the option to unsubscribe from receiving such email notifications or to update an email address previously provided to the board. The department shall not remove any email address from its database unless an email recipient unsubscribes, provides an updated email address, or emails sent to an email address are not successfully transmitted for a period of one year.*

e. *The department shall not share, sell or otherwise disclose email addresses and other personal information collected pursuant to this section without acquiring advance written permission from individuals providing such information or unless ordered by a court of law.*

§3. This local law shall take effect ninety days after its enactment, except that the commissioner of environmental protection shall take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Environmental Protection.

Int. No. 932

By Council Members Vallone Jr., Eugene, Rose and Halloran.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of environmental protection to include a warning regarding fluoridated water on all billing correspondence with customers.

Be it enacted by the Council as follows:

Section 1. Section 24-335 of the administrative code of the city of New York is amended to read as follows:

§ 24-335 Charges where supply is metered. a. No charge for the supply of water other than a meter charge, minimum charge or annual service charge shall be made against any houses or lots or any portion or portions thereof where a water meter may have been or shall be placed. In all cases where a water meter may have been or shall be placed, the charge for supply of water shall be determined only by the quantity of water actually used, as shown by such meters, except for a minimum charge or an annual service charge and except as provided by subdivision four of section seven hundred thirty-four of the charter.

b. *All billing correspondence from the department of environmental protection shall include the following notice: "Your public water supply is being fluoridated. According to the Centers for Disease Control and Prevention, children under the age of 6 months who exclusively consume infant formula that was reconstituted with fluoridated water may have an increased chance of developing dental fluorosis. Consult your child's health care provider for more information."*

§2. This local law shall take effect ninety days after its enactment, except that the department of environmental protection shall take such measures necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Environmental Protection

Int. No. 933

By Council Members Vallone Jr., Gentile, Crowley, Arroyo, Brewer, Fidler, James, Koo, Mark-Viverito, Nelson, Rose, Vacca, Williams, Halloran and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to creating an animal abuse registry.

Be it enacted by the Council as follows:

Section 1. Legislative Findings. The Council finds that animal cruelty is a serious problem in New York City. Although New York State criminalizes cruelty to animals, animals in New York City continue to be subject to abusive behavior. In recent years, several states and municipalities have considered creating animal abuse registries to track people convicted of animal cruelty. As of 2012, three New York State counties have created animal abuse registries. The Council finds that creating a registry of those convicted of animal cruelty will aide those involved in the sale or adoption of animals to ensure that an animal will not be placed with a person with a record of animal abuse. Additionally, numerous studies have determined that there is a high correlation between animal abuse and other violent criminal behavior and that abuse of animals often predicts other abusive behaviors. Accordingly, the Council finds that an animal abuse registry would protect animals as well as benefit the public by creating an organized record of people who have been convicted of animal cruelty.

§ 2. Title 17 of the administrative code of the city of New York is amended by adding a new chapter 15 to read as follows:

Chapter 15
Animal Abuse Registration Act

§17-1501 Definitions.

§17-1502 Creation of an animal abuse registry.

§17-1503 Animal abuse registration requirements.

§17-1504 Prohibition on ownership of animals.

§17-1505 Requirements of animal shelters.

§17-1506 Rules and Regulations.

§17-1507 Penalties.

§17-1508 Applicability.

§17-1501 Definitions. As used in this chapter, the following terms shall have the following meanings:

a. "Animal abuse crime" shall mean:

1. animal fighting, as defined in section 351 of the agriculture and markets law;
2. overdriving, torturing or injuring animals; failure to provide proper sustenance, as defined in section 353 of the agriculture and markets law;
3. aggravated cruelty to animals, as defined in section 353-a of the agriculture and markets law
4. abandonment of animals, as defined in section 355 of the agriculture and markets law;
5. failure to provide proper food and drink to an impounded animal, as defined in section 356 of the agriculture and markets law;
6. interference with or injury to certain domestic animals, as defined in section 361 of the agriculture and markets law;
7. harming a service animal in the first degree, as defined in section 242.15 of the penal code.

b. "Animal shelter" shall mean any full service shelter, as defined in section 17-802(d) of this code, or other facility that makes dogs and cats available for adoption whether or not a fee for such adoption is charged.

c. "Companion animal" shall mean a dog, cat or any other domesticated animal, as defined in section 350 of the agriculture and markets law.

d. "Convicted of" shall mean an adjudication of guilt by any court of competent jurisdiction, whether upon a verdict or plea of guilty or nolo contendere.

e. "Registrant" shall mean a person required to register with the department pursuant to this chapter.

f. "Pet shop" shall mean a facility required to have a permit issued pursuant to subdivision (a) of section 161.09 of the New York city health code, where dogs and/or cats are sold, exchanged, bartered, or offered for sale as pet animals to the general public at retail for profit.

§17-1502 Creation of animal abuse registry. The department shall create, manage and maintain a registry that shall contain the names and addresses of individuals living in the city of New York who have been convicted of an animal abuse crime. Such registry shall be in electronic form and shall be made available to all law enforcement agencies, district attorneys, duly incorporated humane societies, societies for the prevention of cruelty to animals, dog or cat protective associations, animal control officers, pet shops and animal shelters operating in the city of New York.

§17-1503 Animal abuse registration requirements. a. Any person eighteen years of age or older who resides in the city of New York and has been convicted of an animal abuse crime on or after the effective date of the local law that added this chapter must register with the department within thirty days following such effective date or, once such date has passed, within five days following such person's release from incarceration, or, if such person was not incarcerated, within five days from the date of such person's sentencing.

b. Any person required to register pursuant to this chapter shall submit to the department the following information:

1. The registrant's name, all aliases used, date of birth, sex, race, height, weight, eye color, number of any driver's license or non-driver photo ID card, home address and/or expected place of residence.
2. A photograph of the registrant, updated during the period of registration as

described in subdivision c of this section.

3. A description of the offense for which the registrant was convicted, the date of conviction and the sentence imposed.

4. Any other information deemed pertinent by the department.

c. A person who is required to register shall personally appear at such office as the commissioner may direct within five days of (i) release from incarceration, in the event the registrant receives a sentence of imprisonment, or (ii) sentencing, if such sentence does not include imprisonment, for the purpose of personally verifying such information as may be required under subdivision b of this section with the department. The department may at such time photograph the registrant. The commissioner may require the registrant to provide such documentation as the commissioner deems acceptable to verify such information.

d. Within twenty days of each one year anniversary of the registrant's initial registration date, such registrant shall personally appear at such office as the commissioner may direct for the purpose of verifying such information as may be required under subdivision b of this section with the department. The department may at such time photograph the registrant. The commissioner may require the registrant to provide such documentation as the commissioner deems acceptable to verify such information.

e. Each person required to register pursuant to this section shall submit to the department updated registration information within five days of any change in any of the information required pursuant to subdivision b of this section.

f. Any person convicted of an animal abuse crime shall, within ten calendar days after establishing residence in the city of New York or changing residences within the city of New York, personally appear at such office as the commissioner may direct and there provide verification information as required by this section. The commissioner may require such registrant to provide such documentation as the commissioner deems acceptable to verify the change in residence.

g. Each registrant shall remain on the animal abuse registry for five years following his or her release from incarceration or the date judgment was rendered, whichever is later. Registrants who are convicted of subsequent animal abuse crimes shall remain on the animal abuse registry for ten years following the date of their most recent conviction.

§17-1504 Prohibition on ownership of animals. a. A person listed on the animal abuse registry shall not own a companion animal.

§17-1505 Requirements of animal shelters. a. Prior to the exchange or transfer of ownership of any companion animal in the care of an animal shelter, an employee or volunteer of such shelter shall consult the animal abuse registry to determine whether the person seeking ownership of such companion animal is listed on the animal abuse registry.

b. No animal shelter located in the city of New York shall exchange or transfer the ownership of any companion animal to any person listed on the animal abuse registry.

§17-1506 Rules and Regulations. The commissioner may promulgate such rules and regulations necessary for the implementation of this law.

§17-1507 Penalties. a. Any person found in violation of section 17-1503 or 17-1504 or any rules promulgated thereunder shall be guilty of a misdemeanor punishable by incarceration for not more than one year or a fine of up to one thousand dollars, or both.

b. Any employee or volunteer of an animal shelter found in violation of section 17-1505 or any rules promulgated thereunder shall be guilty of a misdemeanor punishable by incarceration for not more than one year or a fine of up to one thousand dollars, or both.

§17-1508 Applicability. This law shall apply to all persons convicted of animal abuse on or after the effective date of this law.

§3. This local law shall take effect two hundred forty days after enactment provided, however, that the commissioner shall take all actions necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Health.

Res. No. 1495

Resolution designating September 19, 2012 as "Don't Text and Drive Day" in New York City.

By Council Members Vallone Jr., Chin, Fidler, Gentile, James, Koo, Lander, Nelson, Rose and Williams.

Whereas, According to the United States Department of Transportation ("USDOT"), driver distraction contributed to 18 percent of motor vehicle crashes in the United States in 2010; and

Whereas, According to a 2006 study by the University of Utah, using a cell phone while driving causes driver distraction at the same level as having a blood alcohol level of .08; and

Whereas, According to the Virginia Tech Transportation Institute, drivers who text while driving are 23 times more likely to be involved in an accident as compared to those who do not text while driving; and

Whereas, In 2009, New York State prohibited the use of hand held electronics while driving, including those used to send text messages; and

Whereas, In 2011, the New York State Legislature passed and the Governor signed further enhancements to the existing ban on texting and driving; and

Whereas, Despite the prohibition on texting and driving, the New York City Police Department ("NYPD") issued 91,324 summonses for cell phone use while driving in the first six months of 2012; and

Whereas, According to NYPD, driver distraction is a major contributor to motor vehicle fatalities and injuries New York City; and

Whereas, According to a May 2012, AT&T "Teen Driver Survey," 43 percent of teens questioned admitted to texting while driving, and 73 percent said that the habit is common among their friends; and

Whereas, AT&T has launched a campaign to encourage drivers not to text and drive, and to commit to not text while driving by signing a pledge on September 19, 2012; and

Whereas, Designating September 19, 2012 as "Don't Text and Drive Day" will increase awareness among the general public, and drivers in particular, about the continued dangers of driving and texting; now, therefore, be it

Resolved, That the Council of the City of New York designates September 19, 2012 as "Don't Text and Drive Day" in New York City.

Referred to the Committee on Transportation.

Res. No. 1496

Resolution calling upon Congress to restore funding to the Community Development Block Grant program and HOME Investment Partnerships Program to their FY 2011 allocation and to increase funding to these vital programs.

By Council Members Vann, Chin, Dromm, Eugene, Fidler, James, Koo, Lander, Mark-Viverito, Recchia, Rose and Williams.

Whereas, The federal Community Development Block Grant program (CDBG) administered by the U.S. Department of Housing and Urban Development (HUD) provides communities, including local and state governments, with grants for neighborhood redevelopment, economic development, and with resources for a range of community development needs; and

Whereas, The formula allocation for CDBG funding is based on a locality's poverty levels, population, growth lag, overcrowding in housing, and the age of its housing stock in comparison to other communities; and

Whereas, CDBG funding is allocated to localities for general purposes, allowing communities flexibility to determine how the funding should be utilized but requiring that at least 70 percent of all such funds must be used for people with low or moderate incomes; and

Whereas, CDBG funded projects can include economic development activities, infrastructure development, commercial revitalization, rehabilitation of private and public property, and the acquisition of property for public purposes; and

Whereas, The City of New York receives a direct allocation from HUD as an entitlement community with approximately 60 percent of the city's allocation used by the City's Department of Housing Preservation and Development (HPD) for housing services; and

Whereas, New York City also provides other agencies, including the Department of Youth and Community Development and the Department of Small Business Services, with CDBG funds to offer a variety of vital services such as career training, adult literacy, beacon centers, homeless shelters, supportive housing services, the preservation of affordable housing and community development needs for low-and-moderate income families and households; and

Whereas, The HOME Investment Partnerships Program (HOME) serves as the largest federal block grant to both state and local governments for the purpose of creating affordable housing for low-income households; and

Whereas, HOME funds are awarded annually as formula grants to localities with each grantee obtaining the funding through a HOME Investment Trust Fund established by HUD; and

Whereas, HOME empowers communities to design and implement strategies tailored to their own needs, fosters planning to expand and strengthen public-private partnerships in the development of affordable housing, provides technical assistance for qualified community based non-profit housing groups in order to build the capacity of these groups, and requires that localities match 25 cents of every dollar allocated in funds to mobilize community resources in support of affordable housing; and

Whereas, The program's flexibility also allows state and local governments to use HOME funds for grants, direct loans, loan guarantees or other forms of credit enhancement, or for rental assistance or security deposits to low-income people; and

Whereas, Generally, HPD utilizes federal HOME funds to finance the construction and the rehabilitation of housing, including vacant and occupied single room occupancy buildings, small homes and multi-family buildings; and

Whereas, Combined with funding from the Section 8 program, CDBG and HOME funds represent approximately 58% of the HPD's total expense budget, which makes the agency very vulnerable to federal budgetary decisions; and

Whereas, Over the past two federal fiscal years, Congress has reduced funding to the CDBG and HOME programs by 23% and 52% respectively; and

Whereas, These reductions have caused the City to reduce HPD's total staff headcount by 23%; and

Whereas, HPD anticipates further federal budget reductions in the coming

fiscal year and reports that if Congress does not restore funding of these programs to their prior levels and increase such support, HPD may be unable to provide up to 650 units of supportive and low income rental housing for those in need, now, therefore, be it

Resolved, That the Council of the City of New York calls upon Congress to restore funding to the Community Development Block Grant program and HOME Investment Partnerships Program to their FY 2011 allocation and to increase funding to these vital programs.

Referred to the Committee on Community Development.

Res. No. 1497

Resolution calling on the United States Congress to pass and the President to sign the Promise Neighborhoods Act of 2011, H.R. 2098/S. 1004.

By Council Members Vann, Chin, Eugene, James, Koo, Lander, Rose and Williams.

Whereas, The National Center for Children in Poverty has reported that, at age four, children who live below the poverty line are 18 months behind the normal learning and achievement milestones for their age group, and that at age ten this gap is still present; and

Whereas, Children who attend high-quality early childhood education programs are less likely to engage in criminal behavior, repeat a grade or be assigned to special education, and more likely to perform better on standardized tests, experience reduced rates of teen pregnancy, graduate from high school, and obtain employment at higher wages; and

Whereas, Low-income families have children who are more likely to have low levels of school engagement, be chronically absent from school, have both emotional and behavioral problems and live in stressful home environments; and

Whereas, The federal Promise Neighborhoods program seeks to transform neighborhoods of concentrated poverty into communities of opportunity by creating a continuum of pipeline services that include health, social and educational supports for children from birth through college and career; and

Whereas, The Promise Neighborhoods Act of 2011 directs the United States Secretary of Education to award competitive, matching grants to nonprofit organizations that partner with a local educational agency (LEA) to implement a comprehensive range of support and services that engage the community in improving academic achievement, health and social development in children who live in distressed neighborhoods; and

Whereas, This act would authorize five year renewable grants for partnerships between schools and community-based organizations to provide: (1) prenatal education and support for expecting parents; (2) high-quality early care and education opportunities; (3) high-quality schools that can leverage great teaching, out-of-school time and community engagement; (4) support for the transition into elementary school, between elementary school and middle school, and from middle school to high school; (5) meaningful family engagement and support; (6) college and career readiness activities such as college prep curriculum, college admissions counseling, subsidized employment opportunities and early college programs; and (7) support for college-age students from the neighborhood; and

Whereas, The recipients of such grants are required to evaluate their programs constantly and improve them based on data and outcomes; and

Whereas, The Secretary is authorized to renew such grants if the grantees exhibit success with their children in school readiness, academic outcomes, increased college and career readiness and improvement in their health, mental health, and social and emotional well-being; and

Whereas, The Secretary will be directed to evaluate these grants and disseminate research on best practices for improving the academic achievement of children living in distressed communities; and

Whereas, Several New York City nonprofits have applied for federal Promise Neighborhoods funds and so far four organizations have received one year federal planning grants between \$400,000 and \$500,000 to develop and plan their own Promise Neighborhood; and

Whereas, For federal fiscal year 2012, the United States Department of Education designated \$60 million to continue support for existing implementation grantees and award a new round of planning and implementation grants; and

Whereas, President Obama's fiscal year 2013 budget requests \$100 million to fund a fourth round of implementation and planning grants; and

Whereas, The Promise Neighborhood Act has been introduced in the United States House of Representatives as H.R. 2098 with co-sponsorship of 16 representatives including Representative Yvette Clarke and Representative Gregory Meeks of New York, and introduced in the Senate as S. 1004 with Senator Kirsten Gillibrand of New York as one of its co-sponsors; now, therefore, be it

Resolved, That the Council of the City of New York calls on the United States Congress to pass and the President to sign the Promise Neighborhoods Act of 2011, H.R. 2098/S. 1004.

Referred to the Committee on Community Development.

Int. No. 934

By Council Members Weprin, Dromm, Koo, Vallone Jr. and Halloran.

A Local Law to amend the administrative code of the city of New York, in relation to increasing fines for illegal posting.

Be it enacted by the Council as follows:

Section 1. Section 10-121 of the administrative code of the city of New York is amended to read as follows:

§10-121 Violation. a. Any person convicted of a violation of any of the provisions of section 10-119 [or 10-120] of the code shall be punished by a fine of not less than [seventy-five] *two hundred twenty-five* dollars nor more than [one hundred fifty] *four hundred fifty* dollars[,] for the first offense, and not less than [one hundred fifty] *four hundred fifty* dollars nor more than [two hundred fifty] *seven hundred fifty* dollars for the second and each subsequent offense within a twelve month period, plus the cost of the removal of the unauthorized signs, *or* imprisonment for not more than ten days, or both; provided, however, that subdivision b of section 10-119 of the code shall not apply with respect to criminal prosecutions brought pursuant to this subdivision.

b. In the instance where the notice of violation, appearance ticket or summons is issued for breach of the provisions of section 10-119 [or 10-120] of the code and sets forth thereon civil penalties only, such process shall be returnable to the environmental control board, which shall have the power to impose the civil penalties [of not less than seventy five dollars nor more than one hundred fifty dollars for the first offense and not less than one hundred fifty dollars nor more than two hundred fifty dollars for the second and each subsequent offense within a twelve month period] *of not less than two hundred twenty-five dollars nor more than four hundred fifty dollars for the first offense, and not less than four hundred fifty dollars nor more than seven hundred fifty dollars for the second and each subsequent offense within a twelve month period.* Anyone found to have violated the provisions of Section 10-119 [or 10-120], in addition to any penalty imposed, shall be responsible for the cost of the removal of the unauthorized signs. Anyone found to have violated section 10-119 of this chapter by affixing any handbill, poster, notice, sign or advertisement to a tree by means of nailing or piercing the tree by any method shall have an additional penalty imposed equal to the amount of the original penalty.

c. *Any person convicted of a violation of any of the provisions of section 10-120 of the code shall be punished by a fine of not less than seventy-five dollars nor more than one hundred fifty dollars for the first offense, and, for the second and each subsequent offense within a twelve month period, not less than one hundred fifty dollars nor more than two hundred fifty dollars, or imprisonment for not more than ten days, or both.*

d. *In the instance where the notice of violation, appearance ticket or summons is issued for breach of the provisions of section [10-119 or] 10-120 of the code and sets forth thereon civil penalties only, such process shall be returnable to the environmental control board, which shall have the power to impose the civil penalties of not less than seventy five dollars nor more than one hundred fifty dollars for the first offense and not less than one hundred fifty dollars nor more than two hundred fifty dollars for the second and each subsequent offense within a twelve month period.*

[c.] e. In the event that a violator fails to answer such notice of violation, appearance ticket or summons within the time provided therefor by the rules and regulations of the environmental control board, he or she shall become liable for additional penalties. The additional penalties shall not exceed fifty dollars for each violation.

[d.] f. Any person found in violation of any of the provisions of section 10-119 [or 10-120] of the code shall be liable for a civil penalty as provided for in subdivisions b of this section. *Any person found in violation of any of the provisions of section 10-120 of the code shall be liable for a civil penalty as provided for in subdivision d of this section.*

[e.] g. Liability and responsibility for any civil penalty imposed pursuant to this section for any violation of section 10-119 or 10-120 of the code shall be joint and severable on the part of any corporation found to be liable and responsible and its officers, principals, and stockholders owning more than ten percent of its outstanding voting stock.

[g.] h. For the purposes of imposing a criminal fine or civil penalty pursuant to this section, every handbill, poster, notice, sign or advertisement pasted, posted, painted, printed or nailed in violation of section 10-119 of the code or torn down, defaced or destroyed in violation of section 10-120 of the code, shall be deemed to be the subject of a separate violation for which a separate criminal fine or civil penalty shall be imposed.

§2. This local law shall take effect thirty days after its enactment.

Referred to the Committee on Sanitation and Solid Waste Management.

L.U. No. 684

By Council Member Recchia:

Kelly Street Apartments, Block 2711, Lots 6, 7, 8, & 10, Block 2703, Lot 18, Bronx, Community District No. 2, Council District No. 17

Referred to the Committee on Finance.

L.U. No. 685

By Council Member Comrie:

Application no. 20125783 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Eater Eats Crow LLC, d.b.a Sel Et Gras, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 131 Seventh Avenue South, Borough of Manhattan, Community Board 2, Council District 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(e) of the New York City Administrative Code.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 686

By Council Member Comrie:

Application no. 20125776 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Toby's Public House II LLC, d.b.a Toby's Public House, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 86 Kenmare Street, Borough of Manhattan, Community Board 2, Council District 1. 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(e) of the New York City Administrative Code.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 687

By Council Member Comrie:

Application No. C 120173 ZMX submitted by New York City Housing Authority pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 6c and 7a, changing an R5 district to an R6 District, Borough of the Bronx, Community Board 9, Council District 18.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 688

By Council Member Comrie:

Application No. C 120226 ZMM submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter, for amendment of the Zoning Map, Section No. 12c, by establishing within an existing R8 District a C2-5 District, Borough of Manhattan, Community District 3, Council District 1.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 689

By Council Member Comrie:

Application No. N 120227 ZRM submitted by the NYC Department of Housing Preservation and Development and Department of Citywide Administrative Services, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Sections 74-743 (Special Provisions for bulk modifications) and 74-744 (Modification of use regulations) concerning special permit regulations for large scale general developments, relating to the former Seward Park Extension Urban Renewal Area, Borough of Manhattan, Community Board 3, Council District 1.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 690

By Council Member Comrie:

Application No. C 120228 ZSM submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant a special permit pursuant Sections 74-743(a)(1), 74-743 (a)(2) and 74-743 (a)(10), in connection with a proposed mixed use development, within a large-scale general development (Block 346, p/o Lot 40; Block 347, Lot 71; Block 352, Lots 1 and 28; and Block 409, Lot 56) in R8/C2-5 and C6-1 districts, partially within the former Seward Park Extension Urban Renewal Area, Borough of Manhattan, Community Board 3, Council District 1. This application is subject to review and action by the Land Use Committee 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.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 691

By Council Member Comrie:

Application No. C 120229 ZSM submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant special permit pursuant Sections 74-744(a)(3) and Section 74-744(b) to modify applicable district use regulations in connection with a proposed mixed use development, within a large-scale general development (Block 346, p/o Lot 40; Block 347, Lot 71; Block 352, Lots 1 and 28; and Block 409, Lot 56) in R8/C2-5 and C6-1 districts, partially within the former Seward Park Extension Urban Renewal Area, Borough of Manhattan, Community Board 3, Council District 1. This application is subject to review and action by the Land Use Committee 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.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 692

By Council Member Comrie:

Application no. C 120231 ZSM submitted by the NYC Department of Housing Preservation & Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 168 spaces on portions of the ground floor, cellar level 1 and cellar level 2 of a proposed development on property bounded by Delancey Street, Norfolk Street, Broome Street and Essex Street (Site 2, Block 353, p/o Lot 1 and Lot 28), in a C6-1 District, Borough of Manhattan, Community Board 3, Council District 1. This application is subject to review and action by the Land Use Committee 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.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 693

By Council Member Comrie:

Application no. C 120233 ZSM submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 250 spaces on portions of the ground floor, cellar level 1 and cellar level 2 of a proposed development on property bounded by Delancey Street, Suffolk Street, Broome Street and Norfolk Street (Site 3, Block 346, p/o Lot 40), in an R 8/C2-5, Borough of Manhattan, Community Board 3, Council District 1. This application is subject to review and action by the Land Use Committee 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.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 694

By Council Member Comrie:

Application no. C 120234 ZSM submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 250 spaces on portions of the ground floor, cellar level 1 and cellar level 2 of a proposed development on property bounded by Delancey Street, Clinton Street, Broome Street and Suffolk Street (Site 4, Block 346, p/o Lot 40), in an R8/C2-5 District, Borough of Manhattan, Community Board 3, Council District 1. This application is subject to review and action by the Land Use Committee 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.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 695

By Council Member Comrie:

Application no. C 120235 ZSM submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 305 spaces on portions of the ground floor, cellar level 1 and cellar level 2 of a proposed development on property bounded by Broome Street, Clinton Street, Grand Street and Suffolk Street (Site 5, Block 346, p/o Lot 40), in an R8/C2-5 District, Borough of Manhattan, Community Board 3, Council District 1. This application is subject to review and action by the Land Use Committee 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.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 696

By Council Member Comrie:

Application No. N 120236 HAM submitted by NYC Department of Housing Preservation and Development, for an Urban Development Action Area Designation and Project located at Essex, Delancey, Norfolk, Grand, Stanton and Broome streets (Block 346, part of Lot 40; Block 347, Lot 71; Block 352, Lots 1, 28; Block 353, Lot 44; Block 354, Lots 1, 12; and Block 409, Lot 56) and the disposition of city owned property, to facilitate the development of residential, community facility and commercial uses, including the redevelopment of the Essex Street Market, Borough of Manhattan, Community Board 3, Council District 1. 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 New York General Municipal Law.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 697

By Council Member Comrie:

Application no. C 120237 PQM submitted by the NYC Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the acquisition of property bounded by Essex, Delancey, Norfolk, and Broome streets (Block 352, p/o Lots 1 and 28), Borough of Manhattan, Community Board 3, Council District 1. This application is subject to review and action by the Land Use Committee 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.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 698

By Council Member Comrie:

Application no. C 120245 PPM submitted by the Department of Housing Preservation and Development (HPD) and the New York City Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the Charter, for disposition of city-owned property (Block 346, p/o of Lot 40; Block 347, Lot 71; Block 352, Lots 1 and 28; Block 353, Lot 44; Block 354, Lots 1 and 12; and Block 409, Lot 56), by HPD to a future developer or by DCAS to the New York City Economic Development Corporation or a successor local development corporation, Borough of Manhattan, Community Board 3, Council District 1. This application is subject to review and action by the Land Use Committee 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.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 699

By Council Member Comrie:

Application no. C 120156 MMM submitted by the NYC Department of Housing Preservation and Development, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code, for an amendment to the City Map involving: the establishment of portions of Broome Street and Suffolk Street; the narrowing, by elimination, discontinuance and closing, of portions of Clinton Street and Delancey Street; the establishment of the name Delancey Street between Clinton Street and FDR Drive; the adjustment of grades; and authorization for any disposition or acquisition of real property related thereto, in Borough of Manhattan, Community Board 3, Council District 1. This application is subject to review and action by the Land Use Committee 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.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 700

By Council Member Comrie:

Application no. 20125791 HKM (N 120412 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the Yorkville Bank Building, 1511 Third Avenue (aka 1511-1515 Third Avenue and 201-203 East 85th Street) (Block 1531, Lot 1) (List No. 456, LP-2510), Borough of Manhattan, Community Board 8, Council District 5, as an historic landmark.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses.

L.U. No. 701

By Council Member Comrie:

Application no. 20135013 HKM (N 130005 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the Bowery Bank of New York Building located at 124 Bowery (aka 124-126 Bowery and 230 Grand Street (Block 470, Lot 64) (Designation List 457, LP-2518), Borough of Manhattan, Community Board 2, Council District 1, as an historic landmark.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses.

L.U. No. 702

By Council Member Comrie:

Application no. 20135014 HKM (N 130006 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of The Bowery Mission located at 227 Bowery (Block 426, Lot 8 in part) (Designation List 457, LP-2494), Borough of Manhattan, Community Board 3, Council District 1, as an historic landmark.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses.

L.U. No. 703

By Council Member Comrie:

Application no. 20135015 HKM (N 130004 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the New York Curb Exchange (incorporating the New York Curb Market Building), later known as the American Stock Exchange located at 86 Trinity Place (aka 78-86 Trinity Place and 113-23 Greenwich Street) (Block 51, Lot 13) (Designation List 457, LP-2515), Borough of Manhattan, Community Board 1, Council District 1, as an historic landmark.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses.

L.U. No. 704

By Council Member Comrie:

Application no. 20135016 HKK (N 130003 HKK), pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the Park Place Historic District (List No. 457, LP-2446), Borough of Brooklyn, Community Board 8, Council District 35, as an historic district.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses.

L.U. No. 705

By Council Member Comrie:

Application no. 20135017 HKM (N 130002 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the Riverside-West End Historic District Extension I (List No. 457, LP-2463), Borough of Manhattan, Community Board 7, Council District 6, as an historic district.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses.

L.U. No. 706

By Council Member Comrie:

Application no. 20125808 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of ITM Garden, INC., d.b.a Revel, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 10 Little West 12th Street, Borough of Manhattan, Community Board 2, Council District 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(e) of the New York City Administrative Code.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

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

ANNOUNCEMENTS:

Friday, September 14, 2012

★ Note Deferral

Committee on Immigration 10:00 a.m.

~~Agenda to be announced~~

~~Committee Room – 250 Broadway, 14th Floor Daniel Dromm, Chairperson~~

★ Note Committee and Topic Addition

Committee on Cultural Affairs, Libraries & International Intergroup Relations jointly with the

★Committee on Small Business 1:00 p.m.

★Oversight - The Purchasing Power of Culture: How Cultural Organizations Support NYC Businesses

Committee Room – 250 Broadway, 16th Floor

..... James Van Bramer, Chairperson

..... Diana Reyna, Chairperson

Wednesday, September 19, 2012

Subcommittee on Zoning & Franchises 9:30 a.m.

See Land Use Calendar Available Friday, September 14, 2012

Committee Room– 250 Broadway, 16th Floor Mark Weprin, Chairperson

★ Note Deferral

Committee on Economic Development 10:00 a.m.

~~Agenda to be announced~~

~~Committee Room – 250 Broadway, 14th Floor~~

~~..... Karen Koslowitz, Chairperson~~

★ Addition

Committee on Transportation jointly with the

Committee on Technology 10:00 a.m.

Int. 599 - By Council Members Vacca, Arroyo, Brewer, Cabrera, Chin, Fidler, Gentile, Gonzalez, James, Koppell, Koslowitz, Mendez, Vann, Williams, Foster, Mark-Viverito, Garodnick, Barron, Jackson, Nelson, Rose and Levin - A Local Law to amend the administrative code of the city of New York, in relation to requiring that taxicab passenger enhancement systems be accessible to people with disabilities.

Oversight - Challenges and Opportunities of Technology in the Taxi & FHV Industries

Committee Room – 250 Broadway, 14th Floor James Vacca, Chairperson

..... Fernando Cabrera, Chairperson

Subcommittee on Landmarks, Public Siting & Maritime Uses 11:00 a.m.

See Land Use Calendar Available Friday, September 14, 2012

Committee Room– 250 Broadway, 16th Floor Brad Lander, Chairperson

★ Note New Location

Subcommittee on Planning, Dispositions & Concessions 1:00 p.m.

See Land Use Calendar Available Friday, September 14, 2012

★Council Chambers – City Hall Stephen Levin, Chairperson

★ Note Committee and Topic Addition

Committee on State and Federal Legislation jointly with the

★Committee on Housing and Buildings 1:00 p.m.

★Oversight – Examining the Report of the New York City/New York State Task force on Building and Fire Safety

Committee Room – 250 Broadway, 14th Floor Helen Foster, Chairperson

..... Erik Martin-Dilan, Chairperson

★ Note Deferral

Committee on Lower Manhattan Redevelopment 1:00 p.m.

~~Agenda to be announced~~

~~Hearing Room – 250 Broadway, 16th Floor Margaret Chin, Chairperson~~

Thursday, September 20, 2012

★ Note Deferral

Committee on Transportation 10:00 a.m.
 Agenda to be announced
 Hearing Room – 250 Broadway, 16th Floor James Vacca, Chairperson

Committee on Land Use 10:00 a.m.
 All items reported out of the subcommittees
 AND SUCH OTHER BUSINESS AS MAY BE NECESSARY
 Committee Room – 250 Broadway, 16th Floor Leroy Comrie, Chairperson

★ Note Deferral

Committee on Housing and
 Buildings 10:00 a.m.
 Agenda to be announced
 Committee Room – 250 Broadway, 14th Floor
 Erik Martin Dilan, Chairperson

Committee on Small Business jointly with the
 Committee on Higher Education 11:00 a.m.
 Tour: Baruch College Small Business Development Center (SBDC)
 Location: Lawrence N. Field Center for Entrepreneurship
 55 Lexington Avenue, Suite 2-140
 New York, NY 10010
 Details Attached Diana Reyna, Chairperson
 Ydanis Rodriguez, Chairperson

Committee on Environmental Protection 1:00 p.m.
 Oversight - Midterm Review of the Filtration Avoidance Determination for the City’s
 Catskill/Delaware Water Supply System
 Committee Room – 250 Broadway, 16th Floor
 James Gennaro, Chairperson

★ Note Time Change

Committee on Consumer Affairs ★2:00 p.m.
 Int. 702 - By Council Members Fidler, Rivera, Brewer, Dickens, Eugene, Gentile,
 James, Koppell, Lander, Mendez, Nelson, Recchia, Rose, Williams, Rodriguez and
 Dromm - A Local Law to amend the administrative code of the city of New York, in
 relation to requiring that all signs advertising the price of gasoline and/or diesel
 motor fuel disclose the total selling price for cash and credit card purchases.
 Oversight - Gas Stations in New York City: Putting a Premium on Consumer
 Protection
 Committee Room – 250 Broadway, 14th Floor
 Daniel Garodnick, Chairperson

★ Addition

Committee on Economic Development 1:00 p.m.
 Oversight - The Restructuring of the New York City Economic Development
 Corporation - What is the impact going forward?
 Hearing Room – 250 Broadway, 16th Floor Karen Koslowitz, Chairperson

Friday, September 21, 2012

Committee on Juvenile Justice 10:00 a.m.
 Agenda to be announced
 Committee Room – 250 Broadway, 14th Floor Sara Gonzalez, Chairperson

★ Note Committee and Topic Addition

Committee on Civil Rights jointly with the
 ★Committee on Higher Education 10:00 a.m.
 ★Oversight - What are Public and Private Higher Education Institutions Doing to
 Improve Faculty Diversity and Academic Leadership?
 Committee Room– 250 Broadway, 16th Floor Deborah Rose, Chairperson
 Ydanis Rodriguez, Chairperson

Committee on Civil Service and Labor 1:00 p.m.
 Agenda to be announced
 Committee Room – 250 Broadway, 16th Floor
 James Sanders, Chairperson

★ Note Topic Addition

Committee on Mental Health, Mental Retardation, Alcoholism,
 Drug Abuse and Disability Services 1:00 p.m.
 ★Proposed Res. 1229-A - By Council Members Levin, Oddo, Arroyo, Comrie,
 Crowley, Dromm, Eugene, Ferreras, James, Koo, Koppell, Lander, Recchia, Rose,
 Williams, Wills, Mark-Viverito, Palma, Rivera, Fidler, Brewer, Sanders Jr.,
 Koslowitz, Rodriguez, Vacca, Jackson, Foster and Halloran - Resolution recognizing
 September as Suicide Awareness Month in New York City and calling upon
 government agencies and non-governmental organizations to focus on teen suicide
 prevention.
 Committee Room – 250 Broadway, 14th Floor Oliver Koppell, Chairperson

★ Note Deferral

Committee on Community Development 1:00 p.m.
 Agenda to be announced
 Hearing Room – 250 Broadway, 16th Floor Albert Vann, Chairperson

★ Note Topic Addition

Committee on Lower Manhattan Redevelopment 1:00 p.m.
 ★Oversight - The Effect of Increased Tourism In Lower Manhattan
 Hearing Room – 250 Broadway, 16th Floor Margaret Chin, Chairperson

Monday, September 24, 2012

Stated Council Meeting Ceremonial Tributes – 1:00 p.m.
 Agenda – 1:30 p.m.
 Location ~ Council Chambers ~ City Hall

MEMORANDUM

August 28, 2012

TO: ALL COUNCIL MEMBERS

RE: TOUR BY THE COMMITTEE ON SMALL BUSINESS JOINTLY WITH
 THE COMMITTEE ON HIGHER EDUCATION

Please be advised that all Council Members are invited to attend a tour:

Baruch College Small Business Development Center (SBDC)
 Lawrence N. Field Center for Entrepreneurship
 55 Lexington Avenue, Suite 2-140
 New York, NY 10010

The tour will be on Thursday, September 20, 2012 beginning at 11:00 a.m.
 A van will be leaving City Hall at 10:30 a.m.

Please Contact Faith Corbett, at 212-788-2802, if you have any questions.

Diana Reyna, Chairperson Ydanis Rodriguez, Chairperson
 Committee on Small Business Committee on Higher Education

Christine C. Quinn
 Speaker of the Council

Whereupon on motion of the Speaker (Council Member Quinn), the President
 Pro Tempore (Council Member Rivera) adjourned these proceedings to meet again
 for the Stated Meeting on Monday, September 24, 2012.

MICHAEL M. McSWEENEY, City Clerk
 Clerk of the Council

