

SUPPLEMENT TO

THE CITY RECORD

THE COUNCIL —STATED MEETING OF
THURSDAY, APRIL 28, 2011

THE COUNCIL

*Minutes of the
STATED MEETING*

of
Thursday, April 28, 2011, 2:40 p.m.

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

Council Members

Christine C. Quinn, Speaker

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

Excused: Council Members Fidler, Lappin, Levin, Palma, Seabrook and Vallone Jr.

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 45 Council Members present at this Stated Meeting held in the lobby of the Emigrant Savings Bank building at 49-51 Chambers Street, New York, N.Y. 10007.

INVOCATION

The Invocation was delivered by Rabbi Mayer I. Perelmuter, Reform Temple of Forest Hills, 71-11 112th Street, Flushing, N.Y. 11375-4649.

We, in the Jewish community, have just (on Tuesday), finished celebrating the festival of Passover.

We've celebrated our Seders, the Book of Exodus, which really is not only a Jewish moment, but it is a moment for all peoples. And it is the only time, really, when God told the Hebrews to stop praying, not to pray. It happens the Egyptian army is bearing down on the Children of Israel, and they cry out to God in prayer. And in the Book of Exodus, God says to Moses, "[*phrase in Hebrew*]," which means, "Why are you crying out to me? Tell the people, Moses, to go forward, stop praying and go forward." So, one of the leaders, because he's a prince, his name is Nachshon Ben Aminadav, He walks right into the sea, and gets up to his nostrils, and the sea parts, he crosses over, the Children of Israel follow him. So Nachshon becomes a model for not only leadership in the Jewish community, but for all leaders. And he exhibits three characteristics: one, recognize the need; then take the initiative, do something about it; and three, be willing to take the heat, to bear the risk of being criticized or of loss of popularity. May we here, may we, in the religious community, and the political community, our prayer is may we strive to follow the example of Nachshon Ben Aminadav, as we all together strive to lead this great City and community forward into a very uncertain future. Amen.

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

During the Communication from the Speaker segment of the Meeting, the Speaker (Council Member Quinn) congratulated returning Legislative Document Unit staffer Billy Martin and his girlfriend Grace on the February 26, 2011 birth of their baby daughter, Samantha Grace. In addition, the Speaker (Council Member Quinn) congratulated Legislative Counsel Gary Altman and his wife, Faye, on the April 23, 2011 birth of their first grandchild Harrison Matthew on April 23, 2011. The Speaker (Council Member Quinn) also acknowledged the presence of Brandon, son of Deputy City Clerk Alisa Fuentes as well as Council Member Rodriguez's daughter Yarisa as part of Take Your Child to Work Day. The Speaker (Council Member Quinn) also acknowledged the presence of CUNY Professor Doug Muzzio and his journalism students.

ADOPTION OF MINUTES

Council Member Williams moved that the Minutes of the Stated Meeting of March 23, 2011 be adopted as printed.

MESSAGES & PAPERS FROM THE MAYOR

M-450

Communication from the Mayor - Submitting the name of Nancy G. Chaffetz to the Council for its advice and consent regarding her reappointment to the New York City Civil Service Commission, Pursuant to Sections 31 and 813 of the City Charter.

(For text, please refer to the City Hall Library at 31 Chambers Street, Suite 112, New York, N.Y. 10007)

Referred to the Committee on Rules, Privileges and Elections.

Preconsidered M-451

Communication from the Mayor - Submitting the name of Rudy Washington to the Council for its advice and consent regarding his reappointment to the New York City Civil Service Commission, Pursuant to Sections 31 and 813 of the City Charter.

(For text, please refer to the City Hall Library at 31 Chambers Street, Suite 112, New York, N.Y. 10007)

Referred to the Committee on Rules, Privileges and Elections.

M-452

Communication from the Mayor - Withdrawing the nomination of Steven Russo (M-444) from the City Council for its advice and consent regarding his reappointment to the Environmental Control Board, pursuant to Sections 31 and 1049-a of the City Charter.

(For text, please refer to the City Hall Library at 31 Chambers Street, Suite 112, New York, N.Y. 10007)

Received, Ordered, Printed and Filed.

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

M-453

Communication from the Borough President of Queens – Submitting proposed reallocation package for the Fiscal Year 2012 Preliminary Budget, pursuant to Section 245 of the City Charter.

(For text, please refer to the City Hall Library at 31 Chambers Street, Suite 112, New York, N.Y. 10007)

Received, Ordered, Printed and Filed.

M-454

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license Grove Car Service Inc., Council District 32, pursuant to Section 19-511(i), of the administrative code of the city of New York.

April 22, 2011

The Honorable Speaker Christine C. Quinn

Attention: Mr. John Lisianskiy
Council of the City of New York
City Hall
New York, New York 10007

Re: Taxi & Limousine Commission
For-Hire Vehicle Base License approvals

Dear Speaker Quinn:

Please be advised that on April 21, 2011 the Taxi & Limousine Commission voted to approve the following for-hire-vehicle base license applications:

NEW (4):	LICENSE #	COUNCIL DISTRICT
Grove Car Service Inc.	B02445	32
Federal Transit N.Y. Inc.	B02436	38
Morenita Express	B02463	38
Tiffany's Car Service Inc.	B02462	19
RENEWAL (32):	LICENSE #	COUNCIL DISTRICT
18 th Avenue Private Car Service	B00481	43
3210 Webster Avenue D/b/a Prestige Car Service	B01338	11
440 Car Service Inc.	B01194	34
A Kings Highway	B00449	48
Blu White Associated Transportation Service Inc.	B00492	11
Community Quisqueya Car Service Inc.	B00900	30
Continental Radio Dispatch Corp.	B00325	21
Family San Juan Radio Dispatch	B01538	7
G Way Transport Inc.	B01678	38
Hoyt Limo & Service Corp.	B01506	22
JSE Management Corp. D/b/a Dial A Ride	B00255	32
Kennedy Radio Dispatch Inc.	B01300	7
Kew Gardens Operating Corp.	B00183	29
Lil'D Dispatch Inc.	B01308	38
Linda & M Transportation Inc. D/b/a New Yorker Car Service	B00992	22
Martins Belle Harbour Car Service	B00345	32
Michaels Car Service Inc. D/b/a Union Limo. & Car Service	B01020	35
Munkacs Car Service Ltd.	B01559	39
New Bell Car Service Corp.	B01190	35
New Superior Radio Group Corp.	B01768	17
New York Apple Car Service Inc. D/b/a N.Y. Limo. & Car Service	B01200	34
Rescue Car Service Inc.	B00652	35
Rockaway Car & Limo Service Inc. D/b/a Rockaway Car Service of Queens	B01540	28

STM Enterprises, Inc. D/b/a Java Car & Limousine Service	B01522	33
Surf Car Systems Inc.	B00429	31
Transportation Unlimited Car Service	B00037	40
Tulcingo Car Service Inc.	B01364	21
UNC Car & Limo Service	B00882	8
U-Need Car Service	B01126	23
Unicar Company Inc.	B01340	18
Vic & Bay Car Service Inc. D/b/a Dejoy's Red Top	B00706	49
Waheguru Transportation Inc. D/b/a Parson Car Service Inc.	B01510	24
RENEWAL, OWNERSHIP CHANGE & NAME	LICENSE #	COUNCIL DISTRICT
Empire Simcha Inc. D/b/a V & M Transportation Corp.	B01394	39
St. Albans Hollis Car Service	B01958	27
RELOCATION, OWNERSHIP & NAME CHANGE (1):	LICENSE #	COUNCIL DISTRICT
Moe Limo & Car Service Inc.	B02034	26

The complete application package compiled for each of the above bases is available for your review upon request.

If you wish to receive a copy please contact Ms. Michelle Lange, Business Licensing Unit, at 718-391-5697.

Please find enclosed herein the original application for each of the approved base stations.

Very truly yours,

Georgia Steele
 Assistant Commissioner
 Licensing & Standards
Taxi & Limousine Commission

Referred to the Committee on Transportation.

M-455

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license Federal Transit N.Y. Inc., Council District 38, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-456

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license Morenita Express, Council District 38, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-457

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license Tiffany's Car Service Inc., Council District 19, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-458

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license 18th Avenue Private Car Service, Council District 43, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-459

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license 3210 Webster Avenue D/b/a Prestige Car Service, Council District 11, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-460

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license 440 Car Service Inc., Council District 34, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-461

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license A Kings Highway, Council District 48, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-462

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Blu White Associated Transportation Service Inc., Council District 11, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-463

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Community Quisqueya Car Service Inc., Council District 30, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-464

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Continental Radio Dispatch Corp., Council District 21, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-465

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Family San Juan Radio Dispatch, Council District 7, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-466

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license G Way Transport Inc., Council District 38, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-467

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Hoyt Limo & Service Corp., Council District 22, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-468

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license JSE Management Corp. D/b/a Dial A Ride, Council District 32, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-469

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Kennedy Radio Dispatch Inc., Council District 7, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-470

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Kew Gardens Operating Corp., Council District 29, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-471

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Lil'D Dispatch Inc., Council District 38, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-472

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Linda & M Transportation Inc. D/b/a New Yorker Car Service, Council District 22, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-473

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Martins Belle Harbour Car Service, Council District 32, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-474

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Michaels Car Service Inc. D/b/a Union Limo. & Car Service, Council District 35, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-475

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Munkacs Car Service Ltd., Council District 39, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-476

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license New Bell Car Service Corp., Council District 35, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-477

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license New Superior Radio Group Corp., Council District 17, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-478

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license New York Apple Car Service Inc. D/b/a N.Y. Limo. & Car Service, Council District 34, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-479

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Rescue Car Service Inc., Council District 35, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-480

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Rockaway Car & Limo Service Inc. D/b/a Rockaway Car Service of Queens, Council District 28, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-481

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license STM Enterprises, Inc. D/b/a Java Car & Limousine Service, Council District 33, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-482

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Surf Car Systems Inc., Council District 31, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-483

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Transportation Unlimited Car Service, Council District 40, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-484

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Tulcingo Car Service Inc., Council District 21, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-485

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license UNC Car & Limo Service, Council District 8, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-486

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license U-Need Car Service, Council District 23, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-487

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Unicar Company Inc., Council District 18, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-488

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Vic & Bay Car Service Inc. D/b/a Dejoy's Red Top, Council District 49, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-489

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Waheguru Transportation Inc. D/b/a Parson Car Service Inc., Council District 24, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-490

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal, ownership and name change base station license Empire Simcha Inc. D/b/a V & M Transportation Corp., Council District 39, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-491

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal, ownership and name change base station license St. Albans Hollis Car Service, Council District 27, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-492

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a relocation, ownership and name change base station license Moe Limo & Car Service Inc., Council District 26, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC letter, please see M-454 printed above in this Communication from City, County and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-493

Communication from the Department of Housing Preservation Development – Withdrawing 2 properties, 645 Barretto Street and 906 Simpson Street, from Council consideration for approval in the Third Party Transfer Program Bronx. These properties were originally introduced as part of a larger submission contained in M412.

Received, Ordered, Printed and Filed

LAND USE CALL UPS

M-494

By The Speaker (Council Member Quinn):

Pursuant to Rule 11.20(b) of the Council and Section 20-2269(g) or Section 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/enclosed sidewalk café located at 763 9th Ave., Community Board 4, Application 20115007 TCM shall be subject to review by the Council.

LAND USE CALL UP VOTE

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

Affirmative –Arroyo, Barron, Brewer, Cabrera, Chin, Comrie, Crowley, Dickens, Dilan, Dromm, Eugene, Ferreras, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran, Ignizio, Jackson, James, Koo, Koppell, Koslowitz, Lander, Mark-Viverito, Mealy, Mendez, Nelson, Recchia, Reyna, Rodriguez, Rose, Sanders, Ulrich, Vacca, Van Bramer, Vann, Weprin, Williams, Wills, Oddo, Rivera and the Speaker (Council Member Quinn) – **45**.

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

REPORTS OF THE STANDING COMMITTEES

Reports of the Committee on Consumer Affairs

Report for Int. No. 334-A

Report of the Committee on Consumer Affairs 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 requiring pedicabs to be subject to parking rules.

The Committee on Consumer Affairs, to which the annexed amended proposed local law was referred on September 16, 2010 (Minutes, page 3897), respectfully

REPORTS:

I. INTRODUCTION

On Wednesday, April 27, 2011, the Consumer Affairs Committee, chaired by Council Member Dan Garodnick, will vote on three bills relating to pedicabs: Proposed Introductory Bill Number 334-A (“Proposed Intro. 334-A”), a Local Law to amend the administrative code of the city of New York, in relation to requiring pedicabs to be subject to parking rules; Proposed Introductory Bill Number 466-A (“Proposed Intro. 466-A”), a Local Law to amend the administrative code of the city of New York, in relation to seizing pedicabs and suspending and/or revoking pedicab licenses for certain violations; and Proposed Introductory Bill Number 467-A (“Proposed Intro. 467-A”), a Local Law to amend the administrative code of the city of New York, in relation to the permitted number of pedicab registration plates. The Committee first considered these bills at a hearing on February 18, 2011, when it heard testimony from the Department of Consumer Affairs (“DCA”), the New York City Police Department (“NYPD”), the New York City Department of Transportation (DOT), representatives from the pedicab industry and other interested parties.

II. BACKGROUND

a. New York City’s Pedicab Industry

As the pedicab industry developed during the last decade from a novel trend into a full industry, New York City experienced a marked increase in the number of these vehicles operating on the streets. Pedicabs are now a common mode of for-hire transportation for residents and tourists. Today, pedicabs are ubiquitous in midtown Manhattan, the Broadway theater district and the Central Park area.¹

Pedicabs are often described as “bicycle” or “tricycle” taxis.² The pedicab vehicle itself is manufactured in various incarnations, but the most common version is the “three-wheeled bicycle,” in which the operator sits ahead of the main cabin atop a specifically designed seat. A set of handlebars attached to the front tire is steered by the operator’s hands. The operator’s feet rest upon pedals that are connected by a chain to the vehicle’s rear axle. The vehicle’s rear cabin is typically set over the rear axle, allowing a wide passenger compartment. The operator moves, stops, and directs the vehicle, as he or she would control a bicycle. Pedicabs typically cost approximately \$4,000 per vehicle.³ The fares are not uniform throughout the industry, but are generally based on either the length of the trip or its duration.

Like taxi drivers, pedicab operators roam the streets, most often in Midtown Manhattan, in search of customers willing to pay for their services. Because of the pedicab’s relatively small size and quick maneuverability, these vehicles may weave through the congested streets of Manhattan. Environmentally conscious travelers appreciate that the pedicab operates without fuel and emits no hazardous exhaust fumes.⁴

b. Local Law 19 of 2007

In 2007, the Council passed Introductory Bill No. 331-A, a Local Law in relation to regulation and licensing of pedicabs. Key features of the legislation were: (i) a licensing scheme and insurance requirements for all pedicab businesses and drivers; (ii) a cap of 325 pedicabs that could be operated in the city at any one time that would sunset two years after the law’s effective

for the Lower Ma_____

¹ See Carl Skutsch, “Keep the Big Wheels Turning,” *New York Times* (December 18, 2005).

² See Adam Gopnik, “Comment: Social Mobility,” *The New Yorker* (July 26, 2004).

³ See Lisa Carucci, “One Man’s Love of Biking Leads to A New Staple of NY Transportation,” *NYU Livewire* (November 23, 2004).

⁴ Department of Consumer Affairs, “Report to the New York City Council Authorized by LL 19 of 2007,” February 15, 2011.

date; (iii) no more than 30 pedicabs could be owned or operated by any one business owner; (iv) a requirement that each pedicab conspicuously post the method by which the fare would be calculated; and (v) a ban on pedicabs operated by anything other than human power. The law also required each pedicab to conform to certain safety standards, including: (i) seating for no more than three passengers; (ii) brakes impervious to rain or wet conditions; (iii) headlights, tail lights, and turn lights; and (iv) seat belts for each passenger. Furthermore, all pedicabs were to be inspected by DCA annually and were required to display a DCA-issued license plate.

In March 2007, the Mayor vetoed the bill, citing his belief that the free market should determine the number of pedicabs on the street. The following month, the City Council overrode the Mayor's veto and the bill became Local Law 19 of 2007.⁵ After it was enacted in April 2007, DCA promulgated rules to effectuate the distribution of pedicab business licenses and registration plates. The New York City Pedicab Owners' Association sued DCA in September 2007, claiming the promulgated rules were inconsistent with the language and intent of Local Law 19. The New York State Supreme Court immediately stayed the implementation of the law and any regulations adopted thereunder. Subsequently, the Court entered a judgment in January 2008 declaring the regulations invalid and ordering DCA to revise the regulations to conform to the intent of the local law. DCA appealed the ruling to the First Department, which upheld the lower court ruling in April of 2009. As a result of the First Department's ruling, and the amount of time that elapsed between Local Law 19's enactment and the First Department decision, the Council revisited the issue in 2009.

c. Local Law 53 of 2009

In 2009, the Council passed Introductory Bill No. 1031-A ("Intro. 1031-A"), a Local Law in relation to licensing of pedicabs. Intro. 1031-A created a sixty day window of time during which pedicab owners could apply to DCA for pedicab registration plates, at the conclusion of which no new registration plates would be issued. It also required applicants for the registration plates to have a valid pedicab business license in order to obtain them, and affix a registration plate to each pedicab in his or her possession. Although after the sixty day window closed registration plates would no longer be issued, an individual could still apply for a pedicab business or driver's license. Moreover, Intro. 1031-A contained a provision that would re-open the window on issuing registration plates eighteen months after the sixtieth day of the original application period.

The bill also contained provisions requiring safety inspections and insurance as a condition of licensure, and imposed additional safety requirements on the pedicab industry, including mandating that business owners provide training for all pedicab drivers, prohibiting pedicabs from operating in public plazas and specifying penalties for those drivers who operated a pedicab with a suspended or revoked motor vehicle license or while intoxicated. The bill held pedicab business owners jointly liable for all pedicab driver actions and allowed the commissioner to suspend or revoke an owner's business license based on a determination that the number and/or type of violations issued to drivers of his or her pedicab(s) presented a threat to public safety. 1031-A also mandated that a pedicab business license be suspended for one month if a pedicab owned by such business is found to be operating without proper registration and revoked for up to one year if any pedicabs owned by the business are found to be operating without registration three times within twelve months.

The Mayor signed Intro. 1031-A into law on August 13, 2009 and the bill became Local Law 53 of 2009. During that sixty-day window, DCA issued 889 pedicab registration plates and licensed 172 pedicab businesses.

d. Current Statistics on Pedicabs in New York City

On February 15, 2011, DCA published a report detailing "the number of pedicab businesses licenses issued, the number of pedicabs registered, the number of pedicab driver licenses issued, the number of applications for pedicab business and pedicab driver licenses received by DCA, the number of pedicab business and pedicab driver applicants on a waiting list, if any and the number of traffic accidents involving pedicabs."⁶ The report disclosed that in 2009, DCA received 181 pedicab business applications, issued 172 pedicab business licenses and registered 889 pedicabs.⁷ The following year, during the renewal period, DCA received approximately 203 pedicab business applications, issued 163 pedicab business licenses and registered 850 pedicabs.⁸ The decrease in business licenses issued and pedicabs registered between 2009 and 2010 can be attributed to the failure of some pedicab businesses to renew their license during the renewal period and, in one case, to the revocation of the company's pedicab business license.⁹ Since 2009, DCA has received 1,811 pedicab driver applications and issued 1,528 pedicab driver licenses.¹⁰ There is currently no waiting list for pedicab registration plates.

The report also detailed two accidents involving pedicabs that were reported to DCA. The first, which took place in July 2010, involved an encounter with a vehicle that resulted in \$1,556.93 in damages.¹¹ The second took place in September 2010 and involved an accidental collision between a vehicle stopped at a red light and a pedicab that hit the car's rear bumper after sliding on wet pavement.¹²

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⁵ Hicks, J., "Pedicab Limit Withstands Mayor's Veto," *N.Y. Times*, April 24, 2007, at 3.

⁶ *Supra* note 4, at 2.

⁷ *Id.*, at 2-3.

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*, at 4.

¹² *Id.*

The report did not disclose the extent of the damages, but mentioned that there were no injuries and that the pedicab company reimbursed the owner of the vehicle for the damage to the car.¹³

III. INTRODUCTORY BILLS

a. First Hearing on Introductory Bills

The Committee on Consumer Affairs held its first hearing on Proposed Intros. 344-A, 466-A and 467-A on February 18, 2011. During that hearing, DCA, DOT and NYPD all testified in support of the bills with minor suggestions, most of which are reflected in the versions being voted on today. The bills also enjoyed the support of the New York City Pedicab Owners Association, the Broadway League and the Metropolitan Taxicab Board of Trade. At the hearing, the Committee also heard testimony from a number of independent pedicab drivers. The drivers all supported the Council's efforts in professionalizing the pedicab industry and generally supported the essence of all three introductory bills. Several of the drivers expressed concerns about Proposed Intros. 344-A and 466-A. The Committee took note of these concerns and took these concerns into account when amending the bills to their current form.

b. Proposed Introductory Bill Number 334-A ("Intro. No. 334-A")

Intro. No. 334-A would add a new section to title nineteen of the administrative code relating to pedicab parking. Currently, pedicabs are not subject to the same parking regulations as motor vehicles and are considered bicycles under state law.¹⁴ Intro. No. 334-A would redefine pedicabs for the purposes of the administrative code and would subject pedicabs to certain local parking rules as they apply to motor vehicles.

Originally, Intro. No. 334 applied all local parking regulations to pedicabs. At the February 18, 2011 hearing on Intro. No. 334, pedicab drivers were concerned that they would no longer be able to pull over and take a brief break in a parking zone to rest or make repairs to their pedicabs. Pedicab drivers were also concerned that they would have difficulty using a muni-meter due to their inability to display and secure a parking receipt on the pedicab. Currently, Intro 334-A would only prohibit parking, standing or stopping in respective no parking zones, no standing zones and no stopping zones. Intro 334-A would not subject Pedicabs to meter parking requirements.

c. Proposed Introductory Bill No. 466-A ("Intro. No. 466-A")

Intro. No. 466-A would permit the seizure of any pedicab without a registration plate properly affixed in accordance with section 20-255 of the administrative code. Further, it would require that a pedicab driver's license be revoked after two violations within one year of paragraph seven of subdivision b of section 20-259, which prohibits the operation of a pedicab without a motor vehicle driver's license or with a revoked or suspended New York State motor vehicle driver's license. Finally, Intro. 466-A would require that if a pedicab accumulates three or more equipment violations relating to seat belts or brakes in one year, such pedicab's registration plate would be suspended for at least a year, and such pedicab be out of operation for that suspension period.

The original version of Intro. 466 would have required pedicab license suspensions for at least one month for drivers that committed any two section 20-259 violations within one year, and pedicab license revocation for drivers that committed any three or more section 20-259 violations within one year. Section 20-259 violations include all pedicab driver violations, such as operating a pedicab with more than three passengers and driving a pedicab while a passenger is standing. At the February, 2011 hearing, DCA contended that this requirement left the DCA commissioner without discretion to make decisions about suspension and revocation regarding what DCA considered less egregious violations. Currently, Intro. 466-A only requires the DCA commissioner to revoke a pedicab driver's license when a driver operates a pedicab without a motor vehicle driver's license or with a revoked or suspended New York State motor vehicle driver's license on two occasions within one year.

Originally, Intro. 466 required pedicab registration plate suspensions for at least one month for two pedicab equipment violations within one year pursuant to section 20-254 of the administrative code. Intro. 466 further required that a pedicab business owner in charge of any pedicab that accrued three equipment violations within one year would have his or her business license suspended for no less than one year. Pedicab drivers that testified at the February, 2011 hearing felt this requirement was too burdensome because they could lose their livelihoods over minor equipment failures, such as a broken light or blinker. The current version of Intro. 466-A would not require the suspension of a pedicab business license for equipment failures. Instead, it would only require a pedicab registration plate suspension for one year if three specific equipment violations accrue within one year to such pedicab. Equipment violations are limited to brakes and seatbelt malfunctions for the purpose of this introduction.

d. Introductory Bill No. 467 ("Intro. No. 467")

Intro. No. 467-A would continue the cap on pedicab registration plates created by Local law 53 of 2009. Local Law 53 of 2009 created a sixty day window for pedicab owners to apply for registration plates. After the sixty days no new applications for registration plates were accepted. As stated above, the cap is set to expire on May 21, 2011. At that time, individuals could apply to DCA for pedicab registration plates, potentially increasing the number of pedicabs working on city streets.

Since there are currently 850 registered pedicabs, an amendment to the administrative code to prevent the number of registered pedicabs from exceeding 850 was added to Intro 467-A after the February, 2011 hearing on Intro. No. 467. Further, to address how newly sought pedicab registration plates would be addressed

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¹³ *Id.*

¹⁴ N.Y. Vehicle & Traffic Law § 102.

in the future, Intro 467-A was amended from its original version to require the DCA commissioner to conduct an annual review of pedicab registration plates and promulgate rules for issuing new registration plates if the number of plates drops below 840.

(The following is the text of the Fiscal Impact Statement for Int. No. 334-A:)



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
PRESTON NIBLACK, DIRECTOR
FISCAL IMPACT STATEMENT
PROPOSED INTRO. NO. 334-A
COMMITTEE: Consumer Affairs

TITLE: To amend the administrative code of the city of New York, in relation to requiring pedicabs to be subject to parking rules.

SPONSORS: Council Members Garodnick, Chin, Comrie, Fidler, Foster, Gennaro, Greenfield, Nelson, Koslowitz, Van Bramer, Gentile, Jackson, Cabrera, Koo and Halloran

SUMMARY OF LEGISLATION: This legislation would make it a violation for a person to park, stand, or stop a pedicab where a person is prohibited from parking, standing or stopping a vehicle. Notices of parking violations for pedicabs that park, stand or stop in violation of such rules would be returnable to the parking violations bureau. Any person who violates this rule would be subject to a civil penalty in an amount described in the schedule of fines promulgated by the Department of Finance applicable to parking violations for vehicles.

EFFECTIVE DATE: This local law shall take effect 120 days after its enactment into law; provided, however, that the Commissioner would take any actions necessary prior to such effective date for the implementation of this local law including, but not limited to, the adoption of any necessary rules.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2012

FISCAL IMPACT STATEMENT:

	Effective FY11	FY Succeeding Effective FY12	Full Fiscal Impact FY12
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: There would be no revenue impact by the enactment of this legislation.

IMPACT ON EXPENDITURES: There would be no expenditure impact by the enactment of this legislation

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not applicable

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Latonia McKinney, Deputy Director
Ralph P. Hernandez, Principal Legislative Financial Analyst
New York City Council Finance Division

DATE SUBMITTED TO COUNCIL: Introduced by City Council and referred to Consumer Affairs Committee as Int. No. 334 on September 16, 2010. On February 18, 2011, the Committee held a hearing on the amended version of Proposed Int. No. 334-A, and the bill was laid over. This legislation will be voted by the Committee on April 27, 2011 as Proposed Int. No.334-A.

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Accordingly, this Committee recommends the adoption of Int Nos. 334-A, 466-A, and 467-A.

(For text of the bills and Fiscal Impact Statements for Int Nos. 466-A and 467-A, please see the Reports of the Committee on Consumer Affairs for Int No. 466-A and 467-A, respectfully; for text of Int No. 334-A, please see immediately below:)

(The following is the text of Int. No. 334-A:)

Int. No. 334-A

By Council Members Garodnick, Chin, Comrie, Fidler, Foster, Gennaro, Greenfield, Nelson, Koslowitz, Van Bramer, Gentile, Jackson, Cabrera, Koo, Halloran and Dickens.

A Local Law to amend the administrative code of the city of New York, in relation to requiring pedicabs to be subject to parking rules.

Be it enacted by the Council as follows:

Section 1. Chapter one of title 19 of the administrative code of the city of New York is amended by adding a new section 19-171.2 to read as follows:

§19-171.2 *Pedicab parking.* a. For the purposes of this section, the term "pedicab" shall mean a bicycle as defined in the vehicle and traffic law or other device that is designed and constructed to transport or carry passengers, that is solely propelled by human power, and that is operated to transport passengers for hire.

b. It is a violation for a person to park, stand, or stop a pedicab where a person is prohibited from parking, standing or stopping a vehicle pursuant to the rules of the city of New York promulgated by the commissioner. Notices of parking violations for pedicabs that park, stand or stop in violation of such rules shall be returnable to the parking violations bureau.

c. Any person who violates this section shall be subject to a civil penalty in an amount described in the schedule of fines promulgated by the department of finance applicable to parking violations for vehicles.

§2. This local law shall take effect one hundred twenty days after its enactment into law; provided, however, that the commissioner shall take any actions

necessary prior to such effective date for the implementation of this local law including, but not limited to, the adoption of any necessary rules.

DANIEL R. GARODNICK, Chairperson; MICHAEL C. NELSON, CHARLES BARRON, G. OLIVER KOPPELL, JULISSA FERRERAS, KAREN KOSLOWITZ, Committee on Consumer Affairs, April 27, 2011.

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 Int. No. 466-A

Report of the Committee on Consumer Affairs 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 seizing pedicabs and suspending and/or revoking pedicab registration plates and drivers' licenses for certain violations.

The Committee on Consumer Affairs, to which the annexed amended proposed local law was referred on February 2, 2011 (Minutes, page 272), respectfully

REPORTS:

(For text of Report, please see the Report of the Committee on Consumer Affairs for Int No. 334-A printed in these Minutes).

(The following is the text of the Fiscal Impact Statement for Int. No. 466-A:)



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
PRESTON NIBLACK, DIRECTOR
FISCAL IMPACT STATEMENT
PROPOSED INTRO. NO. 466-A
COMMITTEE: Consumer Affairs

TITLE: To amend the administrative code of the city of New York, in relation to seizing pedicabs and suspending and/or revoking pedicab registration plates and drivers' licenses for certain violations

SPONSORS: Council Members Garodnick, Foster, James, Mealy, Seabrook, Williams, Comrie, Gennaro, Koslowitz, Van Bramer, Gentile, Jackson, Cabrera and Halloran

SUMMARY OF LEGISLATION: Proposed Intro. 466-A would allow the seizing of pedicabs and suspending and/or revoking of pedicab registration plates and drivers' licenses for certain violations. A pedicab would be seized for failing to have a valid registration plate affixed to the pedicab. It would also require the Department of Consumer Affairs to revoke a pedicab driver's license if the pedicab driver operates a pedicab on two occasions within one year without a currently valid motor vehicle driver's license or while the pedicab driver's New York State motor vehicle driver's license is suspended or revoked. Finally, Proposed Int. No. 466-A would address crucial pedicab equipment violations, including a lack of working seatbelts or operating without working brakes. A pedicab found operating with these equipment problems three times in one year would have its registration plate suspended for no less than one year and the pedicab would be out of use during the suspension.

EFFECTIVE DATE: This legislation would take effect 120 days after its enactment into law. However, the Commissioner can take any actions necessary prior to such effective date for the implementation of this local law including, but not limited to, the adoption of any necessary rules.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2012

FISCAL IMPACT STATEMENT:

	Effective FY12	FY Succeeding Effective FY13	Full Fiscal Impact FY12
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: There would be no revenue impact by the enactment of this legislation.

IMPACT ON EXPENDITURES: There would be no expenditure impact by the enactment of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not applicable

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Latonia McKinney, Deputy Director
Ralph P. Hernandez, Principal Legislative Financial Analyst
New York City Council Finance Division

DATE SUBMITTED TO COUNCIL: Introduced by City Council and referred to Consumer Affairs Committee as Int. No. 466 on February 2, 2011. Laid over and hearing held by Committee on February 18, 2011 as Int. No. 466. An amendment has been proposed, and this legislation will be voted by Committee on April 27, 2011 as Proposed Int. No. 466-A.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 466-A:)

Int. No. 466-A

By Council Members Garodnick, Foster, James, Mealy, Seabrook, Williams, Comrie, Gennaro, Koslowitz, Van Bramer, Gentile, Jackson, Cabrera, Halloran and Greenfield.

A Local Law to amend the administrative code of the city of New York, in relation to seizing pedicabs and suspending and/or revoking pedicab registration plates and drivers' licenses for certain violations.

Be it enacted by the Council as follows:

Section 1. Subdivision d of section 20-263 of the administrative code of the city of New York, as added by local law number 19 for the year 2007, is amended to read as follows:

d. Any police or peace officer or authorized officer or employee of the department, upon service on the pedicab business or pedicab driver of a notice of violation for the failure of the pedicab business to obtain the required inspection of a pedicab *or have a valid registration plate affixed to the pedicab* pursuant to [subdivision a of] section 20-255 or for the failure of a pedicab driver to be licensed pursuant to section 20-257, may seize such pedicab. Any pedicab seized pursuant to this subdivision shall be delivered into the custody of the department or other appropriate agency. The commissioner shall hold a hearing to adjudicate the violation of subdivision a of section 20-255 or section 20-257 within two business days after the date of the seizure and shall render his or her determination within two business days after the conclusion of the hearing.

§ 2. Subdivision e of section 20-261 of the administrative code of the city of New York, as amended by local law number 53 for the year 2009, is amended to read as follows:

e. 1. Any pedicab driver who has been found to have committed:

(i) one violation of paragraph 7 of subdivision b of section 20-259 within any twelve-month period shall have his or her *pedicab drivers* license suspended by the commissioner for a period of not less than three months.

(ii) two violations of paragraph 7 of subdivision b of section 20-259 within any twelve-month period shall have his or her *pedicab drivers* license revoked by the commissioner.

(iii) [Any pedicab driver who has been found to have committed] one violation of paragraph 6 of subdivision b of section 20-259 within any twelve-month period shall have his or her license revoked by the commissioner.

2. For purposes of this subdivision, all violations committed on any one day by any one pedicab shall constitute a single violation.

§3. Section 20-261 of the administrative code of the city of New York is amended by adding a new subdivision i to read as follows:

i. Any pedicab that is found in violation of paragraph 4, paragraph 5 or paragraph 9 of subdivision a of section 20-254 three times or more within any twelve month period shall have its registration suspended by the commissioner for a period of not less than one year and such pedicab shall not be operated during such period.

§4. This local law shall take effect one hundred twenty days after its enactment into law; provided, however, that the commissioner shall take any actions necessary prior to such effective date for the implementation of this local law including, but not limited to, the adoption of any necessary rules.

DANIEL R. GARODNICK, Chairperson; MICHAEL C. NELSON, CHARLES BARRON, G. OLIVER KOPPELL, JULISSA FERRERAS, KAREN KOSLOWITZ, Committee on Consumer Affairs, April 27, 2011.

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 Int. No. 467-A

Report of the Committee on Consumer Affairs 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 the permitted number of pedicab registration plates.

The Committee on Consumer Affairs, to which the annexed amended proposed local law was referred on February 2, 2011 (Minutes, page 273), respectfully

REPORTS:

(For text of Report, please see the Report of the Committee on Consumer Affairs for Int. No. 334-A printed in these Minutes).

(The following is the text of the Fiscal Impact Statement for Int. No. 467-A:)



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

PROPOSED INTRO. No. 467-A

COMMITTEE: Consumer Affairs

TITLE: To amend the administrative code of the city of New York, in relation to the permitted number of pedicab registration plates

SPONSORS: Council Members Garodnick, James, Seabrook, Williams, Comrie, Gennaro, Koslowitz, Gentile, Jackson, Cabrera and Halloran

SUMMARY OF LEGISLATION: This legislation would limit the total number of pedicab plates that can be registered to 850. The Commissioner of the Department of Consumer Affairs can issue additional registration plates if it falls below 850.

EFFECTIVE DATE: This legislation would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2012

FISCAL IMPACT STATEMENT:

	Effective FY11	FY Succeeding Effective FY12	Full Fiscal Impact FY12
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: There would be no revenue impact by the enactment of this legislation.

IMPACT ON EXPENDITURES: There would be no expenditure impact by the enactment of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not applicable

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Latonia McKinney, Deputy Director
Ralph P. Hernandez, Principal Legislative Financial Analyst
New York City Council Finance Division

DATE SUBMITTED TO COUNCIL: Introduced by City Council and referred to Consumer Affairs Committee as Int. No. 467 on February 2, 2011. Hearing held by Committee on February 18, 2011, and the bill was laid over. An amendment has been proposed, and this legislation will be voted by Committee on April 27, 2011 as Proposed Int. No. 467-A.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 467-A:)

Int. No. 467-A

By Council Members Garodnick, James, Seabrook, Williams, Comrie, Gennaro, Koslowitz, Gentile, Jackson, Cabrera, Halloran and Dickens.

A Local Law to amend the administrative code of the city of New York, in relation to the permitted number of pedicab registration plates.

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 20-251 of the administrative code of the city of New York, as added by local law number 53 for the year 2009, is amended to read as follows:

a. The commissioner shall [commence accepting] *accept* application for registration plates, pursuant to section 20-255, [on the fortieth day after enactment of the local law that added this section, and shall continue accepting applications for sixty consecutive days following such commencement. During such sixty day period, persons submitting applications for registration plates shall also submit applications for pedicab business licenses pursuant to section 20-252] *provided that the total number of registration plates shall not exceed eight hundred and fifty. The commissioner shall conduct an annual review of pedicab registrations, and if the number of registration plates issued falls below eight hundred and forty, the Commissioner shall issue additional registration plates in such manner as is consistent with the provisions of this subchapter as he or she by rule shall prescribe.*

§2. Section 6 of Local Law 53 of 2009 is amended to read as follows:

6. This local law shall take effect immediately, except that section five of this local law shall take effect one hundred days after it shall have become a law, and provided that pedicab businesses may continue to operate without a pedicab business license, and pedicab drivers may continue to operate pedicabs without a registration plate and without a pedicab driver's license, until the expiration of one hundred days of the effective date of this local law[, and provided that subdivisions a, b, and d of section 20-251 of the administrative code of the city of New York, as added by section four of this local law, shall be deemed repealed eighteen months after the sixtieth day of the application period for registration plates].

§3. This local law shall take effect immediately, *provided that subdivisions a, b and d of section 20-251 of the administrative code of the city of New York, as added by local law number 53 for the year 2009, shall not be deemed to have been repealed as of the date specified in section 6 of such local law.*

DANIEL R. GARODNICK, Chairperson; MICHAEL C. NELSON, CHARLES BARRON, G. OLIVER KOPPELL, JULISSA FERRERAS, KAREN KOSLOWITZ, Committee on Consumer Affairs, April 27, 2011.

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 Finance

At this point the Speaker (Council Member Quinn) announced that the following items had been **preconsidered** by the Committee on Finance and had been favorably reported for adoption.

Report for Res. No. 802

Report of the Committee on Finance in favor of approving a Resolution approving the granting of an exemption for real property taxes pursuant to section 420-a of the real property tax law, for the 2008, 2009, and 2010 assessment rolls for the parcel owned by the Foundation for Sephardic Studies, Inc. in the City of New York, borough of Brooklyn, designated on the tax map as block 07089, lot 07 in such borough, and the cancellation of taxes, fines, penalties and interest remaining unpaid, and the making of appropriate correction of the subject assessment rolls, if, upon accepting and reviewing the application or renewal application for such exemption, the Department of Finance is satisfied that such corporation would otherwise be entitled to such exemption if it had filed such application for exemption by the appropriate taxable status date, in accordance with, and upon the effective date of, the chapter law represented by Assembly Bill A. 4773-A.

The Committee on Finance, to which the annexed resolution was referred on April 28, 2011, respectfully

REPORTS:

BACKGROUND

The Foundation for Sephardic Studies, Inc. is a not for profit corporation organized as a synagogue located at 718 Avenue S in the City of New York, borough of Brooklyn, designated on the tax map as block 07089, lot 07 in such borough. Pursuant to section 420-a of the Real Property Tax Law, which allows property tax exemptions for corporations that operate exclusively for religious, charitable, hospital, educational, or moral or mental improvement purposes, such corporations are eligible to receive a real property tax exemption provided that the Commissioner of the Department of Finance (“DOF”) receives an exemption application from the owner of such property before the applicable taxable status date. In New York City, the taxable status date is January 5th.

An application for a real property tax exemption was not submitted to the DOF before the taxable status date in 2008, 2009, and 2010. Accordingly, the Foundation for Sephardic Studies, Inc. does not receive a real property tax exemption, and as of the most recent quarterly Statement of Account for the corporation, dated February 18, 2011, the amount of outstanding property taxes, including interest and penalties, is \$65,060.32.

On February 7, 2011, the New York State Assembly introduced A.4773-A (“State legislation”), which authorizes the DOF to accept an application or renewal application from the Foundation for Sephardic Studies, Inc. for an exemption from real property taxes for the 2008, 2009, and 2010 assessment rolls. The State legislation provides that if DOF accepts the application, it must review it as if it had been received on or before the taxable status date established for the relevant assessment rolls. The taxable status date for the 2008, 2009, and 2010 assessment rolls was January 5th of the respective years.

The State legislation further provides that if DOF is satisfied that the corporation would have otherwise been entitled to the exemption had it filed for exemption by the taxable status date, “the commissioner ..., upon approval of the city council of the city of New York, may grant exemption from all taxation with respect to the subject tax rolls due and owing by such corporation on the effective date of this act, and cancel taxes, fines, penalties and interest remaining unpaid, and make appropriate correction of the subject assessment rolls.”

PRECONSIDERED RES. NO. 802

The Preconsidered Resolution constitutes the Council’s approval, pursuant to the State legislation, of the granting of a real property tax exemption to the Foundation for Sephardic Studies, Inc. for taxes owed for the 2008, 2009, and 2010 assessment rolls, if DOF accepts the application and, upon review, is satisfied that the corporation would have been entitled to the exemption had it filed the application by the appropriate taxable status date of such assessment rolls.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 802:)

Res. No. 802

Resolution approving the granting of an exemption for real property taxes pursuant to section 420-a of the Real Property Tax Law, for the 2008, 2009, and 2010 assessment rolls for the parcel owned by the Foundation for Sephardic Studies, Inc. in the City of New York, borough of Brooklyn, designated on the tax map as block 07089, lot 07 in such borough, and the cancellation of taxes, fines, penalties and interest remaining unpaid, and the making of appropriate correction of the subject assessment rolls, if, upon accepting and reviewing the application or renewal application for such exemption, the Department of Finance is satisfied that such corporation would otherwise be entitled to such exemption if it had filed such application for exemption by the appropriate taxable status date, in accordance with, and upon the effective date of, the chapter law represented by Assembly Bill A. 4773-A.

By Council Members Recchia and Comrie.

Whereas, The Foundation for Sephardic Studies, Inc. is a not for profit corporation organized as a synagogue located at 718 Avenue S in the City of New York, borough of Brooklyn, designated on the tax map as block 07089, lot 07 in such borough; and

Whereas, In accordance with Assembly Bill A. 4773-A (“State legislation”), the Commissioner of the Department of Finance (“DOF”) is authorized to accept an application for exemption from real property taxes pursuant to section 420-a of the Real Property Tax Law for the 2008, 2009, and 2010 assessment rolls for the parcel owned by such corporation; and

Whereas, The State legislation provides that such application, if accepted, shall be reviewed as if it had been received on or before the taxable status date established by such assessment rolls; and

Whereas, Such State legislation also provides that if such corporation would otherwise be entitled to such exemption had such corporation filed such application or renewal application for exemption by the appropriate taxable status date, then the Commissioner of DOF, upon approval by the Council of the City of New York, may grant such exemption from all taxation with respect to the subject taxable assessment rolls due and owing on the effective date of such chapter law, and cancel taxes, fines, penalties and interest remaining unpaid, and make appropriate correction of the subject assessment rolls; now, therefore, be it

Resolved, That the Council of the City of New York hereby approves the granting of an exemption for real property taxes pursuant to section 420-a of the Real Property Tax Law, for the 2008, 2009, and 2010 assessment rolls for the parcel owned by the Foundation for Sephardic Studies, Inc. in the City of New York, borough of Brooklyn, designated on the tax map as block 07089, lot 07 in such borough, and the cancellation of taxes, fines, penalties and interest remaining unpaid, and the making of appropriate correction of the subject assessment rolls, if, upon accepting and reviewing the application or renewal application for such exemption, the Department of Finance is satisfied that such corporation would otherwise be entitled to such exemption if it had filed such application for exemption by the appropriate taxable status date, in accordance with, and upon the effective date of, the chapter law represented by Assembly Bill A. 4773-A.

DOMENIC M. RECCHIA, Chairperson; JOEL RIVERA, DIANA REYNA, GALE A. BREWER, LEROY G. COMRIE, HELEN D. FOSTER, ROBERT JACKSON, ALBERT VANN, JULISSA FERRERAS, FERNANDO CABRERA, KAREN KOSLOWITZ, JAMES G. VAN BRAMER, VINCENT M. IGNIZIO, JAMES S. ODDO, Committee on Finance, April 28, 2011.

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).

At this point the Speaker (Council Member Quinn) announced that the following items had been **preconsidered** by the Committee on Finance and had been favorably reported for adoption.

Report for L.U. No. 371

Report of the Committee on Finance in favor of approving 155-161 East 103rd Street, Block 1631, Lot 25, Manhattan, Council District No. 8

The Committee on Finance, to which the annexed Land Use resolution was referred on April 28, 2011, respectfully

REPORTS:

(The following is the text of a Memo to the Finance Committee from the Finance Division of the New York City Council:)

April 28, 2011

TO: Hon. Domenic M. Recchia, Jr.
Chair, Finance Committee

Members of the Finance Committee

FROM: Anthony Brito, Finance Division

RE: Finance Committee Agenda of April 28, 2011-Resolution approving a tax exemption for one preconsidered Land Use Item (Council District 8).

HPD has submitted a request to the Council to approve a property tax exemption for the following property: 155-161 East 103rd Street located in Councilmember Viverito's District.

155-161 East 103rd Street contains one building that provides 30 units of rental housing for persons of low income. The sponsor, Revive 103 Hope Housing Development Fund Corporation, will finance the acquisition and rehabilitation of this property with financing from the New York City Housing Development Corporation (HDC). The sponsor will also enter into a 30-year regulatory agreement with HDC that requires that at least 20 percent of the project's dwelling units be restricted to families whose incomes do not exceed 50 percent of area median income (AMI) and that all dwelling units must be rented to families whose income do not exceed 120 percent of AMI. In order to keep the project financially viable and provide affordable housing, HPD is requesting an exemption from real property taxes pursuant to Section 577 of the Private Housing Finance Law. The value of the tax exemption is projected to be \$71,366 in the first year of the exemption and \$3.4 million over the 30-year length of the exemption.

This item has the approval of Councilmember Viverito.

In connection herewith, Council Member Recchia offered the following resolution:

Res. No. 805

Resolution approving a partial exemption from real property taxes for property located at 155-161 East 103rd Street (Block 1631, Lot 25) Manhattan, pursuant to Section 577 of the Real Property Tax Law (Preconsidered L.U. No. 371).

By Council Member Recchia.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council its request dated April 8, 2011 that the Council take the following action regarding a housing project to be located at 155-161 East 103rd Street (Block 1631, Lot 25) Borough of Manhattan ("Exemption Area"):

Approve a full exemption of the Project from real property taxes pursuant to Section 577 of the Real Property Tax Law (the "Tax Exemption");

WHEREAS, the project description that HPD provided to the Council states that the purchaser of the Project (the "Sponsor") is a duly organized housing development fund company under Article XI of the Private Housing Finance Law;

WHEREAS, the Council held a hearing on the Project on April 28, 2011;

WHEREAS, the Council has considered the financial implications relating to the Tax Exemption;

RESOLVED:

The Project shall be developed upon the terms and conditions set forth in the Project Summary that HPD has submitted to the Council, a copy of which is attached hereto.

The Council hereby grants an exemption from real property taxes as follows:

1. For the purposes hereof, the following terms shall have the following meanings:

- (a) "Effective Date" shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, and (ii) the date that HPD and the HDFC enter into the Regulatory Agreement.
- (b) "Exemption" shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
- (c) "Exemption Area" shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 1631, Lot 25 on the Tax Map of the City of New York.
- (d) "Expiration Date" shall mean the earlier to occur of (i) a date which is thirty (30) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to
- (e) be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
- (e) "HDC" shall mean the New York City Housing Development Corporation.
- (f) "HDFC" shall mean Revive 103 Hope Housing Development Fund Corporation.
- (g) "HPD" shall mean the Department of Housing Preservation and Development of the City of New York.
- (h) "J-51 Benefits" shall mean any tax benefits pursuant to §489 of the Real Property Tax Law, which are in effect on the Effective Date.
- (i) "Regulatory Agreement" shall mean the regulatory agreement between HPD and the HDFC establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
- (j) "Shelter Rent" shall mean the total rents received from the commercial and residential occupants of the Exemption Area, including any federal subsidy (including, but not limited to, Section 8, rent supplements, and rental assistance), less the cost of providing to such occupants electricity, gas, heat and other utilities.
- (k) "Shelter Rent Tax" shall mean an amount equal to ten percent (10%) of Shelter Rent, but in no event less than thirty-five thousand eight hundred eighty-six dollars (\$35,886) per annum.

2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business or commercial use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.

3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Shelter Rent Tax. Such payments shall not be reduced by reason of any J-51 Benefits. Notwithstanding the foregoing, the total annual real property tax payment by the HDFC shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule or regulation.

4. Notwithstanding any provision hereof to the contrary:

- a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, or (iv) the demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to the HDFC and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
 - b. The Exemption shall not apply to any building constructed on the Exemption Area which did not have a permanent certificate of occupancy on the Effective Date.
 - c. Nothing herein shall entitle the HDFC to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
5. In consideration of the Exemption, the owner of the Exemption Area, for so long as the Exemption shall remain in effect, shall waive the benefits of any additional or concurrent exemption from or abatement of real property taxation, other than the J-51 Benefits, which may be authorized under any existing or future local, state or federal law, rule or regulation.

DOMENIC M. RECCHIA, Chairperson; JOEL RIVERA, DIANA REYNA, GALE A. BREWER, LEROY G. COMRIE, HELEN D. FOSTER, ROBERT JACKSON, ALBERT VANN, JULISSA FERRERAS, FERNANDO CABRERA, KAREN KOSLOWITZ, JAMES G. VAN BRAMER, VINCENT M. IGNIZIO, JAMES S. ODDO, Committee on Finance, April 28, 2011.

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. 360

Report of the Committee on Land Use in favor of approving Application no. 090225 ZMK submitted by the Center of Negative Thinking LLC pursuant to Sections 197-c and 201 of the new York City Charter for an amendment of the Zoning Map, changing from an M1-1 District to an R6B District, Section No. 16a.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on March 23, 2011 (Minutes, page 846), respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 6 C 090225 ZMK

City Planning Commission decision approving an application submitted by the Center for Negative Thinking LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No 16a, changing from an M1-1 District to an R6B District property bounded by a line 100 feet southwesterly of President Street, a line 240 feet northwesterly of Columbia Street, Carroll Street, and a line 375 feet northwesterly of Columbia Street, as shown on a diagram (for illustrative purposes only) dated October 25, 2010 and subject to the conditions of CEQR Declaration E-263.

INTENT

To facilitate development of an eight unit residential building at 33 Carroll Street, Brooklyn.

PUBLIC HEARING

DATE: April 4, 2011

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: April 12, 2011

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

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

COMMITTEE ACTION

DATE: April 14, 2011

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Comrie	None	None
Rivera		
Reyna		
Jackson		
Sanders, Jr.		
Seabrook		
Vann		
Gonzalez		
Arroyo		
Dickens		
Garodnick		
Vacca		
Lander		
Levin		
Weprin		
Williams		
Ignizio		
Koo		

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

Res. No. 806

Resolution approving the decision of the City Planning Commission on ULURP No. C 090225 ZMK, a Zoning Map amendment (L.U. No. 360).

By Council Members Comrie and Weprin.

WHEREAS, the City Planning Commission filed with the Council on March 18, 2011 its decision dated March 16, 2011 (the "Decision"), on the application submitted by the Center for Negative Thinking LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map to rezone two lots on the north side of Carroll Street between Columbia and Van Brunt Streets

from M1-1 to R6B in the Columbia Street neighborhood of Brooklyn (ULURP No. C 090225 ZMK) (the "Application");

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 April 4, 2011;

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 issued on March 16, 2011, which included (E) designations. To avoid any potential impacts associated with noise, the proposed action will place (E) designations on Block 347, Lots 50 and 54 (CEQR No. 09DCP032K);

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment subject to the following conditions:

The applicant agrees via a restrictive declaration to prepare a Phase II Environmental Assessment Statement (ESA), hazardous materials sampling protocol and health and safety plans, which would be submitted to the Department of Environmental Protection (DEP) for approval. The applicant agrees to test and identify any potential hazardous material impact pursuant to the approved sampling protocols and, if any such impact is found, submit a hazardous material remediation plan including a health and safety plan to DEP for approval. If necessary, remediation measures would be undertaken pursuant to the remediation plans.

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 090225 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 16a, changing from an M1-1 District to an R6B District property bounded by a line 100 feet southwesterly of President Street, a line 240 feet northwesterly of Columbia Street, Carroll Street, and a line 375 feet northwesterly of Columbia Street, as shown on a diagram (for illustrative purposes only) dated October 25, 2010 and subject to the conditions of CEQR Declaration E-263, Community District 6, Borough of Brooklyn.

LEROY G. COMRIE, Chairperson; JOEL RIVERA, DIANA REYNA, ROBERT JACKSON, JAMES S. SANDERS JR., LARRY B. SEABROOK, ALBERT VANN, SARA M. GONZALEZ, MARIA DEL CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JAMES VACCA, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, PETER A. KOO, Committee on Land Use, April 14, 2011.

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. 361

Report of the Committee on Land Use in favor of approving Application no. C 110118 ZMK submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, changing from an M1-1 District to an R6B District, Section No. 16a.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on March 23, 2011 (Minutes, page 846), respectfully

REPORTS:

SUBJECT

**BROOKLYN CB - 6
ZMK**

C 110118

City Planning Commission decision approving an application submitted by the NYC Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section 16a, changing from an M1-1 District to an R6B District property bounded by Carroll Street, a line 260 feet northwesterly of Columbia Street, a line midway between Carroll Street and Summit Street, and a line 380 feet northwesterly of Columbia Street, as shown on a diagram (for illustrative purposes only) dated October 25, 2010 and subject to the conditions of CEQR Declaration E-264.

INTENT

To facilitate development of the vacant lot with a residential development that is in context with the surrounding area.

PUBLIC HEARING

DATE: April 4, 2011

Witnesses in Favor: One
None

Witnesses Against:

SUBCOMMITTEE RECOMMENDATION

DATE: April 12, 2011

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

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

COMMITTEE ACTION

DATE: April 14, 2011

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Comrie	None	None
Rivera		
Reyna		
Jackson		
Sanders, Jr.		
Seabrook		
Vann		
Gonzalez		
Arroyo		
Dickens		
Garodnick		
Vacca		
Lander		
Levin		
Weprin		
Williams		
Ignizio		
Koo		

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

Res. No. 807

Resolution approving the decision of the City Planning Commission on ULURP No. C 110118 ZMK, a Zoning Map amendment (L.U. No. 361).

By Council Members Comrie and Weprin.

WHEREAS, the City Planning Commission filed with the Council on March 18, 2011 its decision dated March 16, 2011 (the "Decision"), on the application submitted by the New York City Department of City Planning, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map to rezone 6 lots on the south side of Carroll Street between Columbia and Van Brunt Streets from M1-1 to R6B in the Columbia Street neighborhood of Brooklyn, Community District 6, Borough of Brooklyn (ULURP No. C 110118 ZMK) (the "Application");

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 April 4, 2011;

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 Negative Declaration issued on October 25, 2010, which included (E) designation for hazardous materials, air quality and noise (CEQR No. 11DCP038K);

RESOLVED:

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

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 110118 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. 16a, changing from an M1-1 District to an R6B District property bounded by Carroll Street, a line 260 feet northwesterly of Columbia Street, a line midway between Carroll Street and Summit Street, and a line 380 feet northwesterly of Columbia Street, as shown on a diagram (for illustrative purposes only) dated October 25, 2010 and subject to the conditions of CEQR Declaration E-264, Community District 6, Borough of Brooklyn.

LEROY G. COMRIE, Chairperson; JOEL RIVERA, DIANA REYNA, ROBERT JACKSON, JAMES S. SANDERS JR., LARRY B. SEABROOK, ALBERT VANN, SARA M. GONZALEZ, MARIA DEL CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JAMES VACCA, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, VINCENT M. IGNIZIO, PETER A. KOO, Committee on Land Use, April 14, 2011.

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 Rules, Privileges & Elections

Report for M-442

Report of the Committee on Rules, Privileges & Elections in favor of approving the re-appointment by the Mayor of Robert Carver as a member of the New York City Environmental Control Board.

The Committee on Rules, Privileges & Elections, to which the annexed communication was referred on April 6, 2011 (Minutes, page 855), respectfully

REPORTS:

Topic I: New York City Environmental Control Board – (Mayoral nominees for appointment and re-appointment upon advice and consent of the Council)

- **Robert Carver [M-442]**
- **Emily Lally [M-443]**
- **Douglas Swann [M-445]**

Within the New York City Office of Administrative Trials and Hearings ("OATH") there is an Environmental Control Board ("ECB") that adjudicates notices of violation issued by various city agencies including the Departments of Environmental Protection, Police, Sanitation, Health and Mental Hygiene, Fire and Buildings. ECB has the power to render decisions and orders and to impose civil penalties under law provided for such violations. ECB may apply to a court of competent jurisdiction for enforcement of any decision, order or subpoena that it issues. ECB's responsibilities and structure are outlined in *New York City Charter* section 1049-a.

Among the provisions of law enforced by ECB are those relating to the cleanliness of city streets; the disposal of wastes; the provision of a pure, wholesome and adequate supply of water; the prevention of air, water and noise pollution; the regulation of street peddling; and the city response to emergencies caused by releases or threatened releases of hazardous substances. ECB has the authority to make, amend or rescind such rules and regulations to carry out its duties. Also, ECB has concurrent jurisdiction with the Board of Health to enforce those provisions of the health code and the rules and regulations relating thereto that the Board of Health shall designate.

ECB consists of the Commissioners of the Departments of Environmental Protection, Sanitation, Health and Mental Hygiene, Buildings, Police, Fire and the Chief Administrative Law Judge of OATH, as well as six persons appointed by the Mayor with the advice and consent of the Council. The Chief Administrative Judge of OATH serves as Chair of ECB. Within its appropriation, ECB may appoint an Executive Director and such hearing officers, including non-salaried hearing officers and other employees as it finds necessary, to properly perform its duties.

Members other than agency Commissioners may not be employed by the City. Five of the six non-Commission members must possess broad general background and experience, one in each of the following areas: air pollution control, water pollution control, noise pollution control, real estate, or the business community. The sixth non-Commissioner member represents the general public. Members other than the agency Commissioners are compensated and receive a \$175.10 per-diem when performing the work of ECB. Member terms are for four years.

Mr. Carver is scheduled to appear before the Committee on Rules, Privileges and Elections on Thursday, April 28, 2011. Upon re-appointment by the Mayor with the advice and consent of the Council, Mr. Carver will serve for the remainder of a four-year term that will expire on November 24, 2013, as the ECB member with experience in the field of real estate. A copy of Mr. Carver's résumé and report/resolution is annexed to this Briefing paper.

Ms. Lally is scheduled to appear before the Committee on Rules, Privileges and Elections on Thursday, April 28, 2011. Upon re-appointment by the Mayor with the advice and consent of the Council, Ms. Lally will serve for the remainder of a four-year term that will expire on March 5, 2015, as the ECB member with experience in the field of noise pollution control. A copy of Ms. Lally's résumé and report/resolution is annexed to this Briefing paper.

Mr. Swann is scheduled to appear before the Committee on Rules, Privileges and Elections on Thursday, April 28, 2011. Upon appointment by the Mayor with the advice and consent of the Council, Mr. Swann will fill a vacancy and serve for the remainder of a four-year term that will expire on March 5, 2013, as the ECB member with experience in the field of air pollution control. A copy of Mr. Swann's résumé and report/resolution is annexed to this Briefing paper.

Topic II: New York City Civil Service Commission – (Mayoral nominees for re-appointment upon advice and consent of the Council)

- **Nancy G. Chaffetz [Preconsidered M-450]**
- **Rudy Washington [Preconsidered M-451]**

New York City Charter ("Charter") § 813 (d) provides for a Civil Service Commission ("CSC") to hear and determine appeals by any person aggrieved by an action of the Commissioner of the New York City Department of Citywide Administrative Services ("DCAS").¹⁵ CSC may affirm, modify or reverse such action or determination. Any such appeal is taken by application in writing to CSC within thirty days after the action or determination appealed from. CSC is also vested with the powers and responsibilities of a municipal civil service commission under New York Civil Service Law § 26. Moreover, CSC is authorized to promulgate rules of procedure, including rules establishing time schedules, for authorized hearings and determinations.¹⁶ CSC, upon its own initiative, or upon

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¹⁵ The Commissioner of DCAS is responsible for citywide personnel matters. [Charter § 811.]

¹⁶ CSC has established rules of procedure, which appear in Chapter 2 of Title 60 of the Rules of the City of New York.

request of the Mayor, Council or DCAS Commissioner, has the power and duty to conduct reviews, studies or analyses of the administration of personnel in the city, including classification of titles by the DCAS Commissioner. *Charter* § 813(e). CSC is also required to prepare and transmit directly to the Mayor departmental estimates. The Mayor includes these proposed appropriations for CSC as a separate agency in the preliminary and executive budgets to assure sufficient funding for CSC to fulfill the obligations assigned to it by the *Charter* or other law. *Charter* § 813 (b).

CSC consists of five members, not more than three of whom may be members of the same political party. The members of CSC are appointed by the Mayor from a list of nominations provided by a six member Screening Committee,¹⁷ of whom four members are appointed by the Mayor and two by the Municipal Labor Committee. The Screening Committee submits the list of nominees upon the occurrence of a vacancy on CSC, or at least three months prior to the expiration of the term of an incumbent member. *Charter* § 813(b).

Members of CSC are appointed to six-year terms, and may be removed from office in the manner provided for the members of a municipal Civil Service Commission outlined in the *New York State Civil Service Law*. The Mayor designates a member of CSC as Chair and Vice Chair, respectively, for one-year terms. Members are reimbursed on a per-diem basis for attendance at regularly scheduled meetings and hearings of CSC. *Charter* § 813 (a). According to the New York City Payroll Management System, the Chair receives \$ 418.77 per-diem, while the Vice Chair and the remaining members each receive \$ 384.50 per-diem.

CSC appoints a Counsel, who may not be employed or retained by another City agency, and may appoint a Secretary and such other subordinates as may be necessary, within the appropriation therefor. *Charter* § 813(c).

Ms. Chaffetz is scheduled to appear before the Committee on Rules, Privileges and Elections on Thursday, April 28, 2011. If re-appointed, Ms. Chaffetz, a resident of Manhattan, and a registered member of the Republican Party, will be eligible to complete the remainder of a six-year term, which expires on March 21, 2017. A copy of Ms. Chaffetz's résumé and report/resolution is annexed to this Briefing paper.

Mr. Washington is scheduled to appear before the Committee on Rules, Privileges and Elections on Thursday, April 28, 2011. If re-appointed, Mr. Washington, a resident of Queens, and a registered member of the Republican Party, will be eligible to complete the remainder of a six-year term, which expires on March 21, 2015. A copy of Mr. Washington's résumé and report/resolution is annexed to this Briefing paper.

(After interviewing the candidates and reviewing the relevant material, this Committee recommends the appointment of the nominees. For nominees Emily Lally [M-443], Douglas Swann [M-445], Nancy G. Chaffetz [Preconsidered M 450], and Rudy Washington [Preconsidered M 451], please see, respectively, the Reports of the Committee on Rules, Privileges and Elections for M-443, M-445, M-450, and M-451 printed in these Minutes; for candidate Robert Carver [M-442], please see immediately below:)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to §§ 31 and 1049-a of the *New York City Charter*, the Committee on Rules, Privileges and Elections, hereby approves the re-appointment by the Mayor of Robert Carver as a member of the New York City Environmental Control Board to serve for the remainder of a four-year term expiring on November 24, 2013.

The matter was referred to the Committee on April 6, 2011.

In connection herewith, Council Member Rivera offered the following resolution:

Res. No. 808

Resolution approving the re-appointment by the Mayor of Robert Carver as a member of The New York City Environmental Control Board.

By Council Member Rivera.

RESOLVED, that pursuant to §§ 31 and 1049-a of the *New York City Charter*, the Council does hereby approve the re-appointment by the Mayor of Robert Carver as a member of the New York City Civil Environmental Control Board for the remainder of a four-year term expiring on November 24, 2013.

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¹⁷ The "list of nominees shall include persons with knowledge or experience of the civil service system, or personnel management, or compensation practices, from which the Mayor shall make appointments to the Civil Service Commission." *Charter* § 813 (b).

JOEL RIVERA, Chairperson; LEROY G. COMRIE, ERIK MARTIN DILAN, ROBERT JACKSON, ALBERT VANNM, VINCENT J. GENTILE, INEZ E. DICKENS, JAMES VACCA, KAREN KOSLOWITZ, JAMES S. ODDO, CHRISTINE C. QUINN, Committee on Rules, Privileges & Elections, April 28, 2011.

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 M-443

Report of the Committee on Rules, Privileges & Elections in favor of approving the re-appointment by the Mayor of Emily Lally as a member of the New York City Environmental Control Board.

The Committee on Rules, Privileges & Elections, to which the annexed communication was referred on April 6, 2011 (Minutes, page 856), respectfully

REPORTS:

(For text of the Briefing Paper, please see the Report of the Committee of Rules, Privileges and Elections for M-442 printed in these Minutes)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to §§ 31 and 1049-a of the *New York City Charter*, the Committee on Rules, Privileges and Elections, hereby approves the re-appointment by the Mayor of Emily Lally as a member of the New York City Environmental Control Board to serve for the remainder of a four-year term expiring on March 5, 2015.

The matter was referred to the Committee on April 6, 2011

Res. No. 809

Resolution approving the re-appointment by the Mayor of Emily Lally as a member of the New York City Environmental Control Board.

By Council Member Rivera.

RESOLVED, that pursuant to §§ 31 and 1049-a of the *New York City Charter*, the Council does hereby approve the re-appointment by the Mayor of Emily Lally as a member of the New York City Civil Environmental Control Board for the remainder of a four-year term expiring on March 5, 2015.

JOEL RIVERA, Chairperson; LEROY G. COMRIE, ERIK MARTIN DILAN, ROBERT JACKSON, ALBERT VANNM, VINCENT J. GENTILE, INEZ E. DICKENS, JAMES VACCA, KAREN KOSLOWITZ, JAMES S. ODDO, CHRISTINE C. QUINN, Committee on Rules, Privileges & Elections, April 28, 2011.

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 M-445

Report of the Committee on Rules, Privileges & Elections in favor of approving the appointment by the Mayor of Douglas Swann as a member of the New York City Environmental Control Board.

The Committee on Rules, Privileges & Elections, to which the annexed communication was referred on April 6, 2011 (Minutes, page 857), respectfully

REPORTS:

(For text of the Briefing Paper, please see the Report of the Committee of Rules, Privileges and Elections for M-442 printed in these Minutes)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to §§ 31 and 1049-a of the *New York City Charter*, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of Douglas Swann as a member of the New York City Environmental Control Board to serve for the remainder of a four-year term expiring on March 5, 2013.

The matter was referred to the Committee on April 6, 2011

Res. No. 810

Resolution approving the appointment by the Mayor of Douglas Swann as a member of the New York City Environmental Control Board.

By Council Member Rivera

RESOLVED, that pursuant to §§ 31 and 1049-a of the *New York City Charter*, the Council does hereby approve the appointment by the Mayor of Douglas Swann as a member of the New York City Civil Environmental Control Board for the remainder of a four-year term expiring on March 5, 2013.

JOEL RIVERA, Chairperson; LEROY G. COMRIE, ERIK MARTIN DILAN, ROBERT JACKSON, ALBERT VANNM, VINCENT J. GENTILE, INEZ E. DICKENS, JAMES VACCA, KAREN KOSLOWITZ, JAMES S. ODDO, CHRISTINE C. QUINN, Committee on Rules, Privileges & Elections, April 28, 2011.

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).

At this point the Speaker (Council Member Quinn) announced that the following items had been **preconsidered** by the Committee on Rules, Privileges & Elections and had been favorably reported for adoption.

Report for M-450

Report of the Committee on Rules, Privileges & Elections in favor of approving the re-appointment by the Mayor of Nancy G. Chaffetz as a Commissioner of the New York City Civil Service Commission.

The Committee on Rules, Privileges & Elections, to which the annexed communication was referred on April 28, 2011, respectfully

REPORTS:

(For text of the Briefing Paper, please see the Report of the Committee of Rules, Privileges and Elections for M-442 printed in these Minutes)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to §§ 31 and 813 of the *New York City Charter*, the Committee on Rules, Privileges and Elections, hereby approves the re-appointment by the Mayor of Nancy G. Chaffetz as a Commissioner of the New York City Civil Service Commission to serve for the remainder of a six-year term expiring on March 21, 2017.

The matter was referred to the Committee on April 28, 2011

Res. No. 811

Resolution approving the re-appointment by the Mayor of Nancy G. Chaffetz as a Commissioner of the New York City Civil Service Commission.

By Council Member Rivera.

RESOLVED, that pursuant to §§ 31 and 813 of the *New York City Charter*, the Council does hereby approve the re-appointment by the Mayor of Nancy G. Chaffetz

as a Commissioner of the New York City Civil Service Commission for the remainder of a six-year term expiring on March 21, 2017.

JOEL RIVERA, Chairperson; LEROY G. COMRIE, ERIK MARTIN DILAN, ROBERT JACKSON, ALBERT VANNM, VINCENT J. GENTILE, INEZ E. DICKENS, JAMES VACCA, KAREN KOSLOWITZ, JAMES S. ODDO, CHRISTINE C. QUINN, Committee on Rules, Privileges & Elections, April 28, 2011.

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).

At this point the Speaker (Council Member Quinn) announced that the following items had been **preconsidered** by the Committee on Rules, Privileges & Elections and had been favorably reported for adoption.

Report for M-451

Report of the Committee on Rules, Privileges & Elections in favor of approving the re-appointment by the Mayor of Rudy Washington as a Commissioner of the New York City Civil Service Commission.

The Committee on Rules, Privileges & Elections, to which the annexed communication was referred on April 28, 2011, respectfully

REPORTS:

(For text of the Briefing Paper, please see the Report of the Committee of Rules, Privileges and Elections for M-442 printed in these Minutes)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to §§ 31 and 813 of the *New York City Charter*, the Committee on Rules, Privileges and Elections, hereby approves the re-appointment by the Mayor of Rudy Washington as a Commissioner of the New York City Civil Service Commission to serve for the remainder of a six-year term expiring on March 21, 2015.

The matter was referred to the Committee on April 28, 2011

Res. No. 812

Resolution approving the re-appointment by the Mayor of Rudy Washington as a Commissioner of the New York City Civil Service Commission.

By Council Member Rivera.

RESOLVED, that pursuant to §§ 31 and 813 of the *New York City Charter*, the Council does hereby approve the re-appointment by the Mayor of Rudy Washington as a Commissioner of the New York City Civil Service Commission for the remainder of a six-year term expiring on March 21, 2015.

JOEL RIVERA, Chairperson; LEROY G. COMRIE, ERIK MARTIN DILAN, ROBERT JACKSON, ALBERT VANNM, VINCENT J. GENTILE, INEZ E. DICKENS, JAMES VACCA, KAREN KOSLOWITZ, JAMES S. ODDO, CHRISTINE C. QUINN, Committee on Rules, Privileges & Elections, April 28, 2011.

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 of the Committee on Sanitation and Solid Waste Management

Report for Int. No. 287-A

Report of the Committee on Sanitation and Solid Waste Management 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 reducing department of sanitation street cleaning days.

The Committee on Sanitation and Solid Waste Management, to which the annexed amended proposed local law was referred on June 29, 2010 (Minutes, page 2547), respectfully

REPORTS:

I. Introduction

On Thursday, April 28, 2011, the Committee on Sanitation and Solid Waste Management (the “Committee”), chaired by Council Member Letitia James, will hold a hearing to vote on Proposed Int. No. 287-A, a bill concerning reduction in street cleaning and alternate-side parking (“ASP”) rules for certain community districts. The Committee held a first hearing regarding this legislation on November 9, 2010.

II. Overview of Street Cleaning

Under the New York City Charter, the Department of Sanitation (“DSNY”) is responsible for maintaining the cleanliness of the streets of the City of New York.¹ The City’s 59 sanitation districts, which are coterminous with community districts, are divided up into 234 smaller sections to facilitate coordination of services.² DSNY conducts street cleaning in all but three of the sanitation districts, running such routes as frequently as four days per week in certain residential neighborhoods.³ In total, DSNY schedules 46,000 street cleaning routes to accommodate the roughly 6,000 linear miles of streets in the City.⁴

To perform the City’s street cleaning operations, DSNY, in conjunction with the Department of Transportation (“DOT”), imposes and enforces ASP rules, which prohibit parked cars on designated streets during certain specified times and days, usually for periods lasting between 30-90 minutes. ASP rules are in effect in 54 of the 59 community districts.⁵ In most neighborhoods, DSNY conducts cleanings between two and four days of the week, although some commercial districts receive more. During these designated times, DSNY sweeps the streets using specialized vehicles equipped with sweepers, referred to as mechanical brooms.⁶ The Department owns 450 such mechanical brooms and uses roughly 200 mechanical brooms on a daily basis to conduct the City’s street cleaning duties.⁷ In addition to the use of mechanical brooms, the Department assigns approximately 254 sanitation workers to address larger or more labor-intensive litter problems.⁸

III. Background on Operation Scorecard

The Mayor’s Office of Operations inspects the City’s streets and sidewalks to measure and report on cleanliness through a program called Scorecard.⁹ The Office of Operations has been conducting inspections of street cleanliness through the Scorecard program since 1975, and the results of the findings are reported annually in the Mayor’s Management Report (MMR).¹⁰

How Cleanliness is Quantified

Operation Scorecard quantifies the “cleanliness” of the City’s streets through a standard called the “cleanliness acceptability rating”.¹¹ According to the Mayor’s Office of Operations, Scorecard cleanliness measures were developed by studying the public’s perception and expectations of street and sidewalk cleanliness and are based on photographic standards of cleanliness for streets and sidewalks.¹² Inspections and ratings of streets and sidewalks are based on a seven-point scale of cleanliness ranging from 1.0, the cleanest rating, to 3.0, the dirtiest rating. Only ratings below 1.5 are considered to be “acceptably clean”.

Scorecard Rating Scale	
Acceptably Clean:	
0	1. A clean street. No litter.
2	1. A clean street, except for a few traces of litter.
Not Acceptably Clean:	
5	1. More than a few traces, but no concentration of litter. There are no piles of litter, and there are large gaps between pieces of litter.
Filthy:	
8	1. Litter is concentrated in spots; there may either be large gaps between piles of litter, or small gaps between pieces of litter.
0	2. Litter is concentrated, there are small gaps between piles of litter.
5	2. Litter is highly concentrated, there are no gaps in the piles of litter. The litter is a straight line along the curb.
0	3. Litter is very highly concentrated, there are no gaps in the piles of litter. The litter is a straight line along and over the curb.

In order to calculate a street’s cleanliness, the Mayor’s Office of Operations’ inspectors examine the cleanliness of selected blockfaces, or the area located on one side of a street, from corner to corner.¹³ To do so, inspectors divide blockfaces into segments, usually between two and four, and record separate cleanliness ratings for each individual segment of the selected blockface.¹⁴ The average of those numbers is then calculated to determine the cleanliness score for that particular blockface based on the seven-point scale. Inspectors then add the length of all blockfaces deemed acceptably clean (those with a rating lower than 1.5) and divide by the total length of all blockfaces within the district, thereby determining the percentage of streets that are “acceptably clean” within that particular district.¹⁵ This percentage is the Scorecard rating for the district. A rating of 89%, therefore, means that 89% of the blockfaces within the district were determined to be acceptably clean.

In total, the Mayor’s Office of Operations rates a citywide sample of 6,900 blockfaces each month.¹⁶ Statistics are based on a fixed sample of streets in each sanitation section and district.¹⁷ Sample streets are selected to be both statistically and geographically representative of the section in which such street is located.¹⁸ The schedule of monthly inspections is designed to vary to ensure representative inspections of actual street conditions including variations on employees chosen to rate a particular district, and variations in the time of day, day of the week, week of the month, and time in relation to when street cleaning is performed when ratings are conducted.¹⁹ As noted above, cleanliness ratings for an entire district are weighted by the mileage of the streets examined within such district, so sections with more mileage along the streets have more weight in determining overall district, zone, borough, and citywide figures.²⁰

Current Cleanliness Statistics

Citywide cleanliness ratings under Operation Scorecard have been increasing consistently since 2002 and for the fifth consecutive year, the citywide annual Scorecard street cleanliness acceptability average surpassed 90%. Over those five years, the City’s cleanliness acceptability rating has increased steadily above 90%: the City’s cleanliness rating was 93.1% in FY 2006, 94.3% in FY 2007, 95.7% in FY 2008, 95.8 in FY09 and 95.4% in FY10.²¹ These citywide numbers reflect a similar trajectory of improvement in all five boroughs.²²

Historical Cleanliness Rates

The City’s recent street cleanliness ratings are significantly higher than the ratings over the previous 35 years of the program. The lowest recorded Citywide annual cleanliness rating of 53% occurred in 1980. The City did not achieve an annual cleanliness acceptability rating greater than 80% until 1997.²³ According to the MMR, as recently as FY 1996, eleven of the City’s Sanitation Districts were rated “dirty” and twenty-one of the City’s sanitation districts were rated as “marginal”, while just twenty-seven of the City’s sanitation districts were rated as “clean”.²⁴ In contrast, not a single sanitation district fell into the category of “dirty” or “marginal” between the years FY 2006 through FY 2010.

IV. Frequency of Cleaning

As noted above, ASP rules are in effect in 54 of the City’s 59 community districts.²⁵ ASP rules are sometimes unpopular, due in large part to the inconvenience they cause for parking, requiring residents to regularly move their cars and search for alternate parking locations to accommodate mechanical brooms.²⁶ Several community boards and residents have requested that DSNY decrease the number of street cleaning days in their districts or sections, in order to limit the need for ASP. Through an informal process, DSNY has agreed to decrease street cleaning in several districts that requested the reduction, but denied it in others.²⁷ Although DSNY does not appear to have a formal policy or specific criteria for making such a determination, it appears that cleanliness ratings play a part in DSNY’s determination.

V. Proposed Int. No. 287-A

Subdivision a of Proposed Int. No. 287-A defines the term “qualifying section” to mean a sanitation district, or any portion of such a district, where each side of the street is scheduled to receive department street cleaning on more than one day each week, and where such sanitation district achieves a cleanliness acceptability rating under the Mayor’s Office of Operations Scorecard program that is equal to or greater than an average score of ninety percent for the two consecutive fiscal years prior to a community board’s request to reduce street cleaning.

Under subdivision b, DSNY would be required to reduce weekly street cleaning by one day per side of the street for a qualifying district upon written request by the community board for the community district within which a qualifying district is located. Prior to making its written request, any such community board would be required, to the extent practical, to notify major utilities and communications providers servicing the qualifying district that provide services to 500,000 or more households citywide and that have given such community board appropriate contact information of any such request to reduce street cleaning. Failure to notify such utilities and communications providers would not invalidate any such written request. In making its determination, the community board would be required to consider the impact of such a request on utilities and communications providers’ ability to install, repair and maintain critical infrastructure in such district.

Subdivision c states that any reduction in frequency of street cleaning pursuant to Proposed Int. No. 287-A would not apply to metered streets or those portions of a qualifying district that receive department street cleaning between the hours of midnight and 6:00 a.m.

Subdivision d states that in qualifying districts that have reduced, or requested reduction of, street cleaning pursuant to subdivision b of this section, the department would have the option to resume or maintain the original street cleaning schedule if the sanitation district receives an average score of less than ninety percent under the Mayor’s Office of Operations Scorecard program for any period of

three consecutive months, or if the average score for such sanitation district falls below ninety percent over a period of two consecutive fiscal years.

The local law would take effect immediately.

¹ NYC Charter § 753(a)(2).

² http://www.toronto.ca/litter/forum/pdf/022504/new_york_city_street_cleaning.pdf

³ *Id.*

⁴ *Id.*

⁵ DSNY Assistant Chief Bernard Sullivan, testimony given to the Committee on Sanitation and Solid Waste Management, 9/22/09.

⁶ <http://www.nyc.gov/html/dot/html/motorist/scriintro.shtml>

⁷ <http://www.nyc.gov/html/dot/html/motorist/scriintro.shtml>

⁸ <http://www.nyc.gov/html/dsny/downloads/pdf/pubinfo/annual/ar2008.pdf>

⁹ http://www.nyc.gov/html/ops/downloads/pdf/scorecard/about_scorecard.pdf

¹⁰ *Id.*

¹¹ Because property owners, and not the City, are responsible for cleaning litter from the sidewalks abutting their property, this oversight hearing will not concern the cleanliness ratings for City sidewalks.

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ *Id.*

²¹ http://www.nyc.gov/html/ops/downloads/pdf/2009_mmr/0209_mmr.pdf

²² *Id.*

²³ http://nyc.gov/html/ops/downloads/pdf/scorecard/about_scorecard.pdf

²⁴ PMMR for 1997, Volume I, Agency Narrative, p. 92.

²⁵ Currently, Staten Island Districts 1,2,3 and Queens East Districts 10 and 11 do not have parking regulations for street cleaning purposes. Staten Island District 1 had an average FY 2009 cleanliness acceptability rating of 95.8; District 2 had an average FY 2009 cleanliness rating of 99.4%; and District 3 had an average FY 2009 cleanliness rating of 99.5%. Queens Districts 10 and 11 had cleanliness acceptability ratings of 96.5% and 99.6% respectively for FY 2009. <http://www.nyc.gov/html/dsny/downloads/pdf/pubinfo/annual/ar2008.pdf>

²⁶ <http://www.nytimes.com/2008/05/15/nyregion/15parking.html?scp=1&sq=alternate%20side%20of%20the%20street%20parking&st=cse;>

²⁷ [http://www.brooklynpaper.com/stories/32/25/32_25_bm_wb_cleaning.html;](http://www.brooklynpaper.com/stories/32/25/32_25_bm_wb_cleaning.html)

²⁸ [http://www.nydailynews.com/ny_local/brooklyn/2009/05/27/2009-05-27_sunset_park_drivers_fuming_over_street_cleaning_regulations.html;](http://www.nydailynews.com/ny_local/brooklyn/2009/05/27/2009-05-27_sunset_park_drivers_fuming_over_street_cleaning_regulations.html) see also, http://www.brooklynpaper.com/stories/32/25/32_25_bm_wb_cleaning.html.

(The following is the text of the Fiscal Impact Statement for Int. No. 287-A:)



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

PROPOSED INTRO. NO: 287-A

COMMITTEE: Sanitation and Solid Waste Management

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to reducing department of sanitation street cleaning days.
SPONSORS: Council Members Lander; Gonzalez; Williams; Rodriguez; James; Koppell; Foster; Vacca; Vallone, Jr.; Crowley; Nelson; Gennaro; Halloran III

SUMMARY OF LEGISLATION: This legislation would amend Chapter 1 of title 16 of the Administrative Code by adding a new section 16-111.1 entitled "Reductions in street cleaning." It would require the Department of Sanitation ("Department") to reduce the weekly scheduled frequency of street cleaning by one day in qualifying sanitation districts, or portions thereof, where the Community Board submits a written request for such action.

To qualify, a sanitation district must have Alternate Side Parking (ASP) more than one day a week, and the district must have an average cleanliness acceptability rating of 90 percent or more for the two fiscal years prior to the request. Cleanliness ratings are conducted as part of the Mayor's Office of Operations' scorecard program.

Community Boards would be expected to notify "major utilities and communications providers" that "provide services to 500,000 or more households citywide" prior to submitting written request for the reduction in street cleaning. This would allow the Community Board to consider the impact such a request might have on the installation, repair and maintenance of critical infrastructure in the sanitation district.

Reductions in street cleaning under this legislation would not apply to metered streets, or those sections of sanitation districts where street cleaning occurs between the hours of midnight and 6:00 AM.

The legislation outlines cleanliness benchmarks that, if not met, would allow the Department to resume more frequent street cleanings.

EFFECTIVE DATE: This legislation would take effect immediately upon its enactment into law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2012.

FISCAL IMPACT STATEMENT:

	Effective FY11	FY Succeeding Effective FY12	Full Fiscal Impact FY12
Revenues (-)	\$0	(\$2,800,000)	(\$2,800,000)
Expenditures (+)	\$0	\$0	\$0
Net	\$0	(\$2,800,000)	(\$2,800,000)

IMPACT ON REVENUES: Enactment of this legislation would impact revenues negatively, as ASP generates significant revenue from the ticketing of vehicles. However, it is anticipated that redeployed Traffic Enforcement Agents (TEAs) would be able to recover any potential lost revenue through the issuance of non-ASP summonses or ASP summonses in other sanitation districts. It is thought that Sanitation Enforcement

Intro 517-A

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Agents would have a more difficult time making up the lost revenue via other forms of ticketing.

In Fiscal Year 2012 sanitation districts with alternate side parking for two days were planned to generate \$26.3 million. If all districts with two days of ASP were cut back to one day, revenues would be cut by \$13.1 million. Of the planned total revenue, however, \$10.3 million was to be generated by TEAs, and only \$2.8 million by Sanitation Enforcement Agents.

At most, therefore, we would anticipate that this legislation would cost \$2.8 million in lost revenue.

Because sanitation districts must first qualify, and second, Community Board's must request a service reduction, the fiscal impact may be significantly less than \$2.8 million.

The Council also acknowledges that there might be some long-term savings in having reduced street cleaning due to streamlined routes and staffing reductions.

IMPACT ON EXPENDITURES: There would be no impact on expenditures resulting from the enactment of this legislation. The updating street signs to reflect new schedules would be covered by the existing sign replacement budget.

SOURCE OF INFORMATION: City Council Finance Division
Mayor's Office of Management and Budget
Mayor's Office of Legislative Affairs

ESTIMATE PREPARED BY: Andy Grossman, Deputy Director
Kate Seely-Kirk, Senior Legislative Financial Analyst

HISTORY: The legislation was introduced to the full Council on June 29, 2010 as Int. No. 287 and referred to the Committee on Sanitation and Solid Waste Management (the "Committee"). On November 9, 2010, a joint hearing of the Committee and the Committee on Transportation was held on this bill, and Int. Nos. 113 and 375. All three bills were laid over. An amended version of the legislation, Proposed Int. 287-A, will be considered by the Committee on April 28, 2011.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 287-A:)

Int. No. 287-A

By Council Members Lander, Gonzalez, Williams, Rodriguez, James, Koppell, Foster, Vacca, Vallone Jr., Crowley, Nelson, Arroyo, Halloran, Gennaro, Jackson, Greenfield, Rose and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to reducing department of sanitation street cleaning days.

Be it enacted by the Council as follows:

Section 1. Chapter one of title 16 of the administrative code of the city of New York is amended by adding a new section 16-111.1 to read as follows:

§ 16-111.1 *Reductions in street cleaning.* a. For purposes of this section, “qualifying district” shall mean a sanitation district, or any portion of such district, where each side of the street is scheduled to receive department street cleaning on more than one day each week, and where such sanitation district achieves a cleanliness acceptability rating under the mayor's office of operations scorecard program that is equal to or greater than an average score of ninety percent for the two consecutive fiscal years prior to a community board's request pursuant to subdivision b of this section.

b. Upon written request by the community board for the community district within which a qualifying district is located, the department shall reduce the weekly scheduled frequency of street cleaning by one day for such qualifying district. Prior to making its written request, any such community board shall to the extent practical notify major utilities and communications providers servicing the qualifying district that provide services to 500,000 or more households citywide and that have given such community board appropriate contact information. Failure to notify such utilities and communications providers shall not invalidate any such written request. In making its determination, the community board shall consider the impact of such a request on such utilities and communications providers' ability to install, repair and maintain critical infrastructure in such district.

c. Notwithstanding the provisions of subdivisions a and b of this section, such reduction in frequency shall not apply to metered streets or those portions of a qualifying district that receive department street cleaning between the hours of midnight and 6:00 a.m.

d. In qualifying districts where, pursuant to subdivision b of this section, the department has reduced street cleaning or a community board has requested such a reduction, the department shall have the option to resume or maintain the original street cleaning schedule if the sanitation district receives an average score of less than ninety percent under the mayor's office of operations scorecard program for any period of three consecutive months, or if the average score for such sanitation district falls below ninety percent over a period of two consecutive fiscal years.

§2. This local law shall take effect immediately.

LETITIA JAMES, Chairperson; MICHAEL C. NELSON, ROBERT JACKSON, MARIA DEL CARMEN ARROYO, Committee on Sanitation and Solid Waste Management, April 28, 2011.

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 of the Committee on State and Federal Legislation

At this point the Speaker (Council Member Quinn) announced that the following items had been **preconsidered** by the Committee on State and Federal Legislation and had been favorably reported for adoption.

Report for State Legislation Res. No. 2

Report of the Committee on State and Federal Legislation in favor of approving a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Savino, S.1610, and Assembly Member Brook-Krasny, et al., A.6599, “AN ACT to authorize the city of New York to discontinue the use as parkland of parcels of real property in the borough of Brooklyn in exchange for the dedication of certain other lands in the borough of Brooklyn for park purposes in furtherance of a comprehensive development plan for Coney Island.

The Committee on State and Federal Legislation, to which the annexed State Legislation Resolution was referred on April 28, 2011, respectfully

REPORTS:

The following report refers to pending State legislation requiring a Home Rule Message for passage in Albany. This Committee is to decide whether to recommend the adoption of this respective State Legislation Resolution (SLR) by the Council. By adopting this SLR, the Council would be formally requesting that the New York State Legislature act favorably in this matter.

BACKGROUND

In connection with the proposed Comprehensive Coney Island Redevelopment Plan, this legislation would allow the City to alienate and improve two parking lots that support the stadium during baseball season (but are dormant the rest of the year), through the development of residential buildings with ground-floor retail space. According to the Memorandum in Support (MIS) of the Legislation,

currently, 18.2 acres of land along the Riegelmann Boardwalk is mapped as parkland and contains the Key Span Stadium, its parking lots and the Abe Stark skating rink. The-redevelopment of these parking lots is vital to the creation of a new neighborhood, providing much-needed retail and housing opportunities for the 50,000 residents of Coney Island, creating new connections between the community and the beach and maximizing the value of Boardwalk fronting properties. The parking spaces currently located on these parcels would be replaced within the future development of multi-level garages. The Abe Stark skating rink would be relocated and replaced.

According to the MIS, the replacement parkland will be composed of a 9.37-acre, Boardwalk-facing amusement park in the historic amusement area location. The mapping of the amusement park is a unique opportunity to preserve amusement uses, in perpetuity, in their historic location. The park would include indoor and outdoor rides, arcades, attractions and small-scale retail. The authorization to enter into a long-term lease would facilitate the development and operation of a long-term, financially viable amusement park for generations to come. Coney Island is a unique place and the City is committed to improving the neighborhood as well as protecting, preserving and renewing Coney island's legacy as the birth place of amusements.

PROPOSED LEGISLATION

This bill authorizes the City of New York to discontinue permanently the use as parkland 9.3 acres of land on two parcels that currently operate as a parking facility for the Brooklyn Cyclones, a minor league baseball team owned by the Mets, and the indoor Abe Stark skating rink, in Coney Island, in the Borough of Brooklyn. The legislation authorizes the City to transfer the land to the Economic Development Cooperation for disposition in furtherance of the comprehensive development plan for Coney Island. This authorization is subject to the requirement that the City of New York shall dedicate additional acreage as park land adjacent to the existing park land.

This bill would also authorize the City of New York to enter into a long-term lease for the development and long-term management of portions of the replacement parkland as an amusement park.

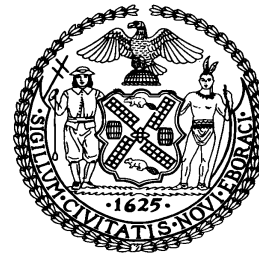
FISCAL IMPLICATIONS:

See Finance Fiscal Impact Statement

EFFECTIVE DATE:

This Act shall take effect shall take effect immediately after it shall become law.

(The following is the text of the Fiscal Impact Statement for State Legislation Res. No. 2:)



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

Pre-considered SLR: A6599 / S1610

COMMITTEE: State and Federal Legislation

Title: Authorizes the city of New York to discontinue use of and transfer certain parklands in exchange for other lands to be utilized for park purposes in furtherance of a development plan for Coney Island.

SPONSORS: Council Members Foster and Recchia

SUMMARY OF LEGISLATION: This bill authorizes the City of New York to discontinue permanently the use as parkland on two parcels of land. Transfer such land and any improvements thereon to the New York city economic development corporation for sale or other disposition in furtherance of a comprehensive development plan for Coney Island, Brooklyn.

This bill would also authorize the City of New York to enter into a long-term lease for the development and long-term management of portions of the replacement parkland as an amusement park.

EFFECTIVE DATE: This act shall take effect immediately after it shall become law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: N/A

FISCAL IMPACT STATEMENT:

	Effective FY10	FY Succeeding Effective FY11	Full Fiscal Impact FY11
Revenues (+)	\$0	De minimus	De minimus
Expenditures (-)	\$0	De minimus	De minimus
Net	\$0	De minimus	De minimus

IMPACT ON REVENUES: N/A

IMPACT ON EXPENDITURES: N/A

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: The New York City Council Finance Division
Mayor’s Office of Legislative Affairs

ESTIMATE PREPARED BY: John Lisianskiy, Legislative Financial Analyst
Scott Crowley, Deputy Director
City Council Finance division

FIS HISTORY: This is a new bill

Date Submitted to Council: **April 28, 2011**

Accordingly, this Committee recommends its adoption.

(For text of SLR No. 2, please see the Introduction and Reading of Bills section printed in these Minutes; for text of the related printed State bills and the State Sponsor’s Memorandum-in Support from each house, please refer respectively to the New York State Senate and New York State Assembly)

HELEN D. FOSTER, Chairperson; JOEL RIVERA, ERIK MARTIN-DILAN, DOMENIC M. RECCHIA JR., ELIZABETH CROWLEY, Committee on State and Federal Legislation, April 28, 2011.

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 of the Committee on Transportation

Report for Int. No. 458-A

Report of the Committee on Transportation in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to requiring the department of information technology and telecommunications to post certain information regarding street closures and parking regulations on the internet

The Committee on Transportation, to which the annexed amended proposed local law was referred on January 18, 2011 (Minutes, page 148), respectfully

REPORTS:

INTRODUCTION

On April 27, 2011, the Committee on Transportation, chaired by Council Member James Vacca, held a hearing on Int. No. 458-A, a Local Law to amend the administrative code of the city of New York in relation to requiring the department of information technology and telecommunications to post certain information regarding street closures parking regulation changes on the internet.

This bill would require the Department of Information Technology and Telecommunications (DoITT) to post on the internet an interactive map, searchable by time, date and borough, detailing street closures and changes to parking regulations. The bill would also require appropriate contact information be provided

of the sponsors of any street fair, block party or festival that result in the closure of the street or other obstruction of traffic.

This was the second hearing on this legislation. The first hearing occurred April 5, 2011 on an earlier version of the bill. This version was developed, in part, as a result of comments at the hearing.

BACKGROUND

In New York City, street closures can occur due to special events, cultural activities, marketing opportunities, film shoots, parades, construction, utility work and street repairs. The responsibility for overseeing street closures primarily falls under the Office of Citywide Event Coordination and Management (CECM) and the Department of Transportation (“DOT”).

The Office of Citywide Event Coordination and Management

The CECM was created by an Executive Order No. 100, signed by Mayor Bloomberg on March 16, 2007.¹ The executive order gave the CECM oversight responsibilities over all events permitting activity in New York City.² In addition, the CECM coordinates with various City agencies that issue permits such as the New York City Police Department (“NYPD”), the Department of Parks and Recreation (“DPR”), the Mayor’s Office of Film, Theatre and Broadcasting (“MOFTB”), or the Mayor’s Street Activity Permit Office (“SAPO”).³

The SAPO was merged into the CECM by Executive Order No. 105 of 2007, and is responsible for issuing permits for street fairs, festivals, block parties, commercial promotional events, and other events on streets, sidewalks, and pedestrian islands.⁴ The SAPO processes over 5,000 applications per year and works closely with community boards, event producers, and other City agencies to coordinate events.⁵

The Department of Transportation

DOT is responsible for the condition and operation of approximately 6,000 miles of streets, highways and public plazas.⁶ Within DOT the issuing of permits is handled by the Office of Permit Management (“OPM”) of the Bureau of Permit Management and Construction Control.⁷ OPM reviews applications, issues construction permits to utilities, plumbers, contractors, homeowners and other governmental agencies that wish to work on roadways, curbs, and sidewalks belonging to the City.⁸ OPM issues 150 different types of permits, of which 123 are for street openings, 5 permits for sidewalk openings, and the remaining 22 permits were for Building Operations, Construction and Canopies.⁹ In FY 2010, DOT conducted 550,906 inspections of street work.¹⁰

ANALYSIS

Section 1072 of the Charter provides the powers and duties of the Commissioner of DoITT. Section one of Int. No. 458-A would amend Section 1072 of the Charter by amending subdivisions o and p and by adding a new subdivision q to such section. Subdivision o of section 1072 would be amended by omitting the word “and” from the end of the subdivision. Subdivision p would be amended by adding the word “and” to the end of the subdivision.

New subdivision q would require the Commissioner of DoITT to provide on the internet at no charge an interactive map that would be updated as often as practicable but no less frequent than once per week. This map would provide all permitted and approved street closures and parking regulations. The map as it relates to street closures would be searchable and sortable by time, date and borough, except that street closures for crane operations, construction work and paving operations would have the notation “subject to closure” on the map during days where the closure has been permitted and approved but where closure may or may not occur due to the schedule of the project. Where the permitted and approved street closure is applied for or planned less than one week prior to the closure, it shall be available on the map within seventy-two hours of the permit and approval of the closure. Where the closure is due to a street fair, block party or festival, the identity of the sponsor of the event along with appropriate contact information is to be provided as part of this map.

Section two of Int. No. 458-A would provide that this local law take effect one hundred eighty days after its enactment into law, except that the parking regulations as required by paragraph 2 of subdivision q of section 1072 of the Charter would be required to be available on such interactive map one year after the enactment into law.

UPDATE

On April 27, 2011, the Committee on Transportation voted 10-0 in favor of the bill, with no abstentions.

¹ Information retrieved from <http://www.nyc.gov/html/cecm/html/about/about.shtml>, last accessed on April 4, 2011.

² *Ibid*

³ *Ibid*

⁴ *Ibid*

⁵ Information retrieved from <http://www.nyc.gov/html/cecm/html/event/overview.shtml>, last accessed on April 4, 2011.

⁶ Information retrieved from Preliminary Fiscal 2011 Mayor’s Management Report, http://www.nyc.gov/html/ops/downloads/pdf_mmr/dot.pdf, last accessed on April 4, 2011.

⁷ Information retrieved from <http://www.nyc.gov/html/dot/html/permits/stpermit.shtml>, last accessed on April 4, 2011

⁸ Ibid

⁹ Ibid

¹⁰ Information retrieved from Preliminary Fiscal 2011 Mayor's Management Report, <http://www.nyc.gov/html/ops/downloads/pdf/mmr/dot.pdf>, last accessed on April 4, 2011.

(The following is the text of the Fiscal Impact Statement for Int. No. 458-A:)



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

PROPOSED INTRO. NO: 458-A

COMMITTEE: Transportation

TITLE: A Local Law to amend the New York city charter, in relation to requiring the Department of Information Technology and Telecommunications to post certain information regarding street closures and parking regulations on the internet.

SPONSORS: Council Members Garodnick, Brewer, Cabrera, Ferreras, Fidler, Gennaro, Gentile, James, Mealy, Mendez, Nelson, Palma, Rodriguez, Williams, Mark-Viverito, Van Bramer and Koo.

SUMMARY OF LEGISLATION: The proposed local law would amend section 1072 of the New York city charter by amending subdivisions o and p and by adding a new subdivision q to require that the Department of Information Technology and Telecommunication ("Department") provide to the public at no charge on the city's website an interactive map, updated as often as practicable and necessary but not less than once per week. The required map would display parking regulations as well as permitted and approved street closures that do not allow for the passage of vehicular traffic including but not limited to closures for special events, crane operations and other construction work, film shoots and paving operations. The permitted and approved street closures would be searchable by time, date and borough.

In addition, this local law would require that all information required by this legislation be available on the city's website as soon as practicable but in no case less than one week prior to any such closure or change, except for closures that were applied for or planned for less than one week prior to any such closure or change, which would be available on such interactive map within seventy-two hours of the permit and approval of such closure.

Lastly, where a permitted and approved street closure is due to a "special event" (defined as any street fair, block party or festival on a public street where such activity may interfere with or obstruct the normal use by vehicular traffic of such street), the sponsor of the event with appropriate contact information would be provided as part of such interactive map.

EFFECTIVE DATE: This legislation would take effect one hundred eighty days after its enactment into law, except that paragraph 2 of subdivision q of section 1072 of the New York city charter, which relates to the creation of a searchable and sortable interactive map relating to parking regulations, shall take effect one year after its enactment into law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2012

FISCAL IMPACT STATEMENT:

	Effective FY12	FY Succeeding Effective FY13	Full Fiscal Impact FY12
Revenues (-)	\$0	\$0	\$0
Expenditures (+)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is estimated that there would be no impact on revenues resulting from the enactment of this legislation.

IMPACT ON EXPENDITURES: It is estimated that there would be minimal to no impact on expenditures resulting from the

enactment of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: City Council Finance Division

ESTIMATE PREPARED BY: Andy Grossman, Deputy Director
Chima Obichere, Supervising Legislative Financial Analyst

HISTORY: This legislation was introduced as Intro. 458 by the Council on January 18, 2011 and referred to the Committee on Technology, and subsequently re-referred to the Committee on Transportation on February 23, 2011. A hearing was held and the legislation was laid over by the Committee on April 5, 2011. Intro. 458 has been amended, and the amended version, Proposed Int. 458-A, will be considered by the Committee on April 27, 2011.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 458-A:)

Int. No. 458-A

By Council Members Garodnick, Brewer, Cabrera, Ferreras, Fidler, Gennaro, Gentile, James, Mealy, Mendez, Nelson, Palma, Rodriguez, Williams, Mark-Viverito, Van Bramer, Koo, Vacca, Levin, Chin, Dickens, Rose, Gonzalez, Greenfield and Halloran.

A Local Law to amend the New York city charter, in relation to requiring the department of information technology and telecommunications to post certain information regarding street closures and parking regulations on the internet.

Be it enacted by the Council as follows:

Section 1. Section 1072 of the New York city charter is amended by amending subdivisions o and p and by adding a new subdivision q to read as follows:

o. to institute procedures to assure restrictions of access to information to the appropriate individuals, where such restrictions are required by law; [and]

p. to perform such other responsibilities with respect to information technology and telecommunications matters, including responsibilities delegated elsewhere by the charter, as the mayor shall direct[.]; and

q. to provide to the public at no charge on the city's website an interactive

map, updated as often as practicable and necessary but not less than once per week, displaying the following:

1. Permitted and approved street closures that do not allow for the passage of vehicular traffic on that street, including but not limited to closures for special events, crane operations and other construction work, film shoots and paving operations; and

2. Parking regulations.

The information related to paragraph (1) of this subdivision shall be searchable and sortable by time, date and borough, except that street closures for crane operations, construction work and paving operations shall have the notation "subject to closure" during times where closure has been permitted and approved but where such closure may or may not occur on a particular day. All information required by this subdivision shall be available on the city's website as soon as practicable but in no case less than one week prior to any such closure or change, except closures which were applied for or planned less than one week prior to any such closure or change, which shall be available on such interactive map within seventy-two hours of the permit and approval of such closure. Where a permitted and approved street closure is due to a special event, the sponsor of the event with appropriate contact information shall be provided as part of such interactive map. For the purposes of this subdivision, special event shall mean any street fair, block party or festival on a public street(s) where such activity may interfere with or obstruct the normal use by vehicular traffic of such street(s).

§ 2. This local law shall take effect one hundred eighty days after its enactment into law, except that paragraph 2 of subdivision q of section 1072 of the New York city charter shall take effect one year after its enactment into law.

JAMES VACCA, Chairperson; MICHAEL C. NELSON, G. OLIVER KOPPELL, DANIEL R. GARODNICK, DARLENE MEALY, YDANIS RODRIGUEZ, DEBORAH L. ROSE, JAMES G. VAN BRAMER, ERIC A. ULRICH, PETER A. KOO, Committee on Transportation, April 27, 2011.

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

Name	Address	District #
Daniel DiRocco	339 West 28 th Street #24 New York, N.Y. 10024	6
Diane Blair	940 St. Nicholas Avenue #1K New York, N.Y. 10032	7
Destiny Torres	1749 Grand Concourse #13C Bronx, N.Y. 10453	14
Shameeka Simmons	145-04 Lakewood Avenue #2F Queens, N.Y. 11435	28
Susan Laino	87-87 109 th Street Richmond Hill, N.Y. 11418	28
Lisa A. Thorne	126-16 111 th Avenue #2F South Ozone Park, N.Y. 11420	28
Avis Dennis-Cox	146-41 Guy R. Brewer Blvd Queens, N.Y. 11434	31
John Cody	12 Stagg Street #1AR Brooklyn, N.Y. 11206	34

Precious Moore	809 B Van Senderen Avenue Brooklyn, N.Y. 11207	42
Edita M. Gugliemelli	1336 85 th Street Brooklyn, N.Y. 11228	43
Ian A. Petersen	7312 Narrows Avenue Brooklyn, N.Y. 11209	43
Julia Gartvich	7000 Bay Parkway #60 Brooklyn, N.Y. 11204	44
Desmond Woods	23 Lake Avenue #2 Staten Island, N.Y. 10303	49
Laura Bissennette	188 Wiman Avenue Staten Island, N.Y. 10308	51

Robert Taylor Jr.	Brooklyn, N.Y. 11211 57-34 Catalpa Avenue	34
Maria E. Vega	Ridgewood, N.Y. 11385 30 Montrose Avenue #8S	34
Avernell Joseph	Brooklyn, N.Y. 11206 15 Crown Street #1H	35
Clark J. Simmons	Brooklyn, N.Y. 11225 115 Ashland Place #2D	35
Veronica Williams	Brooklyn, N.Y. 11201 773 Eastern Parkway #3D	35
LaSalle S. Miller	Brooklyn, N.Y. 11213 22 Halsey Street #3A	36
Linda Whitaker	Brooklyn, N.Y. 11216 1096 Park Place	36
Carolyn Matthews	Brooklyn, N.Y. 11213 249 Hopkinson Avenue #2K	42
Paul Carisle	Brooklyn, N.Y. 11233 641 East 92 nd Street	42
Irma Mojica	Brooklyn, N.Y. 11236 525 Crescent Street	42
Teresa M. Scantlebury	Brooklyn, N.Y. 11208 345 Hinsdale Street	42
Liudmila Solovyeva	Brooklyn, N.Y. 11207 7201 Ridge Blvd #A4	43
Fran Oliva	Brooklyn, N.Y. 11209 2150 71 st Street#3A	44
Joseph Salamon	Brooklyn, N.Y. 11204 1447 56 th Street	44
Suzan N. Pack	Brooklyn, N.Y. 11219 1556 Schenectady Avenue	45
Damelle Antenor	Brooklyn, N.Y. 11234 1048 East 57 th Street	46
Stuart M. Feuerstein	Brooklyn, N.Y. 11234 1247 East 66 th Street	46
Stephen Moran	Brooklyn, N.Y. 11234 3712 Shore Parkway	46
Magdalena Skowron-Muco	Brooklyn, N.Y. 11235 8687 Bay Parkway #D4	47
Yuliya Blokhina	Brooklyn, N.Y. 11214 159 Corbin Place	48
Larisa Prizimenter	Brooklyn, N.Y. 11235 1925 Quinten Road #3D	48
Dolores A. Bannon	Brooklyn, N.Y. 11229 1100 Clove Road #6K	49
Marvin Rosen	Staten Island, N.Y. 10301 501 Jewett Avenue Staten Island, N.Y. 10302	49

Approved New Applicants and Reapplicants

<u>Name</u>	<u>Address</u>	<u>District #</u>
Polly Schonfeld	63 Avenue A #19H New York, N.Y. 10009	2
Louiselle Romero	1646 First Avenue #12E New York, N.Y. 10028	5
John A. Devlin	205 West 95 th Street New York, N.Y. 10025	6
Dameka Dowdy	2550 7 th Avenue #2B New York, N.Y. 10039	7
Barbara A. Marshall	524 West 151 st Street #9 New York, N.Y. 10031	7
Marie Dominique Pierre-Jean	626 Riverside Drive New York, N.Y. 10031	7
Edward B. Bronstein	3555 Kings College Place Bronx, N.Y. 10467	11
Rawle A. Byer	2980 Briggs Avenue #4C Bronx, N.Y. 10458	11
Sheila M. McPherson-Grierson	3318 Eastchester Road Bronx, N.Y. 10469	12
Michelle Odom	1861 Schieffelin Place Bronx, N.Y. 10466	12
Eduardo Alayon	2081 Cruger Avenue #1F Bronx, N.Y. 10462	13
Gaitree James-Shakoor	2524 Tieman Avenue Bronx, N.Y. 10469	13
Angel L. Lopez	2751 Seymour Avenue Bronx, N.Y. 10469	13
Jacie Depaulis	2230 Andrews Avenue Bronx, N.Y. 10453	14
Nubia Imani-Beazer	7 Fordham Hill Oval #5C Bronx, N.Y. 10468	14
Elizabeth Bruno-Lopez	185 East 163rd Street #1C Bronx, N.Y. 10451	17
Ruth Rojas-Duarte	827 Fox Street #2A Bronx, N.Y. 10459	17
Yvette Wheeler	820 Boynton Avenue #10G Bronx, N.Y. 10473	18
Mary Ann DeNigris	146-23 59 th Avenue Flushing, N.Y. 11355	20
Demetrias Gamble	98-38 57 th Avenue #12M Queens, N.Y. 11368	25
Lisa M. Rivers	99-06 58 th Avenue #4A Queens, N.Y. 11368	25
Unjuima Rahana K. Hanif	34-43 Crescent Street #3T Queens, N.Y. 11106	26
Erlene Juanita Lynch	109-49 167 th Street Queens, N.Y. 11433	27
Teresa Martin	104-26 199 th Street Queens, N.Y. 11412	27
Yvonne T. Imasuen	139-07 231 st Street Queens, N.Y. 11413	31
Hayda Gonzalez	55-12 Myrtle Avenue #2 Ridgewood, N.Y. 11385	34
Erik C. Lopez	410 South 4 th Street	34

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) **M 442& Res 808 --** Robert Carver – Environmental Control Board
- (2) **M 443& Res 809 --** Emily Lally - Environmental Control Board
- (3) **M 445& Res 810 --** Douglas Swann - Environmental Control Board
- (4) **M 450& Res 811 --** Nancy G. Chaffetz – New York City Civil Service Commission.
- (5) **M 451& Res 812 --** Rudy Washington - New York City Civil Service Commission.
- (6) **Int 287-A --** Reducing department of sanitation street cleaning days.
- (7) **Int 334-A --** Requiring pedicabs to be subject to parking rules.
- (8) **Int 458-A --** Requiring the department of information technology and telecommunications to post

- certain information regarding street closures and parking regulations on the internet
- (9) **Int 466-A --** Seizing pedicabs and suspending and/or revoking pedicab registration plates and drivers' licenses for certain violations.
- (10) **Int 467-A** Permitted number of pedicab registration plates.
- (11) **Res 802 --** Real property tax exemption – Foundation for Sephardic Studies
- (12) **SLR 2 --** **S.1610, A.6599**, Comprehensive development plan for Coney Island (**Home Rule item requiring affirmative vote of at least two-thirds of the Council for passage**).
- (13) **L.U. 360 & Res 806 --** App. **090225 ZMK**, amendment of the Zoning Map, changing from an M1-1 District to an R6B District, Section No. 16a.
- (14) **L.U. 361 & Res 807 --** App. **C 110118 ZMK**, amendment of the Zoning Map, changing from an M1-1 District to an R6B District, Section No. 16a.
- (15) **L.U. 371 & Res 805 --** 155-161 East 103rd Street, Block 1631, Lot 25, Manhattan, Council District No. 8
- (16) **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, Cabrera, Chin, Comrie, Crowley, Dickens, Dilan, Dromm, Eugene, Ferreras, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran, Ignizio, Jackson, James, Koo, Koppell, Koslowitz, Lander, Mark-Viverito, Mealy, Mendez, Nelson, Recchia, Reyna, Rodriguez, Rose, Sanders, Ulrich, Vacca, Van Bramer, Vann, Weprin, Williams, Wills, Oddo, Rivera, and the Speaker (Council Member Quinn) – **45**.

The General Order vote recorded for this Stated Meeting was 45-0-0 as shown above with the exception of the votes for the following legislative items:

The following was the vote recorded for **Int No. 287-A**:

Affirmative – Arroyo, Barron, Brewer, Cabrera, Chin, Comrie, Crowley, Dickens, Dilan, Dromm, Eugene, Ferreras, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran, Ignizio, Jackson, James, Koo, Koppell, Koslowitz, Lander, Mark-Viverito, Mealy, Mendez, Nelson, Recchia, Reyna, Rodriguez, Rose, Ulrich, Vacca, Van Bramer, Vann, Weprin, Williams, Wills, Oddo, Rivera, and the Speaker (Council Member Quinn) – **44**.

Abstention – Sanders – **1**.

The following was the vote recorded for **Int No. 467-A**:

Affirmative – Arroyo, Brewer, Cabrera, Chin, Comrie, Crowley, Dickens, Dilan, Dromm, Eugene, Ferreras, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran, Ignizio, Jackson, James, Koo, Koppell, Koslowitz, Lander, Mark-Viverito, Mealy, Mendez, Nelson, Recchia, Reyna, Rodriguez, Rose, Sanders, Ulrich, Vacca, Van Bramer, Vann, Weprin, Williams, Wills, Oddo, Rivera, and the Speaker (Council Member Quinn) – **44**.

Negative – Barron – **1**.

The following Introductions were sent to the Mayor for his consideration and approval: Int Nos. 287-A, 334-A, 458-A, 466-A, 467-A.

INTRODUCTION AND READING OF BILLS

Int. No. 542

By Council Members Brewer, Cabrera, Comrie, Dromm, Gonzalez, James, Koppell, Koslowitz, Lander, Mendez, Rose, Williams, Foster and Mark-Viverito.

A Local Law to amend the administrative code of the city of New York, in relation to the disposal of mattresses and box springs.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 2 of the administrative code of the city of New York is amended by adding a new section 16-113.1 to read as follows:

§16-113.1 Disposal of mattresses and box springs. a. Any person receiving department collection of solid waste who places out for collection any mattress or box spring, shall place such mattress or box spring in a plastic bag at least three mils in thickness, or shall completely seal such mattress or box spring in plastic film or wrap, prior to placement on a sidewalk or other designated area or receptacle for collection by the department. Any such bag shall be constructed in such a manner and be of such size as to readily contain the mattress to be disposed of and be able to be securely sealed after a mattress or box spring is placed inside. Any plastic film or wrap used to seal a mattress or box spring shall cover such mattress or box spring completely and shall be without any tears or holes that expose the sealed item.

b. Any retail store that sells or delivers new mattresses or box springs to consumers in the city shall make available for purchase to such consumers plastic bags, wrap or film compliant with the provisions of subdivision a of this section.

c. Within twenty-four months of the effective date of this section and annually thereafter, the department, in consultation with the commissioners of consumer affairs and health and mental hygiene, shall issue recommendations to the mayor and the council regarding any amendments to this section or whether this section should be repealed. Where no recommendations are made the report shall state the reasons therefore.

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

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 543

By Council Members Brewer, Lappin, Cabrera, Comrie, Dromm, Gentile, James, Koppell, Lander, Mendez, Rose and Foster.

A Local Law to amend the administrative code of the city of New York, in relation to requiring usage of fully shielded light fixtures on street lights.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 19 of the administrative code of the city of New York is amended by adding section 19-113.1 to read as follows:

§ 19-113.1 Requiring fully shielded light fixtures to be used on city streets a. For purposes of this section, the following terms shall have the following meanings:

1. "Fully shielded light fixture" shall mean a light fixture or luminaire constructed and installed in such a manner that all light emitted from the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is protected below the horizontal plane through the luminaire's lowest light emitting part.

2. "Street light" shall mean any light hanging from a pole that is designed to illuminate an outdoor area, whether on public or private property, and where the bottom of the fixture of such light is greater than ten feet off of the ground.

b. Any new or replacement light fixture in any street light shall only use a fully shielded light fixture.

c. This section shall not be construed to impair in any manner the approval authority of the landmarks preservation commission where compliance with subdivision b of this section requires the use of a fully shielded light fixture.

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

Referred to the Committee on Transportation.

Int. No. 544

By Council Members Chin, Rivera, Fidler, Mendez, Comrie, Brewer and Koslowitz.

A Local Law to amend the administrative code of the city of New York, in relation to the purchase of counterfeit goods.

Be it enacted by the Council as follows:

Section 1. Title ten of the administrative code of the city of New York is amended by adding a new chapter 9, to read as follows:

Chapter 9. COUNTERFEIT TRADEMARKS.

§10-901. Definitions.

§10-902. Purchase of Counterfeit Trademarks Illegal.

§ 10-901. Definitions. For the purposes of this chapter the following terms shall have the following meanings: a. "Person" shall mean a human being, a public

corporation, a private corporation, an unincorporated association, a partnership, proprietorship, or any other kind of entity or business organization.

b. "Purchase" shall mean to obtain ownership or possession of a tangible item in exchange for money or any other form of valuable consideration.

c. "Trademark" shall mean any word, name, symbol, or device, or any combination thereof (i) that is adopted and used by a person or company to identify goods made by a person or company; (ii) that distinguishes such goods from those manufactured or sold by others; and (iii) that is in use and that is registered, filed, or recorded under the laws of the State of New York, any other state, or with the United States Patent and Trademark Office.

d. "Counterfeit trademark" shall mean a spurious trademark or an imitation of a trademark that is used to identify goods made by a person or company and that is identical to or substantially indistinguishable from a trademark as defined in this section. It does not include any authorized use of a trademark or imitations of trade dress or packaging such as color, shape and the like unless those features have been registered as trademarks as defined in this section.

§10-902. Purchase of Counterfeit Trademarks Illegal.

a. Prohibition. No person shall purchase a tangible item containing a counterfeit trademark when such person knows or should have known such trademark is counterfeit for reasons including, but not limited to, the quality and price of the purchased item, and/or the condition of the seller and the sale location.

b. Penalties.

1. Any violation of the provisions of this section shall be deemed a Class A misdemeanor punishable by a term of imprisonment not to exceed one year and a fine not to exceed one thousand dollars, or a civil penalty not to exceed one thousand dollars for each violation, or both, and such penalties shall not limit or preclude any cause of action available to any person or entity injured or aggrieved by such violation.

2. Each object or good purchased shall be considered a separate violation of this section.

§ 2. This local law shall take effect immediately.

Referred to the Committee on Public Safety.

Res. No. 798

Resolution calling on President Obama to sign the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the Senate to ratify both the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

By Council Members Dromm, Brewer, Comrie, Ferreras, James, Koppell, Lander, Mendez, Rose, Sanders, Van Bramer, Williams, Foster and Mark-Viverito.

Whereas, The Convention on Elimination of All Forms of Discrimination against Women (CEDAW) is an international human rights treaty specifically created to address sex-based discrimination and to promote the economic, social, cultural, civil and political rights of women; and

Whereas, CEDAW sets forth basic standards that individual nations agree to pursue to eliminate prejudices and customs based on the perceived inferiority of one sex or on stereotyped gender roles; and

Whereas, CEDAW also requires ratifying nations to incorporate gender equality into their policies and to repeal any laws that discriminate against women; and

Whereas, CEDAW is overseen by the Committee on the Elimination of Discrimination against Women, which meets biannually to review signatory nations' compliance with the provisions of the treaty; and

Whereas, The United Nations General Assembly adopted the CEDAW in 1979, which entered into force in 1981; and

Whereas, The United States signed the CEDAW in 1980 but has yet to ratify it; and

Whereas, One hundred eighty-six countries have ratified CEDAW, and the United States, Somalia, Sudan, Iran, Palau, Nauru, and Tonga are the only United Nations member states that have not; and

Whereas, The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (OP-CEDAW), which establishes a complaint and investigatory mechanism for violations under the treaty, was adopted by the United Nations General Assembly in 1999 and went into effect in 2000; and

Whereas, One hundred two nations have signed on to OP-CEDAW; and

Whereas, President Barack Obama has not signed OP-CEDAW despite expressing public support for the CEDAW; and

Whereas, Requiring the United States to adhere to the principles of CEDAW would be particularly beneficial to the women of New York, where discrimination and disparate treatment endure despite its progressive reputation; and

Whereas, According to the United States Bureau of Labor Statistics, the median weekly salary for a woman in New York State is 84 percent that of a man; and

Whereas, Women are also disproportionately affected by domestic violence, accounting for 84 percent of the victims of abuse by an intimate partner in New

York City in 2009; and

Whereas, Unfortunately, women are also underrepresented in New York's political sphere, accounting for just 23 percent of elected officials in the state legislature, and only 35 percent of the New York City Council; and

Whereas, Ratification of both CEDAW and OP-CEDAW is an important step towards improving the well-being of women in the United States and would solidify this nation's place as an international leader in the human rights; now, therefore, be it

Resolved, That the Council of the City of New York calls on President Obama to sign the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the Senate to ratify both the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

Referred to the Committee on Civil Rights.

Res. No. 799

Resolution calling upon the 112th United States Congress to pass, and the President to sign, the Tibetan Refugee Assistance Act of 2011 (H.R. 6690), which would allow certain Tibetans admission to the United States.

By Council Members Dromm, Comrie, Ferreras, Koppell, Lander, Mendez, Rose, Van Bramer, Williams and Mark-Viverito.

Whereas, New York City is considered to be the melting pot of the world and is home to three million immigrants; and

Whereas, According to an article in The Tibet Post International, "Tibetans in New York Raise Funds to Preserve Tibetan Culture in Exile," New York City is home to more Tibetan immigrants than any other city outside Asia, with approximately 5,000 Tibetan immigrants; and

Whereas, The Tibetan community and its leaders have made several noteworthy contributions to the United States and the world, including the Dalai Lama's contribution to finding peaceful solutions to conflict and to leading interfaith dialogue; and

Whereas, Tibetan refugees have fled and continue to flee systemic persecution because the Chinese government invaded Tibet in 1949 and continues to occupy the country; and

Whereas, In 1959, 100,000 Tibetans fled into exile and the migration continues to this day because of the continuing occupation and political unrest in Tibet; and

Whereas, Continuing occupation has led to the suppression of the Tibetan language, as well as the destruction of the Tibetan culture and religious institutions; and

Whereas, The Tibetan Refugee Assistance Act of 2011 (H.R. 699), introduced by U.S. Congressman James Sensenbrenner (R-Wisconsin) will make 3,000 immigrant visas available to displaced Tibetans residing in India and Nepal who want to be resettled successfully in the United States; and

Whereas, The Tibetan Refugee Assistance Act of 2011 will assist New York City Tibetan immigrants by facilitating the process of obtaining legal immigration status for those who are eligible; and

Whereas, The United States, especially New York City, has a longstanding humanitarian commitment to assisting immigrants and refugees; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the 112th United States Congress to pass, and the President to sign, the Tibetan Refugee Assistance Act of 2011 (H.R. 6690) which would allow certain Tibetans admission to the United States.

Referred to the Committee on Immigration

Res. No. 800

Resolution calling upon the Mayor of the City of New York, the New York City Department of Transportation and the New York City Planning Commission to increase the number of commercial loading zones within the central business district of Manhattan and to lawfully require off street loading docks to be built when any new commercial buildings are constructed or substantially renovated within the central business district of Manhattan.

By Council Members Fidler, Comrie, James, Lander, Rose and Williams.

Whereas, While trucks are a necessary and important part of commerce in our City, double parked commercial vehicles that engage in the loading and unloading of deliveries block lanes of traffic flow throughout the central business district of Manhattan; and

Whereas, There is a concern that many commercial delivery trucks simply absorb double parking tickets as a cost of doing business; and

Whereas, Creating additional truck loading zones in appropriate locations in the central business district would have the dual benefit of assisting commerce and improving traffic flow and reducing air pollution; and

Whereas, Off-street loading docks should alleviate the need for trucks to load and unload on streets and could be required in all new commercial construction or substantial renovation within the central business district; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Mayor of the City of New York, the New York City Department of Transportation and the New York City Planning Commission to increase the number of commercial loading zones within the central business district of Manhattan and to lawfully require off-street loading docks to be built when any new commercial buildings are constructed or substantially renovated within the central business district of Manhattan.

Referred to the Committee on Transportation.

State Legislation Res. No. 2

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Savino, S.1610, and Assembly Member Brook-Krasny, et al., A.6599, “AN ACT to authorize the city of New York to discontinue the use as parkland of parcels of real property in the borough of Brooklyn in exchange for the dedication of certain other lands in the borough of Brooklyn for park purposes in furtherance of a comprehensive development plan for Coney Island.”

By Council Members Foster, Recchia and Comrie.

Whereas, Bills have been introduced in the New York State Legislature by Senator Savino, S.1610, and Assembly Member Brook-Krasny, et al., A.6599, “AN ACT to authorize the city of New York to discontinue the use as parkland of parcels of real property in the borough of Brooklyn in exchange for the dedication of certain other lands in the borough of Brooklyn for park purposes in furtherance of a comprehensive development plan for Coney Island.”; and

Whereas, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; now, therefore, be it

Resolved, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and approved by the Committee on State and Federal Legislation).

Int. No. 545

By Council Members Gentile, Eugene, Vacca, Vallone Jr., Cabrera, Gonzalez, James, Koslowitz, Nelson, Recchia, Vann, Williams, Halloran and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to allowing disabled veterans to use express lanes or high occupancy vehicle (HOV) lanes.

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 19-175.4, to read as follows:

§19-175.4 Use of express lanes or high-occupancy vehicle (HOV) lanes by disabled veterans. Vehicles bearing disabled veteran license plates issued by the New York state department of motor vehicles shall be allowed to use any street or bridge lanes designated by the department of transportation as an express lane or high-occupancy vehicle (HOV) lane, regardless of whether such vehicles are occupied by a passenger.

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

Referred to the Committee on Transportation.

Int. No. 546

By Council Members Greenfield, James and Lander.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the affixing of adhesive stickers on motor vehicles.

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-214 to read as follows:

§19-214 Adhesive stickers prohibited. Neither the department nor any other city agency shall affix an adhesive sticker, or a sticker with any other substance meant to be sticky, to any motor vehicle without the consent of the owner unless a judgment or a finding of guilt for an infraction or violation has been rendered against such vehicle or the owner of such vehicle relating to such vehicle in an administrative tribunal or court located within the city of New York, and an outstanding civil penalty, fine or judgment relating to such infraction or violation is unsatisfied. This section shall not apply where the affixing of such a sticker or other such substance is required due to other laws or as a matter of public safety.

§2. This local law shall take effect immediately upon enactment.

Referred to the Committee on Transportation.

Int. No. 547

By Council Members Greenfield, Cabrera, Comrie, James, Lander, Rose, Williams, Foster, Mark-Viverito, Dickens, Palma, Koslowitz, Gonzalez, Wills, Vacca, Van Bramer, Mendez, Halloran, Koo and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of citywide administrative services to post the estimated number of open competitive civil positions at the same time as the posting of the examination notice.

Be it enacted by the Council as follows:

Section 1. Chapter two of title 12 of the administrative code of the city of New York is amended by adding a new section 12-207 to read as follows:

§ 12-207 Open competitive examinations, estimates. When the commissioner announces competitive examinations pursuant to section 50(2) of the civil service law and section 814(a)(3) of the charter, he or she shall simultaneously post on the department’s website the estimated number of positions that each respective examination to be administered is expected to fill and an estimate of the approximate date or dates when such positions will be filled. The department shall also include the estimated number of positions available and an estimated timeline indicating when appointments from the eligible lists generated by such examinations are expected to be made in all advertisements or postings for each respective competitive examination.

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

Referred to the Committee on Governmental Operations.

Int. No. 548

By Council Members Greenfield, Cabrera, Dromm, Gentile, James, Lander, Nelson, Rose, Vann, Williams, Eugene, Halloran, Koo and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of citywide administrative services in its annual report regarding eligible lists to include information regarding veterans.

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 12-206 of the administrative code of the city of New York is amended by adding new paragraphs 8 and 9 to read as follows:

8. the number of persons who were veterans of any branch of the United States armed services who took open competitive exams.

9. the number of persons who were veterans of any branch of the United States armed services who were appointed to positions from eligible lists.

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

Referred to the Committee on Veterans.

Int. No. 549

By Council Members Greenfield, Brewer, Cabrera, Dromm, Gentile, James, Lander, Nelson, Rose, Williams, Halloran and Koo.

A Local Law to amend the administrative code of the city of New York, in relation to the department of citywide administrative services including on

applications for open examinations a question as to whether an applicant is a veteran.

Be it enacted by the Council as follows:

Section 1. Chapter two of title 12 of the administrative code of the city of New York is amended by adding a new section 12-207 to read as follows:

§12-207 Veterans and open competitive examinations. Applications for competitive examinations issued by the department pursuant to section 50(3) of the civil service law and section 814(a) of the charter shall include a question as to whether the applicant is a veteran of any branch of the United States armed services.

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

Referred to the Committee on Veterans.

Int. No. 550

By Council Members Halloran, Cabrera, James, Williams, Vallone, Jr. Koo, Oddo and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to imposing a fine for lesser violations of the building code for certain structures.

Be it enacted by the Council as follows:

Section 1. Section 28-204.2 of the administrative code of the city of New York is amended to read as follows:

§28-204.2 Order to certify correction. Each such notice of violation shall contain an order of the commissioner directing the respondent to correct the condition constituting the violation and to file with the department electronically or in such other manner as the department may authorize by rule a certification that the condition has been corrected. Unless otherwise provided by rule, such order shall require that violations classified as major or lesser be corrected within 30 days from the date of the order, that violations classified as immediately hazardous be corrected forthwith. Such order shall also require that certification of the correction of the violation shall be filed with the department in a manner and form and within such period of time as shall be established by the department. [In any proceeding before the environmental control board, no civil penalty shall be imposed for a lesser violation if the respondent complies with the commissioner's order to correct and to certify correction of the violation within the applicable time period. However, such violation may serve as a predicate for purposes of assessing aggravating factors attributable to multiple offenses.]

§ 2. Article 204 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-204.2.1 to read as follows:

§28-204.2.1 Correction of lesser violations. In any proceeding before the environmental control board, no civil penalty shall be imposed for a lesser violation if the respondent complies with the commissioner's order to correct and to certify correction of the violation within the applicable time period. However, such violation may serve as a predicate for purposes of assessing aggravating factors attributable to multiple offenses.

Exception: A civil penalty shall be imposed for a second or subsequent violation of the same type in any two-year period that occurs on a property with a structure or portion of a structure classified in occupancy groups F-1, F-2 or M.

§ 3. This local law shall take effect immediately upon enactment.

Referred to the Committee on Housing and Buildings.

Int. No. 551

By Council Members Lander, Dromm, James, Koppell, Mealy, Mendez, Nelson, Rose, Williams and Koo.

A Local Law to amend the administrative code of the city of New York, in relation to increasing the number of water fountains at or near public parks.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 18 of the administrative code of the city of New York is amended by adding a new section 18-140 to read as follows:

18-140 Water fountains and parks. a. For purposes of this section, "greenstreets" shall mean a location under the jurisdiction of the commissioner that is used as a pedestrian thoroughfare that is not inside of or adjacent to a park.

b. Subsequent to the effective date of this section and prior to July 1, 2012, an additional twenty five water fountains available for public use shall be installed at

locations adjacent to parks on land under the jurisdiction of the commissioner or on greenstreets. Subsequent to the effective date of this section and prior to July 1, 2016, the department shall install and maintain fifty additional water fountains available for public use in parks under the jurisdiction of the commissioner. Subsequent to the effective date of this section and prior to July 1, 2021, an additional seventy-five water fountains available for public use in parks shall be installed and maintained.

§2. This local law shall take effect immediately upon its enactment.

Referred to the Committee on Parks and Recreation.

Int. No. 552

By Council Members Lander, Brewer, Koppell and Williams.

A Local Law to amend the administrative code of the city of New York, in relation to clarifying bicycle access in office buildings.

Be it enacted by the Council as follows:

Section 1. Subdivision 2 of section 28-504.3 of the administrative code of the city of New York is amended to read as follows:

§ 28-504.3 Bicycle access plan.

2. A plan shall be completed on a form provided by the department of transportation and shall include, at a minimum: the location of entrances; route to freight elevators that accommodate bicycle access; the route to a designated area for bicycle parking on an accessible level if such bicycle parking is made available; and such other information as the department may require. The plan shall provide that bicycle access is available, at a minimum, during the regular operating hours of the freight elevator, if such freight elevator is used for bicycle access in such building. Bicycle access shall be granted to the requesting tenant or subtenant and its employees in accordance with such plan. *All plans shall also include at a minimum, the following:*

a. Bicycles shall be allowed to be rolled over any surface and at all locations where freight is allowed in the building;

b. Bicycles shall have the same route to travel as freight to the freight elevator to the extent practicable;

c. No requirement for building personnel to escort a person bringing in a bicycle where no escort is required for individuals transporting freight or otherwise using the freight elevator to make deliveries to the building;

d. Bicycles shall be allowed to enter and exit the building during hours other than between 9 a.m. and 5 p.m. Monday through Friday through other means if the freight elevator is shut down.

§2. Section 28-504.3 of the administrative code of the city of New York is amended to add a new subdivision four to read as follows:

4. All plans filed subsequent to January 1, 2012 shall include the minimum requirements in subdivision 2 of this section upon filing; all plans filed prior to January 1, 2012 shall be amended to include the minimum requirements in subdivision 2 of this section as applicable and such amended plan shall be filed on or before July 1, 2012.

§3. This local law shall take effect immediately upon enactment.

Referred to the Committee on Transportation.

Int. No. 553

By Council Members Lander, Vann and Williams.

A Local Law to amend the administrative code of the city of New York, in relation to the issuance of temporary parking spaces for persons who are changing residences.

Be it enacted by the Council as follows:

Section 1. Subdivision a of Section 19-162 of the administrative code of the city of New York is amended by adding a new paragraph 3 to read as follows:

3. Notwithstanding any local law or regulation to the contrary, it shall be permissible for persons who are changing residences to obtain a temporary parking permit for a loading space as close as is practicable to the residences within the city of New York, provided such parking does not violate any provision of the vehicle and traffic law. An application for a permit issued pursuant to this paragraph, and such supporting documentation as may be required by the commissioner, shall be submitted by such person or on behalf of such person if accompanied by a notarized statement of such person granting such authority.

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

Referred to the Committee on Transportation.

Res. No. 801

Resolution calling upon the New York State Legislature to pass a bill that would create a public campaign financing system with matching funds for small contributions for candidates running for New York State public office.

By Council Members Lander, Chin, Dromm, James, Koppell, Mendez and Williams.

Whereas, New York State does not currently have a public campaign financing system for candidates running for state public office; and

Whereas, In 2010 the United States Supreme Court issued a decision in *Citizens United v. Federal Election Commission*, holding that corporations and other groups may engage in unlimited independent spending on elections; and

Whereas, This Supreme Court decision when combined with New York State's broken campaign finance system has the potential to hinder electoral competition, and increase corruption risk by continuing to allow corporations to spend unlimited amounts to fund political advertising without a requirement that sponsors of these ads disclose the sources of their funding; and

Whereas, Public campaign financing provides candidates with resources to run competitive races, improves election transparency through more stringent disclosure requirements and reduces the risk of corruption and the appearance of corruption by decreasing the potential for undue influence from large contributors; and

Whereas, Matching funds for small contributions increases voter participation in the financing of elections by incentivizing candidates to seek smaller contributions from a larger donor base; and

Whereas, New York City has had a public campaign financing system with matching funds for small contributions since 1989, and according to the New York City Campaign Finance Board, this system is very successful in increasing electoral competition and reducing corruption risk; and

Whereas, Twenty-five states already have some form of public campaign financing for state elections; and

Whereas, New York Governor Andrew Cuomo called for the creation of a public campaign financing system for New York State in his 2011 State of the State address, indicating that it is one of his top priorities; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass a bill that would create a public campaign financing system with matching funds for small contributions for candidates running for New York State public office.

Referred to the Committee on Governmental Operations.

Int. No. 554

By Council Members Oddo, Ignizio, Halloran, Ulrich and Koo.

A Local Law to amend the administrative code of the city of New York, in relation to increasing the minimum thresholds for eligibility for public funding for candidates for city council.

Be it enacted by the Council as follows:

Section 1. Subparagraph (iv) of paragraph (a) of subdivision (2) of section 3-703 of the administrative code of the city of New York, as amended by local law number 67 of 2007, is amended to read as follows:

2. (a) The threshold for eligibility for public funding for participating candidates in a primary or general election, or special election to fill a vacancy, shall be in the case of:

(iv) member of the city council, not less than [five] *ten* thousand dollars in matchable contributions comprised of sums of up to one hundred seventy-five dollars per contributor including at least [seventy-five] *one hundred fifty* matchable contributions of ten dollars or more from residents of the district in which the seat is to be filled.

§2. This local law shall take effect immediately.

Referred to the Committee on Governmental Operations.

Res. No. 802

Resolution approving the granting of an exemption for real property taxes pursuant to section 420-a of the Real Property Tax Law, for the 2008, 2009, and 2010 assessment rolls for the parcel owned by the Foundation for Sephardic Studies, Inc. in the City of New York, borough of Brooklyn,

designated on the tax map as block 07089, lot 07 in such borough, and the cancellation of taxes, fines, penalties and interest remaining unpaid, and the making of appropriate correction of the subject assessment rolls, if, upon accepting and reviewing the application or renewal application for such exemption, the Department of Finance is satisfied that such corporation would otherwise be entitled to such exemption if it had filed such application for exemption by the appropriate taxable status date, in accordance with, and upon the effective date of, the chapter law represented by Assembly Bill A. 4773-A.

By Council Members Recchia and Comrie.

Whereas, The Foundation for Sephardic Studies, Inc. is a not for profit corporation organized as a synagogue located at 718 Avenue S in the City of New York, borough of Brooklyn, designated on the tax map as block 07089, lot 07 in such borough; and

Whereas, In accordance with Assembly Bill A. 4773-A ("State legislation"), the Commissioner of the Department of Finance ("DOF") is authorized to accept an application for exemption from real property taxes pursuant to section 420-a of the Real Property Tax Law for the 2008, 2009, and 2010 assessment rolls for the parcel owned by such corporation; and

Whereas, The State legislation provides that such application, if accepted, shall be reviewed as if it had been received on or before the taxable status date established by such assessment rolls; and

Whereas, Such State legislation also provides that if such corporation would otherwise be entitled to such exemption had such corporation filed such application or renewal application for exemption by the appropriate taxable status date, then the Commissioner of DOF, upon approval by the Council of the City of New York, may grant such exemption from all taxation with respect to the subject taxable assessment rolls due and owing on the effective date of such chapter law, and cancel taxes, fines, penalties and interest remaining unpaid, and make appropriate correction of the subject assessment rolls; now, therefore, be it

Resolved, That the Council of the City of New York hereby approves the granting of an exemption for real property taxes pursuant to section 420-a of the Real Property Tax Law, for the 2008, 2009, and 2010 assessment rolls for the parcel owned by the Foundation for Sephardic Studies, Inc. in the City of New York, borough of Brooklyn, designated on the tax map as block 07089, lot 07 in such borough, and the cancellation of taxes, fines, penalties and interest remaining unpaid, and the making of appropriate correction of the subject assessment rolls, if, upon accepting and reviewing the application or renewal application for such exemption, the Department of Finance is satisfied that such corporation would otherwise be entitled to such exemption if it had filed such application for exemption by the appropriate taxable status date, in accordance with, and upon the effective date of, the chapter law represented by Assembly Bill A. 4773-A.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Res. No. 803

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, the New York Dream Act, which would grant certain benefits to eligible undocumented immigrants.

By Council Members Rodriguez, Dromm, Eugene, Chin, Ferreras, James, Lander, Mendez, Rose, Van Bramer, Williams and Mark-Viverito.

Whereas, Undocumented youths account for 1.8 million of the estimated 12 million undocumented immigrants living in the United States; and

Whereas, With approximately 625,000 undocumented immigrants, New York is home to the third largest such population in the nation; and

Whereas, On March 22, 2011, New York State Senator Bill Perkins and State Assemblyman Guillermo Linares introduced the New York Dream Act (S. 4179/A. 6829), a bill that would provide benefits to certain undocumented immigrants; and

Whereas, The federal DREAM Act was introduced on March 18, 2010, and was intended to provide permanent residency to certain undocumented students who arrived in the United States as undocumented youths, resided in the United States for at least five years, and who were in good moral standing; and

Whereas, The federal DREAM Act would have benefited more than 65,000 undocumented students who graduate from high school in the United States on a yearly basis; and

Whereas, Unfortunately, the federal DREAM Act failed in the United States Congress in December, 2010; three months later New York State legislators introduced the New York Dream Act; and

Whereas, Unlike the federal Dream Act, the New York State Dream Act will not offer legal residency, but will provide an opportunity to hold a state job, obtain a driver's license or other state identification card, receive state financial aid, and become eligible to participate in New York State insurance programs; and

Whereas, These benefits available under the New York Dream Act will greatly improve the quality of life of many undocumented students who, as children, were

brought to this country by their parents; they have no right to obtain legal permanent resident status and are at risk of being deported; and

Whereas, In order to receive the benefits of the New York State Dream Act, an individual must (i) graduate from high school with a high school diploma or its equivalent, (ii) enter the United States undocumented before the age of sixteen, (iii) be under the age of 35, (iv) have no felony convictions in the United States or its territories, (v) reside in New York State for at least two years prior to the effective dates of the statutes; and (a) enroll or be enrolled in a college or university in New York State and complete at least two years towards a four year degree within six years; or (b) serve at least two years in the New York National Guard ; or (c) complete 910 hours of certified community service; and

Whereas, Undocumented youths are entitled to public education through the 12th grade and are eligible to enroll in most colleges and universities and pay in-state tuition, but they are ineligible for most forms of financial aid because of their immigration status; and

Whereas, Because undocumented students are ineligible for financial assistance is difficult, if not impossible, for them to attend college because of the high cost of education and the fact that they cannot work legally in New York City; and

Whereas, Undocumented immigrants make significantly less income than documented workers, but if given the opportunity to attend college and work legally, as college graduates they can earn over a million dollars more in their lifetimes than non-college graduates; and

Whereas, New York State is one of the ten states that currently allow undocumented students to qualify for in-state tuition; and

Whereas, If the New York Dream Act passes, New York will become one of three states that allow undocumented students to apply for financial assistance; and

Whereas, The New York Dream Act is estimated to benefit 400,000 immigrant youths; and

Whereas, Enacting the New York Dream Act will help the many undocumented students who have been in this country for several years, who have demonstrated a commitment to education, and who seek to work legally to benefit this great State; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, the New York Dream Act, which would grant certain benefits to eligible undocumented immigrants.

Referred to the Committee on Immigration.

Int. No. 555

By Council Members Vallone Jr., Ferreras, Gentile, James, Mendez, Recchia, Sanders, Van Bramer, Halloran, Koo and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to the submission of quarterly reports by the New York City Police Department on quality of life summonses issued and graffiti-related arrests made.

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 14-150 of chapter 1 of title 14 of the administrative code of the city of New York is amended by adding a new paragraph 9, to read as follows:

9. *A report on quality of life summonses and graffiti-related arrests. Such report shall include: (i) a listing of all of the offenses designated by the department as quality of life offenses and graffiti-related arrests during the preceding quarter, (ii) the total number of quality of life summonses issued during the quarter, (iii) the total number of summonses issued for the seven most frequently charged quality of life offenses, disaggregated by charge, and (iv) the total number of citywide graffiti-related arrests, disaggregated by charge. Subsections (ii), (iii), and (iv) of this paragraph shall be disaggregated by patrol borough.*

§ 2. This local law shall take effect 120 days after its enactment into law.

Referred to the Committee on Public Safety.

Int. No. 556

By Council Member Vallone, Jr., Brewer, James, Koppell, Nelson, Dromm and Koo.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting restraining animals outdoors for longer than three continuous hours.

Be it enacted by the Council as follows:

Section 1. Title 17 of the administrative code of the city of New York, as amended by local law 10 of 2011, is hereby amended to read as follows:

§17-197 Restraining animals outdoors. a. (1) No person shall tether, leash, fasten, secure, restrain, chain or tie an animal to a stationary object outdoors, or cause such animal to be so restrained, for longer than three continuous hours [in any continuous twelve-hour period]. (2) Any person who tethers, leashes, fastens, secures, restrains, chains or ties an animal to a stationary object outdoors for a permissible period of time shall provide such animal with adequate food, water and shelter, and shall restrain the animal with a device having swivels at both ends that is of an adequate length for the type and size of animal being restrained, provided, however, that the requirement to provide adequate food, water and shelter shall not apply to a person who restrains an animal while completing a task for a period of time that is fifteen minutes or less in duration.

b. Notwithstanding the provisions of subdivision a of this section, no person shall tether, leash, fasten, chain, tie, secure or restrain any animal for any amount of time to a stationary object with a device that:

(1) is a choke collar or pinch collar;

(2) has weights attached or contains links that are more than one-quarter inch thick;

(3) because of its design or placement is likely to become entangled;

(4) is long enough to allow the animal to move outside of its owner's property; and

(5) would allow the restrained animal to move over an object or edge that could result in the strangulation of or injury to such animal.

§ 2. This local law shall take effect immediately.

Referred to the Committee on Health.

Res. No. 804

Resolution calling on the New York City Department of Education to immediately stop serving food and beverages that contain high fructose corn syrup.

By Council Member Vallone, Jr., James, Mark-Viverito and Koo.

Whereas, High fructose corn syrup (HFCS) is a commonly-used sweetener and preservative made by changing sugar (glucose) in cornstarch to fructose to create a combination of glucose and fructose; and

Whereas, HFCS is commonly used instead of sugar alone in the preparation of commercially sold food products because it extends the shelf life of processed foods and is a cheaper alternative than sugar; and

Whereas, Despite widespread use of HFCS since the 1970s, some have questioned its safety and noted links between exposure to HFCS and negative health consequences; and

Whereas, Researchers from Princeton University have linked consumption of HFCS to weight gain and obesity; and

Whereas, Likewise, researchers from Loyola University's Stritch School of Medicine and the University of Florida found that individuals that consumed HFCS exhibited higher rates of kidney and liver disease respectively; and

Whereas, These studies raise concerns about the safety of HFCS, particularly in vulnerable populations; and

Whereas, The New York City Department of Education (DOE) is responsible for approximately 1.1 million school children; and

Whereas, The DOE participates in the national school breakfast and lunch programs, feeding thousands of youngsters every day; and

Whereas, School children also have access to competitive foods, which are foods that are sold in the school, separate from the school meals program; and

Whereas, While, the DOE recently announced plans to reduce and eventually eliminate foods that contain HFCS, schools are still serving foods and beverages with HFCS; and

Whereas, Additionally, Assembly Member Barbara Clark recently introduced A.2562, a bill which would restrict the use of HFCS in all food and beverages; and

Whereas, The bill's sponsor asserts that by eliminating HFCS in food products, there will be a noticeable reduction in the incidence of obesity, insulin-resistance and liver disease; and

Whereas, Only through comprehensive measures can we ensure that New York City children are safe from harmful artificial sweeteners; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Department of Education to immediately stop serving food and beverages that contain high fructose corn syrup.

Referred to the Committee on Health.

Int. No. 557

By Council Members Weprin, Comrie, Koslowitz and Koo.

A Local Law to amend the administrative code of the city of New York, in relation to exemption of a residential building owned as a cooperative from the obligation to benchmark energy and water efficiency.

Be it enacted by the Council as follows:

Section 1. The definition of “covered building” in subchapter 2 of Article 309 of chapter 3 of title 28 of the administrative code of the city of New York is amended to read as follows:

COVERED BUILDING. As it appears in the records of the department of finance: (i) a building that exceeds 50,000 gross square feet, (ii) two or more buildings on the same tax lot that together exceed 100,000 gross square feet, or (iii) two or more buildings held in the condominium form of ownership that are governed by the same board of managers and that together exceed 100,000 gross square feet.

Exception: The term “covered building” shall not include:

1. Any building that is a city building.
2. Any building that is owned by the city.
3. Real property classified as class one pursuant to subdivision one of section 1802 of the real property tax law.
4. A residential buildings owned as a cooperative.

§ 2. This local law shall take effect immediately upon its enactment.

Referred to the Committee on Environmental Protection.

Int. No. 558

By Council Members Weprin, Comrie, Koslowitz, Williams and Koo.

A Local Law to amend the administrative code of the city of New York, in relation to creating a one-year moratorium on penalties for residential buildings owned as a cooperative that fail to file benchmark energy and water efficiency reports.

Be it enacted by the Council as follows:

Section 1. Section 28-309.4.3 of the administrative code of the city of New York is amended to read as follows:

§ 28-309.4.3 Violations. It shall be unlawful for the owner of a covered building to fail to benchmark pursuant to section 28-309.4 *except that prior to May 1, 2012, no penalty may be imposed for the failure to file a benchmarking report for a residential building owned as a cooperative.* The commissioner shall classify such violation as a lesser violation.

§2. This local law shall take effect immediately upon its enactment.

Referred to the Committee on Environmental Protection.

Int. No. 559

By Council Members Williams, Cabrera, Comrie, Ferreras, Gentile, Gonzalez, Greenfield, James, Koppell, Rose, Foster and Koo.

A Local Law to amend the administrative code of the city of New York, in relation to the suspension of parking regulations during and after snowfalls.

Be it enacted by the Council as follows:

Section 1. Section 19-163.1 of the administrative code of the city of New York is amended to read as follows:

§19-163.1 Suspension of parking, *parking meter and muni-meter* rules during and after snowfalls. All alternate side of the street parking rules shall be suspended during any snowfall that causes the department of sanitation to suspend its street sweeping operations, provided that the department may reinstate alternate side of the street parking rules after twenty-four hours if it determines, after consulting with the department of sanitation, that alternate side of the street parking is necessary to immediately commence curbside snow removal. *Parking meter and muni-meter rules and all other parking regulations, except those regulations that would not permit parking or standing at any time, except for emergency vehicles at such location, shall be suspended for forty-eight hours following the falling of six inches of snow in any part of the city of New York based on the department of sanitation’s measurements, provided that at the conclusion of such forty-eight hour period, the department may continue to suspend any and all such parking rules if, in the discretion of the commissioner, such suspension remains necessary in order to facilitate the plowing or removal of snow. Such forty-eight period shall conclude at*

the end of the calendar day of the expiration of such forty-eight hours.

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

Referred to the Committee on Sanitation and Solid Waste Management.

L.U. No. 371

By Council Member Recchia:

155-161 East 103rd Street, Block 1631, Lot 25, Manhattan, Council District No. 8

Adopted by the Council (preconsidered and approved by the Committee on Finance).

L.U. No. 372

By Council Member Comrie:

Application no. C 100118 ZMR submitted by 647-649 Washington Avenue, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, changing from an M1-1 District to an R3A District, Section No. 20c, Council District no. 49 .

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

L.U. No. 373

By Council Member Comrie:

Application no. C 110145 ZMQ submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 14d, 18c, 19a and 19b, Borough of Queens, Council District no. 27.

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

L.U. No. 374

By Council Member Comrie:

Application no. N 110146 ZRQ submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, relating to Article VI, Chapter 3 (Special Regulations Applying to FRESH Food Stores) and Article 1, Chapter 1, Borough of Queens, Community District 1, Council District no. 27, 31.

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

L.U. No. 375

By Council Member Comrie:

Application no. N 110193 ZRM submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, concerning arcades within the Special Lower Manhattan District, Council District 1.

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

L.U. No. 376

By Council Member Comrie:

Application no. 20115464 HKR (N 110210 HKR), pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the Rev. Issac and Rebecca Gray Coleman House (List No.438, LP-2414), located at 1482 Woodrow Road, (Block 7020, Lot 123), Council District no. 51.

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

L.U. No. 377

By Council Member Comrie:

Application no. 20115465 HKR (N 110211 HKR), pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the Rossville AME Zion Church (List No.438, LP-2416), located at 584 Bloomingdale Road, (Block 7267, Lot 101), Council District no. 51.

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

L.U. No. 378

By Council Member Comrie:

Application no. 20115466 HKR (N 110212 HKR), pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the 565 and 569 Bloomingdale Road (List No.438, LP-2415), located at 565 Bloomingdale Road and 569 Bloomingdale Road, (Block 7020, Lot 4), Council District no. 51.

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

L.U. No. 379

By Council Member Comrie:

Application no. 20115467 HKQ (N 110213 HKQ), pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the Addisleigh Park Historic District (List No.438, LP-2405), Council District no. 27.

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

L.U. No. 380

By Council Member Comrie:

Application no. 20115516 HKM (N 110232 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the Manufacturers Trust Company Building, First and Second Floor Interiors (List No.439, LP-2467), located at 510 Fifth Avenue a.k.a. 508-514 Fifth Avenue and 2 West 43rd Street, (Block 1258, Lot 40), Council District no. 3.

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

L.U. No. 381

By Council Member Comrie:

Application no. 20115619 HAK, an amendment to an Urban Development Action Area Plan, Designation and Project, located at 788-796 Lafayette Avenue and 123 Van Buren Street, Borough of Brooklyn, Council District no. 36. This matter is subject to Council Review and action pursuant to Article 16 of the General Municipal Law and Section 577 of the Private Housing Finance Law.

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

L.U. No. 382

By Council Member Comrie:

Application no. 20115007 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Covadonga Inc d.b.a. Empanada Mama, to establish, maintain and operate an unenclosed sidewalk café located at 763 Ninth Avenue, Borough of Manhattan, Council District no.3. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.

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

L.U. No. 383

By Council Member Comrie:

Application no. 20115650 HAX, In Rem Actions no. 50 and 51, application submitted by the Department of Finance and the Department of Housing Preservation and Development, pursuant to Section 11-412 of the Administrative Code and Article 16 of the General Municipal Law for the transfer and disposition of property and related tax exemptions for property located in Community Boards 2, 3, 4, 5, 6, 7, 9 and 12, Council Districts no. 12, 14, 15, 16, 17 and 18, Borough of the Bronx.

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

L.U. No. 384

By Council Member Comrie:

Application no. 20115274 SCQ, a proposed site for a new, approximately 379 seat Primary School Facility, known as P.S. 313, to be located at 45-46 42nd Street, between Queens Boulevard and 47th Avenue (Block 169, Lot 6), Council District No. 26, Borough of Queens. This matter is subject to Council review and action pursuant Section 1732 of the New York State Public Authorities Law.

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

L.U. No. 385

By Council Member Comrie:

Application no. 20115618 CCK, pursuant to Chapter 485 of the Laws of New York of 1998, concerning the transfer and conveyance of the land known as Carnarsie Cemetery in the Borough of Brooklyn, Council District no. 46.

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

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

ANNOUNCEMENTS:

Friday, April 29, 2011

Committee on **COMMUNITY DEVELOPMENT****10:00 A.M.**
Oversight - What is the impact of youth mentoring programs in low-income communities?
Committee Room – 250 Broadway, 14th Floor Albert Vann, Chairperson

Committee on **JUVENILE JUSTICE** jointly with the
Committee on **FIRE AND CRIMINAL JUSTICE SERVICES**.....**10:00 A.M.**
Oversight - New York City Department of Probation’s Role in the Juvenile Justice System.
Hearing Room – 250 Broadway, 16th FloorSara M. Gonzalez, Chairperson
Elizabeth Crowley, Chairperson

Committee on **PUBLIC HOUSING**.....**10:00 A.M.**
Oversight – NYCHA’s Use of the Mixed Finance Model to Fund Modernization Plans.
Committee Room – 250 Broadway, 16th Floor Rosie Mendez, Chairperson

★ *Deferred*

Committee on **GOVERNMENTAL OPERATIONS****10:00 A.M.**
~~Int. 486 – By Council Member Brewer, Dromm, Fidler, Williams and Halloran (by request of the Mayor) – A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to the transfer of functions from the department of records and information services to the department of citywide administrative services, and to repeal chapter 72 of the charter concerning the department of records and information services.~~
~~Committee Room – 250 Broadway, 16th Floor Gale Brewer, Chairperson~~

Committee on **VETERANS**.....**11:00 A.M**
Tour: St. Albans Community Living Center
Location: 179-00 Linden Blvd at 159th Street
Jamaica, NY
Details Attached..... Mathieu Eugene, Chairperson

★ *Deferred*

Committee on **CONTRACTS****1:00 P.M.**
~~Agenda to be announced~~
~~Committee Room – 250 Broadway, 16th Floor Darlene Mealy, Chairperson~~

Committee on **WATERFRONTS** jointly with the Committee on **SANITATION AND SOLID WASTE MANAGEMENT** **1:00 P.M.**
Oversight - Keeping the NYC Waterfront Clean
Committee Room – 250 Broadway, 16th FloorMichael Nelson, Chairperson
..... Letitia James, Chairperson

★ *Deferred*

Committee on **LOWER MANHATTAN REDEVELOPMENT****1:00 P.M.**
~~Agenda to be announced~~
~~Committee Room – 250 Broadway, 14th FloorMargaret Chin, Chairperson~~

Monday, May 2, 2011

Committee on **FINANCE**..... **10:00 A.M.**
Oversight – Property Tax Assessments
Committee Room – 250 Broadway, 16th Floor.. Domenic M. Recchia, Chairperson

Tuesday, May 3, 2011

Subcommittee on **ZONING & FRANCHISES****9:30 A.M.**
See Land Use Calendar Available Thursday, April 28, 2011
Committee Room – 250 Broadway, 16th Floor Mark Weprin, Chairperson

Committee on **MENTAL HEALTH, MENTAL RETARDATION, ALCOHOLISM, DRUG ABUSE AND DISABILITY SERVICES** .**10:00 A.M.**
Oversight - Abuse of the Developmentally Disabled.
Committee Room– 250 Broadway, 14th Floor
..... Oliver G. Koppell, Chairperson

Subcommittee on **LANDMARKS, PUBLIC SITING & MARITIME USES****11:00 A.M.**
See Land Use Calendar See Land Use Calendar Available Thursday, April 28, 2011
Committee Room– 250 Broadway, 16th Floor
..... Brad Lander, Chairperson

Subcommittee on **PLANNING, DISPOSITIONS & CONCESSIONS**. **1:00 P.M.**
See Land Use Calendar See Land Use Calendar Available Thursday, April 28, 2011
Committee Room – 250 Broadway, 16th Floor Stephen Levin, Chairperson

Wednesday, May 4, 2011

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

Committee on **TRANSPORTATION** **1:00 P.M.**
Oversight - How has DOT’s plaza program impacted traffic, pedestrian safety, and commerce in New York City?
Committee Room – 250 Broadway, 14th FloorJames Vacca, Chairperson

Thursday, May 5, 2011

Committee on **CIVIL SERVICE AND LABOR**..... **1:00 P.M.**
Oversight: Examining the NYC Workforce Reform Taskforce Report and Recommendations
Committee Room – 250 Broadway, 16th Floor James Sanders, Chairperson

Friday, May 6, 2011

Committee on **FINANCE** jointly with the
Committee on **COMMUNITY DEVELOPMENT****10:00 A.M.**
Oversight - Examining New York City Water Board's proposed water and sewer rate increase for Fiscal Year 2012.
Committee Room – 250 Broadway, 16th Floor
..... Domenic M. Recchia, Chairperson
..... Albert Vann, Chairperson

Committee on **GENERAL WELFARE**.....**10:00 A.M.**
Oversight - Barriers that Youth and Young Adults Face In Accessing Public Assistance
Committee Room – 250 Broadway, 14th Floor
..... Annabel Palma, Chairperson

Committee on **IMMIGRATION** **1:00 P.M.**
Oversight - Addressing the Needs of NYC’s LGBT Immigrant Population
Committee Room – 250 Broadway, 14th Floor Daniel Dromm, Chairperson

Monday, May 9, 2011

Committee on **CIVIL RIGHTS** jointly with the
Committee on **YOUTH SERVICES****10:00 A.M.**
Int 363 - By Council Members Fidler, Weprin, Arroyo, Brewer, Chin, Comrie, Dickens, Dromm, Ferreras, Gennaro, Gentile, Gonzalez, James, Koppell, Koslowitz, Lander, Mealy, Palma, Recchia, Rodriguez, Rose, Sanders Jr., Van Bramer, Williams, Mendez, Crowley and Nelson - A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to requiring the commission on human rights to educate the public on various types of bias-related harassment.

Committee Room – 250 Broadway, 14th Floor
 Deborah Rose, Chairperson
 Lewis A. Fidler, Chairperson

Committee on **COMMUNITY DEVELOPMENT****10:00 A.M.**
 Oversight - 2010 Census NYC – Undercounting: Causes, Consequences and Corrective Action
 Committee Room – 250 Broadway, 16th Floor Albert Vann, Chairperson

Committee on **HOUSING AND BUILDINGS** **1:00 P.M.**
 Res. 700 - By Council Member Chin, the Speaker (Council Member Quinn) and Council Members Dilan, Foster, Garodnick, Brewer, Cabrera, Dickens, Dromm, James, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, Mendez, Nelson, Palma, Sanders Jr., Seabrook, Van Bramer, Vann, Williams, Gentile, Eugene, Jackson, Rivera and Koo - Resolution calling upon the New York State Legislature to renew and strengthen the laws regulating rents and the eviction of tenants.
 Oversight – The Renewal of Rent-Regulations in New York City
 Committee Room – 250 Broadway, 16th Floor Erik Martin-Dilan, Chairperson

Committee on **ENVIRONMENTAL PROTECTION** **1:00 P.M.**
 Agenda to be announced
 Committee Room – 250 Broadway, 14th Floor James Gennaro, Chairperson

Tuesday, May 10, 2011

Committee on **SMALL BUSINESS** jointly with the
 Committee on **VETERANS** **1:00 P.M.**
 Oversight - Reintegration of Veterans into the Workforce and Small Business Community
 Committee Room – 250 Broadway, 14th Floor Diana Reyna, Chairperson
 Mathieu Eugene, Chairperson

Committee on **LOWER MANHATTAN REDEVELOPMENT** **1:00 P.M.**
 Agenda to be announced
 Hearing Room – 250 Broadway, 16th Floor Margaret Chin, Chairperson

Wednesday, May 11, 2011

Stated Council Meeting *Ceremonial Tributes – 1:00 p.m.*
 *Agenda – 1:30 p.m.*
Location *~ Emigrant Savings Bank ~ 49-51 Chambers Street*.....

EXECUTIVE BUDGET 2012

NEW YORK CITY COUNCIL FISCAL YEAR 2012 EXECUTIVE BUDGET HEARINGS

Please be advised of the following scheduled Council Agency Hearings relative to the Proposed Executive Expense, Revenue, Capital & Contract Budgets & CD-XXXVII & CD-XXXVIII Programs for the Fiscal Year 2012 to be held in the Committee Room, 16th Floor, 250 Broadway (except where indicated), as follows:

Thursday, May 12, 2011

Time	Agency Testifying	Finance Committee jointly with Council Committee ★ Location: 250 Broadway 14 th Floor – Committee Room
10:00 – 10:30	Conflicts of Interest Board	Standards and Ethics

10:30 – 12:30	Sanitation	Sanitation and Solid Waste Management
12:30 - 1:15	NYCHA	Public Housing

Monday, May 16, 2011

Time	Agency Testifying	Finance Committee jointly with Council Committee
10:00 - 12:00	Fire / Emergency Medical Service	Fire & Criminal Justice Svcs.
12:00 - 12:30	Correction	Fire & Criminal Justice Svcs.
12:30 – 1:00	Probation	Fire & Criminal Justice Svcs.
1:00 - 2:00	Criminal Justice Coordinator (Indigent Defense Services)	Fire & Criminal Justice Svcs.
2:00 - 3:00	Legal Aid	Fire & Criminal Justice Svcs.

Tuesday, May 17, 2011

Time	Agency Testifying	Finance Committee jointly with Council Committee
10:00 - 1:00	Education and School Construction Authority (Capital)	Education
1:00 – 2:00	Environmental Protection (Capital)	Environmental Protection
2:00 – 3:00	Environmental Protection (Expense)	Environmental Protection

Wednesday, May 18, 2011

Time	Agency Testifying	Finance Committee jointly with Council Committee
10:00 - 12:00	Police	Public Safety
12:00 - 1:15	District Attorney / Special Narcotics Prosecutor	Public Safety
1:15 - 2:00	Office of Emergency Management	Public Safety
2:00 - 3:00	Civilian Complaint Review Board	Public Safety

Thursday, May 19, 2011

Time	Agency Testifying	Finance Committee jointly with Council Committee
10:00 - 11:30	Youth and Community Development	Youth Services & Community Development
11:30 - 12:30	Small Business Services	Economic Development and Small Business
12:30- 1:30	Economic Development Corporation	Economic Development
1:30 - 2:30	Design & Construction	Finance

Monday, May 23, 2011

Time	Agency Testifying	Finance Committee jointly with Council
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		Committee and Select Committee
10:00 - 11:30	Libraries	Cultural Affairs, Libraries & International Intergroup Relations jointly with Select Committee on Libraries
11:30 - 12:45	Cultural Affairs	Cultural Affairs, Libraries & International Intergroup Relations
12:45 - 1:15	Housing Preservation & Development (Expense)	Housing & Buildings
1:15 - 2:15	Housing Preservation & Development (Capital)	Housing & Buildings
2:15 - 3:15	Buildings	Housing & Buildings

Tuesday, May 24, 2011

Time	Agency Testifying	Finance Committee jointly with Council Committee and Subcommittee
10:00 - 11:00	Medical Examiner	Health
11:00 - 12:30	Health and Hospitals Corporation	Health jointly with Mental Health, Mental Retardation, Alcoholism, Drug Abuse & Disability Services and Subcommittee on Drug Abuse
12:30 - 2:30	Health & Mental Hygiene	Health jointly with Mental Health, Mental Retardation, Alcoholism, Drug Abuse & Disability Services and Subcommittee on Drug Abuse
2:30 - 3:30	Parks & Recreation	Parks & Recreation

Wednesday, May 25, 2011

Time	Agency Testifying	Finance jointly with Council Committee
10:00 - 10:30	Human Rights Commission	Civil Rights
10:30 - 11:30	Investigations	Oversight and Investigations
11:30 - 12:00	Consumer Affairs	Consumer Affairs
12:00 - 12:30	Business Integrity Commission	Consumer Affairs
12:30 - 2:00	Information Technology and Telecommunications	Land Use and Technology
2:00 - 2:30	Landmarks	Land Use
2:30 - 3:30	City Planning	Land Use

Tuesday, May 31, 2011

Time	Agency Testifying	Finance Committee jointly with Council Committee
10:00 - 11:30	Human Resources Administration / Social Services	General Welfare
11:30 - 1:30	Administration for Children's Services (Agency for Child Development)	General Welfare and Women's Issues

1:30 - 3:30	Homeless Services	General Welfare
3:30 - 4:15	Administration for Children's Services (Juvenile Justice Issues)	General Welfare and Juvenile Justice

Wednesday, June 1, 2011

Time	Agency Testifying	Finance Committee jointly with Council Committee
10:00 - 1:00	Education (Expense)	Education
1:00 - 1:45	Citywide Administrative Services	Governmental Operations
1:45 - 2:45	Board of Elections	Governmental Operations
2:45 - 3:30	Campaign Finance Board	Governmental Operations
3:30 - 4:15	Law Department	Governmental Operations

Thursday, June 2, 2011

Time	Agency Testifying	Finance Committee jointly with Council Committee
10:00 - 10:30	Transportation (Expense)	Transportation
10:30 - 11:30	Transportation (Capital)	Transportation
11:30 - 12:00	MTA NYC Transit (Capital)	Transportation
12:00 - 12:30	MTA NYC Transit (Expense)	Transportation
12:30 - 1:15	Taxi & Limousine Commission	Transportation

Friday, June 3, 2011

Time	Agency Testifying	Finance Committee jointly with Council Committee and Subcommittee
10:00 - 12:00	Aging	Aging and Subcommittee on Senior Centers
12:00 - 1:30	City University of New York	Higher Education

Monday, June 6, 2011

Time	Agency Testifying	Finance Committee
10:00 - 1:00	Office of Management & Budget - Overview of Budgets - Revenue, Expense, Capital & Miscellaneous Budgets, including Debt Service & Pension appropriations	Finance
1:00 - 2:30	Finance	Finance
2:30 - 3:00	Comptroller	Finance
3:00 - 3:30	Independent Budget Office	Finance
3:30	Public	

MEMORANDUM

April 13, 2011

TO: ALL COUNCIL MEMBERS

RE: TOUR BY THE COMMITTEE ON VETERANS

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

St. Albans Community Living Center
179-00 Linden Blvd at 159th Street
Jamaica, NY

The tour will be on **Friday, April 29, 2011 beginning at 11:00 a.m.** A van will be leaving City Hall at **10:15 a.m. sharp.**

Council Members interested in riding in the van should call Brian Footer at 212-788-6879.

Mathieu Eugene, Chairperson
Quinn
Committee on Veterans
Council

Christine
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 Wednesday, May 11, 2011.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

***Editor's Local Law Note:** Int Nos. 417 and 446-A, adopted at the March 23, 2011 Stated Council Meeting, were signed by the Mayor into law on April 11, 2011 as, respectively, Local Law Nos. 18 and 19 of 2011.*

