

SUPPLEMENT TO

THE CITY RECORD

THE COUNCIL —STATED MEETING OF
WEDNESDAY, FEBRUARY 6, 2013

THE COUNCIL

*Minutes of the Proceedings for the
STATED MEETING*

of

Wednesday, February 6, 2013, 2:45 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	Rosie Mendez
Charles Barron	Sara M. Gonzalez	Michael C. Nelson
Gale A. Brewer	David G. Greenfield	James S. Oddo
Fernando Cabrera	Daniel J. Halloran III	Annabel Palma
Margaret S. Chin	Vincent M. Ignizio	Domenic M. Recchia, Jr.
Leroy G. Comrie, Jr.	Robert Jackson	Diana Reyna
Elizabeth S. Crowley	Letitia James	Joel Rivera
Inez E. Dickens	Andy King	Deborah L. Rose
Erik Martin Dilan	Peter A. Koo	Eric A. Ulrich
Daniel Dromm	G. Oliver Koppell	James Vacca
Mathieu Eugene	Karen Koslowitz	Peter F. Vallone, Jr.
Julissa Ferreras	Bradford S. Lander	Albert Vann
Lewis A. Fidler	Jessica S. Lappin	James G. Van Bramer
Helen D. Foster	Stephen T. Levin	Mark S. Weprin
Daniel R. Garodnick	Melissa Mark-Viverito	Jumaane D. Williams
James F. Gennaro	Darlene Mealy	Ruben Wills

Excused: Council Member Rodriguez.

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 is presently a vacancy in the Council pending the swearing-in of the winner of the scheduled February 19, 2013 Special Election for the 31st Council District (Queens).

There were 49 Council Members marked present at this Stated Meeting held in the Council Chambers of City Hall, N.Y., N.Y. 10007.

INVOCATION

The Invocation was delivered by Rev. Edison Bond, Citadel of Praise and Worship, 1700 Fulton Street, Brooklyn, NY 11213.

Dear wise and loving God,
first let me say thank you
on behalf of all
who are gathered here today.
Thank you for your many
and abundant blessings.
Thank you for life itself
for the measure of health we need
to fulfill our callings,
for sustenance and for friendship.
Thank you for the ability
to be involved in useful work
and for the honor of bearing
appropriate responsibilities
for our perspective districts.
Thank you for loving us even so
from your boundless and gracious nature.
The Scriptures reminds us
that citizens are to obey
the governing authorities
since you have established
those very authorities
to promote peace, mercy and justice;
therefore, I pray
for the leadership of our city,
the mayor, the Speaker
and the various levels of city officials
and in particular for the assembled Council.
I am asking that you graciously grant them
wisdom to govern among
the conflicting interests
and issues of our times,
a sense of the welfare
and true needs of our people,
a keen thirst for justice and rightness,
confidence in what is good and fitting,
the ability to work together in harmony
even when there is honest disagreement,
personal peace in their lives,
in their joy in their tasks.
I pray for the agenda
set before them today.
Please give an assurance
of what would please you
and what would benefit those
who live and work in our beloved city.
It is in your most blessed name I pray.
All the people say Amen.

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

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

Felix Santana, 84, father-in-law of the Council's Chief Sergeant-at-Arms, Rafael Perez, passed away at his home in the Dominican Republic. He served six years as mayor of his town and 54 years as deputy mayor. Deputy Mayor Santana is survived by seven children (including Sgt. Perez's wife, Leonarda), 21 grandchildren, and 25 great-grandchildren.

Sylvia Friedman, 76, former Assemblywoman from Manhattan, passed away on February 4, 2013. A longtime community activist, Ms. Friedman devoted much of her time to local housing and homeless issues. She was chosen by the Democratic Party in 2006 to complete the term of Assembly Member Steve Sanders upon his resignation. At this point, the floor was yielded to Council Member Mendez who spoke in respectful memory of former Assembly Member Friedman.

Edward I. Koch, 88, former New York City Mayor from 1978 to 1989, passed away on February 1, 2013. He was born in the Bronx, raised part of his life in Newark, N.J., and served as a World War II combat veteran achieving the rank of sergeant and awarded numerous medals and commendations. He was a Greenwich Village District Leader from 1964 until his later election to the New York City Council where he served from 1967 to 1969. He was elected to the U.S. Congress where he served from 1969 until his resignation to become Mayor on January 1, 1978. He inherited a city in troubled times – he succeeded to serve three terms as Mayor of the City of New York. After leaving office, he spent time as a law firm partner, an author, a lecturer, and a television and radio personality. A staunch defender of Israel, he designed his own tombstone to have inscribed the last words of the late journalist David Pearl: "My father is Jewish. My mother is Jewish and I am Jewish." The Speaker (Council Member Quinn) noted that he will be sorely missed in the times ahead as New Yorkers continue to struggle with the challenges of the City.

ADOPTION OF MINUTES

Council Member Lappin moved that the Minutes of the Stated Meeting of December 18, 2012 and the Charter Meeting of January 9, 2013 be adopted as printed.

MESSAGES & PAPERS FROM THE MAYOR

M-1032

Communication from the Mayor - Submitting the name of Andrew Irving to the Council for its advice and consent regarding his re-appointment to the New York City Conflicts of Interest Board.

January 28, 2013

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

Dear Speaker Quinn:

Pursuant to Section 2602 of the City Charter, I am pleased to present the name of Anthony Crowell to the City Council for advice and consent regarding his appointment to the New York City Conflicts of Interest Board.

When appointed to the Board, Mr. Crowell will succeed Monica Blum and serve for the remainder of a six-year term expiring on March 31, 2018.

Thank you for reviewing this appointment.

Sincerely,

Michael R. Bloomberg
Mayor

Referred to the Committee on Rules, Privileges & Elections.

M-1033

Communication from the Mayor - Submitting Preliminary Expense Budget for Fiscal Year 2014, pursuant to Sections 225 and 236 of the New York City Charter.

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

Referred to the Committee on Finance.

M-1034

Communication from the Mayor - Submitting Financial Plan Detail and Summary Book, Volumes I and II for Fiscal Years 2013-2017, pursuant to Sections 101 and 213 of the New York City Charter.

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

Referred to the Committee on Finance.

M-1035

Communication from the Mayor - Submitting Geographic Reports for Expense Budget for Fiscal Year 2014, pursuant to Sections 100 and 231 of the New York City Charter.

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

Referred to the Committee on Finance.

M-1036

Communication from the Mayor - Submitting Departmental Estimates Report, Volumes I, II, III, IV and V, for Fiscal Year 2014, pursuant to Sections 100, 212 and 231 of the New York City Charter.

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

Referred to the Committee on Finance.

M-1037

Communication from the Mayor - Submitting Contract Budget Report for Fiscal Year 2014, pursuant to Section 104 of the New York City Charter.

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

Referred to the Committee on Finance.

M-1038

Communication from the Mayor - Submitting the Preliminary Capital Budget, Fiscal Year 2014, pursuant to Section 213 and 236 of the New York City Charter.

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

Referred to the Committee on Finance.

M-1039

Communication from the Mayor - Submitting the Capital Commitment Plan, Fiscal Year 2014, Volumes 1, 2, & 3, and the Capital Commitment Plan, Fiscal Year 2012, Financial Summary, pursuant to Section 219 of the New York City Charter.

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

Referred to the Committee on Finance.

M-1040

Communication from the Mayor – Submitting the Preliminary Ten-Year Capital Strategy, Fiscal Year 2014-2023.

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

Referred to the Committee on Finance.

M-1041

Communication from the Mayor - Submitting Preliminary certificate setting forth the maximum amount of debt and reserves which the City, and the NYC Municipal Water Finance Authority, may soundly incur for capital projects for Fiscal Year 2014 and the ensuing three fiscal years, and the maximum amount of appropriations and expenditures for capital projects which may soundly be made during each fiscal year, pursuant to Section 250 (16) of the NY City Charter.



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

January 29, 2013

Honorable Members of the Council

Honorable John C. Liu, Comptroller

Honorable Ruben Diaz, Jr., Bronx Borough President
Honorable Marty Markowitz, Brooklyn Borough President
Honorable Scott M. Stringer, Manhattan Borough President
Honorable Helen M. Marshall, Queens Borough President
Honorable James P. Molinaro, Staten Island Borough President

Honorable Members of the City Planning Commission

Ladies and Gentlemen:

I hereby certify on a preliminary basis that, as of this date, in my opinion, the City of New York (the "City"), the New York City Municipal Water Finance Authority and the New York City Transitional Finance Authority may soundly issue debt and expend reserves to finance total capital expenditures of the City for fiscal year 2014 and the ensuing three fiscal years, in maximum annual amounts as set forth below:

2014	\$7,589	Million
2015	6,892	Million
2016	6,236	Million
2017	5,617	Million

Certain capital expenditures are herein assumed to be financed from the proceeds of sale of bonds by the City and the New York City Transitional Finance Authority. Amounts of expenditures to be so financed have been included in the total amounts listed above and are estimated to be as follows in fiscal years 2014 – 2017:

2014	\$5,946	Million
2015	5,450	Million
2016	4,745	Million
2017	4,191	Million

Certain water and sewer capital expenditures are herein assumed to be financed from the proceeds of the sale of bonds by the New York City Municipal Water Finance Authority. Amounts of expenditures to be so financed have been included in the total amounts listed in the first paragraph hereof and are estimated to be as follows in fiscal years 2014 – 2017:

2014	\$1,643	Million
2015	1,442	Million
2016	1,492	Million
2017	1,426	Million

I further certify on a preliminary basis that, as of this date, in my opinion, the City may newly appropriate in the Capital Budget for fiscal year 2014, and may include in the capital program for the ensuing three fiscal years, amounts to be funded by City debt, New York City Transitional Finance Authority debt or, with respect to water and sewer projects, debt of the New York City Municipal Water Finance Authority, not to exceed the following:

2014	\$7,626	Million
2015	4,261	Million
2016	3,585	Million
2017	3,460	Million

Sincerely,

Michael R. Bloomberg
Mayor

Received, Ordered, Printed and Filed.

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

M-1042

Communication from the Mayor – Transmitting proposed amendment to a maritime lease between the New York City Department of Small Business Services and Sea Travelers Realty Inc. d/b/a Sea Travelers Marina for certain city owned upland area and lands under water located in the Mill Basin area of Brooklyn, pursuant to Section 1301(2)(f) of the City Charter. This amendment would supersede the lease amendment adopted by the Council on September 12, 2012.

February 1, 2012

Honorable Christine C. Quinn
Speaker of the Council
City Hall
New York, New York 10007

Dear Speaker Quinn,

On behalf of Mayor Bloomberg, I am herewith transmitting copies of a proposed amendment to a maritime lease (the "Lease Amendment") between the New York City Department of Small Business Services ("Landlord" or the "City") and Sea Travelers Realty, Inc. d/b/a Sea Travelers Marina ("Tenant") for certain City-owned upland area and lands underwater located at 2875 Flatbush Avenue in the Mill Basin area of Brooklyn (Block 8591, parts of Lot 125 and 175) pursuant to City Charter Section 1301(2)(f). The Lease Amendment will be administered on behalf of the City by New York City Economic Development Corporation ("NYCEDC"), and would supersede the lease amendment adopted by the City Council on September 12, 2012. I am also transmitting copies of the companion resolution and memorandum of support.

The Mayor would appreciate the approval of the lease amendment at the earliest possible date.

Thank you.

Sincerely,

Patrick A. Wehle

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

LAND USE CALL UPS

M-1043

By The Speaker (Council Member Quinn):

Pursuant to Rule 11.20b of the Council and §20-226 or §20-225 of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 230 West 54th Street, Community Board No. 5, Application no. 20135250 TCM shall be subject to review by the Council.

Coupled on Call – Up Vote

M-1044

By Council Member Reyna:

Pursuant to Rule 11.20b of the Council and §20-226 or §20-225 of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 50 Wyckoff Avenue, Community Board No. 4, Application no. 20135222 TCK shall be subject to review by the Council.

Coupled on Call – Up Vote

LAND USE CALL UP VOTE

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

Affirmative –Arroyo, Barron, Brewer, Cabrera, Chin, Comrie, Crowley, Dickens, Dilan, Dromm, Eugene, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran, Ignizio, Jackson, James, King, Koo, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, Mendez, Nelson, Palma, Recchia, Reyna, Rose, Ulrich, Vacca, Vallone Jr., Van Bramer, Vann, Weprin, Williams, Wills, Oddo, Rivera and the Speaker (Council Member Quinn) – 49.

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

REPORTS OF THE STANDING COMMITTEES

Report of the Committee on Consumer Affairs

Report for Int. No. 985-A

Report of the Committee on Consumer Affairs in favor of approving and adopting, as amended, a Local Law In relation to underground power lines.

The Committee on Consumer Affairs, to which the annexed amended proposed local law was referred on December 18, 2012 (Minutes, page 4728), respectfully

REPORTS:

I. INTRODUCTION

On February 4, 2013, the Consumer Affairs Committee, chaired by Council Member Dan Garodnick, will vote on Proposed Introduction Number 985-A (“Int. No. 985-A”), a local law in relation to underground power lines. The Committee first heard the bill along with the Technology Committee, chaired by Council Member Fernando Cabrera, and the Lower Manhattan Redevelopment Committee, chaired by Council Member Margaret Chin, during an oversight hearing entitled, “Oversight: Emergency Planning and Management During and After the Storm: Assessing and Improving Public Utility Risk Mitigation Measures.”

II. BACKGROUND

The day after Hurricane Sandy devastated New York City, nearly 2 million residents had lost power. Service was not restored to some New Yorkers for several days and for others it took weeks. Severe weather events with high winds such as Hurricane Sandy often knock down above ground power lines, resulting in numerous power outages. Relocating such power lines to underground locations, where feasible, may mitigate power outages during future severe weather events. In order to determine the feasibility of placing power lines underground, Int. No. 985-A would require the Mayor’s Office of Long-Term Planning and Sustainability to conduct a study to determine the areas in the City where undergrounding power lines would be feasible.

III. PROPOSED INT. NO. 985-A

Section 1(a) of Int. No. 985-A describes the overall purpose of the bill. It provides that the Mayor’s Office of Long-Term Planning and Sustainability (OLTPS) must conduct a study on the utilization of underground power lines in the City and submit the findings of the study to the Mayor and Council within six months after the bill is enacted into law.

Section 1(b) of Int. No. 985-A details the information that shall be contained in the study provided that local electric corporations make such information and relative data available to OLTPS. Section 1(b)(1) of Int. No. 985-A describes the general information that shall be provided in the study, which includes the names of local electric corporations that provide electric service in the city, and for each such electric corporation the number of residential and commercial customers, respectively, and the estimated number of persons serviced by underground power lines and above ground power lines, respectively, and the average cost per mile for maintenance and repair of underground power lines and above ground power lines, respectively, for the most recent calendar year that such data is available. Section 1(b)(1) provides that such general information be disaggregated by borough and community district or other service areas that may be defined by OLTPS.

Section 1(b)(2) of Int. No. 985-A describes the information on weather related outages that shall be provided in the study, which includes the total number of power outages resulting from a failure of all infrastructure servicing a customer that were directly caused by the damage resulting from weather events for the past five years. This would include those power outages caused by damage resulting from downed trees and wires, snow or ice, heat, cold, rain and flooding. Information on weather related outages would also include a summary and statistical analysis of the data collected on each outage, including: (i) the number of customers affected, (ii) the estimated number of persons affected, (iii) critical infrastructure affected, (iv) whether the power lines were underground or above ground, (v) the cause and length of time of each such outage, and (vi) the costs of restoring service. Section 1(b)(2) would provide that all such information on weather related outages would be disaggregated by borough and community district or other service areas that may be defined by OLTPS.

Section 1(b)(3) of Int. No. 985-A describes the information on general network reliability that shall be provided in the study, which includes the total number of power outages resulting from a failure of all infrastructure servicing a customer other than those directly caused by damage resulting from weather events for the most recent calendar year that such data is available, disaggregated by the cause of such outages. Section 1(b)(3) further provides that the study shall include a summary and statistical analysis of the data collected on each outage, including: (i) the number of customers affected, (ii) the estimated number of persons affected, (iii) critical infrastructure affected, (iv) whether the power lines were underground or above ground, (v) the cause and length of time of each such outage, and (vi) the costs of restoring service. Finally, Section 1(b)(3) would require all such general network reliability information be disaggregated by borough and community district or other service areas that may be defined by OLTPS.

Section 1(b)(4) of Int. No. 985-A would require that the study include information related to the cost of undergrounding power lines. Such cost information shall include the estimated per mile cost of undergrounding power lines within the city of New York, including a breakdown of the costs for labor and materials, and the variables, including population density, that would affect the final cost of undergrounding.

Section 1(b)(5) of Int. No. 985-A would require that the study provide recommendations, including a list of neighborhoods or service areas where relocating above ground power lines to underground locations would not be practical or where relocation of such lines would potentially result in more severe power outages in the future, and a list of neighborhoods or service areas where relocating above ground power lines to underground locations would be most advantageous. Section 1(b)(5) would require OLTPS to include the considerations that factored into such determinations in the study.

Finally, section 2 of Int. No. 985-A provides that the local law would take

effect immediately upon its enactment into law.

IV. AMENDMENTS TO PROPOSED INT. NO. 985-A

- Each time data for the number of persons serviced or affected is required in the study, the bill now permits this number to be an estimate.
- Instead of including all of the data, the portions of the study on weather related outages and general network reliability now only need to include summaries and statistical analyses of the data.
- The number of years of data for weather related outages that the study shall include was reduced from 10 years to 5 years.
- For all weather related outages, data on the critical infrastructure affected by each outage is now required, and data on the estimated economic loss for each outage was removed.
- For general network reliability, data on the critical infrastructure affected and the costs of restoring service for each outage was added. The data required for general network reliability is now identical to the data required for weather related outages.
- The study is now required to have a section that estimates the per mile cost of undergrounding power lines, including a breakdown of the costs for labor and materials, and other variables that would affect the final cost of undergrounding.
- Technical changes were made throughout the proposed bill for clarity and to organize the material by subject matter.

(The following is the text of the Fiscal Impact Statement for Int. No. 985-A:)



THE COUNCIL OF THE CITY OF NEW YORK
 FINANCE DIVISION
 PRESTON NIBLACK, DIRECTOR
 JEFFREY RODUS, FIRST DEPUTY DIRECTOR
 FISCAL IMPACT STATEMENT
 PROPOSED INTRO. NO: 985-A
 COMMITTEE:
 Consumer Affairs

TITLE: In relation to underground power lines.

SPONSOR(S): Council Members Comrie, Arroyo, Crowley, Cabrera, Dickens, Fidler, Gentile, Greenfield, James, Koslowitz, Palma, Vallone, Williams, Chin, Nelson, Rodriguez, Koppell, Halloran and Ulrich

SUMMARY OF LEGISLATION: This legislation would require the Mayor’s Office of Long-Term Planning and Sustainability (OLTPS) to conduct a study of the utilization of the City’s underground power lines and to submit the study’s findings to the Mayor and City Council within 6 months of the effective date of this law. To the extent that the data required has been made available by local electric corporations that provide electric service in the city, the study would include, but is not limited, to the following:

1. General information: Disaggregated by borough, and by community district or other areas as defined by OLTPS, the names of local electric corporations that provide electric service in the city, and for each such electric corporation the number of residential and commercial customers, respectively, and the estimated number of persons serviced by underground power lines and above ground power lines, respectively, and the average cost per mile for maintenance and repair of underground power lines and above ground power lines for the most recent calendar year that such data is available.
2. Weather related outages: Disaggregated by borough, and by community district or other areas as defined by OLTPS, the total number of power outages resulting from a failure of all infrastructure servicing a customer that were directly caused by damage resulting from weather events for the past five years, including, but not limited to, damage resulting from: trees and wires downed by wind, snow or ice; heat; cold; rain; and flooding. The study would provide a summary and statistical analysis of the data collected on each outage, including (i) the number of customers affected, (ii) the estimated number of persons affected, (iii) critical infrastructure affected, (iv) whether the power lines were underground or above ground, (v) the cause and length of time of each such outage, and (vi) the costs of restoring service.
3. General network reliability: Disaggregated by borough, and by

community district or other areas as defined by OLTPS, the total number of power outages resulting from a failure of all infrastructure servicing a customer other than those directly caused by damage resulting from weather events for the most recent calendar year that such data is available, disaggregated by the cause of such outages. The study would provide a summary and statistical analysis of the data collected on each outage, including (i) the number of customers affected, (ii) the estimated number of persons affected, (iii) critical infrastructure affected, (iv) whether the power lines were underground or above ground, (v) the cause and length of time of each such outage, and (vi) the costs of restoring service.

4. Costs of undergrounding power lines: The estimated per mile cost of undergrounding power lines within the City, including a breakdown of the costs for labor and materials, and the variables, including population density, that would affect the final cost of undergrounding; and
5. Recommendations: A list of neighborhoods or service areas where relocating above ground power lines to underground locations would not be practical or would result in more severe power outages and the considerations that went into such determination; and a list of neighborhoods or service areas where relocating above ground power lines to underground locations would be most advantageous and the considerations that went into such determination

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2013

FISCAL IMPACT STATEMENT:

	Effective FY 2013	FY Succeeding Effective FY 2014	Full Fiscal Impact FY2013
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: There will be no revenues generated by the enactment of this legislation.

IMPACT ON EXPENDITURES: There will be no expenditures resulting from the enactment of this legislation. OLTPS has the staff and resources needed to conduct the study.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: Mayor’s Office of Long Term Planning and Sustainability (OLTPS)
 Office of Management and Budget (OMB)

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

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director
 Tanisha Edwards, Finance Counsel

LEGISLATIVE HISTORY: Int. 985 was introduced by Council and referred to the Committee on Consumer Affairs on December 18, 2012. The Committees on Consumer Affairs, Lower Manhattan Redevelopment, and Technology held a hearing and laid over the bill on January 18, 2013. On February 4, 2013, the Committee on Consumer Affairs would vote on an amended version, Proposed Intro. 985-A.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 985-A:)

Int. No. 985-A

By Council Members Comrie, Arroyo, Crowley, Cabrera, Dickens, Fidler, Gentile, Greenfield, James, Koslowitz, Palma, Vallone Jr., Williams, Chin, Nelson,

Rodriguez, Koppell, Gonzalez, Vacca, Jackson, King, Rose, Dromm, Weprin, Garodnick, Barron, Levin, Eugene, Gennaro, Koo, Lappin, Halloran and Ulrich.

A Local Law in relation to underground power lines.

Be it enacted by the Council as follows:

Section 1. Study of underground power lines. a. The office of long-term planning and sustainability shall conduct a study of the utilization of underground power lines in the city and submit the findings of such study to the mayor and council within six months of the effective date of this local law.

b. To the extent that the data required below has been made available by local electric corporations that provide electric service in the city, such study shall include, but not be limited to:

1. General information. Disaggregated by borough, and by community district or other areas as defined by the office of long-term planning and sustainability, the names of local electric corporations that provide electric service in the city, and for each such electric corporation the number of residential and commercial customers, respectively, and the estimated number of persons serviced by underground power lines and above ground power lines, respectively, and the average cost per mile for maintenance and repair of underground power lines and above ground power lines, respectively, for the most recent calendar year that such data is available.

2. Weather related outages. Disaggregated by borough, and by community district or other areas as defined by the office of long-term planning and sustainability, the total number of power outages resulting from a failure of all infrastructure servicing a customer that were directly caused by damage resulting from weather events for the past five years, including, but not limited to, damage resulting from: trees and wires downed by wind, snow or ice; heat; cold; rain; and flooding. The study shall provide a summary and statistical analysis of the data collected on each outage, including (i) the number of customers affected, (ii) the estimated number of persons affected, (iii) critical infrastructure affected, (iv) whether the power lines were underground or above ground, (v) the cause and length of time of each such outage, and (vi) the costs of restoring service.

3. General network reliability. Disaggregated by borough, and by community district or other areas as defined by the office of long-term planning and sustainability, the total number of power outages resulting from a failure of all infrastructure servicing a customer other than those directly caused by damage resulting from weather events for the most recent calendar year that such data is available, disaggregated by the cause of such outages. The study shall provide a summary and statistical analysis of the data collected on each outage, including (i) the number of customers affected, (ii) the estimated number of persons affected, (iii) critical infrastructure affected, (iv) whether the power lines were underground or above ground, (v) the cause and length of time of each such outage, and (vi) the costs of restoring service.

4. Costs of undergrounding power lines. The estimated per mile cost of undergrounding power lines within the city of New York, including a breakdown of the costs for labor and materials, and the variables, including population density, that would affect the final cost of undergrounding.

5. Recommendations. A list of neighborhoods or service areas where relocating above ground power lines to underground locations would not be practical or would result in more severe power outages and the considerations that went into such determination; and a list of neighborhoods or service areas where relocating above ground power lines to underground locations would be most advantageous and the considerations that went into such determination.

§2. This local law shall take effect immediately.

DANIEL R. GARODNICK, Chairperson; MICHAEL C. NELSON, CHARLES BARRON, LEROY G. COMRIE, Jr., G. OLIVER KOPPELL, KAREN KOSLOWITZ; Committee on Consumer Affairs, February 4, 2013.

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 Environmental Protection

Report for Int. No. 75-A

Report of the Committee on Environmental Protection 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 city plantings to be stormwater tolerant so as to facilitate stormwater retention and filtration.

The Committee on Environmental Protections, to which the annexed amended proposed local law was referred on March 3, 2010 (Minutes, page 678), respectfully

REPORTS:

Introduction

On February 5, 2013, at 2 p.m. on the 14th floor of 250 Broadway the Committee on Environmental Protection will hold a hearing and a vote on Proposed Int. No. 75-A, Proposed Int. No. 399-A and Proposed Int. No. 887-A, bills that would require requiring city plantings to be stormwater tolerant so as to facilitate stormwater retention and filtration, that would require the City to increase native biodiversity in public landscapes and that would require the city to create a renewable energy systems web portal, respectively.

Encouraging the planting of native species is a crucial part of preventing the dominance of invasive species. Most current landscaping tends to revegetate with non-native plant species in unnatural spatial distributions and arrest succession through management of these ecosystems at great financial cost.¹ More rare species in urbanized areas are found in sites that have escaped high intensity development such as city parks, cemeteries, railroad trackways, vegetated areas under transmission lines and other sites that are protected from development.² This is why it is critically important to protect and increase biodiversity in public places where it can flourish. New York City would like to increase biodiversity in public spaces and sidewalk plantings. Proposed Int. No. 75, and Proposed Int. No. 399, are intended to assure that city plantings are stormwater tolerant and to promote the planting of native species, increasing the biodiversity in both on public and private land.

Proposed Int. No. 887-A aims to facilitate greater use of renewable energy.

Proposed Int. No. 75-A

Section one of Proposed Int. No. 75-A sets out the legislative findings and intent.

Section two of the bill amends the administrative code of the city of New York by adding a new section 18-140. Subdivision a of this section requires the creation of a stormwater retention manual applicable to all plantings conducted by the department that will maximize the use of stormwater retentive plantings. Such manual shall, at a minimum, identify plants suitable for the purpose of facilitating stormwater retention and describe their qualities; identify suitable planting materials, soil types and mulch, for the purpose of facilitating stormwater retention; and set forth guidelines for the planning and organization of plantings, including the appropriate mixes of plants.

Subdivision b mandates that the manuals developed pursuant to this section shall be accessible for use by property owners and professional land managers to increase stormwater retention and shall be made available on-line on the department's website.

Subdivision c requires that all plantings conducted by the department after May 1, 2014, conform to the stormwater retention planting manual.

Section three of the bill provides that the local law takes effect immediately.

Amendments to Proposed Int. No. 75-A

- The legislative findings and intent were amended to speak to the need for stormwater tolerant plantings.
- The location of section relating to stormwater tolerant plantings was moved from Chapter 5 of Title 24 of the Administrative Code to Chapter 1 of Title 18 of the Administrative Code.
- The definitions for "native plants," and "stormwater tolerant" were removed.
- Instead of utilizing a stormwater management design manual promulgated by the State and other resources, the Department of Parks and Recreation will now create its own stormwater retention manual.
- The Department of Parks and Recreation's stormwater retention manual will be promulgated no later than November 1, 2013.
- Plantings of the Department of Parks and Recreation shall now conform to such manual by May 1, 2014, instead of ninety days after the enactment of this local law.
- The bill now takes effect immediately instead of ninety days after its enactment.
- Technical changes were made throughout the proposed bill for clarity and to organize the material by subject matter.

Proposed Int. No. 399-A

Section one of Proposed Int. No. 399-A sets out the legislative findings and intent.

Section two of the bill amends the administrative code of the city of New York by adding a new section 18-141. Subdivision a of this section requires the department to revise its design manual by November 1, 2013 to increase biodiversity in its landscape practices. Subdivision a also requires that where native plant species are not appropriate, such practices shall require the use of any plant species that has not been determined to be an invasive plant species by the New York state department of environmental conservation or by the department, or determined to be a noxious weed by the New York state department of agriculture and markets. Such manual shall include a native species planting guide, to be updated at least every five years, that lists the qualities of native species suitable for planting in the city of New York; and a list of alternative native species for commonly used non-native species.

Subdivision b of this section requires that the manual developed pursuant to this section be accessible for use by property owners and professional land managers to increase biodiversity and the use of native species, and shall be made available on-line on the Department of Parks and Recreation's

for the Lower Ma_____

¹ Michael L. McKinney, Urbanization, Biodiversity and Conservation, Bioscience 52 no10 883-890, 2002.

² Id.

website. This subdivision defines “native species” to mean, with respect to a particular ecosystem, a species that, other than as the result of introduction, historically occurred or currently occurs in that ecosystem.

Subdivision c of this section requires that all plantings conducted by the department after May 1, 2014, conform to the design manual promulgated or drafted pursuant to this section. Each calendar year from 2015 to 2019, inclusive, the department must review the effectiveness of the use of its design manual to increase native biodiversity in public plantings and issue a report to the mayor and the council documenting the number and location of all native species plantings in the prior year, including efforts made by the department to utilize local genotypes, and a description of the department’s plans for increasing the diversity of native species in the city.

Subdivision d of this section provides an exemption for botanic gardens and public institutions that possess plants for educational, scientific, historic or collection purposes and take precautions to prevent non-native species from going to seed or spreading beyond the existing planting shall be exempt from the requirements of this section.

Section three of this bill provides that local law shall take effect immediately.

Amendments to Proposed Int. No. 399-A

- The legislative findings and intent were amended and shortened.
- A prohibition on the planting of turf grass was removed.
- References to the “green streets program” and planting guidelines requiring a minimum percentage of native plantings for sidewalks and larger properties were removed.
- The requirement of the Department of Parks and Recreation to remove existing invasive plant species on City-owned property has been removed.
- The requirement that the Department of Parks and Recreation serves as a clearing house for information regarding invasive and non-invasive species has been removed.
- Requirements for the review rules have been removed because the Department of Parks and Recreation has promulgated no rules with respect to plantings.
- The Department of Parks and Recreation will now create its own design manual to improve biodiversity in landscape practices by November 1, 2013. Such manual will be reviewed and updated as necessary every five years.
- Plantings of the Department of Parks and Recreation shall now conform to such manual by May 1, 2014, instead of ninety days after the enactment of this local law.
- An annual report on the effectiveness of the design manual and the Department of Parks and Recreations plans for increasing native biodiversity was added as a requirement for the years 2015 to 2019, inclusive.
- The bill now takes effect immediately instead of ninety days after its enactment.
- Technical changes were made throughout the proposed bill for clarity and to organize the material by subject matter.

Proposed Int. No. 887-A

Section one of Proposed Int. No. 887-A adds a new subdivision j to section 24-802 of the Administrative Code defining “renewable energy system.”

Section two of this bill reletters the existing text of section 24-802 of the Administrative Code as subdivision a and adds a new subdivision b. Paragraph 1 of subdivision b requires the City to establish an interactive website called the “New York city renewable energy portal,” and that a link to the portal must be plainly visible on the Department of Buildings home page and other relevant city home pages.

Paragraph two of subdivision b states that the purpose of the sustainability portal is to inform the public about the economics and feasibility of utilizing on a variety of renewable energy systems, as well as LEED certification for residential buildings. This paragraph states that the portals information will be provided in “plain language” where possible.

Paragraph three of subdivision b states that the portal will renewable energy portal shall have or link to, to the extent they are available, programs that allow the user to calculate the estimated costs and benefits of renewable energy systems, lists of financial incentives available at the federal, state, and local levels, and tools and guidelines to evaluate the feasibility of installing renewable energy technologies.

Paragraph four of subdivision b requires that the renewable energy portal assist users in determining which city, state, and federal agencies, if any, must approve a prospective installation of renewable energy systems and link to the website of any city, state, or federal agency that must be contacted in connection with the installation of renewable energy systems, and may also link to any forms, if they are available online, that such agency may require of prospective installers of renewable energy systems.

Paragraph five of subdivision b requires the renewable energy portal to list the qualifications required for any contractor to perform installations of renewable energy systems within the city of New York.

Paragraph six of subdivision b clarifies that nothing within this section shall be construed to limit the authority of the office to create additional resources within

the renewable energy portal.

Section three of this bill provides that it takes effect on November 1, 2013.

Amendments to Proposed Int. No. 887-A

- The legislative findings have been removed.
- The sustainability portal has been renamed the renewable energy portal.
- The definition for “renewable energy system” was moved from section 24-804 to the definitions section of that Chapter, section 24-802.
- The definition of “renewable energy system” has been revised to include any systems the “uses or creates” energy.
- The requirement for a reasonably concise directory that links to relevant website have been removed.
- The revised bill calls for the listing of qualifications for any contractor to install renewable energy systems in New York City.
- Technical changes were made throughout the proposed bill for clarity and to organize the material by subject matter.

(The following is the text of the Fiscal Impact Statement for Int. No. 75-A:)



THE COUNCIL OF THE CITY OF
NEW YORK
FINANCE DIVISION
PRESTON NIBLACK, DIRECTOR
JEFFREY RODUS, FIRST DEPUTY
DIRECTOR
FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 75-A
COMMITTEE:
Environmental
Protection

TITLE: To amend the New York City Administrative Code in relation to requiring City plantings to be stormwater tolerant so as to facilitate stormwater retention and filtration.

SPONSOR(S): By Council Members Gennaro, Brewer, Chin, Fidler, James, Koppell, Lander, Mark-Viverito, Nelson, Williams, Van Bramer, Levin, Garodnick, Crowley, Vallone, Gonzalez, Weprin, Vann, Lappin, Koslowitz, Rodriguez, Rivera, Greenfield, Vacca, Jackson, Ulrich and Halloran.

SUMMARY OF LEGISLATION: Proposed Int. No. 75-A would amend New York City’s Administrative Code to require City plantings to be stormwater tolerant to facilitate stormwater retention and filtration. By November 1, 2013 the Commissioner of the Department of Parks and Recreation (Parks Department) would transmit a stormwater retention manual that would, at minimum: 1) identify plants able to facilitate stormwater retention and describe their qualities including necessary soil and sunlight conditions, drought and salt water tolerance, coloring, compatibility with other plants and usefulness; 2) identify suitable planting materials, soil types and mulch to facilitate stormwater retention; and 3) create guidelines for the planning and organization of plantings, including the appropriate mixes of plants.

The stormwater retention manual would be made available on the Parks Department’s website for use by property owners and professional land managers to increase stormwater retention. All plantings conducted by the Park’s Department would conform to the stormwater retention planting manual by May 1, 2014.

EFFECTIVE DATE: THIS LOCAL LAW SHALL TAKE EFFECT IMMEDIATELY.

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

FISCAL IMPACT STATEMENT:

	Effective FY 13	FY Succeeding Effective FY 14	Full Fiscal Impact FY 13
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: There would be no impact on revenues from the enactment of this legislation.

IMPACT ON EXPENDITURES: It is expected that the Parks Department could

carry out the mandates of this legislation using existing resources.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Office of Management and Budget

ESTIMATE PREPARED BY: KATE SEELY-KIRK, SENIOR LEGISLATIVE FINANCIAL ANALYST

ESTIMATE REVIEWED BY: NATHAN TOTH, DEPUTY DIRECTOR; AND TANISHA EDWARDS, FINANCE COUNSEL

LEGISLATIVE HISTORY: On March 3, 2010, Intro. 75 was introduced by the Council and referred to the Committee on Environmental Protection. On November 10, 2010 the Committee held a hearing regarding this legislation, which was then laid over and subsequently amended. The Committee will consider an amended version of the legislation, Proposed Intro. 75-A. on February 5, 2013. Following a successful Committee vote, the Full Council will vote on Proposed Int. 75-A on February 6, 2013.

(For text of Int Nos. 399-A and 887-A and their Fiscal Impact Statements, please see the Reports of the Committee on Environmental Protection for Int Nos. 399-A and 887-A, respectively, printed in these Minutes; for text of Int No. 75-A, please see immediately below:)

Accordingly, this Committee recommends the adoption of Int Nos. 75-A, 399-A, and 887-A.

(The following is the text of Int. No. 75-A:)

Int. No. 75-A

By Council Members Gennaro, Brewer, Chin, Fidler, James, Koppell, Lander, Mark-Viverito, Nelson, Williams, Van Bramer, Levin, Garodnick, Crowley, Vallone Jr., Gonzalez, Weprin, Vann, Lappin, Koslowitz, Rodriguez, Rivera, Greenfield, Vacca, Jackson, Dromm, Arroyo, Barron, Eugene, Koo, Palma, Ulrich and Halloran.

A Local Law to amend the administrative code of the city of New York, in relation to requiring city plantings to be stormwater tolerant so as to facilitate stormwater retention and filtration.

Be it enacted by the Council as follows:

Section 1. Legislative findings and intent. The Council finds that the PlaNYC Sustainable Stormwater Management Plan of 2008 recommends the use of green infrastructure as a desirable means to control and detain stormwater. Such control and detention is important because combined sewer overflows (CSOs) discharge over 27 billion gallons of sewage and polluted rainwater into the New York harbor every year. The Council also finds that initiatives undertaken by the City of New York, including the Green Infrastructure Plan, contemplate planting thousands of trees and many thousands of plants annually. Therefore the Council finds that it is in the best interests of the City to use stormwater-tolerant plantings to maximize the capacity for stormwater retention and infiltration.

§2. 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 Stormwater retention planting manual. a. Not later than November 1, 2013, the commissioner shall promulgate a stormwater retention manual applicable to all plantings conducted by the department that shall maximize the use of stormwater retentive plantings. Such manual shall, at a minimum:

1. identify plants suitable for the purpose of facilitating stormwater retention and describe their qualities, including, but not limited to, the appropriate hydrological and soil conditions, necessary sunlight, drought and salt water tolerance, coloring, shade cover, compatibility with other plants and usefulness as a habitat;

2. identify suitable planting materials, soil types and mulch, for the purpose of facilitating stormwater retention; and

3. set forth guidelines for the planning and organization of plantings, including the appropriate mixes of plants.

b. The manuals developed pursuant to this section shall be accessible for use by property owners and professional land managers to increase stormwater retention and shall be made available on-line on the department's website.

c. All plantings conducted by the department after May 1, 2014, shall conform to the stormwater retention planting manual.

§3. This local law shall take effect immediately.

JAMES F. GENNARO, Chairperson; G. OLIVER KOPPELL, PETER F. VALLONE, Jr., ELIZABETH S. CROWLEY, BRADFORD S. LANDER, STEPHEN T. LEVIN; Committee on Environmental Protection, February 5, 2013.

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. 399-A

Report of the Committee on Environmental Protection 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 increasing native biodiversity in public landscapes.

The Committee on Environmental Protections, to which the annexed amended proposed local law was referred on October 27, 2010 (Minutes, page 4582), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Environmental Protection for Int No. 75-A printed in these Minutes)

(The following is the text of the Fiscal Impact Statement for Int. No. 399-A:)



THE COUNCIL OF THE CITY OF
NEW YORK
FINANCE DIVISION
PRESTON NIBLACK, DIRECTOR
JEFFREY RODUS, FIRST DEPUTY
DIRECTOR
FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 399-A
COMMITTEE:
Environmental
Protection

TITLE: To amend the New York City Administrative Code in relation to increasing native biodiversity in public landscapes.

SPONSOR(S): By Council Members Vann, Comrie, Fidler, James, Palma, Williams, Van Bramer, Rodriguez, Levin, Nelson, Mark-Viverito, Dromm and Chin.

SUMMARY OF LEGISLATION: Proposed Int. No. 399-A would amend New York City’s Administrative Code in relation to increasing native biodiversity in public landscapes.

By November 1, 2013 the Department of Parks and Recreation (Parks Department) would revise its design manual to encourage such practices as maximizing the use of native plantings and drought and salt tolerant plantings, as appropriate, and minimizing the presence of exotic monoculture on all city-owned property, including green streets, medians, sidewalks, parks and other areas where plantings occur.

When non-native species are used they would need to be determined not to be invasive by the Parks Department or the New York State Department of Environmental Conservation. The non-native species would also need to be determined not to be noxious weeds by the New York State Department of Agriculture and Markets.

The design manual would include a native species planting guide, to be updated at least every five years, that lists the qualities of native species suitable for planting in New York City, including the appropriate water, soil and sunlight conditions, drought and salt water tolerance, coloring, shade cover, compatibility with other plants and usefulness as a habitat. It would also include a list of alternative native species that could be used to replace commonly used non-native species.

The design manual would be made available on the Parks Department’s website so it would be accessible to property owners and professional land managers. All plantings conducted by the Parks Department after May 1, 2014 would conform to the design manual. Each calendar year from 2015 to 2019 the Parks Department would review the effectiveness of the design manual in increasing native biodiversity in public plantings and submit a report to the Mayor and the City Council. The report would document the number and approximate location of all native species planted in the prior year. It would include a description of the efforts taken to utilize local species as well as a description of plans for increasing diversity of native species in New York City.

Botanic gardens and public institutions that use plants for educational, scientific, historic or collection purposes that take precautions to prevent non-native species from spreading would be exempt from the requirements of this law.

EFFECTIVE DATE: THIS LOCAL LAW SHALL TAKE EFFECT IMMEDIATELY.

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

FISCAL IMPACT STATEMENT:

	Effective FY 13	FY Succeeding Effective FY 14	Full Fiscal Impact FY 13
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: There would be no impact on revenues from the enactment of this legislation.

IMPACT ON EXPENDITURES: It is expected that the Parks Department could carry out the mandates of this legislation using existing resources.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Office of Management and Budget

ESTIMATE PREPARED BY: KATE SEELY-KIRK, SENIOR LEGISLATIVE FINANCIAL ANALYST

ESTIMATE REVIEWED BY: NATHAN TOTH, DEPUTY DIRECTOR; AND TANISHA EDWARDS, FINANCE COUNSEL

LEGISLATIVE HISTORY: On October 27, 2010, Intro. 399 was introduced by the Council and referred to the Committee on Environmental Protection. On November 10, 2010 the Committee held a hearing regarding this legislation, which was then laid over and subsequently amended. The Committee will consider an amended version of the legislation, Proposed Intro. 399-A. on February 5, 2013. Following a successful Committee vote, the Full Council will vote on Proposed Int. 399-A on February 6, 2013.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 399-A:)

Int. No. 399-A

By Council Members Vann, Comrie, Fidler, James, Palma, Williams, Van Bramer, Rodriguez, Levin, Nelson, Mark-Viverito, Dromm, Chin, Koppell, Gennaro, Arroyo, Barron, Crowley, Eugene, Greenfield, Jackson, Koo and Lappin.

A Local Law to amend the administrative code of the city of New York, in relation to increasing native biodiversity in public landscapes.

Be it enacted by the Council as follows:

Section 1. Legislative findings and intent. The Council finds that native plants are the building blocks of our biological diversity and the cornerstone of our natural ecosystems. The Council also finds that invasive plant species are a detriment to the environment, out-competing native plant species and the animals that depend on them, and leaving them vulnerable to depletion or extinction. Further, native plantings may also result in reduced maintenance costs. Therefore the Council finds that it is in the best interests of the City to require greater native biodiversity and limit the use of invasive species in public landscapes.

§2. Chapter 1 of title 18 of the administrative code of the city of New York is amended by adding a new section 18-141 to read as follows:

§18-141 Native biodiversity planting practices. a. Increased native biodiversity. By November 1, 2013, the department shall revise its design manual to increase biodiversity in its landscape practices. Such practices shall maximize the use of native plantings and drought and salt tolerant plantings, as appropriate, and minimize the presence of exotic monocultures on all city-owned property, including green streets, medians, sidewalks, parks and other areas where plantings occur. Where native plant species are not appropriate, such practices shall require the use of any plant species that has not been determined to be an invasive plant species by the New York state department of environmental conservation or by the department, or determined to be a noxious weed by the New York state department of agriculture and markets. Such manual shall include:

1. a native species planting guide, to be updated at least every five years, that lists the qualities of native species suitable for planting in the city of New York, including, but not limited to, the appropriate hydrological and soil conditions, necessary sunlight, drought and salt water tolerance, coloring, shade cover, compatibility with other plants and usefulness as a habitat; and

2. a list of alternative native species for commonly used non-native species.

b. The manual developed pursuant to this section shall be accessible for use by property owners and professional land managers to increase biodiversity and the use of native species, and shall be made available on-line on the department’s website. For purposes of this section only, “native species” shall mean, with respect to a particular ecosystem, a species that, other than as the result of introduction, historically occurred or currently occurs in that ecosystem.

c. All plantings conducted by the department after May 1, 2014, shall conform to the design manual promulgated or drafted pursuant to this section. Each calendar year from 2015 to 2019, inclusive, the department shall review the effectiveness of the use of its design manual to increase native biodiversity in public plantings and shall issue a report to the mayor and the council documenting the number and location of all native species plantings in the prior year, including efforts made by the department to utilize local genotypes, and a description of the department’s plans for increasing the diversity of native species in the city.

d. Exemption. Botanic gardens and public institutions who possess plants for educational, scientific, historic or collection purposes and take precautions to prevent non-native species from going to seed or spreading beyond the existing planting shall be exempt from the requirements of this section.

§3. This local law shall take effect immediately.

JAMES F. GENNARO, Chairperson; G. OLIVER KOPPELL, PETER F. VALLONE, Jr., ELIZABETH S. CROWLEY, BRADFORD S. LANDER, STEPHEN T. LEVIN; Committee on Environmental Protection, February 5, 2013.

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. 887-A

Report of the Committee on Environmental Protection 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 creation of a renewable energy systems web portal.

The Committee on Environmental Protections, to which the annexed amended proposed local law was referred on June 28, 2012 (Minutes, page 2594), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Environmental Protection for Int No. 75-A printed in these Minutes)

(The following is the text of the Fiscal Impact Statement for Int. No. 887-A:)



THE COUNCIL OF THE CITY OF
NEW YORK
FINANCE DIVISION
PRESTON NIBLACK, DIRECTOR
JEFFREY RODUS, FIRST DEPUTY
DIRECTOR
FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 887-A
COMMITTEE:
Environmental
Protection

TITLE: To amend the New York City Administrative Code in relation to the creation of a renewable energy systems web portal.
SPONSOR(S): By Council Members Gennaro, Brewer, Fidler, James, Koppell, Koslowitz, Lander, Mendez, Rose, Van Bramer, Williams, Levin, Jackson, Dromm and Chin.

SUMMARY OF LEGISLATION: Proposed Int. No. 887-A amends the City’s Climate Protection Act to require the creation of a renewable energy system website to effectively inform the public about the feasibility and economic viability of installing renewable energy systems in New York City.

The Office of Long-Term Planning and Sustainability (OLTPS) would develop and administer the website, which would be called the New York City Renewable Energy Portal. It would be prominently displayed on the Department of Building’s website and any other City agency’s website that pertains to sustainable growth or environmental policy. The website would be written in plain language whenever possible and would include, but not be limited to, information on solar panels, solar water heaters, geothermal heat pumps, and Leadership in Energy Environment and Design (LEED) certification. Whenever possible, the website would include or link to a program to calculate estimated costs and benefits of the renewable energy system and would include tools and guidelines to evaluate the feasibility of installing the technologies.

The legislation would outline relevant information for all levels of government – federal, state and city. When possible, this would include listing the financial incentives available, what approvals are necessary, and linking to the websites and necessary forms of the agencies involved in the installation of renewable energy systems.

The website would also list the qualifications required for any contractor to perform installations of such systems within New York City. These requirements are not meant to limit OLTPS from adding additional information.

EFFECTIVE DATE: THIS LOCAL LAW SHALL TAKE EFFECT ON NOVEMBER 1, 2013.

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

FISCAL IMPACT STATEMENT:

	Effective FY 13	FY Succeeding Effective FY 14	Full Fiscal Impact FY 13
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: There would be no impact on revenues from the enactment of this legislation.

IMPACT ON EXPENDITURES: It is expected that OLTPS could carry out the mandates of this legislation using existing resources.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Office of Management and Budget

ESTIMATE PREPARED BY: KATE SEELY-KIRK, SENIOR LEGISLATIVE

FINANCIAL ANALYST

ESTIMATE REVIEWED BY: NATHAN TOTH, DEPUTY DIRECTOR; AND TANISHA EDWARDS, FINANCE COUNSEL

LEGISLATIVE HISTORY: On June 28, 2012, Intro. 887 was introduced by the Council and referred to the Committee on Environmental Protection. On December 17, 2012 the Committee held a hearing regarding this legislation, which was then laid over and subsequently amended. The Committee will consider an amended version of the legislation, Proposed Intro. 887-A, on February 5, 2013. Following a successful Committee vote, the Full Council will vote on Proposed Int. 887-A on February 6, 2013.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 887-A:)

Int. No. 887-A

By Council Members Gennaro, Brewer, Fidler, James, Koppell, Koslowitz, Lander, Mendez, Rose, Van Bramer, Williams, Levin, Jackson, Dromm, Chin, Lappin, Arroyo, Barron, Crowley, Eugene, Greenfield, Koo and Palma.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a renewable energy systems web portal.

Be it enacted by the Council as follows:

Section 1. Section 24-802 of the administrative code of the city of New York, as added by local law number 22 for the year 2008, is amended by adding a new subdivision j to read as follows:

j. "Renewable energy system" means any system that uses or creates energy from renewable energy sources, including but not limited to the sun, wind, geothermal sources, and passive house technologies, that is viable for installation in any building or on real property within the city of New York.

§ 2. Section 24-804 of the administrative code of the city of New York, as added by local law number 22 for the year 2008, is amended to read as follows:

§ 24-804 Education and outreach. a. No later than July 1, 2009, the office shall develop and implement programs for public education and outreach regarding global warming and the reduction of greenhouse gas emissions by residents, businesses, public and private elementary and secondary schools, and other entities within the city of New York. Such program shall include, but not be limited to, awareness campaigns tailored to specific sectors of the public, through which the office shall develop and disseminate information regarding global warming, including its potential impacts on the city of New York, and best practices to reduce energy consumption and greenhouse gas emissions.

b. The New York city renewable energy portal. 1. The office shall develop and administer an interactive website called the New York city renewable energy portal. A link to the renewable energy portal shall be prominently displayed on the website of the department of buildings and any other city agency website that pertains to sustainable growth or environmental policy.

2. The purpose of the renewable energy portal shall be to effectively inform the public about the feasibility and economic viability of installing renewable energy systems in the city of New York. Content on the website shall be written in plain language whenever possible and shall include, but not be limited to, information on solar photovoltaic panels, solar water heaters, geothermal heat pumps, and leadership in energy and environmental design (LEED) certification. Links featured on the website shall be verified on a quarterly basis.

3. The renewable energy portal shall have or link to, to the extent they are available, programs that allow the user to calculate the estimated costs and benefits of renewable energy systems, lists of financial incentives available at the federal, state, and local levels, and tools and guidelines to evaluate the feasibility of installing renewable energy technologies.

4. The renewable energy portal shall assist users in determining which city, state, and federal agencies, if any, must approve a prospective installation of renewable energy systems. The renewable energy portal shall link to the website of any city, state, or federal agency that must be contacted in connection with the installation of renewable energy systems, and may also link to any forms, if they are available online, that such agency may require of prospective installers of renewable energy systems.

5. The renewable energy portal shall list the qualifications required for any contractor to perform installations of renewable energy systems within the city of New York.

6. Nothing within this section shall be construed to limit the authority of the office to create additional resources within the renewable energy portal.

§3. This local law shall take effect on November 1, 2013, except that the office designated pursuant to chapter 8 of title 24 of the administrative code of the city of New York shall take such measures as are necessary for its implementation prior to such effective date.

JAMES F. GENNARO, Chairperson; G. OLIVER KOPPELL, PETER F. VALLONE, Jr., ELIZABETH S. CROWLEY, BRADFORD S. LANDER, STEPHEN T. LEVIN; Committee on Environmental Protection, February 5, 2013.

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. 719

Report of the Committee on Land Use in favor of approving Application no. 20135098 HAK, submitted by New York City Department of Housing Preservation and Development, subject to Council review and action pursuant to Article 16 of the General Municipal Law, for a proposed project approval modifying a previously approved Urban Action Development Area Project (Res 1034 of 2011) by adding 1416 Eastern Parkway Extension to the disposition area, creating a new project area, and approving a real property tax exemption for property located at 1416 Eastern Parkway Extension (Block 1475, Lot 39) and 1413 Pitkin Avenue (Block 1475, Lot 78) in the Borough of Brooklyn, Community Board 16, Council District 41.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on September 24, 2012 (Minutes, page 3704), respectfully

REPORTS:

SUBJECT

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

<u>ADDRESS</u>	<u>BLOCK/LOT</u>	<u>NON- ULURP NO.</u>	<u>L.U. NO.</u>	<u>PROGRAM PROJECT</u>
1416 Eastern Pkwy. Ext	1475/39	20135098 HAK	719	
1413 Pitkin Avenue Brooklyn	1475/78			

INTENT

HPD requests that the Council:

1. Find that the present status of the Disposition/Project Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law;
2. Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to said Section;
3. Waive the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law;
4. Approve the project as Urban Development Action Area Projects pursuant to Section 694 of the General Municipal Law; and
5. Approve an exemption of the project from real property taxes pursuant to Section 696 of the General Municipal Law.

PUBLIC HEARING

Date: January 31, 2013

Witnesses In Favor: One **Witnesses Against:** None

SUBCOMMITTEE RECOMMENDATION

Date: January 31, 2013

The Subcommittee recommends that the Committee approve the proposal, grant the requests made by the Department of Housing Preservation and Development, and make the findings required by Article 16 of the General Municipal Law.

In Favor:	Against:	Abstain:
Levin	None	None
Barron		
Dickens		
Koo		

COMMITTEE ACTION

DATE: January 31, 2013

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Comrie	None	None
Rivera		
Reyna		
Barron		
Jackson		
Arroyo		
Dickens		
Garodnick		
Lappin		
Mendez		
Koo		
Lander		
Levin		
Weprin		
Williams		
Wills		
Ignizio		
Halloran		

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

Res. No. 1656

Resolution approving modification to a previously approved Urban Development Action Area Project located at 1413 Pitkin Avenue (Block 1475/Lot 78); Borough of Brooklyn, approving the disposition of real property located at 1416 Eastern Parkway Extension (Block 1475/Lot 39); Borough of Brooklyn; approving a tax exemption for the Project Area; and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Article 16 of the New York General Municipal Law (L.U. No. 719; 20135098 HAK).

By Council Members Comrie and Levin.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on September 10, 2012 its request dated August 27, 2012 that the Council take the following actions regarding the proposed modified Urban Development Action Area Project (the "Project") located at 1416 Eastern Parkway Extension (Block 1475/Lot 39) and 1413 Pitkin Avenue (Block 1475/Lot 78), Community District 16, Borough of Brooklyn (the "Project Area"):

1. Find that the present status of the Project Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law;
2. Waive the designation of the Project Area as an Urban Development Action Area pursuant to Section 693 of the General Municipal Law;

3. Waive the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law;
4. Approve the project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law; and
5. Approve the exemption of the Project Area from real property taxes pursuant to Section 696 of the General Municipal Law (the "Tax Exemption").

WHEREAS, the Project is to be developed on land that is now an eligible area as defined in Section 692 of the General Municipal Law, consists solely of the rehabilitation or conservation of existing private or multiple dwellings or the construction of one to four unit dwellings, and does not require any change in land use permitted under the New York City Zoning Resolution;

WHEREAS, the project located 1413 Pitkin Avenue (Block 1475/Lot 78) to be modified was previously approved by City Council Resolution No. 1431 of September 21, 2011;

WHEREAS, the disposition area to be combined with the modified project is located at 1416 Eastern Parkway Extension (Block 1475/Lot 39);

WHEREAS, the Project Area will consists of properties located at 1413 Pitkin Avenue (Block 1475/Lot 78) and 1416 Eastern Parkway Extension (Block 1475/Lot 39);

WHEREAS, upon due notice, the Council held a public hearing on the Project on January 31, 2013;

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

RESOLVED:

The Council approves the modification of the Project Area consisting of properties located at 1413 Pitkin Avenue (Block 1475/Lot 78) and 1416 Eastern Parkway Extension (Block 1475/Lot 39) (the "Project Area");

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

The Council waives designation of the Project Area requirement pursuant to Section 693 of the General Municipal Law.

The Council waives the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law.

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

The Project shall be developed in a manner consistent with the Project Summary that HPD has submitted to the Council, a copy of which is attached hereto.

The exemption of the Project Area from real property taxes pursuant to Section 696 of the General Municipal Law is approved as follows:

- a. All of the value of the buildings, structures, and other improvements situated on the Project Area shall be exempt from local and municipal real property taxation, other than assessments for local improvements and land value, for a period of ten years during the last five years of which such exemption shall decrease in equal annual decrements. Such exemption shall commence on the January 1st or July 1st (whichever shall first occur) after rehabilitation of the building on the Project Area has been substantially completed and a temporary or permanent Certificate of Occupancy for such building, if required, has been issued by the Department of Buildings. Notwithstanding the foregoing, no exemption shall be granted hereunder if the cost of such rehabilitation is less than the assessed value of such building as determined in the tax year immediately preceding the grant of the tax exemption hereunder.
- b. The tax exemption granted hereunder shall terminate with respect to all or any portion of the Project Area if HPD determines that such real property has not been, or is not being, developed, used, and/or operated in compliance with the requirements of all applicable agreements made by the Sponsor

or the owner of such real property with, or for the benefit of, the City of New York or HUD. HPD shall deliver written notice of any such determination of noncompliance to the owner of such real property and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than ninety (90) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the partial tax exemption granted hereunder shall prospectively terminate with respect to the real property specified therein.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, January 31, 2013.

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. 749

Report of the Committee on Land Use in favor of approving Application No. C 120396 ZMM submitted by Durst Development L.L.C. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8c, changing an M1-5 district to a C6-2 district to facilitate a proposed mixed-use development on the property bounded by West 58th Street, Eleventh Avenue, West 57th Street and Twelfth Avenue, Borough of Manhattan, Community Board 4, Council District 6.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on January 9, 2013 (Minutes, page 77), respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 4

C 120396 ZMM

City Planning Commission decision approving an application submitted by Durst Development L.L.C. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8c, changing from an M1-5 District to a C6-2 District property bounded by West 58th Street, a line 125 feet westerly of Eleventh Avenue, a line midway between West 58th Street and West 57th Street, and a line 125 feet easterly of Twelfth Avenue, as shown on a diagram (for illustrative purposes only) dated July 11, 2012 and subject to the conditions of CEQR Declaration E-286.

INTENT

To facilitate the development of a proposed, mixed-use development, on the block bounded by Eleventh Avenue, Twelfth Avenue, West 57th Street and West 58th Street, in the Special Clinton District, in Manhattan Community District 4.

PUBLIC HEARING

DATE: January 17, 2013

Witnesses in Favor: Seven
Sixteen

Witnesses Against:

SUBCOMMITTEE RECOMMENDATION

DATE: January 31, 2013

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

In Favor:

Weprin
Rivera
Reyna

Against:

None

Abstain:

None

Comrie
 Jackson
 Garodnick
 Lappin
 Wills
 Ignizio

COMMITTEE ACTION

DATE: January 31, 2013

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Comrie	None	None
Rivera		
Reyna		
Barron		
Jackson		
Arroyo		
Dickens		
Garodnick		
Lappin		
Mendez		
Koo		
Lander		
Levin		
Weprin		
Williams		
Wills		
Ignizio		
Halloran		

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

Res. No. 1657

Resolution approving the decision of the City Planning Commission on ULURP No. C 120396 ZMM, a Zoning Map amendment (L.U. No. 749).

By Council Members Comrie and Weprin.

WHEREAS, the City Planning Commission filed with the Council on December 20, 2012 its decision dated December 19, 2012 (the "Decision"), on the application submitted by Durst Development, L.L.C., pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, which along with its related actions, would facilitate the development of a proposed, mixed-use development on the block bounded by Eleventh Avenue, Twelfth Avenue, West 57th Street and West 58th Street, in the Special Clinton District, Community District 4 (ULURP No. C 120396 ZMM), Borough of Manhattan (the "Application");

WHEREAS, the Application is related to Applications C 120397 ZSM (L.U. No. 750), a special permit to modify the bulk regulations within a Large-Scale General Development; and C 120398 ZSM (L.U. No. 751), a special permit pursuant to Section 13-561 of the Zoning Resolution to allow an enclosed attended accessory parking garage;

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 January 17, 2013;

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 Final Supplemental Environmental Impact Statement ("FSEIS") for which a Notice of Completion was issued on December 7, 2012 (CEQR No. 12DCP020M);

RESOLVED:

Having considered the FSEIS with respect to the Decision and Application, the Council finds that:

- (1) The FSEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the Proposed Action, adopted herein is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FSEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, those project components related to the environment and mitigation measures that were identified as practicable.
- (4) The Decision together with the FSEIS constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

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 120396 ZMM, 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. 8c, changing from an M1-5 District to a C6-2 District property bounded by West 58th Street, a line 125 feet westerly of Eleventh Avenue, a line midway between West 58th Street and West 57th Street, and a line 125 feet easterly of Twelfth Avenue, as shown on a diagram (for illustrative purposes only) dated July 11, 2012 and subject to the conditions of CEQR Declaration E-286, Community District 4, Borough of Manhattan.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, January 31, 2013.

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. 750

Report of the Committee on Land Use in favor of approving Application No. C 120397 ZSM submitted by Durst Development L.L.C. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 74-743(a)(1) and 74-743(a)(2) of the Zoning Resolution to modify the applicable district bulk regulations for a proposed mixed-use development on the property bounded by West 58th Street, Eleventh Avenue, West 57th Street and Twelfth Avenue, Borough of Manhattan, Community Board 4, Council District 6. This application is subject to review and action by the Council only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by a vote of the Council pursuant to Charter Section 197-d(b)(3).

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on January 9, 2013 (Minutes, page 77), respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 4

C 120397 ZSM

City Planning Commission decision approving an application submitted by Durst Development L.L.C., pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to the following Sections of the Zoning Resolution:

1. Section 74-743(a)(1) - to allow the distribution of total allowable floor area under the applicable district regulations without regard for zoning district lines; and

2. Section 74-743(a)(2) - to allow the location of buildings without regard for the front wall height and initial setback requirements of Section 33-432, the tower requirements of Section 33-451, and the distance between building requirements of Section 23-711;

in connection with a proposed mixed-use development, on property bounded by West 58th Street, Eleventh Avenue, West 57th Street, and Twelfth Avenue (Block 1105, Lots 1, 5, 14, 19, 29, 36, and 43), within a Large-Scale General Development, in C4-7 and C6-2 Districts, within the Special Clinton District (Other Areas (Northern Subarea C1)).

INTENT

To facilitate the development of a proposed, mixed-use development, on the block bounded by Eleventh Avenue, Twelfth Avenue, West 57th Street and West 58th Street, in the Special Clinton District, in Manhattan Community District 4.

PUBLIC HEARING

DATE: January 17, 2013

Witnesses in Favor: Seven

Witnesses Against: Sixteen

SUBCOMMITTEE RECOMMENDATION

DATE: January 31, 2013

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

In Favor:	Against:	Abstain:
Weprin	None	None
Rivera		
Reyna		
Comrie		
Jackson		
Garodnick		
Lappin		
Wills		
Ignizio		

COMMITTEE ACTION

DATE: January 31, 2013

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Comrie	None	None
Rivera		
Reyna		
Barron		
Jackson		
Arroyo		
Dickens		
<u>Cont'd</u>		
Garodnick		
Lappin		
Mendez		
Koo		
Lander		
Levin		
Weprin		
Williams		
Wills		
Ignizio		
Halloran		

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

Res. No. 1658

Resolution approving the decision of the City Planning Commission on ULURP No. C 120397 ZSM (L.U. No. 750), for the grant of a special permit pursuant to the following sections of the Zoning Resolution Section 74-743(a)(1) - to allow the distribution of total allowable floor area under the applicable district regulations without regard for zoning district lines; and Section 74-743(a)(2) - to allow the location of buildings without regard for the front wall height and initial setback requirements of Section 33-432, the tower requirements of Section 33-451, and the distance between building requirements of Section 23-711; in connection with a proposed mixed-use development, on property bounded by West 58th Street, Eleventh Avenue, West 57th Street, and Twelfth Avenue (Block 1105, Lots 1, 5, 14, 19, 29, 36, and 43), within a Large-Scale General Development, in C4-7 and C6-2 Districts, within the Special Clinton District (Other Areas (Northern Subarea C1)), Borough of Manhattan.

By Council Members Comrie and Weprin.

WHEREAS, the City Planning Commission filed with the Council on December 20, 2012 its decision dated December 19, 2012 (the "Decision"), on the application submitted by Durst Development, L.L.C., pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to the following sections of the Zoning Resolution:

1. Section 74-743(a)(1) - to allow the distribution of total allowable floor area under the applicable district regulations without regard for zoning district lines;
2. and Section 74-743(a)(2) - to allow the location of buildings without regard for the front wall height and initial setback requirements of Section 33-432, the tower requirements of Section 33-451, and the distance between building requirements of Section 23-711;

in connection with a proposed mixed-use development, on property bounded by West 58th Street, Eleventh Avenue, West 57th Street, and Twelfth Avenue (Block 1105, Lots 1, 5, 14, 19, 29, 36, and 43), within a Large-Scale General Development, in C4-7 and C6-2 Districts, within the Special Clinton District (Other Areas (Northern Subarea C1)), (ULURP No. C 120397 ZSM), Community District 4, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to Applications C 120396 ZMM (L.U. No. 749), an amendment to the Zoning Map changing an M1-5 zoning district to a C6-2 zoning district within the Special Clinton District; and C 120398 ZSM (L.U. No. 751), a special permit pursuant to Section 13-561 of the Zoning Resolution to allow an enclosed attended accessory parking garage;

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

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-743 of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on January 17, 2013;

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 Final Supplemental Environmental Impact Statement ("FSEIS") for which a Notice of Completion was issued on December 7, 2012 (CEQR No. 12DCP020M);

RESOLVED:

Having considered the FSEIS with respect to the Decision and Application, the Council finds that:

- (1) The FSEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the Proposed Action, adopted herein is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and

- (3) The adverse environmental impacts disclosed in the FSEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, those project components related to the environment and mitigation measures that were identified as practicable.
- (4) The Decision together with the FSEIS constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

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 120397 ZSM, incorporated by reference herein, the Council approves the Decision, subject to the following conditions:

- 1. The development that is the subject of this application (C 120397 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following approved plans prepared by SLCE Architects LLP, filed with this application and incorporated in this resolution, and in accordance with the provisions and procedures set forth in the Restrictive Declaration:

Dwg. No.	Title	Date
Z-004	Site – Plan	12/14/2012
Z-005	Zoning – Analysis	12/14/2012
Z-007	Average – Curb – Level	06/04/2012
Z-008	Tower Regulation Plan – Diagrams	07/06/2012
Z-010	Height & Setback Plan – Diagrams	07/06/2012
Z-011	Tower, Height & Setback Section – Diagrams	07/06/2012
Z-012	Tower, Height & Setback Section – Diagrams	07/06/2012
Z-013	Tower, Height & Setback Section – Diagrams	07/06/2012
Z-014	Tower, Height & Setback Section – Diagrams	07/06/2012
Z-015	Tower, Height & Setback Section – Diagrams (Existing. Waivers)	07/06/2012
Z-018	Building – Separation Plan & Section – Diagrams	07/06/2012
Z-019	Open – Space Plan – Diagram	12/14/2012
Z-022	Ground – Floor - Plan	12/14/2012

- 2. The development which is the subject of this application shall conform to all applicable laws and regulations relating to their construction, operation and maintenance.
- 3. Development pursuant to this resolution shall be allowed only after the restrictive declaration attached hereto as Exhibit A, with such administrative changes as are acceptable to Counsel to the Department of City Planning, has been executed and recorded in the Office of the Register, New York County. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.
- 4. Development pursuant to this resolution shall be allowed only after the Modification and Termination of Restrictive Declaration attached as Exhibit A to the City Planning Commission report for concurrent related action M 010148(A) ZMM, with such administrative changes as are acceptable to Counsel to the Department of City Planning, has been executed and recorded in the Office of the Register, New York County.
- 5. In the event the property that is the subject of the application is developed as, sold as, or converted to condominium units, a homeowners’ association, or cooperative ownership, a copy of this report and resolution and any subsequent modifications shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners’ or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.

- 6. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sub-lessee or occupant.
- 7. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms, or conditions of this resolution and the restrictive declarations whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation, or amendment of the special permit hereby granted or of the restrictive declarations.
- 8. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city or such employees or agents failure to act in accordance with the provisions of this special permit.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, January 31, 2013.

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. 751

Report of the Committee on Land Use in favor of approving Application No. C 120398 ZSM submitted by Durst Development L.L.C. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 13-561 of the Zoning Resolution to allow an enclosed attended accessory parking garage with a maximum capacity of 285 parking spaces on portions of the ground floor and mezzanine level of a proposed mixed-use development on the westerly portion of the property bounded by West 58th Street, Eleventh Avenue, West 57th Street and Twelfth Avenue, Borough of Manhattan, Community Board 4, Council District 6. This application is subject to review and action by the Council only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by a vote of the Council pursuant to Charter Section 197-d(b)(3).

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on January 9, 2013 (Minutes, page 78), respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 4

C 120398 ZSM

City Planning Commission decision approving an application submitted by Durst Development L.L.C. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 13-561 of the Zoning Resolution to allow an enclosed attended accessory parking garage with a maximum capacity of 285 spaces on portions of the ground floor and mezzanine level of a proposed mixed-use building on the westerly portion of property bounded by West 58th Street, Eleventh Avenue, West 57th Street, and Twelfth Avenue (Block 1105, Lots 1, 5, 14, 19, 29, 36, and 43), within a Large-Scale General Development, in C4-7 and C6-2 Districts, within the Special Clinton District (Other Areas (Northern Subarea C1)).

INTENT

To facilitate the development of a proposed, mixed-use development, on the block bounded by Eleventh Avenue, Twelfth Avenue, West 57th Street and West 58th Street, in the Special Clinton District, in Manhattan Community District 4.

PUBLIC HEARING

DATE: January 17, 2013

Witnesses in Favor: Seven
Sixteen

Witnesses Against:

SUBCOMMITTEE RECOMMENDATION

DATE: January 31, 2013

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

In Favor:	Against:	Abstain:
Weprin	None	None
Rivera		
Reyna		
Comrie		
Jackson		
Garodnick		
Lappin		
Wills		
Ignizio		

COMMITTEE ACTION

DATE: January 31, 2013

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Comrie	None	None
Rivera		
Reyna		
Barron		
Jackson		
Arroyo		
Dickens		
Garodnick		
Lappin		
Mendez		
Koo		
Lander		
Levin		
Weprin		
Williams		
Wills		
Ignizio		
Halloran		

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

Res. No. 1659

Resolution approving the decision of the City Planning Commission on ULURP No. C 120398 ZSM (L.U. No. 751), for the grant of a special permit pursuant to Section 13-561 of the Zoning Resolution to allow an enclosed attended accessory parking garage with a maximum capacity of 285 spaces on portions of the ground floor and mezzanine level of a proposed mixed-use building on the westerly portion of property bounded by West 58th Street, Eleventh Avenue, West 57th Street, and Twelfth Avenue (Block 1105, Lots 1, 5, 14, 19, 29, 36, and 43), within a Large-Scale General Development, in C4-7 and C6-2 Districts, within the Special Clinton District (Other Areas (Northern Subarea C1)), Borough of Manhattan.

By Council Members Comrie and Weprin.

WHEREAS, the City Planning Commission filed with the Council on December 20, 2012 its decision dated December 19, 2012 (the "Decision"), on the application submitted by Durst Development, L.L.C., pursuant to Sections

197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 13-561 of the Zoning Resolution to allow an enclosed attended accessory parking garage with a maximum capacity of 285 spaces on portions of the ground floor and mezzanine level of a proposed mixed-use building on the westerly portion of property bounded by West 58th Street, Eleventh Avenue, West 57th Street, and Twelfth Avenue (Block 1105, Lots 1, 5, 14, 19, 29, 36, and 43), within a Large-Scale General Development, in C4-7 and C6-2 Districts, within the Special Clinton District (Other Areas (Northern Subarea C1)), (ULURP No. C 120398 ZSM), Community District 4, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to Applications C 120396 ZMM (L.U. No. 749), an amendment to the Zoning Map changing an M1-5 zoning district to a C6-2 zoning district within the Special Clinton District; and C 120397 ZSM (L.U. No. 750), a special permit to modify the bulk regulations within a Large-Scale General Development;

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

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 13-561 of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on January 17, 2013;

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 Final Supplemental Environmental Impact Statement ("FSEIS") for which a Notice of Completion was issued on December 7, 2012 (CEQR No. 12DCP020M);

RESOLVED:

Having considered the FSEIS with respect to the Decision and Application, the Council finds that:

- (1) The FSEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the Proposed Action, adopted herein is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FSEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, those project components related to the environment and mitigation measures that were identified as practicable.
- (4) The Decision together with the FSEIS constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

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 120398 ZSM, incorporated by reference herein, the Council approves the Decision, subject to the following conditions:

1. The development that is the subject of this application (C 120397 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following approved plans prepared by SLCE Architects & Planners LLP, filed with this application and incorporated in this resolution, and in accordance with the provisions and procedures set forth in the Restrictive Declaration attached as Exhibit A to the Council Resolution approving Application C 120397 ZSM:

Dwg. No.	Title	Date
Z-020	Accessory.Garage 1 st .Floor – Parking.Plan	12/14/2012
Z-021	Accessory.Garage Mezzanine – Parking.Plan	12/14/2012

2. The development which is the subject of this application shall

conform to all applicable laws and regulations relating to their construction, operation and maintenance.

3. Development pursuant to this resolution shall be allowed only after the restrictive declaration attached hereto as Exhibit A, with such administrative changes as are acceptable to Counsel to the Department of City Planning, has been executed and recorded in the Office of the Register, New York County. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.
4. In the event the property that is the subject of the application is developed as, sold as, or converted to condominium units, a homeowners' association, or cooperative ownership, a copy of this report and resolution and any subsequent modifications shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners' or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.
5. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sub-lessee or occupant.
6. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms, or conditions of this resolution and the restrictive declarations whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation, or amendment of the special permit hereby granted or of the restrictive declarations.
7. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city or such employees or agents failure to act in accordance with the provisions of this special permit.

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, VINCENT M. IGNIZIO, DANIEL J. HALLORAN III; Committee on Land Use, January 31, 2013.

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. 752

Report of the Committee on Land Use in favor of approving Application no. 20135179 HKM (N 130097 HKM) pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the East Village/Lower East Side Historic District (List No. 460, LP-2446), Borough of Manhattan, Community Board 3, Council District 2.

The Committee on Land Use, to which the annexed Land Use item (with coupled resolution) was referred on January 9, 2013 (Minutes, page 78), respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 3 20135179 HKM (N 130097 HKM)

Designation by the Landmarks Preservation Commission (List No. 460/LP-2491), pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the East Village/Lower East Side Historic District.

PUBLIC HEARING

DATE: January 29, 2013

Witnesses in Favor: Twenty-three **Witnesses Against:** Two

SUBCOMMITTEE RECOMMENDATION

DATE: January 29, 2013

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

In Favor:	Against:	Abstain:
Lander	None	None
Palma		
Arroyo		
Mendez		
Williams		

COMMITTEE ACTION

DATE: January 31, 2013

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Comrie	Ignizio	None
Rivera		
Reyna		
Barron		
Jackson		
Arroyo		
Dickens		
Garodnick		
Lappin		
Mendez		
Koo		
Lander		
Levin		
Weprin		
Williams		
Wills		
Halloran		

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

Res. No. 1660

Resolution affirming the designation by the Landmarks Preservation Commission of the East Village/Lower East Side Historic District, Borough of Manhattan, Designation List No. 460, LP-2491 (L.U. No. 752; 20135179 HKM; N 130097 HKM).

By Council Members Comrie and Lander.

WHEREAS, the Landmarks Preservation Commission filed with the Council on October 17, 2012 a copy of its designation dated October 9, 2012 (the "Designation"), of the East Village/Lower East Side Historic District, Community District 3, Borough of Manhattan.

The East Village/Lower East Side Historic District Boundaries consist of: **Area I** of the East Village/Lower East Side Historic District consists of the property bounded by a line beginning at the northeast corner of Second Avenue and East 2nd Street, extending westerly across Second Avenue and continuing westerly along the northern curblin of East 2nd Street to its intersection with a line extending southerly from the western side wall of 26 East 2nd Street, northerly along the western side wall of 26 East 2nd Street, easterly along the northern property line of 26 East 2nd Street and a portion of the northern property line of 28 East 2nd Street, northerly along a portion of the western property line of 28 East 2nd Street, easterly along a

portion of the northern property line of 28 East 2nd Street and the northern property lines of 30 to 36 East 2nd Street to the western curblines of Second Avenue, northerly along the western curblines of Second Avenue to its intersection with a line extending easterly from the southern property line of 43 Second Avenue, westerly along the southern property line of 43 Second Avenue, northerly along the western property lines of 43 to 45-47 Second Avenue, westerly along a portion of the southern property line of 30 East 3rd Street to the northern curblines of East 3rd Street, westerly along the southern curblines of East 3rd Street to its intersection with a line extending southerly from the western property line of 7 East 3rd Street, northerly along the western property line of 7 East 3rd Street, westerly along the southern property line of 56 East 4th Street and a portion of the southern property line of 54 East 4th Street, northerly along a portion of the western property line of 54 East 7th Street, westerly along a portion of the southern property line of 54 East 7th Street, northerly along a portion of the western property line of 54 East 7th Street to the northern curblines of East 4th Street, easterly along the northern curblines of East 4th Street to its intersection with a line extending southerly from the western property line of 57 East 4th Street, northerly along the western property line of 57 East 4th Street, westerly along a portion of the southern property line of 210-214 East 5th Street, northerly along the western property line of 210-214 East 5th Street to the northern curblines of East 5th Street, westerly along the northern curblines of East 5th Street to its intersection with a line extending southerly from the western property line of 207 East 5th Street, northerly along the western property line of 207 East 5th Street, easterly along the northern property lines of 207 to 223 East 5th Street and a portion of the northern property line of 225 East 5th Street, northerly along the western property line of 226 East 6th Street to the southern curblines of East 6th Street, easterly along the southern curblines of East 6th Street to its intersection with a line extending southerly from the western property line of 103 Second Avenue (aka 239 East 6th Street), northerly along the western property lines of 103 Second Avenue (aka 239 East 6th Street) and 105 Second Avenue and a portion of the western property line of 107-113 Second Avenue, easterly along a portion of the northern property line of 107-113 Second Avenue, northerly along a portion of the western property line of 107-113 Second Avenue and the western property line of 46 East 7th Street to the northern curblines of East 7th Street, westerly along the northern property line of East 7th Street to its intersection with a line extending southerly from the western property line of 11 East 7th Street, northerly along the western property line of 11 East 7th Street, easterly along the northern property lines of 11 to 39 East 7th Street and a portion of the northern property line of 41-43 East 7th Street, northerly along western property line of 125 Second Avenue, easterly along a portion of the northern property line of 125 Second Avenue, northerly along the western property lines of 127 Second Avenue to 131 Second Avenue (aka 36 St. Mark's Place) to the southern curblines of St. Mark's Place, easterly along the southern curblines of St. Mark's Place, southerly along the western curblines of Second Avenue to the southwest corner of Second Avenue and East 7th Street, easterly along the southern curblines of East 7th Street to its intersection with a line extending southerly from the western property line of 49 East 7th Street, northerly along the western property line of 49 East 7th Street, easterly along the northern property line of 49 East 7th Street, northerly along a portion of the western property line of 51 East 7th Street, easterly along the northern property lines of 51 to 65 East 7th Street, southerly along a portion of the eastern property line of 65 East 7th Street, easterly along the northern property lines of 67 to 69 East 7th Street, northerly along a portion of the western property line of 71 East 7th Street, easterly along the northern property lines of 71 to 73-75 East 7th Street, southerly along a portion of the eastern property line of 73-75 East 7th Street, easterly along the northern property line of 77 East 7th Street, northerly along a portion of the western property line of 79 East 7th Street, easterly along the northern property lines of 79 to 85 East 7th Street, southerly along the eastern property line of 85 East 7th Street to the northern curblines of East 7th Street, westerly along the northern curblines of East 7th Street to its intersection with a line extending northerly from the eastern property line of 84 East 7th Street, southerly along the eastern property line of 84 East 7th Street, westerly along the southern property line of 84 East 7th Street, southerly along a portion of the eastern property line of 82 East 7th Street and the eastern property line of 341 East 6th Street, continuing across East 6th Street and along the eastern property line of 340 East 6th Street, westerly along the southern property lines of 340 to 306-308 East 6th Street, southerly along the eastern property line of 92-94 Second Avenue, westerly along a portion of the southern property line of 92-94 Second Avenue, southerly along the eastern property line of 88-90 Second Avenue (aka 301 East 5th Street) to the southern curblines of East 5th Street, easterly along the southern curblines of East 5th Street to its intersection with a line extending northerly from the eastern property line of 86 Second Avenue (aka 300 East 5th Street), southerly along the eastern property lines of 86 Second Avenue (aka 300 East 5th Street) to 72 Second Avenue (aka 91 East 4th Street) to the northern curblines of East 4th Street, westerly along the northern curblines of East 4th Street to its intersection with a line extending northerly from the eastern property line of 68-70 Second Avenue (aka 86 East 4th Street), southerly along the eastern property lines of 68-70 Second Avenue (aka 86 East 4th Street) to 64 Second Avenue, easterly along a portion of the northern property line of 60-62 Second Avenue, southerly along the eastern property line of 60-62 Second Avenue, easterly along a portion of the northern property line of 51-55 East 3rd Street, northerly along a portion of the western property line of 51-55 East 3rd Street, easterly along a portion of the northern property line of 51-55 East 3rd Street and the northern property line of 57 East 3rd Street, southerly along the eastern property line of 57 East 3rd Street to the southern curblines of East 3rd Street, easterly along said curblines to a point on a line extending northerly from the eastern property line of 64 East 3rd Street, southerly along the eastern property line of 64 East 3rd Street, easterly along a portion of the northern property line of 52-74 East 2nd Street, southerly along the eastern property line of 52-74 East 2nd Street, westerly along a portion of the southern property line of 52-74 East 2nd Street, southerly along the

eastern property line of 80 East 2nd Street to the northern curblines of East 2nd Street, westerly along said curblines to a point on a line extending northerly from the eastern property line of 77 East 2nd Street, southerly along said line and the eastern property line of 77 East 2nd Street, westerly along the southern property lines of 77 and 75 East 2nd Street, southerly along a portion of the eastern property line of 67-69 East 2nd Street, westerly along the southern property lines of 67-69 and 59-63 East 2nd Street, northerly along a portion of the western property line of 59-63 East 2nd Street, westerly along the southern property line of 47-55 East 2nd Street, southerly along a portion of the eastern property line of 43-45 East 2nd Street (aka 32-34 Second Avenue), westerly along the southern property line of 43-45 East 2nd Street to the eastern curblines of Second Avenue, northerly along said curblines, easterly along the southern curblines of East 2nd Street to a point on a line extending southerly from the western property line of 52-74 East 2nd Street, northerly along said line and the western property line of 52-74 East 2nd Street, westerly along the southern property lines of 54-56 and 50-52 East 3rd Street, northerly along a portion of the western property line of 50-52 East 3rd Street, westerly along the southern property lines of 48 through 40-42 East 2nd Street (aka 50-52 Second Avenue) to the eastern curblines of Second Avenue, and southerly along said curblines to the point or place of beginning.

Area II of the East Village/Lower East Side Historic District consists of the property bounded by a line beginning at the northeast corner of First Avenue and East 7th Street, extending northerly along the eastern curblines of First Avenue to its intersection with a line extending westerly from the northern property line of 122 First Avenue, easterly along the northern property line 122 First Avenue, northerly along a portion of the western property line of 95 East 7th Street, easterly along the northern property lines of 95 to 109 East 7th Street, southerly along a portion of the eastern property line of 109 East 7th Street, easterly along the northern property line of 111-115 East 7th Street, southerly along a portion of the eastern property line of 117-119 East 7th Street, easterly along the northern property lines of 117-119 to 129 East 7th Street, southerly along the eastern property line of 129 East 7th Street to the northern curblines of East 7th Street, westerly along the northern curblines of East 7th Street to its intersection with a line extending northerly from the eastern property line of 122 East 7th Street, southerly along the eastern property line of 122 East 7th Street, easterly along the northern property lines of 439 to 441 East 6th Street and 101 Avenue A to the western curblines of Avenue A, southerly along the western curblines of Avenue A to the northern curblines of East 6th Street, westerly along the northern curblines of East 6th Street to its intersection with a line extending southerly from the western property line of 405 East 6th Street, northerly along said property line, easterly along the northern property line of 405 East 6th Street, northerly along the western property line of 94 East 7th Street and across East 7th Street to its northern curblines, and westerly along the northern curblines of East 7th Street to the point of the beginning.

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

WHEREAS, the City Planning Commission submitted to the Council on December 21, 2012, its report on the Designation dated December 19, 2012 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on January 29, 2013; and

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

RESOLVED:

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

LEROY G. COMRIE, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, CHARLES BARRON, ROBERT JACKSON, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, JESSICA S. LAPPIN, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DANIEL J. HALLORAN III; Committee on Land Use, January 31, 2013.

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. 753

Report of the Committee on Land Use in favor of approving Application no. 20135162 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Naco NYC LLC, d/b/a El Toro Blanco, for a revocable consent to establish, maintain and operate an

JoAnn Bush Brooklyn, N.Y. 11236
26 Kirkland Court Pond 49
Staten Island, N.Y. 10302

Approved New Applicants and Reapplicants

<u>Name</u>	<u>Address</u>	<u>District #</u>
Benjamin Soto	490 2 nd Avenue #14E New York, N.Y. 10016	2
Doris Williams	50 Columbia Street #11C New York, N.Y. 10002	2
Michele A. Masucci	430 East 20 th Street #4H New York, N.Y. 10009	4
Sarah L. Bannister	711 Amsterdam Avenue #81 New York, N.Y. 10025	6
Richard W. Joselit	411 West End Avenue New York, N.Y. 10024	6
George R. Alves	2029 2 nd Avenue #20F New York, N.Y. 10029	8
Gwendolyn Moore	1990 Lexington Avenue #23J New York, N.Y. 10035	8
Elton J. Maynard	5550 Fieldston Road #2 Bronx, N.Y. 10471	11
Noemi Rodriguez	300 Reservoir Place #3C Bronx, N.Y. 10467	11
Lashawn Clemons	100 Casals Place 427K Bronx, N.Y. 10475	12
Lucrezia A. Fisco	2571 Fish Avenue Bronx, N.Y. 10469	13
Nnadozie Okeke	2189 Cruger Avenue #3D Bronx, N.Y. 10462	13
Sarah Quinones	930 Mace Avenue Bronx, N.Y. 10469	13
Amarilis Fuentes	1462 Grand Concourse #2B Bronx, N.Y. 10452	16
Claudette Hernandez	2025 Seward Avenue #2E Bronx, N.Y. 10473	18
Israel Maldonado	1790 Bruckner Blvd #13A Bronx, N.Y. 10473	18
Raul Rodriguez	2010 Bruckner Blvd 410F Bronx, N.Y. 10473	18
Laura Hughes	21-35 76 th Street Jackson Heights, N.Y. 11370	22
Avis D. Maddox-Clarke	20-01 21 st Avenue #1B Astoria, N.Y. 11105	22
Reginald Guiteau	85-64 Santiago Street Queens, N.Y. 11423	23
Mahilthini Neomi Ranjan	88-49 205 th Street Hollis, N.Y. 11423	23
Vlad Benjamin	108-49 63 rd Avenue Queens, N.Y. 11375	24
Sherrill Ivey	65-16 Parsons Blvd Queens, N.Y. 11365	24
Daniel Khanimov	147-11 Jewel Avenue Flushing, N.Y. 11367	24
Yissel Martinez	205-14 118 th Avenue Queens, N.Y. 11412	27
Margaret Ognibene	64-82 83 rd Street Queens, N.Y. 11379	30
Joann Siegel	73-26 70 th Street Queens, N.Y. 11385	30
Althea Edwards-Taylor	258-05 Craft Avenue Queens, N.Y. 11421	31
Leatha Baker	135 Decatur Street Brooklyn, N.Y. 11216	36
Kathleen P.H. Ferguson-Moxam	215 Sterling Street #24 Brooklyn, N.Y. 11225	40
Sherina Seale	853 Empire Blvd #B9 Brooklyn, N.Y. 11213	41
Louise Benevento	1037 74 th Street	43

Patricia A. Miller	Brooklyn, N.Y. 11228 601 79 th Street #C4	43
Jo-Ann Sperano	Brooklyn, N.Y. 11209 1363 85 th Street	43
Toby Peri	Brooklyn, N.Y. 11228 1972 51 st Street	44
Clifton Clarke	Brooklyn, N.Y. 11204 4624 Avenue K	45
Nichole Grant	Brooklyn, N.Y. 11234 799 East 40 th Street	45
Michael F. Varone	Brooklyn, N.Y. 11210 2220 Burnett Street #5G	46
Jean K. Estabrook	Brooklyn, N.Y. 11229 100 Beacon Avenue	50
Elizabeth Cardiello	Staten Island, N.Y. 1306 160 Nicolosi Drive	51
	Staten Island, N.Y. 10312	

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

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

- (1) **Int 75-A -** In relation to requiring city plantings to be stormwater tolerant so as to facilitate stormwater retention and filtration.
- (2) **Int 399-A -** In relation to increasing native biodiversity in public landscapes.
- (3) **Int 887-A -** In relation to the creation of a renewable energy systems web portal.
- (4) **Int 985-A -** In relation to underground power lines.
- (5) **L.U. 719 & Res 1656 -** App. **20135098 HAK**, 1416 Eastern Parkway Extension (Block 1475, Lot 39) and 1413 Pitkin Avenue (Block 1475, Lot 78) in the Borough of Brooklyn, Community Board 16, Council District 41.
- (6) **L.U. 749 & Res 1657 -** App. **C 120396 ZMM**, amendment of the Zoning Map, Section No. 8c, changing an M1-5 district to a C6-2 district to facilitate a proposed mixed-use development on the property bounded by West 58th Street, Eleventh Avenue, West 57th Street and Twelfth Avenue, Borough of Manhattan, Community Board 4, Council District 6.
- (7) **L.U. 750 & Res 1658 -** App. **C 120397 ZSM**, Zoning Resolution to modify the applicable district bulk regulations for a proposed mixed-use development on the property bounded by West 58th Street, Eleventh Avenue, West 57th Street and Twelfth Avenue, Borough of Manhattan, Community Board 4, Council District 6.
- (8) **L.U. 751 & Res 1659 -** App. **C 120398 ZSM**, Zoning Resolution to allow an enclosed attended accessory parking garage with a maximum capacity of 285 parking spaces on portions of the ground floor and mezzanine level of a proposed mixed-use development on the westerly portion of the property bounded by West 58th Street, Eleventh Avenue, West 57th Street and Twelfth Avenue, Borough of Manhattan, Community Board 4, Council District 6.
- (9) **L.U. 752 & Res 1660 -** App. **20135179 HKM (N 130097 HKM)**, designation by the Landmarks Preservation Commission of the East Village/Lower East Side Historic District (List No. 460, LP-2446), Borough of Manhattan, Community Board 3, Council District 2.
- (10) **L.U. 753 & Res 1661 -** App. **20135162 TCM**, 10 Downing Street, Borough of Manhattan, Community Board 2, Council District 3.
- (11) **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, Fidler, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran, Ignizio, Jackson, James, King, Koo, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, Mendez, Nelson, Palma, Recchia, Reyna, Rose, Ulrich, Vacca, Vallone, Jr., Van Bramer, Vann, Weprin, Williams, Wills, Oddo, Rivera, and the Speaker (Council Member Quinn) – **49**.

The General Order vote recorded for this Stated Meeting was 49-0-0 as shown above with the exception of the votes for the following legislative items:

The following was the vote recorded for **LU No.752 & Res No. 1660**:

Affirmative – Arroyo, Barron, Brewer, Cabrera, Chin, Comrie, Crowley, Dickens, Dilan, Dromm, Eugene, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran, Jackson, James, King, Koo, Koppell, Koslowitz, Lander, Lappin, Levin, Mark-Viverito, Mealy, Mendez, Nelson, Palma, Recchia, Reyna, Rose, Ulrich, Vacca, Vallone, Jr., Van Bramer, Vann, Weprin, Williams, Wills, Oddo, Rivera, and the Speaker (Council Member Quinn) – **48**.

Negative – Ignizio - **1**.

The following Introductions were sent to the Mayor for his consideration and approval: Int Nos. 75-A, 399-A, 887-A, 985-A.

For **Introduction and Reading of Bills**, see the material following the **Resolutions** section below:

RESOLUTIONS

Presented for voice-vote

The following are the respective Committee Reports for each of the Resolutions referred to the Council for a voice-vote pursuant to Rule 8.50 of the Council:

Report for voice-vote Res. No. 982-A

Report of the Committee on Health in favor of approving, as amended, a Resolution calling upon the United States Congress and the President of the United States to increase funding for research on stroke prevention and treatment.

The Committee on Health, to which the annexed amended resolution was referred on August 17, 2011 (Minutes, page 3920), respectfully

REPORTS:

INTRODUCTION

On February 5, 2013, the Committee on Health, chaired by Council Member Maria del Carmen Arroyo, will hold a vote on Proposed Res. No. 982-A, calling upon the United States Congress and the President of the United States to increase funding for research on stroke prevention and treatment. The Committee first heard Proposed Resolution No. 982-A on December 12, 2012.

PROPOSED RES. NO. 982-A

Proposed Res. No. 982-A would state that a stroke occurs when a clot blocks the blood supply to the brain or when a blood vessel in the brain bursts. The Proposed Resolution would note that an individual suffering from a stroke can experience brain cell damage that could result in significant disability, such as paralysis, speech difficulties, emotional problems or death. The Proposed Resolution would also indicate that according to the United States Centers for Disease Control and Prevention, stroke is the fourth leading cause of death in the country, accounting for approximately 130,000 deaths annually.

The Proposed Resolution would point out that every year approximately 795,000 people in the United States have a stroke, with 610,000 of these individuals experiencing a stroke for the first time while the remaining 185,000 endure a subsequent stroke. The Proposed Resolution would state that individuals can greatly reduce their risk of stroke by making lifestyle changes, including eating a healthy diet, maintaining a healthy weight, engaging in physical activity, not smoking and limiting alcohol use, and taking preventive medication. The Proposed Resolution

would indicate that in 2011, it was estimated that the annual cost of stroke in the United States is \$54 billion, factoring in the cost of health care services, medications and missed days of work.

Proposed Res. No. 982-A would also state that according to the American Heart Association/American Stroke Association, death rates from stroke have dropped 70 percent since 1940, due in large part to National Institutes of Health (NIH) funded research. The Proposed Resolution would note that the NIH dedicates a mere one percent of its budget towards research on stroke prevention and treatment. The Proposed Resolution would also note that additional budget cuts required by the Budget Control Act of 2011 will continue to threaten and undermine these positive strides. The Proposed Resolution would state that given the tremendous impact that stroke has on the United States, it is necessary to invest in developing prevention options and treatment options to improve the health of all Americans. Finally, Proposed Res. No. 982-A would call upon the United States Congress and the President of the United States to increase funding for research on stroke prevention and treatment.

During the December 12, 2012 Committee hearing on Proposed Res. No. 982-A, representatives from the American Stroke Association, New York City Stroke Task Force, Columbia University, and Lutheran Medical Center testified in support of the resolution, emphasizing that practical improvements in stroke care depend on research.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Res. No. 982-A:)

Res. No. 982-A

Resolution calling upon the United States Congress and the President of the United States to increase funding for research on stroke prevention and treatment.

By Council Members Eugene, Dickens, Gonzalez, James, Koslowitz, Mendez, Recchia, Vann, Williams, Jackson, Rose, Van Bramer, Levin, Arroyo, Barron, Gennaro, Koo and Wills.

Whereas, A stroke occurs when a clot blocks the blood supply to the brain or when a blood vessel in the brain bursts; and

Whereas, An individual suffering from a stroke can experience brain cell damage that could result in significant disability, such as paralysis, speech difficulties, emotional problems or death; and

Whereas, According to the United States Centers for Disease Control and Prevention, stroke is the fourth leading cause of death in the country, accounting for approximately 130,000 deaths annually; and

Whereas, Additionally, every year approximately 795,000 people in the United States have a stroke, with 610,000 of these individuals experiencing a stroke for the first time while the remaining 185,000 endure a subsequent stroke; and

Whereas, Individuals can greatly reduce their risk of stroke by making lifestyle changes, including eating a healthy diet, maintaining a healthy weight, engaging in physical activity, not smoking and limiting alcohol use, and taking preventive medication; and

Whereas, In 2011, it was estimated that the annual cost of stroke in the United States is an estimated \$54 billion, factoring in the cost of health care services, medications and missed days of work; and

Whereas, According to the American Heart Association/American Stroke Association, death rates from stroke have dropped 70 percent since 1940, due in large part to National Institutes of Health (NIH) funded research; and

Whereas, However, the NIH dedicates a mere one percent of its budget towards research on stroke prevention and treatment; and

Whereas, Additional budget cuts required by the Budget Control Act of 2011 will continue to threaten and undermine these positive strides; and

Whereas, Given the tremendous impact that stroke has on the United States, it is necessary to invest in developing prevention options and treatment options to improve the health of all Americans; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Congress and the President of the United States to increase funding for research on stroke prevention and treatment.

MARIA del CARMEN ARROYO, Chairperson; JOEL RIVERA, PETER F. VALLONE, Jr., ALBERT VANN, INEZ E. DICKENS, ROSIE MENDEZ, MATTHIEU EUGENE, JULISSA FERRERAS, DEBORAH L. ROSE, JAMES G. VAN BRAMER; Committee on Health, February 5, 2013.

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

Adopted unanimously by the Council by voice-vote.

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 voice-vote Preconsidered Res. No. 1647

Report of the Committee on Finance in favor of approving a Resolution commending Governor Cuomo and the New York State Legislature for enacting the New York Secure Ammunition and Firearms Enforcement (SAFE) Act of 2013 and urging other states to pass similar gun control legislation.

The Committee on Finance, to which the annexed resolution was referred on February 6, 2013, respectfully

REPORTS:

The recent spate of mass shootings, and most particularly the horrific tragedy that took place at Sandy Hook Elementary School in Newtown, Connecticut, sparked conversations about the need for gun control measures and other necessary actions to curb gun violence. With the help and support of Governor Andrew M. Cuomo, Senator Jeffrey D. Klein and the Speaker of the Assembly, Sheldon Silver, introduced S.2230 and A.2388, known as the Secure Ammunition and Firearms Enforcement Act of 2013 ("Act"), which amended various sections of New York State law to strengthen the state's gun laws and protect the citizens of New York State. On January 15, 2013, the Assembly and the Senate successfully passed the Act, and was it signed into law by Governor Cuomo, making New York the first state to enact comprehensive reforms to address the gun violence plague since the tragedy at Sandy Hook Elementary School.²

The New York SAFE Act takes a holistic approach to ending gun violence in New York State.¹ The Act contains some key provisions including: broadening the definition of "assault weapon," banning all large capacity gun magazines that contain more than seven rounds of ammunition, requiring background checks for most private gun sales, and keeping guns away from the mentally ill.

The Act, more specifically, broadens the definition of "assault weapon" in order to include more high-powered weaponry within the State's assault weapons ban. Under the stricter definitions, semi-automatic pistols and rifles with detachable magazines and one military style feature are considered assault weapons, as are semi-automatic shotguns with one military style feature. Assault weapons possessed before the effective date must be registered within a year and recertified every five years. Those individuals who are owners of grandfathered assault weapons may only sell such weapons through a firearms dealer or to an out of state buyer.

In addition to outlawing semi-automatic weapons, another provision of the Act bans any gun magazine that: (i) contains more than ten rounds of ammunition, regardless of its manufacturing date; and (ii) holds more than seven rounds of ammunition, provided it was manufactured after the law was enacted.

The Act closes the loopholes in the Background Check System by requiring all gun transfers between private parties, except immediate family, to be conducted through a federal firearms licensee, and therefore be subject to a federal National Instant Criminal Background Check.

The Act also requires all handgun or assault rifle owners to recertify their permits every five years through their county of residence.³ This will create more accurate licensee information and allow the state to establish an electronic gun permit database that may be compared to other databases containing the names of people who would be disqualified from possessing firearms, including those with criminal convictions, involuntary commitments, and those subject to orders of protection, as well as death records.

Further, the Act limits access to guns by the mentally ill by requiring mental health professionals to report to local mental health officials when there is reason to believe that a patient is likely to engage in conduct that will cause serious harm to him or herself or others. This information will then be crosschecked against a new comprehensive, and regularly updated, gun registration database. If the patient possesses a gun, the license will be suspended and law enforcement will be authorized to remove the person's firearm.

In addition, the Act includes the "Webster Provision." to honor the memory of two firefighters who were victims of a fatal shooting. The Webster Provision designates the murder of a first responder who is engaged in his or her duties as a Class A-1 felony, which carries a mandatory penalty of life in prison without parole. The Act also protects families seeking orders of protection by requiring a judge to order the surrender of any firearm when he or she finds a substantial risk that an individual subjected to a protective order will use a gun against the person who obtained such order.

Finally, the Act requires gun owners to store their firearms safely in homes where a resident was convicted of a crime, involuntarily committed, or is subject to an order of protection. The Act also keeps guns out of schools by increasing the penalty for possession of a firearm on school grounds or a school bus from a misdemeanor to a Class E felony. Lastly, the Act establishes tougher penalties for those who use illegal guns as well as measures to help combat gang violence.

The Preconsidered resolution commends the Governor and legislature for the swift passage of the Act and urges other states to pass similar legislation. It is clear that, due to the transitory nature of guns, even if a state has strict gun control laws and effective mental health system, these measures can ultimately be undercut by other states with less strict laws – essentially resulting in illegally acquired firearms making their way into New York State, and more particularly, New York City. For that reason, the Council urges other states to follow New York's lead and enact similar legislation so that there is nationwide uniformity.

¹ Kaplan, Thomas. "Sweeping Limits on Guns Become Law in New York" *New York Times* 15 Jan. 2013.

² A copy of the NY SAFE Act is available at: <http://open.nysenate.gov/legislation/bill/S2230-2013>

³ In New York City, rifle and shotgun owners must renew their permits every 3 years. See: NYC Administrative Code § 10-303 (f).

Accordingly, this Committee recommends its adoption.

(For text of the resolution, please see the Introduction and Reading of Bills section printed in these Minutes)

DOMENIC M. RECCHIA, Jr., Chairperson; JOEL RIVERA, DIANA REYNA, GALE A. BREWER, LEWIS A. FIDLER, ROBERT JACKSON, G. OLIVER KOPPELL, ALBERT VANN, DARLENE MEALY, JULISSA FERRERAS, FERNANDO CABRERA, KAREN KOSLOWITZ, JAMES G. VAN BRAMER,; Committee on Finance, February 6, 2013.

Pursuant to Rule 8.50 of the Council, The President Pro Tempore (Council Member Rivera) called for a voice vote. Hearing those in favor, the President Pro Tempore (Council Member Rivera) declared the Resolution to be adopted.

The following Council Member formally voted against this item: Council Member Halloran.

The following 3 Council Members formally abstained to vote on this item: Council Members Ignizio, Ulrich and Oddo.

Adopted by the Council by voice-vote.

INTRODUCTION AND READING OF BILLS

Int. No. 999

By Council Members Comrie, Chin, Dickens, Dromm, King, Koslowitz, Palma, Rose, Williams and Wills.

A Local Law to amend the administrative code of the city of New York, in relation to parking permits for poll workers.

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-162.3 to read as follows:

§ 19-162.3 *Permissible parking for poll workers. Upon request, the department shall issue one permit for any individual who will serve as a poll worker designated by the board of elections during any election conducted by the board of elections. Such permit shall allow such individual to park where parking is otherwise prohibited, except for emergency vehicle parking areas, while such permit is in effect. Such permit shall exempt such individual possessing such permit from paying meters on the day such permit is in effect. Such permit shall be effective for a single day, with such effective date displayed on such permit. Such permit shall be non-transferable and the department may set a civil penalty not greater than five hundred dollars for misuse of such permit.*

§ 2. This local law shall take effect immediately.

Referred to the Committee on Transportation.

Int. No. 1000

By Council Members Dromm, Weprin, Brewer, Comrie, Ferreras, Fidler, Jackson, Koo, Koppell, Koslowitz, Mendez, Palma, Rose, Van Bramer, Wills, Vacca, Halloran and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of sanitation to collect and report data related to the unlawful posting of printed material.

Be it enacted by the Council as follows:

Section 1. Section 10-119 of the administrative code of the city of New York is amended by adding a new subdivision e to read as follows:

e. No later than October first, two thousand thirteen, and not less frequently than annually thereafter, the department of sanitation shall collect and report on its

website the following statistical data concerning notices of violation of this section issued in each community district: (i) the number of issued notices of violation; (ii) the types of printed material posted (e.g., sticker, poster) in violation of this section; and (iii) the types of property on which such printed materials were posted (e.g., tree, lamppost) in violation of this section.

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

Referred to the Committee on Sanitation and Solid Waste Management.

Preconsidered Res. No. 1647

Resolution commending Governor Cuomo and the New York State Legislature for enacting the New York Secure Ammunition and Firearms Enforcement (SAFE) Act of 2013 and urging other states to pass similar gun control legislation.

By Council Member Gennaro, The Speaker (Council Member Quinn), Rose, Recchia, Reyna, Brewer, Jackson, Koppell, Vann, Mealy, Ferreras, Koslowitz, Van Bramer, Levin, Arroyo, Chin, Comrie, Fidler, James, Koo, Lappin, Mendez, Palma, Williams and Wills.

Whereas, The spate of mass shootings across the nation, including the recent tragedy at Sandy Hook Elementary School in Newtown, Connecticut has reignited discussions relating to the need for reasonable gun control measures and other holistic methods of combatting gun violence nationwide; and

Whereas, Encouraged by public support favoring some sort of action on this issue, New York State Governor Andrew M. Cuomo and the New York State Legislature sought to make all New York State residents, especially children, safe from guns and prevent further gun violence; and

Whereas, With guidance and support from Governor Cuomo, Senator Jeffrey D. Klein and the Speaker of the Assembly Sheldon Silver introduced S.2230 and A.2388, known as the Secure Ammunition and Firearms Enforcement Act of 2013 (“Act”) which amended various provisions of New York State law to strengthen the state’s gun laws and protect the citizens of New York State; and

Whereas, Some key components of the NY SAFE Act of 2013 include broadening the definition of "assault weapon," banning all large capacity gun magazines which contain more than seven rounds of ammunition, requiring background checks for most private gun sales, and keeping guns away from the mentally ill; and

Whereas, The Act amends the definition of assault weapon to capture more dangerous weapons by defining them as (i) a semiautomatic rifle or pistol that has an ability to accept a detachable magazine and has at least one military-style characteristic such as a grenade launcher or folding stock, or (ii) a semiautomatic shotgun with one military-style characteristic; and

Whereas, Under the Act, those who, prior to its enactment, legally owned weapons the Act defines as assault weapons would be able to keep them, provided they register them with the State; and

Whereas, In addition to outlawing semiautomatic weapons, another provision of the Act bans any gun magazine that: (i) contains more than ten rounds of ammunition, regardless of its manufacturing date; and (ii) holds more than seven rounds of ammunition, provided it was obtained after the law was enacted; and

Whereas, The Act addresses the current problem of an insufficient number of background checks occurring by requiring most private sellers to conduct a national instant criminal background check through a dealer before he or she sells a gun, which would ensure that criminals and other individuals who ought not obtain handguns do not obtain firearms; and

Whereas, The Act also limits access to guns by the mentally ill by providing for the revocation or suspension of licenses of individuals with mental illness who are deemed by mental health professionals to pose a danger to themselves or others; and

Whereas, The Act requires that all handgun or assault rifle owners recertify their permits every five years through their county of residence; this will create more accurate licensee information and allow the State to establish an electronic gun permit database that may be run against other databases containing the names of people who would be disqualified from possessing firearms, including those with criminal convictions, involuntary commitments, and those subject to orders of protection, as well as death records; and

Whereas, The Act increases the penalty for the murder of a first responder who is engaged in his or her duties to a Class A-1 felony, with a mandatory penalty of life in prison without parole; and

Whereas, The Act protects families seeking orders of protection by requiring a judge to order surrender of the weapon when he or she finds a substantial risk that an individual subjected to a protective order will use a gun against the person who obtained such order; and

Whereas, The Act requires safe storage of firearms in households where individuals live who have been convicted of a crime, involuntarily committed, or are subject to an order of protection; and

Whereas, The Act keeps guns out of schools by increasing the penalty for possession of a firearm on school grounds or a school bus from a misdemeanor to a Class E felony; and

Whereas, Lastly, the Act establishes tougher penalties for those who use illegal guns as well as measures to help combat gang violence; and

Whereas, On January 15, 2013, the NY SAFE Act was passed by the Assembly

and the Senate, and signed into law by Governor Cuomo, making New York the first state to implement comprehensive and holistic reforms to address the gun violence plague since the tragedy at Sandy Hook Elementary School; and

Whereas, Governor Cuomo justified the State’s swift action by stating “we don’t need another tragedy to point out the problems in the system”; and

Whereas, All the elected officials of New York state should be commended for swiftly passing this important legislative package; and

Whereas, However, it is also important for other states to pass comprehensive gun control reforms because 85% of the guns recovered at crime scenes in New York City were originally sold and purchased outside of New York State; and

Whereas, New York State will be a safer place when all assault weapons and lethal high-capacity gun magazines are banned nationwide; now, therefore, be it

Resolved, That the Council of the City of New York commends the Governor and the New York State Legislature for enacting the New York Secure Ammunition and Firearms Enforcement (SAFE) Act of 2013 and urges other states to pass similar gun control legislation.

Adopted by the Council *via* voice-vote (preconsidered and approved by the Committee on Finance).

Int. No. 1001

By Council Members Greenfield, Chin, Comrie, Crowley, Fidler, Gennaro, Gentile, Jackson, Koo, Koppell, Koslowitz, Levin, Mendez, Palma, Recchia, Rose, Vann, Williams and Wills.

A Local Law to amend the administrative code of the city of New York, in relation to advance posting of temporary tow-away zones.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 10 of the administrative code of the city of New York is amended by adding a new section 10-171 to read as follows:

§ 10-171 **Temporary Tow Away Zones.** *At least twenty-four hours before the department makes temporary changes to parking rules at a location that would allow for towing of vehicles otherwise legally parked, the department shall prominently post written notification of such changes at such location, except that in cases of emergency, as determined by the department, such notification shall be posted as soon as it is practicable.*

§2. This local law shall take effect sixty days after it is enacted into law.

Referred to the Committee on Transportation.

Int. No. 1002

By Council Members Halloran, Comrie, James and Wills.

A Local Law in relation to renaming one thoroughfare in the Borough of Queens, Ryan Court, and to amend the official map of the city of New York accordingly.

Be it enacted by the Council as follows:

Section 1. The following street name, in the Borough of Queens, is hereby renamed as

hereafter indicated.

New Name	Present Name	Limits
Ryan Court	Ryan Street	Between 22 nd Avenue and 23 rd Avenue

§2. The official map of the city of New York shall be amended in accordance with the provisions of section one of this local law.

§3. This local law shall take effect immediately.

Referred to the Committee on Parks and Recreation.

Res. No. 1648

Resolution in support of granting the officers of the Co-op City Department of Public Safety peace officer status.

By Council Members King, The Speaker (Council Member Quinn), Arroyo, Cabrera, Comrie, Dickens, Gennaro, James, Koo, Koslowitz, Palma, Rose, Williams, Wills, Vacca and Halloran.

Whereas, Co-op City is the nation's largest co-operative residential development, with 35 buildings and over 55,000 residents; and

Whereas, If Co-op City was counted as a separate community it would be one of the top 10 largest cities in New York State; and

Whereas, Co-op City has a special private police force of roughly 100 officers; and

Whereas, The cost of maintaining this private police force is shared by Co-op City residents and the Riverbay Corporation; and

Whereas, Presently, Co-op City public safety officers receive their individual peace officer designation following a case-by-case designation review by the New York City Police Department's (NYPD) Special Patrolman Division; and

Whereas, New York State law currently designates certain special private police officers from 82 organizations including public agencies, private entities and colleges, as 'peace officers' on a system-wide basis; and

Whereas, Granting peace officer status to members of the Co-op City public safety operations would provide continuity of services to residents in the event the NYPD modifies or discontinues their Special Patrolman program; and

Whereas, Co-op City public safety officers would have peace officer status upon the successful completion of specialized training as opposed to the 6-8 months it currently takes the NYPD to designate an officer as a Special Patrolman; and

Whereas, Each Co-op City public safety officer would continue to be subject to a thorough NYPD background and character investigation when applying for their firearms permit; and

Whereas, The elimination of the Special Patrolman residency requirement could enhance Co-op City public safety operations by expanding the applicant recruitment pool; and

Whereas, Granting peace officer status to members of the Co-op City public safety department who have completed the necessary training would help officers better protect residents and increase the morale and caliber of officers; and;

Whereas, This change in status would allow the Co-op City Department of Public Safety to be eligible for increased grant opportunities, government programs, training, savings on equipment and supplies and tax benefits; now, therefore, be it

Resolved, That the Council of the City of New York supports granting the officers of the Co-op City Department of Public Safety peace officer status.

Referred to the Committee on Public Safety.

Res. No. 1649

Resolution recognizing October 11 as the "Day of the Girl Child" in New York City.

By Council Members Koppell, Chin, Ferreras, Gennaro, James, Koo, Rose and Wills.

Whereas, Equality and universal access to education for every girl and boy are among the United Nations' Millennium Development Goals supported by 189 countries, including the United States; and

Whereas, According to the United Nations, many children in developing countries start life without adequate means of nutrition, learning, and protection, but girls face particular challenges; and

Whereas, The United Nations Secretary General, Ban Ki-moon, has stated that "girls face discrimination, violence and abuse every day across the world;" and

Whereas, On December 19, 2011, the United Nations General Assembly adopted Resolution 66/170 to declare October 11, 2012 as the first International Day of the Girl Child, to recognize girls' rights and the unique challenges girls face around the world; and

Whereas, The term "girl child" is commonly used to distinguish those under age 18 from other young women; and

Whereas, The first International Day of the Girl Child focused on child marriage by highlighting that every year, 10 million girls under the age of 18 become child brides, many of whom are under the age of 16, which increases their risk of being abused and having an early or unwanted pregnancy; and

Whereas, Studies show that education can delay and even prevent child marriage and increase girls' chance of success; and

Whereas, Worldwide, girls face more barriers to education and often complete less schooling than male counterparts; and

Whereas, According to the National Women's Law Center, one in four girls in America does not finish high school, and the dropout rate is even higher for girls of color; and

Whereas, The Day of the Girl Child highlights the worldwide injustices confronted by girls, including in the United States; now, therefore, be it

Resolved, That the Council of the City of New York recognizes October 11 as the "Day of the Girl Child in New York City".

Referred to the Committee on Women's Issues.

Res. No. 1650

Resolution calling upon the Environmental Protection Agency and President Obama to fully enforce the Clean Air Act by regulating greenhouse gases in order to avert the potentially catastrophic effects of climate change.

By Council Members Levin, Brewer, Chin, Dromm, Ferreras, Jackson, James, Koo, Koppell, Mendez, Palma, Recchia, Rose, Williams and Wills.

Whereas, The decade from 2001 to 2010 was the warmest on record, and the years 2005 and 2010 are tied for the hottest years on record; and

Whereas, One of the world's leading climate scientists, Dr. James Hansen, stated in 2008 that "[if] humanity wishes to preserve a planet similar to that on which civilization developed and to which life on Earth is adapted, paleoclimate evidence and climate change suggest that [carbon dioxide] will need to be reduced from its current 385 ppm to at most 350 ppm"; and

Whereas, The Environmental Protection Agency determined that current and future greenhouse gas concentrations endanger public health, and, according to the Global Humanitarian Forum, climate change already seriously affects 325 million people, and is responsible for 300,000 deaths and \$125 billion in economic losses worldwide each year; and

Whereas, Extreme weather events, most notably heat waves and precipitation extremes, are striking with increased frequency, with deadly consequences for people and wildlife, such that in the United States in 2011 alone, a record 14 weather and climate disasters occurred, including droughts, heat waves, and floods, that cost at least \$1 billion each in damages and loss of human lives; and

Whereas, Climate change is affecting food security by negatively impacting the growth and yields of important crops, and droughts, floods, and changes in snowpack are altering water supplies; and

Whereas, Arctic summer sea ice extent has decreased to about half what it was several decades ago, with an accompanying drastic reduction in sea ice thickness and volume, which is severely jeopardizing ice-dependent animals; and

Whereas, Scientists have concluded that by 2100 as many as one in ten species may be on the verge of extinction due to climate change; and

Whereas, The world's land-based ice is rapidly melting, threatening water supplies in many regions and raising sea levels; and

Whereas, Sea level is rising along the East Coast of the United States faster than it has risen for at least 2,000 years, is accelerating in pace, and could rise by one to two meters this century, threatening millions of Americans with severe flooding; and

Whereas, For four decades, the Clean Air Act has protected the air we breathe through a proven, comprehensive, successful system of pollution controls that saves lives and creates economic benefits exceeding its costs by many times; and

Whereas, With the Clean Air Act, air quality in this country has improved significantly since 1970, despite major growth both in our economy and industrial production; and

Whereas, Between 1970 and 1990, the six main pollutants covered by the Clean Air Act-particulate matter and ground-level ozone (both of which contribute to smog and asthma), carbon monoxide, lead, sulfur, and nitrogen oxides (the pollutants that cause acid rain)-were reduced by between 47% and 93%, and airborne lead was virtually eliminated; and

Whereas, The Clean Air Act has produced economic benefits valued at \$2 trillion, or 30 times the cost of regulations; and

Whereas, The United States Supreme Court ruled in *Massachusetts v. EPA* (2007) that greenhouse gases are "air pollutants" as defined by the Clean Air Act and that, therefore, the Environmental Protection Agency has authority to regulate them; and

Whereas, The city of New York prides itself on being a leader in the fight against climate change and for clean air; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Environmental Protection Agency and President Obama to fully enforce the Clean Air Act by regulating greenhouse gases in order to avert the potentially catastrophic effects of climate change.

Referred to the Committee on Environmental Protection.

Res. No. 1651

Resolution concerning amendments to the District Plan of the Hub Third Avenue Business Improvement District that add services and modify existing services in the district, add a capital improvement program in the district, change the method of assessment upon which the district charge is based, and increase the maximum total amount to be expended for improvements in the district, and setting the date, time and place for the public hearing of the local law authorizing such changes as set forth in the amended District Plan of the Hub Third Avenue Business Improvement District.

By Council Members Recchia, Arroyo and Wills.

Whereas, Pursuant to the authority formerly granted to the Board of Estimate by Chapter 4 of Title 25 of the Administrative Code of the City of New York or the predecessor of such Chapter (the "BID Law"), the Board of Estimate, by Resolution dated October 28, 1982 (Calendar No. 260), provided for the preparation of a district plan (the "District Plan") for the Hub Third Avenue Business Improvement District (the "District") in the City of New York; and

Whereas, The Board of Estimate, by Resolution dated January 14, 1988 (Calendar No. 279) authorized the establishment of the District in accordance with the District Plan; and

Whereas, Pursuant to Local Law No. 82 for the year 1990, the City Council assumed responsibility for adopting legislation relating to Business Improvement

Districts; and

Whereas, Pursuant to Local Law No. 5 for the year 2011, the City Council authorized an amendment to the District Plan to increase the amount to be expended annually in the District; and

Whereas, Pursuant to Section 25-410(b) of the BID Law, an amendment to the District Plan that provides for additional improvements or services or any change in the method of assessment upon which the district charge is based, may be adopted by local law, provided that the City Council determines, after a public hearing, that it is in the public interest to authorize such changes and that the tax and debt limits prescribed in Section 25-412 of the BID Law will not be exceeded by such changes; and

Whereas, Pursuant to Section 25-410(c) of the BID Law, an amendment to the District Plan that provides for an increase in the maximum total amount to be expended for improvements in the District may be adopted by local law, provided that the City Council determines, after a public hearing, that it is in the public interest to authorize such increase and that the tax and debt limits prescribed in Section 25-412 of the BID Law will not be exceeded by such increase; and

Whereas, The Hub Third Avenue Business Improvement District wishes to amend the District Plan, in order to add services and modify existing services in the District, add new capital improvements within the District, change the method of assessment upon which the district charge is based and increase the maximum total amount to be expended for improvements in the District; and

Whereas, Pursuant to Section 25-410(b) of the BID Law, the City Council is required to give notice of the public hearing by publication of a notice in at least one newspaper having general circulation in the District specifying the time when and the place where the hearing will be held; and

Whereas, Pursuant to Section 25-410(c) of the BID Law, the City Council is required to give notice of the hearing in the manner provided in Section 25-406 of the BID Law, which requires the City Council to: cause a copy of the relevant resolution or a summary thereof to be published at least once in the City Record or a newspaper in general circulation in the City, the first publication to be not less than ten nor more than thirty days before the date set for the hearing; not less than ten nor more than thirty days before the date set for the hearing, cause a copy of the resolution or a summary thereof to be mailed to each owner of real property within the District, to such other persons as are registered with the City to receive tax bills concerning real property within the District and to the tenants of each building within the District; now, therefore, be it

Resolved, That the Council of the City of New York, pursuant to Section 25-410(b) and Section 25-410(c) of the BID Law, hereby directs that:

(i)February 27, 2013 is the date and the City Council Committee Room, 2nd floor, City Hall, is the place and 10AM is the time for a public hearing (the "Public Hearing") to hear all persons interested in the legislation that would authorize additional services and the modification of existing services in the District, the addition of a capital improvement program in the District, a change in the method of assessment upon which the district charge is based, and an increase in the maximum total amount to be expended for improvements in the District; and

(ii)on behalf of the City Council and pursuant to Section 25-410(b) and Section 25-410 (c) of the BID Law, the District Management Association of the Hub Third Avenue Business Improvement District is hereby authorized to, not less than ten nor more than thirty days before the date of the Public Hearing, mail a copy of the resolution or a summary thereof to each owner of real property within the District at the address shown on the latest City assessment roll, to such other persons as are registered with the City to receive tax bills concerning real property within the District, and to the tenants of each building within the District; and

(iii)the Department of Small Business Services shall arrange for the publication of a copy of the resolution or a summary thereof and a notice of the public hearing at least once in the City Record or a newspaper in general circulation in the City and a newspaper in general circulation in the District, the first publication to be not less than ten nor more than thirty days before the date of the Public Hearing; and

(iv)in the event that the District Management Association of the Hub Third Avenue Business Improvement District mails, or the Department of Small Business Services arranges for the publication of, a summary of the resolution, such summary shall include the information required by section 25-406(c) of the BID Law.

Referred to the Committee on Finance.

Res. No. 1652

Resolution concerning an amendment to the District Plan of the Myrtle Avenue Business Improvement District that authorizes additional services and modifies existing services for the district, and setting the date, time and place for the public hearing of the local law authorizing additional services and modifying existing services for the district.

By Council Members Recchia and Wills.

Whereas, Pursuant to the authority formerly granted to the Board of Estimate by chapter 4 of title 25 of the Administrative Code of the City of New York or the predecessor of such Chapter (the "BID Law"), the Board of Estimate, by Resolution dated August 19, 1982 (Calendar No. 285) provided for the preparation of a district

plan (the "District Plan") for the Myrtle Avenue Business Improvement District (the "District") in the City of New York; and

Whereas, The Board of Estimate, by Resolution dated January 14, 1988 (Calendar No. 281) authorized the establishment of the District in accordance with the District Plan; and

Whereas, Pursuant to Local Law No. 82 for the year 1990, the City Council assumed responsibility for adopting legislation relating to Business Improvement Districts; and

Whereas, Pursuant to section 25-410(b) of the BID Law, an amendment to the District Plan that provides for additional improvements or services may be adopted by local law, provided that the City Council determines, after a public hearing, that it is in the public interest to authorize such changes and that the tax and debt limits prescribed in section 25-412 of the BID Law will not be exceeded by such changes; and

Whereas, The Myrtle Avenue Business Improvement District wishes to amend the District Plan, as amended, in order to authorize additional services and modify existing services for the District; and

Whereas, Pursuant to section 25-410(b) of the BID Law, the City Council is required to give notice of the public hearing by publication of a notice in at least one newspaper having general circulation in the District specifying the time when and the place where the hearing will be held; now, therefore, be it

Resolved, That the Council of the City of New York, pursuant to section 25-410(b) of the BID Law hereby directs that:

(i)February 27, 2013 is the date and the City Council Committee Room, 16th floor, 250 Broadway, is the place and 10AM is the time for a public hearing (the "Public Hearing") to hear all persons interested in the legislation that would authorize additional services and modify existing services for the District; and

(ii)on behalf of the City Council and pursuant to section 25-410(b) of the BID Law, the District Management Association of the Myrtle Avenue Business Improvement District is hereby authorized to publish in a newspaper of general circulation in the District, not less than ten (10) days prior to the Public Hearing, a notice stating the time and place of the Public Hearing and stating the proposed amendment to the District Plan authorizing additional services and modifying existing services for the Myrtle Avenue Business Improvement District.

Referred to the Committee on Finance.

Res. No. 1653

Resolution calling on the Federal Government to support H.R. 3086, the Fair Wages for Workers with Disabilities Act of 2011, which phases out the issuance of special wage certificates under the Fair Labor Standards Act of 1938.

By Council Members Rodriguez, Chin, Ferreras, James, Koppell, Rose and Wills.

Whereas, Current Federal law allows the Secretary of Labor to grant special wage certificates to entities that provide employment to workers with disabilities, allowing such entities to pay their disabled workers at rates that are lower than the Federal minimum wage; and

Whereas, The practice of paying workers with disabilities less than the Federal minimum wage dates back to the 1930s, when there were virtually no employment opportunities for disabled workers in the mainstream workforce; and

Whereas, A report of the United States General Accounting Office (GAO) found that the Wage and Hour Division of the Department of Labor has not done a good job at enforcing the current law and lacked the information and personnel needed to do so; and

Whereas, The GAO report also indicated that although employers, under current law are authorized to determine the wage of a disabled employee, the methodology for calculating such wage is complicated and unfairly establishes a productivity benchmark that is difficult for anyone to maintain; and

Whereas, The inability of many employers to correctly establish an appropriate wage has regularly resulted in many disabled employees receiving even less than what they should be paid under the special wage methodology; and

Whereas, H.R. 3086, the Fair Wages for Workers with Disabilities Act of 2011 was introduced on October 4, 2011; and

Whereas, This legislation would direct the Secretary of Labor to discontinue issuing new special wage certificates which permit individuals with disabilities to be paid at lower than minimum wages by profit, non-profit or governmental entities; and

Whereas, H.R. 3086 would amend the Fair Labor Standards Act of 1938 (FLSA) to stop the issuance of special wage certificates in three years and would require the revocation of any remaining certificates in existence at that time; and

Whereas, Employees with disabilities, when provided with any necessary rehabilitation services, training, and/or tools, can be as productive as nondisabled employees and should be provided with equitable wages and respect; now, therefore, be it

Resolved, That the Council of the City of New York calls on the Federal Government to support H.R. 3086, the Fair Wages for Workers with Disabilities Act of 2011, which phases out the issuance of special wage certificates under the Fair Labor Standards Act of 1938.

Referred to the Committee on Civil Service and Labor.

Res. No. 1654

Resolution calling upon the New York State Legislature to amend the New York State General Business Law to classify price gouging as a class A misdemeanor.

By Council Members Vallone, Jr., Fidler, Gentile, Jackson, King, Koo, Mendez, Nelson, Rose, Wills, Halloran and Ulrich.

Whereas, New York State General Business Law prohibits businesses in the state from capitalizing on abnormal disruptions to the market by charging “unconscionably excessive” prices for consumer goods; and

Whereas, New York State General Business Law defines “abnormal disruption of the market” to be “any change in the market, whether actual or imminently threatened, resulting from the stress of weather, convulsion of nature, failure or shortage of electrical power or other source of energy, strike, civil disorder, war, military action, national or local emergency, or other cause of an abnormal disruption of the market which results in the declaration of a state of emergency by the governor”; and

Whereas, State law delegates the task of determining whether a price is unconscionably excessive to the court, which can impose a maximum civil penalty of \$25,000 on offenders and order them to pay restitution to consumers; and

Whereas, On November 5, 2012, the Office of the New York State Attorney General reported that it had received hundreds of complaints about price gouging from residents of New York City, the Hudson Valley and Long Island in connection with Superstorm Sandy; and

Whereas, According to the Attorney General’s Office, the majority of the complaints related to gasoline prices, and also included complaints about the price of generators, hotel rooms, food and water; and

Whereas, By the end of November, the Attorney General had announced his intent to bring enforcement action against twenty-five gas stations in New York State, nearly half of which are located in Brooklyn, Queens, the Bronx and Staten Island; and

Whereas, In one case cited by the Attorney General, a Bronx resident who waited in line for gasoline for over an hour was told five gallons of gas cost \$50, an incredibly high markup relative to the \$3.95 being charged per gallon at nearby gas stations; and

Whereas, In light of the fact that so many gasoline retailers were found to be flouting New York State’s price gouging law, it is clear that the current penalties are inadequate; and

Whereas, Classifying price gouging as a class A misdemeanor would elevate the punishment for guilty parties to include up to one year in prison and a fine of \$1,000; and

Whereas, The State of New York has a responsibility to protect its residents from unscrupulous and exploitative business practices; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State legislature to amend the New York State General Business Law to classify price gouging as a class A misdemeanor.

Referred to the Committee on Consumer Affairs.

Res. No. 1655

Resolution calling upon the United States Congress to introduce and pass legislation that would amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to allow aid to be given to houses of worship affected by Hurricane Sandy.

By Council Members Vallone, Recchia, The Speaker (Council Member Quinn), Cabrera, Fidler, Comrie, Greenfield, Reyna, Ferreras, Foster, Koppell, Vann, Chin, Crowley, Dickens, Gentile, James, Koo, Nelson, Rose, Van Bramer, Williams, Wills, Vacca, Halloran, Oddo and Ulrich.

Whereas, On the evening of Monday, October 29, 2012, Hurricane Sandy brought a catastrophic and unprecedented storm surge of epic proportions to New York City, causing massive flooding and extensive property and infrastructure damage throughout the City; and

Whereas, On October 30, 2012, in the wake of Hurricane Sandy, the U.S. Department of Homeland Security’s Federal Emergency Management Agency (“FEMA”) announced that federal disaster aid has been made available to the State of New York and ordered federal aid to supplement state and local recovery efforts in the area affected by Hurricane Sandy beginning on October 27, 2012, and continuing; and

Whereas, Under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (“Stafford Act”), the Federal government, through FEMA, reimburses states and municipalities for funding assistance in recovery from a major disaster; and

Whereas, This action made federal funding available to affected individuals, and eligible local governments and certain private not-for-profit organizations in New York City and other areas; and

Whereas, In the days following Hurricane Sandy, many not-for-profit

organizations, including many houses of worship, from all over New York City immediately sprang into action to coordinate relief efforts, and provide essential services to impacted communities, despite the tremendous property damage sustained by their own organizations; and

Whereas, While many not-for profit organizations are able to receive FEMA financial assistance for damage sustained by Hurricane Sandy, FEMA financial assistance is not offered to houses of worship; and

Whereas, According to FEMA regulations, pursuant to the Stafford Act, in order for a no-for-profit to qualify for federal disaster assistance it must provide services that are for the public good, hence, a broad range of private nonprofit organizations qualify for federal disaster assistance grants, including zoos, museums, performing arts centers and libraries; and

Whereas, The strength of the faith-based community and the houses of worship they represent is critical to New York City’s recovery from Hurricane Sandy; and

Whereas, The Stafford Act should be amended to allow aid to be given to houses of worship affected by Hurricane Sandy; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Congress to introduce and pass legislation that would amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to allow aid to be given to houses of worship affected by Hurricane Sandy.

Referred to the Committee on Finance.

L.U. No. 761

By Council Member Comrie:

Application no. 20135320 PNK, pursuant to § 1301 (2) (f) of the New York City Charter concerning the proposed amendment to a maritime lease between the New York City Department of Small Business Services and Sea Travelers Realty, Inc. d/b/a Sea Travelers Marina for certain City-owned upland area and lands underwater located at 2875 Flatbush Avenue (Block 8591, parts of Lot 125 and 175), Borough of Brooklyn, Community Board 18, Council District 46.

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

L.U. No. 762

By Council Member Comrie:

Application no. 20135250 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of On 54th LLC, d/b/a Café Americaia, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 230 West 54th Street, Borough of Manhattan, Community Board 5, Council District 3. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226 of the Administrative Code.

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

L.U. No. 763

By Council Member Comrie:

Application no. 20135222 TCK, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Heavy Woods LLC, d/b/a Heavy Woods, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 50 Wyckoff Avenue, Borough of Brooklyn, Community Board 4, Council District 34. 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 of the Administrative Code.

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

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

ANNOUNCEMENTS:

Thursday, February 7, 2013

Committee on **FINANCE**..... **10:00 A.M.**
 Res. 1655 - By Council Members Vallone, Recchia, and The Speaker (Council Member Quinn) - Resolution calling upon the United States Congress to introduce and pass legislation that would amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to allow aid to be given to houses of worship affected by Hurricane Sandy.
 Committee Room – 250 Broadway, 14th Floor
 Domenic M. Recchia, Chairperson

★ Addition

Committee on **TRANSPORTATION**..... **1:00 P.M.**
 Oversight – Emergency: Death on the Tracks - Preventing Train-Passenger Collisions in the Subway
 Committee Room – 250 Broadway, 16th Floor James Vacca, Chairperson

Friday, February 8, 2013

★ Note Committee Addition

Committee on **EDUCATION** jointly with the
 ★Committee on **FINANCE** **10:00 A.M.**
 Oversight - The Cost of Pupil Transportation in NYC
 Committee Room – 250 Broadway, 16th Floor Robert Jackson, Chairperson
 Domenic M. Recchia, Chairperson

Tuesday, February 12, 2013

Subcommittee on **ZONING & FRANCHISES**..... **9:30 A.M.**
 See Land Use Calendar Available Thursday, February 7, 2013
 Committee Room – 250 Broadway, 16th Floor Mark Weprin, Chairperson

Committee on **TRANSPORTATION**..... **10:00 A.M.**
 Oversight - Emergency Planning and Management During and After the Storm: MTA’s Response and the Long-term Impact on the City’s Public Transportation System.
 Committee Room – 250 Broadway, 14th Floor James Vacca, Chairperson

Subcommittee on **LANDMARKS, PUBLIC SITING & MARITIME USES**..... **11:00 A.M.**
 See Land Use Calendar Available Thursday, February 7, 2013
 Committee Room– 250 Broadway, 16th Floor Brad Lander, Chairperson

Subcommittee on **PLANNING, DISPOSITIONS & CONCESSIONS**..... **1:00 P.M.**
 See Land Use Calendar Available Thursday, February 7, 2013
 Committee Room – 250 Broadway, 16th Floor Stephen Levin, Chairperson

Committee on **GOVERNMENTAL OPERATIONS**..... **1:00 P.M.**
 Proposed Res. 81-A - By Council Members Barron, Comrie, Dilan, Dromm, Jackson, Mealy, Palma, Vann, Rodriguez, Mendez, Foster, Mark-Viverito, Rose, Cabrera, Williams, Ferreras, Arroyo, Chin, Reyna and Wills - Resolution calling on the City of New York to acknowledge the years of suffering of all those involved in the Central Park Jogger case, including both the five men whose convictions were vacated and the jogger herself, by settling this matter out of court as expeditiously as possible in order to avoid a continuation of this painful, lengthy and costly legal proceeding that will only cause further anguish for all parties involved.
 Council Chambers – City Hall Gale Brewer, Chairperson

Wednesday, February 13, 2013

Committee on **PUBLIC HOUSING** **11:00 A.M.**
 Continuation of Recessed Meeting of January 17, 2013:

Oversight - Emergency Planning and Management During and After the Storm: NYCHA Emergency Planning and Response
 Committee Room – 250 Broadway, 16th Floor Rosie Mendez, Chairperson

Committee on **CULTURAL AFFAIRS, LIBRARIES & INTERNATIONAL INTERGROUP RELATIONS** Jointly with the Select Committee on **LIBRARY** **1:00 P.M.**
 Oversight - Recovery Efforts of the City’s Libraries and Cultural Establishments
 Committee Room – 250 Broadway, 14th Floor
 James Van Bramer, Chairperson
 Vincent Gentile, Chairperson

Thursday, February 14, 2013

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

★ Deferred

~~Committee on **EDUCATION**..... **1:00 P.M.**
 Agenda to be announced
 Committee Room – 250 Broadway, 16th Floor Robert Jackson, Chairperson~~

★ Deferred

~~Committee on **YOUTH SERVICES**..... **1:00 P.M.**
 Agenda to be announced
 Committee Room – 250 Broadway, 14th Floor Lewis Fidler, Chairperson~~

Friday, February 15, 2013

★ Addition

Committee on **HEALTH** jointly with the
 Committee on **WOMEN’S ISSUES** **10:00 A.M.**
 Oversight - The Mishandling of DNA in Sexual Assault Cases by the Office of the Chief Medical Examiner
 Committee Room – City Hall Maria del Carmen Arroyo, Chairperson
 Julissa Ferreras, Chairperson

Committee on **HIGHER EDUCATION** **10:00 A.M.**
 Oversight - Examining the Value of For-Profit Colleges
 Committee Room – 250 Broadway, 14th Floor Ydanis Rodriguez, Chairperson

★ Note Time Change, Committee and Topic Addition

Committee on **YOUTH SERVICES** jointly with the
 Committee on **GENERAL WELFARE** **★11:00 A.M.**
 Proposed Int. 866-A - By Council Members Fidler, Gonzalez, Ferreras, Barron, Brewer, Cabrera, Chin, Dickens, Gentile, Jackson, James, Koo, Koppell, Koslowitz, Lander, Mendez, Palma, Recchia, Rose, Van Bramer, Vann, Williams, Wills, Rodriguez, Nelson, Levin, Foster, Mark-Viverito, Garodnick and Vacca – A Local Law to amend the administrative code of the city of New York, in relation to reporting data related to sexually exploited children.
 Committee Room – 250 Broadway, 16th Floor Lewis Fidler, Chairperson
 Annabel Palma, Chairperson

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

★ Note Topic Additions

Committee on **PUBLIC SAFETY** **1:00 P.M.**
 Int. 255 – By Council Members Oddo, Ignizio, Ulrich, Koo, Fidler and Halloran – A Local Law to amend the administrative code of the city of New York, in relation to the sale of aerosol spray paint cans and broad tipped indelible markers.
 Int. 462 – By Council Members Vallone, Cabrera, Fidler, Gennaro, Gentile, James, Nelson, Van Bramer, Halloran and Koo - A Local Law to amend the administrative code of the city of New York, in relation to the purchase and use of etching pens.
 Proposed Int. No. 555-A - By Council Members Vallone, Ferreras, Gentile, James, Mendez, Recchia, Van Bramer, Vacca, Nelson, Halloran, Koo, and Ulrich – A Local Law to amend the administrative code of the city of New York, in relation to the publication of quarterly reports by the New York City Police Department on quality of life summonses issued and graffiti-related arrests made.

Int. 601 - By Council Members Vallone, Gentile, James, Koppell and Nelson - A Local Law to amend the administrative code of the city of New York, in relation to the sale and display of aerosol spray paint caps.

Proposed Res. 279-A - By Council Members Vallone, Fidler, Gentile, Nelson, Van Bramer, Halloran and Koo - Resolution calling upon the New York State Senate to reintroduce S.2377 of 2009, which would amend the New York State Penal Law in relation to increasing penalties for the offenses of making graffiti and possession of graffiti instruments, and calling upon the New York State Assembly to introduce and pass a companion bill, and for the Governor to sign such legislation into law.

Proposed Res. 719-A - By Council Member Vallone, Fidler, Mendez, Nelson, Recchia, Gentile, Halloran and Koo - Resolution calling upon the New York State Senate to reintroduce S.585 of 2011, which would amend the New York State Penal Law in relation to enabling judges to sentence those convicted of graffiti offenses to repair, replace and clean the property they and other vandals have damaged, and calling upon the New York State Assembly to introduce and pass a companion bill, and for the Governor to sign such legislation.

Oversight - Tagging out Vandals – Graffiti Prevention and Removal in NYCCommittee Room – 250 Broadway, 16th FloorPeter Vallone, Chairperson

Monday, February 25, 2013

Committee on **CONTRACTS****10:00 A.M.**
Agenda to be announced

Committee Room – 250 Broadway, 14th Floor Darlene Mealy, Chairperson

Committee on **WATERFRONTS**.....**10:00 A.M.**
Agenda to be announced

Committee Room – 250 Broadway, 16th Floor Peter Koo, Chairperson

Committee on **FIRE AND CRIMINAL JUSTICE SERVICES**.....**10:00 A.M.**
Agenda to be announced

Hearing Room – 250 Broadway, 16th FloorElizabeth Crowley, Chairperson

Committee on **WOMEN’S ISSUES** jointly with the
Committee on **HIGHER EDUCATION** and the
Committee on **TECHNOLOGY** **1:00 P.M.**
Oversight - Recruiting and Retaining Women into the Science, Technology, Engineering and Math (STEM) Fields
Committee Room – 250 Broadway, 14th Floor Julissa Ferreras, Chairperson
.....Ydanis Rodriguez, Chairperson
.....Fernando Cabrera, Chairperson

★ *Note Location Change*
Committee on **SMALL BUSINESS** jointly with the
Committee on **ECONOMIC DEVELOPMENT**. **1:00 P.M.**
Oversight – Recovery: Restoring and Growing the City’s Small Businesses
★Council Chambers – City Hall.....Diana Reyna, Chairperson
..... Karen Koslowitz, Chairperson

Tuesday, February 26, 2013

Committee on **CIVIL RIGHTS****10:00 A.M.**
Agenda to be announced

Committee Room– 250 Broadway, 14th FloorDeborah Rose, Chairperson

Committee on **COMMUNITY DEVELOPMENT**.....**10:00 A.M.**
Agenda to be announced

Committee Room – 250 Broadway, 16th FloorAlbert Vann, Chairperson

Committee on **HOUSING AND BUILDINGS****10:00 A.M.**
Oversight – Recovery: Managing the City’s Housing Needs in the Wake of Hurricane Sandy
Council Chambers – City Hall Erik Martin-Dilan, Chairperson

Committee on **EDUCATION**..... **1:00 P.M.**
Oversight – Recovery: Storm-related impact on Schools and Students

Committee Room – 250 Broadway, 16th FloorRobert Jackson, Chairperson

Committee on **VETERANS** **1:00 P.M.**
Agenda to be announced

Committee Room– 250 Broadway, 14th Floor Mathieu Eugene, Chairperson

Wednesday, February 27, 2013

Committee on **FINANCE**..... **10:00 A.M.**

Agenda to be announced

Committee Room – City Hall..... Domenic M. Recchia, Chairperson

Stated Council Meeting.....*Ceremonial Tributes – 1:00 p.m.*

.....*Agenda – 1:30 p.m.*

Location ~ *Council Chambers ~ City Hall*

**New York City Council Fiscal Year 2014 Preliminary Budget,
Mayor’s FY ’13 Preliminary Management Report and
Agency Oversight Hearings**

Monday, March 4, 2013

10:00 a.m.Finance Committee – Council Chambers – City Hall

10:00 a.m. Office of Management and Budget

- ◆ Capital Budget
- ◆ Expense Budget
- ◆ Revenue Budget
- 12:45 p.m. ◆ Contract Budget (Joint with Committee on Contracts)
- 1:15 p.m. Department of Finance
- 2:45 p.m. Department of Design and Construction
- 3:15 p.m. Comptroller
- 3:45 p.m. Independent Budget Office
- 4:00 p.m. Public

Tuesday, March 5, 2013

10:00 a.m.Transportation Committee – 250 Broadway, 14th Floor - Committee Room

- 10:00 a.m. MTA/NYC Transit (Expense)
- 10:30 a.m. MTA/NYC Transit (Capital)
- 11:00 a.m. Taxi and Limousine Commission
- 11:45 a.m. Department of Transportation (Capital)
- 12:45 p.m. Department of Transportation (Expense)
- 1:15 p.m. Public

11:00 a.m. Land Use Committee – 250 Broadway, 16th Floor - Committee Room

- 11:00 a.m. Landmarks Preservation Commission
- 12:00 p.m. Department of City Planning
- 1:00 p.m. Department of Information, Technology & Telecommunications (joint with the Technology Committee)
- 2:00 p.m. Public

Wednesday, March 6, 2013

10:00 a.m.Higher Education Committee – 250 Broadway, 16th Floor - Committee Room

- 10:00 a.m. City University of New York
- 11:30 a.m. Public

10:00 a.m.Consumer Affairs Committee – 250 Broadway, 14th Floor - Committee Room

- 10:00 a.m. Department of Consumer Affairs
- 11:00 a.m. Business Integrity Commission
- 11:30 a.m. Public

1:00 p.m. Youth Services Committee – 250 Broadway, 14th Floor - Committee Room

- 1:00 p.m. Department of Youth and Community Development (Joint with Community Development Committee)
- 2:30 p.m. Public

1:30 p.m. Civil Rights Committee – 250 Broadway, 16th Floor - Committee Room

- 1:30 p.m. Equal Employment Practices Commission
- 2:00 p.m. Public

Thursday, March 7, 2013

10:00 a.m. Fire & Criminal Justice Services Committee – 250 Broadway, 14th Floor – Committee Room

10:00 a.m. Fire/Emergency Medical Service
 12:00 p.m. Department of Probation
 12:30 p.m. Department of Correction
 1:30 p.m. Criminal Justice Coordinator (Indigent Defense Services)
 2:15 p.m. Legal Aid
 3:00 p.m. Public

11:30 a.m. Health Committee – 250 Broadway, 16th Floor - Committee Room

11:30 a.m. Medical Examiner
 12:30 p.m. Department of Health & Mental Hygiene
 2:30 p.m. Health & Hospitals Corporation
 4:00 p.m. Public

Friday, March 8, 2013

10:00 a.m. Sanitation & Solid Waste Management Committee – 250 Broadway, 16th Floor - Committee Room

10:00 a.m. Department of Sanitation
 12:00 p.m. Public

10:00 a.m. Cultural Affairs, Libraries & International Intergroup Relations Committee – 250 Broadway, 14th Floor - Committee Room

10:00 a.m. Department of Cultural Affairs
 11:30 a.m. Libraries (joint with Select Committee on Libraries)
 1:00 p.m. Public

1:00 p.m. Oversight & Investigations Committee – 250 Broadway, 16th Floor - Committee Room

1:00 p.m. Department of Investigation
 2:00 p.m. Public

Tuesday, March 12, 2013

10:00 a.m. Public Safety Committee – 250 Broadway, 16th Floor - Committee Room

10:00 a.m. Police Department
 12:00 p.m. District Attorneys/Special Narcotics Prosecutor
 1:30 p.m. Office of Emergency Management
 2:30 p.m. Civilian Complaint Review Board
 3:00 p.m. Public

10:00 a.m. Public Housing Committee – 250 Broadway, 14th Floor - Committee Room

10:00 a.m. NYC Housing Authority
 12:00 p.m. Public

1:30 p.m. Aging Committee – 250 Broadway, 14th Floor - Committee Room

1:30 p.m. Department for the Aging (joint with the Subcommittee on Senior Centers)
 3:00 p.m. Public

Wednesday, March 13, 2013

10:00 a.m. Education Committee – 250 Broadway, 16th Floor - Committee Room

10:00 a.m. Department of Education and School Construction Authority (Capital)
 12:00 p.m. Public

10:00 a.m. Parks & Recreation Committee – 250 Broadway, 14th Floor - Committee Room

10:00 a.m. Department of Parks & Recreation (Expense)
 11:30 p.m. Department of Parks & Recreation (Capital)
 12:00 p.m. Public

1:30 p.m. Environmental Protection Committee – 250 Broadway, 16th Floor - Committee Room

1:30 p.m. Department of Environmental Protection (Capital)
 2:45 p.m. Department of Environmental Protection (Expense)
 4:00 p.m. Public

1:30 p.m. Standards and Ethics Committee – 250 Broadway, 14th Floor - Committee Room

1:30 p.m. Conflicts of Interest Board
 2:15 p.m. Public

Thursday, March 14, 2013

10:00 a.m. Governmental Operations Committee – Committee Room – 250 Broadway, 14th Floor

10:00 a.m. Financial Information Services Agency
 10:30 a.m. Office of Payroll Administration
 11:15 a.m. Board of Elections
 12:15 p.m. Law Department
 1:00 p.m. Department of Citywide Administrative Services
 2:00 p.m. Community Boards
 2:30 p.m. Public

Friday, March 15, 2013

10:00 a.m. Mental Health, Developmental Disabilities, Alcoholism, Drug Abuse & Disability Services Committee – 250 Broadway, 14th Floor - Committee Room

10:00 a.m. Department of Health & Mental Hygiene (joint with Subcommittee on Drug Abuse)
 11:30 a.m. Public

Monday, March 18, 2013

10:00 a.m. General Welfare Committee – 250 Broadway, 16th Floor - Committee Room

10:00 a.m. Department of Homeless Services
 12:00 p.m. Human Resources Administration / Department of Social Services
 1:30 p.m. Administration for Children’s Services joint with Women’s Issues and Juvenile Justice Committees
 4:00 p.m. Public

Tuesday, March 19, 2013

10:30 a.m. Housing and Buildings Committee – 250 Broadway, 16th Floor - Committee Room

10:30 a.m. Department of Housing Preservation and Development (Expense)
 11:00 a.m. Department of Housing Preservation and Development (Capital)
 12:30 p.m. Department of Buildings
 1:15 p.m. Public

Thursday, March 21, 2013

10:00 a.m. Economic Development Committee – 250 Broadway, 14th Floor - Committee Room

10:00 a.m. Economic Development Corporation (Capital)
 11:30 a.m. Department of Small Business Services (joint with Small Business Committee)
 12:30 p.m. Public

10:00 a.m. Education Committee – 250 Broadway, 16th Floor - Committee Room

10:00 a.m. Department of Education (Expense)
 1:00 p.m. Public

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, February 27, 2013.

MICHAEL M. McSWEENEY, City Clerk
 Clerk of the Council

Editor’s Local Law Note: Int Nos. 967 and 995, both adopted by the Council at the January 9, 2013 Charter Meeting, were signed into law by the Mayor on January 24, 2013 as, respectively, Local Law Nos. 6 and 7 of 2013.

