

WILMERHALE

September 11, 2019

Alan E. Schoenfeld

BY ECF

+1 212 937 7294 (t)
+1 212 230 8888 (f)
alan.schoenfeld@wilmerhale.com

The Honorable Raymond J. Dearie
United States District Court
For the Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Schwartz v. City of New York*, No. 1:19-cv-463

Dear Judge Dearie:

I write on behalf of Defendants in the above-referenced case. In the interest of keeping the Court apprised of developments relevant to this case, I write to notify the Court of the New York City Council's announcement of a hearing on September 12, 2019 for a bill introduced by Council Speaker Johnson to consider the immediate repeal of Local Law 22 of 2018, also known as Administrative Code § 20-825, retroactive to the date of the hearing.

Information concerning the proposed repeal bill, including its text, may be found at: <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=4131680&GUID=FD897AED-F6C6-43F1-9F26-B84AAD575AC6&Options=&Search>. A copy of the published Proposed Agenda for the Stated Meeting of the Council on September 12, 2019 is filed herewith as Exhibit A; the introduction and reading of bills appears as the 13th agenda item on page 3, and the proposed repeal bill is the first item on the first page of the list attached to the Proposed Agenda. *See* Ex. A at 3, 5.

I will keep the Court apprised of any further developments.

Respectfully submitted,

/s/ Alan E. Schoenfeld

Alan E. Schoenfeld

Encls.

cc: All counsel via ECF

EXHIBIT A

THE COUNCIL THE CITY OF NEW YORK PROPOSED AGENDA



1. ROLL CALL

2. INVOCATION

Delivered by: Rev. Dr. Adkins, Pastor of the Antioch Baptist Church, located at 515 West 125th Street, New York, NY 10027.

Motion to spread the Invocation in full upon the record by **Council Member Levine**.

3. ADOPTION OF MINUTES

Motion that the Minutes of the Stated Meetings of June 26, 2019 and July 23, 2019 be adopted as printed by **Council Member Cornegy**.

4. MESSAGES & PAPERS FROM THE MAYOR

None

5. COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

None

6. PETITIONS & COMMUNICATIONS

None

7. LAND USE CALL-UPS

M

By The Chair of the Land Use Committee (Council Member Salamanca): Pursuant to Sections 11.20(b-d) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the actions of the City Planning Commission on related Application Nos. **C 190333 PSY, C 190335 ZSX, C 190339 ZSK, C 190116 MMK, C 190340 ZSM, C 190341 PQM, C 190252 MMM, C 190342 ZSQ, and C 190117 MMQ (Borough-Based Jail System)** shall be subject to Council review. These items are related to Application Nos. N 190334 ZRY, C 190336 ZMX, N 190337 ZRX, and C 190338 HAX.

Coupled on Call-Up Vote

M

By The Chair of the Land Use Committee (Council Member Salamanca): Pursuant to Sections 11.20(b-d) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the actions of the City Planning Commission on related Application No. **C 190386 ZSQ (Vernon Boulevard Broadway Rezoning)** shall be subject to Council review. This item is related to Application Nos. N 190151 ZRQ, and C 100421 ZMQ.

Coupled on Call-Up Vote

M

By The Chair of the Land Use Committee (Council Member Salamanca): Pursuant to Sections 11.20(b-d) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the actions of the City Planning Commission on related Application No. **C 190439 ZSQ (LeFrak City Parking Garage)** shall be subject to Council review. This item is related to Application No. N 190440 ZRQ.

Coupled on Call-Up Vote

M

By The Speaker (Council Member Johnson): Pursuant to Rule 11.20(b) of the Council and §20-226 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 210 6th Avenue, Borough of Manhattan, Council District 3, Community District 2, Application No. **20195715 TCM (Lola Taverna)** shall be subject to review by the Council.

Coupled on Call-Up Vote

M

By Council Member Rivera: Pursuant to Rule 11.20(b) of the Council and §20-226 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 444 3rd Avenue, Borough of Manhattan, Council District 2, Community District 6, Application No. **20195720 TCM (Hummus Kitchen)** shall be subject to review by the Council.

Coupled on Call-Up Vote

Roll Call

8. COMMUNICATION FROM THE SPEAKER

9. DISCUSSION OF GENERAL ORDERS

10. REPORT OF SPECIAL COMMITTEES

None

11. REPORTS OF STANDING COMMITTEES
Report of the Committee on Education
Int 560-A

An Amended Local Law in relation to a pilot program to review school start times to reduce adolescent sleep deprivation.

Amended and Coupled on GO

Int 1348-A

An Amended Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to report information regarding sexual health education.

Amended and Coupled on GO

12. GENERAL ORDER CALENDAR
Int 1281-A

An Amended Local Law to amend the administrative code of the city of New York, in relation to prohibiting food stores and retail establishments from refusing to accept payment in cash.

Laid Over

Commissioner of Deeds

Coupled on GO

COUPLED ON GENERAL ORDER CALENDAR

See Education

See General Order

13. INTRODUCTION & READING OF BILLS

See Attached

14. DISCUSSION OF RESOLUTIONS

15. RESOLUTIONS

Res 238

Resolution calling upon the New York City Department of Education to ban processed meats from being served in New York City public schools.

Adopted by the Committee on Education

Res 632

Resolution calling upon the New York City Department of Education to create a diabetes and prediabetes health based curriculum.

Adopted by the Committee on Education

Res 716-A

An Amended Resolution calling upon the New York City Department of Education to adopt all of the policy recommendations of the Mayor's Sexual Health Education Task Force and provide comprehensive sexual health education on a regular basis, across all grade levels.

Amended and Adopted by the Committee on Education

16. GENERAL DISCUSSION

17. EXTENSION OF REMARKS

INTRODUCTION AND READING OF BILLS

Int

By The Speaker (Council Member Johnson):

A Local Law to amend the administrative code of the city of New York, in relation to repealing subchapter 19 of chapter 5 of title 20.

Civil and Human Rights

Int

By Council Member Ayala:

A Local Law to amend the administrative code of the city of New York, in relation to requiring parks enforcement patrol officers to be equipped with opioid antagonists.

Parks and Recreation

Int

By Council Members Ayala, Chin and Louis:

A Local Law in relation to requiring the commission on human rights to create a poster on age discrimination and requiring city agencies to display the poster.

Civil and Human Rights

Int

By Council Members Ayala, Chin and Louis:

A Local Law to amend the administrative code of the city of New York, in relation to providing age discrimination training to city agencies.

Civil and Human Rights

Int

By Council Members Barron and Miller:

A Local Law to amend the administrative code of the city of New York, in relation to the disclosure of information regarding past engagement in slavery by city contractors.

Civil and Human Rights

Res

By Council Members Barron and Miller:

Resolution calling upon on the New York State Legislature to pass and the Governor sign A.3080A/ S.2904A in relation to establishing the New York State Community Commission on Reparations Remedies to examine the impacts of the institution of slavery, subsequently racial and economic discrimination against African-Americans, and recommend appropriate remedies.

Civil and Human Rights

Res

By Council Members Barron and Miller:

Resolution calling upon the United States Congress to pass and the President to Sign S.1083/ H.R. 40 in relation to establishing the Commission to Study and Develop Reparation Proposals for African-Americans to examine financial and other impacts of slavery and continued discrimination and recommend appropriate remedies.

Civil and Human Rights

Int

By Council Member Borelli:

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of building to provide information about antennas located in the city

Housing and Buildings

Int

By Council Member Borelli:

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of information technology and telecommunications to provide a map of where cellular telephone service equipment has been installed

Technology

Res

By Council Member Borelli:

Resolution declaring the third week in May of each year to be recognized as First Responder Mental Health Awareness Week.

Fire and Emergency Management

Int

By Council Member Cabrera:

A Local Law to amend the administrative code of the city of New York, in relation to requiring co-working spaces to post sexual harassment posters and to address complaints of sexual harassment.

Civil and Human Rights

Preconsidered Int

By Council Member Cabrera:

A Local Law in relation to requiring the department of social services/human resources administration to provide assistance in modification of benefits.

Immigration

Int

By Council Members Cabrera and Powers:

A Local Law to amend the New York city charter, in relation to assigning a unique identifying number to each zoning lot in the city.

Governmental Operations

Int

By Council Members Cabrera and Powers:

A Local Law to amend the administrative code of the city of New York, in relation to the creation of an interactive zoning lot map.

Governmental Operations

Res

By Council Member Cabrera:

Resolution commemorating the quadricentennial of the arrival of Africans in Hampton, Virginia in 1619, and recognizing the contributions of Africans and African Americans to the growth, development, prosperity and culture of the United States of America.

Cultural Affairs, Libraries and International Intergroup Relations

Res

By Council Member Cabrera:

Resolution condemning the Trump Administration's plan to cut food stamps for 3 million People.

General Welfare

Res

By Council Member Cabrera:

Resolution calling on the New York State Legislature to introduce and pass and for the Governor to sign legislation making it illegal to remodify an AR-15 firearm.

Public Safety

Res

By Council Member Cabrera:

Resolution calling on Congress to pass, and the President to sign, The Hot Cars Act of 2019 (H.R.3593/S.1601).

Transportation

Int

By Council Members Chin, Ayala, Rosenthal, Rivera, Koslowitz, Gibson, Louis and Adams:

A Local Law in relation to establishing a task force to address and eliminate age discrimination in the workplace.

Aging

Int

By Council Members Chin, Ayala, Rosenthal, Rivera, Koslowitz, Gibson, Louis and Adams:

A Local Law to amend the New York city charter, in relation to an office of older adult workforce development.

Aging

Int

By Council Members Chin, Ayala, Rosenthal, Rivera, Koslowitz, Gibson, Louis and Adams:

A Local Law in relation to establishing an age discrimination in employment testing program.

Aging

Int

By Council Member Cornegy:

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to distribute information regarding the gifted and talented programs and exam to universal 3-K program students and parents.

Education

Int

By Council Member Cornegy:

A Local Law to amend the New York city charter, in relation to school door alarm reporting.

Education

Int

By Council Member Dromm:

A Local Law to amend the administrative code of the city of New York, in relation to requiring the Department of Consumer Affairs to communicate electronically, in addition to regular mail, where an electronic mail address is provided by a licensee.

Consumer Affairs and Business Licensing

Int

By Council Member Eugene:

A Local Law to amend the administrative code of the city of New York, in relation to establishing a task force to study the hazards and economic impacts of elevated railways and providing for the repeal of such amendment upon expiration thereof.

Transportation

Int

By Council Members Holden, Ulrich, Constantinides, Rivera, Brannan, Vallone and Koslowitz:

A Local Law to amend the administrative code of the city of New York, in relation to a 14-day notification requirement for movie-making, telecasting and photography permit applications when special parking requests are required.

Technology

Res

By Council Member Holden:

Resolution calling upon the United States Congress to pass, and the President to sign, H.R. 3375, the Stopping Bad Robocalls Act, legislation to amend the Communications Act of 1934 to clarify the prohibitions on making robocalls, and for other purposes.

Technology

Int

By Council Members Kallos, Rosenthal, Reynoso, Levine and Powers:

A Local Law to amend the administrative code of the city of New York, in relation to community notification requirements for transfers of development rights.

Land Use

Int

By Council Member Koslowitz:

A Local Law to amend the administrative code of the city of New York, in relation to notice regarding property tax rates.

Finance

Preconsidered Res

By Council Member Levin and the Public Advocate (Mr. Williams):

Resolution calling on the United States Congress to pass, and the President to sign, legislation that would prohibit the enactment of the federal rule entitled, "Inadmissibility on Public Charge Grounds".

Immigration

Int

By Council Member Levine:

A Local Law in relation to eliminating viral hepatitis in New York city.

Health

Int

By Council Members Levine, Richards, Cumbo and Adams:

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department to provide mental health information, training, and support services to officers.

Public Safety

Int

By Council Member Matteo:

A Local Law to amend the administrative code of the city of New York, in relation to the department of finance providing a receipt of payment.

Finance

Preconsidered Int

By Council Members Menchaca and Lander:

A Local Law in relation to requiring training for certain employees of the city of New York on federal regulations relating to inadmissibility on public charge grounds.

Immigration

Int

By Council Member Menchaca:

A Local Law to amend the New York administrative code of the city of New York, in relation to prohibiting a smart chip from being added to New York City identity card.

Immigration

Res

By Council Member Miller:

Resolution calling upon Congress to adopt the Constitutional Authorities Resolution, H.J. Res. 58, requiring congressional approval for military action in Iran and to withhold any authorization of military force in favor of a diplomatic resolution to current hostilities.

Veterans

Preconsidered Int

By Council Members Moya and Yeger:

A Local Law to amend the administrative code of the city of New York, in relation to requiring the distribution of information on local emergency feeding programs.

Immigration

Int

By the Public Advocate (Mr. Williams):

A Local Law in relation to the creation of a task force to study, report on, and make recommendations to improve New York city housing authority's engagement with tenants and to address tenant concerns about safety and quality of life

Public Housing

Res

By the Public Advocate (Mr. Williams) and Council Members Levin and Cabrera:

Resolution calling upon the United States Congress and the New York State Legislature to pass legislation to prohibit the use of a confession of judgment in business loans.

Small Business

Int

By Council Member Richards:

A Local Law to amend the administrative code of the city of New York, in relation to exemption from taxation of alterations and improvements to multiple dwellings.

Housing and Buildings

Int

By Council Member Rivera:

A Local Law to amend the administrative code of the city of New York, in relation to after hours work authorization.

Environmental Protection

Preconsidered Int

By Council Member Rivera:

A Local Law in relation to the distribution of educational materials about the federal regulations relating to inadmissibility on public charge grounds.

Immigration

Int

By Council Member Rosenthal:

A Local Law to amend the administrative code of the city of New York, in relation to reporting on the services provided to transgender and gender non-conforming individuals in domestic violence shelters.

Women and Gender Equity

Res

By Council Member Rosenthal:

Resolution calling on the United States Congress to pass, and the President to sign, the "Diversity in Corporate Leadership Act of 2019" (H.R. 3279), which would further reduce gender, race and ethnic pay gaps that exist within companies' boards of directors.

Women and Gender Equity

Int

By Council Member Torres:

A Local Law to amend the New York city charter, in relation to requiring the mayor or the mayor's designee to consider reports of unresponsive, hostile and uncooperative behavior of contractors during the course of council investigations in evaluating the integrity, performance and capability of such contractors.

Oversight and Investigations

Res

By Council Member Treyger:

Resolution calling upon the New York State Board of Regents to abolish required Regents exams.

Education

Int

By Council Member Vallone:

A Local Law in relation to establishing a task force to study the nature and quality of publicly available information relevant to progress made on the mayor's homeless shelter strategy

General Welfare

Int

By Council Member Vallone:

A Local Law to amend the administrative code of the city of New York, in relation to increasing certain penalties for excessive noise from motor vehicles.

Public Safety

Preconsidered L.U.

By Council Member Salamanca:

Application No. **N 190501 HAX (Bronx Point NCFP - UDAAP)** submitted by the Department of Housing Preservation and Development (HPD) pursuant to Article 16 of the General Municipal Law of New York State for the designation of an Urban Development Action Area and the approval of an Urban Development Action Area Project, for the property located at 65 East 149th Street (Block 2356, Lot 2), Harlem River, south of former East 150th Street (Block 2356, Lot 72), demapped portion of East 150th Street (Block and Lot TBD), Land under water/Harlem River, north of former East 150th Street, Area west of Exterior Street/ north of former East 150th Street and p/o of Mill Pond Park and Land under water/ Harlem River, north of former East 150th Street (Block 2356, Lot 1, p/o Lot 2 and p/o Lot 3), in the Borough of the Bronx, Council District 8, Community District 4.

Landmarks, Public Siting, and Maritime Uses

Preconsidered L.U.

By Council Member Salamanca:

Application No. **C 190373 HAK (Brownsville South NCP Cluster - UDAAP)** submitted by the Department of Housing Preservation and Development (HPD), pursuant to Article 16 of the General Municipal Law of New York State for the designation of an Urban Development Action Area and the approval of an Urban Development Action Area Project, and pursuant to Section 197-c of the New York City Charter for the disposition of property located at 47 New Lots Avenue (Block 3855, Lot 40), 609-615 Osborn Street (Block 3628, Lot 9) and 120-122 Liberty Avenue (Block 3693, Lots 22 and 23), in the Borough of Brooklyn, Council Districts 37 and 42, Community District 16.

Landmarks, Public Siting, and Maritime Uses

Preconsidered L.U.

By Council Member Salamanca:

Application No. **20195068 SCQ (3,079-Seat High School Q472)** submitted by the New York City School Construction Authority pursuant to Section 1732 of the Public Authorities Law for approval of a site selection for a new, approximately 3,079-Seat High School Facility to be located on Block 1192, Lots 41, 47, 48, and 54, in the Borough of Queens, Community School District 30, Council District 26, Community District 2.

Landmarks, Public Siting, and Maritime Uses

Preconsidered L.U.

By Council Member Salamanca:

Application No. **N 190334 ZRY (Borough-Based Jail System)** submitted by the New York City Department of Correction and the Mayor's Office of Criminal Justice, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article VII, Chapter 4 (Special Permits by the City Planning Commission) to create a special permit for a borough-based jail system, Citywide.

Landmarks, Public Siting, and Maritime Uses

Preconsidered L.U.

By Council Member Salamanca:

Application No. **C 190336 ZMX (Borough-Based Jail System)** submitted by the New York City Department of Correction and the Mayor's Office of Criminal Justice, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6c, changing from an M1-3 District to an M1-4/R7X District and establishing a Special Mixed Use District (MX-18), in the Borough of the Bronx, Council District 8, Community Board 1.

Landmarks, Public Siting, and Maritime Uses

Preconsidered L.U.

By Council Member Salamanca:

Application No. **N 190337 ZRX (Borough-Based Jail System)** submitted by the New York City Department of Correction and the Mayor's Office of Criminal Justice, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article XII Chapter 3 for the purpose of establishing a Special Mixed Use District; and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, in the Borough of the Bronx, Council District 8, Community District 1.

Landmarks, Public Siting, and Maritime Uses

Preconsidered L.U.

By Council Member Salamanca:

Application No. **C 190338 HAX (Borough-Based Jail System)** submitted by the Department of Housing Preservation and Development (HPD), pursuant to Article 16 of the General Municipal Law of New York State for the designation of an Urban Development Action Area and the approval of an Urban Development Action Area Project, and pursuant to Section 197-c of the New York City Charter for the disposition of property located at 320 Concord Avenue and 745 East 141st Street (Block 2574, p/o Lot 1), in the Borough of the Bronx, Council District 8, Community District 1.

Landmarks, Public Siting, and Maritime Uses

Preconsidered L.U.

By Council Member Salamanca:

Application No. **C 190222 ZMK (3513 Atlantic Avenue Rezoning)** submitted by Leemilt's Petroleum, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 17c and 18a, by establishing within an existing R5 District a C2-4 District in the Borough of Brooklyn, Council District 37, Community District 5.

Zoning and Franchises

L.U.

By Council Member Salamanca:

Application No. **C 190333 PSY (Borough-Based Jail System)** submitted by the New York City Department of Correction, the Mayor's Office of Criminal Justice, and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection of the following properties for borough-based jail facilities: 745 East 141st Street (Block 2574, p/o Lot 1), Borough of the Bronx, Council District 8, Community District 1; 275 Atlantic Avenue (Block 175, Lot 1), Borough of Brooklyn, Council District 33, Community District 2; 124 White Street (Block 198, Lot 1) and 125 White Street (Block 167, Lot 1), Borough of Manhattan, Council District 1, Community District 1; and 126-02 82nd Avenue (Block 9653, Lot 1), 80-25 126th Street (Block 9657, Lot 1), and the bed of 82nd Avenue between 126th and 132nd streets, Borough of Queens, Council District 29, Community District 9. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant Section 11.20(c) of the Rules of the Council and Section 197-d(b)(3) of the New York City Charter.

Landmarks, Public Siting, and Maritime Uses

L.U.

By Council Member Salamanca:

Application No. **C 190335 ZSX (Borough-Based Jail System)** submitted by the New York City Department of Correction and the Mayor's Office of Criminal Justice, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to new Section 74-832 of the Zoning Resolution, as proposed by related application no. N 190334 ZRY, to modify: the use regulations of Section 42-10 (USES PERMITTED AS-OF-RIGHT); the floor area ratio requirements of Section 43-10 (FLOOR AREA REGULATIONS); the height and setback requirements of Sections 43-40 (HEIGHT AND SETBACK REGULATIONS); the permitted parking requirements of Section 44-10 (PERMITTED ACCESSORY OFFSTREET PARKING SPACES); and the loading berth requirements of Section 44-50 (GENERAL PURPOSES) to facilitate the construction of a borough-based jail facility, on property located in an M1-3 District at 320 Concord Avenue (Block 2574, p/o Lot 1), Borough of the Bronx, Council District 8, Community District 1. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant Section 11.20(c) of the Rules of the Council and Section 197-d(b)(3) of the New York City Charter.

Landmarks, Public Siting, and Maritime Uses

L.U.

By Council Member Salamanca:

Application No. **C 190339 ZSK (Borough-Based Jail System)** submitted by the New York City Department of Correction and the Mayor's Office of Criminal Justice, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to new Section 74-832 of the Zoning Resolution, as proposed by related application no. N 190334 ZRY, to modify: the floor area ratio requirements of Sections 101-20 (SPECIAL BULK REGULATIONS) and 33-10 (Floor Area Regulations); the height and setback requirements of Sections 33-40 (HEIGHT AND SETBACK REGULATIONS) and 101-22 (Special Height and Setback Regulations); the permitted parking requirements of Section 36-12 (Maximum Size of Accessory Group Parking Facilities); the loading berth requirements of Section 36-60 (OFF-STREET LOADING REGULATIONS); the special ground floor use requirements of Section 101-11 (Special Ground Floor Use Regulations); and the transparency requirements of Section 101-12 (Transparency Requirements) to facilitate the construction of a borough-based jail facility, on property located at 275 Atlantic Avenue (Block 175, Lot 1, and the portions of State Street between Boerum Place and Smith Street demapped as proposed under a concurrent related application C 190116 MMK), in a C6-2A District, within the Special Downtown Brooklyn District, Borough of Brooklyn, Council District 33, Community District 2. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant Section 11.20(c) of the Rules of the Council and Section 197-d(b)(3) of the New York City Charter.

Landmarks, Public Siting, and Maritime Uses

L.U.

By Council Member Salamanca:

Application No. **C 190116 MMK (Borough-Based Jail System)** submitted by the New York City Department of Correction and the Mayor's Office of Criminal Justice, pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 *et seq.* of the New York City Administrative Code for an amendment to the City Map involving: the elimination, discontinuance and closing of State Street between Boerum Place and Smith Street above a lower limiting plane and below an upper limiting plane the adjustment of grades and block dimensions necessitated thereby; and authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. X-2753 dated March 25, 2019 and signed by the Borough President, Borough of Brooklyn, Council District 33, Community District 2. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant Section 11.20(c) of the Rules of the Council and Section 197-d(b)(3) of the New York City Charter.

Landmarks, Public Siting, and Maritime Uses

L.U.

By Council Member Salamanca:

Application No. **C 190340 ZSM (Borough-Based Jail System)** submitted by the New York City Department of Correction and the Mayor's Office of Criminal Justice, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to new Section 74-832 of the Zoning Resolution, as proposed by related application no. N 190334 ZRY, to modify: the floor area ratio requirements of Section 33-10 (Floor Area Regulations); the height and setback requirements of Section 33-40 (HEIGHT AND SETBACK REGULATIONS); and the loading berth requirements of Section 36-60 (OFF-STREET LOADING REGULATIONS) to facilitate the construction of a borough-based jail facility, in a C6-4 District on property located at 124-125 White Street (Block 167, Lot 1, Block 198, Lot 1, and the portions of White Street between Centre Street and Baxter Street demapped as proposed under related application C 190252 MMM), Borough of Manhattan, Council District 1, Community District 1. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant Section 11.20(c) of the Rules of the Council and Section 197-d(b)(3) of the New York City Charter.

Landmarks, Public Siting, and Maritime Uses

L.U.

By Council Member Salamanca:

Application No. **C 190341 PQM (Borough-Based Jail System)** submitted by the New York City Department of Correction, the Mayor's Office of Criminal Justice, and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property for a borough-based jail facility located at 124 White Street (Block 198, Lot 1), Borough of Manhattan, Council District 1, Community District 1. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant Section 11.20(c) of the Rules of the Council and Section 197-d(b)(3) of the New York City Charter.

Landmarks, Public Siting, and Maritime Uses

L.U.

By Council Member Salamanca:

Application No. **C 190252 MMM (Borough-Based Jail System)** submitted by the New York City Department of Correction and the Mayor's Office of Criminal Justice, pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 *et seq.* of the New York City Administrative Code for an amendment to the City Map involving: the elimination, discontinuance and closing of a volume of a portion of White Street from Centre Street to Baxter Street within limiting planes; the adjustment of grades and block dimensions necessitated thereby; and authorization for any acquisition or disposition of real property related thereto, in accordance with Map Acc. No. 30265 dated March 28, 2019 and signed by the Borough President, Borough of Manhattan, Council District 1, Community District 1. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant Section 11.20(c) of the Rules of the Council and Section 197-d(b)(3) of the New York City Charter.

Landmarks, Public Siting, and Maritime Uses

L.U.

By Council Member Salamanca:

Application No. **C 190342 ZSQ (Borough-Based Jail System)** submitted by the New York City Department of Correction and the Mayor's Office of Criminal Justice, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant new Section 74-832 of the Zoning Resolution, as proposed by related application no. N 190334 ZRY, to modify: the floor area ratio requirements of Section 33-10 (Floor Area Regulations); the height and setback requirements of Section 33-40 (HEIGHT AND SETBACK REGULATIONS); the permitted accessory parking requirements of Section 36-12 (Maximum Size of Accessory Group Parking Facilities); the permitted public parking garage requirements of Section 32-10 (USES PERMITTED AS OF RIGHT); and the loading berth requirements of Section 36-60 (OFF-STREET LOADING REGULATIONS) to facilitate the construction of a borough-based jail facility, on property located at 126-02 82nd Avenue a.k.a. 80-25 126th Street (Block 9653 Lot 1, Block 9657 Lot 1, and the portion of 82nd Avenue between 126th Street and 132nd Street demapped as proposed under related application no. C 190117 MMQ), in a C4-4 District, Borough of Queens, Council District 29, Community District 9. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant Section 11.20(c) of the Rules of the Council and Section 197-d(b)(3) of the New York City Charter.

Landmarks, Public Siting, and Maritime Uses

L.U.

By Council Member Salamanca:

Application No. **C 190117 MMQ (Borough-Based Jail System)** submitted by the New York City Department of Correction and the Mayor's Office of Criminal Justice, pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 *et seq.* of the New York City Administrative Code for an amendment to the City Map involving: the elimination, discontinuance and closing of 82nd Avenue between 126th Street and 132nd Street; the elimination of two Public Places within the area bounded by Union Turnpike, 132nd Street, Hoover Avenue, Queens Boulevard, 82nd Avenue and 126th Street; the adjustment of grades and block dimensions necessitated thereby; and authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. C.P.C. 190117 MMQ dated March 25, 2019 and signed by the Director of the Department of City Planning, Borough of Queens, Council District 29, Community District 9. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant Section 11.20(c) of the Rules of the Council and Section 197-d(b)(3) of the New York City Charter.

Landmarks, Public Siting, and Maritime Uses

L.U.

By Council Member Salamanca:

Application No. **C 190353 HAK (776-780 Myrtle Avenue)** submitted by the Department of Housing Preservation and Development (HPD) pursuant to Article 16 of the General Municipal Law of New York State for the designation of an Urban Development Action Area and an Urban Development Action Area Project for such area, and pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD, for property located at 776-780 Myrtle Avenue (Block 1754, Lots 19, 20 and 22), Borough of Brooklyn, Council District 36, Community District 3.

Landmarks, Public Siting, and Maritime Uses

L.U.

By Council Member Salamanca:

Application No. **20195631 HKK (N 200008 HKK)** submitted by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter and Section 25-303 of the Administrative Code of the City of New York, concerning the designation of the **Bay Ridge Parkway-Doctors' Row Historic District** [DL 514/LP-2631], containing the properties bounded by a line beginning on the northern curbline of Bay Ridge Parkway at a point on a line extending southerly from the western property line of 415 Bay Ridge Parkway, and extending northerly along said line and along the western property line of 415 Bay Ridge Parkway, easterly along the northern property lines of 415 to 473 Bay Ridge Parkway, southerly along the eastern property line of 473 Bay Ridge Parkway, easterly along the northern property line of 475 Bay Ridge Parkway, southerly along the eastern property line of 475 Bay Ridge Parkway, and across Bay Ridge Parkway to the southern curbline of Bay Ridge Parkway, easterly along said curbline to a point on a line extending northerly from the eastern property line of 478 Bay Ridge Parkway, southerly along said line and along the eastern property line of 478 Bay Ridge Parkway, westerly along the southern property lines of 478 to 416 Bay Ridge Parkway, northerly along the western property line of 416 Bay Ridge Parkway and across Bay Ridge Parkway to the northern curbline of Bay Ridge Parkway and westerly along said curbline to the point of beginning, Borough of Brooklyn, Council District 43, Community District 10.

Landmarks, Public Siting, and Maritime Uses

L.U.

By Council Member Salamanca:

Application No. **20195715 TCM (Lola Taverna)** pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Prinkipas LLC d/b/a Lola Taverna, for a revocable consent to establish maintain and operate an unenclosed sidewalk café located at 210 6th Avenue, Borough of Manhattan, Council District 3, Community District 2. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant Section 11.20(c) of the Rules of the Council and Section 20-226 of the New York City Administrative Code.

Zoning and Franchises

L.U.

By Council Member Salamanca:

Application No. **20195720 TCM (Hummus Kitchen)** pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of E & R U.S. Ventures LLC d/b/a Hummus Kitchen, for a revocable consent to establish maintain and operate an unenclosed sidewalk café located at 444 3rd Avenue, Borough of Manhattan, Council District 2, Community District 6. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant Section 11.20(c) of the Rules of the Council and Section 20-226 of the New York City Administrative Code.

Zoning and Franchises

L.U.

By Council Member Salamanca:

Application No. **C 100421 ZMQ (Vernon Boulevard Broadway Rezoning)** submitted by Cipico Construction Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9a, changing from an R5 District to an R6B District, changing from an R5 District to an R7X District, and establishing within the proposed R7X District a C1-3 District, Borough of Queens, Council District 26, Community District 1.

Zoning and Franchises

L.U.

By Council Member Salamanca:

Application No. **N 190151 ZRQ (Vernon Boulevard Broadway Rezoning)** submitted by Cipico Construction Inc. pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Council District 26, Community District 1.

Zoning and Franchises

L.U.

By Council Member Salamanca:

Application No. **C 190386 ZSQ (Vernon Boulevard Broadway Rezoning)** submitted by Cipico Construction Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743 of the Zoning Resolution to permit the distribution of total allowable floor area without regard for zoning lot lines or district boundaries and to modify the minimum base height requirements of Sections 23-664 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residence for seniors) to facilitate a proposed mixed-use development, within a large-scale general development, in R6B and R7X/C1-3 Districts, on property bounded by 10th Street, Vernon Boulevard, Broadway, 11th Street, and 33rd Road (Block 315, Lot 1), Borough of Queens, Council District 26, Community District 1.

Zoning and Franchises

L.U.

By Council Member Salamanca:

Application No. **C 190439 ZSQ (LeFrak City Parking Garage)** submitted by the LSS Leasing Limited Liability Company pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-512 of the Zoning Resolution (as modified by concurrent application no. N 190440 ZQR) to allow: a public parking facility with a maximum capacity of 706 parking spaces including 356 self-park spaces and 350 attended parking spaces on the ground floor, 2nd floor and roof of an existing 2-story garage building; to allow up to 350 spaces to be located on the roof of such public parking facility; to allow floor space on one or more stories and up to a height of 23 feet above curb level to be exempted from the definition of floor area as set forth in Section 12-10 (DEFINITIONS); and to waive the reservoir space requirements of Section 74-512(c) for a public parking garage existing before [date of adoption] that was previously granted a special permit pursuant to this Section; on property located on the northeasterly corner of Junction Boulevard and Horace Harding Expressway (Block 1918, Lots 1, 18, 25 and 114), in a C4-4 District, Borough of Queens, Council District 21, Community District 4.

Zoning and Franchises

L.U.

By Council Member Salamanca:

Application No. **N 190440 ZRQ (LeFrak City Parking Garage)** submitted by the LSS Leasing Limited Liability Company, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, amending Article VII, Chapter 4 (Special Permits by the City Planning Commission) for the purpose of modifying the provision of required reservoir spaces for existing public parking garages with special permits in C4-4 Districts, Borough of Queens, Council District 21, Community District 4.

Zoning and Franchises

NEW YORK CITY COUNCIL

The Following Meetings Are Scheduled

Thursday, September 12, 2019

Committee on Civil & Human Rights

Mathieu Eugene, Chairperson

Proposed Int 136-A - By Council Members Lander, Rosenthal, Rose, Chin, Brannan, Kallos, Reynoso, Powers, Van Bramer, Ayala, Menchaca, Perkins, Rivera, Richards, Levin, the Public Advocate (Mr. Williams), Ampry-Samuel, Levine, Adams, Cumbo and Espinal - **A Local Law** to amend the administrative code of the city of New York, in relation to protections for workers under the city’s human rights law

Committee Room – City Hall.....9:30 a.m.

★ Note Time and Location Change

Committee on Immigration

Carlos Menchaca, Chairperson

Preconsidered Proposed Int ___-A - By Council Member Cabrera - **A Local Law** in relation to requiring the department of social services/human resources administration to provide legal assistance providers information.

Preconsidered Proposed Int ___-A - By Council Member Menchaca - **A Local Law** in relation to requiring training for certain employees of the city of New York on federal regulations relating to inadmissibility on public charge grounds.

Preconsidered Int ___ - By Council Members Moya and Yeger - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the distribution of information on local emergency feeding programs.

Preconsidered Int ___ - By Council Members Rivera - **A Local Law** in relation to the distribution of educational materials about the federal regulations relating to inadmissibility on public charge grounds.

Preconsidered Res ___ - By Council Member Levin and the Public Advocate (Mr. Williams) - Resolution calling on the United States Congress to pass, and the President to sign, legislation that would prohibit the enactment of the federal rule entitled, “Inadmissibility on Public Charge Grounds”.

★Council Chambers – City Hall..... ★9:30 a.m.

Committee on Contracts

Ben Kallos, Chairperson

Proposed Int 1293-B - By Council Members Rose, Cornegy, Brannan, Ayala, Levin, Rosenthal, Adams, King, Kallos, Chin, Lander and Louis - **A Local Law** to amend the administrative code of the city of New York, in relation to minority and women-owned business enterprises.

Proposed Int 1452-A - By Council Members Cornegy, Kallos and Lander (by request of the Mayor) - **A Local Law** to amend the administrative code of the city of New York in relation to minority and women-owned business enterprises.

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

Committee on Rules, Privileges & Elections

Karen Koslowitz, Chairperson

M 178 - Communication from the Mayor submitting the name of Jarrod E. Whittington for appointment as a member of the New York City Environmental Control Board (“Noise Pollution Control”) pursuant to §§ 31 and 1049-a of the *New York City Charter*.

M 179 - Communication from the Mayor submitting the name of Everado Jefferson, a resident of Manhattan, for appointment as a member of the New York City Landmarks Preservation Commission, pursuant to §§ 31 and 3020 of the *New York City Charter*.

Council Chambers – City Hall.....10:30 a.m.

Committee on Land Use

Rafael Salamanca, Jr., Chairperson

All items reported out of the Subcommittees

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – City Hall.....11:00 a.m.

Stated Council Meeting..... *Ceremonial Tributes – 1:00 p.m.*
.....*Agenda – 1:30 p.m.*