

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

CITY COUNCIL STATED MEETING

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June 26, 2013
Start: 10:37pm
Recess: 11:10pm

HELD AT: Council Chambers
City Hall

B E F O R E:

CHRISTINE QUINN
Speaker of the Council
JOEL RIVERA
President Pro Tempore

COUNCIL MEMBERS:

Council Member Maria del Carmen Arroyo
Council Member Charles Barron
Council Member Gale A. Brewer
Council Member Fernando Cabrera
Council Member Margaret S. Chin
Council Member Leroy G. Comrie, Jr.
Council Member Elizabeth S. Crowley
Council Member Inez E. Dickens
Council Member Erik Martin Dilan
Council Member Daniel Dromm
Council Member Mathieu Eugene
Council Member Julissa Ferreras
Council Member Lewis A. Fidler
Council Member Helen D. Foster

A P P E A R A N C E S

COUNCIL MEMBERS:

Council Member Daniel R. Garodnick
Council Member James F. Gennaro
Council Member Vincent J. Gentile
Council Member Sara M. Gonzalez
Council Member David G. Greenfield
Council Member Daniel J. Halloran III
Council Member Vincent M. Ignizio
Council Member Robert Jackson
Council Member Letitia James
Council Member Andy King
Council Member Peter A. Koo
Council Member G. Oliver Koppell
Council Member Karen Koslowitz
Council Member Brad S. Lander
Council Member Jessica S. Lappin
Council Member Stephen T. Levin
Council Member Melissa Mark-Viverito
Council Member Darlene Mealy
Council Member Rosie Mendez
Council Member Michael C. Nelson
Council Member James S. Oddo
Council Member Annabel Palma
Council Member Domenic M. Recchia, Jr.
Council Member Diana Reyna
Council Member Donovan Richards
Council Member Ydanis A. Rodriguez
Council Member Deborah L. Rose
Council Member Eric A. Ulrich
Council Member James Vacca
Council Member Peter F. Vallone, Jr.
Council Member James G. Van Bramer
Council Member Albert Vann
Council Member Mark S. Weprin
Council Member Jumaane D. Williams
Council Member Ruben Wills

A P P E A R A N C E S (CONTINUED)

N/A

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2 SERGEANT-AT-ARMS: Ladies and
3 gentlemen, can I have your attention, please. Can
4 I please have your attention. Quiet, please,
5 quiet on the floor. At this time, please place
6 all cell phones and pagers to vibrate. Again,
7 will all non-Council employees please leave the
8 main floor of the chambers. Thank you.

9 [pause, background noise, gavel]

10 PRESIDENT RIVERA: My colleagues,
11 please rise for the Pledge of Allegiance. [Pledge
12 of Allegiance] Roll call.

13 [pause]

14 CLERK: Arroyo. Barron.

15 COUNCIL MEMBER BARRON: [off mic]
16 Here, I'm here.

17 CLERK: Thank you. Brewer.

18 COUNCIL MEMBER BREWER: Here.

19 CLERK: Cabrera.

20 COUNCIL MEMBER CABRERA: Here.

21 CLERK: Chin.

22 COUNCIL MEMBER CHIN: Here.

23 CLERK: Comrie.

24 COUNCIL MEMBER COMRIE: [off mic]
25 Present.

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CLERK: Crowley. Dickens. Dilan.
Dromm. Eugene. Ferreras.

COUNCIL MEMBER FERRERAS: [off mic]
Here.

CLERK: Fidler.

COUNCIL MEMBER FIDLER: I think I'm
still here. [laughter]

CLERK: Foster.

COUNCIL MEMBER FOSTER: [off mic]
Here.

CLERK: Garodnick. Gennaro.

COUNCIL MEMBER GENNARO: [off mic]
Here.

CLERK: Gentile.

COUNCIL MEMBER GENTILE: Here.

CLERK: Eugene.

COUNCIL MEMBER EUGENE: [off mic]
Here.

CLERK: Gonzalez.

COUNCIL MEMBER GONZALEZ: [off mic]
Here.

CLERK: Greenfield. Halloran.

COUNCIL MEMBER HALLORAN: [off mic]
Here.

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CLERK: Ignizio.

COUNCIL MEMBER IGNIZIO: Here.

CLERK: Jackson.

COUNCIL MEMBER JACKSON: [off mic]

Here.

CLERK: James.

COUNCIL MEMBER JAMES: [off mic]

Here.

CLERK: King.

COUNCIL MEMBER KING: [off mic]

Present.

CLERK: Koo.

COUNCIL MEMBER KOO: I am here.

CLERK: Koppell.

COUNCIL MEMBER KOPPELL: [off mic]

Here.

CLERK: Crowley.

COUNCIL MEMBER CROWLEY: [off mic]

Here.

CLERK: Dilan.

COUNCIL MEMBER DILAN: Here.

CLERK: Garodnick.

COUNCIL MEMBER GARODNICK: [off

mic] Here.

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CITY COUNCIL STATED MEETING

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CLERK: Koslowitz.

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COUNCIL MEMBER KOSLOWITZ: [off

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mic] Here.

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CLERK: Dromm.

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COUNCIL MEMBER DROMM: [off mic]

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Here.

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CLERK: Lander.

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COUNCIL MEMBER LANDER: [off mic]

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Here.

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CLERK: Lappin.

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COUNCIL MEMBER LAPPIN: [off mic]

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Here.

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CLERK: Levin.

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COUNCIL MEMBER LEVIN: [off mic]

16

Here.

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CLERK: Mark-Viverito.

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COUNCIL MEMBER MARK-VIVERITO: [off

19

mic] Here.

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CLERK: Mealy.

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COUNCIL MEMBER MEALY: Present.

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CLERK: Mendez.

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COUNCIL MEMBER MENDEZ: [off mic]

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Here.

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CLERK: Nelson.

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COUNCIL MEMBER NELSON: [off mic]

Present.

CLERK: Palma.

COUNCIL MEMBER PALMA: [off mic]

Here.

CLERK: Recchia.

COUNCIL MEMBER RECCHIA: [off mic]

Here.

CLERK: Reyna.

COUNCIL MEMBER REYNA: Here.

CLERK: Richards.

COUNCIL MEMBER RICHARDS: Present.

CLERK: Rodriguez.

COUNCIL MEMBER RODRIGUEZ: [off

mic] Here.

CLERK: Rose.

COUNCIL MEMBER ROSE: [off mic]

Here.

CLERK: Ulrich.

COUNCIL MEMBER ULRICH: Here.

CLERK: Vacca.

COUNCIL MEMBER VACCA: Here.

CLERK: Vallone.

COUNCIL MEMBER VALLONE: [off mic]

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2 Here.

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CLERK: Van Bramer.

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COUNCIL MEMBER VAN BRAMER: Here.

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CLERK: Vann.

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COUNCIL MEMBER VANN: [off mic]

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Here.

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CLERK: Weprin.

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COUNCIL MEMBER WEPRIN: [off mic]

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Here.

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CLERK: Williams.

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COUNCIL MEMBER WILLIAMS: [off mic]

13

Here.

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CLERK: Wills.

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COUNCIL MEMBER WILLS: [off mic]

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Present.

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CLERK: Oddo.

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COUNCIL MEMBER ODDO: [off mic]

19

Here.

20

CLERK: Rivera.

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COUNCIL MEMBER RIVERA: Here.

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CLERK: Speaker Quinn.

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SPEAKER QUINN: [off mic] Here.

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PRESIDENT RIVERA: Quorum is

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present. We now move on to adopting of the

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minutes.

CLERK: None.

PRESIDENT RIVERA: Messages and papers from the Mayor?

CLERK: M 1169, Appropriations and expenditures for capital projects.

SPEAKER QUINN: Let me just tell you what the thought, it's 8:30 somewhere, that will be received, ordered, printed and filed.

PRESIDENT RIVERA: Communications from the City, County and Borough Offices.

CLERK: Preconsidered M 1170, amendment to the five year capital plan.

SPEAKER QUINN: Finance.

CLERK: Preconsidered M 1171, MN-4, expense mod.

SPEAKER QUINN: Finance.

CLERK: Preconsidered M 1172, MN-5, new revenues.

SPEAKER QUINN: Finance.

PRESIDENT RIVERA: Petitions and communications.

CLERK: None.

PRESIDENT RIVERA: Land Use call-

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ups.

CLERK: M 1173 through M 1177,
sidewalk cafés.

SPEAKER QUINN: I'm going to couple
those, and if we could get a roll call, please,
just on the Land Use call-ups at this time.

PRESIDENT RIVERA: So ordered.

CLERK: Arroyo.

COUNCIL MEMBER ARROYO: Aye.

CLERK: Barron.

COUNCIL MEMBER BARRON: [off mic]
Aye.

CLERK: Brewer.

COUNCIL MEMBER BREWER: Aye.

CLERK: Cabrera.

COUNCIL MEMBER CABRERA: Aye.

CLERK: Chin.

COUNCIL MEMBER CHIN: Aye.

CLERK: Comrie. Crowley.

COUNCIL MEMBER CROWLEY: [off mic]
Aye.

CLERK: Dickens.

COUNCIL MEMBER DICKENS: [off mic]

Aye.

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CLERK: Dilan.

COUNCIL MEMBER DILAN: Aye.

CLERK: Dromm.

COUNCIL MEMBER DROMM: Aye.

CLERK: Eugene.

COUNCIL MEMBER EUGENE: Aye.

CLERK: Ferreras.

COUNCIL MEMBER FERRERAS: [off mic]

Aye.

CLERK: Fidler.

COUNCIL MEMBER FIDLER: Yeah.

CLERK: Foster.

COUNCIL MEMBER FOSTER: [off mic]

Aye.

CLERK: Garodnick.

COUNCIL MEMBER GARODNICK: [off

mic] Aye.

CLERK: Gennaro.

COUNCIL MEMBER GENNARO: [off mic]

Yeah.

CLERK: Gentile.

COUNCIL MEMBER GENTILE: [off mic]

Aye.

CLERK: Gonzalez.

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COUNCIL MEMBER GONZALEZ: Aye.

CLERK: Greenfield.

COUNCIL MEMBER GREENFIELD: [off
mic] Aye.

CLERK: Halloran.

COUNCIL MEMBER HALLORAN: [off mic]
Aye.

CLERK: Ignizio.

COUNCIL MEMBER IGNIZIO: I hope
every vote goes like this tonight. Aye.

CLERK: Jackson.

COUNCIL MEMBER JACKSON: Aye on
all.

CLERK: James.

COUNCIL MEMBER JAMES: Aye.

CLERK: King.

COUNCIL MEMBER KING: Aye.

CLERK: Koo.

COUNCIL MEMBER KOO: Aye.

CLERK: Koppell.

COUNCIL MEMBER KOPPELL: [off mic]
Aye.

CLERK: Koslowitz.

COUNCIL MEMBER KOSLOWITZ: Aye.

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CLERK: Lander.

COUNCIL MEMBER LANDER: [off mic]

Aye.

CLERK: Lappin.

COUNCIL MEMBER LAPPIN: [off mic]

Aye.

CLERK: Levin.

COUNCIL MEMBER LEVIN: [off mic]

Aye.

CLERK: Mark-Viverito.

COUNCIL MEMBER MARK-VIVERITO: [off

mic] Aye.

CLERK: Mealy.

COUNCIL MEMBER MEALY: Aye.

CLERK: Mendez.

COUNCIL MEMBER MENDEZ: Aye.

CLERK: Nelson.

COUNCIL MEMBER NELSON: [off mic]

Aye.

CLERK: Palma.

COUNCIL MEMBER PALMA: [off mic]

Aye.

CLERK: Recchia.

COUNCIL MEMBER RECCHIA: Aye.

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Aye.

Aye.

CLERK: Reyna.
COUNCIL MEMBER REYNA: Aye.
CLERK: Richards.
COUNCIL MEMBER RICHARDS: Aye.
CLERK: Rodriguez.
COUNCIL MEMBER RODRIGUEZ: Aye.
CLERK: Rose.
COUNCIL MEMBER ROSE: [off mic]
CLERK: Ulrich.
COUNCIL MEMBER ULRICH: Aye.
CLERK: Vacca.
COUNCIL MEMBER VACCA: Aye.
CLERK: Vallone.
COUNCIL MEMBER VALLONE: Aye.
CLERK: Van Bramer.
COUNCIL MEMBER VAN BRAMER: Aye.
CLERK: Vann.
COUNCIL MEMBER VANN: Aye.
CLERK: Weprin.
COUNCIL MEMBER WEPRIN: Aye.
CLERK: Williams.
COUNCIL MEMBER WILLIAMS: [off mic]

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CLERK: Wills.

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COUNCIL MEMBER WILLS: Aye.

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CLERK: Comrie.

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COUNCIL MEMBER COMRIE: [off mic]

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Aye.

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CLERK: Oddo.

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COUNCIL MEMBER ODDO: [off mic]

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Yes.

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CLERK: Rivera.

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COUNCIL MEMBER RIVERA: I vote aye.

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CLERK: Speaker Quinn.

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SPEAKER QUINN: [off mic] Aye.

13

[pause]

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PRESIDENT RIVERA: Today's Land Use

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call-ups are adopted by a vote of 51 in the

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affirmative, with zero in the negative. We now

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move on to communication from the Speaker.

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SPEAKER QUINN: Thank you. We are

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voting on a number of different important matters

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tonight, but first let me start with the budget

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for the Fiscal Year that will begin July 1st. I

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want to take a moment to thank our Finance Chair,

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Domenic M. Recchia, Jr., for all of his work on

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the budget. [cheers, applause] I want to thank

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1
2 all of the Speaker's Office staff, particularly
3 Ramon Martinez and Chuck Meara, Barbara Scafiddi.
4 [cheers, applause] I want to thank all the
5 Sergeants-at-Arms who help us all of the time, but
6 particularly during the budget time. And again,
7 Barbara and Margaret and Selina and Phyllis and
8 everyone in the Speaker's Office. I want to thank
9 [applause] Barbara's not used to people clapping
10 for her, as opposed to yelling at her. I want to
11 thank Preston Niblack and Jeff Rodus, our two
12 fearless leaders in the Finance Division.
13 [cheers, applause] I want to thank our Finance
14 Deputies, Ray Majewski, Latonia McKinney, Regina
15 Poreda-Ryan, special thanks to Emre Edev for his
16 ever--making him the most popular guy in Finance,
17 for preparing the property tax resolutions. No
18 one loves a property tax resolution more than
19 Emre. I want to give special thanks to Scott
20 Crowley and Nathan Toth [phonetic] and Jimmy Reyes
21 and Jessica Jimenez and Nora Yaha [phonetic] and
22 Nicole Anderson for their many sleepless hours of
23 work leading up to tonight. So if we could get a
24 big round of applause for everyone in Finance.
25 [applause, cheers] Before I say a few quick words

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2 about the budget, I do want to make note that
3 there are a couple of errors in the books, some
4 that were the fault of OMB--I'm just mentioning
5 that, not pointing it out overly--and then a
6 couple that may have been errors of leaving off
7 members who should be associated with different
8 items, so we will update those as soon as we can
9 tomorrow. So we apologize if anyone's name was
10 left off an item that they should've been
11 associated with. This is, for many of us, our
12 eighth budget. And I think this budget pointed
13 out a number of important things. That when we
14 all decide we're going to focus on doing our jobs
15 for New Yorkers, on delivering for New Yorkers, we
16 can get that done in a remarkably calm, dignified
17 manner, without a lot of fighting for the sake of
18 fighting. And that's what we've done in this
19 budget, keeping core services intact, and in the
20 final couple of weeks of negotiations, as we came
21 to understand the effects of the sequester, was
22 deeper than we thought they would be. And we
23 faced real threats to our housing authority, the
24 real threats of losing some senior centers, youth
25 centers, and having workers be laid off. Everyone

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2 came together and worked with Mayor Bloomberg and
3 his staff and prevented those cuts from occurring.
4 This eighth budget is one we could be as proud of
5 as any of the budgets we have passed together,
6 because we have shown not just that you can keep
7 core services, not just that you can get through a
8 recession and come out of it, and move forward on
9 firm, financial footing, that you can do that in a
10 respectful and dignified way, as a legislative
11 body, which is something, quite frankly, other
12 legislative bodies in this country should take
13 note of. So I want to thank everyone who's been a
14 part of that. I also want to thank my leadership
15 team; our Minority Leader, Jimmy Oddo; our
16 Majority Leader, Joel Rivera; our Deputy Majority
17 Leader, Lew Fidler; our Assistant Majority
18 Leaders, Inez Dickens and Leroy Comrie; and our
19 Majority Whip, Al Vann--for all of their work on
20 this budget, as well, if I could ask for a round
21 of applause for them. And [applause] let me now
22 call on our Finance Committee Chair, Council
23 Member Domenic M. Recchia, Jr.

24 COUNCIL MEMBER RECCHIA: Thank you
25 very much, Madam Speaker. The vote we are about

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2 to take on this budget is very bittersweet, and is
3 a special occasion for me. This is my last budget
4 after 12 years on the City Council, four of which
5 I served as the Finance Committee Chair, under the
6 distinguished leadership of my friend, and our
7 wonderful Speaker, Christine Quinn. It has been a
8 great honor and privilege for me to serve as Chair
9 of this Committee, which as the incredible
10 obligation of shepherding the funding of this
11 Council's policies/priorities in to reality each
12 year. I have been blessed with the opportunity to
13 work with you, my colleagues, to move the City of
14 New York forward, and I want to thank each and
15 every member here for the hard work, time and
16 dedication that they have put in year after year
17 towards this process. By working together, we
18 have proven why this body remains the voice of the
19 people of the City of New York. My tenure as
20 Finance Chair and the success we have seen over
21 the past four years, with consecutive, on time,
22 balanced budgets that didn't raise taxes, were a
23 direct result of Speaker Quinn. As we vote here
24 tonight, I would be remiss if I didn't recognize
25 her leadership in making this budget, the past

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2 seven budgets, possible. She leads by example and
3 puts in hours upon hours of work into making this
4 happen. She fights like no other for the people
5 of New York. Speaker Quinn, tonight I want to
6 acknowledge you and everything you have done for
7 this City. Thank you, and thank you for allowing
8 me to serve with you. [applause] I must also
9 acknowledge and cannot thank enough the fantastic
10 Finance staff, who have put in countless hours,
11 days, weeks and months into this budget. Under
12 the leadership of my wonderful Director, Preston
13 Niblack, and my First Deputy, Jeffrey Rodus
14 [applause], these men and women have many
15 sleepless nights on behalf of all of us in this
16 room, and this City, we owe them a great deal of
17 gratitude. I also want to thank the entire staff,
18 Nicole Anderson, Maria Pagan, Regina Ryan, Eisha
19 Wright, Christina Perrotti, Lionel Francois,
20 Latonia McKinney, John Russell, Doheny Sapporum
21 [phonetic], Nora Yaya and - - Francesco, Jim Obay
22 [phonetic], Kate Seely-Kirk, Amy Stokes, Ralph
23 Hernandez, Nathan Toth, Scott Crowley--where's
24 Scott? Let's give him a round of applauses.
25 [cheers, applause] Jimmy Reyes, - - , Jessica

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2 Jimenez, Ray Majewski, Paul - - , Emre Edev,
3 Jonathan Outback and Alice Gorvecan [phonetic].
4 Tanisha Edwards, my wonderful attorney for the
5 last, past four years [applause] and Juliana Hahn
6 [phonetic]. I also want to thank my staff, who
7 have been with me: Thomas Lynch, Migna Lespanaz
8 [phonetic], Ashley Owens and of course, last but
9 not least, Kenny, where's Kenny? Kenny Grace
10 [phonetic, applause, cheers] thank you for always
11 being there every night. And thank you, too,
12 where's the General Counsel's office? Let's give
13 them a round of applause for the wonderful job
14 they did in purposing everything, under the
15 leadership of Liz Fine. I also want to thank
16 Ramon Martinez and Chuck Meara. I want to thank
17 them for the great job they have done. [applause]
18 I also want to thank the Mayor's Office, I want to
19 thank Hannah Mahathis [phonetic], Nanette Smith,
20 and their fine staff. Once again, we can all be
21 proud we have worked together to produce a fair,
22 responsible budget that is on time, balanced and
23 doesn't raise taxes. Although this year we're
24 faced with unexpected obstacles, one natural in
25 Super Storm Sandy, and one man-made with federal

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2 closure of fire companies and to ensure the City
3 pools will open this summer. [applause] All
4 initiatives included in last year's budget were
5 fully restored. I can go on and on, but the
6 Speaker has said it all. This is my last budget.
7 And I just want to say to all my colleagues, it's
8 been a great past four years to be the Finance
9 Chairman, I loved it, I love serving with all of
10 you. Thank you, Speaker Quinn. And in light of
11 everything that we go through, the budget
12 negotiations team, they do a great job, I want to
13 thank all of the budget negotiating members, and
14 we've had a great time. We disagreed, but we came
15 to agree for the best interests of the people of
16 New York. In light of these accomplishments, I am
17 proud to encourage all my colleagues to vote aye
18 for this year's 2014 budget. Thank you very much.

19 SPEAKER QUINN: Thanks, Domenic.

20 [applause] And I just want to add a couple of
21 thank yous. There's an enormous amount of work
22 that goes into two additional parts of the budget
23 Domenic mentioned. One of them, the vetting team
24 that looks at the various not-for-profit
25 organizations, and that's led by our General

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2 Counsel's office, with Liz Fine, and Nadir and Jim
3 Caras and Chuck Davis. [applause] So if we could
4 thank all of them and everyone in the General
5 Counsel's office, and also the terms and
6 conditions, as well as the other legal matters in
7 the budget, which as Domenic said, are overseen by
8 Tanisha Edwards. So I want to just thank Tanisha
9 and everyone, who particularly gives such care to
10 terms and conditions, which Tanisha knows that I
11 love. So, thank you very, very much for all of
12 your work. We are also voting today on the
13 override of the veto of Intro 97A, sponsored by
14 Council Member Gale Brewer, which comes out of the
15 Civil Service and Labor Committee, and that is
16 override on the paid sick leave bill. I want to
17 thank Laura Popa, Matt Carlin, Turza Nazur
18 [phonetic], Molly Murphy, Lauren Axelrod, Jim
19 Caras, Jeff Metzler and Council Member Gale
20 Brewer's staff. And let me call on Gale to talk
21 about the override.

22 COUNCIL MEMBER BREWER: Thank you
23 very much. I certainly want to thank Schuler
24 Warren [phonetic] from our office, Chief of Staff,
25 and Will Colgrove who spent three years working on

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2 this bill. I want to thank all my colleagues who
3 stuck with us the entire three years, and I
4 certainly want to thank the Speaker and her staff.
5 I think you mentioned some of them. I think it's
6 very interesting that at the press conference we
7 had today, to talk about this so-called "Earned
8 Sick Time Act," Proposed Intro 97-A, that as it is
9 clear that it will become law, businesses are
10 stating to members and to individuals and the
11 public, that they do not find this to be
12 burdensome, they are not concerned about it, and
13 they look forward to having a more loyal group of
14 employees. At the same time, this very
15 progressive piece of legislation, which I think
16 might be the most progressive legislation every
17 passed by this body in terms of the number, one
18 million New Yorkers, who will be positively
19 impacted. The workers were almost crying today at
20 the press conference. These are workers who have
21 come for three years to press conferences, whether
22 it's hot, cold, rain or snow, and they will now be
23 the beneficiaries of what all workers should have,
24 which is the ability to stay home if you're sick,
25 or your child is sick, or your parents are sick.

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2 The doctors today, the health professionals, are
3 ecstatic, they feel that they will then be able to
4 take better care of their patients. So, thank you
5 to all, there were a huge coalition of unions,
6 women groups, health professionals, workers, and
7 anybody who cared deeply about this, parents, even
8 students, and I thank you all very much. I look
9 forward to the override and I know that this will
10 be a great law starting April 2014. Thank you
11 very much.

12 SPEAKER QUINN: And Gale, I just
13 want to add to the thank yous on behalf of
14 everyone on the Council, to thank you for all of
15 your hard work. Your leadership, but also all of
16 your commitment to meeting with all sides of this.
17 And I think part of the reason why you were
18 hearing such good feedback from businesses today
19 is the great strides you took in the process to
20 make sure the bill was fair to workers and fair to
21 small businesses. So thank you very, very much,
22 Gale. We're also voting today on, tonight, on
23 Intro 974-A, a piece of legislation that will
24 permit sidewalk cafés to operate on Sundays
25 beginning at 10:00 a.m., and I'm going to, on some

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2 of these bills, like the override and this, just
3 turn over to the Chairs to say, and sponsors, to
4 say some comments. So, let me call on the sponsor
5 and the Chair, Council Member Dan Garodnick. And
6 let me thank Rachel Cordero, Damien Butvick and
7 Alex Pistilnick [phonetic] for their work. Dan?

8 COUNCIL MEMBER GARODNICK: Thank
9 you, Madam Speaker, and I will freely acknowledge
10 this is not the most important item on tonight's
11 agenda. But I encourage my colleagues to take a
12 stand for brunch loving New Yorkers tonight.
13 Today, operating a sidewalk café on a Sunday
14 morning before noon will yield you a ticket. It's
15 a relic of the past, it is widely ignored, and it
16 serves no purpose. This bill will allow brunch to
17 convene at 10:00 a.m. on a Sunday, which still
18 gives communities a little bit of a breather on
19 Sunday morning, but also allows brunch to start
20 two hours earlier than it otherwise would. And I
21 know that while it may not be the most important,
22 it certainly is going to make a lot of New Yorkers
23 very, very happy. I encourage my colleagues to
24 vote yes. I want to thank Steve Levin for his
25 great advocacy on this. And I encourage an aye

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2 vote. Thank you.

3 SPEAKER QUINN: Thank you very
4 much, Dan. Let me now move on to talk about Intro
5 1079-A, and Intro 1080. Let me make recognition
6 that we have many of the folks from the Community
7 Safety Act Coalition with us today. But I want to
8 particularly recognize Ben Jealous, the national
9 president of the NAACP, who is with us tonight.
10 [applause, cheers] So thank you, Benjamin
11 Jealous, for being with us. I want to thank
12 Council Members Williams and Lander, their staffs.
13 I want to thank Rob Newman, Peggy Chan, Oona
14 Peterson, Carmine Guiga, Sal Arrona, Lauren
15 Axelrod, Jim Caras, Jeff Metzler, Liz Fine, and
16 particularly Alex Pistilnick, for their work on
17 these pieces of legislation. Let me speak about
18 Intro 1079, which has been come to be referred as
19 the Inspector General Bill. This piece of
20 legislation, when it goes into law, will create a
21 monitoring mechanism, if you will, for the Police
22 Department, within the Department of
23 Investigations. This entity within DOI will look
24 not at what individual police officers do, but at
25 overall policies and practices of the Police

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2 Department. Almost every other City agency has
3 this type of monitoring. Just about every federal
4 law enforcement entity has this type of
5 monitoring, and other police departments across
6 the country have this type of monitoring. Again,
7 it will look at policies and practices, and submit
8 reports to the Mayor of suggestions of what could
9 be done to improve policing. Now some have
10 suggested that putting this type of monitoring in
11 place will make the City less safe. Let's look at
12 the facts here. When George Bush was President,
13 more monitoring of federal law enforcement was put
14 in place, and there was no evidence at all that it
15 hampered the work of those entities. The year
16 after Los Angeles implemented their monitor, crime
17 went down 33 percent, and community approval of
18 the L.A. Police Department went up to 84 percent.
19 So the statement that this is going to cause crime
20 to go up, there are no facts out there that bear
21 this up. There's also been an assertion that the
22 Inspector General will cause confusion for police
23 officers who are out there every day, about to
24 whom they report. That also, there's no evidence
25 to support that. Because the Inspector General

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2 will put out reports that are suggestions. Just
3 as we've seen the Department of Investigations do
4 with other agencies and other entities. For them
5 to be relevant to the lives of police officers,
6 they would have to be adopted by the Mayor and the
7 Police Commissioner, and then put out in the
8 manner to police officers. But what 1079 will do,
9 I believe, is give us good ideas. Good ideas on
10 how to make the policing in this City better, and
11 also send a message to communities that right now,
12 as a result of Stop and Frisk, feel very separate
13 from the Police Department. Feel targeted by the
14 Police Department. We'll send a message, "We are
15 coming together to try to reunite the police and
16 communities." 'Cause make no mistake, one thing
17 that will make our City less safe, is if New
18 Yorkers feel at odds and not comfortable and
19 united with their Police Department. So I would
20 urge everyone to vote for 1079 today. I know
21 there's some Council Members who have different
22 views on this, so I look forward to our
23 discussion, even though it is late tonight, and
24 thank everyone for their attention to this matter.
25 And I want to thank everyone who's been on all

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2 sides of these pieces of legislation, because
3 we've had input and discussion, the bills have
4 evolved and everyone has been respectful in the
5 input they have given. I particularly want to
6 thank Council Member Williams and Council Member
7 Lander, and their staff, who with the coalition
8 have worked very, very hard [applause, cheers],
9 have worked very hard to make sure that these
10 pieces of legislation are on point, are solid, and
11 take positive steps forward. And don't have any
12 negative repercussions. That's why there's been
13 many reworks of the versions, and I just want to
14 thank them for all of their openness and working
15 with myself and my staff as well. So, let me now
16 call first on Council Member Williams to--and then
17 Council Member Lander, to speak about 1079. And
18 then Council Member Williams to speak about 1080,
19 the racial profiling bill.

20 COUNCIL MEMBER WILLIAMS: Thank
21 you, Madam Speaker. I don't know about anyone
22 else, I came here solely to vote on the brunch
23 bill. [laughter] So, I'm happy that I get to
24 cast my vote. I want to thank Speaker Quinn for
25 the support of this bill. I want to thank Council

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2 Member Lander, my partner in safety. We would not
3 have been here without his work and his staff
4 work. I also want to thank Chair Vallone for the
5 language that we used in one of the bills, to help
6 make those bills, that bill stronger. These
7 things are going to be for both of the bills. I
8 want to thank the lead co-sponsors: Cabrera,
9 Jackson, Mark-Viverito and Mendez. And all of the
10 sponsors who have stayed tried and true
11 throughout. My staff, Kay Bay [phonetic], Seth
12 Rengel [phonetic], Stephan Rengel, Lance Huff,
13 Council Member Lander's staff, I'm sure he'll
14 thank them, Mike - - , Alex Moore, Rachel Goodman,
15 Speaker Quinn's staff, Ramon Martinez, Alex
16 Pistilnick, actually central staff, Ramon
17 Martinez, Alex Pistilnick, Rob Newman, Oona
18 Peterson, Margaret Nelson, Jim Caras, Carmine
19 Guigas--sorry I chopped up your name, they chop up
20 my name all the time--Lauren Axelrod, BLC,
21 Progressive Caucus, Communities United for Police
22 Reform, Ju Yun Kang [phonetic], Priscilla Gonzalez
23 [cheers, applause] New York Civil Liberties Union,
24 Donna Lieberman, Rudy Efer [phonetic] who was back
25 joining us today, Joanna Miller, Candace Tolliver

1 [phonetic], Center for Constitutional Rights,
2 Nahau Zamani [phonetic], National Action Network,
3 Reverend Al Sharpton, Tamika Mallory [phonetic],
4 NAACP, thank you, Ben Jealous for being here today
5 on this historic night, Dr. Hazel Dukes and Marvin
6 Bing, who is also with us, SEIU 1199, George
7 Grisham, Kevin Finnegan, Lilly Carino [phonetic],
8 SEIU 32BJ, Hector Figueroa, Kyle Bride [phonetic],
9 Natalia Salgado, Alison Hirsch, UFT, Michael
10 Mulgrew, Janet Mehoffman [phonetic], Working
11 Families Party, Bill Lipton, Emmanuel Casero
12 [phonetic], Broad Coalition of Labor Support,
13 RWDSU, DC 37, TWU Local 100, Hotel Trades Council,
14 CLC and so many more. Make the Road New York,
15 Javier Valdez, Jose Lopez, Muslim American Civil
16 Liberties Coalition [applause, cheers], Mendez
17 Hasor [phonetic], Desis Rising Up and Moving,
18 Fahad Ahmad [phonetic], a vast array of advocacy
19 groups, Justice Committee, Malcolm X Grassroots
20 Movement, Picture the Homeless, Streetwise and
21 Safe, Open New York and countless others. I know
22 we missed some, I apologize. I want to thank you
23 all. My pastors always made sure, drilling in my
24 head, "Do not mistake ownership for stewardship."
25

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2 So, I'm very happy and excited that I was part of
3 the crew that has steward--steered this
4 legislation to where it is now, but we could not
5 have been here without all of my colleagues who
6 were supporting, and all the people who are in the
7 bill. And today, finally, I want to thank, say
8 thank you to our men and women of the NYPD. We
9 have had so many productive and constructive
10 conversations with officers that protect our
11 streets, to make these bills as strong as they are
12 today, and we look forward to continuing our
13 partnership with law enforcement, and I encourage
14 everyone to vote aye on 1079. Thank you.

15 [applause]

16 COUNCIL MEMBER LANDER: Thank you,
17 Madam Speaker, and thank you, Council Member
18 Williams. Tonight, we are taking big steps
19 forward, toward a New York City that keeps our
20 families safe, respects all of our civil rights,
21 rejects bias based profiling and embraces good
22 government. New Yorkers know that we can keep our
23 cities safe from crime and terrorism without
24 profiling our neighbors, based on their race,
25 religion, sexual orientation or immigrant status.

1 We have carefully crafted these bills to provide
2 meaningful oversight and address issues of
3 profiling while ensuring that our police officers
4 can do their job. These bills are aimed at
5 guaranteeing that we have the best police
6 department we possibly can. As the Speaker said,
7 Intro 1079 will direct the Department of
8 Investigation to establish a unit that looks at
9 important policy questions that have long needed
10 investigation: allegations of arrest quotas, of
11 crime statistics downgrading; of ensuring that
12 surveillance is based on leads, not on religion or
13 ethnicity. Going back decades, advocates for good
14 government and law enforcement have advocated for
15 meaningful independent oversight, including Peter
16 Vallone, Sr., when he was the leader of this body,
17 and in fact at a prior time, Ray Kelly. Intro
18 1079 will not create two commissioners or confuse
19 lines of authority, something every other agency
20 commissioner in New York City, who works with the
21 DOI Inspector General can attest to. It won't
22 prevent the NYPD from engaging in partnerships
23 with federal or state law enforcement agencies, as
24 the police commissioners in Los Angeles and
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1 Chicago can attest, they both have inspectors
2 general, and in fact the CIA and the FBI
3 themselves have inspectors general. These
4 investigations will provide insights to improve
5 policing, providing useful information to the
6 Mayor, to the Police Commissioner who set policy,
7 and also to this body who have a responsibility
8 for reviewing and overseeing it. Independent
9 investigations of police policies and practices
10 will help make sure that the civil rights and
11 civil liberties of New Yorkers are protected and
12 that those good ideas help us make sure we get the
13 best police department possible. I'm honored to
14 be a prime co-sponsor of these bills, and to be a
15 member of the City Council that will pass them
16 tonight. And in fact, I'm proud of this
17 institution tonight. It is a profound
18 accomplishment for a legislative body these days
19 to confront a hard set of issues, to debate them,
20 to produce and amend and amend and amend
21 substantial bills responsive to that debate, and
22 then build a significant majority to pass them. A
23 few bodies I can think of don't do that on easy
24 issues, and here we are doing it on hard issues.
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2 And I therefore want to give deep thanks to
3 Speaker Quinn and her staff for making this
4 possible. I won't rename the great coalition of
5 individuals and organizations and advocates that
6 Jumaane mentioned, but I just want to say it has
7 been an honor to work with a coalition as diverse
8 and as beautiful as New York City. And I'm proud
9 of the work that we've done together. I
10 especially want to thank all my colleagues, I look
11 forward to our robust debate tonight. And I hope
12 it ends in time for brunch. [laughter]

13 PRESIDENT RIVERA: Thank you very
14 much, we're going to call on Council Member--

15 SPEAKER QUINN: And Council Member--
16 -

17 PRESIDENT RIVERA: --Williams
18 again.

19 COUNCIL MEMBER WILLIAMS: Thank
20 you. I'm going to speak about 1080, commonly
21 called the Profiling Bill. I don't have any
22 notes, 'cause I wanted to speak from my heart,
23 instead of prefabricated points. There's been a
24 lot of bald faced lies, actually, and mistruths
25 told about this bill. Up until maybe two hours

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2 ago, the Mayor himself, the Commissioner himself,
3 people's precinct commanders, have been calling
4 them, telling them that if we pass this
5 legislation, that officers will not be able to use
6 descriptions over the radio. They have been
7 telling them that if we pass this bill, officers
8 will be financially liable and may lose their
9 home. All of these are spreading fear amongst
10 people, and that is what is dangerous. And I
11 would ask them to stop. I have challenged them
12 and said, "If you can point out in the bill where
13 these things are ... " [laughter] Ooh. If you
14 can [laughter]--

15 SPEAKER QUINN: Apparently, OMB
16 forgot to pay the ConEd bill, but let's try to
17 figure this out. [laughter]

18 COUNCIL MEMBER WILLIAMS: - - is
19 that you? I'll keep going.

20 SPEAKER QUINN: Yep, there you go.

21 COUNCIL MEMBER WILLIAMS: If we, I
22 have challenged them to point out in the bill--I
23 have challenged them to point out in the bill
24 [background noise] where these things are, and I
25 would pull the bill before the vote. If they

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2 couldn't point it out, I challenge them to pull
3 their ads and to apologize. I have yet to hear
4 back from my challenge. I am concerned because
5 the vast majority of people who I know are
6 planning to vote tonight against 1080 are not the
7 people who represent or deal with the gun violence
8 in these communities. They are not the people who
9 deal with or represent the people who deal with
10 the overuse and misuse of police policies in their
11 districts. And historically, there has been a
12 paternalistic response to communities saying what
13 they need to assist them. And people who do not
14 represent them and live there, say that we know
15 better than you, even though you are living it.
16 Adding insult to injury, what is going to be said
17 by many people who may vote against this is that
18 the people who represent these districts are not
19 as sensible when it comes to safety. You may not
20 want safety as much as they might want it. Or
21 perhaps not intelligent enough to understand what
22 we have to do to get safety. I implore you that
23 if you have never been a young, black, Latino male
24 or female in the City of New York to please listen
25 to us. I implore you, if you have never been

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2 lesbian, gay, bisexual, transgender, questioning,
3 in the City of New York, to please listen to us.
4 I implore you that if you have never been Muslim
5 in the City of New York, to please listen to us.
6 If you have never been Asian in the City of New
7 York, please listen to us. If you have never been
8 the people that we are trying to help and who are
9 dealing with these issues every single day, please
10 listen to us. And on top of that, I am routinely
11 asked to vote on matters that don't really affect
12 my district, that affect other people's district,
13 that I don't know much about, but I listen to them
14 and I side with them. I'm asking for the same
15 courtesy here. The vast majority of the Black,
16 Latino, Asian Caucus are supporting these bills,
17 they believe profiling adds teeth, the profiling
18 bill, it's been narrowly tailored to only get at
19 profiling and nothing else. The people who
20 represent these districts are dealing and going to
21 the funerals of the gun violence, but we know that
22 what has been happening in response to it, has not
23 been fixing it. I'm asking my colleagues to pay
24 the same respect that we pay you when you tell us
25 what is going on in your district. I believe that

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2 we are all intelligent enough here to understand
3 what is going on in our districts, and understand
4 that we can have safety and can have police
5 accountability at the exact same time. Again I
6 would say, if you don't live there, if you haven't
7 been going through it, if you do not represent
8 these areas, please side with us, as we have sided
9 with you. Thank you. [applause, cheers]

10 SPEAKER QUINN: That concludes
11 communications from the Speaker.

12 PRESIDENT RIVERA: Thank you very
13 much, Madam Speaker. We now move on to discussion
14 of General Orders. We have three members on the
15 roster. I'm going to be strictly enforcing the
16 time clock, so that way we can get through the
17 meeting. First we have Council Member Williams.
18 Do you want to speak again, we just had you on the
19 list.

20 COUNCIL MEMBER WILLIAMS: I don't
21 know if I could add on to that, but [laughter] I
22 would just reiterate, please, these bills have
23 been narrowly tailored. I wish that we had had a
24 public hearing so people could have fully
25 discussed the changes that have happened, but we

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2 were unable to do that. I took advice from
3 everyone, including the PBA and how to make these
4 bills stronger. And I think we did that. And I
5 think and believe that we hit the right note, and
6 will not jeopardize safety, and will not
7 jeopardize the bank of the City of New York.

8 Thank you.

9 PRESIDENT RIVERA: Thank you very
10 much. We now move on to Council Member Barron.

11 COUNCIL MEMBER BARRON: Thank you
12 very much. You know, this is a easy one for me.
13 When the Mayor doesn't like it and the
14 Commissioner doesn't like it, it has to be good
15 for New York. [laughter, applause] So, that's
16 enough for me. And I want to congratulate Council
17 Member Williams, it's very, very tough to take on
18 the powers that be, you did an excellent job, and
19 I want to congratulate you for that. [applause]
20 I wanted to spend more of my time on the budget,
21 'cause for profiling, you know, unless they go to
22 jail when they brutalize us, or use deadly force,
23 or fired when they profile us, we're going to have
24 some issues. So we got to strengthen this
25 tonight. But what we're missing is the budget.

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2 The budget sometimes is more brutal than the
3 police. When you have a \$70 billion budget in New
4 York City, and the Board of Education has a \$5
5 billion contracting budget, and tonight people are
6 going to go to sleep homeless, hungry, even as a
7 resolve the senior citizen centers. Yeah, we put
8 it back, but 100 people may lose their jobs,
9 because every year we go through this annual
10 budget dance over \$500 million, and we don't look
11 at the rest of the budget of \$70 billion. This is
12 the richest country and city in the world, in the
13 history of this planet. Nobody should be hungry,
14 homeless, nobody should be as unemployed. The
15 rich are getting richer, the gap is widening, and
16 we have an opportunity with these budgets to do
17 something about that. I want to warn us, and it's
18 not me, you take our voting rights away from us,
19 as the Supreme Court is attempting to do, you
20 don't have budgets that resolve hunger, poverty
21 and unemployment, and then you have police out of
22 control. This is the making of a condition for a
23 country to have a revolution, to have a radical
24 change. And we need to really look at that.
25 [applause] So, I'm voting no on the budget, yes

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on the Community Safety Act.

PRESIDENT RIVERA: We now move on to Council Member Jackson.

COUNCIL MEMBER JACKSON: Thank you, Majority Leader. My colleagues, I rise in order to support both Intro 1079 and 1080. And let me say that I not only speak as an individual member, but I speak as the co-chair of the Black, Latino and Asian Caucus of the City Council of New York, representing 27 members. The Caucus has steadfastly supported these bills in their original form, and now subsequently their amended form. And let me tell you what it basically says. 1080 was established to protect from discrimination of race, ethnicity, religion, national origin. But it has been expanded to include age, gender, gender identity and expression and sexual orientation, immigration status, disabilities and housing status. And it talks about the impact where individuals have been intensely discriminated against, as a right of action, but not for money. And 1079, as you know, established an independent oversight of NYPD and the Department of Investigations, that will make

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2 recommendations to NYPD to enforce. But let me
3 tell you what I said. Given the nature of past
4 incidents, the line of communication between the
5 public and the police, especially in communities
6 of color, have deteriorated because of the
7 discriminatory ways in which police such as stop,
8 question and frisk are enforced. And our City
9 needs law enforcement policies that will benefit
10 the public without determining an individual's,
11 undermining an individual's civil liberties. The
12 reform packages, bills of Community Safety Act,
13 does just that, it has the potential to restore
14 the NYPD's relationship with disenfranchised
15 communities of color. CPR stands for courtesy,
16 professionalism and respect, and not disrespect.
17 Safety and security is our number one issue [time
18 bell] and I ask all of my colleagues to support
19 these two matters. Thank you.

20 PRESIDENT RIVERA: Thank you very
21 much, Council Member. We now move on to Council
22 Member Melissa Mark-Viverito.

23 COUNCIL MEMBER MARK-VIVERITO: I'm
24 going to read a statement I made in July of 2010,
25 at Governor Patterson's signing of the stop and

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2 frisk database bill. "The presumption of
3 innocence until proven guilty is not only a key,
4 if not the key pillar of our legal system, it
5 forms part of the bedrock of our democracy. In
6 understanding this basic tenet, there's no
7 justification that would have us allow for the
8 suspension of this most fundamental civil liberty.
9 At this most local community level, we cannot
10 allow ourselves to go down that road, since it
11 becomes a slippery slope that could lead us down
12 to more sinister paths. Now let me be clear, all
13 of us in this room and beyond are concerned about
14 public safety and the reduction of crime in our
15 neighborhoods. But we cannot take actions that
16 compromise some of our most important and
17 fundamental rights. A line must be drawn to place
18 some sensible limits on the powers of law
19 enforcement. The public debate that has ensued
20 and accelerated in recent weeks as a result of the
21 passage of this bill, has also been critical in
22 raising the issue of policing in low income
23 community of color in general. Too many of us in
24 this room are all too familiar with the realities
25 confronted by our constituents and I am not

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2 immune. One day while in my district office on
3 116th Street and Park, a constituent came in to
4 tell me a young man had been stopped and was being
5 frisked right outside the door to my office. I
6 rushed outside to find several undercover officers
7 with a young man. This young man, African-
8 American, wearing baggy pants, had been targeted
9 by the officers, was put up against the wall, and
10 when I came upon the scene, found the officers
11 searching his pockets. I identified myself and
12 made inquiries as to what was happening. Little
13 was said other than they were conducting their
14 business. But as soon as they knew they were
15 being watched, they ceased what they were doing
16 and left. And although that young man thanked me,
17 he hung his head as he turned to walk away, a
18 sense of shame and defeat in his gait. These
19 incidents are all too frequent and undermine the
20 safe streets we strive for in our city. These
21 experiences should not be considered a rite of
22 passage for youth in our communities, but all too
23 often they are. The debate that has ensued is
24 just the beginning of a much broader and larger
25 discussion regarding stop and frisk policies in

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2 general in New York City. [time bell] It is my
3 hope that this will be the start of further
4 oversight--

5 PRESIDENT RIVERA: Council Member.

6 COUNCIL MEMBER MARK-VIVERITO: --on
7 the part of the City Council, regarding not only
8 stop and frisk, but other police practices.

9 PRESIDENT RIVERA: Council Member.

10 COUNCIL MEMBER MARK-VIVERITO: Two
11 sentences. Again, I read these words--

12 PRESIDENT RIVERA: Everybody wants
13 two sentences, Council Member.

14 COUNCIL MEMBER MARK-VIVERITO: Two-
15 -three years ago--

16 PRESIDENT RIVERA: You need to
17 adhere to the clock.

18 COUNCIL MEMBER MARK-VIVERITO: --
19 these words are still relevant--

20 PRESIDENT RIVERA: Council Member.

21 COUNCIL MEMBER MARK-VIVERITO: And
22 my colleagues, that moment has arrived--

23 PRESIDENT RIVERA: Council Member,
24 we do have a two minute clock for every single
25 member.

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COUNCIL MEMBER MARK-VIVERITO: --

and history will be made tonight. Thank you.

PRESIDENT RIVERA: Thank you very

much. I'm going to [applause, cheers] we need quiet in the chambers. [gavel] In order to keep the meeting going, we do have a lot of business on the agenda. I'm going to respectfully ask that we stop the cheering and we prevent any heckling that may happen. So, please keep silence in the chambers, and I'm going to ask all of my colleagues to please adhere to the two minute clock, because I'm sure other members want the opportunity to speak and it would be an injustice for them not to have their time to speak, or for us to be delayed for other members who want to speak over the clock. We now move on to Council Member King.

COUNCIL MEMBER KING: Good evening,

colleagues and community. I rise as this is my first budget. I want to thank Congress--I mean, excuse me, Chairman Recchia, for all he's done, work he's done [laughter] and his leadership to help me understand the budget process. And I congratulate you and all that you've done to make

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2 this day a success. And I look forward to voting
3 on the budget later in in the day's meeting. But
4 I also rise in regards to Intro to the bill 1079
5 and 1080. And for those of us I cannot reiterate,
6 Council Member Williams, for his valiant speech
7 that he gave in regards to why we should be
8 supporting such legislation. For those of us who
9 have come from communities of color who experience
10 the challenges every day, and really want to work
11 with NYPD, I think this piece of legislation
12 allows us to move in the right direction. I ask
13 all those who are opponents of this legislation to
14 really look into your hearts, and if you're not
15 experiencing it, if your community's not
16 experiencing it, look at those of who are
17 experiencing it every day, and even some of us
18 Council Members who have gone and experienced
19 NYPD's actions. So I'm asking us all to please be
20 on the same page in asking NYPD to work with us to
21 improve the relationship between all of us and all
22 of our communities, in making sure that New York
23 City is safe. In the '20s, policing was at one
24 level; in the '60s, policing took another turn;
25 today in 2013, New Yorkers is asking NYPD just to

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2 have a shift in how they policing our communities,
3 and protect and to serve. I'm now calling on all
4 of us who are employed by the City of New York to
5 work in the best interests of New York, 'cause we
6 are employed by New York, to serve all of New
7 York. I urge my colleagues to take a good look at
8 this legislation again, and vote in favor of what
9 New Yorkers are asking for. And that's the
10 passage of this legislation. Thank you again.

11 PRESIDENT RIVERA: Thank you very
12 much, Council Member. We now move on to Council
13 Member Garodnick.

14 COUNCIL MEMBER GARODNICK: Thank
15 you to Council Members Williams and Lander for
16 their hard work on both of the community safety
17 bills on today's agenda. I am going to lend my
18 support to both of them. And while I recognize
19 and understand the concerns of those who oppose
20 these bills, I believe that ultimately those
21 concerns will be unfounded. And I just wanted to
22 focus on concerns that have been raised about
23 Intro 1080, specifically the bias based profiling
24 bill. This bill will do two things. First, it
25 will expand the categories protected under the

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2 preexisting ban on profiling. But importantly, no
3 other part of the ban's language will change. The
4 charge that this bill will bar the police from
5 using race in suspect descriptions is just
6 specious, because race is already a protected
7 category; and yet the police are perfectly able to
8 use it in descriptions today. The second thing
9 that this bill does is create a private right of
10 action for disparate impact claims. Disparate
11 impact deems a practice discriminatory if it has a
12 significant adverse impact on a particular group,
13 even if unintentional. This I believe is the main
14 controversy. We all agree that intentional
15 discrimination should be prohibited. The question
16 is whether unintentional discrimination should be.
17 I believe that if a high burden of proof is met,
18 the answer here has got to be yes. Some argue
19 that the bill will inundate the City with
20 lawsuits. This is not borne out in history.
21 The federal government did not buckle under suits
22 pre-2001 when a private right of action existed
23 under federal law; and notably, Rhode Island,
24 Illinois and Kansas, which all currently have a
25 private right of action for disparate impact, have

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2 not either. I further understand that the Rhode
3 Island police chiefs even supported their 2004
4 racial profiling law, and there have been
5 absolutely no complaints from them about a flood
6 of litigation; in fact, very few cases have even
7 been filed under their law. The bill also allows
8 the police to defend the practice simply by
9 articulating why it serves a compelling law
10 enforcement interest. They are more than capable
11 of doing this, they are doing it practically every
12 day right now in court and in the media. I have
13 more to say, but Mr. Chairman [time bell] I see my
14 time is up, I'll reserve it for later. Thank you.

15 PRESIDENT RIVERA: Thank you very
16 much, Council Member. We now move on to Council
17 Member Richards.

18 COUNCIL MEMBER RICHARDS: Good
19 evening. Or is it morning or evening? I'm not
20 [background comments] Well, tonight I asked my
21 wife, did she mind if I went on a date? And she
22 said, "No problem tonight." Because I had a date
23 with justice tonight. [laughter] At the age of
24 13 years old, 17 years ago, it was my first
25 experience being stopped and frisked. And it was

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2 an experience that left me shook up, it
3 dehumanized me, it demoralized me, and for many
4 years, even when I first got my first car, just if
5 a police car was in my rearview mirror, I was
6 scared. Today I'm not scared. Today I'm elected,
7 and I have a chance to do something about it.

8 There was a kid in the Rockaways last year, before
9 I was elected, his mother called the office, and I
10 was working for my predecessor, James Sanders.

11 And the mother called because the son could not
12 stop crying. He had got out of a cab at Beach
13 41st Street Houses, and as he was coming from, and
14 he was coming from sports practice, football
15 practice. He was grabbed by some cops and stopped
16 and frisked. He could not stop crying. Today, I
17 stand for that young man. I stand up for him.

18 Because he didn't deserve that. And while I
19 didn't have the voice at the age of 13 years old,
20 to have someone there for me, today I'm saying to
21 that young man, "I'm here for you." And I urge my
22 colleagues, and many of you may not understand how
23 it feels to be stopped and frisked. But I do.

24 And I can tell you, it's not a good feeling. If
25 you want to make a real difference in these

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2 communities, why don't you put some community
3 centers? Why don't you put some vocational
4 programs in these communities, so that we can
5 really help some people who shouldn't be
6 incarcerated stay from being incarcerated? If we
7 really want to make a difference, we need to do
8 those things, as well. I just want to say, we
9 ought to support both of these bills. And I stand
10 for the, all of these young Latino and black
11 males, LGBT people [time bell], purple, blue,
12 green--

13 PRESIDENT RIVERA: Council Member.

14 COUNCIL MEMBER RICHARDS: --in
15 support of this bill. God bless you all.

16 PRESIDENT RIVERA: Thank you very
17 much. We'll now move on to Council Member Chin.
18 Can we get silence in the chambers? Council
19 Member Chin?

20 COUNCIL MEMBER CHIN: Thank you. I
21 want to talk about Intro 1080, the legislation to
22 ban discriminatory profiling. This bill is about
23 making things right. It is about defending the
24 constitutional rights of young black men in our
25 community, who have been disproportionately

1 targeted. But it is also more than that. It's
2 about defending the rights of every person in our
3 community who has ever been targeted because he's
4 Asian or Jewish or Latino or because she is
5 transgender. When a young person gets stopped and
6 frisked repeatedly, in his own neighborhood, the
7 psychological impact can last a lifetime. They
8 have to carry around this feeling that they are
9 not to be trusted, that they are a criminal. As a
10 mother, I feel strongly that no mother should have
11 to worry about her child when he's coming home
12 from school, or hanging out with friends. No
13 mother should have to worry about the police. We
14 should feel safe knowing the police are there,
15 protecting our kids. But that's not how things
16 are now. Though I believe it is already
17 unconstitutional to profile, for the first time,
18 this bill will provide a clear mechanism of
19 enforcement through private right of action. This
20 bill will expand protection based on race, gender,
21 gender identity or expression, sexual orientation,
22 immigration status, disability and housing status.
23 And it will use the same exact determinative
24 factors, standard, that is already in the current
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2 law, which was sponsored by Council Member Vallone
3 and signed into law by Mayor Bloomberg in 2004.

4 Like the 2004 law, this will not prevent the
5 officer from identifying suspects based on race,
6 ethnicity, religion or nationality. It will just
7 prevent them from profiling based on those
8 factors. Most importantly, this bill will go
9 further than just protecting individuals from
10 intentional discrimination. It will also protect
11 groups from practice that are discriminatory in
12 their [time bell] impact.

13 PRESIDENT RIVERA: Council Member.

14 COUNCIL MEMBER CHIN: This bill
15 will make our City safer because it will--

16 PRESIDENT RIVERA: Council Member.

17 COUNCIL MEMBER CHIN: --allow the
18 community to work with our police. Thank you.

19 PRESIDENT RIVERA: Thank you very
20 much. We now move on to Council Member Gentile.

21 COUNCIL MEMBER GENTILE: - - as a
22 prosecutor and legislator, I've been a staunch
23 defender and advocate for the need of law
24 enforcement presence; yet, I also sat through many
25 of the hearings with the Public Safety Committee,

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2 where actual stop, question and frisk were
3 described by subjects and the videos shown. And I
4 saw and heard the degree of incivility that
5 occurs. Subjects of stop and frisk should never
6 be treated in such a fashion, particularly if
7 they're not guilty of anything. And the
8 incivility that they suffer is real and needs to
9 stop. However, I also believe that as a result of
10 those Council hearings, we compelled the NYPD to
11 reexamine its policy and to implement changes to
12 its training on the issue and to the frequency
13 with which stop and frisk is used. And I am
14 persuaded that especially with the rash of recent
15 gun violence in our City, that this procedure must
16 still be available to the police to fight crime,
17 and not be a procedure that rather begets
18 legislation. Moreover, I believe the City
19 Council's oversight has made the stop and frisk
20 procedure highly scrutinized and has caused real
21 and thoughtful action on the part of the NYPD to
22 improve police policy. So, I'm convinced that
23 it's more prudent to proceed in this manner than
24 to enact additional legislation. On 1079, it's--
25 the objectives are good, but it bears noting that

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2 it is the City Council that currently has the
3 overall oversight responsibility concerning the
4 police force. The Commissioner and the Mayor are
5 ultimately responsible for what happens in the
6 NYPD, but it is the City Council, this body, that
7 can, without being given any new power, be the
8 force that sheds light and forces any needed
9 changes in the practices or policies of the
10 Department. I know the shortcomings of this
11 Council in carrying out that oversight, but what's
12 key is the understanding that the, even the
13 sponsor's memo confirms: that it is that we as a
14 Council have the ability today, through passage of
15 a resolution, to direct other agencies like DOI to
16 assist the Council or to conduct those inquiries
17 themselves that are tailored to the Council's
18 resolution. And the sponsor's memo correctly
19 points out [time bell]

20 PRESIDENT RIVERA: Council Member.

21 COUNCIL MEMBER GENTILE: that DOI
22 can investigate policy--

23 PRESIDENT RIVERA: Council Member.

24 COUNCIL MEMBER GENTILE: --we can
25 direct them to do so. I'll continue at the vote.

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Thank you.

PRESIDENT RIVERA: Thank you very much. We now move on to Council Member Rodriguez, followed by Council Member Rose.

COUNCIL MEMBER RODRIGUEZ: Thank you. First of all, today is a great day in our City. No doubt that we will be voting on legislation that is looking to correct what is wrong, and to support the men and women at the NYPD for their work they're doing it. You know, New York City changed. In the 1900 census, the population of the City was 98 percent white, one percent black; Latino and Asian, we were not counted. Today is a completely different city, it's a more diverse city, it's a city where no one particular ethnic group can claim, "We are the only connected to the NYPD." All of us here have brothers and sisters, have friends, that power the men and women of the NYPD. So we want to support the NYPD so that they will have the resource that they deserve and they need to keep our city safe. I have daughters. I want my daughter to walk in the street knowing that we have a safe city. So we are committed to continue supporting all level

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2 the NYPD so that they keep our city safe; however,
3 no doubt, when I took political science class in
4 the late '80s, I was walking on 181st and - -
5 giving fliers, pressing my point of view. I was
6 arrested. And what I was told by some member was,
7 "You don't have any rights." And the other - -
8 that they wrote it towards, they said, "There's no
9 freedom at 181st." That's a reality of many
10 brothers and sisters here in the city. This is a
11 lack of trust when it come to some members of the
12 NYPD. So, I congratulate my brothers for taking
13 this leap in those two, 1079 and 1080, and I hope
14 that we'll be voting in favor of those. Thank
15 you.

16 PRESIDENT RIVERA: Thank you very
17 much, Council Member. We now move on to Council
18 Member Rose.

19 COUNCIL MEMBER ROSE: I rise
20 tonight as Civil Rights Chair and to applaud
21 Council Members Williams and Lander for their
22 courage and tenacity. Today is a momentous and
23 historic day, for today we address disparate
24 policing policies. The new version of the
25 Community Safety Act, well thought out and

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2 retooled, one which creates an Inspector General
3 of the newer NYPD, to be housed within the
4 Department of Investigation, and one adding a
5 private right of action with no monetary damages,
6 to enforce the existing ban on racial profiling
7 and allowing disparate impact claims to be made to
8 demonstrate the discriminatory effect of NYPD
9 policies. Stop, question and frisk, when properly
10 used as an investigative tool is effective and
11 legal; the reality is that it has become a
12 productivity measure, resulting in police officers
13 having a quota of such stops to fill regardless of
14 cause. This creates a serious constitutional
15 issue for every citizen. The debate over police
16 policies is not about micromanaging the police who
17 are called upon to make life and death, split
18 second decisions, it is about legitimate oversight
19 and making our City safer through more effective
20 use of the police in fighting crime. We all want
21 a police department that inspires the trust and
22 confidence of every New Yorker, and we need to
23 ensure that we give them the resources, tools,
24 training, policies and oversight to make sure that
25 that happens. This new version of the Community

1
2 Safety Act takes these into concern, these
3 concerns into consideration, and addresses them in
4 a measured and fair manner, and will help to make
5 our City even safer than it is now, and protect
6 the civil rights of all of our residents. Thank
7 you.

8 PRESIDENT RIVERA: Thank you very
9 much, Council Member. We now move on to Council
10 Member Dromm, followed by Council Member Mendez.

11 COUNCIL MEMBER DROMM: Thank you
12 very much. On this historic night, when marriage
13 equality has been affirmed by the United States
14 Supreme Court, I think back to 44 years ago when
15 the lesbian, gay, bisexual and transgender
16 movement started at a bar called Stonewall in
17 Greenwich Village. And that rebellion was a
18 rebellion against police corruption, because
19 police came into our bars and demanded payments in
20 order for those bars to remain open. And
21 throughout the history of the movement, I've
22 continued to hear stories that are similar. I
23 have a friend, Robert Pinter, who was arrested on
24 false prostitution charges in 2009, along with 30
25 other men by the NYPD. I myself was arrested when

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2 I was 16 years old on false prostitution charges.
3 We are sick and tired of this type of treatment by
4 the New York City Police Department. We are here
5 as Council Member Jackson had said, to demand
6 respect from our Police Department and to ensure
7 that the abuses of the NYPD stop. I read the New
8 York Times yesterday, and I concur with their
9 assessment that both of these pieces of
10 legislation are vitally important to see this type
11 of treatment of LGBT communities, African-
12 Americans, Latinos, Asians, and anybody else who's
13 affected by this type of discrimination? And of
14 particular importance to me, as well, is the
15 Muslim communities, and the surveillance that the
16 NYPD has used against them. First, entering into
17 those communities under the guise of trust, going
18 into their bars and into their--not to their bars,
19 but into their establishments [laughter] that's
20 the Irish I'm thinking about. [laughter] Going
21 into their establishments, into their religious
22 organizations, and into their student
23 organizations, and gaining their trust, only to
24 find out later on that they were committing
25 surveillance against these communities. So, we

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2 need to have better oversight. The profiling and
3 the inspector general bills are bills that are
4 necessary--

5 PRESIDENT RIVERA: Council Member.

6 COUNCIL MEMBER DROMM: --for New
7 York City. Thank you.

8 PRESIDENT RIVERA: Thank you very
9 much. We now move on to Council Member Mendez,
10 followed by Council Member Koppell.

11 COUNCIL MEMBER MENDEZ: Thank you.

12 My colleagues, I rise to speak on behalf of 1079
13 and 1080. Profiling is alive and well in New York
14 City. I see it every day in my public housing
15 developments, where people are stopped and
16 questioned, and stopped and frisked, only because
17 of where they live. My friends have been stopped
18 many times when they're throwing out their
19 garbage, in their pajamas, by police officers,
20 sometimes summoned--only because of where they
21 live. My friend, Robert Pinter, my constituent,
22 was one of many men, as Danny just talked about,
23 who was arrested and charged with prostitution.
24 He was profiled because he was a gay man and he
25 was an older gay man, and all those men over the

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2 course of all those months that they arrested,
3 were all older gay men, and they were profiled.
4 Today, this legislation will go a long way to make
5 things in this City better for so many minorities,
6 for so many groups. And it will go a long way to
7 make relations between the people of the City of
8 New York and our Police Department better. I
9 truly believe that, and I ask my colleagues to
10 vote for both these bills. And Jumaane, I'm so
11 proud of you. And to my friends in the Justice
12 Committee, and my brother Charles Barron, wherever
13 he went to, my friend Richie Perez, your friend
14 Richie Perez, Charles, he's looking down on us and
15 this has been his life's work. And today, I will
16 proudly vote in favor of this bill, thinking of
17 him, and to all my friends, Richie [Spanish].
18 Thank you.

19 PRESIDENT RIVERA: Thank you very
20 much. [applause] We now move on to Council
21 Member [gavel, background noise] We now move on
22 to Council Member Koppell.

23 COUNCIL MEMBER KOPPELL: There's a
24 tremendous amount of hypocrisy in some of the
25 discussions of these measure, particularly

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2 Inspector General bill. One of the reasons that I
3 didn't sign on right away, and Brad Lander knows
4 this, to the Inspector General bill is 'cause I
5 have introduced legislation that would require a
6 vote of the people to create a truly independent
7 audit and investigation board, and it arises out
8 of legislation that this Council passed almost 20
9 years ago, almost unanimously, for an independent
10 police audit and investigation board. That was
11 then struck down at Mayor Giuliani's instance by
12 the courts, because it impaired the power of the
13 Mayor. And when that proposal was before this
14 Council, who testified in favor of an independent
15 investigation and audit board? None other than
16 Ray Kelly, who had been a Police Commissioner
17 under Mayor Dinkins. And he testified in favor of
18 that. You may remember that, Council Member
19 Koslowitz, so that the hypocrisy in saying that
20 this board, which is not going to be independent,
21 it's under the Mayor, it's in the Department of
22 Investigation, say that this board impairs the
23 police ability to function, is absolutely
24 hypocritical. It's, it just doesn't make any
25 sense whatsoever. Ray Kelly said in response to

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2 an independent audit board, that external
3 oversight keeps the police feet to the fire, and
4 it should be done. And just briefly to say, we
5 should not have someone terrorized, if you will,
6 because of their race or ethnicity or any other
7 single factor. And a young man who's sitting
8 behind me, who's on my staff, Drew Gabriel, who
9 grew up in Brooklyn, who was a star basketball
10 player for the Manhattan College, indicated to me,
11 spoken to me and you can speak to him yourself,
12 that over 20 times he was stopped and frisked for
13 no reason, other than the fact that he's an
14 African-American, including times when he was
15 wearing his basketball uniform [time bell] you
16 know how hard it is to conceal a weapon there.

17 PRESIDENT RIVERA: Council Member.

18 COUNCIL MEMBER KOPPELL: It's only
19 right--

20 PRESIDENT RIVERA: Council Member.

21 COUNCIL MEMBER KOPPELL: --that
22 racial profiling or any other kind of profiling--

23 PRESIDENT RIVERA: Council Member,
24 we have to cut you--

25 COUNCIL MEMBER KOPPELL: --has no

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place in our policing.

PRESIDENT RIVERA: Thank you very much.

COUNCIL MEMBER KOPPELL: I vote in favor of both bills.

PRESIDENT RIVERA: We now move on to [applause] Council Member Koo. [background noise] Council Member Koo.

COUNCIL MEMBER KOO: I almost fall asleep. [laughter] It passed my bedtime. I'm just joking, I'm just joking.

COUNCIL MEMBER WILLIAMS: Keep it real.

COUNCIL MEMBER KOO: My [laughter] my colleagues, I respect all the previous colleagues for their earnest and sincere speech about this Community Safety Act. But I think we went on the wrong approach. You don't solve safety by taking away the tools for the Police Department. No, we need to focus maybe more on education. Make sure every kid finish high school in our City. That would solve at least half the problems we're all talking about. On the bill 1079, I oppose it because we all know when you

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2 have two chefs in the kitchen, the meal won't come
3 out good. Two--and the same thing applies to the
4 Police Department. You have two chiefs there, the
5 police, they don't know who to listen. And this
6 is true, I always tell my wife, "Don't come to my
7 business to boss my employees. Don't--"

8 [laughter] So, it's, in any business, there's
9 only one chief. If you want auditing, you can--we
10 already have a lot of auditing authorities for the
11 D.A.'s office, Attorney General's office, and the
12 FBI, and so--and then we have community civilian
13 complaint, internal affairs. We have all these
14 agencies to monitor, make sure we don't have
15 abuses. And lastly, on 1080 bill, I think we
16 cannot stop people profiling. I mean, we all do
17 it every day. Either in your business or in other
18 entities. I think my time is running out, so
19 [laughter] So, my last thing is, I want the police
20 to have trainings, when they in the Academy. Make
21 sure they take a course or two courses in [time
22 bell] cultural and--

23 PRESIDENT RIVERA: Council Member.

24 COUNCIL MEMBER KOO: --others,
25 sensitivity, the courses. Make sure they

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understand--

PRESIDENT RIVERA: Council Member.

COUNCIL MEMBER KOO: --human beings they have different customs.

PRESIDENT RIVERA: Council Member, thank you. We now move on to Council Member James followed by Council Member Foster.

SPEAKER QUINN: Can we just get a little quiet before Council Member James speaks, please? Thank you.

COUNCIL MEMBER JAMES: Council Member Williams and Lander, you have demonstrated great and--great profiles in courage throughout this entire discourse, and I just wanted to congratulate both of you. Today's historic decision striking down provisions within DOMA and our vote here this evening basically affirms basic fundamental and human rights for all citizens. And today we are striking a blow against a practice which has become a perverse rite of passage for all young men of color in the City of New York. Young men who unfortunately have become too accustomed to assuming the position whenever they are stopped by NYPD. Reasonable suspicion is

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2 the basic constitutional standard upon which every
3 stop is judged. And these bills that we are
4 voting on this evening do nothing to impair or
5 curtail that legal analysis. The law requires
6 objective criteria and not artificial constructs
7 which have been designed by man, race. And so
8 today, I would urge that the Mayor of the City of
9 New York and that the Police Commissioner cease
10 and desist from engaging in fear mongering and
11 appealing to the worst amongst us. And that we
12 engage in an intelligent conversation about how
13 best to police the streets of the City of New
14 York. And by passing and voting on these two
15 bills, it will do nothing to handcuff or prevent
16 NY--the Police Department from ensuring that all
17 of us are safe. I look forward to voting aye on
18 both and I want to thank the Speaker as well as
19 Council Member Rosie Mendez, for saving public
20 housing and for saving all of the centers on
21 behalf of all of the seniors and all the young
22 people who live in NYCHA and who unfortunately
23 have historically been ignored. Thank you.

24 PRESIDENT RIVERA: Thank you very
25 much, Council Member. We now move on to--we need

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2 to keep it down--we now move on to Council Member
3 Foster.

4 COUNCIL MEMBER FOSTER: Thank you.
5 I know the hour is late and I hadn't planned on
6 standing up. It's sad to me that we need this.
7 We as blacks are the only race of people in this
8 country that, dating back to Dred Scott in 1857,
9 Plessy v. Ferguson in 1896, we're the only group
10 that always has to fight for our rights. We're
11 the only group that has to give black boys lessons
12 on what to do when stopped by the police. No
13 other group has to have workshops and cards handed
14 out saying, "This is what you're supposed to do."
15 So, these bills to me is a, it's a sad day. It's
16 sad with what happened yesterday and the Supreme
17 Court gutting the Voting Rights Act, and today.
18 And I'm not sure that I understood Council Member
19 Koo, but I have a high school diploma, a college
20 degree and a law degree, and I've been stopped.
21 My father, who is now 89, has multiple degrees,
22 and has been stopped. So I don't know that a high
23 school diploma is going to stop profiling. And
24 when you talk about the Civilian Complaint Review
25 Board, I was pulled over and harassed and brought

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2 to tears by police officers in November. It is
3 seven months later and nothing. The only letter
4 and correspondence I've ever gotten from Ray Kelly
5 about anything having to do with profiling is when
6 this bill comes up. So to say that it's not
7 necessary is for those who live outside of the
8 world and the reality that us people of color live
9 in. And just be very careful, because the same
10 rights that today we are applauding, were only
11 made possible on the backs of Africans and slaves
12 that have always fought for rights in this
13 country. So look at the clock, my time is up. I
14 think it's a [time bell] sad day that--

15 PRESIDENT RIVERA: Council Member.

16 COUNCIL MEMBER FOSTER: --we have
17 to do this.

18 PRESIDENT RIVERA: Thank you very
19 much. We now move on to Council Member Cabrera.
20 [applause]

21 COUNCIL MEMBER CABRERA: Thank you
22 so much, Majority Leader. I want to congratulate
23 Council Members William and Lander. I heard a
24 statement being mentioned about tools that we
25 should not allow tools to be taken away from a

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2 police officer. I believe that we should give
3 them the tools, but tools need to be properly
4 used. A tool could be used for good, but it also
5 could be used for bad. And I think that
6 fundamentally what we're looking at here is a
7 proposition that says that somehow, that if we
8 pass these two bills, that our police officers are
9 not going to be able to do the work and to do it
10 effectively. I heard the Commissioner himself in
11 one of the hearings said that the reason why crime
12 is going down is because of stop and frisk. May I
13 propose to him and to everyone here today that we
14 saw a surge of crime in the City as a direct
15 result and correlation. The correlation here is
16 related, was related to crack, it was related to
17 the drug addiction problem that we have right now.
18 And the very studies that came out this year, this
19 year, tell us that crime problems are directly
20 related to gang violence and to drug addiction,
21 and I commend the City Council for having the gun
22 violence taskforce and the Speaker as well, and to
23 Co-Chair Williams for being able to have this
24 initiative that we already are beginning to see
25 results. So let's put our efforts to what we know

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2 that actually work and what the real need is at.
3 Thank you so much.

4 PRESIDENT RIVERA: Thank you very
5 much, Council Member. Council Member Van Bramer.

6 COUNCIL MEMBER VAN BRAMER: Thank
7 you very much. Our City must be safe and just for
8 all. And on a day when my full equality has been
9 embraced by the Supreme Court of the United
10 States, I am compelled to take a stand on behalf
11 of those New Yorkers who have yet to feel fully
12 equal in their own city. We cannot criminalize
13 generations of innocent young men of color. The
14 loss of their civil rights is not acceptable
15 collateral damage in our rightful pursuit of a
16 safe city. In the chamber tonight are members of
17 my staff who have been stopped unfairly; or in the
18 case of Deb Farrington, her son. Today, I stand
19 up for her, for all mothers like her, for her son
20 Travis, for Jason, for Andres, for Juan Carlos,
21 and so many others whose names I will never know.
22 We can be a safe and just city. We must. And for
23 that reason, I'll vote aye on both bills. Thank
24 you.

25 PRESIDENT RIVERA: Thank you very

1
2 much. We now move on to Council Member Ulrich.

3 COUNCIL MEMBER ULRICH: Well, you
4 knew somebody was going to crash the party, and
5 that's me. So, I hope you brought the popcorn. I
6 am really, really disturbed. I sat here and
7 listened to many of my colleagues, many of whom I
8 have very deep respect for. I listened to them
9 bash the cops, I listened to them talk about what
10 a terrible job the police have done, I listened to
11 them talk about story after story where they feel
12 that police were engaged in misconduct, that they
13 abused their positions, and that they basically
14 said that the police have not done a good job of
15 policing the City. Well, their answer would be to
16 establish the Office of the Inspector General, and
17 that's what Intro 1079 does. It's an unnecessary
18 waste of money. That's number one. I have a
19 better idea, why don't we take the money that
20 we're going to use to establish the Office of the
21 IG and actually hire more cops on the street?
22 Instead of criticizing the job that the cops have
23 done, they have made New York the safest big city
24 in America. We should be thanking them for a job
25 well done. You want to talk about stories? What

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2 about all the drug dealers that were taken off the
3 streets? What about the pimps? The gang members?
4 The creeps with outstanding warrants? What about
5 all those people that were taken off the streets
6 as a result of stop and frisk? I want to live in
7 a safe city. I want to live in a city that is
8 free from here. I want to live in a city where my
9 family and my neighbors aren't terrorized, not by
10 the police officers, but by the violent criminals
11 who ran this city for decades upon decades upon
12 decades. Everybody's against the illegal guns.
13 If you're against illegal guns, you should be for
14 stop and frisk. Stop and frisk took thousands of
15 illegal guns off the streets of New York City.
16 How many lives did that save? How many crimes did
17 that prevent? But nobody wants to talk about it.
18 Why? It's an election year. We're all here to
19 pander. We all want to get our face and our name
20 in tomorrow's newspaper.

21 [background noise

22 SPEAKER QUINN: Could we get quiet,
23 please.

24 PRESIDENT RIVERA: Yeah, we're not
25 going to allow heckling in the audience--

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COUNCIL MEMBER ULRICH: You know
what--?

PRESIDENT RIVERA: -- - - on it.

COUNCIL MEMBER ULRICH? Give me a
break. I will not be--

PRESIDENT RIVERA: Council Member.

COUNCIL MEMBER ULRICH: --
intimidated. I'll be done in a minute. I will
not be intimidated--

PRESIDENT RIVERA: Council Member.

COUNCIL MEMBER ULRICH: --by the
professional police critics--

PRESIDENT RIVERA: Council Member,
Council Member.

PRESIDENT RIVERA: --by the
panderers, by the media, anybody else.

PRESIDENT RIVERA: Two minutes have
passed, Council Member.

COUNCIL MEMBER ULRICH: This is an
outrage.

PRESIDENT RIVERA: Council Member,
thank you.

COUNCIL MEMBER ULRICH: I'll be
voting no.

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2 PRESIDENT RIVERA: We now move on
3 to Council Member Greenfield.

4 COUNCIL MEMBER GREENFIELD: That's
5 tough to follow. [laughter] What, Jimmy, it is.
6 What are you lookin' at me like that for?
7 [background noise, laughter] My clock's running.
8 I actually want to reserve my comments on these
9 two particular pieces of legislation for the vote,
10 which I'm certain that all of us will exercise an
11 opportunity to speak on our vote. But I do just
12 want to take a moment to speak about the budget.
13 The budget is something that we've been working on
14 for the past six months here in the New York City
15 Council. Lot of work and time and effort has gone
16 into it. Specifically, I want to thank the
17 Speaker, Speaker Quinn, for her leadership on this
18 budget. I think that we should all be very proud
19 of the work that we've done in terms of the
20 restorations, especially for children's services
21 and senior centers and libraries and firehouses.
22 And the increase in funding that I'm particularly
23 proud of, the domestic violence initiative. I
24 also want to thank my Brooklyn colleagues who are
25 instrumental: our amazing Chairman, Domenic M.

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2 Recchia, Jr., thank you for your leadership, your
3 advice, your guidance, and for yelling at me on
4 occasion; I want thank the Brooklyn members of the
5 budget negotiating team, Chair Vann, Chair Fidler,
6 Co-Chair Darlene Mealy, and really one of the
7 hardest working members on the budget negotiating
8 team, our budget negotiator, Sara Gonzalez; I want
9 to thank the Finance staff. I want to ask
10 whoever's blocking the clock to please move that
11 door, so I can see how much time I have left.
12 [laughter] I also, thank you very much--

13 PRESIDENT RIVERA: I'm watching,
14 don't worry about it.

15 COUNCIL MEMBER GREENFIELD: Yeah,
16 but I can't see. I specifically would like to
17 thank the Finance staff, who worked overtime and
18 I'm only going to thank the staffers that I
19 hassle, because there's a lot of staffers who did
20 great work, but especially Preston, Jeff Rodas,
21 Mr. Brooklyn, thank you, Jeffrey, Latonia,
22 Tanisha, Regina, Doheny, Gary, Nathan, Scott. I
23 want to thank our Chief of Staff, Chuck, he has
24 the patience of Job. I want to thank Ramon, he
25 has no patience, but he's a great guy. [laughter,

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2 applause] And god bless him, he's one of the few
3 honest people left in this building, and I respect
4 him immensely for that.

5 PRESIDENT RIVERA: Council Member.

6 COUNCIL MEMBER GREENFIELD: And I
7 also just want to thank the security staff and the
8 - -

9 PRESIDENT RIVERA: Council Member.

10 COUNCIL MEMBER GREENFIELD: --
11 officers who kept us safe. Thank you very much.

12 PRESIDENT RIVERA: Thank you very
13 much, Council Member. We now move on to Council
14 Member Vallone.

15 COUNCIL MEMBER VALLONE: Thank you.
16 Despite the rhetoric and the political buzzwords,
17 there is no actual debate as to what Intro 1080
18 actually does. It will give every person subject
19 to any police policy an automatic right to sue
20 without any allegation of wrongdoing. No debate,
21 read the bill. What that will do is it will cost
22 millions to defend and lead to service cuts. It
23 will take cops off the street to defend themselves
24 against individual sanctions which will lead to
25 blindfolded cops who take no action. And worst of

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2 all, it will achieve the ultimate goal of this
3 bill, which is to put judges in charge of the
4 NYPD. Every police policy is in jeopardy here,
5 not just stop and frisk. No scalpel was used, a
6 machete will hack away at every needed public
7 safety tool. Do you think Operation: Crew Cut
8 works? It fights our gangs. Well, a judge can
9 find that it disproportionately impacts young men.
10 Do you like the Argus cameras that we all fund and
11 we don't have yet? Well, a judge can say that
12 they disproportionately impact people living in
13 housing developments. And when the courts are in
14 charge, we will become Chicago, we will become
15 Detroit. Crime will soar, murders will rise,
16 children will die. And there is no greater civil
17 rights violation than that. And no, it's not
18 [background noise] fear mongering--it's not fear
19 mongering, if it's true. Public safety experts,
20 like Ray Kelly, like D.A. Morgenthal, like myself,
21 we don't make things up. And we are not
22 paternalistic. We are experienced in keeping
23 people safe. Yes, I did write the City's first
24 anti-racial profiling law, I'm proud of working
25 with Phil Reed on that. And I held more oversight

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2 hearings on this topic than perhaps any other,
3 including hearings on the original bills that were
4 introduced. Under our leadership here, we
5 prevailed upon the Police Department to cut back
6 on stop and frisk by one-third. I'm proud of
7 that. This bill is wrong, it puts [time bell] the
8 courts in charge--

9 PRESIDENT RIVERA: Council Member.

10 COUNCIL MEMBER VALLONE: Remember
11 1990, we're going back.

12 PRESIDENT RIVERA: Thank you very
13 much, we now move on to Council Member Dilan.

14 COUNCIL MEMBER DILAN: I, too, like
15 my colleague, David Greenfield, want to use this
16 time to speak on the budget, and I'll qualify my
17 remarks on the vote of 1079 and 1080 during the
18 vote. I just wanted to take this time to thank
19 all of my colleagues who, especially, who are
20 passing this budget, but especially the ones who
21 are my classmates, who came in to this body when
22 they thought that we wouldn't be the right
23 stewards to lead this City forward after the
24 disaster of 9/11. And I want to just say to each
25 and every one of you, I'm not only proud of this

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2 budget, but I'm proud of our entire body of work
3 that we have achieved to leave this, to leave this
4 City to the members who will be staying behind,
5 and just leave to you and say to the members
6 coming in, that unlike the rhetoric of our
7 predecessors, I have the utmost confidence in the
8 class that will be remaining to continue to lead
9 this City in the direction that it's going. And I
10 think this City is vibrant. I want to thank the
11 current leadership, Speaker Quinn, for her time as
12 Speaker, and her stewardships of the budgets, I
13 really appreciate the discussion and deliberation
14 we've had over the years when we agreed and when
15 we have disagreed. It's really been a tremendous
16 honor to serve in this body, and I've enjoyed it
17 every day. So I'll be voting yes on the budget,
18 and just wanted to leave those remarks with you
19 and say thank you all.

20 PRESIDENT RIVERA: Thank you very
21 much, Council Member. We now have Council Member
22 Halloran.

23 COUNCIL MEMBER HALLORAN: Thank
24 you. I'll speak to 1079 when we have the vote.
25 But with regards to 1080, we have laws to protect

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2 our citizens, they're called 1983 civil rights
3 actions, they're called Terry v. Ohio case law,
4 which protect us in the courts. With all due
5 respect to Councilman Van Bramer, I was the
6 attorney who represented Travis Farrington
7 [phonetic], I was the attorney who took him to
8 trial and got his acquittal when he was wrongfully
9 accused. And the fact pattern is not one of
10 racial profiling, but rather mistaken identity in
11 that case. So, Deb is here and Deb, I apologize
12 for using your case as an example, but when
13 someone cites without facts, that's a problem.
14 And since it's a case I actually took to trial to
15 get that young man acquitted, I think I know the
16 facts a little bit better. This is going to do
17 nothing but create a new legal industry we don't
18 need, where lawyers are engaged in a practice that
19 is fishing, so that our City will have to pay more
20 money. It's a good intention, but it's a bad
21 idea. We have 6,000 less cops, over 17 terrorist
22 attacks have been thwarted by aggressive policing.
23 We may not like some of the tactics that have been
24 used, but that's why we have a Police Commissioner
25 and a Mayor. That Mayor we can vote out of

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2 office, that Police Commissioner is subject to the
3 oversight of this City Council. And no one has
4 done a better job than Councilman Peter Vallone in
5 holding the Police Department to task and having
6 hearings on matters like that. Perhaps we should
7 ask ourselves the question of why the majority of
8 police, fire, corrections and teachers no longer
9 live in the City of New York. Perhaps we should
10 ask why our civil servants, who get paid by this
11 body, do not bother to live here, and then ask
12 them why our cities are having these problems
13 because there's no invested relationship between
14 the people who work here, necessarily, and the
15 people who live here. We have to fix the
16 socioeconomic problems that underlie it. The
17 Council Members that spoke on that are absolutely
18 right, we are not doing enough for trade and
19 vocational education. We are not giving people
20 the lifeline out of the problem; instead, we're
21 perpetuating the problems by cutting afterschool
22 programs, cutting our meals in school programs,
23 and not giving them the resources they need.

24 PRESIDENT RIVERA: Council Member.

25 COUNCIL MEMBER HALLORAN: It's a

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2 bad idea and I will be voting no on 1080 but not
3 on 1079.

4 PRESIDENT RIVERA: Council Member.
5 Thank you very much. We now move on to our
6 Minority Leader, Council Member Jimmy Oddo.

7 COUNCIL MEMBER ODDO: I'd just like
8 to preface my comments by saying that I like and
9 respect Council Member Williams. You just have to
10 look at Twitter feeds to see, I think, that the
11 affinity for each other is genuine. And I believe
12 he's got a good soul and is doing what he thinks
13 is the right thing and will help his community and
14 the City of New York. I also wanted to say that
15 in 1997, I was the counsel to then Minority Leader
16 Tom Ogdeminy [phonetic], and he introduced a piece
17 of legislation in the Council calling for a
18 juvenile, nocturnal curfew. And for the eight
19 months after we introduced that bill, Tom Ogdeminy
20 and I went across the City of New York, rich
21 communities, poor communities, white, Latino,
22 black communities, and we were hailed in some
23 areas and we were booed in others. And in 1997,
24 as a staffer, we, I remember vividly young black
25 and Latino men coming up to us and their parents

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2 and telling us about interactions they had with
3 NYPD and why they were concerned about our curfew
4 bill. So I acknowledge and I don't minimize the
5 relationship between and the difficulties between
6 certain communities and the NYPD. And frankly, I
7 don't think I have to live in a particular
8 community to recognize that. And I think that we
9 have to be vigilant in trying to always repair
10 those relationships and improve those
11 relationships, I think it's important to keeping
12 this City safe. I just don't believe these two
13 bills do that. What I expected was for 2014 when
14 the money disappeared, and you couldn't silence
15 those professional police bashers, I expected them
16 to come back. And I expect that sort of culture
17 of politicizing law enforcement and politicizing
18 policing, to come back. And my concern is that
19 these bills will help foster that culture. Look
20 at our history and you will see it. I am worried
21 about the impact of all of that on individual
22 police officers and their behavior, and I don't
23 think we'll ever be able to measure it, but I will
24 tell you a scenario will play itself out, and that
25 is a police officer whose experience tells him

1 something is wrong over there, will avoid that.
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3 Some will avoid that. And I think that will lead
4 to terrible things. So, I don't question anyone's
5 intelligence, I don't--see, I don't try to preach
6 to anyone. I heard some of that, that's certainly
7 not coming from us. And I recognize the intent
8 behind these bills, I just think this will lead to
9 problems that we have had in the past. And I
10 think we are sowing the seeds to expedite that
11 return of a culture that makes an incredibly
12 difficult job almost impossible to do. And I
13 think that's a bad thing for this City.

14 PRESIDENT RIVERA: Thank you very
15 much. We now move on to Council Member Lander.

16 COUNCIL MEMBER LANDER: Thank you
17 very much, Mr. Majority Leader. We all
18 passionately want safe streets. I'm a father,
19 we've got kids, we've got grandkids, we've got
20 parents and grandparents. We desperately want our
21 police officers to be able to work with us to keep
22 our communities safe. But I think the vast
23 majority of New Yorkers know: we can do it
24 without profiling. My community's not mostly a
25 community of color, it's a not a high crime

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2 neighborhood. But 75 percent of the people in my
3 precinct are white, but almost 80 percent of the
4 stops are of people of color, and 90 percent
5 haven't done anything wrong. There's not even a
6 violation issued. That's profiling, and we've got
7 to find a way to bring it down. And I know we
8 can, I know the NYPD can, in a way that maintains
9 safety without profiling. On this issue of
10 lawsuits, I just want to be clear, Intro 1080 does
11 not permit individuals to sue the NYPD, individual
12 officers, or the City for monetary damages. And
13 it's modeled on the New York City Human Rights
14 Law, and decades of federal civil rights law and
15 designed to be careful. Plaintiffs must meet a
16 very high threshold in order to file a case under
17 Intro 1080, and meet an even higher burden of
18 proof to succeed in a lawsuit against the NYPD.
19 The mere existence of statistical correlation is
20 not by itself evidence of a prima facie case. And
21 the Department has multiple opportunities to show
22 that it is meeting a law enforcement, a
23 governmental need, that it can't meet any other
24 way. Illinois has had a law like this, as Council
25 Member Garodnick mentioned, for a decade. There

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2 are on average about 50 suits a year. Of the 26
3 that have made it up to the Appellate Division, 18
4 were dismissed at the very first stage for failure
5 to state a proper claim, or lack of jurisdiction.
6 Just two class action lawsuits, one of which was
7 dismissed, the other of which was allowed to move
8 forward. There's no machete here, there's a very
9 thoughtful, research based, experience based bill,
10 that will help us address the issues of
11 discrimination while still making sure our
12 communities can remain safe and sound. Thank you.

13 PRESIDENT RIVERA: All right, thank
14 you very much. [time bell] Seeing no other
15 members, we will now move on to reports of special
16 committees.

17 CLERK: None.

18 PRESIDENT RIVERA: Reports of
19 standing committees.

20 CLERK: Report of the Committee on
21 Civil Service and Labor, Intro 97-A, provision of
22 sick time.

23 SPEAKER QUINN: Coupled on General
24 Orders.

25 CLERK: M 1159, Mayor's Veto and

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2 Disapproval Message of Introductory No. 97-A.

3 SPEAKER QUINN: Coupled, to be
4 filed.

5 CLERK: Report of the Committee on
6 Consumer Affairs, Intro 875-A, permitting sidewalk
7 cafés to operate on Sundays.

8 SPEAKER QUINN: Amended and coupled
9 on General Orders.

10 CLERK: Report of the Committee on
11 Finance, Intro 906-A, income and expense
12 statements.

13 SPEAKER QUINN: Amended and coupled
14 on General Orders.

15 CLERK: M 1160 and Resos 1835
16 through 1839 on page four, banking commission
17 recommendations.

18 SPEAKER QUINN: Coupled on General
19 Orders.

20 CLERK: Preconsidered Reso 1846,
21 base percentage class shares.

22 SPEAKER QUINN: Coupled on General
23 Orders.

24 CLERK: Preconsidered Reso 1847,
25 adjusted base proportion of shares.

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2 SPEAKER QUINN: Coupled on General
3 Orders.

4 CLERK: Preconsidered Reso 1848,
5 organizations to receive funding.

6 SPEAKER QUINN: Coupled on General
7 Orders.

8 CLERK: M 1144 and Resos 1850 and
9 1851, expense revenue contract budget, Fiscal Year
10 2014.

11 SPEAKER QUINN: Coupled on General
12 Orders.

13 CLERK: M 1145 and Resos 1852 and
14 1853, Executive Capital Budget.

15 SPEAKER QUINN: Coupled on General
16 Orders.

17 CLERK: M 1146 and Reso 1854, 2014
18 Community Development Program.

19 SPEAKER QUINN: Coupled on General
20 Orders.

21 CLERK: Preconsidered M 1170 and
22 Reso 1855, amendments to five year capital plan.

23 SPEAKER QUINN: Coupled on General
24 Orders.

25 CLERK: Preconsidered 1178 and Reso

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1856, fixing the tax rate for Fiscal Year 2014.

SPEAKER QUINN: Coupled on General Orders.

CLERK: Preconsidered M 1171 and Reso 1857, expense mod.

SPEAKER QUINN: I think that's 1178, did you say 71?

CLERK: Preconsidered M 1171 and Reso 1857, expense mod, MN 4.

SPEAKER QUINN: Okay. Coupled on General Orders.

CLERK: Preconsidered M 1172 and Reso 1858, new revenues.

SPEAKER QUINN: Coupled on General Orders.

CLERK: LU 853 and Reso 1859 through LU 856 and Reso 1862.

SPEAKER QUINN: Coupled on General Orders.

CLERK: Report of the Committee on Land Use, LU 847 through LU 849, Madison Square Garden.

SPEAKER QUINN: Approved with modifications and referred to the City Planning

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2 Commission pursuant to Rule 11.70(b) of the Rules
3 of the Council, and Section 197(d) of the New York
4 City Charter.

5 PRESIDENT RIVERA: General Order
6 Calendar?

7 CLERK: Intro 1079, Inspector
8 General.

9 SPEAKER QUINN: Coupled on General
10 Orders.

11 CLERK: Intro 1080, Bias Based
12 Profiling.

13 SPEAKER QUINN: Coupled on General
14 Orders.

15 CLERK: Resolution appointing
16 various persons Commissioner of Deeds.

17 SPEAKER QUINN: Coupled on General
18 Orders and just before I ask for a roll call on
19 all items coupled on the General Order Calendar, I
20 want to let me colleagues know that after the vote
21 on the General Order Calendar I think there are
22 about four Resolutions that we're voting on today,
23 as well. So again, if you want to be noted in the
24 negative on any of those, make sure you see the
25 Clerk before you leave. And that, having been

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2 said, if we could as for a roll call on the
3 General Order Calendar.

4 PRESIDENT RIVERA: Before we do
5 that, when we vote on Intro 97-A, the question
6 before the Council is, "Shall the bill pass, the
7 objections of the Mayor notwithstanding." Roll
8 call.

9 CLERK: Arroyo.

10 COUNCIL MEMBER ARROYO: Aye.

11 SPEAKER QUINN: Mr. Majority
12 Leader, this roll call is just on that one item,
13 is that--

14 PRESIDENT RIVERA: No, it's
15 coupled, we just needed to state for the record.

16 SPEAKER QUINN: That's going to be
17 coupled.

18 PRESIDENT RIVERA: Yes.

19 SPEAKER QUINN: So just to clarify,
20 it's one, it's coupled, and that will be coupled
21 on everything else. We just have to say that as
22 part of the--okay. Thank you.

23 CLERK: Arroyo.

24 COUNCIL MEMBER ARROYO: [off mic]
25 Aye.

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CLERK: Barron.

COUNCIL MEMBER BARRON: May I be excused to explain my vote?

PRESIDENT RIVERA: Yes.

COUNCIL MEMBER BARRON: You know, I was tempted to leave it alone, but I just am shocked and amazed that Peter Vallone, self-proclaimed expert in public safety, what a overindulgent and delusional case of flattery. [laughter] But I'll leave that alone. You know, I want to really speak more to the--Elroy, I'm going to give you a pass, 'cause you are emotional, so I forgive you. [laughter] But I want to talk to the budget more. I know we're very concerned about racial profiling and should be. But I'm telling you, the budget impact on our communities is worse. We are passing today the Mayor's budget. I'll give the City Council this credit, and CUNY, they put \$2.5 billion into a blackmail initiative, they did restore money to the Puerto Rican studies, and to Dominican studies. They also restored some of the daycare centers. But we shouldn't be talking about restoring daycare centers with a \$70 billion

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2 budget. And those centers are only going to be
3 restored for one year. We have to have the same
4 diligence on the racism in the budget, the Mayor's
5 budget. Poverty is what's creating a lot of
6 crime, and I do agree in one area where there
7 needs to be stop and frisk. You should stop and
8 frisk Wall Street, and see who has toxic
9 derivatives and who gave out those predatory
10 loans. I say stop and frisk, profile Wall Street,
11 'cause greedy capitalism has gotten us in a whole
12 lot of trouble here. So while we do the stop and
13 frisk piece, I'm telling you, in this City where
14 people of color are the new majority, we have to
15 look at this budget as diligently as you're doing
16 stop and frisk. With that, I vote no on the
17 budget, and that's M 11 ... 44, and the
18 accompanying Resos, M 1145 and accompanying Resos,
19 I vote no, and aye on all the rest. [time bell]

20 CLERK: Brewer.

21 COUNCIL MEMBER BREWER: I want to
22 thank the, definitely Chair Recchia, I want to
23 thank Preston Niblack and Jeff Rodus, particularly
24 Jeff Rodus for his amazing contribution to the
25 cultural enterprises in our City. And I want to

2 also again thank everybody on the paid sick days
3 and the override. And I am voting aye on both
4 1079 and 1080. I want to say that both Williams
5 and Lander have been extraordinary, both in
6 producing briefings for staff and members, so that
7 it's explained what these bills are all about.
8 Doing that over and over again. And I think that
9 in the end, the Police Department will be a better
10 Police Department. To me in my developments, and
11 on my streets, the best policing is when the
12 neighborhood feels comfortable about indicating
13 where the bad guys are. And the way they do that
14 is they feel comfortable with NYPD. And if this
15 bill, by not supporting racial profiling, if there
16 is a better relationship between community and
17 police, which is I think the goal, and what will
18 come out of it, then we'll have a better City. I
19 vote aye on all. Thank you.

20 CLERK: Cabrera.

21 COUNCIL MEMBER CABRERA: Permission
22 to explain my vote?

23 PRESIDENT RIVERA: Yes.

24 COUNCIL MEMBER CABRERA: First, I
25 want to congratulate Council Member Brewer. I

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2 know in light of the fact that we're talking a lot
3 about the other bills, may we remember indeed that
4 over a million people now are going to be covered.
5 And this is truly a historical bill. Let me just
6 address a couple of things that were mentioned
7 regarding our police. I do agree we need more
8 police officers on the ground. I do believe that
9 we need to get back to the numbers that we had in
10 2001. It goes without saying. However, we--the
11 issue here is not about the what, it's the how.
12 It's not, it's how we using a tool that was given
13 to police officers, to be able to apprehend those
14 who seem truly suspicious for what they're doing,
15 not because of the way they look or the way that
16 they--whatever all the categories then, we know
17 we're talking about here today. The insinuation
18 that our police officers are going to stop doing
19 their job, I think better of our police officers.
20 I truly believe our police officers do what they
21 do because they love what they do, they were born
22 to do what they do, and I don't believe that this
23 is going to stop them. And last of all, let me
24 just say that I do listen to the facts and to
25 data. And if we look at the research, we look

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2 what has been presented before us here today, and
3 the track records that we see in the other cities
4 that have preceded us with legislation, there is
5 no basis for the fears and for the potential
6 misuse of what is about to be voted on today. So,
7 I vote aye on all. Thank you so much.

8 CLERK: Chin.

9 COUNCIL MEMBER CHIN: Permission to
10 explain my vote?

11 PRESIDENT RIVERA: Yes.

12 COUNCIL MEMBER CHIN: First I
13 wanted to thank Speaker Quinn and also Chair
14 Recchia on the budget and all the Council Finance
15 staff. And all the advocate who have come to the
16 hearing and all the rallies. And especially in
17 terms of that we were able, once again to save all
18 our daycare and afterschool seats in our district.
19 I also wanted to congratulate my budget director,
20 Umay Kidasay [phonetic] on her second successful
21 budget. She's getting really good at it now.
22 Also, wanted to thank Gale on her leadership on
23 the paid sick leave bill. That is like it's been
24 four years and we finally made it. And I'm proud
25 to vote to override the Mayor's veto, to make sure

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2 that he knows that this is the right thing to do.
3 And on the Community Safety Act, I strongly
4 believe that this will be the beginning for us to
5 really reestablish the relationship between
6 community and our police officers, and our City
7 will be much safer because of that. And I vote
8 aye on all. Thank you.

9 CLERK: Comrie.

10 COUNCIL MEMBER COMRIE: Permission
11 to explain my vote?

12 PRESIDENT RIVERA: Yes.

13 COUNCIL MEMBER COMRIE: Thank you.

14 I want to congratulate Gale Brewer on the paid
15 sick leave bill, getting to this point today where
16 we're doing the override. I want to align myself
17 with the excellent comments and insights of
18 Council Member Erik Dilan, dealing with the fact
19 that this is my last budget also, and as coming in
20 in the class of 2002, being expected that we would
21 fail with 35 new members, to have come to the
22 point today where we have moved this City forward,
23 I think this speaks to the lot, to the great work
24 of a lot of people in this room. And I want to
25 thank all of those people. It's truly been an

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2 enlightening opportunity for me to serve, and I
3 want to thank all of the Finance staff and all of
4 the people that have worked with me over the last
5 12 years, and especially both Speakers, Gifford
6 Miller and especially Gale--Gale, sorry. Chris
7 Quinn.

8 SPEAKER QUINN: That's okay

9 [laughs]

10 COUNCIL MEMBER COMRIE: For

11 everything that they've done to try to make this
12 City better and focus better, I want to thank
13 Council Member--I need to thank Richard Lee, my
14 budget and legislative person, and also Council
15 Member Julissa Ferreras, the Co-Chair of the
16 Queens Delegation, for making sure that the
17 Delegation's issues were dealt with in a fair
18 level this year, also. I want to thank Council
19 Member Jumaane Williams and I want to speak to
20 Intros 1179 and 1180. Now we're at a legislative
21 point because there was a breakdown in
22 communication and a lack of acknowledgement by
23 this Administration and by the Police Department
24 that this was a problem. That there's a problem
25 with stop and frisk. I can tell you that I too

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2 have had young men come to my office that were
3 ready to fall apart, that were broken up, because
4 they had been accused of something that they
5 hadn't done, that they were put to, put against
6 the ground or thrown against the ground, or
7 disrespected [time bell] because of what happened--
8 -

9 PRESIDENT RIVERA: Council Member.

10 COUNCIL MEMBER COMRIE: --in stop
11 and frisk. I'm proudly voting on this today, but
12 I'm saying that we're only doing--

13 PRESIDENT RIVERA: Council Member.

14 COUNCIL MEMBER COMRIE: --this
15 because there was a breakdown in communication by
16 the Administration, and I hope that we never have
17 to do this again--

18 PRESIDENT RIVERA: Council Member.

19 COUNCIL MEMBER COMRIE: --
20 legislatively, that our next Administration will
21 acknowledge that there's something that needs to
22 be fixed. I vote aye on all.

23 PRESIDENT RIVERA: Thank you very
24 much, Council Member.

25 COUNCIL MEMBER COMRIE: Oh, also, I

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2 have to, I have to, sorry, I have to do a
3 disclosure on the record. [time bell] I'm
4 disclosing that the, on the record, that the
5 Council proceedings funding, I'm giving money to
6 the York College Performing Arts Center, my wife
7 works at York College, but not at the Performing
8 Arts Center. And I have to disclose that I'm
9 funding the Performing Arts Center. Thank you.

10 CLERK: Cabrera.

11 COUNCIL MEMBER CABRERA: I am
12 disclosing on the record of the Council proceeding
13 that MS 390 is funded in the budget we are
14 adopting and my son is associated with this
15 entity, he's a substitute teacher. Thank you.

16 CLERK: Crowley.

17 COUNCIL MEMBER CROWLEY: No on
18 1080, no on 1079. Before I vote aye on the
19 budget, I am also disclosing for the record that
20 my son Owen is a student at Metropolitan High
21 School, which is receiving Reso 8 dollars in the
22 Capital Budget. And I vote aye on all, all other
23 bills.

24 CLERK: Dickens.

25 COUNCIL MEMBER DICKENS: Permission

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to explain my vote?

PRESIDENT RIVERA: Yes.

COUNCIL MEMBER DICKENS: First, I want to thank Speaker Quinn, the Speaker's staff, Ramon Martinez, Chuck Meara, Barbara, Chair Recchia, who has done a phenomenal job, Preston Niblack, Jeff Rodus, Scott Crowley, and all the Finance staff, for a difficult budget, which protected our NYCHA residents, senior centers, community centers, libraries, cultural, and our anti-gang initiatives. And I want to thank my staff, particularly - - . Thank you, Manhattan Delegation Chairs Brewer and Garodnick. Erik, Leroy, Lew, Al, Joel, Domenic, Gale, Speaker Quinn, trust that my class of 2006 will continue to stand tall to represent and protect this institution. And for Intros 1079 and 1080, I want to thank my colleagues, both Council Members Williams and Brad Lander, for their hard work on a very difficult, difficult situation, that does affect black and Latino communities. And I vote aye on all.

CLERK: Barron.

[background comments, laughter]

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2 COUNCIL MEMBER BARRON: I just want
3 to disclose, I just want to disclose that my son,
4 Juwanza Barron [phonetic], works for the New York
5 City Junior Tennis League. So just wanted to put
6 that on the record.

7 COUNCIL MEMBER DICKENS: Oh, no!
8 [laughter]

9 COUNCIL MEMBER BARRON: And
10 furthermore [laughter]

11 COUNCIL MEMBER RECCHIA: I thought
12 he worked for the NYPD. [laughter, pause]

13 SPEAKER QUINN: Keep in movin',
14 keep it movin', keep it movin'.

15 CLERK: Dilan.

16 COUNCIL MEMBER DILAN: May I have a
17 moment to explain my vote?

18 PRESIDENT RIVERA: Yes.

19 COUNCIL MEMBER DILAN: First, I
20 want to say I appreciate the discussion on both
21 sides of the argument on 1079 and 1080. And I
22 appreciate the sponsors bringing this motion to
23 us. I voted for the motion to discharge last
24 week, while I fundamentally disbelieve in motions
25 to discharge to this body, and the reason I had

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2 done that is because I also fundamentally believe
3 in the two items that we are about the vote on
4 today. What I can say about my experience with
5 stop and frisk is that it is not new. It is
6 something that my predecessor, my father, has
7 dealt with as the Council Member for my district
8 when he was here for many years. And a big
9 frustration as an elected leader is to feel
10 powerless when your constituents come in and say
11 they have a problem, and you feel that you can do
12 nothing in your role as an elected official about
13 it. Today, we may be changing that. And I say
14 may because anybody that is voting for this item,
15 certainly does not want to see a weakened Police
16 Department. We certainly do not want to see crime
17 rise. But we certainly do not want to see our
18 constituents disrespected in the manner that they
19 have been disrespected over the past 20 years. So
20 that is a major concern. And the bills before us
21 today are very good efforts, I mean, very good
22 efforts. I wish that they could have been
23 deliberated, and I certainly respect the
24 Chairperson's right to view his opinion and
25 exercise his right as Chair to withhold them.

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That is indeed democracy. But the fact that, the fact remains that so many children and so many New Yorkers of all colors, even white, 'cause I know some whites that have been stopped and frisked and felt extremely frustrated about it. The fact that this [time bell] process--

PRESIDENT RIVERA: Council Member.

COUNCIL MEMBER DILAN: --will be looked at, I'm certainly proud of.

PRESIDENT RIVERA: Council Member.

COUNCIL MEMBER DILAN: I cast my vote in the affirmative for all items on today's agenda. [applause]

CLERK: Dromm.

COUNCIL MEMBER DROMM: Thank you very much. Permission to explain my vote.

PRESIDENT RIVERA: Yes.

COUNCIL MEMBER DROMM: I'd like to start off by thanking Speaker Quinn, Chair Recchia and the Finance staff for all the hard work that they've done in terms of the budget. I'd also like to thank Council Member Jumaane Williams and Brad Lander for their outstanding leadership on 1079 and 1080. And Chair Brewer for all of her

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2 work on the paid sick days. And finally, to say
3 that I am proudly voting for all measure--all
4 items before us today, in honor of all the LGBT
5 people who have been discriminated against by the
6 NYPD. Thank you.

7 CLERK: Eugene.

8 COUNCIL MEMBER EUGENE: I vote aye.

9 CLERK: Ferreras.

10 COUNCIL MEMBER FERRERAS:

11 Permission to explain my vote?

12 PRESIDENT RIVERA: Yes.

13 COUNCIL MEMBER FERRERAS: I'd like
14 to first thank Finance staff and Chuck Meara,
15 Ramon Martinez, our Chair Domenic Recchia, for
16 their leadership on this budget nego--during the
17 budget this year, and to my Co-Chair Leroy Comrie.
18 And I also want to particularly talk, speak about
19 and thank Council Member Gale Brewer on the paid
20 sick days legislation. As a expecting mom, I hope
21 that this gives an opportunity to many mothers to
22 take time off and not worry whether they can keep
23 their jobs or not. But also as an expecting mom
24 of a young, black, Latino son, I really want to
25 thank Council Member Williams and Lander for their

1 leadership and effort. And it is a very special
2 time for me, and it's a special time for me
3 because I am proud to be able to vote aye on this
4 bill, for not only my son but everyone else's son
5 in this City, because everyone should be able to
6 walk the streets freely, and safety should not be
7 put against whether you get pulled over for
8 driving a car, or wearing a jacket or having the
9 wrong description. So, I am very proud to vote
10 aye. Thank you.

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12 CLERK: Brewer.

13 COUNCIL MEMBER BREWER: I want to
14 disclose that my husband works at the New York
15 Historical Society, and I am allocating funding to
16 them. And I want to thank Will Colgrove, the
17 Budget Director, and all of the Manhattan
18 delegation members. Thank you very much.

19 CLERK: Fidler.

20 COUNCIL MEMBER FIDLER: May I be
21 briefly excused to explain my vote?

22 PRESIDENT RIVERA: Yes.

23 COUNCIL MEMBER FIDLER: First, I
24 want to note that there are funds in the budget
25 for NYU and my son attends law school there, and

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2 there are funds in this budget for the Brooklyn
3 District Attorney, and my son is an assistant
4 district attorney there. I think the best way to
5 thank all the people who have worked so hard on
6 this budget is by not pausing at 20 after 1:00 to
7 thank them all individually. [background noise]
8 So, I'm just going to do this. I want to thank
9 the nameless, faceless person who brought that
10 endless stream of ice coffee to Chairman Recchia,
11 for the last month-and-a-half. [laughter] I want
12 to thank Mark Page for cracking a smile for the
13 first time in 12 years at a recent budget hearing.
14 And I want to thank Barbara Scafidi [phonetic],
15 because I value my life. [laughter] And [laughs]
16 other than that, I will vote aye on all with the
17 exception of Intros 1079 and 1080. And while I am
18 very much moved, particularly by the comments of
19 my friend and colleague, and the passion and
20 sincerity of Jumaane Williams, we have a
21 fundamental disagreement.

22 COUNCIL MEMBER GONZALEZ: Nice.

23 COUNCIL MEMBER FIDLER: I am assoc-
24 -I would like to be associated with the words of
25 Councilman Oddo, in opposition to the bills, and I

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vote no on those two.

CLERK: Foster.

COUNCIL MEMBER FOSTER: I'd like to disclose that in this budget, funds are being given to New Federal Theater. My father's on the Board of Trustees, St. Barnabas Hospital. My mother's on the Board of Trustees. And Christ Church where I attend as member, and my father's a senior pastor, I personally did not fund any of those. And I vote aye on all. Thank you and good night. [laughter]

CLERK: Garodnick.

COUNCIL MEMBER GARODNICK:
Permission to explain my vote?

PRESIDENT RIVERA: Yes.

COUNCIL MEMBER GARODNICK: I just wanted to add a couple of additional words on 1080, because there is some, I've heard some comments about how people can sue for this program or that program, that the NYPD undertakes. And therefore end those programs. But I think it just bears noting that people sue for things all of the time, but that doesn't mean that they're going to be successful in doing so. If someone sues here,

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2 this bill allows the police to defend a practice
3 simply by articulating why that practice serves a
4 compelling law enforcement interest. The burden
5 then goes to the plaintiff who needs to prove not
6 just evidence but substantial evidence that an
7 alternative policy exists that could serve the
8 very same interest with less impact. That's the
9 strict standard for a court. And even then, the
10 bill allows the police to respond by proving that
11 the alternative policy is not as effective. And
12 that is why so many of these cases get dismissed
13 by courts, and that's why so many of them would
14 likely not proceed. It seems that many fear not
15 just a large number of the lawsuits, but that
16 judges will end up in charge of the NYPD. And I
17 if this is really a concern about our courts,
18 which is not the true issue here; the courts are
19 the ones who interpret and apply the law to the
20 best of their ability, just as we legislate to the
21 best of ours. And in this bill, we have
22 legislated a high enough bar for potential
23 plaintiffs to mitigate this risk. This bill
24 provides a much needed private right of action
25 that will help those who need it, but is rigorous

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2 enough, in my view, to deter frivolous lawsuits.
3 So I'm pleased to support it. I also want to note
4 and disclose on the record of the Council
5 proceedings, that the Stuyvesant Town Tenants
6 Association is funded in the budget that we're
7 adopting. I am a member of that organization, as
8 a resident of that community. And the budget also
9 includes funding for the Planned Parenthood of New
10 York City. My wife is the Associate General
11 Counsel of the Planned Parenthood Federation of
12 America. That is a [time bell] the national
13 organization, whereas we are funding the City
14 organization. And with that I vote aye on all,
15 thank you.

16 CLERK: Gennaro.

17 COUNCIL MEMBER GENNARO: Mr.
18 Leader, I'd like to speak on my vote.

19 PRESIDENT RIVERA: Yes.

20 COUNCIL MEMBER GENNARO: Okay. I'd
21 like to thank the Speaker for her budget
22 leadership, and Chairman Recchia. And Preston and
23 Jeff and Nathan and Scott of the Finance staff.
24 And Chuck and Ramon for their great help. And I
25 wish to be associated with the remarks of Jimmy

2 Oddo regarding Intro 1080. And I guess I'm not
3 quite on the same page with Dan, who sits next to
4 me. You know, with regard to the court issue. As
5 the representative of the second most racially
6 diverse Council district in the City, and as a
7 member of the Public Safety Committee, I think the
8 Council does a very good job of, you know, looking
9 into the NYPD, doing oversight, making reforms.
10 And I think our record shows that we've been very
11 effective in doing that. And 1080, I believe,
12 really does invite, you know, the courts to use
13 statistics to do that, which we and the Mayor were
14 really elected to do--which is set police policy
15 and oversee its implementation. And to make
16 needed reforms with nec--when necessary. I think
17 we do that very well, and I think that's our job
18 and not the courts'. And you know, Dan just
19 mentioned that, it might not be effective, you
20 know, to kind of do that anyway. And so, with
21 that said, and with great respect for those that
22 are brought forward, 1079 and 1080, whom I have
23 very deep respect for, I vote aye on all, and I
24 vote no on 1079 and no on 1080. Thank you.

25 CLERK: Gentile.

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2 COUNCIL MEMBER GENTILE: Permission
3 to explain my vote?

4 PRESIDENT RIVERA: Yes.

5 COUNCIL MEMBER GENTILE: First, let
6 me disclose on the record that funding is going to
7 William McKinley IS 259 in Brooklyn. And my
8 sister is associated with that school. I voted
9 for the Motion to Discharge these two bills, but
10 being a legislator for 16 years, I also know there
11 can be a tendency to over legislate, especially
12 when dealing with tough issues. Although this has
13 been a good process, I believe this is one of
14 those times that we're attempting to over
15 legislate with Intro 1079. It is the Council's
16 role to oversee the police. If we haven't done
17 enough of oversight, then by all means possible,
18 pressure us, the City Council, to fulfill its role
19 in City government, even if that means we bring in
20 other agencies like DOI to assist us in fulfilling
21 this obligation. And when we fulfill that role,
22 we in turn can cause the Mayor and the Police
23 Commissioner to respond in the way they would, had
24 they done so with an Inspector General. As to
25 Intro 1080, I believe the Council must continue

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2 with the new Mayor to be vigilant on the correct
3 use of stop and frisk, emphasis on how it's
4 properly used as a law enforcement and crime
5 fighting tool. And how police action can be
6 conducted in a civil manner, particularly in the
7 event with those who are found to have committed
8 no crime. Yet, I'm persuaded that especially with
9 the rash of recent gun violence in our City, this
10 procedure must still be available to the police to
11 fight crime. Accordingly, for the reasons stated,
12 I vote aye on all with the exception of both 1079
13 and 1080, I vote no.

14 CLERK: Gonzalez.

15 COUNCIL MEMBER GONZALEZ: I am
16 disclosing on the record of the Council
17 proceedings that Maimonides Hospital is funded in
18 the budget that we are adopting, and my son is
19 employed there and has been employed prior to my
20 election 2002. I vote aye on all.

21 CLERK: Greenfield.

22 COUNCIL MEMBER GREENFIELD: May I
23 explain my vote?

24 PRESIDENT RIVERA: Yes.

25 COUNCIL MEMBER GREENFIELD: First,

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2 I just want to point out that as an attorney, I
3 don't believe there's any conflict that Council
4 Member Lew Fidler has with the fact that he's
5 fund--the Council funds NYU and his son goes to
6 NYU Law School. I believe he was just showing
7 off. [laughter] But congratulations, Councilman
8 Lew Fidler on having bright children. On a more
9 serious note, I do want to speak on the two bills
10 today, 1079 and 1080. I will say that I spent a
11 lot of time discussing this bill, researching the
12 bill and meeting with anyone who wanted to meet on
13 this bill. And I certainly was moved by the
14 remarks that Council Member Jumaane Williams made
15 tonight. I think you have a stone heart if you
16 were not moved by those remarks. And quite
17 frankly, those were the finest remarks I've heard
18 in the three plus years that I've been in the City
19 Council. And I will just say this: while I've
20 struggled with these two pieces of legislation, my
21 conclusion is a Solomonic one. And it is that I
22 personally am going to support the bill to create
23 the Inspector General. And I am going to oppose
24 the racial profiling bill. And I just want to
25 explain why. After thinking of, thinking and

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2 really spending a lot of time thinking about it, I
3 actually believe that the Inspector General will
4 improve the NYPD. And I don't believe the
5 rhetoric that it's going to hurt the Police
6 Department. And I think that having big picture
7 oversight on the NYPD will make the NYPD stronger
8 and better and a finer police force. On the
9 flipside, I'm a little bit concerned, and I'll
10 give a quick story, 'cause I'm running out of
11 time. There's a lobbyist for the PBA, his name is
12 Cheech. It's a little bit crazy in my opinion.
13 And he yells a lot. And the last time I was
14 speaking with him, he was yelling at me. And he
15 said, "Listen," he said, "you know, I see you at
16 those hearings and you only speak up for the COs
17 and Lieutenants. What about the average cop?"
18 And my concern on this particular legislation is
19 that the average police officer is being opened up
20 to lawsuits, and that's just something that I'm
21 not comfortable with. And as a result, I'm going
22 to vote aye on all, with the exception of 1080.

23 [time bell]

24 CLERK: Halloran.

25 COUNCIL MEMBER HALLORAN:

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Permission to explain my vote.

PRESIDENT RIVERA: Yes.

COUNCIL MEMBER HALLORAN: First, let me disclose that I have been a volunteer in the Boy Scouts of America, an organization funded in this budget. With regards to 1090, with regards to Intro 97-A, the override, I vote no. With regards to 1178, and accompanying Reso 1856, 1846 and 1847, I vote no. With regards to Intro 1080, the profiling bill, I vote no for the reasons stated in my prior comments. With regards to 1079, I find myself at a very difficult road. Having reviewed all of the academic data that is available, including the UAA report, UAF report of 2010, it cannot be said that a police department can effectively police itself. This is the takeaway from hundreds of studies that have been done and the conclusion of the International Association of the Chiefs of Police. Can citizen oversight effectiveness do it better? The answer is: we don't know. However, we do know that communities in which citizen oversight directly over the police department has resulted in communities feeling better about the police

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2 department, while not necessarily indicating that
3 in fact police practices have improved. I am
4 going to give Jumaane Williams's bill the benefit
5 of the doubt, but I will point out to Jumaane that
6 I think he needs to revisit it for several
7 reasons, and try to deal with some of the
8 conflicting laws that are involved. You have the
9 Internal Affairs Bureau of the Police Department,
10 the CCRB, the New York City Police Commission and
11 the Council, all tasked with oversight functions
12 of the Police Department. This does not make for
13 best practices, because it eventually dilutes the
14 power of any one organization. I think that
15 Chairman Vallone has served as an excellent
16 example, contrary to Councilman Barron's comments.
17 As the oversight Chair of the Public Safety
18 Committee, I think he has done what Chairmen
19 should do in oversight; however, I think that as a
20 body we have not done all that we could. And I
21 think the Mayor's Office has been nonresponsive to
22 our requests, and therefore I feel an outside
23 [time bell] oversight is necessary. I therefore
24 vote aye--

25 PRESIDENT RIVERA: Council Member.

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2 COUNCIL MEMBER HALLORAN: --on all
3 the rest.

4 CLERK: Ignizio.

5 COUNCIL MEMBER IGNIZIO: Yes, to
6 explain my vote, if I may.

7 PRESIDENT RIVERA: Yes.

8 COUNCIL MEMBER IGNIZIO: I first
9 want to start off by thanking the men and women of
10 the NYPD. And that's what I think most people, if
11 not everyone in this body, believes that they have
12 done a great job in lowering crime in this City.
13 And we should take pause and set aside the entire
14 debate and thank them for the fine work, for
15 putting their lives on the line for us every day.
16 But clearly there's an issue with regards to
17 communities in the City and their relations with
18 the police. And perhaps these bills, while I'm
19 opposed to them, will foster the dialogue
20 necessary, or may wake up some who understand that
21 there needs to be a better dialogue in these
22 communities, and all communities, with the Police
23 Department. We need to have police officers
24 having aggressively pursuing crime. We need to
25 have police officers who are fine officers who

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2 recognize that when they see something, they're
3 going to vigilantly pursue that crime. The
4 unattended consequences, potentially these bills,
5 is that when a human, man or a woman, who wears
6 the badge, and has a family at home--and I don't
7 want to steal from my colleague, Minority Leader
8 Oddo, 'cause we were discussing it--will pull
9 their punch and not aggressively pursue a
10 potential perpetrator. And then he or she goes
11 out and commits a crime. That's the fear. We all
12 want better policing, myself included. But I
13 think the way to do it is to ensure that we have a
14 constructive dialogue throughout the City, about
15 best practices for the Police Department. And in
16 fairness, the Police Department needs to come to
17 the table, as well, and have that dialogue, and
18 not ignore my colleagues [time bell] who have
19 aggressively been pursuing having that discussion--
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21 PRESIDENT RIVERA: Council Member.

22 COUNCIL MEMBER IGNIZIO: --in
23 particular, Council Member Williams. So, I'm
24 going to have to disclose that I funded PS 36, as
25 well as all my other schools in my district, but

1 PS 36 has a very influential member in it, that's
2 my daughter. And she graduated kindergarten
3 yesterday--since Lew can brag, so can I. I'm glad
4 I don't have a kindergarten dropout. I'm voting
5 no on 97-A, 1079, 1080, Preconsidered M 1178 and
6 Reso 1856, Preconsidered 1846 and 1847, and thank
7 you for everybody that worked on the budget.
8

9 CLERK: Jackson.

10 COUNCIL MEMBER JACKSON: May I be
11 excused to explain my vote?

12 PRESIDENT RIVERA: Yes.

13 COUNCIL MEMBER JACKSON: Thank you.
14 First, let me just say that I am a board member of
15 the Malcolm X and Dr. Betty Shabazz Educational
16 Cultural Center, for full disclosure. And number
17 two, concerning the Department of Education's
18 capital budget of over \$11.8 billion, with several
19 hundred million from the City Council Reso A, it
20 is not enough for the children of New York City.
21 Our class sizes are growing, the maintenance of
22 our schools are not where they're supposed to be
23 at. And overall, the categories of repair that
24 need to be done from 5-4-3-2-1, five being the
25 highest, they're not being tended to like they're

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2 supposed to. So, whoever's going to be the next
3 Education Chair, make sure that we pay attention
4 to the needs of our children. Those are our
5 future leaders of our great society. And let me
6 speak more specifically about 1079 and 1080.
7 Don't be afraid! Speak the truth! People thought
8 that, you know, that if you're black or you're
9 Latino and Asian, that you're not discriminated
10 against. And for those members of this body that
11 are not black, Latino and Asian, let me tell you,
12 it's a big difference. And NYPD knows it.
13 700,000 people were stopped and questioned and
14 frisked, and the majority, all of them, no charges
15 were brought. No one can tell me, as a black man,
16 that no racist, that racist discrimination did not
17 occur. I tell you that loud and clear. And I
18 stand up and say that it's important that we stand
19 united in ensuring that our City is safe and
20 secure and nondiscriminatory against all people,
21 it doesn't matter who you are. [time bell] Let
22 me--let me just say that, and finally--

23 PRESIDENT RIVERA: Council Member.

24 COUNCIL MEMBER JACKSON: --I'd like
25 to thank my staff who've been working on the

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2 budget, along with all of the staff and the City
3 Council.

4 PRESIDENT RIVERA: Cou--

5 COUNCIL MEMBER JACKSON: We've done
6 a great job. Thank you.

7 PRESIDENT RIVERA: Thank you.

8 COUNCIL MEMBER JACKSON: I will
9 vote, I vote aye on all.

10 PRESIDENT RIVERA: We kind of need
11 that, yes. [laughter]

12 CLERK: James.

13 COUNCIL MEMBER JAMES: May I be
14 excused to explain my vote?

15 PRESIDENT RIVERA: Yes.

16 COUNCIL MEMBER JAMES: First let me
17 congratulate Gale Brewer on all of her work, and
18 let me also congratulate Council Member Palma on
19 restoring childcare in the City of New York.
20 Today I vote on behalf of my brother, my nephew,
21 my neighbor, colleagues in the State Legislature
22 who have confided in me privately that they have
23 been stopped and frisked. Today I vote on behalf
24 of all mothers, particularly mothers of color and
25 grandmothers, who pray that their children come

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2 home safely at night, children who come often who
3 are victims of being stopped and frisked. And
4 I'll always remember the time that my nephew
5 stayed with me, he was stopped and frisked as he
6 was traveling through East New York, and when he
7 arrived at my home, he curled up and he said,
8 "Aunt Tish, I did nothing wrong." You see, he was
9 coming from college. And he's a member who sings
10 in our church choir. And he did nothing wrong.
11 And I can see based on the comments this evening,
12 we're all viewing them through our own frame of
13 reference, through our own experience, through the
14 lens of race and ethnicity and class. This is not
15 about police bashing, this is really about
16 oversight, when a certain segment of the public
17 alleges a disparate impact relating to law
18 enforcement action. You see, imbalanced police
19 practices are real, and they cannot be denied.
20 And race baiting and fear mongering does nothing
21 to advance this discussion. In fact, alternative
22 policies or practices with less disparate impact
23 are available. And as we leave here this evening,
24 let us all work together, so that the next
25 administration exercises community policing, that

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2 the next administration hires more police, that
3 the next administration will work with all of us
4 to pass reasonable gun laws in Congress, and that
5 the next administration will have a communication
6 and a dialogue with the elected officials of color
7 in the City of New York. I proudly vote aye on
8 both. [time bell]

9 CLERK: King.

10 COUNCIL MEMBER KING: May I explain
11 my vote?

12 PRESIDENT RIVERA: Yes.

13 COUNCIL MEMBER KING: First, I want
14 to thank Council Member Gale Brewer, Chair Recchia
15 and all the Finance people who've made today a
16 success. Thank you for the learning opportunity.
17 And for everyone who is graduating out of the
18 Council here in the class of 2013, I say thank you
19 and happy graduation to you all. My vote today is
20 one that's not only personal but represents my
21 community. But it also represents communities of
22 color all around the City of New York. And as I
23 hear conversations against, what saddens my heart
24 when I'm in my district and I listen to a group of
25 9 year old young boys who talk to each other and

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2 say, "You're a stop and frisk virgin because you
3 haven't been stopped and frisked yet," that's a
4 sad reality that we're dealing with. And for
5 those of you in your districts who never
6 experienced like that, or your sons or daughters
7 have experienced, that's a traumatic experience
8 that stays with them forever. So I'm asking us
9 all, those who have not yet voted yet, to take
10 real consideration when we start talking about
11 saying no to the realities of what NYPD does do.
12 And while I work closely with them, and I love and
13 respect them, we cannot deny the fact that
14 discrimination does exist in New York. We cannot
15 ignore it and say because it didn't happen in our
16 neighborhood, it doesn't exist. It's a reality,
17 and we have to face it, and have real
18 conversation, as I say, uncover to recover. And
19 if we can do that, NYPD will continue to stay
20 strong and do what we ask them to do to protect
21 and serve. And I ask us all in joining in that
22 conversation, one conversation, and make sure we
23 move New York forward. With that I vote aye on
24 all. Thank you.

25 CLERK: Koo.

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2 COUNCIL MEMBER KOO: May I explain
3 my vote?

4 PRESIDENT RIVERA: Yes. [laughter]
5 Come on, come on, everybody. [background noise]

6 COUNCIL MEMBER KOO: Tonight we
7 heard a lot of good speeches. But we all have to
8 remember - - and bashing the NYPD won't solve the
9 problems of New York City. As I mentioned before,
10 having a good education is really important, so we
11 have to focus on universal quality pre-K and to
12 make sure our kids at least finish high school,
13 and all the vocational schools. Then we'll solve
14 the problem of poverty, joblessness and other
15 problems. And then, and another thing we forgot
16 to ask is, what about the businesspeople? Have
17 any one of you asked the opinion of the
18 businesspeople?

19 SPEAKER QUINN: Can we get a little
20 quiet on the floor? And add a couple of, ten or
21 15 seconds back on the clock for Council Member
22 Koo, please. Thank you.

23 COUNCIL MEMBER KOO: Thank you.
24 My--I have asked many businesspeople in my
25 district, they're not supporting the bills,

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2 because they are afraid police won't stop and
3 frisk. They are afraid the police are afraid to
4 come to the area when crime happen, because they
5 don't want--especially when these police are
6 rookies. So, the perception is really important.
7 Public safety is one of the highest priority in
8 any community, especially for businesspeople. So,
9 if the perception, the public safety is not there,
10 business will move out. Guess what? Who pays all
11 the bills for New York City? Most of the
12 businesspeople. They pay hundreds of dollars in
13 terms of real estate taxes, - - or the employee
14 tax, and they - - people to pay all our tax. So,
15 you know, everyone understand, I mean, the
16 intention of Council Member Jumaane, he has a good
17 heart, he has good intentions, but the bill may
18 bring bad consequences. And we don't want that.
19 If the business move out of New York, what happen?
20 We become like Detroit. So, and my last note is,
21 I want to thank Speaker Quinn [time bell] and our
22 Finance Chairman Domenic--

23 PRESIDENT RIVERA: Council Member.

24 COUNCIL MEMBER KOO: --for doing a
25 wonderful job, and also all staff at the Finance

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Department, because of they--

PRESIDENT RIVERA: Council Member.

COUNCIL MEMBER --we have a good budget.

PRESIDENT RIVERA: - -

COUNCIL MEMBER KOO: So, now may I vote? Yeah. Yeah, I will vote no on 1079 and 1080, and yes on the other ones.

CLERK: Koppell.

COUNCIL MEMBER KOPPELL: May I explain my vote?

PRESIDENT RIVERA: Yes.

COUNCIL MEMBER KOPPELL: It's interesting, several of my colleagues have expressed concern that 1080 is going to result in courts running the Police Department. People have been so busy with the budget, I think they've failed to read the newspapers. Judge Shiroshinen [phonetic] in the Federal District Court is likely to play a very major role in governing the Police Department, because we didn't deal with stop and frisk appropriately. And we saw what happened with the Fire Department, with Judge Garafalus [phonetic] (I think I'm saying his name right) in

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2 Brooklyn, who took over the Fire Department
3 because of problems in the way we administered the
4 Fire Department tests. Unless we deal with these
5 problems appropriately, and that's what 1079 and
6 1080 are trying to do, yes indeed judges will take
7 over the running of our Police Department, as the
8 judge took over a major aspect of running of the
9 Fire Department. So, the remedies provided here
10 may be too little, too late. Because we already
11 have the possibility that Judge Shineman
12 [phonetic] will intervene here and take away the
13 power of the City altogether, including of this
14 Council, to deal with this problem. So, before
15 you believe, before you express concern about
16 courts taking over, think about how we prevent
17 courts from getting involved. And these bills are
18 attempting to do that by saying you cannot have
19 policies that threaten Constitutional rights of
20 our citizens, and that equal protection of the law
21 has to be maintained. These bills avoid, in my
22 opinion, the likelihood of courts taking over
23 rather than the opposite way. I withdraw my
24 request, and I vote in the affirmative on all
25 items on the General Orders Calendar.

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CLERK: Koslowitz.

COUNCIL MEMBER KOSLOWITZ: May I be excused to explain my vote?

PRESIDENT RIVERA: Yes.

COUNCIL MEMBER KOSLOWITZ: I came into the Council in April of 1991, when crime was at its peak. That you weren't sure if you were going to sleep in your own bed that night. And we had to vote, I had to make a vote, for safe streets, safe city, under the leadership of Council Member Peter Vallone, Sr., and David Dinkins. And I voted yes, and yes was to raise taxes for the people. The crime was so bad. And I had a very heavy primary that June. And I felt it was the right thing to do. And since then, crime has gone down. My son-in-law was stopped and frisked twice, one in the '90s and just last year. And for no reason at all, he was stopped in Harlem in the '90s, because he was white and in Harlem; when in fact he was coming home from work and going over the Triborough Bridge home. The second time, he was riding home again from work, Queens Boulevard, and he was stopped in Woodside, and stopped and frisked. I feel a responsibility

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2 that I took a heavy vote in 1991 to make this City
3 safe. And certainly, I do not believe in racial
4 profiling, ethnic profiling. My grandfather was
5 killed because he was Jewish. And only for that
6 reason. So, tonight, I'm going to vote no [time
7 bell] on 1080 and aye on all General Coupled
8 Orders.

9 CLERK: Lander.

10 COUNCIL MEMBER LANDER: Request
11 permission to explain my vote?

12 PRESIDENT RIVERA: Yes.

13 COUNCIL MEMBER LANDER: I know it's
14 late, but I would be remiss if I do not say a
15 couple of thank yous. Both these bills are
16 dramatically better as the result of the work of
17 Rob Newman and Alex Pistilnick. Thank you, Ramon
18 and the entire team, and the Speaker. And
19 upstairs, to Udi Juhan [phonetic], Candace, Fiza
20 [phonetic] - -

21 SPEAKER QUINN: Can we just get a
22 little quiet, for Council Member Lander, and add a
23 couple seconds back, please?

24 COUNCIL MEMBER LANDER: Thank you,
25 Madam Speaker. Melanie--

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2 SPEAKER QUINN: He was at 42 or
3 something.

4 COUNCIL MEMBER LANDER: To my
5 staff, who have worked extraordinarily hard on
6 these bills, Michael Friedman Schnapp [phonetic],
7 Alex Moore and Rachel Goodman. The Budget staff,
8 Preston and Jeff and Domenic, have been
9 extraordinary, making a \$70 billion budget
10 substantially better, and shepherding 51 Council
11 Members who don't always have the level of
12 consensus that we display tonight, is no easy
13 task. Congratulations to Gale Brewer, Jumaane and
14 I will be coming to see you soon, to talk strategy
15 on how one overrides vetoes. [laughter] I need
16 to disclose on the record that there's funding in
17 the budget for MS 51 and PS 107, where my children
18 attend public school. All the schools in my
19 district that apply receive funding. The Brooklyn
20 Children's Theater and the 78th Precinct Youth
21 Council, where my kids, along with many, many
22 others, attend programming. The Prospect Park
23 Alliance, where I'm a member and ex-officio board
24 member, and Planned Parenthood New York City,
25 where like Council Member Garodnick, my wife is a

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2 Vice President. So, you know, this is the second
3 of two late nights, 'cause we were up last night
4 late, standing with Wendy, and with that I proudly
5 vote aye on all.

6 CLERK: Lappin.

7 COUNCIL MEMBER LAPPIN: First, I
8 would like to disclose on the record, that in this
9 budget there is money going to the Turtle Bay
10 Music School, and my two year old son takes music
11 classes there. There's also money in this budget
12 for Grow NYC, and my sister-in-law is an attorney
13 at Grow NYC. I want to thank the budget team, my
14 good friends Preston, Jeff, Ramon and Scott. I
15 want to thank my friend Rosie Mendez, and I am
16 very proud that we are yet again saving senior
17 centers from closure, and protecting critical
18 programs for vulnerable seniors. I was very proud
19 to march down 5th Avenue last Father's Day, and I
20 am very proud tonight to vote aye on all items on
21 the General Order Calendar. [time bell]

22 CLERK: Levin.

23 COUNCIL MEMBER LEVIN: Permission
24 to explain my vote?

25 PRESIDENT RIVERA: Yes.

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2 COUNCIL MEMBER LEVIN: Thank you,
3 Mr. Majority Leader. I want to first thank
4 Speaker Quinn and Finance Chair Domenic Recchia,
5 Chuck Meara and Ramon Martinez, Preston Niblack,
6 Jeff Rodus, Latonia McKinney, Regina Ryan, Scott
7 Crowley, Nathan Toth and the entire Finance staff,
8 as well as my staff, Ronnie Metal [phonetic],
9 Ashley Thompson and Matt Ogala [phonetic] on a lot
10 of hard work to produce a budget that benefits all
11 New Yorkers and saves vital services. With regard
12 to Intros 1080 and 1079, I think that this is a
13 proud moment for this Council, in standing up for
14 the Constitutional rights of New Yorkers, and the
15 Fourth Amendment rights that we have as
16 protections against illegal searches and seizures.
17 And this is a strong message to all New Yorkers
18 that those rights will be respected and those
19 rights will be protected by the New York City
20 Council. And with that, I vote aye on all items.

21 CLERK: Mark-Viverito.

22 COUNCIL MEMBER MARK-VIVERITO:
23 Permission to explain my vote.

24 PRESIDENT RIVERA: Yes.

25 COUNCIL MEMBER MARK-VIVERITO:

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2 Thank you. I want to also thank the Speaker and
3 Chair Recchia and all the Finance staff, every
4 single person that helped, have get us to this
5 day. I do want to thank my staff, Joe Toronto,
6 who's still here with us tonight, and also Council
7 Member Gale Brewer and Council Member Williams and
8 Lander, I'm very inspired by the leadership that's
9 been demonstrated. I do just want to make a
10 couple of comments that, you know, in all these
11 discussions around these pieces of legislation,
12 those of us that demand accountability and
13 transparency have consistently been vilified by
14 the Mayor and the Commissioner. Accused of
15 putting our communities at risk and saying that we
16 don't support our police officers. And that's
17 precisely the point of this legislation, is
18 because we do want to support our officers and we
19 want the best NYPD. And these bills will provide
20 a level of accountability and transparency.
21 Instead of demonstrating true leadership by
22 acknowledging that changes need to be made to
23 police practices, they have attempted to silence
24 us by using fear mongering, presenting doom and
25 gloom scenarios, and using overblown rhetoric. It

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2 is appalling, it is irresponsible, and what we've
3 witnessed these last--what we've witnessed these
4 couple of days. A couple of quick facts that, you
5 know, have been talked about here, the number of
6 stops has grown exponentially under this
7 Administration. Gun violence has remained at
8 nearly the same levels over the Bloomberg
9 Administration's tenure; also with regards to the
10 number of gun seizures. In 2011, only 16 percent
11 of street stops are based on the person fitting
12 the description of a crime suspect. Those are
13 some of the facts and reasons that illustrate the
14 need for the Community Safety Act. The Inspector
15 General bill will enable us to look at policies
16 and practices at a broader level, while profiling
17 bill will ensure that we are more effectively and
18 efficiently using the resources of our Police
19 Department, without compromising police/community
20 relations. So, it is a historic day for many
21 reasons. We are making history again tonight, as
22 I said earlier. [time bell] And I am proud,
23 proud, proud--

24 PRESIDENT RIVERA: Council Member.

25 COUNCIL MEMBER MARK-VIVERITO: --

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2 and very [Spanish] to vote yes on these bills.

3 CLERK: Mealy.

4 COUNCIL MEMBER MEALY: May I
5 explain my vote?

6 PRESIDENT RIVERA: Yes.

7 COUNCIL MEMBER MEALY: I just want
8 to thank the Speaker for her leadership, I want to
9 thank my co-leader David Greenfield and Sara
10 Gonzalez and the whole Brooklyn Delegation. And I
11 want to echo my statements, what Helen Foster
12 said, it's a sad day that we have to vote for
13 this. It's already the law. But we are doing it
14 tonight, and I want to just say aye on all. Thank
15 you.

16 CLERK: Mendez.

17 COUNCIL MEMBER MENDEZ: Permission
18 to explain my vote?

19 PRESIDENT RIVERA: Yes.

20 COUNCIL MEMBER MENDEZ: My
21 colleagues, today I brought these posters that
22 were made by senior citizens in NYCHA in my senior
23 development. On June 14th they handed me these
24 because they were told their senior center was
25 going to close. 200 seniors greeted me that day

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2 with tears in their eyes. My colleagues, my
3 Speaker, Chairman Recchia, thank you. Thank you
4 for saving these senior centers and community
5 centers. They are a lifeline to our community. I
6 also want to say in regards to 1079 and 1080. If
7 you look at the data, we, you know, people are
8 saying stop and frisk gets guns off the street.
9 The Mayor's own data does not prove that. So, for
10 all the young men of color in my district, for the
11 LGBT community, and for the 19 year old young
12 woman who stopped me, my constituent, with tears
13 in her eyes, 'cause her grandmother was stopped
14 and frisked in the lobby while carrying groceries,
15 and for my friend, Richie Perez, who is in heaven,
16 I proudly vote yes on these bills. And I am
17 disclosing on the record, I do not know, 'cause I
18 have not gone through all the books, but if we
19 funded Brooklyn Hospital in this budget, that my
20 brother is associated with that entity. And for
21 all my colleagues who are leaving the Council, it
22 has been a distinct honor to serve with all of you
23 for the last eight years, and to my Speaker, it's
24 been an honor to have you as my Speaker. I vote
25 aye on everything. Thank you.

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CLERK: Nelson.

COUNCIL MEMBER NELSON: No on Intro 1079 and 1080; aye on all else. And for disclosure, I'm disclosing on the record that Merle High School is funded in the budget, we are adopting, and my wife is associated with the center, she has been for 15 years prior to my marriage. And to the Chairs who called the meeting tomorrow morning at 10:00 a.m. [laughter] you're going to be very lonely.

CLERK: Palma.

COUNCIL MEMBER PALMA: Permission to explain my vote.

PRESIDENT RIVERA: Yes.

COUNCIL MEMBER PALMA: I just want to thank Speaker Quinn for her leadership in this budget and the past budgets. I want to thank Domenic Recchia for being patient with all of us this budget season, and the whole Finance team for the work that they've done. Congratulations, Gale, on the override of paid sick time. You did a lot of hard work and I know that a lot, millions of people will benefit from the law we are about to override today. Jumaane, I have the utmost

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2 respect for you. Thank you for the courage you
3 had to frame the debate around this issue that so
4 many people were silent on over the past few
5 years. I vote aye on all.

6 CLERK: Recchia.

7 COUNCIL MEMBER RECCHIA: I'd like
8 to disclose on the record that there's funding in
9 this budget for IS 239, the school that my
10 daughter attends. So I just want to put that on
11 the record. I also want to--on Intro 1080 and
12 Intro 1079, I vote no, and everything else I vote
13 aye.

14 CLERK: Reyna.

15 COUNCIL MEMBER REYNA: Permission
16 to explain my vote.

17 PRESIDENT RIVERA: Yes.

18 COUNCIL MEMBER REYNA: I just
19 wanted to take this opportunity to thank the staff
20 of the Council who keeps this institution working,
21 functioning, on a daily basis, to the finance
22 staff that has done a tremendous job throughout
23 the years. Having served in this Council for the
24 last 12 years, overseeing what would be 12
25 budgets, I want to especially thank Chuck Meara

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2 and Ramon Martinez, and our Speaker for her
3 leadership within the institution. These have
4 been tremendous events, ones that will go on
5 record providing a change in history. And I want
6 to express that I am proudly voting yes for this
7 budget and the introduction of laws that are being
8 passed today, I want to just express that it is
9 important for us to all respect each other's
10 opinion. And it would have been tremendous to
11 have had a dialogue that would have taken away
12 egos. And because such dialogue was not had in
13 what would have been a debate, that could have
14 perhaps avoided legislation, we can all wonder the
15 what ifs, but today we are doing something on
16 behalf of the people of New York that have voiced
17 their opinion. And we can only see what the
18 future will entail. I believe in the Police
19 Department. My husband serves in the Police
20 Department. And it is very difficult to see the
21 contentious dialogue that has risen within these
22 walls. And speak very little of what needs to
23 occur and how honest we have to be with one
24 another. And a dialogue would never have taken
25 place had these bills not come to the floor. So,

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2 I want to thank everyone for their leadership,
3 [time bell] I vote aye on all.

4 CLERK: Richards.

5 COUNCIL MEMBER RICHARDS: First, I
6 just want to disclose that I funded all the
7 schools in my district, my wife's a guidance
8 counselor at Challenge Preparatory Academy, prior
9 to me being elected three months ago. And I just
10 wanted to make three quick statements. We keep
11 hearing this conversation about education when it
12 comes to stop and frisk. And I just want to put
13 on the record that no matter what amount of
14 education you have, whether it's a G.E.D., high
15 school diploma, master's degree, doctorate, you
16 are still stopped and frisked in this City.
17 Second, I also want to say to Mr. Koo, that we
18 surely can use the local businesspeople hiring the
19 local people who live there, and that could cut
20 down on a lot of crime, too. And lastly, I'm
21 voting aye on all. Thank you.

22 CLERK: Rodriguez.

23 COUNCIL MEMBER RODRIGUEZ: May I
24 explain my vote, please.

25 PRESIDENT RIVERA: Yes.

2 COUNCIL MEMBER RODRIGUEZ: First of
3 all, I would like to disclose to the, my wife, and
4 my sister were in New York City Public Schools.
5 My daughter, one of my daughters and my niece, one
6 of my nieces is also a member of the Washington
7 Heights Tenants Association. And when it comes to
8 the budget, I would like thank the Speaker,
9 Christine Quinn, and all my colleague for working
10 together, especially restoring so many services
11 that we could lose in this year. Especially I'd
12 like to thank, for--to the Speaker, for making
13 something a reality, in Lower Manhattan, which is
14 a whole Community Board that doesn't have a indoor
15 pool. She put the money, so that one of the
16 schools, George Washington High School, that has a
17 pool that has been used as a storage for year,
18 would have the money to restore it. So the
19 student there, they will have access to swimming
20 class. So thank you for that contribution. I
21 believe that today's an important day. First of
22 all, all of us, we've been sharing different point
23 of view on 1079 and 1080. The most important
24 thing is that everyone care, to continue
25 supporting the men and women of the NYPD. No

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2 doubt, no one should have any doubt. Most of all
3 I share that we have children, I have my six years
4 old and the four months. And we want to work in a
5 - - in our street. It doesn't matter if we got to
6 Staten Island and Bronx, Queens, Brooklyn or
7 Manhattan, in the street they are safe. But we
8 believe that there is a level of racial profile
9 and the stop and frisk that is run, we should
10 correct it; therefore, I'm so proud to be part of
11 the majority of the Council that has been voting
12 aye. Thank you.

13 CLERK: Rose.

14 COUNCIL MEMBER RODRIGUEZ: And I
15 vote aye.

16 COUNCIL MEMBER ROSE: Permission to
17 explain my vote?

18 PRESIDENT RIVERA: Yes.

19 COUNCIL MEMBER ROSE: First, I'd
20 like to say a number of thank yous. I'd like to
21 thank Lew Fidler for the chocolate tonight.
22 [laughter] And I'd like to thank Speaker Quinn
23 and especially Domenic Recchia, Preston, Jeff and
24 Scott and Ramon, for all of their help with the
25 budget. I'd like to thank the Brooklyn Delegation

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2 for including me in their budget delegation budget
3 discussions. And I would like to say to Gale
4 Brewer, Jumaane Williams and Brad Lander, thank
5 you so much for shepherding this, these, those
6 crucial pieces of legislation through the troubled
7 waters. It was not an easy task. And it took a
8 lot of courage and oftentimes I know how difficult
9 it was to remain steadfast and committed. And so
10 I thank you. And I thank Jumaane Williams for his
11 eloquent articulation of the realities of stop and
12 frisk. I don't know if anyone can leave here
13 tonight without understanding what the reality of
14 stop and frisk is for each of us who live in
15 communities that seem to be under siege, just
16 because of the color of their skin, the fact that,
17 of their religion, or that they are LGBT. And so,
18 I thank this body for the intense dialogue that we
19 had tonight. And I am sure that we'll be
20 congratulating Jumaane and Brad at the end of the
21 evening. I would like to say that I am voting aye
22 on 1079 and 1080, proudly and loudly. I am voting
23 no on Preconsidered Reso [time bell] 1846, 1847.
24 I am voting no on Precondition Motion 1178 and
25 Reso 1856. And I vote aye on all others. Thank

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you.

CLERK: Ulrich.

COUNCIL MEMBER ULRICH: May I be
briefly excused to explain my vote?

PRESIDENT RIVERA: Yes.

COUNCIL MEMBER ULRICH: Mr.
Majority Leader, first I want to thank our
speaker, Christine Quinn, for making sure that the
money was included in this year's fiscal year
budget to rebuild my community in my district
which was devastated by Hurricane Sandy. There
are millions and millions of dollars that will go
towards rebuilding the boardwalk, the schools, the
parks, the libraries, the playgrounds, and so many
homes and public facilities that were absolutely
devastated by the storm. No one has done more to
help the people in my district who were impacted
by Hurricane Sandy than Christine Quinn, and I
publicly want to say on the record, I want to
thank you, Chris, for everything you've done.
Thank you very much. I also want to disclose on
the record that St. Francis College is funded in
the budget we are adopting; my wife, Yadira Moran,
has been an employee of the college for many

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2 years. And I am also an alumnus. I'm voting no,
3 no surprise, on Intro 1079 and also on 1080. I do
4 not believe that we should be putting politics
5 above public safety. I think that this is
6 essentially going to police the police. And I
7 want to give law enforcement every tool at their
8 disposal to fight crime and keep this City safe.
9 And I think that by passing these two laws, we are
10 tying their hands and we are limiting their
11 ability to do that. I think we're making a big
12 mistake tonight, but I think it has been said
13 earlier, and I do agree, it is a testament to the
14 collegiality of this body that we can disagree
15 without being disagreeable, that we can put our
16 partisan and personal differences aside, vent, air
17 our opinions, express them in many ways, and
18 ultimately come to an outcome or a conclusion,
19 whether or not we agree with it or not. So, it's
20 an honor to serve with all of you. Have a good
21 night, thank you. I am also voting no on
22 Preconsidered M 1178, accompanying Reso 1856 and
23 1846 and 1847, and aye on all others.

24 CLERK: Vacca.

25 [background comments]

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2 COUNCIL MEMBER VACCA: I vote no on
3 1080 and aye on all others.

4 CLERK: Vallone.

5 COUNCIL MEMBER VALLONE: May I
6 please be excused--

7 PRESIDENT RIVERA: Yes.

8 COUNCIL MEMBER VALLONE: --to
9 explain my vote.

10 PRESIDENT RIVERA: Yes.

11 COUNCIL MEMBER KOPPELL: Councilman
12 Koppell, if you're still here, there's a huge
13 difference between one federal judge with the
14 burden of proof on the plaintiffs and hundreds of
15 state judges with the burden of proof on the City.
16 Council Member Koo, I understand you loud and
17 clear, and I know how brave you are, because of
18 the pressure that was put on you. Council Member
19 Lander, my friend, you mentioned the law in
20 Illinois that I have not seen; what I have seen is
21 the murder rate in Chicago, Illinois. And if we
22 had that murder rate here, we'd have 1,000 more
23 dead kids, 950 of them minorities. If you want
24 Illinois, this bill will give you Illinois. I
25 will take New York, the safest city in America,

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2 with the best, most diverse police force in the
3 world. Council Member Barron, being called
4 delusional by you is a badge of honor, although I
5 don't know how someone who has no basis in reality
6 would know what delusional is. In my defense, I
7 was a prosecutor for six years, a defense attorney
8 for ten years, the Public Safety Chair for 12
9 years; and for good measure I'll throw in seven
10 years as a beach lifeguard. I have spent my
11 entire career keeping New Yorkers safe, largely
12 from people like you, self-indulgent camera hogs
13 who think it's cute to call for revolution on the
14 Council floor. Okay, I lost track of what I was
15 saying. But you may consider that, may or may not
16 consider that an expert, but it's a lot more
17 experience in law enforcement than you have. New
18 Yorkers went to bed a long time ago, safe in their
19 beds, soundly sleeping, but they are going to wake
20 up in a much more dangerous city. I have done as
21 much as one man can possibly do to protect the
22 city I love from this bill. It has not been
23 enough, and now I hope that there are 17 brave
24 Council Members [time bell] to stand with me and
25 uphold the Mayoral veto on this--

PRESIDENT RIVERA: Council Member.

COUNCIL MEMBER VALLONE: --this bill. I am going to vote no on 97-A, 1080, 1079, Preconsidered Reso 1847, Preconsidered Reso 1846, Preconsidered Motion 1178 and accompanying Reso, and aye on whatever is left. [laughter]

CLERK: Rodriguez.

COUNCIL MEMBER RODRIGUEZ: I also would like, I forgot to disclose that I also serve as, been serving as a board member of the Betty Shabazz Malcolm X Cultural Center.

CLERK: Van Bramer.

COUNCIL MEMBER VAN BRAMER: Permission to explain my vote. I--

PRESIDENT RIVERA: Yes.

COUNCIL MEMBER VAN BRAMER: --just want to very briefly thank Speaker Quinn, Chuck, Ramon, Preston and Jeff, and everybody on the budget. We have an amazing budget for libraries and culturals, both in terms of restoration and in capital investment, I'm grateful for that support and continued support. And I just want to say that I still believe that we can be safe and just and all people are equal and must be equal under

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2 the law in the City of New York. So for that
3 reason, I vote aye on all, including 1079 and
4 1080.

5 CLERK: Vann.

6 COUNCIL MEMBER VANN: May I explain
7 my vote?

8 PRESIDENT RIVERA: Yes.

9 COUNCIL MEMBER VANN: First of all,
10 I would like to--I think protocol has been
11 established, and I would add my voice in thanking
12 everyone that has been thanked tonight, from the
13 Speaker, obviously out to my own personal staff, -
14 - Renee, Dotty, so forth. Second, I would really
15 want to thank and commend my colleagues, Jumaane,
16 Lander, you did an excellent job, your
17 persistence, your vigilance, your inclusiveness,
18 your boundless approach to trying to get this
19 thing done. You did an excellent job. My work is
20 done here. [laughter] Thirdly, there's been a
21 number of references to the class of 2013, as if
22 we were not here, as if we're dead. [laughter]
23 We're still here, and we may be lame duck, but as
24 you know, you never, with a lame duck, it's very
25 dangerous. You got it, we got one that get it.

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2 [laughter] Very good. Also, I'm going to tell
3 Charlie Barron, I'm going to call Barron with, I'm
4 going to tell him what you said. [laughter] Be
5 careful, it's going to be fireworks around here
6 tomorrow. And I would like to disclose on the
7 record of the Council proceedings that Medgar
8 Evers College is funded in the budget we are
9 adopting, and I have two daughters who are, is
10 associated with that entity. I withdraw my
11 request and I vote aye on all.

12 CLERK: Weprin.

13 COUNCIL MEMBER WEPRIN: My life is
14 a W. Permission to explain my vote.

15 PRESIDENT RIVERA: Yes.

16 [laughter]

17 COUNCIL MEMBER WEPRIN: I want to
18 explain my vote on 1080, but before I do that, I
19 do want to disclose for the record, that I did
20 fund in the capital budget every school in my
21 district that made a request for Reso A money, my
22 children attend three of those schools. I also
23 funded every little league that asked for money in
24 the expense budget, and one of my sons plays in
25 two of those little leagues. We also funded--

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2 well, different sports--we also funded the Samuel
3 Field Y in this budget, my son attends day camp
4 there, and one is a counselor there. And my wife
5 is the marketing director for the Kupferberg
6 Center for the Arts. Briefly on 1080, you know,
7 I've never been stopped and frisked, and I was
8 raised to respect police officers and look at them
9 and say, you know, they're here to help. And I
10 think that that's the way it should be. And
11 that's the way I think all New Yorkers should
12 feel. The problem is I represent a district
13 that's 70 percent people of color. And time and
14 time again, I meet people of color, 26 percent are
15 Latino and black, and I hear those stories from
16 them that are different than the story I grew up
17 with, where they're stopped, young men and women
18 of color, you know, suffering the indignity of
19 being stopped and frisked when they've done
20 nothing wrong. It's humiliating. I have a
21 gentleman on my staff who this went to, hanging
22 out with three other kids who happened to be
23 white, and he was the only one who got searched to
24 see, 'cause he had gloves in his pocket. It is
25 embarrassing. We have an obligation as the

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2 representative of people as the people's house, to
3 send a message to the people that we're here
4 fighting for them. That they should feel like I
5 grew up feeling, which is the police are on our
6 side. And for some reason, they don't. So, if
7 the least we're doing is sending a message here,
8 that you can't just stop people for any reason,
9 you need to have a probable cause. Then I'm happy
10 to vote yes [time bell] on these bills, I vote aye
11 on all. [applause]

12 CLERK: Williams.

13 COUNCIL MEMBER WILLIAMS: I know
14 there's been much debate about how I'm going to
15 vote. [laughter] I want to end the debate. But
16 first, I want to say thank you to all the people
17 who have been dealing with this struggle way
18 before I came onto the Council. This is
19 definitely I'm not the first person to bring this
20 up and try to bring some kind of solution. So I
21 want to thank everybody who's been there before me
22 and who's here now. Although I think the budget
23 process needs a lot of help, I do want to say I
24 think this is a much improved budget, so I will be
25 voting for it. I do also want to make sure people

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2 understand that this bill, 1080 particularly, is
3 narrowly focused to profiling. To be honest, it's
4 not even about, it's not even about stopping
5 stops, it's about stopping profiling. Once we
6 stop profiling, the stops that are made will be
7 constitutional, and those tools will not be
8 removed. Again, there's no data that shows that
9 stop, question and frisk increased have stopped
10 shootings. Everything, everything that has been
11 said here about these bills has been said about
12 the recommendations at the Mullen Commission, the
13 recommendations of the Knapp Commission, the
14 recommendations of CCRB. Anytime anyone ever says
15 anything about reforming the NYPD, this fear
16 mongering comes. It is unfounded. I am proud to
17 still have respect for my colleagues, I am
18 thankful of the friendship I have with Lew Fidler
19 and the bromance I have with Twitter on Council
20 Member Oddo. [laughter] I hope that will
21 continue. And I'm very proud of the cross-section
22 of people who supported these bills. And I want
23 to say thank you, thank you so very much, and I'm
24 so happy I get to go after Vallone, who cannot
25 respond. [laughter] I also want to say that the

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2 only thing that will make police pull punches
3 after this bill is passed, the only thing that
4 will prevent them from doing their job, is if the
5 Mayor, the Commissioner and the police - -
6 continue to lie about [time bell] what is in the
7 bill. So I implore them to speak truthfully, so
8 that--

9 PRESIDENT RIVERA: Council Member.

10 COUNCIL MEMBER WILLIAMS: --one,
11 everybody's safe and the police know what's in the
12 bills, and I thank them for risking their life--

13 PRESIDENT RIVERA: Council Member.

14 COUNCIL MEMBER WILLIAMS: --every
15 single day keeping us safe.

16 CLERK: Wills.

17 COUNCIL MEMBER WILLS: Yes, can I
18 explain my vote.

19 PRESIDENT RIVERA: Yes.

20 COUNCIL MEMBER WILLS: First, I
21 want to ask the Speaker that we can do something
22 to change the order or rotate it, because the
23 caucus of Ws, we feel like we're being unfairly
24 targeted. We are always last. [laughter] I want
25 to thank the staff [background comment] all right,

1 cool, thank you. I want to thank the staff here
2 at the Council for doing a great job on the
3 budget. I want to thank our delegation co-chairs,
4 Comrie and Ferreras. You know, this budget has
5 restored our NYCHA senior community centers and
6 raised Teacher's Choice. That has given the Boys
7 and Girls Club and those like it to fill the gap
8 that so many of our communities have. Daycare
9 slots that are truly the lifeline of parents who
10 cannot afford to make a choice between working and
11 staying home. This budget ensures our Beacons
12 stay just that, beacons for the youngest of our
13 citizens. To Council Member Williams, I want to
14 thank you for standing up throughout this whole
15 ordeal, where there have been smear campaigns to
16 land in the coalition. To the Speaker for having
17 the fortitude, from bearing up under all of the
18 attacks and the rhetoric of her weakening the very
19 seat that she sits in by allowing this discharge
20 to come. This bill, to be clear, is about bias
21 based profiling, not stopping law enforcement's
22 ability to stop someone because of a reasonable
23 suspicion. We're just saying it's not reasonable
24 to believe that such a large number of minorities
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2 are suspects. We have a lot of numbers that are
3 circulating all over the place between the
4 hundreds of thousands of stops and there's so many
5 weapons that are being taken off the streets. But
6 this morning, the only number that matters is 34.
7 When we came in, we had 34 votes, when we vote it
8 is done and the history is recorded, we expect to
9 have no less than 34. And I was just notified by
10 Council Member Williams that I am the 34th vote.
11 And I vote aye [applause, cheers] on all.
12 [background comments, laughter] You guys are--
13 wait, wait, you guys are taking up my time, I only
14 have ten seconds. So, that is probably the only
15 time--

16 PRESIDENT RIVERA: - - put a couple
17 more seconds on--

18 COUNCIL MEMBER WILLS: Thank you.
19 That is probably the only time that W has its
20 advantages. [laughter] And I also have to
21 disclose on the record [time bell] that I own
22 stock in the company that sells seersucker, so to
23 Jumaane Williams' outfit [laughter], Vinnie
24 Ignizio and the Speaker, that have the impeccable
25 taste to wear it, I thank you. [laughter] I vote

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aye on all.

CLERK: Oddo.

[applause, cheers]

PRESIDENT RIVERA: Can we get
silence in the chambers? We still have others
that have to vote.

CLERK: Oddo.

COUNCIL MEMBER ODDO: May I be
temporarily excused to explain my vote?

PRESIDENT RIVERA: Yes.

COUNCIL MEMBER ODDO: I want to
disclose that at age 47, on a normal night, I've
already been asleep for three-and-a-half hours.
[laughter] Much to the chagrin of my fiancée,
who's nine years my junior, by the way. I also
want to disclose that in CS--that I funded CSI,
the College of Staten Island in this budget, and I
am an adjunct professor in the fall for one class.
I just want to say to Council Member Koppell, in
case he missed it in May, the U.S. Court of
Appeals, Second Circuit, actually reversed Judge
Garaufis, so I'm not sure he could point to that.
In my opinion, pointing to--we shouldn't point to
Judge Scheindlin for any other reason or any other

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2 purpose other than to indicate an example of
3 judicial activism. I will be voting no on Intro
4 97-A, Preconsidered M 178 and Reso 1856,
5 Preconsidered 1846, Preconsidered 1847, Intro 1079
6 and 1050. And I want to say to Chuck, Ramon,
7 Preston and Jeff, thank you for your help, but
8 more importantly, thank you for your friendship,
9 and your staffs have done a wonderful job, as
10 always. To the Finance Chair, Dom Recchia,
11 fabulous job, Dom. You should really be proud of
12 your tenure as a Finance Chair, you did a fabulous
13 job, not only this year [applause] but every year.
14 Great job. And to my friend, Chris Quinn, 15
15 years? More ups than downs. Couple of really
16 down downs there, but I'm proud that you are my
17 friend and it's been one heck of a ride.

18 CLERK: Rivera.

19 COUNCIL MEMBER RIVERA: I want to
20 first state that this is my 12th budget that we're
21 passing this evening, it's my final budget. Like
22 some of us, you know, it is for some of us
23 tonight, and it's been a pleasure to be able to
24 serve with every single one of you to tackle the
25 issues like senior center closings, like fire

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2 house closings, like the issues of park
3 rehabilitations, like the issues of how do we get
4 more resources into our public schools. And when
5 we pass a \$70 billion budget, that's meaningful.
6 And that is making sure that we can fill in the
7 gaps and resources that are not always being
8 provided to our districts in the City of New York.
9 When I first got elected, I was 22 years old. I'm
10 very old now, I'm 34. And I've learned a lot and
11 I've learned that we could come together as a
12 body, we can have dialogue, debate, and we can
13 have a discussion on what and how we can govern
14 the City of New York. And I think that we've done
15 that very, very well. And I want to thank my
16 colleagues for this amazing experience. And I
17 want to thank our Speaker, because she has shown a
18 tremendous amount of leadership under fire. And
19 she has shown that she is able to rise above the
20 fray and bring us all together as a body and to
21 make sure that we can be a very viable legislature
22 in a City that has a very strong Mayor. And I
23 want to think, and I think that's a phenomenal
24 feat, you know, that not many people can do. So I
25 want to thank you, Madam Speaker, and I want to

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2 thank the staff for all that they do. 'Cause
3 while we may get to make the speeches, it's the
4 staff members that stay up, sometimes two or three
5 nights in a row, making sure that the numbers all
6 add up and making sure that, you know, the job
7 gets done so we can all sound smart. So, thank
8 you all for everything that you've done. With
9 that being said, I want to cast my vote, I vote no
10 on Intro 1080 and I vote aye on the rest.

11 CLERK: Speaker Quinn.

12 SPEAKER QUINN: First, I want to
13 just take a moment again to thank our Finance
14 Chair, Domenic M. Recchia, Jr., for all that he
15 has done. Not just on this budget, but on all
16 four of the budgets that he presided over as
17 Finance Chair. I want to thank all of the Finance
18 staff, I'm not going to name you all, 'cause it's
19 so late, and all of the staff in my office. I
20 want to congratulate Gale Brewer on the veto
21 override. I wish we didn't have to do it when so
22 many other things are happening, but the veto
23 wouldn't survive, so to speak, until the next
24 meeting. So congratulations, Gale. I want to
25 thank the coalition that worked on both 1079 and

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2 1080. They were tremendous to deal with, very
3 much came to the table for an extended period of
4 time. And I want to thank them for that
5 collaboration, wholeheartedly. I want to thank
6 Council Member Jumaane Williams and Brad Lander
7 for their collaboration. I want to echo all the
8 comments tonight about how incredibly moving
9 Council Member Williams' comments were on the
10 floor. I will be voting aye on 1079 tonight, but
11 I will not be voting for 1080. I want to thank
12 everyone who's met with me about the bill, talked
13 about the bill. I do not share the concerns that
14 passing 1080 will make this City less safe. I
15 want to be very clear about that. And I think
16 1079 will make this City safer and bring safe
17 communities and the police back together. I think
18 we will--you look back and see that piece of
19 legislation as an enormous step forward in both
20 regards. I am concerned with the federal case
21 pending that involving the State courts may not be
22 the right time to do this, and I worry about
23 having too much judicial involvement. So I will
24 vote aye on all, but vote no on 1080. But again,
25 want to thank all of my colleagues for their

1 dignified, collaborative and respectful way that
2 this, a very emotional and really important
3 discussion, has taken place in this City Council
4 over the past 13 months. Thank you all.

6 PRESIDENT RIVERA: Thank you very
7 much, Madam Speaker. We now--all items on today's
8 General Order Calendar were adopted by a vote of
9 51 in the affirmative, with zero in the negative
10 and zero abstentions, with the exception of Intro
11 97-A, which was adopted by a vote of 47 in the
12 affirmative, four in the negative, and zero
13 abstentions; and Intro 1079, which was adopted by
14 a vote of 40 in the affirmative, 11 in the
15 negative and zero abstentions; and Intro 1080,
16 which was adopted by a vote of 34 in the
17 affirmative, with 17 in the negative, and zero
18 abstentions; and Reso 1846, which was adopted by a
19 vote of 45 in the affirmative, six in the negative
20 and zero abstentions; and Reso 1847, which was
21 adopted by a vote of 45 in the affirmative, six in
22 the negative, and zero abstentions; and M 1178 and
23 Reso 1856, which was adopted by a vote of 45 in
24 the affirmative, six in the negative and zero
25 abstentions; and M 1144, with Reso 1850 and Reso

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2 1851, which was adopted by a vote of 50 in the
3 affirmative, one in the negative and zero
4 abstentions; and M 1145, Reso 1852, and Reso 1853,
5 which was adopted by a vote of 50 in the
6 affirmative, one in the negative and zero
7 abstentions. And we still have other items on the
8 calendar, so please, Council Members, do not
9 leave. [pause, background noise] At this point
10 in time, the budget adoption declaration, June
11 2013. I now formally declare the Executive
12 Expense Revenue Contract Budget, the Executive
13 Capital Budget for Fiscal Year 2014, and the
14 Capital Program for the three succeeding fiscal
15 years, all as modified and in accordance with the
16 relevant sections of the New York City Charter, as
17 hereby adopted on this 27th day of June, 2013, at
18 2:28 a.m. [applause] Okay, all right.

19 SPEAKER QUINN: Resos, people,
20 there's Resos, there's Resolutions, don't walk out
21 the door.

22 PRESIDENT RIVERA: Yeah, we still
23 have a couple of items. We have Introduction and
24 Reading of the Bills.

25 SPEAKER QUINN: All bills to be

referred to Committees as indicated on the agenda.

PRESIDENT RIVERA: Okay, now we have a couple of Resolutions on the calendar. We have [background noise] we have Resolution 543-A, an amended Resolution calling upon the United States House of Representatives and the United States Senate to pass the President--to pass and the President to sign, a farm bill that preserves funding for the supplemental nutritional assistance program. Anyone want to speak on this item? None. Okay, the next one is Reso 1833, Resolution authorizing the Speaker to intervene, file an amicus brief, to--or join an amicus brief on behalf of the Council of the City of New York, in the litigation caption, Pelegrin v. New York City Human Resources Administration for the purpose of defending provisions of the New York City Charter that require City agencies to provide public notice and the opportunity for public comments on proposed new rules and rules changes before adoption. Any comments? Seeing none, we now move on to Resolution 1793, a Resolution calling upon the United States Congress to pass and the President to sign the Stop Deceptive

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2 Advertising in Women's Services Act. Any
3 discussion? Seeing none, we now move on to 1842,
4 a resolution calling upon the United States
5 Congress to pass and the President of the United
6 States to sign the Restore Honor to Service
7 Members Act, which would upgrade to honorable
8 those discharge classifications received by gay
9 and lesbian service members, solely because of
10 their sexual orientation. Anyone want to speak on
11 this item? Seeing none, I now call for a voice
12 vote on all these Resolutions. All in favor say
13 aye.

14 COUNCIL: Aye.

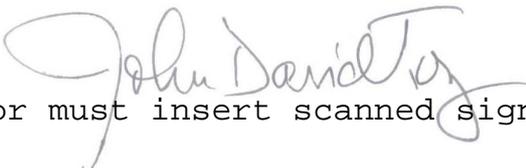
15 PRESIDENT RIVERA: All opposed say
16 nay. Any abstentions? The ayes have it. We now
17 move on to general discussions and we have Council
18 Member Jackson wants to have the final word.
19 [background comments] He gave us, he gave us the
20 wave. He said it's all good. So with no
21 discussion, nobody on general discussion, this
22 meeting is finally adjourned.

23 [cheers, applause, blank until end]

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C E R T I F I C A T E

I, JOHN DAVID TONG certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.


Signature [Vendor must insert scanned signature]

Date July 12, 2013