

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

STATED MEETING

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October 7, 2008
Start: 1:30pm
Recess: N/A

HELD AT: Council Chambers
City Hall

B E F O R E:
BETSY GOTBAUM
Chairperson

COUNCIL MEMBERS:
Joseph P. Addabbo, Jr.
Maria del Carmen Arroyo
Tony Avella
Maria Baez
Charles Barron
Gale A. Brewer
Leroy G. Comrie, Jr.
Inez E. Dickens
Erik Martin Dilan
Matthieu Eugene
Simcha Felder
Daniel R. Garodnick
James F. Gennaro
Vincent J. Gentile
Sara M. Gonzalez
Vincent Ignizio
Robert Jackson
Letitia James
G. Oliver Koppell

A P P E A R A N C E S

COUNCIL MEMBERS:

Melissa Mark-Viverito
Michael E. McMahon
Michael C. Nelson
Annabel Palma
Christine C. Quinn
Domenic M. Recchia, Jr.
Diana Reyna
Joel Rivera
Helen Sears
Kendall Stewart
James Vacca
Peter F. Vallone, Jr.
David I. Weprin
Anthony Como
Bill de Blasio
Lewis A. Fidler
Melinda R. Katz
Jessica S. Lappin
John C. Liu
Miguel Martinez
Rosie Mendez
Hiram Monserrate
James S. Oddo
James Sanders, Jr.
Albert Vann
Helen D. Foster
Alan J. Gerson
Larry B. Seabrook
Thomas White, Jr.
David Yassky
Eric N. Gioia
Darlene Mealy

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

Sharay Barbara Ann Teer

Stephanie Nilva
Executive Director
Day One

Father Lorenzo Alto
St. Emeric Church

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2 SPEAKER QUINN: All right. We're
3 going to have two ceremonials today. The first
4 one is being conducted by Council Member Inez
5 Dickens. So, we're going to call her and Robert
6 Jackson and other members up.

7 COUNCIL MEMBER DICKENS: Thank you,
8 Madam Speaker. Robert, please. Today, we come to
9 celebrate, to celebrate, the second annual Arts
10 Advocacy Week in Harlem. And, I am so pleased to
11 be one of the founders of Arts Advocacy Week and
12 was able to pass a resolution proclaiming the
13 first week of every October Arts Advocacy Week in
14 Harlem.

15 It is a fitting tribute that Arts
16 Advocacy Week in Harlem is dedicated to my friend,
17 the fierce Samurai warrior, my warrior, the
18 creative genius, Dr. Barbara Ann Teer. Though
19 Dr. Teer left us early, much, much too early,
20 indeed her spirit still walks with us. And, I am
21 so pleased that Dr. Teer's daughter, Sharay
22 [phonetic] Barbara Ann Lythcott—where's Sharay?
23 Come on up.—has taken over the helm of our
24 landmark cultural institution, founded by that
25 phenomenal woman, her mother, the National Black

1

2 Theatre.

3

4 Sharay, I wish for you all that
5 your mother planned for you. I wish for you all
6 that Harlem has to offer. I look forward to
7 working with you just as I did with your mother
8 because she was one phenomenal black woman. And,
9 you know, we are facing tough times. But, we come
10 from an ingenious and resilient stock and, working
11 as a unified coalition, we will make it a better
12 day for our community. We will not allow anyone
13 to deter us, nor to separate us, no matter where
14 they come from or what they look like.

15

16 I present you, along with my
17 Council Member Robert Jackson and my Speaker,
18 Christine Quinn, this Proclamation honoring the
19 great work, the vision, the legacy of your beloved
20 mother and, indeed, the mother of Harlem,
21 Dr. Barbara Ann Teer.

22

23 SPEAKER QUINN: And, if the clerk
24 could please read the Proclamation before we hear
25 a few comments.

26

27 CLERK: Council, City of New York
28 Proclamation. Whereas, the Council of the City of
29 New York is proud to commemorate Harlem Arts

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1
2 Advocacy Week 2008 by paying tribute to the late
3 Barbara Ann Teer, the artistic genius and
4 visionary founder of the National Black Theatre.

5 And, whereas, Dr. Teer first went
6 to Harlem in the 1960s as a teacher at Wadleigh
7 Junior High School. But, over the next 40 years,
8 she became a Harlem institution builder, business
9 leader and icon.

10 And, whereas, the National Black
11 Theatre, a Harlem-based institution dedicated to
12 the performing arts, community advocacy and an
13 appreciation of the history and lifestyle of black
14 Americans, embodies Dr. Teer's commitment to the
15 richness and beauty inherent in the cultural
16 traditions of African-American life. By sharing
17 her love of black art and culture with the world,
18 she became a major force in making Harlem the
19 international cultural destination it remains
20 today.

21 Now, therefore, be it known that
22 the Council of the City of New York honors the
23 life and legacy of Dr. Barbara Ann Teer for her
24 extraordinary contributions to New York City and
25 the world.

1
2 Christine C. Quinn, Speaker for the
3 entire Council. Inez E. Dickens, Council Member,
4 Ninth District, Manhattan.

5 SPEAKER QUINN: Thank you very
6 much.

7 SHARAY BARBARA ANN LYTHCOTT: I
8 would like to thank the Councilwoman, not only for
9 the Proclamation, but for her tireless friendship
10 and support of my mom's vision, her tireless
11 support of the Harlem community.

12 My mom saw her job not as a job,
13 but as a calling. She saw it as a continuous
14 battle. And, she fought with every breath that
15 she had to make sure that the indigenous culture
16 in Harlem was not forgotten, was not trivialized,
17 was not considered a tourist attraction, but that
18 we have, as a people, a divine right to own our
19 land, to be powerful in our skin and that, through
20 art, you could heal and transform people's lives.

21 And, I am so honored, so very
22 honored, to be a part of her legacy and to bear
23 witness to this moment of the passing of the
24 torch. We got a lot of work to do. And, with
25 joy, love and fearlessness, we walk forward. So,

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2 thank you.

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SPEAKER QUINN: Thank you. And, I just wanted to say I remember clearly the Stated Council meeting after your mom had passed away. And, Inez spoke in such a moving way about her on the floor, reminding many of us about her telling others who didn't know her, about her and about her work. So, I'm just very happy that we can all be here today and recognize the great contribution your mom made. But, also, as she would have wanted, commit to continue her work. So, thank you and thank you, Inez and Robert, for organizing this today.

COUNCIL MEMBER DICKENS: Sharay, thank you.

SPEAKER QUINN: Thank you all. Our next ceremony'll be led by the Co-chair of our Women's Caucus, Council Member Diana Reyna and Council Member Helen Foster, Diana's Co-chair. Just give us one sec for the second ceremonial. Whoops, now it's on. Give the mic to Diana Reyna.

COUNCIL MEMBER REYNA: Thank you very much, Madam Speaker. I'd like to call up Stephanie Nilva, Executive Director of Day One,

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2 Jene Toussaint, Peer Leadership Coordinator,
3 Rossana Bianco, Staff Attorney, Deborah Phillips,
4 Program and Development Associate and Jean Sung,
5 the most recent addition to Day One staff, who
6 coordinates the Youth Voices Network.

7 Day One is New York's only
8 organization focused solely on dating abuse and
9 domestic violence among youth. Day One partners
10 with our City's youth to combat this crisis
11 through education, supportive services, legal
12 advocacy and leadership development. Day One has
13 accomplished, in their fifth anniversary, an
14 outstanding service to our youth.

15 Domestic violence and dating abuse
16 are not private matters. They affect everyone in
17 our community. One of the most tragic effects of
18 dating violence is the cycle of abuse often later
19 carried out, perpetuated by the people who
20 experience them. In addition, victims are more
21 than twice as likely to smoke, abuse alcohol and
22 drugs and develop mental and emotional disorders.
23 Day One has been an integral part of the fabric of
24 the City of New York, leading our next generation,
25 our future leaders, to understanding and combating

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2 what violence does to a family and an individual
3 and how that essentially affects our City.

4

5 And, as women, leaders, leading
6 this particular City of New York, we'd like to
7 honor Day One, along with our Speaker, as a caucus
8 of the City Council, on their fifth anniversary
9 and congratulating them for many more years of
10 service to our teens.

11

12 There's a lot arising from teen
13 violence. We also are facing a high rate of teen
14 pregnancy. We're also facing a high volume of
15 gang-related issues, youth-on-youth violence. All
16 of this, we have to start somewhere. And, Day One
17 has become an answer for all of us. Thank you.

18

19 SPEAKER QUINN: And, if we could
20 ask the clerk to please read the Proclamation and
21 then, we'll hear from the terrific folks from Day
22 One.

23

24 CLERK: Council, City of New York
25 Proclamation. Whereas, in observing the month of
26 October as National Domestic Violence Awareness
27 month, New Yorkers must work together to further
28 the decrease in crime by reaffirming our
29 commitment to preventing and eliminating such

1
2 violence. Particularly alarming is the frequency
3 of domestic violence among young people. Every
4 month approximately--

5 SPEAKER QUINN: I'm sorry. If we
6 could just a little quiet in the chambers while
7 we're reading the Proclamation, in the back of the
8 Chambers, if you could just take your
9 conversations outside. Thank you.

10 MALE VOICE: Okay. Every month
11 approximately 1,400 teenagers call our City's
12 domestic violence hotline. In 2007, the New York
13 City Department of Health's Teen Health Risk
14 survey found that one in ten teenagers had
15 experienced physical or sexual assault in a dating
16 relationship within the previous 12 months.

17 And, whereas, the not-for-profit
18 organization, Day One, founded in 2003, is New
19 York's only organization focused solely on dating
20 abuse and domestic violence amongst youth. It
21 partners with our City's youth to combat this
22 crisis through education, supportive services,
23 legal advocacy and leadership development.

24 Now, therefore, be it known that
25 the Council of the City of New York is proud to

1
2 honor Day One for five years of outstanding
3 service to the community.

4 Christine C. Quinn, Speaker for the
5 entire Council, Diana Reyna, Women's Caucus Co-
6 chair, Council Member 34th District Brooklyn, Helen
7 Diane Foster, Women's Caucus Co-chair, Council
8 Member 16th District, the Bronx and the members of
9 the Women's Caucus of the Council of the City of
10 New York.

11 COUNCIL MEMBER REYNA: Mic over to
12 you guys.

13 STEPHANIE NILVA: Thank you so
14 much. Day One is a very small organization. And,
15 we are so proud to be here today. I want to thank
16 Speaker Quinn, Council Members Foster and Reyna
17 and the entire Women's Caucus and the whole City
18 Council for this great honor.

19 Through legal services, direct
20 education and organizing, Day One is assisting
21 more than 6,000 young people every year, who may
22 be subject to dating abuse or domestic violence.
23 We're particularly proud to have had the support
24 of the City Council this July when we were able to
25 expand access to legal protection in the New York

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2 City Family Courts and across the State. We are
3 looking forward to working with the City Council
4 on planning the first dating abuse conference in
5 February; the first one in ten years. We look
6 forward to working on Department of Education
7 policy addressing dating abuse and increasing the
8 amount of education that young people receive
9 around dating abuse issues.

10 With the very staff, almost all of
11 them are here next to me today, in addition to
12 Jean Sung, who is in addition to being a survivor,
13 coordinates our Youth Voices Network, Day One is
14 accomplishing such a great deal as an under-
15 resourced, tiny organization in very difficult
16 economic times. So, we are very, very proud to be
17 recognized here today. Thank you.

18 COUNCIL MEMBER REYNA: Thank you.
19 Thank you all very much for your work and your
20 service.

21 CLERK: Ladies and gentlemen, at
22 this time, can you please place your cell phones
23 and pagers on vibrate and will all non-Council
24 employees and lobbyists please leave the main
25 floor. Thank you.

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CHAIRPERSON GOTBAUM: All rise.

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CLERK: All rise. Quiet, please.

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CHAIRPERSON GOTBAUM: I pledge

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allegiance to the flag of the United States of

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America and to the Republic for which it stands,

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one Nation under God, indivisible, with liberty

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and justice for all.

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CHAIRPERSON GOTBAUM: Roll call.

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CLERK: Addabbo.

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COUNCIL MEMBER ADDABBO: Here.

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CLERK: Arroyo.

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COUNCIL MEMBER ARROYO: Here.

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CLERK: Avella.

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COUNCIL MEMBER AVELLA: Here.

16

CLERK: Baez.

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COUNCIL MEMBER BAEZ: Here.

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CLERK: Barron.

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COUNCIL MEMBER BARRON: Here.

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CLERK: Brewer.

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COUNCIL MEMBER BREWER: Here.

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CLERK: Como.

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[No response.]

24

CLERK: Comrie.

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COUNCIL MEMBER COMRIE: Here.

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CLERK: de Blasio.

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[No response.]

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CLERK: Dickens.

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COUNCIL MEMBER DICKENS: Here.

6

CLERK: Dilan.

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COUNCIL MEMBER DILAN: Here.

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CLERK: Eugene.

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COUNCIL MEMBER EUGENE: Here.

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CLERK: Felder.

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COUNCIL MEMBER FELDER: Yes.

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CLERK: Fidler.

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[No response.]

14

CLERK: Foster.

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[No response.]

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CLERK: Garodnick.

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COUNCIL MEMBER GARODNICK: Here.

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CLERK: Gennaro.

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COUNCIL MEMBER GENNARO: Right

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here.

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CLERK: Gentile.

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COUNCIL MEMBER GENTILE: Here.

23

CLERK: Gerson.

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[No response.]

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CLERK: Gioia.

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[No response.]

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CLERK: Gonzalez.

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COUNCIL MEMBER GONZALEZ: Here.

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CLERK: Ignizio.

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COUNCIL MEMBER IGNIZIO: Here.

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CLERK: Jackson.

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COUNCIL MEMBER JACKSON: Here.

9

CLERK: James.

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COUNCIL MEMBER JAMES: Here.

11

CLERK: Katz.

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[No response.]

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CLERK: Koppell.

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COUNCIL MEMBER KOPPELL: Here.

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CLERK: Lappin.

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[No response.]

17

CLERK: Liu.

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[No response.]

19

CLERK: Mark-Viverito.

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COUNCIL MEMBER MARK-VIVERITO:

21

Here.

22

CLERK: Martinez.

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[No response.]

24

CLERK: McMahon.

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COUNCIL MEMBER McMAHON: Here.

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2 CLERK: Mealy.
3 [No response.]
4 CLERK: Mendez.
5 [No response.]
6 CLERK: Monserrate.
7 [No response.]
8 CLERK: Nelson.
9 COUNCIL MEMBER NELSON: Here.
10 CLERK: Palma.
11 COUNCIL MEMBER PALMA: Here.
12 CLERK: Recchia.
13 COUNCIL MEMBER RECCHIA: Aye.
14 CLERK: Reyna.
15 COUNCIL MEMBER REYNA: Here.
16 CLERK: Sanders.
17 [No response.]
18 CLERK: Seabrook.
19 [No response.]
20 CLERK: Sears.
21 COUNCIL MEMBER SEARS: Here.
22 CLERK: Stewart.
23 COUNCIL MEMBER STEWART: Present.
24 CLERK: Vacca.
25 COUNCIL MEMBER VACCA: Here.

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CLERK: Vallone.

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COUNCIL MEMBER VALLONE: Here.

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CLERK: Vann.

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[No response.]

5

CLERK: Weprin.

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COUNCIL MEMBER WEPRIN: Here.

7

CLERK: White.

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[No response.]

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CLERK: Yassky.

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[No response.]

11

CHAIRPERSON GOTBAUM: Quiet,

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please.

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CLERK: Oddo.

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[No response.]

15

CLERK: Rivera.

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[No response.]

17

CLERK: Speaker Quinn.

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SPEAKER QUINN: Here.

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COUNCIL MEMBER RIVERA: Here.

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CHAIRPERSON GOTBAUM: We have a

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quorum. All rise for the Invocation to be

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delivered by Father Alto.

23

CLERK: All rise.

24

SPEAKER QUINN: If we can get a

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1
2 little quiet in the Chambers for the Invocation
3 please.

4 CLERK: Quiet, please.

5 FATHER LORENZO ALTO: Dear members
6 of the legislative body of New York. It is a
7 honor to be present with you at this event. I am
8 greatly thankful for this opportunity to do the
9 opening prayer for this inaugural ceremony. Let
10 us pray.

11 Dear Father and creator of Heaven
12 and earth, I ask you to enlighten by your divine
13 providence the minds of your people and to help us
14 in this time of adversity, controversy and fear.
15 Lord Creator all living, we are going through a
16 critical times in this, our country, especially in
17 the financial world. Kind Father, as good
18 children of yours, we trust in your infinite mercy
19 that you give us your wisdom to our public
20 officials so they could make righteous decisions,
21 keep in mind that everyone is create in the image
22 of you, our Father.

23 As member of the City Council, you
24 can attend the needs of the people especially in
25 these times of financial hardship that is

1
2 affecting of us all. Give them knowledge that
3 only come from you, Father, so they can give back
4 in good deeds, by their authority to the people
5 that put their trust in them.

6 Lord God Creator, fill them with
7 your grace so they could govern with wisdom
8 through the development of their municipal - - .
9 Give them your wisdom and knowledge to come back
10 to the principles and ideas of our founders who
11 founded this nation through moral and spiritual
12 values of the family freedom and the wellbeing of
13 all our citizen.

14 May God, who is love, inspire all
15 of you to do your work with a generous heart, with
16 unselfishness trying to look not on your own
17 interest, but the happiness of all the people that
18 live in this great City of New York. God bless
19 all of you. God bless New York. God bless the
20 City Council of New York. And, God bless America.
21 Thank you.

22 CHAIRPERSON GOTBAUM: Motion to
23 spread the Invocation by Council Member Mendez.
24 Quiet, please.

25 CLERK: Quiet.

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CHAIRPERSON GOTBAUM: Sorry,

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Council Member Mendez, could you hear?

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[off mic]

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CHAIRPERSON GOTBAUM: Sorry.

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Council Member Mendez.

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COUNCIL MEMBER MENDEZ: Yes, Motion

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to spread the Invocation in full upon the record.

9

CHAIRPERSON GOTBAUM: So ordered.

10

Adoption of the Minutes—I'm sorry. Chris. Chris?

11

Did you want--

12

SPEAKER QUINN: Before we do the

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adoption of the Minutes, if I could ask my

14

colleagues to please rise.

15

CHAIRPERSON GOTBAUM: Quiet please.

16

CLERK: All rise.

17

SPEAKER QUINN: Thank you. On

18

October 2nd, Specialist Jason von Zerneck, 33, of

19

Kew Gardens, Queens, Specialist von Zerneck had

20

lived both in Council Member Katz and Council

21

Members Gennaro's district at different times. He

22

was a member of the National Guard and he was

23

killed in Afghanistan when his convoy vehicle

24

rolled over. He was assigned to B Troop, the

25

Second Squadron of the 101st Calvary, but also

1
2 served with the legendary Fighting 69th in
3 Manhattan. Specialist von Zerneck was in
4 Afghanistan to help train the Afghan army.

5 He grew up in Manhattan and
6 attended Bronx High School of Science and City
7 College. Specialist von Zerneck's father,
8 Richard, said "We are all just heartbroken. He
9 was a caring father and a wonderful son. He loved
10 his three children and his wife." Before he left
11 for Afghanistan in January, he told the New York
12 Times, "Some of the soldiers in this unit come
13 from the poorest neighborhoods. These are the
14 people who are putting their lives on the line for
15 the City and the country and sometimes that is
16 forgotten."

17 Specialist von Zerneck is the
18 seventh member of the New York National Guard to
19 be killed in Afghanistan since April.

20 On September 29th, Eleanor "Ellie"
21 Guggenheimer, a tireless advocate for children,
22 women and the elderly and an important member of
23 the New York City Government died at the age of
24 96.

25 In 1961, Ellie Guggenheimer became

1

2 the first woman to serve on the City Planning
3 Commission and in the 1970s, she served as the
4 Commissioner of Consumer Affairs for the City of
5 New York. In her younger years, Eleanor
6 Guggenheimer was instrumental in the creation of
7 daycare facilities so women could enter the
8 workforce. In 1948, she founded the Daycare
9 Council of New York and spent 50 years working to
10 find daycare solutions.

11 In 1973, she founded the New York
12 Women's Forum so that wealthy and powerful women
13 could "pool their collective clout for the
14 betterment of others." In 1992, she started the
15 New York Women's Agenda and later founded the
16 Council of Senior Centers and Services.

17 Ellie Guggenheimer was predeceased
18 by her husband of 63 years and is survived by her
19 sons, grandchildren and great-grandchildren.

20 At our last Stated Council meeting,
21 Council Member Al Vann spoke so eloquently about
22 the passing of Walter Stafford, the noted
23 professor of Urban Planning and Public Policy at
24 NYU's Robert Wagner School of Public Service.
25 Mr. Stafford was not—Professor Stafford, excuse

1
2 me, was not only a professor, but also an author,
3 scholar, activist, mentor and leader on so many of
4 the important issues that reflect the intersection
5 of race and public policy.

6 As Council Member Vann noted at the
7 last meeting, and I just want to remind everyone,
8 that Professor Stafford was a longtime advisor on
9 different issues to the City Council. This coming
10 Sunday, October 12th, at 3 p.m., at the Schomburg
11 Center in Harlem, there will be a memorial
12 ceremony in honor of Professor Stafford.

13 During the ceremonial portion of
14 our next Stated Council meeting on October 23rd,
15 the Council, under the leadership and sponsorship
16 of Council Member Al Vann, including other Council
17 Members, such as Gale Brewer, will be holding a
18 short memorial tribute to Professor Stafford, at
19 which time a Proclamation mourning his death and
20 celebrating his life will be presented to his
21 wife, family, friends and colleagues.

22 I also want to let my colleagues
23 know that I received an e-mail late last night,
24 and someone who is a good friend of this City
25 Council, Reverend Susan Johnson-Cook has lost her

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brother, Charles Johnson. Many I think know Mr. Johnson. He as, at one time, an Assembly member from the Bronx, the first African-American elected to the Assembly from the Borough of the Bronx; was a very active business person in the Bronx and a leading activist. He passed away very recently. If folks would like information about the services, please see Carrie Mobley [phonetic] and she'll get you that information.

[Pause]

SPEAKER QUINN: Thank you, Madam Public Advocate. And, as we take our seats, I just want to make two happier announcements that today is Council Member Charles Barron's birthday. So, we wanted to say happy birthday. No shrinking violet, Charles mentioned it at yesterday's Democratic Caucus to make sure it wasn't forgetting today. And, I also want to say happy birthday to the New York Post's Sally Goldenberg, who recently celebrated her birthday, as well.

And, it's Kendall Stewart's birthday. Kendall was a little quieter at the Caucus and didn't mention it. So, happy birthday to all. Thank you, Madam Public Advocate.

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2 CHAIRPERSON GOTBAUM: Excuse me,
3 adoption of the Minutes.

4 COUNCIL MEMBER AVELLA: None.

5 CHAIRPERSON GOTBAUM: Messages and
6 Papers from the Mayor.

7 COUNCIL MEMBER AVELLA: None.

8 CHAIRPERSON GOTBAUM: Communication
9 from City, County and Borough Offices.

10 COUNCIL MEMBER AVELLA: Pre-
11 considered M1197, Joseph M. Araujo, appointment,
12 Queens County Democratic Commissioner of
13 Elections.

14 CHAIRPERSON GOTBAUM: Quiet,
15 please. Quiet, please. I can barely hear him.

16 CLERK: Quiet, please.

17 SPEAKER QUINN: Rules, Privileges
18 and Elections?

19 CHAIRPERSON GOTBAUM: Petitions and
20 Communications?

21 COUNCIL MEMBER AVELLA: None.

22 CHAIRPERSON GOTBAUM: Land Use
23 Call-Ups.

24 COUNCIL MEMBER AVELLA: M1198
25 through M1202, on page two.

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2 SPEAKER QUINN: And, I'd like to
3 couple all of those on a call-up vote and if we
4 could have a roll call on the Land Use call-ups,
5 please, Madam Public Advocate.

6 CLERK: Addabbo.

7 COUNCIL MEMBER ADDABBO: Aye.

8 CLERK: Arroyo.

9 COUNCIL MEMBER ARROYO: Aye.

10 CLERK: Avella.

11 COUNCIL MEMBER AVELLA: Aye.

12 CLERK: Baez.

13 COUNCIL MEMBER BAEZ: Aye.

14 CLERK: Barron.

15 COUNCIL MEMBER BARRON: Oh, oh,
16 yes, yes.

17 CLERK: Brewer.

18 COUNCIL MEMBER BREWER: Aye.

19 CLERK: Como.

20 COUNCIL MEMBER COMO: Aye

21 CLERK: Comrie.

22 COUNCIL MEMBER COMRIE: Aye.

23 CLERK: de Blasio.

24 COUNCIL MEMBER de BLASIO: Aye.

25 CLERK: Dickens.

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COUNCIL MEMBER DICKENS: Aye.

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3

CLERK: Dilan.

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COUNCIL MEMBER DILAN: Aye.

5

CLERK: Eugene.

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COUNCIL MEMBER EUGENE: Aye.

7

CLERK: Felder.

8

[No response.]

9

CLERK: Fidler.

10

COUNCIL MEMBER FIDLER: Aye.

11

CLERK: Foster.

12

[No response.]

13

CLERK: Garodnick.

14

COUNCIL MEMBER GARODNICK: Aye.

15

CLERK: Gennaro.

16

COUNCIL MEMBER GENNARO: Madam

17

Public Advocate, I vote yes on the Land Use call-

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ups. And, I ask to have consent to vote on all

19

the items on today's general calendar.

20

CHAIRPERSON GOTBAUM: So Ordered.

21

COUNCIL MEMBER GENNARO: I vote

22

yes.

23

CLERK: Gentile.

24

COUNCIL MEMBER GENTILE: Aye.

25

CLERK: Gerson.

1
2 [No response.]
3 CLERK: Gioia.
4 [No response.]
5 CLERK: Gonzalez.
6 COUNCIL MEMBER GONZALEZ: Aye.
7 CLERK: Ignizio.
8 COUNCIL MEMBER IGNIZIO: Yes.
9 CLERK: Jackson.
10 [No response]
11 CLERK: James.
12 COUNCIL MEMBER JAMES: Aye.
13 CLERK: Katz.
14 COUNCIL MEMBER KATZ: Aye.
15 CLERK: Koppell.
16 COUNCIL MEMBER KOPPELL: Aye.
17 CLERK: Lappin.
18 COUNCIL MEMBER LAPPIN: Aye.
19 CLERK: Liu.
20 COUNCIL MEMBER LUI: Yes.
21 CLERK: Mark-Viverito.
22 COUNCIL MEMBER MARK-VIVERITO: Aye.
23 CLERK: Martinez.
24 COUNCIL MEMBER MARTINEZ: Aye.
25 CLERK: McMahon.

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COUNCIL MEMBER McMAHON: Aye.
CLERK: Mealy.
[No response.]
CLERK: Mendez.
COUNCIL MEMBER MENDEZ: Aye.
CLERK: Monserrate.
COUNCIL MEMBER MONSERRATE: Aye.
CLERK: Nelson.
COUNCIL MEMBER NELSON: Aye.
CLERK: Palma.
COUNCIL MEMBER PALMA: Aye.
CLERK: Recchia.
COUNCIL MEMBER RECCHIA: Aye.
CLERK: Reyna.
COUNCIL MEMBER REYNA: Aye.
CLERK: Sanders.
COUNCIL MEMBER SANDERS: Aye.
CLERK: Seabrook.
[No response.]
CLERK: Sears.
COUNCIL MEMBER SEARS: Aye.
CLERK: Jackson.
COUNCIL MEMBER JACKSON: Aye.
CLERK: Stewart.

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COUNCIL MEMBER STEWART: Yes.

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CLERK: Vacca.

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COUNCIL MEMBER VACCA: Aye.

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CLERK: Vallone.

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COUNCIL MEMBER VALLONE: Aye.

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CLERK: Vann.

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COUNCIL MEMBER VANN: Yes, aye.

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CLERK: Weprin.

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COUNCIL MEMBER WEPRIN: Aye.

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CLERK: White.

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COUNCIL MEMBER WHITE: Aye.

13

CLERK: Yassky.

14

[No response.]

15

CLERK: Oddo.

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COUNCIL MEMBER ODDO: Yes, sir.

17

CLERK: Rivera.

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COUNCIL MEMBER RIVERA: Yes.

19

CLERK: Speaker Quinn.

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SPEAKER QUINN: Yes.

21

CHAIRPERSON GOTBAUM: Today's Land

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Use call-ups were adopted by a vote of 45 in the

23

affirmative, zero in the negative.

24

Communication from the Speaker?

25

SPEAKER QUINN: Thank you very

1
2 much. We're voting today on a number of pieces of
3 legislation and important Land Use actions. The
4 first is Intro 809-A, a piece of legislation that
5 was passed out of our Waterfront Committee. I
6 want to thank Council Member Mike Nelson for his
7 leadership on this issue. I want to thank Jeff
8 Baker, Jeff Haberman [phonetic] and Patrick
9 Mulvilly [phonetic], who've worked on this issue.

10 This piece of legislation, 809-A,
11 literally reconnects New York City with its
12 waterfront. We have 578 miles of waterfront in
13 all five Boroughs, from Staten Island to the
14 Bronx. We never, as a City, stop and plan that
15 waterfront. We never look at it as a resource.
16 It's a place that has opportunity for recreation,
17 for employment, for transportation, potentially
18 for appropriate development. But, we never sit
19 back and plan it. We've literally and
20 figuratively turned our back on the rivers that
21 surround us.

22 809-A will require that every ten
23 years, the Department of City Planning do a
24 citywide comprehensive plan for our waterfront.
25 And, that plan encompass all the different

1
2 potential uses for our waterfront. This will make
3 sure we don't waste our waterfront and we don't
4 end up with a waterfront that is exclusively
5 luxury housing that really cuts the waterfront off
6 from use by all New Yorkers.

7 I want to thank the staff who've
8 worked on this bill; thank my colleagues for
9 supporting it and particularly thank Mike Nelson
10 for passing this legislation. I also want to
11 thank the Metropolitan Waterfront Alliance, who
12 have worked and advised us on this piece of
13 legislation and call on the Chair of our
14 Waterfronts Committee, Mike Nelson.

15 COUNCIL MEMBER NELSON: Thank you,
16 Madam Speaker for your leadership in this and your
17 strong support and all of the sponsors. This will
18 improve the City in many ways through the years,
19 especially in these dangerous economical times,
20 when we can develop the waterfront in an
21 intelligent way. This comprehensive waterfront
22 plan will point us in the direction so it's not to
23 be done helter-skelter, the public waterfront, the
24 working waterfront, the redeveloping waterfront
25 and the natural waterfront, as well.

1
2 So, thank you, again, Madam
3 Speaker, for your leadership.

4 SPEAKER QUINN: Thank you very
5 much. We're also voting today on Intro 823, a
6 piece of legislation that will extend J51 tax
7 benefits to the Penn South Mutual Redevelopment
8 article five, housing development which is
9 actually in my district.

10 For folks who know this, this is
11 2,820 units where 6,000 people reside, a
12 permanently affordable housing. Obviously, these
13 buildings have been under tremendous
14 gentrification pressure being on the lower
15 Westside of Manhattan. They're buildings that we,
16 in the neighborhood, are committed to keeping
17 affordable, making sure that they can qualify for
18 J51 tax benefits. We'll keep them affordable.
19 There've been numerous times since I've been
20 elected where people have tried to convince the
21 Board of Directors of Penn South to buy out and
22 opt out of affordability. This will help prevent
23 that from happening.

24 I want to thank Bob Baham
25 [phonetic], Ben Goodman and Jeff Haberman--

1
2 CHAIRPERSON GOTBAUM: Quiet,
3 please.

4 SPEAKER QUINN: --who worked on
5 this legislation and thank Chairperson Dilan for
6 his stewardship in watching over this piece of
7 legislation on behalf of my district. Thank you
8 very much. I also want to thank Chairperson Reyna
9 for overseeing the two appointments today to the
10 Board of Elections, both from Queens County.

11 We're also voting today on an
12 important Land Use action as it relates to East
13 125th Street. I really want to congratulate
14 Council Member Melissa Mark-Viverito and her staff
15 and the Land Use staff. I want to thank
16 Chairperson Katz for her work on this issue.

17 The Land Use action we're voting on
18 today is going to make sure that we get more
19 affordable housing permanently on East 125th
20 Street, that we get cultural resources and a
21 Center on East 125th Street, as well as a media
22 center. I want to thank, again, Council Member
23 Melissa Mark-Viverito for working so hard on
24 getting this deal to the point it's at today and
25 call on her to speak.

1

2

COUNCIL MEMBER MELISSA MARK-

3

VIVERITO: Thank you, Madam Speaker. And, I ask

4

for the indulgence of my colleagues. The East

5

125th Street development project is reflective of a

6

more than two-year community-based planning

7

process.

8

In January of 2006, we formed an

9

East 125th Street Task Force, which was comprised

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of Community Board representatives, my office, the

11

Office of the Borough President, local community-

12

based organizations and community residents. And,

13

it was formed to address the community's major

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priorities for the development of this site,

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including affordable housing, economic

16

development, local participation, the impact of

17

development on health and services and promoting

18

arts and culture.

19

Some of the agreements that we've

20

arrived at, and which will be incorporated in the

21

contract of sale between the City of New York and

22

the designated development team, are to ensure

23

that 80% of the units constructed within this

24

project will be permanently affordable to

25

individuals or families earning up to 150% of area

1
2 median income. And, the minimum number of units
3 that this site will have are 800 units of housing.
4 Approximately 50% of these affordable units will
5 be homeownership units. And, again, this is
6 permanently affordable. It will have a minimum of
7 24,000 square feet of open space. The City agrees
8 to require that, at minimum, a LEED silver
9 certification for all buildings within this
10 development site.

11 A minimum of 50,000 square feet of
12 retail square footage will be designated for
13 locally owned businesses at below market rates.
14 And, preference shall be given to Manhattan
15 Community Board 11 locally owned businesses.
16 Additionally, a \$10 million local investment fund
17 will be created to focus on small businesses and
18 entrepreneurs from Community Board 11 that locate
19 within the proposed development.

20 Additionally, the City's requiring
21 the development team to maintain ongoing dialogue,
22 which will include regular meetings and reporting
23 throughout the planning, construction and
24 operations of this project.

25 A cultural space with a minimum of

1
2 30,000 square feet will be provided and at least
3 one local organization of East Harlem must have an
4 ownership interest in this cultural space. The
5 developer is also contributing \$1.8 million
6 towards the cultural space fit-out costs.

7 And, we're also defining a targeted
8 hiring workforce development plan to ensure that
9 the jobs which we are projecting at over 1,500,
10 including a hotel and local retail space, are,
11 first and foremost, for the local residents, but
12 that they are jobs that will provide a living wage
13 and benefits.

14 Clearly, the work is not done in
15 this process. This is a commitment that we have.
16 But, obviously, the ongoing monitoring and the
17 ongoing conversations with the development team,
18 with the community is forthcoming. And, I look
19 forward to that process.

20 I want to thank everyone that has
21 really contributed to this process, particularly
22 the Land Use staff, to Gale to Carol to Amy. I
23 want to thank Dan Garodnick very much for his
24 assistance and Melinda Katz. I want to thank
25 Speaker Quinn, Chuck Marin [phonetic], Ramone

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2 Martinez [phonetic]. I particularly want to thank
3 my staff, Aday Fox [phonetic] and Melinda Valez
4 [phonetic], who really put in so much time. I
5 want to thank the Mayor's Office and EDC, in
6 particular, Carol Lee Fink [phonetic], who was
7 really instrumental in this and the 125th Street
8 Development Task Force, which is a reflection of
9 the diversity of our community and who really gave
10 of their time endlessly.

11 This is a historic project for East
12 Harlem. And, I feel very proud in the level of
13 input that we have provided and the gains that we
14 have garnered. So, I think everyone for their
15 help in this.

16 SPEAKER QUINN: Thank you very
17 much, Council Member Mark-Viverito. And, I want
18 to also add my thanks to Chairperson Garodnick for
19 his work on this as well. Just want to note, for
20 my colleagues, if you would please just, you and
21 your staff, make note on the back of the agenda
22 some of the dates for the November Stated Council
23 meetings have had to be shifted. So, please note
24 those for your calendars. So, they are attached
25 to the back of the agenda today. And, that

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2 concludes communications from the Speaker.

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CHAIRPERSON GOTBAUM: Discussion of
General Orders. Council Member Jackson. [Pause]
Communication from the Speaker, Discussion of
General Orders, and, you're the first one and only
one.

COUNCIL MEMBER JACKSON: Madam
Public Advocate, I ask to speak under, not under
General Orders, but introduction and reading of
bills.

[Pause]

COUNCIL MEMBER JACKSON: Excuse me?

[Pause]

CHAIRPERSON GOTBAUM: Oh, Barbara
said--

SPEAKER QUINN: Council Member
Jackson would like to speak in the other part in
the agenda, not on discussion of General Orders.
Later on, when we do the Introduction of the
Bills. So, if we have just a show a hands for
anyone who'd like to speak under the Discussion of
General Orders. Robert should start the beginning
of that other part of the agenda later. Thank
you. If there's no one, that's okay, too.

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2 CHAIRPERSON GOTBAUM: Okay. No
3 one. Report of Special Committees.

4 COUNCIL MEMBER AVELLA: None.

5 CHAIRPERSON GOTBAUM: Reports of
6 Standing Committees.

7 COUNCIL MEMBER AVELLA: Report of
8 the Committee on Finance, pre-considered LU 897
9 and Resolution 1644, Diego Beekman Mutual Housing
10 Association.

11 SPEAKER QUINN: Coupled on General
12 Orders.

13 COUNCIL MEMBER AVELLA: Report of
14 the Committee on Housing and Buildings, Intro 823,
15 tax exemption and abatement--

16 SPEAKER QUINN: Sorry about that.
17 Coupled on General Orders.

18 COUNCIL MEMBER AVELLA: Report of
19 the Committee on Land Use, LU819 and Reso 1645,
20 through a Land Use 843 and Resolution 1648,
21 Hospital for Special Surgery.

22 SPEAKER QUINN: Coupled on General
23 Orders.

24 CLERK: Quiet, please.

25 COUNCIL MEMBER AVELLA: LU 870 and

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2 Reso 1649 through LU 872 and Reso 1651 on page 2,
3 various UDAAPs.

4 SPEAKER QUINN: Coupled on General
5 Orders.

6 COUNCIL MEMBER AVELLA: LU 873 and
7 Reso 1652, Harlem Urban Renewal Area.

8 SPEAKER QUINN: Coupled on General
9 Orders.

10 COUNCIL MEMBER AVELLA: LU 882 and
11 LU 883, amendment to the Zoning Resolution.

12 SPEAKER QUINN: Approved with
13 modifications and referred to the City Planning
14 Commission pursuant to Rule 11.70(b) of the Rules
15 of the Council and Section 197(d) of the New York
16 City Charter.

17 COUNCIL MEMBER AVELLA: LU 891 and
18 Reso 1653, Landmarks Preservation, Staten Island.

19 SPEAKER QUINN: Coupled on General
20 Orders.

21 COUNCIL MEMBER AVELLA: LU 893 and
22 Reso 1654, unenclosed Sidewalk Café, Queens.

23 SPEAKER QUINN: Coupled to be filed
24 pursuant to the letter of withdrawal.

25 COUNCIL MEMBER AVELLA: Report to

1
2 the Committee on Rules, Privileges and Elections,
3 M 1118 and Reso 1655, approving Judith B. Stupp,
4 Queens County, Republican Commissioner of
5 Elections.

6 SPEAKER QUINN: Coupled on General
7 Orders.

8 COUNCIL MEMBER AVELLA: Pre-
9 considered M 1197 and Resolution 1656, approving
10 Jose M. Araujo, Queens County, Democratic
11 Commissioner of Elections.

12 SPEAKER QUINN: Coupled on General
13 Orders.

14 COUNCIL MEMBER AVELLA: Report of
15 the Committee on Waterfronts, Introduction 809-A,
16 Department of City Planning.

17 SPEAKER QUINN: Amended and coupled
18 on General Orders.

19 CHAIRPERSON GOTBAUM: General Order
20 Calendar.

21 COUNCIL MEMBER AVELLA: LU 882 and
22 Reso 1657 and LU883 and Reso 1658.

23 SPEAKER QUINN: Coupled on General
24 Orders.

25 COUNCIL MEMBER AVELLA: Resolution

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appointing various persons Commissioner of Deeds.

SPEAKER QUINN: Coupled on General Orders. And, at this point, I ask for a roll call on all items that have been coupled on the General Order Calendar, please.

CLERK: Addabbo.

COUNCIL MEMBER ADDABBO: Aye.

CLERK: Arroyo.

COUNCIL MEMBER ARROYO: Aye.

CLERK: Avella.

COUNCIL MEMBER AVELLA: I vote aye on everything, except Land Use Numbers 870, 871, 872 and 873, I vote no.

CLERK: Baez.

COUNCIL MEMBER BAEZ: Aye.

CLERK: Barron.

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

CHAIRPERSON GOTBAUM: So ordered.

COUNCIL MEMBER BARRON: I vote aye on all items except for the items regarding East Harlem. Harlem is being gentrified and Harlem, even though there's affordable housing and job commitments to the CBA, the bottom line is that

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2 these are top down development plans coming from
3 the Mayor and others. And, we need to save Harlem
4 from gentrification and save Harlem from not being
5 the Harlem that it used to be.

6

7 This is the second plan or third
8 plan that's going through and, the use of eminent
9 domain, as well, the use of eminent domain by the
10 City to take Harlem, to re-gentrify Harlem, this
11 Council should reject. So, on that, I'm voting
12 aye on all items. I vote no on LU 870 and it's
13 companion Reso, 871, 872 and 873 and it's
14 accompanying Resos.

14

CLERK: Brewer.

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COUNCIL MEMBER BREWER: Aye.

16

CLERK: Como.

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COUNCIL MEMBER COMO: Aye on all.

18

CLERK: Comrie.

19

COUNCIL MEMBER COMRIE: Aye on all.

20

CLERK: de Blasio.

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COUNCIL MEMBER de BLASIO: Aye on

22

all.

23

CLERK: Dickens.

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COUNCIL MEMBER DICKENS: Aye.

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CLERK: Dilan.

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COUNCIL MEMBER DILAN: Aye on all.

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CLERK: Eugene.

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COUNCIL MEMBER EUGENE: Aye.

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CLERK: Felder.

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COUNCIL MEMBER FELDER: Yes.

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CLERK: Fidler.

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COUNCIL MEMBER FIDLER: Aye on all.

9

CLERK: Foster.

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COUNCIL MEMBER FOSTER: I'm like to

11

marked present, vote aye on all on the Land Use

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and aye on all. Thank you.

13

CHAIRPERSON GOTBAUM: So ordered.

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CLERK: Garodnick.

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COUNCIL MEMBER GARODNICK: Aye.

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CLERK: Gentile.

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COUNCIL MEMBER GENTILE: Aye on

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all.

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CLERK: Gerson.

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[No response.]

21

CLERK: Gonzalez.

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COUNCIL MEMBER GONZALEZ: Aye.

23

CLERK: Ignizio.

24

[No response.]

25

CLERK: Jackson.

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COUNCIL MEMBER JACKSON: Aye on

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all.

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CLERK: James.

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COUNCIL MEMBER JAMES: I vote no on

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871, 870, 872 and 873 and aye on the rest.

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CLERK: Katz.

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COUNCIL MEMBER KATZ: Aye on all.

9

CLERK: Koppell.

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COUNCIL MEMBER KOPPELL: Aye.

11

CLERK: Lappin.

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COUNCIL MEMBER LAPPIN: Aye.

13

CLERK: Liu.

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COUNCIL MEMBER LUI: Madam Public

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Advocate, I vote yes on all matters. But, I wish

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to register a strong reservations about this

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administration's use of eminent domain. That it

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seems willing to invoke eminent domain to take

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property from small private owners to turn it to a

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larger private owner and seemingly totally

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hesitant and refusing to even consider eminent

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domain to take property from a large owner for the

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sake of building badly needed public works, such

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as schools. Thank you.

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CHAIRPERSON GOTBAUM: So ordered.

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CLERK: Ignizio:

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COUNCIL MEMBER IGNIZIO: - -

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CLERK: Mark-Viverito.

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COUNCIL MEMBER MARK-VIVERITO: Aye

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on all.

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CLERK: Martinez.

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COUNCIL MEMBER MARTINEZ: Aye on

9

all.

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CLERK: McMahon.

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COUNCIL MEMBER McMAHON: Aye on

12

all.

13

CLERK: Mealy.

14

[No response.]

15

CLERK: Mendez.

16

COUNCIL MEMBER MENDEZ: Aye on all.

17

CLERK: Monserrate.

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COUNCIL MEMBER MONSERRATE: Aye.

19

CLERK: Nelson.

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COUNCIL MEMBER NELSON: Aye on all.

21

CLERK: Palma.

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COUNCIL MEMBER PALMA: Aye on all.

23

CLERK: Recchia.

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COUNCIL MEMBER RECCHIA: Aye on

25

all.

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CLERK: Reyna.

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COUNCIL MEMBER REYNA: Aye on all.

3

CLERK: Sanders.

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COUNCIL MEMBER SANDERS: Aye on

5

6 all.

CLERK: Seabrook.

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COUNCIL MEMBER SEABROOK: Yes, I'd

8

9 like to vote aye on the General Orders and with
10 special permission, aye on all Land Use Call-ups
11 and be present.

CHAIRPERSON GOTBAUM: So, ordered.

12

CLERK: Sears.

13

COUNCIL MEMBER SEARS: Aye.

14

CLERK: Stewart.

15

COUNCIL MEMBER STEWART: Aye on

16

17 all.

CLERK: Vacca.

18

[No response.]

19

CLERK: Vallone.

20

COUNCIL MEMBER VALLONE: Aye on

21

22 all.

CLERK: Vann.

23

COUNCIL MEMBER VANN: Aye on all.

24

CLERK: Weprin.

25

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COUNCIL MEMBER WEPRIN: Aye on all.

2

CLERK: White.

3

COUNCIL MEMBER WHITE: Aye on all.

4

CLERK: Yassky.

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COUNCIL MEMBER YASSKY: I request
permission to vote on Land Use call-ups.

6

7

CHAIRPERSON GOTBAUM: So, ordered.

8

COUNCIL MEMBER YASSKY: I vote yes
on all the Land Use call-ups and on the coupled
General Orders.

9

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11

CLERK: Ignizio.

12

COUNCIL MEMBER IGNIZIO: No on Land
Use 870, 871, 872 and 873; aye on all others.

13

14

CLERK: Monserrate.

15

COUNCIL MEMBER MONSERRATE: Yes, I
vote aye on all; however, with the exception of
Land Use 870, 871, 872, I abstain, and 873.

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17

18

CLERK: Oddo.

19

COUNCIL MEMBER ODDO: Yes.

20

CLERK: Rivera.

21

COUNCIL MEMBER RIVERA: I vote aye.

22

CLERK: Speaker Quinn.

23

SPEAKER QUINN: Aye.

24

CHAIRPERSON GOTBAUM: Can you call,

25

1

2 Vinnie, can you call Gerson? Vinnie?

3 CLERK: Council Member Gerson.

4 COUNCIL MEMBER GERSON: Aye on all.

5 FEMALE VOICE: Thank you.

6 CHAIRPERSON GOTBAUM: Just wait.

7 All items on today's General Order calendar were
8 adopted by a vote of 49 in the affirmative, zero
9 in the negative, zero abstention, with the
10 exception of LU 870 and Reso 1649, which is
11 adopted by a vote of 44 in the affirmative, four
12 negative, one abstention. And, LU 871 and Res
13 1650, which is adopted by 44 in the affirmative,
14 four negative, one abstention. And, LU 872 and
15 Reso 1651, which is adopted by 44 in the
16 affirmative, four negative, one abstention. And,
17 LU 873 and Reso 1652, which was adopted by 44 in
18 the affirmative, four negative, one abstention.

19 The revised Land Use call-up vote
20 is 49 affirmative, zero negative—sorry, zero
21 negative.

22 Introduction of Reading of Bills.

23 SPEAKER QUINN: All Bills are
24 referred to committees as indicated on the agenda.
25 And, again, I just want to remind people to make

1

2 note of the dates of the November Stated meeting.

3 CHAIRPERSON GOTBAUM: So ordered.

4 Discussion of Resolutions, there are no
5 resolutions. No resolutions. General discussion,
6 Council Member Jackson.

7 COUNCIL MEMBER JACKSON: Thank you,
8 Madam Public Advocate, my colleagues. I stand
9 here today in order to ask you to sign on to Intro
10 Number 847, which is on page 2 of the Introduction
11 and Reading of the Bills.

12 And Intro 847 is a bill that, if it
13 turned into a law, will give small business owners
14 in New York City the right to negotiate their
15 leases with the landlords of New York City. Now,
16 you may say what do you mean by that? They
17 negotiate now. Well, you know, landlords
18 basically with small business owners, when leases
19 expire, normally leases up two, three, four, five,
20 ten times the amount. And, basically, force many,
21 many small businesses to close their doors.

22 And, this bill, which if passed
23 into law, would give small business owners a
24 fighting chance; a fighting chance to negotiate
25 their lease with their landlord. And, if, in

1
2 fact, they cannot come to terms of agreement, then
3 the parties would go to mediation. And, as you
4 know, mediation is when someone tries to mediate
5 between the parties to come to agreement. And,
6 if, in fact, mediation doesn't work, it will be
7 binding arbitration on their lease for their
8 existence in the neighborhood.

9 Now, what's at a stake in this is
10 jobs. Jobs for New Yorkers. Mayor Bloomberg has
11 said that the backbone of New York City is small
12 business. And, this bill is about small business,
13 jobs for working people and keeping small
14 businesses in our community--

15 CHAIRPERSON GOTBAUM: Quiet,
16 please.

17 COUNCIL MEMBER JACKSON: --alive
18 and well.

19 CHAIRPERSON GOTBAUM: Excuse me,
20 Council Member. Could you all please be quiet?
21 It's very hard to hear him.

22 COUNCIL MEMBER JACKSON: We have
23 approximately ten members sign on to the bill
24 right now. And, I ask all of you, on behalf of
25 all of the small business people that live and

1
2 work in your district, to sign on to this bill
3 Intro Number 847. Thank you.

4 CHAIRPERSON GOTBAUM: Council
5 Member Barron.

6 COUNCIL MEMBER BARRON: Thank you
7 very much. Madam Chair, I rise to encourage my
8 colleagues not to vote for Intro 845, the
9 extension of term limits. We have two
10 billionaires in this town that decide that they
11 should be the dictators of our legislation. The
12 State, Albany said no to Bloomberg and congestion
13 pricing. That was responsible. Albany said no to
14 Bloomberg around the Jets Stadium. That was
15 responsible.

16 It's time for us to say no. It's
17 time for us to say no, when the people have
18 already spoken. It's not the time to introduce a
19 referendum. But, it's time to say that the people
20 said twice, in 1993, no, we want term limits. In
21 1996, no, they don't want it to be extended to 12
22 years. We are a body of the people, for the
23 people, by the people. We supposed to be their
24 elected representatives. We should honor that.
25 And, this is a touchy one for me, but I stay in

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trouble and it's my birthday, so why stop now.

But, for the Chair of our Committee on Government Ops to receive 1.9 million to, some say, 5 million from the Mayor, that is a conflict of interest for him to be introducing the bill. And then, for a bill coming up to extend it, and this is not introduced yet, but talk of now a referendum to come up in the spring. And, one of the architects of that also received 350,000 from the Mayor. We need to stop that. We need to speak about it, stop it.

The people didn't ask for a referendum. The people already passed one and said eight years and out. I think we should stick to that. And, it is a conflict of interest when Council Members introduce legislation and are that close to the Mayor.

CHAIRPERSON GOTBAUM: Council Member de Blasio.

COUNCIL MEMBER de BLASIO: Thank you, Madam Public Advocate. My colleagues, we often explain to the Mayor, to the media, to the business community, to all the powerful interests in this City that we represent the people. We

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2 represent the neighborhoods. Our job is to bring
3 that perspective every day. And, I think this
4 City Council defends the interests of people in a
5 way that is often not given the credit it
6 deserves.

7 We also are supposed to be a place
8 that says no to the Mayor when he's wrong. We're
9 supposed to be the check and balance, two branches
10 of government.

11 What's happened in the last few
12 weeks is unprecedented in the history of New York
13 City. The Mayor, working with a small group of
14 business leaders, is trying to dictate the terms,
15 not only to the people of New York City, but to
16 this body as well. Introducing a piece of
17 legislation, demand it be considered in only a few
18 weeks' time with minimal input from the public,
19 demanding his legislation get a treatment that no
20 serious legislation would ever get.

21 Congestion pricing, we debated for
22 months and months. And, we took it to the people
23 in the Boroughs. Remember the lead paint bill?
24 That went on for years. Think about any major
25 issue we've ever entertained. We don't do that in

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2 two weeks' time. And, we don't do it because the
3 other side of the hall thinks that they own this
4 side of the hall. They don't own any of us. We
5 are independent. So, we have to say it is
6 unacceptable to be forced into the Mayor's
7 timeline, the Mayor's legislation.

8 We need to bring this issue back to
9 the people. I have heard, very loudly, from my
10 constituents that they do not like to see us
11 accept the Mayor's decision. They don't like to
12 see us take power away from them. They want the
13 right to decide this issue. It doesn't matter
14 where you stand on the person of Michael Bloomberg
15 or the philosophical issue of term limits. We
16 need to bring this issue back to the people.
17 Thank you.

18 CHAIRPERSON GOTBAUM: Council
19 Member James.

20 COUNCIL MEMBER JAMES: I urge my
21 colleagues to oppose the hijacking of democracy,
22 to stand as Democrats within this body and to
23 oppose four more years of Republican rule and open
24 the doors of City Hall to a true Democrat. Four
25 more years where developers and the elite and

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2 business titans reign in this City. I urge my
3 colleagues to oppose four more years of rapid
4 gentrification in the City of New York as a result
5 of all of this over-development. No one is
6 indispensable. And, I urge, and just as the
7 Republican candidate, who's running for President,
8 has used fear and experience as a justification, I
9 would urge my colleagues to oppose to leaving
10 voters out of the debate.

11 If the Mayor of the City of New
12 York wants to address the economic issues of the
13 City of New York, he must appeal to New Yorkers
14 directly. If he seeks to reverse a 15-year-old
15 term limits rule, he should do it through voter
16 referendum. In the State of the City speech, the
17 Mayor promised to appoint a Charter Revision
18 Commission and I now call upon him to establish a
19 Charter Review Commission.

20 Let me also go on to say that the
21 Mayor of the City of New York, one of the reasons
22 why I oppose his candidacy is because he continues
23 to dump on urban centers. And, that is why I urge
24 everyone to sign up Intro 844, where the Mayor of
25 the City of New York wants to, once again, dump a

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homeless shelter in Central Brooklyn. Thank you.

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CHAIRPERSON GOTBAUM: Council

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Member Rivera.

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COUNCIL MEMBER RIVERA: Thank you

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very much, Madam Public Advocate. My colleagues,

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today we are discussing an issue that is extremely

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important to the City of New York. It is an issue

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about whether or not term limits are democratic.

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My opinion is that term limits are extremely

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undemocratic because it does not allow the voters

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of the City of New York the opportunity to vote

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for the person they see fit to represent them.

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Term limits are undemocratic

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because they, at its core, prevent democracy from

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taking place, by limiting the--

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MALE VOICE: Quiet, please.

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COUNCIL MEMBER RIVERA: --limiting

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the candidates that can run for public office. I

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believe that the voters should have a say and

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should have the opportunity to decide who their

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elected officials should be. They currently do

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not have that opportunity 'cause there's a system

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in place that was put together 15 years ago by

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someone who ran for office and had a personal

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2 vendetta against Mayor Giuliani. Someone who
3 wanted to see something pushed through and spent
4 millions of dollars on a campaign and only
5 generated about 54% of the vote, you know, in that
6 election cycle.

7 Ladies and gentlemen, we need to be
8 clear about what we're discussing here. We are
9 discussing a democracy, a democracy that the
10 people should decide who their elected officials
11 are. I honestly believe that, you know, we are a
12 representative government. We are a government
13 elected for the people and by the people. We are
14 the voice of the people. People make, you know, a
15 decision in their lives to be doctors, nurses,
16 teachers and professors. We made a decision to be
17 elected officials, to contribute to our society.
18 We can do so for another four years and make sure
19 we can bring vital services back to our community.

20 I think we should all recognize
21 this for what it is. It is an attempt to bring
22 democracy back to the people by allowing them the
23 opportunity to reelect, or not to reelect, the
24 people they see fit. If you choose to vote for
25 Robert Jackson, Joel Rivera, Miguel Martinez, or

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2 Leroy Comrie, that should be your choice. It
3 shouldn't be a decision based on some rich
4 person's ideological belief that term limits
5 should be the case.

6 Again, ladies and gentlemen, term
7 limits are undemocratic and should not be the way
8 we govern our society.

9 CHAIRPERSON GOTBAUM: Council
10 Member Comrie.

11 COUNCIL MEMBER COMRIE: I've never
12 supported the concept of term limits. I've long
13 been opposed to them. I think that term limits
14 hurts emerging and minority communities. It never
15 gives them an opportunity to have an equal footing
16 with the bureaucracy that is endemic and permanent
17 in this town. I think that we have to make sure
18 that this issue gives the people back their power
19 because, ultimately, it's the individual community
20 that can vote a legislator out. Ultimately, it's
21 the individual community that can determine
22 whether an individual is good or bad and should be
23 retained in their office or not. Ultimately, term
24 limits is bad government.

25 I intend to do my part to make sure

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2 that this discussion will be thorough within my
3 communities. And, I would encourage every person
4 in this room to do the same. We will be having a
5 lot of opportunities for discussion between now.
6 But, I really don't think it needs two years to
7 have this discussion.

8 We've been having this discussion
9 since I ran, before I ran in 2001 because I've
10 been opposed to term limits since then. I've been
11 having this discussion since 1993. This is the
12 discussion that most people are thoroughly
13 familiar with. There's not a large learning
14 curve. Let's get it done. Let's have this
15 discussion. Let's do what we need to do to bring
16 back real democracy to our communities by allowing
17 our communities, our individuals in our
18 communities, the right to self-determination.
19 Thank you.

20 CHAIRPERSON GOTBAUM: Council
21 Member Avella. Oh, I'm sorry, excuse me. Council
22 Member Gioia, would you like to vote, please.

23 COUNCIL MEMBER GIOIA: Thank you,
24 Madam Public Advocate. I'd like to vote yes on
25 all matters, including Land Use call-ups before us

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2 today, with the exception of Land Use 870, 871,
3 872, 873 and their accompanying resolutions. I,
4 as I stated many times publicly, I cannot support
5 the use of eminent of domain for economic
6 development purposes. Thank you.

7 CHAIRPERSON GOTBAUM: So ordered.
8 Quiet, please. Sorry, Council Member Avella,
9 excuse me.

10 COUNCIL MEMBER AVELLA: Thank you,
11 Madam Public Advocate. I want to bring to my
12 colleagues' attention Reso 1640, which I'm
13 introducing today. And, I want to preface my
14 comments about this legislation to go back to the
15 comments that my colleagues, Council Member Comrie
16 and Joel Rivera, made about the fact that they
17 feel that the voters should be given an
18 opportunity, I guess, to vote for members of this
19 Council and the Mayor for another four years.
20 And, they use the word democracy and the right of
21 the people to choose.

22 With all due respect to my
23 colleagues, who I respect very highly, that is the
24 whole issue here, that this City Council and the
25 Mayor are going to go against what the people have

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voted on twice. And, to use the word democracy in the same sentence, I think is absolutely disgraceful. How dare this body try and do this. And, we know they're going to. I hadn't intended to make this debate today. But, I can't let those remarks go without saying that. The people voted twice. And, if this body, if this body overturns it legislatively, shame on everybody. And, anybody who does that should be voted out of office at the next election.

Now, my Reso 1640, hopefully, hopefully, if passed, ask the State Legislature to get involved in this issue and amend the State Municipal Home Rule Law to basically say we cannot do this legislatively. It must be done by a public referendum. If you truly believe that extending from two terms to three terms is in the best interest of City government, then put your career where your mouth is and let the people of this City vote that. And, the State Legislature can actually trump what we do. If they would act quickly enough, we could only do this by referendum. And, I understand there's a special session of the State Legislature later in

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2 November.

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But, I urge my colleagues, who are opposing the extension of term limits to sign on to this legislation.

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CHAIRPERSON GOTBAUM: Council Member Koppell.

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COUNCIL MEMBER KOPPELL: Thank you, Madam Public Advocate. First of all, let me disabuse people of the notion that this is only before the Council because of the Mayor. I wanted this Council to take a position on term limits. I have opposed term limits for more than a decade. I campaigned actively against term limits when it was on the ballot. I introduced legislation some time ago. It didn't come out.

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On September 4th, before the Mayor announced anything, I asked that legislation be drafted to provide to allow us to serve for three terms, rather than two. I made it clear that it had to be drafted within 60 days under our Council rules. I made it clear that I would call upon the Committee to consider that legislation and call upon at least the Committee to vote on it under our rules. And, I have the right to do so as I

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2 understand our rules.

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So, this matter is on the floor, yes, because the Mayor did ask for it. The bill that was introduced today is at the request of the Mayor. I asked my name be added because it's exactly the bill that I asked the Council staff to draft on September 4th, 2008.

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So, this is before the Council because I, and I know other members, wanted the right to vote on this. Not because the Mayor is asking for it to be voted on, but we agree with the Mayor that it should be voted on. That's number one.

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Number two, I agree that having term limits is both undemocratic and unwise. Professor Eric Lane wrote an excellent column in the paper talking about how term limits have failed all over the country. The New York Times had an article saying that term limits are no longer popular and many jurisdictions are seeking to end term limits.

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Eight years is far too short to take full advantage of the experience that people gain in a legislative body. If you think of the

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2 giants of the legislative process, in Washington,
3 people like, I don't know, people like Pat
4 Moinahan, who served for four terms; people like
5 Daniel Webster. Those people served for lengthy
6 periods and made a tremendous impact because of
7 the length of their service. So, it is bad public
8 policy.

9 And, the Charter permits us to do
10 this. The Charter that was adopted by the people
11 permits the Council to do it. We don't generally
12 enact legislation here for--

13 CHAIRPERSON GOTBAUM: Council
14 Member, time.

15 COUNCIL MEMBER KOPPELL: --
16 referendum. And, why this is an exception and
17 it's only was voted on because a billionaire put
18 millions and millions of dollars behind it. This
19 Council has a responsibility to do the right thing
20 for the people of this City. And, we, as Council
21 Members, have to vote on what we think is right.
22 This will be before us. I recommend we vote for
23 it.

24 CHAIRPERSON GOTBAUM: Council
25 Member Vallone.

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COUNCIL MEMBER VALLONE: Thank you.

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I'd just like to quickly say that there are people

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in good conscience on both sides of this issue.

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And, as a member of the Governmental Operations

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Committee, I look forward to the hearings that

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we're going to hold, both for the public and for

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institutions to be heard on this.

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I'd also like to say, as a member

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of Gov Ops, that my Chair, Simcha Felder, is the

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most honest, impartial, ethical politician I know.

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And, any insinuation otherwise is despicable.

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Thank you.

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CHAIRPERSON GOTBAUM: Sorry.

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Council Member Fidler.

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COUNCIL MEMBER FIDLER: Thank you,

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Peter, for beating me to the punch on that. I

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mean, I'm surprised—happy birthday, Charles—but

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I'm surprised that you don't that the rules of

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this body are that when a bill is introduced at

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the request of the Mayor, it goes in the name of

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the Committee Chair to which Committee it's going

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to. So, I'm a little surprised you didn't know

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that.

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There's nobody who's in this body

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2 who follows this body, who would say that Lew
3 Fidler is a toady for Mike Bloomberg. And, I got
4 to tell you I recognize that the process by which
5 this issue has come before the public is somewhat
6 distasteful. But, I am not a puppet for anyone or
7 two billionaires. I never will be. I am not
8 downed by a referendum that was driven by another
9 billionaire and voted on 12 years ago. And, the
10 fact that the billionaire Mayor happens to agree
11 with me, once in six years, is not going to stop
12 me from voting for what I think is the right thing
13 to do.

14 I have opposed term limits. Term
15 limits are bad government. I remind you that an
16 eight-year term for this body, which, under the
17 Charter, is a weak sister in terms of power in
18 this government that the Speaker of this body
19 would either be a freshman or a lame duck on the
20 day he or she is elected for the rest of the
21 existence of this body. You can't tell me that
22 that's good for this institution.

23 You all know that term limits in
24 power, the permanent government, the staff, the
25 agencies, the lobbyists, until each and every one

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2 of us gets to know everything that we possibly can
3 know, every one of us comes here with an expertise
4 in something. Not, one of us comes here with an
5 expertise in everything. Yet, we are asked to
6 vote on everything. And so, the voters never get
7 to vote for the permanent government, for the
8 people I just—they don't even know their names.

9 So, I am going to do what I think
10 is the right thing for government. I am going to
11 vote not on how it got here. I'm not going to
12 vote on which billionaire says what. I am going
13 to vote on the policy in question, which is
14 whether or not terms limits is good government. I
15 don't think they are.

16 CHAIRPERSON GOTBAUM: Council
17 Member Weprin.

18 COUNCIL MEMBER WEPRIN: Thank you,
19 Madam Public Advocate. As public officials and
20 keepers of the public trust, it is our
21 responsibility to ensure that the wishes of our
22 constituents are enacted and respected. They've
23 entrusted in us certain duties that form the basis
24 of a representative democracy. These duties
25 should not be taken lightly. They are, obviously,

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2 very important.

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4 However, extending term limits to
5 allow for a third term instead of a second term, I
6 believe strongly is an issue that should be left
7 to the voters in a public referendum. That's why
8 they have spoken, not only once, but twice on that
9 issue. It is a little different than other
10 legislation that we take up in this body because
11 of the uniqueness of how it came about. That's
12 why I've introduced Intro 850, which would require
13 the extension of term limits to be done only by
14 public referendum.

14

15 Let me tell you, I am not a fan of
16 term limits by any means. They severely hinder
17 our ability to complete long term capital
18 projects. They limit the amount of time we have
19 to make an impact on our communities. But,
20 however, whether you are for or against term
21 limits, that's really not the issue. The issue is
22 how that should be changed and the process, how it
23 should take place.

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24 The good hardworking taxpayers,
25 citizens of New York City have stated their
support for two four-year terms in office for

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1
2 elected officials. Now, I believe, is the time to
3 retake that issue up. However, it should be taken
4 up by public referendum. The way this came about
5 in such a short period of time, reading about it
6 in the newspapers, with, obviously, expedited
7 timetable, is not—and with lawsuits on the way to
8 be followed—is not the way we want to institute a
9 third term or we should institute a third term. A
10 better way would be to do this through public
11 referendum. There is still time to do it through
12 a special election. I would urge everyone to
13 consider that. Thank you.

14 CHAIRPERSON GOTBAUM: Council
15 Member Gerson. Oh, I'm sorry, excuse me. Council
16 Member Mealy, did you want to vote? What? Mealy.
17 Council Member Mealy.

18 COUNCIL MEMBER MEALY: [Pause]
19 vote.

20 CHAIRPERSON GOTBAUM: So ordered.

21 COUNCIL MEMBER MEALY: On all Land
22 Use call-ups, please.

23 CHAIRPERSON GOTBAUM: So ordered.

24 COUNCIL MEMBER MEALY: On all
25 General Orders.

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CHAIRPERSON GOTBAUM: So ordered.

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COUNCIL MEMBER MEALY: Thank you.

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CHAIRPERSON GOTBAUM: All right.

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Council Member Gerson.

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COUNCIL MEMBER GERSON: Thank you,

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Madam Public Advocate. And, excuse me, I first

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want to be associated with the comments of Council

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Member Vallone concerning Council Member Simcha

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Felder, who is nothing but an exemplar of ethics

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and decency.

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I look forward to the upcoming

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debate and discussion on the topic discussed or

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addressed by many of my colleagues. But, I do

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need to break the train of thought to point out

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that yesterday we had, in this Council, a very

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important hearing on an issue physically located

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in my district, but of concern to all New Yorkers

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and beyond. And, that is progress on the Ground

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Zero site.

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Well, we heard for the first time

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since its release, the report by the Port

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Authority Executive Director and, indeed, and

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questions pertaining thereto. And, indeed, much

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progress has been made and we are moving forward

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2 in a good direction. But, we still have not
3 adequately addressed the issue of the timetable
4 for the completion of the memorial. In fact, we
5 heard conflicting testimony between the Port
6 Authority and the Memorial Museum as to whether or
7 not it is possible to complete the aboveground
8 structures on the memorial plaza by the tenth
9 anniversary, 9/11/11.

10 I, therefore, at the hearing,
11 called upon all parties, and I want to reiterate
12 this, not request, but demand, that engineers with
13 the Port Authority, engineers with the Memorial
14 Museum and the other experts involved meet
15 immediately to come up with either a plan to
16 complete the entire plaza by the tenth anniversary
17 or provide, to this Council and the people of the
18 City of New York, a detailed explanation as to why
19 that is not possible and what trade-offs could
20 have been made, but were not and for what reason.
21 New Yorkers, and especially those who have lived
22 through and suffered and continue to suffer--

23 CHAIRPERSON GOTBAUM: Quiet,
24 please.

25 SPEAKER QUINN: Madam Public

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2 Advocate, could we--

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COUNCIL MEMBER GERSON: --the
events of 9/11.

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CHAIRPERSON GOTBAUM: Keep quiet,
please.

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SPEAKER QUINN: Can we give
Councilman Gerson a bit more time, if we could--

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CHAIRPERSON GOTBAUM: Yes.

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SPEAKER QUINN: --get a little
quiet while he's--please, thank you.

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COUNCIL MEMBER GERSON: Thank you,
Madam Speaker. I was just concluding by pointing
out all of us, but especially the family members
and the communities directly impacted by the
events of 9/11, deserve no less. Thank you very
much.

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CHAIRPERSON GOTBAUM: Council
Member Martinez.

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COUNCIL MEMBER MARTINEZ: Thank
you, Madam Chair. Madam Chair, I just want to
express my concern with a lot of the rhetoric that
are being used when we're considering the
extension of term limits; the hijack of democracy
and one side's buying the other. I was elected to

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2 represent my constituency through a representative
3 democracy in which sometimes we got to make tough
4 decision and take tough votes.

5

6 And, the fact that we are
7 considering extending term limit, not eliminating
8 term limit, it's something that we need to be
9 clear on. And, the fact that we were elected to
10 guard and make changes that are representative of
11 our constituents to the City Charter is exactly
12 the same exercise that we're called upon to do
13 when considering term limits.

14

15 And, for me to sit here and hear
16 that this is a hijack of democracy, I find it
17 insulting, 'cause we're not hijacking democracy.
18 We're contributing to democracy 'cause we're not
19 saying our constituents will not have a choice of
20 whom to elect if term limits are extended. The
21 same is true that if my position is to vote in
22 favor of extending term limits, in no way, shape
23 or form am I a puppet or no way form—I haven't
24 received a dime from the Mayor, not even in my
25 capital projects, to be bought by the Mayor.

26

27 In all conscience, I think that we,
28 as colleagues, should be respectful of one

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2 another. We should consider the fact that we all
3 have responsibilities and constituents to
4 represent. And, there's going to be passionate
5 debate. But, let's have a debate that is
6 respectful of one another. Let's have a debate
7 that is representative of the people we represent.
8 And, at this point, I think that the Council had
9 been very responsible in guarding our
10 responsibility, to go further to ask Albany to
11 tell us what to do and tell Albany--and have Albany
12 present legislation as to whether we have the
13 right to make changes to the Charter of the City
14 of New York, I think is insulting to this body.

15 So, I would ask that, as we go
16 along in this debate, that we do it with most
17 upsteen [phonetic] respect for one another and
18 consider the fact that this is such a beautiful
19 and diverse City that many communities have
20 different voices and different needs and different
21 expressions. And, at this point, as we move along
22 in the discussion--

23 CHAIRPERSON GOTBAUM: Quiet,
24 please.

25 COUNCIL MEMBER MARTINEZ: --this

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2 Council, here, is in no violation of the City
3 Charter. We're actually exercising what we were
4 elected to do, which is to guard, to make changes
5 that are representative of our constituents to the
6 City Charter. Thank you, Madam Public Advocate.

7 CHAIRPERSON GOTBAUM: Council
8 Member White.

9 COUNCIL MEMBER WHITE: Thank you
10 very much. Being the only one in this Chamber
11 that had to adhere to the will of the people,
12 having served in this illustrious body and had to
13 leave because of term limits, I can speak to the
14 issue from its inception.

15 The inception was that somebody
16 thought that the citizens of New York were not
17 intelligent, well versed, could make decisions on
18 who they wanted to represent them. And, somebody
19 said that they should make a change. So, you put
20 a referendum together. Now, I fought against term
21 limits then. And, I'll fight against term limits
22 now.

23 This is not about Michael
24 Bloomberg, the current Mayor. This not about - -
25 who has billions. This is about the right of the

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2 people to vote. Whether we like it or not, people
3 have the right to vote. And, even though some
4 individuals see this as extending term limits,
5 extending their ability to still service people, I
6 see this term limits as denying the people the
7 right to vote for who they want. Denying people
8 the right to vote for someone that they honestly
9 know, believe, have confidence in, that they're
10 doing a wonderful job and they want to send them
11 back. You cannot have that anymore in the City of
12 New York.

13

14 You have to pick from two other
15 people, not that the two other people or three or
16 four or five are not capable or competent for
17 running. Sure. But, I want the person that I
18 have built up the confidence in to continuously
19 represent me. And, I'm going to use a person that
20 I admire as one of the best legislators I've ever
21 known in my lifetime. He didn't serve in the City
22 Council. But, he sure represented the people.
23 And, he represented me. And, I would send him
24 back every time if he belonged to the City County.
25 And, that is the late, great Joseph P. Addabbo.
He was a wonderful legislator.

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2 So, what we're dealing with and
3 what I'm saying is, from my perspective, is the
4 voter's right--

5 CHAIRPERSON GOTBAUM: Council
6 Member, time.

7 COUNCIL MEMBER WHITE: --and if we
8 are denying the voter's right and I will go to the
9 Committees and I'll have my discussion with them.
10 I'm not going to call people's names and things of
11 that nature.

12 CHAIRPERSON GOTBAUM: Council
13 Member, time, please.

14 COUNCIL MEMBER WHITE: Okay. And,
15 as a person that served in the Civil Rights
16 movement, coming from the 101st Airborne Division,
17 when I came out of the service, I will stay, and
18 fought for this country, I will stand up for
19 people's right to vote, in or out. Thank you very
20 much.

21 CHAIRPERSON GOTBAUM: Council
22 Member Dilan. He's not here. Mark-Viverito.

23 COUNCIL MEMBER MARK-VIVERITO:
24 Thank you, Madam Public Advocate. I feel very
25 moved to speak on this issue 'cause this issue is

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2 very much--

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CHAIRPERSON GOTBAUM: Quiet,
please.

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COUNCIL MEMBER MARK-VIVERITO: --
something that I feel very strongly about. You
know, my position regarding term limits has
somewhat changed since I came into power. I
understand how term limits may, in fact,
contribute to the continued disenfranchisement of
communities of color in this City, of
representatives of color.

We may all have issues with the way
the original referendums went about and the fact
that we did have a billionaire pump so much money
into a campaign in order to will his way to a
position. We can have those arguments. And, I
may agree to a certain extent. But, I feel very
strongly that I came to this position and I've
been elected as a representative to help instill
faith and re-instill faith in government in my
constituents. I represent a community that is
deeply cynical that government in any way can be
responsive to their needs. And, I must work, and
I work, diligently each and every day to re-

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2 instill that faith that government can work for
3 you.

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5 I think the way we're going about
6 this or the way that it's being discussed and
7 possibly legislating a change is one that will
8 contribute to that cynicism that decisions are
9 being made without input from the people. And,
10 again, there has been a referendum. We may take
11 issue with the way it went about. But, people did
12 go to the polls and did vote on this matter. And,
13 if any change is to be made, it must incorporate
14 the people's voice once again.

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16 So, I just stand to say that I am
17 strongly in opposition to legislating this matter.
18 I strongly am in favor of holding a referendum
19 and, once again, asking the people to express
20 their position. Thank you very much.

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22 CHAIRPERSON GOTBAUM: Council
23 Member Oddo.

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25 COUNCIL MEMBER ODDO: Yeah, Madam
Public Advocate, I rise simply to seek additional
clarification as to how this term limit saga is
the fault of the Republicans. Did I miss
something in the Katie Couric, Government Palin

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2 debate? I'm taking e-mail. Send me, you know,
3 carrier pigeon, just get me exactly how we're to
4 blame for this. Thank you.

5 CHAIRPERSON GOTBAUM: Ignizio,
6 Council Member Ignizio.

7 COUNCIL MEMBER IGNIZIO: Yes, thank
8 you very much. And, thank you Minority Leader.
9 Somebody better check hell 'cause they said when I
10 agree with Council Member Barron and Council
11 Member Mark-Viverito, that it may have frozen
12 over. That wasn't a dig at them. We come from
13 different sides of the political spectrum.

14 That being said, I didn't want to
15 voice my position or my opinion. You've read
16 whatever reports there are out there. But, I did
17 want to tell--

18 CHAIRPERSON GOTBAUM: Quiet,
19 please.

20 COUNCIL MEMBER IGNIZIO: --the
21 people--

22 MALE VOICE: Quiet, please; keep it
23 down.

24 COUNCIL MEMBER IGNIZIO: What I did
25 want to tell the people of this City is the

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2 starting gun just went off. The beginning of this
3 process, the beginning of the dialogue, with which
4 you can defend your vote in '93 and '96 or with
5 which you can call for its alteration, has begun.

6 You all have Council Members.
7 Anybody out there watching, you all have Council
8 Members. They all have phones. They all have
9 offices. And now, it's incumbent upon you. You
10 have to leave your home and knock on your Council
11 Member's door and say I don't want you to change
12 term limits. Or, you have to leave and knock on
13 his door and say, you know what, the Mayor's
14 right. We want to give him another four years and
15 12 years is prudent and proper. But, to take
16 this, I don't agree with the fact of doing this
17 legislatively.

18 But, nonetheless, there are eight
19 million people that we all represent in this room.
20 And, let their voices be heard. If there's not
21 going to be a referendum, well, you demand a
22 referendum. You go stand in front of your Council
23 Member's office and you say there will be a
24 referendum and you will hear my voice. That's
25 your role now. So, get out there and knock on the

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doors and cram the phones.

We heard this latest about the financial package. And, a lot of people who voted no on it said boy, the office was ringing off the hook. The switchboard was closed down. And, they heard it. And, they voted against it. And, ultimately, there was a different product. Whether you liked it or not, that's not the point.

The point I'm trying to make is that the people spoke once. The people spoke twice. Well, friends, the eight million people out there. You need to speak again and speak loudly. Thank you very much.

CHAIRPERSON GOTBAUM: Council Member Palma.

COUNCIL MEMBER PALMA: Thank you, Madam Public Advocate. I'm not going to repeat much that has been said. I, too, believe that this issue needs to be taken out by a referendum. I, however, want to make a suggestion to this body. I think we all owe it to the people that elected us into office to go back to them and make sure that, you know, we have this debate with them.

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2 I'm suggesting that, you know, we
3 call for Borough hearings and let's hear from our
4 public. Council Member Ignizio suggested to the
5 public that they come to our house. I think we
6 should gather them in a big public place and make
7 sure that their voices are heard in that way.

8 Thank you.

9 CHAIRPERSON GOTBAUM: Thank you,
10 Council Member. Council Member Mendez. Quiet,
11 please.

12 COUNCIL MEMBER MENDEZ: Thank you,
13 Madam Public Advocate. I've just been listening
14 here and I find it interesting that a lot of my
15 colleagues are against term limits, as I am.
16 However, for me, there is nothing more important
17 than process. And, there is a process here that
18 was started with individuals in this City, who
19 went to the voting machines and voted. And, I
20 think that is a process we must continue to abide
21 by.

22 My colleagues who say that they are
23 against term limits, but, and it's undemocratic
24 and they're going to vote for this. Well, what
25 you're voting for is to extend term limits for

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another term. It's not eliminating term limits.
So, you're just extending an undemocratic process.
So, I say we need to take this to the voters,
where it started. And, I look forward to knocking
on doors of my constituents to tell them why I
think term limits is wrong. But, if, on the
floor, I have gotten hundreds and hundreds of
phone calls and e-mails, I will be the voice for
my constituents and do as they want. Thank you.

CHAIRPERSON GOTBAUM: Thank you,
Council Member. No one else? Seeing no one else,
that's it. The Council meeting of October 7th is
ended.

C E R T I F I C A T E

I, DeeDee E. Tataseo 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 DeeDee E. Tataseo

Date October 17, 2008