

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS

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November 24, 2015
Start: 11:02 a.m.
Recess: 11:24 a.m.

HELD AT: Council Chambers - City Hall

B E F O R E:
BRAD S. LANDER
Chairperson

COUNCIL MEMBERS:
Inez E. Dickens
Daniel R. Garodnick
Ydanis A. Rodriguez
Margaret S. Chin
Deborah L. Rose
Jumaane D. Williams
Rafael L. Espinal, Jr.
Mark Levine
The Speaker (Council
Member Mark-Viverito)
Steven Matteo
Corey D. Johnson

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

2 [gavel]

3 CHAIRPERSON LANDER: Good morning and
4 welcome as we reopen this meeting of the City Council
5 Committee on Rules, Privileges and Elections. I'm
6 Brad Lander, Chair of the Committee, joined this
7 morning by Council Members Rafael Espinal, Mark
8 Levine, Ydanis Rodriguez, Minority Leader Steven
9 Matteo, Council Member Margaret Chin, Council Member
10 Debi Rose, and a few others will be joining us as
11 well. Thanks very much to our Counsel, Abid Hossain
12 and as always and especially this meeting, to the
13 staff members from the Council's Investigative Unit
14 -- Chuck Davis, Deandra [sp?] Johnson and Alicia
15 Basel [sp?].

16 In a letter dated November 5, 2015, Mayor
17 de Blasio submitted to the Council for advice and
18 consent the name of Janet Alvarez for nomination
19 appointment to the Tax Commission and we went over at
20 that hearing the rules and responsibilities of the
21 Tax Commission. If the Council gives its advice and
22 consent, Ms. Alvarez, a Manhattan resident, will be
23 eligible to fill a vacancy and complete the remainder
24 of a six-year term that expires on January 6, 2018.

2 We had two hearings with Ms. Alvarez; as
3 members of this committee know, at the first we had
4 some real concerns; we were aware of a legal
5 proceeding about which we didn't have information and
6 which she declined to provide information and in
7 response to some questions about the proceedings of
8 the Tax Commission, while we acknowledged she had a
9 strong resume and legal background, we didn't feel
10 that she had yet done the level of due diligence that
11 we were hoping to see in a Tax Commission nominee.

12 We had a second hearing yesterday and it
13 went much better, thanks to the work of both our
14 investigative staff and in consultation with the
15 Mayor's Office we found the complaint, which is a
16 Small Claims Court complaint of negligence and really
17 something quite typical that a lawyer might fact and
18 nothing that cast any doubt or shadow on her
19 integrity or fitness to serve or character. And in
20 addition, Council Member Matteo, and he can speak to
21 this as well, and I asked her some questions and it
22 was clear that she has learned a lot about the Tax
23 Commission in the last week and it was much more
24 thoughtful about her experience and knowledge would
25 be applied to her service on the Tax Commission, in

2 ways that I feel comfortable will provide the
3 appropriate level of judgment, adjudication and
4 listening that we all expect for our constituents
5 when they appear before the Tax Commission with their
6 tax appeals.

7 Minority Leader Matteo, do you wanna
8 reflect on that as well?

9 COUNCIL MEMBER MATTEO: Thank you,
10 Mr. Chair. Yes, I agree with Chair Lander's
11 assessment; the first hearing was obviously a much
12 more difficult hearing, but after obviously having
13 her prepped for the second hearing and answering our
14 substantive questions by Chair Lander and Council
15 Member Chin and I, I certainly feel much better about
16 her qualifications about how she can represent our
17 constituents in the Tax Commission, that she's
18 willing to work with us, come out for hearings and
19 try and make the process better for our constituents,
20 which is an extremely important part of the job. So
21 it was a much better hearing; she provided much more
22 substance than she did at the first hearing and with
23 that I'm confident in moving forward with her
24 nomination.

2 CHAIRPERSON LANDER: Thank you, Minority
3 Leader. And actually wanna reflect on one thing that
4 Council Member Chin asked about at the hearing
5 yesterday as well, which was, you know sometimes
6 these confirmation hearings serve as an opportunity
7 for us to look into a piece of the government we
8 don't often pay quite as much close attention to and
9 led us to take a look at some of the data around Tax
10 Commission appeals and where they're granted and not
11 granted and why and we think that's something that
12 Council may want to do some deeper dive into and
13 consider policy-making or oversight or other matters.
14 So hopefully that'll open up a good opportunity for
15 us to do that in the future.

16 With that, unless any other members have
17 further questions or comments, I'll ask the clerk to
18 take the vote on M 0347, the nomination of Janet
19 Alvarez.

20 COMMITTEE CLERK: William Martin,
21 Committee Clerk, roll call vote Committee on Rules,
22 Privileges and Elections. Chair Lander.

23 CHAIRPERSON LANDER: I vote aye.

24 COMMITTEE CLERK: Garodnick. [background
25 comment] Rodriguez.

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2 COUNCIL MEMBER RODRIGUEZ: Aye.

3 COMMITTEE CLERK: Chin.

4 COUNCIL MEMBER CHIN: Aye.

5 COMMITTEE CLERK: Rose.

6 COUNCIL MEMBER ROSE: Aye.

7 COMMITTEE CLERK: Espinal.

8 COUNCIL MEMBER ESPINAL: Aye.

9 COMMITTEE CLERK: Levine.

10 COUNCIL MEMBER LEVINE: Aye.

11 COMMITTEE CLERK: Matteo.

12 COUNCIL MEMBER MATTEO: Aye.

13 COMMITTEE CLERK: Garodnick.

14 COUNCIL MEMBER GARODNICK: Aye.

15 COMMITTEE CLERK: By a vote of 8 in the
16 affirmative, 0 in the negative and no abstentions,
17 the item has been adopted.

18 CHAIRPERSON LANDER: We'll hold the vote
19 open for 15 minutes for other members of the Rules
20 Committee and I wanna recognize and thank Council
21 Member Johnson for being here as well.

22 [pause]

23 COMMITTEE CLERK: Continuation of roll
24 call, Committee on Rules. Speaker Mark-Viverito.

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2 SPEAKER MARK-VIVERITO: I vote aye on
3 all.

4 COMMITTEE CLERK: Vote now stands at 9 in
5 the affirmative, 0 in the negative and no
6 abstentions.

7 [pause]

8 COMMITTEE CLERK: Continuation of roll
9 call, Committee on Rules. Council Member Williams.

10 COUNCIL MEMBER WILLIAMS: I vote aye.

11 COMMITTEE CLERK: Final vote Committee on
12 Rules is now 10 in the affirmative, 0 in the negative
13 and no abstentions.

14 COUNCIL MEMBER WILLIAMS: This meeting's
15 adjourned.

16 [gavel]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date November 28, 2015